

114TH CONGRESS
1ST SESSION

S. 658

To reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965.

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2015

Mr. THUNE (for himself and Ms. HIRONO) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965.

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 “Local Taxpayer Relief
5 Act”.

6 **SEC. 2. REFERENCES.**

7 Except as otherwise expressly provided, whenever in
8 this Act an amendment or repeal is expressed in terms
9 of an amendment to, or repeal of, a section or other provi-
10 sion, the reference shall be considered to be made to a

1 section or other provision of the Elementary and Sec-
 2 ondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

3 **SEC. 3. AMENDMENTS TO IMPACT AID IMPROVEMENT ACT**
 4 **OF 2012.**

5 Section 563(c) of the National Defense Authorization
 6 Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.
 7 1748) is amended—

8 (1) by striking paragraphs (1) and (4); and

9 (2) by redesignating paragraphs (2) and (3) as
 10 paragraphs (1) and (2), respectively.

11 **SEC. 4. PAYMENTS RELATING TO FEDERAL ACQUISITION**
 12 **OF REAL PROPERTY.**

13 (a) AMENDMENTS.—Section 8002 (20 U.S.C. 7702)
 14 is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (2), by inserting “as cal-
 17 culated under paragraph (3)” before the period
 18 at the end; and

19 (B) by striking subparagraph (B) of para-
 20 graph (3) and inserting the following:

21 “(B) SPECIAL RULE.—In the case of Fed-
 22 eral property eligible under this section that is
 23 within the boundaries of 2 or more local edu-
 24 cational agencies that are eligible under this
 25 section, any of such agencies may ask the Sec-

1 retary to calculate (and the Secretary shall cal-
 2 culate) the taxable value of the eligible Federal
 3 property that is within its boundaries by—

4 “(i) first calculating the per-acre
 5 value of the eligible Federal property sepa-
 6 rately for each eligible local educational
 7 agency that shares the Federal property,
 8 as provided in subparagraph (A)(ii);

9 “(ii) then averaging the resulting per-
 10 acre values of the eligible Federal property
 11 from each eligible local educational agency
 12 that shares the Federal property; and

13 “(iii) then applying the average per-
 14 acre value to determine the total taxable
 15 value of the eligible Federal property under
 16 subparagraph (A)(iii) for the requesting
 17 local educational agency.”;

18 (2) by striking subsection (f) and inserting the
 19 following:

20 “(f) SPECIAL RULE.—Beginning with fiscal year
 21 2015, a local educational agency shall be deemed to meet
 22 the requirements of subsection (a)(1)(C) if the agency was
 23 eligible under paragraph (1) or (3) of this subsection, as
 24 in effect on the day before the date of enactment of the
 25 Local Taxpayer Relief Act”;

1 (3) by striking subsection (g) and inserting the
 2 following:

3 “(g) FORMER DISTRICTS.—

4 “(1) CONSOLIDATIONS.—For fiscal year 2006
 5 and all succeeding fiscal years, if a local educational
 6 agency described in paragraph (2) is formed at any
 7 time after 1938 by the consolidation of 2 or more
 8 former school districts, the local educational agency
 9 may elect to have the Secretary determine its eligi-
 10 bility and any amount for which the local edu-
 11 cational agency is eligible under this section for any
 12 fiscal year on the basis of 1 or more of those former
 13 districts, as designated by the local educational
 14 agency.

15 “(2) ELIGIBLE LOCAL EDUCATIONAL AGEN-
 16 CIES.—A local educational agency referred to in
 17 paragraph (1) is—

18 “(A) any local educational agency that, for
 19 fiscal year 1994 or any preceding fiscal year,
 20 applied, and was determined to be eligible
 21 under, section 2(c) of the Act of September 20,
 22 1950 (Public Law 874, 81st Congress), as that
 23 section was in effect for that fiscal year; or

24 “(B) a local educational agency formed by
 25 the consolidation of 2 or more districts, at least

1 1 of which was eligible for assistance under this
2 section for the fiscal year preceding the year of
3 the consolidation, if for fiscal years 2006
4 through 2015, the local educational agency had
5 notified the Secretary of the designation not
6 later than 30 days after the date of enactment
7 of the Local Taxpayer Relief Act.

8 “(3) AMOUNT.—A local educational agency eli-
9 gible under this subsection shall receive a foundation
10 payment as provided for under subparagraphs (A)
11 and (B) of subsection (h)(1), as in effect on the date
12 of enactment of the Consolidated Appropriations
13 Act, 2014, except that the foundation payment shall
14 be calculated based on the most recent payment re-
15 ceived by the local educational agency based on its
16 former common status.

17 “(4) AVAILABILITY OF FUNDS.—Notwith-
18 standing any other provision of law limiting the pe-
19 riod during which the Secretary may obligate funds
20 appropriated for any fiscal year after 2005, the Sec-
21 retary may obligate funds remaining after final pay-
22 ments have been made from any of such fiscal years
23 to carry out this subsection.”;

24 (4) in subsection (h)—

1 (A) in paragraph (1)(B)(i), by striking
 2 “subsection (b)(1)(C)” and inserting “subpara-
 3 graph (A)(i)(III) or (C) of subsection (b)(1)”;

4 (B) by redesignating paragraphs (2)
 5 through (4) as paragraphs (3) through (5), re-
 6 spectively;

7 (C) by inserting after paragraph (1) the
 8 following:

9 “(2) FOUNDATION PAYMENTS FOR APPLICANTS
 10 ELIGIBLE PRIOR TO FISCAL YEAR 2006.—

11 “(A) FIRST YEAR.—From any amount re-
 12 maining after making payments under para-
 13 graph (1) and subsection (i)(1) for the fiscal
 14 year involved, the Secretary shall make a pay-
 15 ment in an amount of 90 percent of the amount
 16 as determined in accordance with subparagraph
 17 (C)(i) of paragraph (3) to a local educational
 18 agency that is eligible for a payment for such
 19 year and—

20 “(i) is, or was, eligible to receive a
 21 payment under this section for fiscal year
 22 2016; and

23 “(ii)(I) was eligible and received a
 24 payment prior to fiscal year 2006 but did

1 not apply in each of the succeeding fiscal
 2 years; or

3 “(II) met the eligibility requirements
 4 as provided in subsection (a) prior to fiscal
 5 year 2006 but was denied a payment under
 6 subsection (b)(1)(A)(i)(III) or subsection
 7 (b)(1)(C).

8 “(B) SECOND AND SUCCEEDING YEARS.—
 9 For any succeeding fiscal year after the first
 10 fiscal year that a local educational agency re-
 11 ceives a foundation payment under subpara-
 12 graph (A), the amount of the local educational
 13 agency’s foundation payment under this para-
 14 graph shall be equal to the local educational
 15 agency’s foundation payment under this para-
 16 graph for the first fiscal year.”;

17 (D) in paragraph (3)(A), as redesignated
 18 by subparagraph (B), by striking “paragraph
 19 (1)” and inserting “paragraphs (1) and (2)”;

20 (E) in paragraph (4), as redesignated by
 21 subparagraph (B)—

22 (i) by striking “under paragraphs (1)
 23 and (2)” and inserting “under paragraphs
 24 (1), (2), and (3)” and strike “under para-
 25 graph (1) or (2) or subsection (i)(1);” and

1 (ii) by striking “under paragraph (1)
 2 or (2)” and inserting “under paragraph
 3 (1), (2), or (3)”; and

4 (F) by striking paragraph (5), as redesign-
 5 nated by subparagraph (B), and inserting the
 6 following:

7 “(5) DATA.—For each local educational agency
 8 that received a payment under this section for fiscal
 9 year 2010 through the fiscal year in which the Local
 10 Taxpayer Relief Act was enacted, the Secretary shall
 11 not make a payment under paragraph (4) to a local
 12 educational agency that fails to submit, within 60
 13 days of the date the Secretary notified the agency
 14 that the information is needed, the data necessary to
 15 calculate the maximum amount of a payment under
 16 subsection (b) for that local educational agency.”;

17 (5) in subsection (i)(1), by striking “subsection
 18 (h)(3)” and inserting “(h)(4)”; and

19 (6) in subsection (l), by striking “(h)(4)(B)”
 20 and inserting “(h)(2)”.

21 (b) EFFECTIVE DATE.—The amendments made by
 22 this section shall apply to applications submitted for fiscal
 23 year 2010 and all succeeding fiscal years.

1 **SEC. 5. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED**
2 **CHILDREN.**

3 Section 8003 (20 U.S.C. 7703) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1), in the matter pre-
6 ceding subparagraph (A), by inserting after
7 “such agency,” the following: “including those
8 children enrolled in a State that has a State
9 open enrollment policy (but not including those
10 children enrolled in a distance learning program
11 not residing within the defined boundaries of
12 the agency),”;

13 (B) by striking paragraph (4) and insert-
14 ing the following:

15 “(4) **MILITARY INSTALLATION AND INDIAN**
16 **HOUSING UNDERGOING RENOVATION OR REBUILD-**
17 **ING.—**

18 “(A) **MILITARY INSTALLATION HOUSING.—**
19 Beginning in fiscal year 2014, in determining
20 the amount of a payment for a local educational
21 agency for children described in paragraph
22 (1)(D)(i), the Secretary shall consider those
23 children as if they were children described in
24 paragraph (1)(B) if the Secretary determines,
25 on the basis of a certification provided to the
26 Secretary by a designated representative of the

1 Secretary of Defense, that those children would
2 have resided in housing on Federal property if
3 the housing was not undergoing renovation or
4 rebuilding. The total number of children treated
5 as children described in paragraph (1)(B) shall
6 not exceed the lesser of—

7 “(i) the total number of children eligi-
8 ble under paragraph (1)(B) for the year
9 prior to the initiation of the housing
10 project on Federal property undergoing
11 renovation or rebuilding; or

12 “(ii) the total number of federally
13 connected children enrolled in the local
14 educational agency as stated in the appli-
15 cation filed for the payment for the year
16 for which the determination is made.

17 “(B) INDIAN LANDS.—Beginning in fiscal
18 year 2014, in determining the amount of a pay-
19 ment for a local educational agency that re-
20 ceived a payment for children that resided on
21 Indian lands in accordance with paragraph
22 (1)(C) for the fiscal year prior to the fiscal year
23 for which the local educational agency is mak-
24 ing an application, the Secretary shall consider
25 those children to be children described in para-

graph (1)(C) if the Secretary determines on the basis of certification provided to the Secretary by a designated representative of the Secretary of the Interior or the Secretary of Housing and Urban Development that those children would have resided in housing on Indian lands if the housing was not undergoing renovation or rebuilding. The total number of children treated as children described in paragraph (1)(C) shall not exceed the lesser of—

“(i) the total number of children eligible under paragraph (1)(C) for the year prior to the initiation of the housing project on Indian lands undergoing renovation or rebuilding; or

“(ii) the total number of federally connected children enrolled in the local educational agency as stated in the application filed for the payment for the year for which the determination is made.

“(C) ELIGIBLE HOUSING.—Renovation or rebuilding shall be defined as projects considered as capitalization, modernization, or restoration, as defined by the Secretary of Defense or the Secretary of the Interior (as the case

may be) and are projects that last more than 30 days, but do not include ‘sustainment projects’ such as painting, carpeting, or minor repairs.”; and

(C) in paragraph (5)(A), by striking “1984, to be children described under paragraph (1)(B) if the property described is within the fenced security perimeter of the military facility upon which such housing is situated.” and inserting “1984, or under lease of off-base property under subchapter IV of chapter 169 of title 10, United States Code, to be children described under paragraph (1)(B) if the property described is within the fenced security perimeter of the military facility or attached to and under any type of force protection agreement with the military installation where such housing is situated.”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (B)—

(I) in the subparagraph heading,

by striking “CONTINUING”;

(II) by striking clause (i) and in-

serting the following:

1 “(i) IN GENERAL.—A heavily im-
2 pacted local educational agency is eligible
3 to receive a basic support payment under
4 subparagraph (A) with respect to a num-
5 ber of children determined under sub-
6 section (a)(1) if the agency—

7 “(I) is a local educational agency
8 whose boundaries are the same as a
9 Federal military installation or the
10 boundaries are the same as island
11 property designated by the Secretary
12 of the Interior to be property that is
13 held in trust by the Federal Govern-
14 ment and the agency has no taxing
15 authority;

16 “(II) is a local educational agen-
17 cy—

18 “(aa) that has an enrollment
19 of children described in sub-
20 section (a)(1) that constitutes a
21 percentage of the total student
22 enrollment of the agency that is
23 not less than 45 percent;

24 “(bb) that has a per-pupil
25 expenditure that is less than—

1 “(AA) for an agency
2 that has a total student en-
3 rollment of 500 or more stu-
4 dents, 125 percent of the av-
5 erage per-pupil expenditure
6 of the State in which the
7 agency is located; or

8 “(BB) for an agency
9 that has a total student en-
10 rollment of less than 500,
11 150 percent of the average
12 per-pupil expenditure of the
13 State in which the agency is
14 located, or the average per-
15 pupil expenditure of 3 or
16 more comparable local edu-
17 cational agencies in the
18 State in which the agency is
19 located; and

20 “(cc) that is an agency that
21 has a tax rate for general fund
22 purposes that is at least 95 per-
23 cent of the average tax rate for
24 general fund purposes of com-

1 parable local educational agencies
2 in the State;

3 “(III) is a local educational agen-
4 cy that has a total student enrollment
5 of not less than 25,000 students, of
6 which not less than 50 percent are
7 children described in subsection (a)(1)
8 and not less than 5,000 of such chil-
9 dren are children described in sub-
10 paragraphs (A) and (B) of subsection
11 (a)(1); or

12 “(IV) is a local educational agen-
13 cy that was eligible for and received a
14 payment under this paragraph in fis-
15 cal year 2012 and—

16 “(aa) has an enrollment of
17 children described in subsection
18 (a)(1) that constitutes a percent-
19 age of the total student enroll-
20 ment of the agency that is not
21 less than 20 percent;

22 “(bb) for the 3 fiscal years
23 preceding the fiscal year for
24 which the determination is made,
25 the average enrollment of chil-

dren who are not described in subsection (a)(1) and who are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act constitutes a percentage of the total student enrollment of the agency that is not less than 65 percent; and

“(cc) has a tax rate for general fund purposes which is not less than 1.25 percent of the average tax rate for general fund purposes for comparable local educational agencies in the State.”;

(III) by striking clause (ii) and inserting the following:

“(ii) LOSS OF ELIGIBILITY.—

“(I) IN GENERAL.—Subject to subclause (II), a heavily impacted local educational agency that met the requirements of clause (i) for a fiscal year shall be ineligible to receive a basic support payment under subpara-

graph (A) if the agency fails to meet the requirements of clause (i) for a subsequent fiscal year, except that such agency shall continue to receive a basic support payment under this paragraph for the fiscal year for which the ineligibility determination is made.

“(II) EXCEPTION.—A local educational agency that is eligible under subparagraph (A) but whose tax rate for general fund purposes falls below 95 percent of the average tax rate for general fund purposes of local educational agencies in the State for 2 consecutive years shall lose its eligibility and be subject to subclause (I).”;

(IV) by striking clause (iii) and inserting the following:

“(iii) APPLICATION.—With respect to the first year for which a heavily impacted local educational agency described in clause (i) applies for a basic support payment under subparagraph (A), or with re-

spect to the first fiscal year for which a heavily impacted local educational agency applies for a basic support payment under subparagraph (A) after becoming ineligible under clause (i) for 1 or more preceding fiscal years, the agency shall apply for such payment at least 1 year prior to the start of that fiscal year.”; and

(V) by adding at the end the fol-

lowing:

“(iv) SPECIAL RULE.—Notwithstanding clause (i)(II), a local educational agency shall be considered eligible to receive a basic support payment under subparagraph (A) with respect to the number of children determined under subsection (a)(1) if the agency—

“(I) has an enrollment of children described in subsection (a)(1), including, for purposes of determining eligibility, those children described in subparagraphs (F) and G) of such subsection, that constitutes a percentage of the total student enrollment of

1 the agency that is not less than 35
 2 percent; and

3 “(II) was eligible to receive as-
 4 sistance under paragraph (2) for fis-
 5 cal year 2001.”;

6 (ii) by striking subparagraph (C) and
 7 inserting the following:

8 “(C) MAXIMUM AMOUNT FOR HEAVILY IM-
 9 PACTED LOCAL EDUCATIONAL AGENCIES.—

10 “(i) IN GENERAL.—The maximum
 11 amount that a heavily impacted local edu-
 12 cational agency is eligible to receive under
 13 this paragraph for any fiscal year is the
 14 sum of the total weighted student units, as
 15 computed under subsection (a)(2) and sub-
 16 ject to clause (ii), multiplied by the greater
 17 of—

18 “(I) four-fifths of the average
 19 per-pupil expenditure of the State in
 20 which the local educational agency is
 21 located for the third fiscal year pre-
 22 ceding the fiscal year for which the
 23 determination is made; or

24 “(II) four-fifths of the average
 25 per-pupil expenditure of all of the

1 States for the third fiscal year pre-
2 ceding the fiscal year for which the
3 determination is made.

4 “(ii) SPECIAL RULE.—(I)(aa) For a
5 local educational agency with respect to
6 which 35 percent or more of the total stu-
7 dent enrollment of the schools of the agen-
8 cy are children described in subparagraph
9 (D) or (E) (or a combination thereof) of
10 subsection (a)(1), and that has an enroll-
11 ment of children described in subpara-
12 graph (A), (B), or (C) of such subsection
13 equal to at least 10 percent of the agency’s
14 total enrollment, the Secretary shall cal-
15 culate the weighted student units of those
16 children described in subparagraph (D) or
17 (E) of such subsection by multiplying the
18 number of such children by a factor of
19 0.55.

20 “(bb) For any local educational agen-
21 cy that received a payment under this
22 clause in fiscal year 2012 (as such clause
23 was in effect for that fiscal year), the local
24 educational agency shall not be required to
25 have an enrollment of children described in

subparagraph (A), (B), or (C) of subsection (a)(1) equal to at least 10 percent of the agency's total enrollment.

“(II) For a local educational agency that has an enrollment of 100 or fewer children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.75.

“(III) For a local educational agency that does not qualify under subparagraph (B)(i)(I) and has an enrollment of more than 100 but not more than 1,000 children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.25.”;

(iii) by amending subparagraph (D) to read as follows:

“(D) MAXIMUM AMOUNT FOR LARGE HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—(i)(I) Subject to clause (ii), the maximum amount that a heavily impacted local

educational agency described in subclause (II) is eligible to receive under this paragraph for any fiscal year shall be determined in accordance with the formula described in paragraph (1)(C).

“(II) A heavily impacted local educational agency described in this subclause is a local educational agency that has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are children described in subsection (a)(1) and not less than 5,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1).

“(ii) For purposes of calculating the maximum amount described in clause (i), the factor used in determining the weighted student units under subsection (a)(2) with respect to children described in subparagraphs (A) and (B) of subsection (a)(1) shall be 1.35.”;

(iv) by striking subparagraph (E);

(v) by redesignating subparagraphs (F), (G), and (H) as subparagraphs (E), (F), and (G), respectively;

(vi) in subparagraph (E) (as redesignated by clause (v))—

(I) by striking clause (ii);

(II) by striking “; and” at the end of clause (i) and inserting a period; and

(III) by striking “the Secretary” and all that follows through “shall use” and inserting “the Secretary shall use”;

(vii) in subparagraph (F) (as redesignated by clause (v))—

“(G) DETERMINATION OF AVERAGE TAX RATES FOR GENERAL FUND PURPOSES.—

“(i) IN GENERAL.—Except as provided in clause (ii), for the purpose of determining the average tax rates for general fund purposes for local educational agencies in a State under this paragraph, the Secretary shall use either—

“(I) the average tax rate for general fund purposes for comparable local educational agencies, as determined by the Secretary in regulations; or

1 “(II) the average tax rate of all
2 the local educational agencies in the
3 State.

4 “(ii) SPECIAL RULE.—

5 “(I) FISCAL YEARS 2010–2015.—
6 For fiscal years 2010 through 2015,
7 any local educational agency that was
8 found ineligible to receive a payment
9 under subsection (b)(2)(A) because
10 the Secretary determined that it failed
11 to meet the average tax rate require-
12 ment for general fund purposes in
13 subparagraph (B)(i)(II)(bb), as in ef-
14 fect on the day before the date of en-
15 actment of the Local Taxpayer Relief
16 Act, shall be considered to have met
17 that requirement, if the State deter-
18 mined, through an alternate calcula-
19 tion of average tax rates for general
20 fund purposes, that such local edu-
21 cational agency met that requirement.

22 “(II) SUBSEQUENT FISCAL
23 YEARS AFTER 2015.—For any fiscal
24 year after fiscal year 2015, any local
25 educational agency that met the re-

1 requirements of subclause (I) and re-
2 ceived a payment under such sub-
3 clause for 1 or more of fiscal years
4 2010 through 2015 may continue to
5 have the State use such subclause (I)
6 to determine if the local educational
7 agency has met the average tax rate
8 requirement of clause (i), including
9 using the alternate methodology de-
10 scribed in subclause (I) to determine
11 whether the local educational agency
12 has met the average tax rate require-
13 ment for general fund purposes under
14 subclause (B)(i)(II)(bb), as in effect
15 on the day before the date of enact-
16 ment of the Local Taxpayer Relief
17 Act.

18 “(III) AVAILABILITY OF
19 FUNDS.—Notwithstanding any other
20 provision of law limiting the period
21 during which the Secretary may obli-
22 gate funds appropriated for any fiscal
23 year after 2012, the Secretary shall
24 reserve an amount equal to a total of
25 \$14,000,000 from funds that remain

1 unobligated under this section from
2 fiscal year 2013 or 2014 in order to
3 make payments under this subpara-
4 graph for fiscal years 2011 through
5 2014.”; and

6 (viii) in subparagraph (G) (as redesign-
7 nated by clause (v))—

8 (I) in clause (i)—

9 (aa) by striking “(B), (C),
10 (D). or (E),” and inserting “(B),
11 (C), or (D),”;

12 (bb) by striking “by reason
13 of” and inserting “due to”;

14 (cc) by inserting after
15 “clause (iii),” the following: “or
16 as the direct result of base re-
17 alignment and closure or
18 modularization as determined by
19 the Secretary of Defense and
20 force structure change or force
21 relocation,”; and

22 (dd) by inserting before the
23 period at the end the following:
24 “or during such time as activities
25 associated with base closure and

1 realignment, modularization,
 2 force structure change, or force
 3 relocation is ongoing”; and

4 (II) in clause (ii), by striking
 5 “(D) or (E)” in both places such term
 6 appears and inserting “(C) or (D)”;
 7 and

8 (B) in paragraph (3)—

9 (i) in subparagraph (B)—

10 (I) by striking clause (iii) and in-
 11 serting the following:

12 “(iii) In the case of a local educational
 13 agency providing a free public education to stu-
 14 dents enrolled in kindergarten through grade
 15 12, that enrolls students described in subpara-
 16 graphs (A), (B), and (D) of subsection (a)(1)
 17 only in grades 9 through 12, and that received
 18 a final payment in fiscal year 2009 calculated
 19 under this paragraph (as this paragraph was in
 20 effect on the day before the date of enactment
 21 of the Local Taxpayer Relief Act) for students
 22 in grades 9 through 12, the Secretary shall, in
 23 calculating the agency’s payment, consider only
 24 that portion of such agency’s total enrollment
 25 of students in grades 9 through 12 when calcu-

1 lating the percentage under clause (i)(I) and
 2 only that portion of the total current expendi-
 3 tures attributed to the operation of grades 9
 4 through 12 in such agency when calculating the
 5 percentage under clause (i)(II).”;

6 (II) by redesignating clause (iv)
 7 as clause (v); and

8 (III) by inserting after clause
 9 (iii) the following:

10 “(iv) For any local educational agency
 11 that is providing a program of distant
 12 learning to children not residing within the
 13 legally defined boundaries of the agency,
 14 the Secretary shall disregard such children
 15 from such agency’s total enrollment when
 16 calculating the percentage under subclause
 17 (I) of clause (i) and shall disregard any
 18 funds received for such children when cal-
 19 culating the total current expenditures at-
 20 tributed to the operation of such agency
 21 when calculating the percentage under sub-
 22 clause (II) of clause (i).”;

23 (ii) in subparagraph (C), by striking
 24 “subparagraph (D) or (E) of paragraph

1 (2), as the case may be” and inserting
2 “paragraph (2)(D)”; and

3 (iii) by striking subparagraph (D) and
4 inserting the following:

5 “(D) RATABLE DISTRIBUTION.—For any
6 fiscal year described in subparagraph (A) for
7 which the sums available exceed the amount re-
8 quired to pay each local educational agency 100
9 percent of its threshold payment, the Secretary
10 shall distribute the excess sums to each eligible
11 local educational agency that has not received
12 its full amount computed under paragraph (1)
13 or (2) (as the case may be) by multiplying—

14 “(i) a percentage, the denominator of
15 which is the difference between the full
16 amount computed under paragraph (1) or
17 (2) (as the case may be) for all local edu-
18 cational agencies and the amount of the
19 threshold payment as calculated under sub-
20 paragraphs (B) and (C) of all local edu-
21 cational agencies, and the numerator of
22 which is the aggregate amount of the ex-
23 cess sums, by

24 “(ii) the difference between the full
25 amount computed under paragraph (1) or

1 (2) (as the case may be) for the agency
 2 and the amount of the threshold payment
 3 as calculated under subparagraphs (B) and
 4 (C) of the agency.”;

5 (3) in subsection (c), by striking paragraph (2)
 6 and inserting the following:

7 “(2) EXCEPTION.—Calculation of payments for
 8 a local educational agency shall be based on data
 9 from the fiscal year for which the agency is making
 10 an application for payment if such agency—

11 “(A) is newly established by a State, for
 12 the first year of operation of such agency only;

13 “(B) was eligible to receive a payment
 14 under this section for the previous fiscal year
 15 and has had an overall increase in enrollment
 16 (as determined by the Secretary in consultation
 17 with the Secretary of Defense, the Secretary of
 18 the Interior, or the heads of other Federal
 19 agencies)—

20 “(i) of not less than 10 percent, or
 21 100 students, of children described in—

22 “(I) subparagraph (A), (B), (C),
 23 or (D) of subsection (a)(1); or

24 “(II) subparagraph (F) or (G) of
 25 subsection (a)(1), but only to the ex-

1 tent such children are civilian depend-
2 ents of employees of the Department
3 of Defense or the Department of the
4 Interior; and

5 “(ii) that is the direct result of closure
6 or realignment of military installations
7 under the base closure process or the relo-
8 cation of members of the Armed Forces
9 and civilian employees of the Department
10 of Defense as part of force structure
11 changes or movements of units or per-
12 sonnel between military installations or be-
13 cause of actions initiated by the Secretary
14 of the Interior or head of another Federal
15 agency; and

16 “(C) was eligible to receive a payment
17 under this section for the previous fiscal year
18 and has had an overall increase in enrollment
19 (as determined by the Secretary)—

20 “(i) of not less than 10 percent, or
21 100 students, of children described in sub-
22 section (a)(1); and

23 “(ii) that is the direct result of the
24 closure of a local educational agency that
25 received a payment under paragraph (1) or

1 (2) of subsection (b) in the previous fiscal
2 year.”;

3 (4) in subsection (e)—

4 (A) by striking paragraph (1) and insert-
5 ing the following:

6 “(1) IN GENERAL.—In the case of any local
7 educational agency whose payment under subsection
8 (b) for a fiscal year is determined to be reduced by
9 an amount greater than \$5,000,000 or by 20 per-
10 cent, as compared to the amount received in the pre-
11 vious fiscal year, the Secretary shall, subject to
12 paragraph (2), pay a local educational agency, for
13 each of the 3 years following the reduction under
14 subsection (b), the amount determined under para-
15 graph (2).

16 “(2) AMOUNT OF REDUCTION.—Subject to
17 paragraph (3), a local educational agency described
18 in paragraph (1) shall receive—

19 “(A) for the first year for which the re-
20 duced payment is determined, the amount shall
21 not be less than 90 percent of the total amount
22 that the local educational agency received under
23 paragraph (1) or (2) of subsection (b) in the
24 fiscal year prior to the reduction (referred to in
25 this paragraph as the ‘base year’);

1 “(B) for the second year following such re-
 2 duction, the amount shall be not less than 85
 3 percent of the total amount that the local edu-
 4 cational agency received under paragraph (1) or
 5 (2) of subsection (b) in the base year.

6 “(C) for the third year following such re-
 7 duction, the amount shall not be less than 80
 8 percent of the total amount that the local edu-
 9 cational agency received under paragraph (1) or
 10 (2) of subsection (b) in the base year.

11 “(3) SPECIAL RULE.—For any fiscal year for
 12 which a local educational agency would be subject to
 13 a reduced payment under subparagraph (B) or (C)
 14 of paragraph (2), but the total amount of the pay-
 15 ment that the local educational agency is eligible for
 16 under subsection (b) for that fiscal year is greater
 17 than the amount that initially subjected the local
 18 educational agency to the requirements of this sub-
 19 section, the Secretary shall pay the greater amount
 20 to the local educational agency for such year.”;

21 (B) by striking paragraph (2); and

22 (C) by redesignating paragraph (3) as
 23 paragraph (2); and

24 (5) by striking subsection (g).

1 **SEC. 6. APPLICATION FOR PAYMENTS UNDER SECTIONS**
 2 **8002 AND 8003.**

3 Section 8005 (20 U.S.C. 7705) is amended—

4 (1) by redesignating subsections (c) and (d) as
 5 subsections (d) and (e), respectively; and

6 (2) by inserting after subsection (b) the fol-
 7 lowing:

8 “(c) STUDENT COUNT.—In collecting information to
 9 determine the eligibility of a local educational agency and
 10 the number of federally connected children for the local
 11 educational agency, the Secretary shall, in addition to any
 12 options provided under section 222.35 of title 34, Code
 13 of Federal Regulations, or a successor regulation, allow
 14 a local educational agency to count the number of such
 15 children served by the agency as of the date by which the
 16 agency requires all students to register for the school year
 17 of the fiscal year for which the application is filed.”.

18 **SEC. 7. CONSTRUCTION.**

19 Section 8007 (20 U.S.C. 7707) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (1)—

22 (i) by striking “40 percent” and in-
 23 serting “80 percent”; and

24 (ii) by striking “8014(e)” and insert-
 25 ing “8014(d)”;

1 (B) in paragraph (2), by adding at the end
 2 the following:

3 “(C) The agency is eligible under section
 4 8003(b)(2) or is receiving a basic support pay-
 5 ment under circumstances described in section
 6 8003(b)(2)(B)(ii).”; and

7 (C) by striking paragraph (3) and insert-
 8 ing the following:

9 “(3) AMOUNT OF PAYMENTS.—

10 “(A) LOCAL EDUCATIONAL AGENCIES IM-
 11 PACTED BY MILITARY DEPENDENT CHIL-
 12 DREN.—

13 “(i) IN GENERAL.—The amount of a
 14 payment to each local educational agency
 15 described in this subsection that is im-
 16 pacted by military dependent children for a
 17 fiscal year shall be equal to—

18 “(I)(aa) 40 percent of the
 19 amount appropriated under section
 20 8014(d) for such fiscal year; divided
 21 by

22 “(bb) the number of children de-
 23 scribed in subparagraphs (B) and
 24 (D)(i) of section 8003(a)(1) who were
 25 in average daily attendance for all

1 local educational agencies described in
 2 paragraph (2), including the number
 3 of children attending a school facility
 4 described in section 8008(a) if the
 5 Secretary does not provide assistance
 6 for the school facility under that sec-
 7 tion for the fiscal year; multiplied by
 8 “(II) the number of children de-
 9 termined for such agency.

10 “(ii) LIMITATION.—Notwithstanding
 11 clause (i), the amount of a payment pro-
 12 vided under this subparagraph shall be—

13 “(I) not less than \$25,000, ex-
 14 cept that this subclause shall not
 15 apply if the amount available to carry
 16 out paragraph (1) for such fiscal year
 17 is less than \$32,000,000; and

18 “(II) not more than \$4,000,000.

19 “(B) LOCAL EDUCATIONAL AGENCIES IM-
 20 PACTED BY CHILDREN WHO RESIDE ON INDIAN
 21 LANDS.—

22 “(i) IN GENERAL.—The amount of a
 23 payment to each local educational agency
 24 described in this subsection that is im-

1 pacted by children who reside on Indian
2 lands for a fiscal year shall be equal to—

3 “(I)(aa) 40 percent of the
4 amount appropriated under section
5 8014(e) for such fiscal year; divided
6 by

7 “(bb) the number of children de-
8 scribed in section 8003(a)(1)(C) who
9 were in average daily attendance for
10 all local educational agencies de-
11 scribed in paragraph (2); multiplied
12 by

13 “(II) the number of children de-
14 termined for such agency.

15 “(ii) LIMITATION.—Notwithstanding
16 clause (i), the amount of a payment pro-
17 vided under this subparagraph shall be—

18 “(I) not less than \$25,000, ex-
19 cept that this subclause shall not
20 apply if the amount available to carry
21 out paragraph (1) for such fiscal year
22 is less than \$32,000,000; and

23 “(II) not more than
24 \$4,000,000.”; and

25 (2) in subsection (b)—

1 (A) in the matter preceding paragraph

2 (1)—

3 (i) by striking “60 percent” and in-
4 serting “20 percent”; and

5 (ii) by striking “section 8014(e)” and
6 inserting “section 8014(d)”;

7 (B) in paragraph (3)—

8 (i) in subparagraph (A), in the matter
9 preceding clause (i), by inserting “if the
10 agency meets the requirements of para-
11 graph (7), or” after “under paragraph
12 (2)(A)”;

13 (ii) in subparagraph (C)(i)(I), by
14 striking “the agency meets at least one”
15 and all that follows through the period at
16 the end of item (bb) and inserting “the
17 number of children determined under sec-
18 tion 8003(a)(1)(C) for the agency for the
19 preceding school year constituted at least
20 40 percent of the total student enrollment
21 in the schools of the agency during the
22 preceding school year.”; and

23 (iii) by striking subclause (II) of sub-
24 paragraph (D)(ii) and inserting the fol-
25 lowing:

1 “(II) The number of children de-
 2 termined under section 8003(a)(1)(C)
 3 for the school for the preceding school
 4 year constituted at least 40 percent of
 5 the total student enrollment in the
 6 school during the preceding school
 7 year.”;

8 (C) in paragraph (4)(C), by striking “(A),
 9 (B), (C), and (D)” and inserting “(A) and
 10 (C)”; and

11 (D) by adding at the end the following:

12 “(7) SPECIAL RULE.—

13 “(A) IN GENERAL.—Notwithstanding
 14 paragraphs (3)(C)(i)(I) and (3)(D)(ii)(II), a
 15 local educational agency or school is eligible to
 16 receive a grant under this subsection in any one
 17 fiscal year if such agency or school—

18 “(i) was eligible to receive a payment
 19 under section 8003 for the fiscal year prior
 20 to the year for which the application is
 21 made; and

22 “(ii) has had an overall increase in en-
 23 rollment—

24 “(I) during the period between
 25 the end of the school year preceding

1 the fiscal year for which the applica-
2 tion is made and the beginning of the
3 school year immediately preceding
4 that school year;

5 “(II) of not less than 250 stu-
6 dents or 10 percent (whichever is
7 lower), of children described in—

8 “(aa) subparagraph (A),
9 (B), (C), or (D) of section
10 8003(a)(1); or

11 “(bb) subparagraph (F) or
12 (G) of section 8003(a)(1), but
13 only to the extent such children
14 are civilian dependents of em-
15 ployees of the Department of De-
16 fense; and

17 “(III) that is the direct result of
18 one or more of the following:

19 “(aa) Base realignment and
20 closure or global rebasing, as de-
21 termined by the Secretary of De-
22 fense.

23 “(bb) Force structure
24 changes or force reductions.

1 “(cc) An action initiated by
 2 the Secretary of the Interior or
 3 head of another Federal agency.

4 “(B) MAXIMUM AMOUNT.—A grant award-
 5 ed to a local educational agency or school de-
 6 scribed in subparagraph (A) shall not exceed
 7 \$4,000,000 for a fiscal year.”.

8 **SEC. 8. STATE CONSIDERATION OF PAYMENTS IN PRO-**
 9 **VIDING STATE AID.**

10 Section 8009 (20 U.S.C. 7709) is amended—

11 (1) in subsection (b)—

12 (A) in paragraph (1), by inserting before
 13 the period at the end the following: “and for
 14 which the average per-pupil expenditure is
 15 equal to or greater than the average per-pupil
 16 expenditure of all the States in the third fiscal
 17 year preceding the fiscal year for which the
 18 State is applying for equalization under this
 19 section”; and

20 (B) by striking paragraph (2) and insert-
 21 ing the following:

22 “(2) COMPUTATION.—

23 “(A) STATE CURRENTLY QUALIFYING.—
 24 For purposes of paragraph (1), a program of
 25 State aid for any State qualifying under this

1 section for fiscal year 2016 equalizes expendi-
2 tures among local educational agencies if, in the
3 second fiscal year preceding the fiscal year for
4 which the determination is made the amount of
5 per-pupil expenditures made by, or per-pupil
6 revenues available to, the local educational
7 agency in the State with the highest such per-
8 pupil expenditures or revenues did not exceed
9 the amount of such per-pupil expenditures
10 made by, or per-pupil revenues available to, the
11 local educational agency in the State with the
12 lowest such expenditures or revenues by more
13 than 25 percent as calculated under subpara-
14 graph (B)(ii).

15 “(B) OTHER FACTORS.—Notwithstanding
16 regulations in effect prior to the enactment of
17 this subparagraph, in making a determination
18 under this subparagraph, the Secretary shall—

19 “(i) arrange all local educational
20 agencies in the State by per-pupil expendi-
21 tures or revenues in descending order from
22 the highest to the lowest;

23 “(ii) using per-pupil expenditures or
24 revenues as the only criteria disregard
25 those local educational agencies that are

1 spending above the 95th percentile and
 2 those spending below the 5th percentile;

3 “(iii) identify the local educational
 4 agency at the 95th percentile and the local
 5 educational agency at the 5th percentile;

6 “(iv) subtract the amount of per-pupil
 7 expenditures or revenues of the local edu-
 8 cational agency at the 5th percentile from
 9 the amount of per-pupil expenditures or
 10 revenues of the local educational agency at
 11 the 95th percentile and divide the dif-
 12 ference by the per-pupil expenditures or
 13 revenues of the local educational agency at
 14 the 5th percentile; and

15 “(v) take into account the extent to
 16 which a program of State aid reflects the
 17 additional cost of providing free public
 18 education in particular types of local edu-
 19 cational agencies such as those that are
 20 geographically isolated, or to particular
 21 types of students, such as children with
 22 disabilities.

23 “(C) NEW STATES APPLICANTS.—

24 “(i) IN GENERAL.—For purposes of
 25 paragraph (1), a program of State aid for

1 any State equalizing under this section
2 after fiscal year 2006 equalizes expendi-
3 tures among local educational agencies if,
4 in the second fiscal year preceding the fis-
5 cal year for which the determination is
6 made, the amount of per-pupil expendi-
7 tures made by, or per-pupil revenues avail-
8 able to, the local educational agency in the
9 State with the highest such per-pupil ex-
10 penditures or revenues did not exceed the
11 amount of such per-pupil expenditures
12 made by, or per-pupil revenues available
13 to, the local educational agency in the
14 State with the lowest such expenditures or
15 revenues by more than 10 percent as cal-
16 culated under clause (ii).

17 “(ii) OTHER FACTORS.—In making a
18 determination under this subparagraph,
19 the Secretary, notwithstanding regulations
20 in use prior to the enactment of the Local
21 Taxpayer Relief Act, shall—

22 “(I) arrange all local educational
23 agencies in the State by per-pupil ex-
24 penditures or revenues in descending
25 order from the highest to the lowest;

1 “(II) using per-pupil expendi-
2 tures or revenues as the only criteria
3 disregard those local educational
4 agencies that are spending above the
5 95th percentile and those spending
6 below the 5th percentile;

7 “(III) identify the local edu-
8 cational agency at the 95th percentile
9 and the local educational agency at
10 the 5th percentile;

11 “(IV) subtract the amount of
12 per-pupil expenditures or revenues of
13 the local educational agency at the
14 5th percentile from the amount of
15 per-pupil expenditures or revenues of
16 the local educational agency at the
17 95th percentile and divide the dif-
18 ference by the per-pupil expenditures
19 or revenues of the local educational
20 agency at the 5th percentile; and

21 “(V) take into account the extent
22 to which a program of State aid re-
23 flects the additional cost of providing
24 free public education in particular
25 types of local educational agencies,

1 such as those that are geographically
 2 isolated, or to particular types of stu-
 3 dents, such as children with disabil-
 4 ities.”; and

5 (2) in subsection (d)(2)—

6 (A) by striking “A State” and inserting
 7 the following:

8 “(A) IN GENERAL.—A State”; and

9 (B) by adding at the end of the following:

10 “(B) STATES THAT ARE NOT EQUALIZED
 11 STATES.—A State that has not been approved
 12 as an equalized State under subsection (b) shall
 13 not consider funds received under section 8002
 14 or section 8003 of this title in any State for-
 15 mula or place a limit or direct the use of such
 16 funds or consider such funds for purposes of
 17 determining a local educational agency’s fund
 18 balance.”.

19 **SEC. 9. TIMELY PAYMENTS.**

20 Section 8010 (20 U.S.C. 7710) is amended—

21 (1) in subsection (b), by striking “require” and
 22 inserting “need”; and

23 (2) in subsection (d)(1)—

1 (A) by striking “the second fiscal year fol-
 2 lowing the fiscal year for” and inserting “the
 3 fiscal year following the fiscal year in”; and

4 (B) by striking “such local educational
 5 agency submits” and inserting “each local edu-
 6 cational agency that is eligible to receive funds
 7 under this title for such fiscal year submits”.

8 **SEC. 10. DEFINITIONS.**

9 Section 8013 (20 U.S.C. 7713) is amended—

10 (1) in paragraph (1), by striking “and Marine
 11 Corps” and inserting “Marine Corps, and Coast
 12 Guard”;

13 (2) in paragraph (4)—

14 (A) in the first sentence, by striking “part
 15 A of title I and title VI” and inserting “title I
 16 and part A of title V”; and

17 (B) in the second sentence, by striking “be
 18 determined” and inserting “be made”;

19 (3) in paragraph (5)(A)—

20 (A) in clause (ii)—

21 (i) in subclause (IV), by striking “;
 22 or” and inserting a semicolon;

23 (ii) in subclause (V), by inserting “or”
 24 after the semicolon; and

1 (iii) by adding at the end the fol-
 2 lowing:

3 “(VI) exempt of taxation real property
 4 and personal property identified by a local
 5 governmental entity, including State gov-
 6 ernment, if upon such property resides a
 7 child whose parents or guardians are cer-
 8 tified to live on such property is considered
 9 to meet the eligibility requirements of sec-
 10 tion 151.4 of title 25, Code of Federal
 11 Regulations;”; and

12 (B) in clause (iii)—

13 (i) by striking subclauses (II) and
 14 (III) and inserting the following:

15 “(II) used to provide housing for
 16 homeless children at closed military instal-
 17 lations pursuant to section 501 of the
 18 McKinney-Vento Homeless Assistance Act
 19 (42 U.S.C. 11411);

20 “(III) used for affordable housing as-
 21 sisted under the Native American Housing
 22 Assistance and Self-Determination Act of
 23 1996 (25 U.S.C. 4101 et seq.); or”;

24 (4) in paragraph (8)(A), by inserting commas
 25 before and after “and verified by”; and

1 (5) in paragraph (9)—

2 (A) by striking subparagraph (A) and in-
3 serting the following:

4 “(A) IN GENERAL.—Except as provided in
5 subparagraph (B), the term ‘local educational
6 agency’—

7 “(i) means a board of education or
8 other legally constituted local school au-
9 thority having administrative control and
10 direction of free public education in a
11 county, township, independent school dis-
12 trict, or other school district; and

13 “(ii) includes any State agency that—

14 “(I) directly operates and main-
15 tains facilities for providing free pub-
16 lic education; and

17 “(II) except for those local edu-
18 cational agencies determined to be eli-
19 gible to receive a payment under sec-
20 tion 8003 prior to the date of the en-
21 actment of the Local Taxpayer Relief
22 Act, when submitting an application
23 under this title for the first time on or
24 after the date of the enactment of
25 such Act, has the authority to tax and

1 has boundaries as defined by applica-
 2 ble State law for the purposes of lev-
 3 ying such taxes, or has been granted
 4 the authority to receive an imputed
 5 tax from a city, county, township, or
 6 other general purpose political sub-
 7 division of a State.”; and

8 (B) in subparagraph (B), in the matter
 9 preceding clause (i), by inserting a comma after
 10 “Secretary determines”.

11 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

12 Section 8014 (20 U.S.C. 7714) is amended—

13 (1) in subsection (a), by striking “\$32,000,000
 14 for fiscal year 2000 and such sums as may be nec-
 15 essary for each of the seven succeeding fiscal years”
 16 and inserting “such sums as may be necessary for
 17 each of fiscal years 2016 through 2019”;

18 (2) in subsection (b), by striking
 19 “\$809,400,000 fiscal year 2000 and such sums as
 20 may be necessary for each of the seven succeeding
 21 fiscal years” and inserting “such sums as may be
 22 necessary for each of fiscal years 2016 through
 23 2019”;

24 (3) in subsection (c), by striking “\$50,000,000
 25 for fiscal year 2000 and such sums as may be nec-

1 necessary for each of the seven succeeding fiscal years”
 2 and inserting “such sums as may be necessary for
 3 each of fiscal years 2016 through 2019”;

4 (4) by redesignating subsections (e) and (f) as
 5 subsections (d) and (e), respectively;

6 (5) in subsection (d) (as redesignated by para-
 7 graph (4)), by striking “\$10,052,000 for fiscal year
 8 2000 and such sums as may be necessary for fiscal
 9 year 2001, \$150,000,000 for fiscal year 2002, and
 10 such sums as may be necessary for each of the five
 11 succeeding fiscal years” and inserting “such sums as
 12 may be necessary for each of fiscal years 2016
 13 through 2019”;

14 (6) in subsection (e) (as redesignated by para-
 15 graph (4)), by striking “\$5,000,000 for fiscal year
 16 2000 and such sums as may be necessary for each
 17 of the seven succeeding fiscal years” and inserting
 18 “such sums as may be necessary for each of fiscal
 19 years 2016 through 2019”; and

20 (7) by adding at the end of the following:

21 “(f) ALLOCATION OF DOLLARS FROM PREVIOUS FIS-
 22 CAL YEARS.—When final payments are made under this
 23 title for a fiscal year, the Secretary shall add any remain-
 24 ing funds to those funds appropriated for such section for

1 the next fiscal year for the purpose of making payments
 2 subject to the provisions of the applicable section.”.

3 **SEC. 12. ADDITIONAL AND CONFORMING AMENDMENTS.**

4 (a) CONSOLIDATED APPROPRIATIONS ACT, 2014.—
 5 Section 309 of division H of the Consolidated Appropria-
 6 tions Act, 2014 (Public Law 113–76; 128 Stat. 400) is
 7 repealed.

8 (b) ELEMENTARY AND SECONDARY EDUCATION ACT
 9 OF 1965.—The Act (20 U.S.C. 6301 et seq.) is amend-
 10 ed—

11 (1) in the table of contents in section 2, by
 12 striking the items relating to subpart 20 of part D
 13 of title V;

14 (2) by repealing subpart 20 of part D of title
 15 V (20 U.S.C. 7281 et seq.) (relating to additional
 16 assistance for certain local educational agencies im-
 17 pacted by Federal property acquisition);

18 (3) in section 8004 (20 U.S.C. 7704)—

19 (A) in subsection (e)(1)(B)(i), by striking
 20 “involved, or if” and inserting “involved or, if”;
 21 and

22 (B) in subsection (f), by striking “upon”
 23 and inserting “on”;

1 (4) in section 8008(a) (20 U.S.C. 7708(a)), by
2 striking “section 8014(f)” and inserting “section
3 8014(e)”; and

4 (5) in section 8011(a) (20 U.S.C. 7711 (a)), by
5 striking “or under” and all that follows through “of
6 1994)”.

○