

114TH CONGRESS
1ST SESSION

H. R. 3581

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, 2015

Mr. VAN HOLLEN 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:

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

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

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

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

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

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

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

16 (a) Funding—There are appropriated, out of any
17 money in the Treasury not otherwise appropriated:

18 (1) For fiscal year 2016, an amount that equals
19 the difference between—

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

1 (B) \$16,221,582,000 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 2017, 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) \$18,261,161,000 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 2018, 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) \$20,557,182,000 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 2019, 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) \$23,141,888,000 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 2020, 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) \$26,051,574,000 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 2021, 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) \$29,327,103,000 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 2022, 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) \$33,014,472,000 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 2023, 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, as amended by the No Child Left
14 Behind Act of 2001; and

15 (B) \$37,165,463,000 or the full amount
16 authorized to be appropriated for the fiscal year
17 for those programs, whichever is higher.

18 (9) For fiscal year 2024, an amount that equals
19 the difference between—

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

1 (B) \$41,838,368,000 or the full amount
 2 authorized to be appropriated for the fiscal year
 3 for those programs, whichever is higher.

4 (10) For fiscal year 2025, an amount that
 5 equals 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) \$47,098,809,000 or the full amount
 11 authorized to be appropriated for the fiscal year
 12 for those programs, whichever is higher.

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

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

18 “(i) FUNDING.—

19 “(1) IN GENERAL.—For the purpose of car-
 20 rying out this part, other than section 619, there are
 21 authorized to be appropriated—

22 “(A) \$12,872,421,000 or 17.7 percent of
 23 the amount determined under paragraph (2),
 24 whichever is greater, for fiscal year 2016, and
 25 there are hereby appropriated \$1,374,573,000

1 or 1.6 percent of the amount determined under
2 paragraph (2), whichever is greater, for fiscal
3 year 2016, which shall become available for ob-
4 ligation on July 1, 2016, and shall remain
5 available through September 30, 2017;

6 “(B) \$14,411,326,000 or 19.4 percent of
7 the amount determined under paragraph (2),
8 whichever is greater, for fiscal year 2017, and
9 there are hereby appropriated \$2,913,478,000
10 or 3.3 percent of the amount determined under
11 paragraph (2), whichever is greater, for fiscal
12 year 2017, which shall become available for ob-
13 ligation on July 1, 2017, and shall remain
14 available through September 30, 2018;

15 “(C) \$16,134,207,000 or 21.2 percent of
16 the amount determined under paragraph (2),
17 whichever is greater, for fiscal year 2018, and
18 there are hereby appropriated \$4,636,359,000
19 or 5.1 percent of the amount determined under
20 paragraph (2), whichever is greater, for fiscal
21 year 2018, which shall become available for ob-
22 ligation on July 1, 2018, and shall remain
23 available through September 30, 2019;

24 “(D) \$18,063,059,000 or 23.2 percent of
25 the amount determined under paragraph (2),

1 whichever is greater, for fiscal year 2019, and
2 there are hereby appropriated \$6,565,211,000
3 or 7.1 percent of the amount determined under
4 paragraph (2), whichever is greater, for fiscal
5 year 2019, which shall become available for ob-
6 ligation on July 1, 2019, and shall remain
7 available through September 30, 2020;

8 “(E) \$20,222,507,000 or 25.4 percent of
9 the amount determined under paragraph (2),
10 whichever is greater, for fiscal year 2020, and
11 there are hereby appropriated \$8,724,659,000
12 or 9.3 percent of the amount determined under
13 paragraph (2), whichever is greater, for fiscal
14 year 2020, which shall become available for ob-
15 ligation on July 1, 2020, and shall remain
16 available through September 30, 2021;

17 “(F) \$22,640,117,000 or 27.8 percent of
18 the amount determined under paragraph (2),
19 whichever is greater, for fiscal year 2021, and
20 there are hereby appropriated \$11,142,269,000
21 or 11.7 percent of the amount determined
22 under paragraph (2), whichever is greater, for
23 fiscal year 2021, which shall become available
24 for obligation on July 1, 2021, and shall remain
25 available through September 30, 2022;

1 “(G) \$25,346,755,000 or 30.5 percent of
2 the amount determined under paragraph (2),
3 whichever is greater, for fiscal year 2022, and
4 there are hereby appropriated \$13,848,907,000
5 or 14.4 percent of the amount determined
6 under paragraph (2), whichever is greater, for
7 fiscal year 2022, which shall become available
8 for obligation on July 1, 2022, and shall remain
9 available through September 30, 2023;

10 “(H) \$28,376,972,000 or 33.4 percent of
11 the amount determined under paragraph (2),
12 whichever is greater, for fiscal year 2023, and
13 there are hereby appropriated \$16,879,124,000
14 or 17.3 percent of the amount determined
15 under paragraph (2), whichever is greater, for
16 fiscal year 2023, which shall become available
17 for obligation on July 1, 2023, and shall remain
18 available through September 30, 2024;

19 “(I) \$31,769,453,000 or 36.5 percent of
20 the amount determined under paragraph (2),
21 whichever is greater, for fiscal year 2024, and
22 there are hereby appropriated \$20,271,605,000
23 or 20.4 percent of the amount determined
24 under paragraph (2), whichever is greater, for
25 fiscal year 2024, which shall become available

1 for obligation on July 1, 2024, and shall remain
2 available through September 30, 2025; and

3 “(J) \$35,567,506,000 or 40 percent of the
4 amount determined under paragraph (2),
5 whichever is greater, for fiscal year 2025 and
6 each subsequent fiscal year, and there are here-
7 by appropriated \$35,567,506,000 or 40 percent
8 of the amount determined under paragraph (2),
9 whichever is greater, for fiscal year 2025 and
10 each subsequent fiscal year, which—

11 “(i) shall become available for obliga-
12 tion with respect to fiscal year 2025 on
13 July 1, 2025, and shall remain available
14 through September 30, 2026; and

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

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

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

1 “(i) received special education and re-
2 lated services during the last school year
3 that concluded before the first day of the
4 fiscal year for which the determination is
5 made; and

6 “(ii) were aged—

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

10 “(II) 6 through 21; and

11 “(B) the average per-pupil expenditure in
12 public elementary schools and secondary schools
13 in the United States.”.

14 **SEC. 5. OFFSET.**

15 The amounts appropriated by this Act and the
16 amendments made by this Act shall be expended con-
17 sistent with pay-as-you-go requirements.

○