

117TH CONGRESS
1ST SESSION

H. R. 5739

To amend the Higher Education Act of 1965 to change certain Federal Pell Grant requirements for certain students with disabilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 2021

Mr. MORELLE introduced the following bill; which was referred to the
Committee on Education and Labor

A BILL

To amend the Higher Education Act of 1965 to change certain Federal Pell Grant requirements for certain students with disabilities, 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. AMENDMENTS TO THE HEA.**

4 (a) AWARD YEAR 2022–2023.—Section 401 of the
5 Higher Education Act of 1965 (20 U.S.C. 1070a) is
6 amended—

7 (1) in subsection (b)(2)—

1 (A) in subparagraph (B), by striking “(B)
2 In any case” and inserting “(B)(i) Except as
3 provided in clause (ii), in any case”; and

4 (B) by adding at the end the following:

5 “(ii) The amount of a Federal Pell
6 Grant to which a student with a disability
7 (as defined in section 3 of the Americans
8 with Disabilities Act of 1990 (42 U.S.C.
9 12102)) who is receiving appropriate and
10 reasonable accommodations for such dis-
11 ability is entitled shall be calculated as if
12 such student attends an institution of
13 higher education on a full-time basis, with-
14 out regard to whether the student is at-
15 tending on less than a full-time basis.”;
16 and

17 (2) in subsection (c)—

18 (A) in paragraph (5), by striking “(5) The
19 period” and inserting “(5)(A) Except as pro-
20 vided in subparagraph (B), the period”; and

21 (B) by adding at the end the following:

22 “(B) In the case of a student with a dis-
23 ability (as defined in section 3 of the Americans
24 with Disabilities Act of 1990 (42 U.S.C.
25 12102)) who is receiving appropriate and rea-

sonable accommodations for such disability, the period during which such student may receive Federal Pell Grants may exceed 12 semesters or the equivalent of 12 semesters if required by such accommodations for the completion of the first undergraduate baccalaureate course of study being pursued by that student at the institution at which the student is in attendance.”.

(b) AWARD YEAR 2023–2024 AND EACH SUBSEQUENT AWARD YEAR.—

(1) AMENDMENTS.—Section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a), as amended by section 703 of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260), is amended—

(A) in subsection (b)(2)—

(i) by striking “In any case” and inserting the following:

“(A) REDUCTION.—In any case”; and

(ii) by adding at the end the following:

“(B) STUDENTS WITH DISABILITIES.—The amount of a Federal Pell Grant to which a student with a disability (as defined in section 3

1 of the Americans with Disabilities Act of 1990
2 (42 U.S.C. 12102)) who is receiving appro-
3 priate and reasonable accommodations for such
4 disability is entitled shall be calculated as if
5 such student attends an institution of higher
6 education on a full-time basis, without regard
7 to whether the student is attending on less than
8 a full-time basis.”; and

9 (B) in subsection (d)(5)(A)—

10 (i) by striking “Except as provided in
11 subparagraph (B)” and inserting the fol-
12 lowing:

13 “(i) PERIOD.—Except as provided in
14 clause (ii) of this subparagraph and in
15 subparagraph (B)”;

16 (ii) by adding at the end the fol-
17 lowing:

18 “(ii) STUDENTS WITH DISABIL-
19 ITIES.—In the case of a student with a
20 disability (as defined in section 3 of the
21 Americans with Disabilities Act of 1990
22 (42 U.S.C. 12102)) who is receiving appro-
23 priate and reasonable accommodations for
24 such disability, the period during which
25 such student may receive Federal Pell

1 Grants may exceed 12 semesters or the
2 equivalent of 12 semesters if required by
3 such accommodations for the completion of
4 the first undergraduate baccalaureate
5 course of study being pursued by that stu-
6 dent at the institution at which the student
7 is in attendance.”.

8 (2) EFFECTIVE DATE.—The amendments made
9 by this subsection shall take effect as if included in
10 section 703 of division FF of the Consolidated Ap-
11 propriations Act, 2021 (Public Law 116–260).

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