

109TH CONGRESS
1ST SESSION

H. R. 1277

To expand college opportunities by significantly simplifying the Federal student aid application process.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2005

Mr. EMANUEL (for himself, Mr. GEORGE MILLER of California, Mr. RYAN of Ohio, Mr. BISHOP of New York, Mr. TIERNEY, Mr. LYNCH, Mr. HOLT, Mr. CUMMINGS, Mr. DELAHUNT, Mr. BROWN of Ohio, Ms. SOLIS, Mr. GRIJALVA, Mr. McDERMOTT, Mr. HINCHEY, Ms. WATSON, Mr. FILNER, Mr. OWENS, Mr. COSTELLO, Mr. McGOVERN, Mr. McNULTY, Mr. SKELTON, Mr. JEFFERSON, Mr. SCOTT of Georgia, Mr. HINOJOSA, Mr. PAYNE, Mr. DEFAZIO, Mr. ETHERIDGE, Mr. ISRAEL, Mr. PALLONE, Ms. SLAUGHTER, Mr. NEAL of Massachusetts, Mr. SANDERS, Ms. LINDA T. SÁNCHEZ of California, and Mr. FORD) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To expand college opportunities by significantly simplifying the Federal student aid application process.

- 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; REFERENCE.**
- 4 (a) SHORT TITLE.—This Act may be cited as the
- 5 “College Aid Made EZ Act”.

1 (b) REFERENCES.—Except as otherwise expressly
2 provided, whenever in this Act an amendment or repeal
3 is expressed in terms of an amendment to, or repeal of,
4 a section or other provision, the reference shall be consid-
5 ered to be made to a section or other provision of the
6 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

7 **SEC. 2. EXPANDING THE AUTO-ZERO AND FURTHER SIM-
8 PLIFYING THE SIMPLIFIED NEEDS TEST.**

9 (a) SIMPLIFIED NEEDS TEST.—Section 479 (20
10 U.S.C. 1087ss) is amended—

11 (1) in subsection (b)—

12 (A) in paragraph (1)—

13 (i) by striking clause (i) of subpara-
14 graph (A) and inserting the following:

15 “(i) the student’s parents—

16 “(I) file, or are eligible to file, a
17 form described in paragraph (3); or

18 “(II) certify that they are not re-
19 quired to file an income tax return; or

20 “(III) or the student received
21 benefits at some time during the pre-
22 vious 12-month period under a means-
23 tested Federal benefit program as de-
24 fined under subsection (d); and”;

1 (ii) by striking clause (i) of subparagraph
2 graph (B) and inserting the following:

16 (B) in paragraph (3), by striking “A stu-
17 dent or family files a form described in this
18 subsection, or subsection (c), as the case may
19 be, if the student or family, respectively, files”
20 and inserting “In the case of an independent
21 student, the student, or in the case of a depend-
22 ent student, the parent, files a form described
23 in this subsection, or subsection (c), as the case
24 may be, if the student or parent, as appro-
25 priate, files”;

1 (2) in subsection (c)—

2 (A) in paragraph (1), by striking subparagraphs (A) and (B) and inserting the following:

3

4 “(A) the student’s parents—

14 “(B) the sum of the adjusted gross income
15 of the parents is less than or equal to \$25,000;
16 or”; and

17 (B) in paragraph (2), by striking subparagraphs (A) and (B) and inserting the following:

18

19 “(A) the student (and the student’s
20 spouse, if any)—

1 “(iii) received benefits at some time
2 during the previous 12-month period under
3 a means-tested Federal benefit program as
4 defined under subsection (d); and

5 “(B) the sum of the adjusted gross income
6 of the student and spouse (if appropriate) is
7 less than or equal to \$25,000.”; and

8 (C) by inserting after the last sentence of
9 such subsection the following: “The Secretary
10 shall annually adjust the income level necessary
11 to qualify an applicant for the zero expected
12 family contribution under this subsection. The
13 income level shall be adjusted according to in-
14 creases in the Consumer Price Index, as speci-
15 fied in section 478(f).”; and

16 (3) by adding at the end the following new sub-
17 sections:

18 “(d) MEANS-TESTED FEDERAL BENEFIT PRO-
19 GRAM.—For the purposes of this section, the term ‘means-
20 tested Federal benefit program’ means a mandatory
21 spending program of the Federal Government in which eli-
22 gibility for the program’s benefits, or the amount of such
23 benefits, or both, are determined on the basis of income
24 or resources of the individual or family seeking the benefit,
25 and includes the supplemental security income program

1 under title XVI of the Social Security Act, the food stamp
2 program under the Food Stamp Act of 1977, the free and
3 reduced price school lunch program established under the
4 Richard B. Russell National School Lunch Act, the tem-
5 porary assistance to needy families program established
6 under part A of title IV of the Social Security Act, and
7 the women, infants and children program established
8 under Section 17 of the Child Nutrition Act of 1966.

9 “(e) REPORTING REQUIREMENTS.—The Secretary
10 shall regularly evaluate the impact of the eligibility guide-
11 lines in subsections (b)(1)(A)(i), (b)(1)(B)(i), (c)(1)(A)
12 and (c)(2)(A) of this section. In particular, the Secretary
13 shall evaluate whether the means-tested Federal benefit
14 programs (as defined by subsection (d)) ensure that the
15 Simplified Needs Test continues to be targeted to the
16 maximum number of low- and moderate-income stu-
17 dents.”.

18 SEC. 3. IMPROVEMENTS TO PAPER AND ELECTRONIC
19 FORMS.

20 (a) COMMON FINANCIAL AID FORM DEVELOPMENT
21 AND PROCESSING.—Section 483 (20 U.S.C. 1090) is
22 amended—

23 (1) in subsection (a)—

24 (A) by striking paragraphs (1), (2), and
25 (5);

1 (B) by redesignating paragraphs (3), (4),
2 (6), and (7), as paragraphs (9), (10), (11), and
3 (12), respectively;

4 (C) by inserting before paragraph (9), as
5 redesignated by subparagraph (B), the fol-
6 lowing:

“(1) IN GENERAL.—The Secretary, in cooperation with representatives of agencies and organizations involved in student financial assistance, shall produce, distribute, and process free of charge common financial reporting forms as described in this subsection to be used for application and reapplication to determine the need and eligibility of a student for financial assistance under parts A through E (other than subpart 4 of part A). These forms shall be made available to applicants in both paper and electronic formats and shall be referred to as the ‘Free Application for Federal Student Aid’ or the ‘FAFSA’.

“(2) EARLY ESTIMATES.—The Secretary shall permit applicants to complete such forms as described in this subsection in the years prior to enrollment in order to obtain an estimate of the family contribution, as defined by section 473. Such applicants shall be permitted to update information sub-

1 mitted on forms described in this subsection using
2 the process required under paragraph (5)(A).

3 "(3) PAPER FORMAT.—

4 “(A) IN GENERAL.—The Secretary shall
5 produce, distribute, and process common forms
6 in paper format to meet the requirements of
7 paragraph (1). The Secretary shall develop a
8 common paper form for applicants who do not
9 meet the requirements of subparagraph (B).

1 financial assistance, as provided under
2 paragraph (6), except that the Secretary
3 shall not include a State's data if that
4 State does not permit its applicants for
5 State assistance to use the EZ FAFSA.

6 “(iv) FREE AVAILABILITY AND PROC-
7 ESSING.—The provisions of paragraph (7)
8 shall apply to the EZ FAFSA, and the
9 data collected by means of the EZ FAFSA
10 shall be available to institutions of higher
11 education, guaranty agencies, and States
12 in accordance with paragraph (9).

13 “(v) TESTING.—The Secretary shall
14 conduct appropriate field testing on the
15 EZ FAFSA.

16 “(C) PROMOTING THE USE OF ELEC-
17 TRONIC FAFSA.—

18 “(i) IN GENERAL.—The Secretary
19 shall make all efforts to encourage all ap-
20 plicants to utilize the electronic forms de-
21 scribed in paragraph (4).

22 “(ii) MAINTENANCE OF THE FAFSA IN
23 A PRINTABLE ELECTRONIC FILE.—The
24 Secretary shall maintain a version of the
25 paper forms described in subparagraphs

(A) and (B) in a printable electronic file that is easily portable. The printable electronic file will be made easily accessible and downloadable to students on the same website used to provide students with the electronic application forms described in paragraph (4) of this subsection. The Secretary shall enable students to submit a form created under this subparagraph that is downloaded and printed from an electronic file format in order to meet the filing requirements of this section and in order to receive aid from programs under this title.

1 digital divide on the following student pop-
2 ulations: independent students, adults, and
3 dependent students.

4 “(4) ELECTRONIC FORMAT.—

5 “(A) IN GENERAL.—The Secretary shall
6 produce, distribute, and process common forms
7 in electronic format to meet the requirements of
8 paragraph (1). The Secretary shall develop
9 common electronic forms for applicants who do
10 not meet the requirements of subparagraph (C)
11 of this paragraph.

20 “(C) SIMPLIFIED APPLICATIONS: FAFSA ON
21 THE WEB.—

1 section (c) of section 479 and an additional
2 additional, separate simplified electronic application
3 form to be used by applicants meeting the requirements under subsection (b)
4 of section 479.

1 shall be available to institutions of higher
2 education, guaranty agencies, and States
3 in accordance with paragraph (9).

4 “(v) TESTING.—The Secretary shall
5 conduct appropriate field testing on the
6 forms developed under this subparagraph.

7 “(D) USE OF FORMS.—Nothing in this
8 subsection shall be construed to prohibit the use
9 of the forms developed by the Secretary pursu-
10 ant to this paragraph by an eligible institution,
11 eligible lender, guaranty agency, State grant
12 agency, private computer software provider, a
13 consortium thereof, or such other entities as the
14 Secretary may designate.

15 “(E) PRIVACY.—The Secretary shall en-
16 sure that data collection under this paragraph
17 complies with section 552a of title 5, United
18 States Code, and that any entity using the elec-
19 tronic version of the forms developed by the
20 Secretary pursuant to this paragraph shall
21 maintain reasonable and appropriate adminis-
22 trative, technical, and physical safeguards to
23 ensure the integrity and confidentiality of the
24 information, and to protect against security
25 threats, or unauthorized uses or disclosures of

1 the information provided on the electronic
2 version of the forms. Data collected by such
3 electronic version of the forms shall be used
4 only for the application, award, and administra-
5 tion of aid awarded under this title, State aid
6 awarded under section 415C, or aid awarded by
7 eligible institutions or such entities as the Sec-
8 retary may designate. No data collected by such
9 electronic version of the forms shall be used for
10 making final aid awards under this title until
11 such data have been processed by the Secretary
12 or a contractor or designee of the Secretary, ex-
13 cept as may be permitted under this title.

14 “(F) SIGNATURE.—Notwithstanding any
15 other provision of this Act, the Secretary may
16 permit an electronic form under this paragraph
17 to be submitted without a signature, if a signa-
18 ture is subsequently submitted by the applicant
19 or if the applicant uses a personal identification
20 number provided by the Secretary under sub-
21 paragraph (G) of this paragraph.

22 “(G) PERSONAL IDENTIFICATION NUM-
23 BERS AUTHORIZED.—The Secretary may assign
24 to applicants personal identification numbers—

1 “(i) to enable the applicants to use
2 such numbers in lieu of a signature for
3 purposes of completing a form under this
4 paragraph;

5 “(ii) to enable the applicants to use
6 such numbers in lieu of a signature for
7 purposes of completing forms required by
8 States under section 415C; and

9 “(iii) for any purpose determined by
10 the Secretary to enable the Secretary to
11 carry out this title.

12 “(5) STREAMLINING.—

13 “(A) STREAMLINED REAPPLICATION PROC-
14 ESS.—

15 “(i) IN GENERAL.—The Secretary
16 shall develop streamlined reapplication
17 forms and processes, including both paper
18 and electronic reapplication processes, con-
19 sistent with the requirements of this sub-
20 section, for an applicant who applies for fi-
21 nancial assistance under this title in the
22 next succeeding academic year subsequent
23 to the year in which such applicant first
24 applied for financial assistance under this
25 title.

1 “(ii) MECHANISMS FOR REAPPLICATION.—The Secretary shall develop appropriate mechanisms to support reapplication.

5 “(iii) IDENTIFICATION OF UPDATED
6 DATA.—The Secretary shall determine, in
7 cooperation with States, institutions of
8 higher education, agencies, and organizations
9 involved in student financial assistance, the data elements that can be updated
10 from the previous academic year’s
11 application.

13 “(iv) REDUCED DATA AUTHORIZED.—
14 Nothing in this title shall be construed as
15 limiting the authority of the Secretary to
16 reduce the number of data elements required of reapplicants.

18 “(v) ZERO FAMILY CONTRIBUTION.—
19 Applicants determined to have a zero family contribution pursuant to section 479(c)
20 shall not be required to provide any financial data in a reapplication form, except
21 that which is necessary to determine eligibility under such section.

25 “(B) REDUCTION OF DATA ELEMENTS.—

1 “(i) REDUCTION REQUIRED.—Of the
2 number of data elements on the FAFSA
3 on the date of enactment of the College
4 Aid Made EZ Act (including questions on
5 the FAFSA for the purposes described in
6 paragraph (6)), the Secretary, in coopera-
7 tion with representatives of agencies and
8 organizations involved in student financial
9 assistance, shall reduce the number of such
10 data elements by 50 percent within 5 years
11 after such date of enactment. Reductions
12 of data elements under paragraph (3)(B),
13 (4)(C), or (5)(A)(iv) shall not be counted
14 towards such 50 percent reduction unless
15 those data elements are reduced for all ap-
16 plicants.

17 “(ii) REPORT.—The Secretary shall
18 submit a report on the process of this re-
19 duction to each House of Congress within
20 2 years after such date of enactment.

21 “(6) STATE REQUIREMENTS.—

22 “(A) IN GENERAL.—The Secretary shall
23 include on the forms developed under this sub-
24 section, such State-specific nonfinancial data
25 items as the Secretary determines are necessary

1 to meet State requirements for need-based
2 State aid under section 415C, except as pro-
3 vided in paragraphs (3)(B)(iii) and (4)(C)(iii)
4 of this subsection. Such items shall be selected
5 in consultation with State agencies that submit
6 applications under section 415C in order to as-
7 sist in the awarding of State financial assist-
8 ance in accordance with the terms of this sub-
9 section, except as provided in paragraphs
10 (3)(B)(iii) and (4)(C)(iii) of this subsection.
11 The number of such data items shall not be less
12 than the number included on the form on Octo-
13 ber 7, 1998, unless a State notifies the Sec-
14 retary that the State no longer requires those
15 data items for the distribution of State need-
16 based aid.

17 “(B) ANNUAL REVIEW.—The Secretary
18 shall conduct an annual review process to deter-
19 mine which forms and nonfinancial data items
20 the States require to award need-based State
21 aid and other application requirements that the
22 States may impose.

23 “(C) STATE USE OF SIMPLIFIED FORMS.—
24 The Secretary shall encourage states to take
25 such steps as necessary to encourage the use of

1 simplified application forms, including those de-
2 scribed in paragraphs (3)(B) and (4)(C), to
3 meet the requirements under subsection (b) or
4 (c) of section 479.

5 “(D) FEDERAL REGISTER NOTICE.—The
6 Secretary shall publish on an annual basis a no-
7 tice in the Federal Register requiring State
8 agencies to inform the Secretary—

9 “(i) if the State agency is unable to
10 permit applicants to utilize the simplified
11 application forms described in paragraphs
12 (3)(B) and (4)(C); and

13 “(ii) of the State-specific nonfinancial
14 data that the State agency requires for de-
15 livery of State need-based financial aid.

16 “(E) STATE NOTIFICATION TO THE SEC-
17 RETARY.—

18 “(i) IN GENERAL.—Each State agency
19 that submits an application under section
20 415C shall notify the Secretary—

21 “(I) whether the State permits
22 an applicant to file a form described
23 in paragraph (3)(B) or (4)(A) of this
24 subsection for purposes of deter-

1 mining eligibility for State need-based
2 grant aid; and

11 “(7) CHARGES TO STUDENTS AND PARENTS
12 FOR USE OF FORMS PROHIBITED.—

13 “(A) FEES PROHIBITED.—The FAFSA, in
14 whatever form (including the EZ-FAFSA,
15 paper, electronic, simplified, or reapplication),
16 shall be produced, distributed, and processed by
17 the Secretary and no parent or student shall be
18 charged a fee for the collection, processing, or
19 delivery of financial aid through the use of the
20 FAFSA. The need and eligibility of a student
21 for financial assistance under parts A through
22 E of this title (other than under subpart 4 of
23 part A) may only be determined by using the
24 FAFSA developed by the Secretary pursuant to
25 this subsection. No student may receive assist-

7 “(B) NOTICE.—Any entity that provides to
8 students and parents, or charges students or
9 parents for, any value-added services with re-
10 spect to or in connection with the FAFSA, such
11 as completion of the FAFSA, submission of the
12 FAFSA, or tracking of the FAFSA for a stu-
13 dent, shall provide to students and parents
14 clear and conspicuous notice that—

22 “(8) APPLICATION PROCESSING CYCLE.—The
23 Secretary shall enable students to submit a form
24 created under this subsection in order to meet the
25 filing requirements of this section and in order to re-

1 receive aid from programs under this title and shall
2 initiate the processing of applications under this
3 subsection as early as practicable prior to January
4 1 of the student's planned year of enrollment.”;

5 (2) by adding at the end of subsection (a) the
6 following paragraph:

7 “(13) EARLY APPLICATION AND AWARD DEM-
8 ONSTRATION PROGRAM.—

9 “(A) PROGRAM REQUIRED.—The Secretary
10 shall, no later than two years after the date of
11 enactment of the College Aid Made EZ Act, im-
12 plement an early application demonstration pro-
13 gram enabling dependent students to complete
14 applications under this subsection in their jun-
15 ior year of high school, or in the academic year
16 that is two years prior to their intended year of
17 enrollment, and to be eligible to receive aid
18 under this title and such aid as may be avail-
19 able from participants, including State financial
20 assistance as provided under section 415C and
21 other aid provided by participating institutions.

22 “(B) PURPOSE AND OBJECTIVES.—The
23 purpose of the demonstration program under
24 this paragraph shall be to measure the benefits,
25 in terms of student aspirations and plans to at-

1 tend college, and the adverse effects, in terms
2 of program costs, integrity, distribution, and
3 delivery of aid under this title, of implementing
4 an early application system for all dependent
5 students that allows dependent students to
6 apply for financial aid using information from
7 the year prior to the year prior to enrollment.
8 Additional objectives associated with implemen-
9 tation of the demonstration program are the
10 following:

11 “(i) Measure the feasibility of ena-
12 bling dependent students to apply for Fed-
13 eral, State, and institutional financial aid
14 in their junior year of high school, using
15 information from the year prior to the year
16 prior to enrollment, by completing any of
17 the application forms under this sub-
18 section.

19 “(ii) Determine the feasibility, bene-
20 fits, and adverse effects of implementing a
21 data match with the Internal Revenue
22 Service (IRS).

23 “(iii) Identify whether receiving final
24 financial aid awards no later than the fall
25 of the senior year provides students with

1 additional time to compete for the limited
2 resources available for State and institu-
3 tional financial aid and positively impacts
4 the college aspirations and plans of these
5 students.

6 “(iv) Measure the impact of using in-
7 come information from the year prior to
8 the year prior to enrollment on—

9 “(I) eligibility for financial aid
10 under this title and for other institu-
11 tional aid; and

12 “(II) the cost of financial aid
13 programs under this title.

14 “(iv) Effectively evaluate the benefits
15 and adverse effects of the demonstration
16 program on program costs, integrity, dis-
17 tribution, and delivery of aid.

18 “(C) PARTICIPANTS.—The Secretary shall
19 select States and institutions within those
20 States to participate in the demonstration pro-
21 gram under this paragraph that are partici-
22 pating in the programs under this title and that
23 are willing to make final financial aid awards to
24 students based on their application information
25 from the year prior to the year prior to enroll-

5 “(D) APPLICATION PROCESS.—The Sec-
6 retary shall insure that the following provisions
7 are included in the demonstration program:

1 “(iii) Financial aid administrators at
2 participating institutions shall be allowed
3 to use their discretion in awarding finan-
4 cial aid to participating students, as out-
5 lined under section 479A and section
6 480(d)(7).

7 “(E) DATA MATCH WITH THE INTERNAL
8 REVENUE SERVICE.—The Secretary shall in-
9 clude in this demonstration project a data
10 match with the Internal Revenue Service in
11 order to verify data provided by participating
12 students and gauge the feasibility of imple-
13 menting such a data match for all students ap-
14 plying for aid under this title.

15 “(F) EVALUATION.—The Secretary shall
16 conduct a rigorous evaluation of this dem-
17 onstration program in order to measure its ben-
18 efits and adverse effects as indicated under sub-
19 paragraph (A).

20 “(G) OUTREACH.—The Secretary shall
21 make appropriate efforts in order to notify
22 States of the demonstration program under this
23 paragraph. Upon determination of participating
24 States, the Secretary shall continue to make ef-
25 forts to notify institutions and dependent stu-

1 dents within participating States of the opportunity to participate in the demonstration program and of the participation requirements.”

4 (3) by striking subsection (b);

5 (4) by redesignating subsections (c), (d), and 6 (e) as subsections (b), (c), and (d), respectively.

7 (b) MASTER CALENDAR.—Section 482(a)(1)(B) (20 8 U.S.C. 1089) is amended to read as follows:

9 “(B) by March 1: proposed modifications, 10 updates, and notices pursuant to sections 11 479(c)(2)(C), 478, and 483(a)(6) published in 12 the Federal Register;”.

13 **SEC. 4. INCREASING ACCESS TO TECHNOLOGY.**

14 Section 483 (20 U.S.C. 1087ss) is further amended 15 by adding at the end the following:

16 “(e) ADDRESSING THE DIGITAL DIVIDE.—The Sec- 17 retary shall utilize savings accrued by moving more appli- 18 cants to the electronic forms described in subsection (a)(4) 19 to improve access to the electronic forms described in sub- 20 section (a)(4) for applicants meeting the requirements of 21 section 479(c).”

22 **SEC. 5. SIMPLIFY THE TREATMENT OF INCOME: REDUCING**

23 **UNTAXED INCOME AND BENEFITS.**

24 Subsection (b) of section 480 (20 U.S.C. 1087vv(b)) 25 is amended to read as follows:

1 “(b) UNTAXED INCOME AND BENEFITS.—

2 “(1) The term ‘untaxed income and benefits’
3 means—

4 “(A) child support received;

5 “(B) workman’s compensation;

6 “(C) veteran’s benefits such as death pen-
7 sion, dependency, and indemnity compensation,
8 but excluding veterans’ education benefits as
9 defined in subsection (c);

10 “(D) interest on tax-free bonds;

11 “(E) housing, food, and other allowances
12 (excluding rent subsidies for low-income hous-
13 ing) for military, clergy, and others (including
14 cash payments and cash value of benefits);

15 “(F) cash support or any money paid on
16 the student’s behalf, except, for dependent stu-
17 dents, funds provided by the student’s parents;

18 “(G) untaxed portion of pensions;

19 “(H) payments to individual retirement ac-
20 counts and Keogh accounts excluded from in-
21 come for Federal income tax purposes; and

22 “(I) any other untaxed income and bene-
23 fits, such as Black Lung Benefits, Refugee As-
24 sistance, railroad retirement benefits, or Job
25 Training Partnership Act noneducational bene-

1 fits or benefits received through participation in
2 employment and training activities under title I
3 of the Workforce Investment Act of 1998.

4 “(2) The term ‘untaxed income and benefits’
5 shall not include the amount of additional child tax
6 credit claimed for Federal income tax purposes.”.

7 **SEC. 6. REDUCING THE NUMBER OF QUESTIONS.**

8 Section 484 (20 U.S.C. 1091) is amended by striking
9 subsection (r).

10 **SEC. 7. ALLOWANCE FOR STATE AND OTHER TAXES.**

11 (a) ALLOWANCE FOR STATE AND LOCAL TAXES.—
12 Section 478 (20 U.S.C. 1087rr) is amended—
13 (1) by striking subsection (g);
14 (2) by redesignating subsection (h) as sub-
15 section (g).

16 (b) HOLDING STUDENTS HARMLESS.—Section
17 475(c) (20 U.S.C. 1087oo(c)) is amended—

18 (1) in paragraph (1):
19 (A) by striking subparagraph (B);
20 (B) by redesignating subparagraphs (C),
21 (D), (E), and (F) as subparagraphs (B), (C),
22 (D), and (E), respectively;
23 (2) by striking paragraph (2);
24 (3) by striking paragraph (4) and inserting the
25 following:

1 “(4) INCOME PROTECTION ALLOWANCE.—The
 2 income protection allowance is determined by the fol-
 3 lowing table (or a successor table prescribed by the
 4 Secretary under section 478):

“Income Protection Allowance						
Family Size (including student)	1	2	3	4	5	For each additional subtract:
2	\$15,207	\$12,599	.....	.....	.....	\$3,641
3	18,937	16,350	\$13,742	.....	.....
4	23,388	20,779	18,193	\$15,596	.....
5	27,595	24,986	22,400	19,802	\$17,216	
6	32,268	29,670	27,084	24,487	21,900	
For each ad- ditional add:	2,586	2,586	2,586	2,586	2,586	”

5 (4) by redesignating paragraphs (3), (4) and
 6 (5) as paragraphs (2), (3) and (4), respectively.
 7 (c) DEPENDENT STUDENT INCREASE IN INCOME
 8 PROTECTION ALLOWANCE.—Section 475(g) (20 U.S.C.
 9 1087oo(g)) is amended—

10 (1) in paragraph (2)—
 11 (A) by striking subparagraph (B);
 12 (B) by striking subparagraph (D) and in-
 13 serting the following:
 14 “(D) an income protection allowance of
 15 \$2,589 (or a successor amount prescribed by
 16 the Secretary under section 478);”
 17 (C) by redesignating subparagraphs (C),
 18 (D), (E), and (F) as subparagraphs (B), (C),
 19 (D), and (E), respectively;

1 (e) INDEPENDENT STUDENT (WITH DEPENDENTS)

2 INCREASE IN INCOME PROTECTION ALLOWANCE.—Sec-

3 tion 477(b) (20 U.S.C. 1087qq(b)) is amended—

4 (1) in paragraph (1)—

5 (A) by striking subparagraph (B);

6 (B) by redesignating (C), (D), (E), and

7 (F) as subparagraphs (B), (C), (D), and (E),

8 respectively;

9 (2) by striking paragraph (2);

10 (3) by striking paragraph (4) and inserting the

11 following:

12 “(4) INCOME PROTECTION ALLOWANCE.—The

13 income protection allowance is determined by the fol-

14 following table (or a successor table prescribed by the

15 Secretary under section 478):

“Income Protection Allowance

Family Size (including student)	1	2	3	4	5	For each additional subtract:
2	\$16,935	\$12,599	.....	.....	.....	\$3,641
3	18,937	16,350	\$13,742	.....	.....
4	23,384	20,779	18,193	\$15,596	.....
5	27,596	24,986	22,400	19,802	\$17,216	
6	32,268	29,670	27,084	24,487	21,900	
For each additional add:	2,586	2,586	2,586	2,586	2,586	"

16 (4) by redesignating paragraphs (3), (4), and

17 (5) as paragraphs (2), (3), and (4), respectively.

18 (f) CONFORMING AMENDMENT: UPDATES.—Section

19 478(b) (20 U.S.C. 1087rr(b)) is amended—

- 1 (1) in paragraph (1)—
 - 2 (A) by striking “1993–1994” and inserting
 - 3 “2005–2006”;
 - 4 (B) by striking “475(c)(4) and 477(b)(4)”
 - 5 and inserting “475(c)(3) and 477(b)(3)”;
 - 6 (C) by striking “December 1992” and in-
 - 7 serting “December 2004”;
- 8 (2) in paragraph (2)—
 - 9 (A) by striking “2000–2001” and inserting
 - 0 “2005–2006”;
 - 1 (B) by striking “475(g)(2)(D) and
 - 2 476(b)(1)(A)(iv)” and inserting “475(g)(2)(C)
 - 3 and 476(b)(1)(A)(iii)”;
 - 4 (C) by striking “December 1999” and in-
 - 5 serting “December 2004”.

16 SEC. 8. RELIEF FOR WORKING STUDENTS.

17 (a) DEPENDENT STUDENTS.—Paragraph (4) of sec-
18 tion 475(g) (20 U.S.C. 1087oo(g)(4)), as redesignated by
19 section 7(c)(3) of this Act, is amended to read as follows:
20 “(4) the student’s available income (determined
21 in accordance with paragraph (1) of this subsection)
22 is assessed at 40 percent.”
23 (b) INDEPENDENT STUDENTS WITHOUT DEPEND-
24 ENTS OTHER THAN A SPOUSE.—Paragraph (4) of section

1 476(b) (20 U.S.C. 1087pp(b)), as redesignated by section
2 7(d)(3) of this Act, is amended to read as follows:

3 “(4) ASSESSMENT OF AVAILABLE INCOME.—
4 The family’s available income (determined in accord-
5 ance with paragraph (1)(A) of this subsection) is as-
6 sessed at 40 percent.”.

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