

107TH CONGRESS  
1ST SESSION

# H. R. 214

To authorize appropriations for part B of the Individuals with Disabilities Education Act to achieve full funding for part B of that Act by 2006.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2001

Mr. TANCREDO introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To authorize appropriations for part B of the Individuals with Disabilities Education Act to achieve full funding for part B of that Act by 2006.

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 “Keeping Our Promises  
5 to Special Education Act of 2001”.

6       **SEC. 2. FINDINGS.**

7       The Congress finds the following:

8               (1) The Education for All Handicapped Chil-  
9       dren Act of 1975 (Public Law 94–142) was enacted  
10       to provide a free and quality education to children

1 with disabilities. In enacting this unfunded mandate  
2 on the States and localities, the Federal government  
3 pledged to contribute 40 percent of the average per  
4 pupil expenditure of educating children with disabili-  
5 ties.

6 (2) Under that Act and its successor Act, the  
7 Individuals with Disabilities Education Act (20  
8 U.S.C. 1400 et seq.), the Federal government has  
9 fallen far short of meeting such contribution, pro-  
10 viding only 11 or 12 percent of the average per pupil  
11 expenditure of educating children with disabilities.

12 (3) Without this critical contribution from the  
13 Federal Government, States and local educational  
14 agencies have been forced to divert funds from other  
15 important programs to meet the mandate of the In-  
16 dividuals with Disabilities Education Act.

17 (4) The Federal government should first and  
18 foremost fulfill its long-standing obligation under the  
19 Individuals with Disabilities Education Act to con-  
20 tribute 40 percent of the average per pupil expendi-  
21 ture of educating children with disabilities. By pro-  
22 viding such contribution, local educational agencies  
23 will be able to provide more funding for local special  
24 education services or other priorities, such as im-  
25 proving school technology and hiring more teachers.

1 **SEC. 3. PURPOSE.**

2 It is the purpose of this Act to reach the Federal Gov-  
3 ernment's goal under part B of the Individuals with Dis-  
4 abilities Education Act (20 U.S.C. 1411 et seq.) of pro-  
5 viding 40 percent of the national average per pupil ex-  
6 penditure to assist States and local educational agencies  
7 with the excess costs of educating children with disabil-  
8 ities.

9 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR PART B**  
10 **OF THE INDIVIDUALS WITH DISABILITIES**  
11 **EDUCATION ACT.**

12 Notwithstanding section 611(j) of the Individuals  
13 with Disabilities Education Act (20 U.S.C. 1412(j)), for  
14 the purpose of carrying out part B of such Act, other than  
15 section 619, there are authorized to be appropriated—

- 16 (1) \$9,000,000,000 for fiscal year 2002;  
17 (2) \$12,000,000,000 for fiscal year 2003;  
18 (3) \$15,000,000,000 for fiscal year 2004;  
19 (4) \$18,000,000,000 for fiscal year 2005;  
20 (5) \$21,000,000,000 for fiscal year 2006; and  
21 (6) such sums as may be necessary for each  
22 subsequent fiscal year.

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