

Floor Statement
Amendment to Increase Special Education Funding
January 21, 2003

Mr. GREGG. Mr. President, Senator Dodd has offered an amendment which increases special education funding by \$1.5 billion. As an individual who has spent a tremendous amount of time, after being elected to this Senate, trying to bring special education funding in line with what the obligation of the Federal Government is supposed to be pursuant to the 1976 bill, I like the idea of increasing special education funding and, in fact, have driven the effort here in the Senate for many years to try to do exactly that, increase special education funding.

When special education was originally proposed, as has been mentioned, the understanding was that the Federal Government would pay about 40 percent of the cost. Unfortunately, when I was first elected to Congress, the Federal Government was only paying about 6 percent of the cost of special education. But I think it is important to review the history to determine where we are and how we have gotten there relative to increases in special education funding because the increases have been rather dramatic over the last few years. In fact, as a result of the commitment of the Republican Senate, when we had control of the Senate back in the 1990s--and now with President Bush--we are seeing the most significant increases in special education funding in the history of the program. Special education funding, as a function of the Federal Government, has increased faster than any other funding element within the Federal Government on a percentage basis.

So let's review the history.

When the Republicans took control of the Senate in 1996, we made S. 1 the first bill introduced by the new Republican Senate. S. 1 called for significant increases in special education funding. As a result, we have dramatically increased special education funding every year. That is as a result of the Congress's effort, and now the President's effort, to the point where we are up to, this year, \$7.5 billion in 2002. It will be \$8.5 billion in 2003. It will be \$9.5 billion in 2004 if we follow the President's proposals.

This is an important factor because this funding commitment was made by the Republican Congress, not by the prior administration. During President Clinton's term in office, his proposed special education budget increases were essentially nonexistent.

In the year 1997, he proposed a \$280 million increase. In the year 1998, he proposed a \$139 million increase. In the year 1999, he proposed a zero increase in special education funding. In the year 2000, he proposed a zero increase in special education funding. But during this exact period, special education funding went up, as I mentioned, rather dramatically. Why? Because the Republican Members of the Senate insisted upon it. We put it in our budget resolutions. We passed it out of our budget resolutions. And as a result, we dramatically increased funding in the special education accounts. There has been a 224-percent increase in special education funding since 1996.

Then President Bush came into office. And to show the difference in priorities from one administration to another administration, to show the difference in its importance in the two different administrations and the impact it has on the special education community in America, when President Bush came into office he did not suggest a zero increase, as President Clinton had in 1999. In the year 2000, he suggested a \$1 billion increase. That \$1 billion increase was in his first budget. He followed it up with another \$1 billion increase in his second budget. So now he was up \$2 billion. And then, in the year 2003, he has added another \$1 billion increase. So he is now up \$3 billion in 3 years, which is a 30-percent increase in just 3 years--just in 3 years--over the funding baseline of special education.

So the commitment from this administration has been there and at a level which is historic and has had a dramatic impact in the funding needs of the special education children of America.

The practical implication is that the Federal Government's role has now gone from about a 6-percent commitment to special education to around 20 percent. It is a huge increase, a dramatic increase, and it is on a rising path to full funding if we can get the cost of special education under control, which brings me to the second point.

We are now in the process of trying to reauthorize the special education bill within the Health, Education, Labor, and Pensions Committee. There are a lot of issues involving special education that do not involve funding; issues such as discipline, in which the Senator from Alabama has been involved; issues such as excessive regulation; issues such as too many consultants, too many lawyers taking money out of the system instead of having it go to the kids.

The fact is that the system has become convoluted, officious, and bureaucratic. It needs to be adjusted, and it needs to be improved so we are getting the money back to the children who need the assistance as special needs children.

So reauthorization is very important in this whole context of what we do. It is really difficult to continue to put money into the program at these huge increased rates without doing reauthorization. Why is that? Because it is like the goalposts keep moving every year.

We have seen, unfortunately, in some areas excessive coding, where kids who should not end up with the stigma of special needs end up being stigmatized as special needs children simply because the school system wants to get more money out of the special education accounts. That is not right and not appropriate, and it undermines the ability to help the kids who really need the assistance.

So we need to reauthorize this bill to get some controls back in place over how many children really are special needs children and make sure those kids who really are special needs children get the assistance they need, which brings us back to this amendment.

This amendment is well intentioned. I am in favor, as I have said before on this floor, of doing proper prioritization, of saying: What is it the Federal Government should be doing today? In what areas should the Federal Government be putting its resources?

The No. 1 area, obviously, is fighting terrorism, protecting the homeland, of making an aggressive effort in this area. Certainly the Senator from Maryland, who is seeking the floor, has been a leader in this effort. But the fact is, after we get into dealing with terrorism, the next area that I think is most important is education. I think the Federal commitment to education is critical. That is why I was a strong supporter, last week, of an amendment which came to the floor which said we are going to put \$5 billion more into education, No Child Left Behind proposals, title I, but in doing that we have to be willing to prioritize. We have to be willing to recognize that this country--our Federal Government--is now spending more than it is taking in. We have to be willing to set a ceiling as to how much we can afford to spend and then live within that ceiling.

But within that ceiling we need to make priorities back and forth between what are the right programs, what programs should get more money, what programs should get less money. We did that last week when we adopted the amendment which said we are going to increase title I funding, funding for the education of low-income kids, by \$5 billion but, in exchange for that, we are going to make an across-the-board cut.

The Senator from Connecticut has come forward with this amendment to jump, by another \$1.5 billion, the funding that is already going into special education. I am supportive of that, but, in the context of allocating resources fairly, of saying, if we are going to make that type of decision, that is a priority, and we have to reduce somewhere else.

So what I am offering today, and what I will send to the desk, at the request of the Presiding Officer, is an amendment which says, let's put in the \$1.5 billion in special education, but also have a cut across the board so we stay within this \$750 billion number, which is the amount of money which we have all agreed to pretty much is a reasonable number to spend as the Federal Government in the year 2003.

This \$750 billion was not pulled out of a hat. It was aggressively negotiated between both sides of the aisle and the White House. Prior to the Republicans taking back the Senate, it was actually agreed to as the number we would reach in a bipartisan way. Now it seems to be eroding with some of the amendments that are being brought forward. But as a practical matter, it is the right number for us, as a Congress, to say: This is what we can afford to spend in the year 2003. But that does not mean that within that \$750 billion we cannot make different priorities on the floor of the Senate. I happen to think one of those priorities should be special education.

Mr. President, I send to the desk an amendment and ask that it be reported.