

117TH CONGRESS  
1ST SESSION

# S. 2959

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## AN ACT

To provide that, due to the disruptions caused by COVID–19, applications for impact aid funding for fiscal year 2023 may use certain data submitted in the fiscal year 2022 application.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Supplemental Impact  
3 Aid Flexibility Act”.

4 **SEC. 2. IMPACT AID PROGRAM.**

5 Due to the public health emergency directly relating  
6 to COVID–19 and notwithstanding sections 7002(j) and  
7 7003(c) of the Elementary and Secondary Education Act  
8 of 1965 (20 U.S.C. 7702(j), 7703(c)), a local educational  
9 agency desiring to receive a payment under section 7002  
10 or 7003 of such Act (20 U.S.C. 7702, 7703) for fiscal  
11 year 2023 that also submitted an application for such pay-  
12 ment for fiscal year 2022 shall, in the application sub-  
13 mitted under section 7005 of such Act (20 U.S.C. 7705)  
14 for fiscal year 2023—

15 (1) with respect to a requested payment under  
16 section 7002 of such Act—

17 (A) use the data described in section  
18 7002(j) of such Act relating to calculating such  
19 payment that was submitted by the local edu-  
20 cational agency in the application for fiscal year  
21 2022; or

22 (B) use the data relating to calculating  
23 such payment for the fiscal year required under  
24 section 7002(j) of such Act; and

25 (2) with respect to a requested payment under  
26 section 7003 of such Act—

- 1           (A) use the student count data relating to  
2           calculating such payment that was submitted by  
3           the local educational agency in the application  
4           for fiscal year 2022, provided that payments for  
5           fiscal year 2023 shall be calculated by the Sec-  
6           retary using the expenditures and rates de-  
7           scribed in clauses (i), (ii), (iii), and (iv) of sec-  
8           tion 7003(b)(1)(C) of such Act that would oth-  
9           erwise apply for fiscal year 2023; or
- 10           (B) use the student count data relating to  
11           calculating such payment for the fiscal year re-  
12           quired under section 7003(c) of such Act.

Passed the Senate December 13, 2021.

Attest:

*Secretary.*

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