

105TH CONGRESS
2D SESSION

H. R. 3930

To ensure that the Federal Government adheres to its commitment to State and local governments to share in the expense of educating children with disabilities.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 1998

Mr. GRAHAM (for himself, Mr. SOUDER, Mrs. MYRICK, Mr. HAYWORTH, Mr. SESSIONS, Mr. BLUNT, Mr. DUNCAN, Mr. MCINTOSH, Mr. NORWOOD, and Mr. SHADEGG) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To ensure that the Federal Government adheres to its commitment to State and local governments to share in the expense of educating children with disabilities.

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 “Better IDEA Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) The Individuals with Disabilities Education
8 Act provides that Federal, State, and local govern-

1 ments share in the expense of educating children
2 with disabilities and authorizes the Federal Govern-
3 ment to pay up to 40 percent of the national average
4 per pupil expenditure for children with disabilities.

5 (2) In each of the past 3 years, the Federal
6 Government has appropriated only approximately 10
7 percent of the maximum State grant allocation
8 amount to educate children with disabilities under
9 the Individuals with Disabilities Education Act.

10 (3) The high costs of educating children with
11 disabilities, coupled with the failure of the Federal
12 Government to meet fully its obligation under the
13 Individuals with Disabilities Education Act, drain
14 school resources and jeopardize the quality of in-
15 struction for all students.

16 (4) The Federal Government's failure to appro-
17 priate the maximum State grant allocation to edu-
18 cate children with disabilities under the Individuals
19 with Disabilities Education Act represents a massive
20 unfunded Federal mandate on the States.

21 (5) Significant increases in Federal funds to
22 the Individuals with Disabilities Education Act will
23 allow local governments more flexibility in spending
24 limited education funds.

1 **SEC. 3. REDUCTION OF CERTAIN FUNDS.**

2 (a) AMENDMENTS.—

3 (1) GOALS 2000: EDUCATE AMERICA ACT.—The
4 Goals 2000: Educate America Act (20 U.S.C. 5801
5 et seq.) is repealed.

6 (2) ELEMENTARY AND SECONDARY EDUCATION
7 ACT OF 1965.—The Elementary and Secondary Edu-
8 cation Act of 1965 is amended—

9 (A) in section 2003(a) of such Act, by
10 striking “and such” and all that follows
11 through the period and inserting the following:
12 “, such sums as may be necessary for fiscal
13 years 1996 through 1998, and \$175,000,000
14 for fiscal year 1999.”; and

15 (B) in section 10101(d) of such Act, by
16 striking “and such” and all that follows
17 through the period and inserting the following:
18 “, such sums as may be necessary for fiscal
19 years 1996 through 1998, and \$10,000,000 for
20 fiscal year 1999.”.

21 (b) NO EXTENSION.—The provisions of section 422
22 of the General Education Provisions Act (20 U.S.C.
23 1226a) shall not apply to extend the authority of the pro-
24 visions amended by subsection (a)(2).

25 (c) AVAILABILITY OF FUNDS.—The Secretary shall
26 make available any funds that are not expended or obli-

1 gated as a result of the amendments made by subsection
2 (a) for programs under part B of the Individuals with Dis-
3 abilities Education Act (20 U.S.C. 1411 et seq.).

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