

106TH CONGRESS  
2D SESSION

# H. R. 4090

To authorize appropriations for the Individuals with Disabilities Education Act to achieve full funding in fiscal year 2001 and fiscal year 2002, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2000

Mr. VITTER (for himself, Mrs. KELLY, Mr. LUCAS of Oklahoma, Mr. BILBRAY, Mr. MORAN of Kansas, Mr. HILLIARD, and Mr. SANDERS) 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 the Individuals with Disabilities Education Act to achieve full funding in fiscal year 2001 and fiscal year 2002, and for other purposes.

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 “IDEA Keeping Our  
5   Commitment Act of 2000”.

### 6   **SEC. 2. FINDINGS.**

7       The Congress finds the following:

1           (1) In 1975, Congress passed the Education for  
2       All Handicapped Children Act of 1975 (enacted as  
3       Public Law 94–142), now known as the Individuals  
4       with Disabilities Education Act (20 U.S.C. 1400 et  
5       seq.), which established a Federal commitment to  
6       provide schools with 40 percent of the national aver-  
7       age per pupil expenditure for the purpose of edu-  
8       cating children with disabilities.

9           (2) To date, the Federal Government has never  
10      contributed more than 12.6 percent of the maximum  
11      State grant allocation for educating children with  
12      disabilities under the Individuals with Disabilities  
13      Education Act.

14          (3) The failure by the Federal Government to  
15      fully fund the Individuals with Disabilities Edu-  
16      cation Act has forced State and local governments to  
17      divert funding from other worthy projects, including  
18      school construction and hiring additional teachers, in  
19      order to pay for the full costs of educating children  
20      with disabilities.

21          (4) Each year, State and local educational  
22      agencies are forced to spend precious resources to  
23      simply comply with numerous reporting require-  
24      ments called for under the Individuals with Disabil-  
25      ities Education Act.

1           (5) Although Congress has increased Federal  
2           funding for special education by 85 percent since  
3           1995, the failure by the Federal Government to fully  
4           fund the Individuals with Disabilities Education Act  
5           constitutes a de facto unfunded Federal mandate on  
6           the States.

7   **SEC. 3. PURPOSE.**

8           It is the purpose of this Act to reach the Federal Gov-  
9           ernment's goal of providing 40 percent of the national av-  
10          erage per pupil expenditure for the purpose of educating  
11          all children with disabilities in fiscal year 2001 and fiscal  
12          year 2002.

13   **SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR THE IN-**  
14                   **DIVIDUALS WITH DISABILITIES EDUCATION**  
15                   **ACT.**

16          Section 611(j) of the Individuals with Disabilities  
17          Education Act (20 U.S.C. 1411(j)) is amended to read  
18          as follows:

19          “(j) AUTHORIZATION OF APPROPRIATIONS.—For the  
20          purpose of carrying out this part, other than section 619,  
21          there are authorized to be appropriated—

22                  “(1) \$16,500,000,000 for fiscal year 2001; and

23                  “(2) \$17,500,000,000 for fiscal year 2002.”.

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