

109TH CONGRESS
1ST SESSION

H. R. 1107

To amend the Individuals With Disabilities Education Act to provide full funding for assistance for education of all children with disabilities.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2005

Mr. LARSON of Connecticut (for himself, Mr. CONYERS, Mrs. JONES of Ohio, Mr. CASE, Mr. HOLT, Mr. SHIMKUS, Mr. HINCHEY, Mr. EVANS, Mr. SCHIFF, Mr. McDERMOTT, Mr. GRIJALVA, Mr. WEINER, Mr. ETHERIDGE, Mr. FRANK of Massachusetts, Mr. CLYBURN, Ms. ESHOO, Mr. SHERMAN, Mr. OWENS, Mr. McNULTY, Mr. FILNER, and Mr. BUTTERFIELD) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Individuals With Disabilities Education Act to provide full funding for assistance for education of all 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 “Full Funding for
5 IDEA Now Act of 2005”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to attain 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 current average per pupil
6 expenditure to assist States and local educational agencies
7 with the excess costs of educating children with disabilities
8 and to make such funding mandatory.

9 **SEC. 3. AMOUNT OF GRANT FOR STATES UNDER PART B OF**
10 **THE INDIVIDUALS WITH DISABILITIES EDU-**
11 **CATION ACT.**

12 (a) IN GENERAL.—Section 611(a) of the Individuals
13 With Disabilities Education Act (20 U.S.C. 1411(a)), as
14 amended by the Individuals With Disabilities Education
15 Improvement Act of 2004 (Public Law 108–446), is
16 amended—

17 (1) in paragraph (2)—

18 (A) in the heading, by striking “MAX-
19 IMUM” and inserting “MINIMUM”;

20 (B) in the matter preceding subparagraph

21 (A)—

22 (i) by striking “maximum” and insert-
23 ing “minimum”; and

24 (ii) by striking “may receive” and in-
25 serting “is entitled to receive”; and

1 (C) in subparagraph (A), by striking “fis-
2 cal years 2005 and 2006” and inserting “fiscal
3 year 2006”; and

4 (2) by adding at the end the following new
5 paragraph:

6 “(3) NO INDIVIDUAL ENTITLEMENT.—Para-
7 graph (2) shall not be interpreted to entitle any indi-
8 vidual to assistance under any State program,
9 project, or activity funded under this part.”.

10 (b) CONFORMING AMENDMENTS.—Section 611 of the
11 Individuals With Disabilities Education Act (20 U.S.C.
12 1411), as amended by the Individuals With Disabilities
13 Education Improvement Act of 2004 (Public Law 108-
14 446), is amended as follows:

15 (1) In the heading—

16 (A) by striking “**AUTHORIZATION;**” and
17 inserting “**ENTITLEMENT;**”; and

18 (B) by striking “**; AUTHORIZATION OF**
19 **APPROPRIATIONS**”.

20 (2) In subsection (b)—

21 (A) in paragraph (1)(A), by striking
22 “From the amount appropriated for any fiscal
23 year under subsection (i)” and inserting “From
24 the amount available for any fiscal year to

1 carry out this part (other than section 619”);
2 and

3 (B) in paragraph (2), by striking “From
4 the amount appropriated for any fiscal year
5 under subsection (i)” and inserting “From the
6 amount available for any fiscal year to carry
7 out this part (other than section 619)”.

8 (3) In subsection (c)(1), by striking “the
9 amounts appropriated” and inserting “the amounts
10 available”.

11 (4) In subsection (d)(3)(B)—

12 (A) in clause (ii)—

13 (i) in subclause (I)(bb), by striking
14 “the amount appropriated under sub-
15 section (i)” and inserting “the amount
16 available to carry out this part”;

17 (ii) in subclause (II)(bb), by striking
18 “appropriated for” and inserting “available
19 to carry out”; and

20 (iii) in subclause (III)(bb), by striking
21 “appropriated for” and inserting “available
22 to carry out”; and

23 (B) in clause (iii)(II), by striking “appro-
24 priated” and inserting “available”.

1 (5) In subsection (h)(4)(A), by striking “appro-
2 priated under subsection (i)” and inserting “avail-
3 able to carry out this part (other than section 619)”.

4 (6) By striking subsection (i).

5 (c) CLERICAL AMENDMENT.—The table of contents
6 for the Individuals With Disabilities Education Act (20
7 U.S.C. 1400(b)), as amended by the Individuals With Dis-
8 abilities Education Improvement Act of 2004 (Public Law
9 108–446), is amended in the item relating to section 611
10 to read as follows:

“Sec. 611. Entitlement; allotment; use of funds.”.

11 (d) EFFECTIVE DATE.—The amendments made by
12 this section shall take effect on July 1, 2005.

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