

112TH CONGRESS
1ST SESSION

H. R. 2935

To authorize the full funding of part B of the Individuals with Disabilities Education Act by making certain spending cuts to the Department of Defense.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2011

Mr. POLIS introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the full funding of part B of the Individuals with Disabilities Education Act by making certain spending cuts to the Department of Defense.

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 “Defending Special
5 Education Students and Families Act”.

1 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR PART B**
2 **OF THE INDIVIDUALS WITH DISABILITIES**
3 **EDUCATION ACT.**

4 (a) IN GENERAL.—Section 611(i) of the Individuals
5 with Disabilities Education Act is amended to read as fol-
6 lows:

7 “(i) AUTHORIZATION OF APPROPRIATIONS.—For the
8 purpose of carrying out this part, other than section 619,
9 there are authorized to be appropriated—

10 “(1) \$13,993,372,000 for fiscal year 2012;

11 “(2) \$17,019,632,000 for fiscal year 2013;

12 “(3) \$20,700,363,000 for fiscal year 2014;

13 “(4) \$25,177,103,000 for fiscal year 2015;

14 “(5) \$30,622,000,000 for fiscal year 2016; and

15 “(6) for fiscal year 2017 and each subsequent
16 fiscal year—

17 “(A) the number of children with disabil-
18 ities in the prior school year in the States, out-
19 lying areas, and freely associated States who re-
20 ceived special education and related services—

21 “(i) aged 3 through 5 if the States,
22 outlying areas, and freely associated States
23 are eligible for a grant under section 619;
24 and

25 “(ii) aged 6 through 21; multiplied by

1 “(B) 40 percent of the average per-pupil
2 expenditure in public elementary schools and
3 secondary schools in the United States; ad-
4 justed by

5 “(C) the rate of annual change in the sum
6 of 85 percent of such State’s, outlying areas,
7 and freely associated State’s population de-
8 scribed in subsection (d)(3)(A)(i)(II).”.

9 (b) **EFFECTIVE DATE.**—The amendment made by
10 subsection (a) shall take effect on October 1, 2012.

11 **SEC. 3. MODIFICATION OF AUTHORIZATIONS OF CERTAIN**
12 **MAJOR WEAPON SYSTEMS OF THE DEPART-**
13 **MENT OF DEFENSE.**

14 (a) **F-35 JOINT STRIKE FIGHTER AIRCRAFT.**—

15 (1) **TERMINATION OF F-35B AIRCRAFT PRO-**
16 **GRAM.**—Notwithstanding any other provision of law,
17 none of the funds authorized to be appropriated or
18 otherwise made available for fiscal year 2012 or any
19 fiscal year thereafter for the Department of Defense
20 may be obligated or expended for the procurement of
21 F-35B aircraft.

22 (2) **TERMINATION OF F-35C AIRCRAFT PRO-**
23 **GRAM.**—Notwithstanding any other provision of law,
24 none of the funds authorized to be appropriated or
25 otherwise made available for fiscal year 2012 or any

1 fiscal year thereafter for the Department of Defense
2 may be obligated or expended for the procurement of
3 F-35C aircraft.

4 (3) AUTHORIZATION OF F/A-18E/F AIRCRAFT.—

5 The Secretary of Defense may procure F/A-18E/F
6 aircraft in a number and at a rate of procurement
7 not to exceed the number and the rate of procure-
8 ment of F-35B aircraft and F-35C aircraft that the
9 Secretary planned to procure as of the day before
10 the date of the enactment of this Act.

11 (b) TERMINATION OF EXPEDITIONARY FIGHTING

12 VEHICLE.—Notwithstanding any other provision of law,
13 none of the funds authorized to be appropriated or other-
14 wise made available for fiscal year 2012 or any fiscal year
15 thereafter for the Department of Defense may be obli-
16 gated or expended for the procurement of the Expedi-
17 tionary Fighting Vehicle.

18 (c) NAVY COMPOSITION.—

19 (1) AIRCRAFT CARRIERS AND CARRIER AIR

20 WINGS.—Subsection (b) of section 5062 of title 10,
21 United States Code, is amended to read as follows:

22 “(b)(1) Beginning October 1, 2013, the naval combat
23 forces of the Navy shall include not more than—

24 “(A) 10 operational aircraft carriers; and

25 “(B) nine carrier air wings.

1 “(2) For purposes of this subsection—

2 “(A) an operational aircraft carrier includes an
3 aircraft carrier that is temporarily unavailable for
4 worldwide deployment because of routine or sched-
5 uled maintenance or repair; and

6 “(B) a carrier air wing includes, in addition to
7 any other aircraft, not less than 44 strike-fighter
8 aircraft.”.

9 (2) U.S.S. GEORGE WASHINGTON.—The Sec-
10 retary of Defense shall decommission the U.S.S.
11 George Washington during 2016.

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