

113TH CONGRESS
2D SESSION

H. R. 5661

To require full funding of part A of title I of the Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2014

Mr. VAN HOLLEN (for himself, Mr. LOWENTHAL, Mr. RUPPERSBERGER, Ms. SLAUGHTER, Mr. SABLAN, Mr. PASCRELL, Mr. TAKANO, Ms. MCCOLLUM, Mr. HONDA, and Ms. PINGREE of Maine) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To require full funding of part A of title I of the Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act.

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 “Keep Our Promise to
5 America’s Children and Teachers Act” or the “Keep Our
6 PACT Act”.

7 **SEC. 2. FINDINGS.**

8 The Congress finds as follows:

1 (1) Children are our Nation’s future and great-
2 est treasure.

3 (2) A high-quality education is the surest way
4 for every child to reach his or her full potential.

5 (3) Title I of the Elementary and Secondary
6 Education Act of 1965 helps address inequity in
7 education in school districts across the country to
8 provide a high-quality education to every student.

9 (4) The Individuals with Disabilities Education
10 Act guarantees all children with disabilities a first-
11 rate education.

12 (5) The Individuals with Disabilities Education
13 Improvement Act committed Congress to providing
14 40 percent of the national current average per-pupil
15 expenditure for students with disabilities.

16 (6) A promise made must be a promise kept.

17 **SEC. 3. FULL FUNDING OF PART A OF TITLE I OF ESEA.**

18 (a) FUNDING.—There are appropriated, out of any
19 money in the Treasury not otherwise appropriated—

20 (1) for fiscal year 2015, an amount that equals
21 the difference between—

22 (A) the amount appropriated for fiscal
23 year 2015 for programs under part A of title I
24 of the Elementary and Secondary Education
25 Act of 1965 (20 U.S.C. 6311 et seq.); and

1 (B) \$16,553,821,000 or the full amount
2 authorized to be appropriated for the fiscal year
3 for those programs, whichever is higher;

4 (2) for fiscal year 2016, an amount that equals
5 the difference between—

6 (A) the amount appropriated for fiscal
7 year 2015 for programs under part A of title I
8 of the Elementary and Secondary Education
9 Act of 1965; and

10 (B) \$19,049,895,000 or the full amount
11 authorized to be appropriated for the fiscal year
12 for those programs, whichever is higher;

13 (3) for fiscal year 2017, an amount that equals
14 the difference between—

15 (A) the amount appropriated for fiscal
16 year 2015 for programs under part A of title I
17 of the Elementary and Secondary Education
18 Act of 1965; and

19 (B) \$21,922,342,000 or the full amount
20 authorized to be appropriated for the fiscal year
21 for those programs, whichever is higher;

22 (4) for fiscal year 2018, an amount that equals
23 the difference between—

24 (A) the amount appropriated for fiscal
25 year 2015 for programs under part A of title I

1 of the Elementary and Secondary Education
2 Act of 1965; and

3 (B) \$25,227,912,000 or the full amount
4 authorized to be appropriated for the fiscal year
5 for those programs, whichever is higher;

6 (5) for fiscal year 2019, an amount that equals
7 the difference between—

8 (A) the amount appropriated for fiscal
9 year 2015 for programs under part A of title I
10 of the Elementary and Secondary Education
11 Act of 1965; and

12 (B) \$29,031,913,000 or the full amount
13 authorized to be appropriated for the fiscal year
14 for those programs, whichever is higher;

15 (6) for fiscal year 2020, an amount that equals
16 the difference between—

17 (A) the amount appropriated for fiscal
18 year 2015 for programs under part A of title I
19 of the Elementary and Secondary Education
20 Act of 1965; and

21 (B) \$33,409,503,000 or the full amount
22 authorized to be appropriated for the fiscal year
23 for those programs, whichever is higher;

24 (7) for fiscal year 2021, an amount that equals
25 the difference between—

1 (A) the amount appropriated for fiscal
2 year 2015 for programs under part A of title I
3 of the Elementary and Secondary Education
4 Act of 1965; and

5 (B) \$38,447,168,000 or the full amount
6 authorized to be appropriated for the fiscal year
7 for those programs, whichever is higher;

8 (8) for fiscal year 2022, an amount that equals
9 the difference between—

10 (A) the amount appropriated for fiscal
11 year 2015 for programs under part A of title I
12 of the Elementary and Secondary Education
13 Act of 1965; and

14 (B) \$44,244,442,000 or the full amount
15 authorized to be appropriated for the fiscal year
16 for those programs, whichever is higher;

17 (9) for fiscal year 2023, an amount that equals
18 the difference between—

19 (A) the amount appropriated for fiscal
20 year 2015 for programs under part A of title I
21 of the Elementary and Secondary Education
22 Act of 1965; and

23 (B) \$50,915,859,000 or the full amount
24 authorized to be appropriated for the fiscal year
25 for those programs, whichever is higher; and

(10) for fiscal year 2024, an amount that equals the difference between—

(A) the amount appropriated for fiscal year 2015 for programs under part A of title I of the Elementary and Secondary Education Act of 1965; and

(B) \$58,593,228,000 or the full amount authorized to be appropriated for the fiscal year for those programs, whichever is higher.

**SEC. 4. MANDATORY FUNDING OF THE INDIVIDUALS WITH
DISABILITIES EDUCATION ACT.**

Section 611(i) of the Individuals with Disabilities Education Act (20 U.S.C. 1441(i)) is amended to read as follows:

“(i) FUNDING.—

“(1) IN GENERAL.—For the purpose of carrying out this part, other than section 619, there are authorized to be appropriated—

“(A) \$12,906,093,000 or 16.8 percent of the amount determined under paragraph (2), whichever is greater, for fiscal year 2015, and there are hereby appropriated \$1,433,245,000 or 1.5 percent of the amount determined under paragraph (2), whichever is greater, for fiscal year 2015, which shall become available for ob-

1 ligation on July 1, 2015, and shall remain
2 available through September 30, 2016;

3 “(B) 14,518,385,000 or 18.6 percent of
4 the amount determined under paragraph (2),
5 whichever is greater, for fiscal year 2016, and
6 there are hereby appropriated \$3,045,437,000
7 or 3.3 percent of the amount determined under
8 paragraph (2), whichever is greater, for fiscal
9 year 2016, which shall become available for ob-
10 ligation on July 1, 2016, and shall remain
11 available through September 30, 2017;

12 “(C) \$16,332,093,000 or 20.4 percent of
13 the amount determined under paragraph (2),
14 whichever is greater, for fiscal year 2017, and
15 there are hereby appropriated \$4,859,245,000
16 or 5.1 percent of the amount determined under
17 paragraph (2), whichever is greater, for fiscal
18 year 2017, which shall become available for ob-
19 ligation on July 1, 2017, and shall remain
20 available through September 30, 2018;

21 “(D) \$18,372,379,000 or 22.5 percent of
22 the amount determined under paragraph (2),
23 whichever is greater, for fiscal year 2018, and
24 there are hereby appropriated \$6,899,531,000
25 or 7.2 percent of the amount determined under

1 paragraph (2), whichever is greater, for fiscal
2 year 2018, which shall become available for ob-
3 ligation on July 1, 2018, and shall remain
4 available through September 30, 2019;

5 “(E) 20,667,547,000 or 24.7 percent of
6 the amount determined under paragraph (2),
7 whichever is greater, for fiscal year 2019, and
8 there are hereby appropriated \$9,194,699,000
9 or 9.4 percent of the amount determined under
10 paragraph (2), whichever is greater, for fiscal
11 year 2019, which shall become available for ob-
12 ligation on July 1, 2019, and shall remain
13 available through September 30, 2020;

14 “(F) \$23,249,438,000 or 27.2 percent of
15 the amount determined under paragraph (2),
16 whichever is greater, for fiscal year 2020, and
17 there are hereby appropriated \$11,776,590,000
18 or 11.9 percent of the amount determined
19 under paragraph (2), whichever is greater, for
20 fiscal year 2020, which shall become available
21 for obligation on July 1, 2020, and shall remain
22 available through September 30, 2021;

23 “(G) \$26,153,872,000 or 30 percent of the
24 amount determined under paragraph (2),
25 whichever is greater, for fiscal year 2021, and

1 there are hereby appropriated \$14,681,024,000
2 or 14.7 percent of the amount determined
3 under paragraph (2), whichever is greater, for
4 fiscal year 2021, which shall become available
5 for obligation on July 1, 2021, and shall remain
6 available through September 30, 2022;

7 “(H) \$29,421,143,000 or 33 percent of the
8 amount determined under paragraph (2),
9 whichever is greater, for fiscal year 2022, and
10 there are hereby appropriated \$17,948,295,000
11 or 17.7 percent of the amount determined
12 under paragraph (2), whichever is greater, for
13 fiscal year 2022, which shall become available
14 for obligation on July 1, 2022, and shall remain
15 available through September 30, 2023;

16 “(I) \$33,096,577,000 or 36.3 percent of
17 the amount determined under paragraph (2),
18 whichever is greater, for fiscal year 2023, and
19 there are hereby appropriated \$21,623,729,000
20 or 21 percent of the amount determined under
21 paragraph (2), whichever is greater, for fiscal
22 year 2023, which shall become available for ob-
23 ligation on July 1, 2023, and shall remain
24 available through September 30, 2024; and

1 “(J) \$37,231,164,000 or 40 percent of the
2 amount determined under paragraph (2),
3 whichever is greater, for fiscal year 2024 and
4 each subsequent fiscal year, and there are here-
5 by appropriated \$37,231,164,000 or 40 percent
6 of the amount determined under paragraph (2),
7 whichever is greater, for fiscal year 2024 and
8 each subsequent fiscal year, which—

9 “(i) shall become available for obliga-
10 tion with respect to fiscal year 2024 on
11 July 1, 2024, and shall remain available
12 through September 30, 2025; and

13 “(ii) shall become available for obliga-
14 tion with respect to each subsequent fiscal
15 year on July 1 of that fiscal year and shall
16 remain available through September 30 of
17 the succeeding fiscal year.

18 “(2) AMOUNT.—With respect to each subpara-
19 graph of paragraph (1), the amount determined
20 under this paragraph is the product of—

21 “(A) the total number of children with dis-
22 abilities in all States who—

23 “(i) received special education and re-
24 lated services during the last school year
25 that concluded before the first day of the

1 fiscal year for which the determination is
2 made; and

3 “(ii) were aged—

4 “(I) 3 through 5 (with respect to
5 the States that were eligible for
6 grants under section 619); and

7 “(II) 6 through 21; and

8 “(B) the average per-pupil expenditure in
9 public elementary schools and secondary schools
10 in the United States.”.

11 **SEC. 5. OFFSET.**

12 The amounts appropriated by this Act and the
13 amendments made by this Act shall be expended con-
14 sistent with pay-as-you-go requirements.

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