

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.

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## 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

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## 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.

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