

STATEMENT OF THE HONORABLE JOHN E. FOGARTY, MEMBER OF CONGRESS FROM THE SECOND DISTRICT OF RHODE ISLAND, BEFORE THE SPECIAL APPROPRIATIONS SUBCOMMITTEE ON DEFICIENCIES URGING A SUPPLEMENTAL APPROPRIATION TO MEET FULL ENTITLEMENTS TO FEDERALLY AFFECTED SCHOOL DISTRICTS UNDER PUBLIC LAWS 815 and 874 3/5/59

I appreciate very much the opportunity to appear before you this morning to suggest and support an item of need which is not included in the President's proposed supplemental appropriations as shown in House Document No. 58, dated February 11, 1959. I refer to the additional need for funds to meet the full entitlements to Federally affected schools under Public Laws 815 and 874. I am somewhat surprised that the President's recommendation omits this since on August 12, 1958 in Senate Document No. 115 he proposed supplemental amounts of \$18,450,000 for P.L. 815 and \$22,700,000 for P.L. 874.

You will recall that amendments to this legislation were enacted late in the 85th Congress and after the House had completed the final 1959 appropriation bill. Thus, the President recommended the additional amounts to the Senate and they were included in the final appropriation bill by

by that body. However, in conference with the House, the total amount recommended for P.L. 815 was reduced from \$60,150,000 to \$50,800,000 and in the case of P.L. 874, the amount was reduced from \$149,700,000 to \$130,000,000. You will also recall that the principal reason for these reductions was that the recommended increases were based on estimates of the U. S. Office of Education resulting from the changes in these two laws for which there was no previous experience upon which to base judgment.

While I agreed with this determination at that time, I felt confident that the President would include the additional need in a supplemental recommendation during this 85th Congress. Since this was not done, I feel compelled to request this committee to include in its action the amounts necessary to pay full entitlements to these schools under the legislation which was enacted by the Congress by an overwhelming majority.

At the present time, the amounts needed are rather firmly established by applications on file with very little estimating necessary. Because of my deep interest, I inquired of the U. S. Office of Education as to the further funds needed and find that to meet our responsibility will require a supplemental amount of \$24,600,000 for P.L. 815 and \$20,000,000 for P.L. 874. It will be noted that these amounts are slightly larger than the Conference Committee's reductions. However, the present need is based on applications on file while the recommendations made at that time were based on estimates.

In support of my proposal today, I wish to emphasize the untenable position in which we place some 3500 school districts unless we meet our responsibility to these several budgets. These funds were budgeted in good faith as a result of the federal responsibility accepted in the legislation and now they are faced with the choice of seriously modifying their educational programs late in the school year or ending

the fiscal year with illegal deficits.

As an illustration of this point, 11 school districts in my own State of Rhode Island applied for funds under the provisions of Public Law 874, maintenance and repair of federally affected schools, in this fiscal year. With the funds previously appropriated, only 85% of the entitlement can be paid leaving a budgetary loss of 15% to the 11 school districts. This amounts to \$139,100. The listing of the schools in the State of Rhode Island affected by this legislation is as follows:

	<u>Entitlement</u>	<u>85%</u>	<u>Deficit</u>
North Kingstown	\$298,370.	\$253,581.	\$44,789.
Newport	235,785.	200,417.	35,368.
Middletown	220,684.	187,582.	33,102.
East Greenwich	25,770.	21,904.	3,866.
Jonestown	17,325.	14,726.	2,599.
Coventry	32,635.	27,740.	4,895.
Richmond	5,130.	4,360.	770.
Hopkinton	21,819.	18,546.	3,273.
West Warwick	32,501.	27,626.	4,875.
Smithfield	8,210.	6,978.	1,232.
South Kingstown	29,139.	24,768.	4,371.
	<u>\$927,328.</u>	<u>\$788,228.</u>	<u>\$139,100.</u>

Further illustrating the seriousness of the need to a single school district in my state, I find that over 25% of the budget funds in the town of North Kingstown are received under P.L. 874. The 15% loss will result in a budget deficit of almost \$45,000 to this one school district and will have a devastating effect on the education available to the children.

Under P.L. 815, we find similar problems resulting from the lack of funds to which the school districts are entitled. With the present appropriation available the U. S. Office of Education must apply a priority system which allots funds only to applicants with a priority rating above 20. This means that in order to receive any funds at all on its entitlement, an applicant must show an increase in federally connected pupils equal to 10% of the total pupil load and that all of the increased pupils are without minimum school facilities. This will cause many applicants to continue children on half-day sessions or accommodate them through the use of make-shift temporary classrooms.

Over 190 school districts throughout the nation are caught in this priority "trap" and must delay their school construction plans indefinitely unless the federal responsibility is met. If funds are made available at this time, the present overcrowded problem can be partially alleviated before the opening of school in September 1959. Otherwise, the problem will be further aggravated by another increase in pupils at that time.

These situations simply illustrate those which will occur in every state in the nation and I urge you to give careful consideration to the inclusion of the necessary funds in the supplemental proposal and thus allow the Congress an opportunity to discharge its responsibility under the amended legislation.