

117TH CONGRESS
1ST SESSION

S. 3213

To amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2021

Mr. VAN HOLLEN (for himself, Mr. TESTER, Ms. HASSAN, Mr. CASEY, Ms. SMITH, Ms. HIRONO, Mr. REED, Mr. BLUMENTHAL, Mr. KAINE, Mr. DURBIN, Mr. CARDIN, Mr. BROWN, Ms. CORTEZ MASTO, Mr. BOOKER, Mr. LUJÁN, Ms. WARREN, Mr. MARKEY, Ms. BALDWIN, Mr. WYDEN, Mrs. GILLIBRAND, Mrs. SHAHEEN, Ms. STABENOW, Mr. PADILLA, Mr. MENENDEZ, Ms. KLOBUCHAR, Mr. MURPHY, and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

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 “IDEA Full Funding
5 Act”.

1 **SEC. 2. MANDATORY FUNDING OF THE INDIVIDUALS WITH**
2 **DISABILITIES EDUCATION ACT.**

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

6 “(i) FUNDING.—

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

10 “(A) \$15,537,429,000 or 15.4 percent of
11 the amount determined under paragraph (2),
12 whichever is greater, for fiscal year 2022, and
13 there are hereby appropriated \$2,599,972,000
14 or 2.6 percent of the amount determined under
15 paragraph (2), whichever is greater, for fiscal
16 year 2022, which shall become available for ob-
17 ligation on July 1, 2022, and shall remain
18 available through September 30, 2023;

19 “(B) \$17,443,989,000 or 16.9 percent of
20 the amount determined under paragraph (2),
21 whichever is greater, for fiscal year 2023, and
22 there are hereby appropriated \$3,463,597,000
23 or 3.4 percent of the amount determined under
24 paragraph (2), whichever is greater, for fiscal
25 year 2023, which shall become available for ob-

1 ligation on July 1, 2023, and shall remain
2 available through September 30, 2024;

3 “(C) \$19,584,498,000 or 18.5 percent of
4 the amount determined under paragraph (2),
5 whichever is greater, for fiscal year 2024, and
6 there are hereby appropriated \$4,649,809,000
7 or 4.4 percent of the amount determined under
8 paragraph (2), whichever is greater, for fiscal
9 year 2024, which shall become available for ob-
10 ligation on July 1, 2024, and shall remain
11 available through September 30, 2025;

12 “(D) \$21,987,664,000 or 20.3 percent of
13 the amount determined under paragraph (2),
14 whichever is greater, for fiscal year 2025, and
15 there are hereby appropriated \$6,242,273,000
16 or 5.8 percent of the amount determined under
17 paragraph (2), whichever is greater, for fiscal
18 year 2025, which shall become available for ob-
19 ligation on July 1, 2025, and shall remain
20 available through September 30, 2026;

21 “(E) \$24,685,716,000 or 22.3 percent of
22 the amount determined under paragraph (2),
23 whichever is greater, for fiscal year 2026, and
24 there are hereby appropriated \$8,380,125,000
25 or 7.6 percent of the amount determined under

1 paragraph (2), whichever is greater, for fiscal
2 year 2026, which shall become available for ob-
3 ligation on July 1, 2026, and shall remain
4 available through September 30, 2027;

5 “(F) \$27,714,840,000 or 24.5 percent of
6 the amount determined under paragraph (2),
7 whichever is greater, for fiscal year 2027, and
8 there are hereby appropriated \$11,250,146,000
9 or 10.0 percent of the amount determined
10 under paragraph (2), whichever is greater, for
11 fiscal year 2027, which shall become available
12 for obligation on July 1, 2027, and shall remain
13 available through September 30, 2028;

14 “(G) \$31,115,660,000 or 26.9 percent of
15 the amount determined under paragraph (2),
16 whichever is greater, for fiscal year 2028, and
17 there are hereby appropriated \$15,103,092,000
18 or 13.1 percent of the amount determined
19 under paragraph (2), whichever is greater, for
20 fiscal year 2028, which shall become available
21 for obligation on July 1, 2028, and shall remain
22 available through September 30, 2029;

23 “(H) \$34,933,787,000 or 29.6 percent of
24 the amount determined under paragraph (2),
25 whichever is greater, for fiscal year 2029, and

1 there are hereby appropriated \$20,275,592,000
2 or 17.2 percent of the amount determined
3 under paragraph (2), whichever is greater, for
4 fiscal year 2029, which shall become available
5 for obligation on July 1, 2029, and shall remain
6 available through September 30, 2030;

7 “(I) \$39,220,426,000 or 32.4 percent of
8 the amount determined under paragraph (2),
9 whichever is greater, for fiscal year 2030, and
10 there are hereby appropriated \$27,219,569,000
11 or 22.5 percent of the amount determined
12 under paragraph (2), whichever is greater, for
13 fiscal year 2030, which shall become available
14 for obligation on July 1, 2030, and shall remain
15 available through September 30, 2031; and

16 “(J) \$49,436,259,000 or 40.0 percent of
17 the amount determined under paragraph (2),
18 whichever is greater, for fiscal year 2031 and
19 each subsequent fiscal year, and there are here-
20 by appropriated \$49,436,259,000 or 40.0 per-
21 cent of the amount determined under para-
22 graph (2), whichever is greater, for fiscal year
23 2031 and each subsequent fiscal year, which—

24 “(i) shall become available for obliga-
25 tion with respect to fiscal year 2031 on

1 July 1, 2031, and shall remain available
 2 through September 30, 2032; and

3 “(ii) shall become available for obliga-
 4 tion with respect to each subsequent fiscal
 5 year on July 1 of that fiscal year and shall
 6 remain available through September 30 of
 7 the succeeding fiscal year.

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

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

13 “(i) received special education and re-
 14 lated services during the last school year
 15 that concluded before the first day of the
 16 fiscal year for which the determination is
 17 made; and

18 “(ii) were aged—

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

22 “(II) 6 through 21; and

1 “(B) the average per-pupil expenditure in
2 public elementary schools and secondary schools
3 in the United States.”.

○