

103^D CONGRESS
1ST SESSION

H. R. 2882

To amend section 615(e) of the Individuals with Disabilities Education Act to limit the award of attorneys' fees under the section to fees incurred for or in connection with the commencement and prosecution of a civil action.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 1993

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

A BILL

To amend section 615(e) of the Individuals with Disabilities Education Act to limit the award of attorneys' fees under the section to fees incurred for or in connection with the commencement and prosecution of a civil action.

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. LIMITATION ON ATTORNEYS' FEES.**

4 Section 615(e)(4) of the Individuals with Disabilities
5 Education Act (20 U.S.C. 1415(e)(4)) is amended—

6 (1) by striking subparagraph (B) and inserting
7 the following:

1 “(B) In any civil action brought in a State court or
2 in a district court of the United States under this sub-
3 section, the court, in its discretion, may award reasonable
4 attorneys’ fees incurred for or in connection with the com-
5 mencement and prosecution of the civil action as part of
6 the costs to the parents or guardian of a child or youth
7 with a disability who is the prevailing party.”;

8 (2) in subparagraph (C), by striking “action or
9 proceeding” and inserting “civil action”;

10 (3) in subparagraph (4)(D)—

11 (A) in the matter preceding clause (i), by
12 striking “action or proceeding” and inserting
13 “civil action”;

14 (B) in clause (i), by striking “Procedure
15 or,” and all that follows and inserting “Proce-
16 dure.”; and

17 (C) in clause (iii), by striking “or adminis-
18 trative officer”;

19 (4) in clauses (i) and (iii) of subparagraph (F),
20 by striking “action or proceeding,” and inserting
21 “civil action,”; and

22 (5) in subparagraph (G), by striking “action or
23 proceeding” and inserting “civil action”.

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