

STATEMENT OF HONORABLE JOHN E. FOGARTY, U.S. REPRESENTATIVE  
SECOND CONGRESSIONAL DISTRICT OF RHODE ISLAND BEFORE THE  
SPECIAL EDUCATION SUBCOMMITTEE ON EDUCATION AND LABOR IN  
SUPPORT OF HIS SPECIAL EDUCATION AND REHABILITATION LEGIS-  
LATION, TUESDAY, AUGUST 22, 1961 at 10 A.M.

Madam Chairman, I am gratified that the Special Education Subcommittee has arranged this hearing. That it should have done so with such a terrific schedule of work is ample proof of the sincere interest of the committee members in the rehabilitation of children and adults and their determination not to let anything interfere with the passage of legislation that will increase rehabilitation opportunities of handicapped persons.

Madam Chairman, you know that I have served for many years as chairman of the Subcommittee of the House Committee on Appropriations that considers appropriations for the Departments of Labor and Health, Education and Welfare. Included in our work is consideration of the programs of rehabilitation and education with which you are now concerned. I have heard literally hundreds of hours of testimony on rehabilitation and related programs, and on the educational needs of our children, including our handicapped children. This testimony has convinced me and our entire subcommittee of the value of programs which promote the independence of the handicapped. At times, our Subcommittee has recommended and the Congress has appropriated more for such programs than budget officials

have requested. At times, we have urged the Secretary of HEW to study needs and to recommend new and expanded programs. For instance, the insistence of our Subcommittee that more attention be given to the education and rehabilitation of the mentally retarded led to the legislation authorizing appropriations for the training of teachers of mentally retarded children.

Today, I wish to speak in support of four legislative proposals which I have authored and which are now before you: H.R. 3523, called the Rehabilitation Act of 1961; H.R. 7175, a special education training act; H.R. 8212, to expand and improve the distribution of instructional material for the blind; and H.R. 5743, to provide therapists and teachers for persons with hearing and speech defects.

H.R. 3523

I have sponsored H.R. 3523 because my long association with the problems of disability convinces me that it is time for the public rehabilitation program to put its experience to work on behalf of all disabled men and women, not merely those who can be trained for employment. The fact is that the State rehabilitation

agencies see thousands of people every year who apply for service, people who could benefit, but people who cannot be served under the present law. This bill would eliminate what I consider to be an artificial distinction we force upon the professional staffs of the State agencies - the requirement that they must see clear indications of job potential before they can do anything for one of our disabled citizens. We do not demand that our physicians confine their services exclusively to those who obviously are going to get well - we do not require our teachers to decide in advance that the student will pass - and I think it is unreasonable and artificial to require the State rehabilitation agencies to refuse service before the rehabilitation process even begins.

One of the reasons I strongly support such legislation has its origin in the problems of our older people. In the last few years, the federal government has taken several important steps to improve the work we do to make the later years in life more promising and more useful for our citizens. But like so many other situations, we have only made a beginning.

We still have not dealt effectively with the hazards of illness and injury and disability - all of which increase as we grow older. As the Committee may know, I have consistently supported a larger investment in research into the causes of disease and this investment, I am quite certain, will lead us to the day when most of the major diseases which now threaten our older people will come under the control of medical science.

Yet experience has proved that the saving of lives does not remove the problem of disability - that, in fact, it sometimes contributes to disability. Today there are many thousands of persons lying disabled in their homes and in hospitals who would have succumbed to their illnesses or injuries if they had lived at the turn of this century - people with spinal cord injuries, those paralyzed by strokes, the diabetics, and countless others. With present-day knowledge, most of these people, regardless of their years, could walk again, dress and feed themselves, and generally look after themselves. Some of them, with a chance, could go back to work. But the knowledge we have in our hands today is not being put to use for most of these people.

We must find a way to convert this knowledge into practice, so that our people of older years can live their last years in reasonable comfort, usefulness and self-respect.

The record of the vocational rehabilitation in restoring older persons is one of the best in government. Not only have they rehabilitated increasing numbers of older disabled people each year, but they have given a greater proportion of their total program over to the older age groups. Between 1945 and 1960, the percentage of persons rehabilitated who were over age 45 increased from 17 percent to 32 percent, with 28,000 disabled people in this age group rehabilitated into employment in 1960.

It must be obvious, therefore, that the State agencies already have acquired substantial experience in rehabilitating older persons. If H.R. 3523 is enacted, as I hope it will be, these same State agencies will at last have an opportunity to do the same outstanding job for other older disabled people that they now are doing for those who are being returned to jobs.

H.R. 7175

I am equally interested in seeing favorable action taken on H.R. 7175 - another broad measure for helping the handicapped. This bill is designed to increase the educational opportunities of our handicapped children.

It is a matter of great concern and dismay that a large proportion of the Nation's children in need of special education are not receiving the attention they need, and many of them are being taught by teachers not adequately prepared for the purpose. If children and youth are neglected by the schools, not only will they and their families suffer, but also, in the long run, society in general will suffer. However, if given suitable educational opportunity and other necessary aid, most handicapped children and youth are capable of becoming useful, contributing citizens and well-adjusted members of their families and communities.

We took a forward step toward this objective when we enacted Public Law 85-926, which was the result of legislation I introduced, but its benefits are limited to mentally retarded children and youth. H.R. 7175 would

amend that law by extending the authorization to encourage expansion of teaching of children who are hard of hearing, speech impaired, visually handicapped, deaf, emotionally disturbed or socially maladjusted, crippled, and those who have other health impairments.

About 200,000 special educators are needed to adequately instruct the approximately 5 million school-age children in the various areas of exceptionality included in the bill. Of this number somewhat more than 2 million (about 4 percent of the school-age population) have speech and hearing impairment. Only about one-fourth of these children are currently reported to be receiving speech correction or special instruction. Another 2 percent of our school-age children and youth have such serious social and emotional problems that they need specially trained teachers who will understand them and their behavior, and who can create a climate in which they can live and learn. Thus far, the schools have made special provisions for only about fifty or sixty thousand of these children.

As the child population increases, it is probable that even more children will have problems calling for special attention. If Public Law 85-926 were amended as proposed by H.R. 7175, and implemented with adequate resources, it is my understanding that the Office of Education would plan to grant sufficient fellowships to prepare approximately 3,500 special educators by the end of the first five years of the expanded program.

You will recognize, as I do, that this shortage of educational personnel is a problem of such magnitude that State and local efforts will continue to fall short as they have in the past unless substantial Federal assistance is provided. If we fail to take action, many children and youth will suffer a loss which can never be repaid to them.

Two questions have been raised in connection with the language of the proposed amendment, and I would like to take this opportunity to clarify my position in relation to them.



The first concerns the use and possible interpretation of the term "visually handicapped" instead of the more specific terms "blind and partially seeing." It was my intention that the phrase "visually handicapped" would include both the blind and the partially seeing.

Do you think that there is a possibility of misinterpretation? If you so desire, it would be acceptable to me to use the more specific term "blind and partially seeing."

The second question brought to my attention is the suggestion that speech and hearing services are provided in hospitals, rehabilitation centers, and other settings, as well as in the elementary and secondary schools. Because of this, there has been some question concerning the terminology used in this amendment which included such specialists under the term "teaching". In connection with this comment, I have sought further information concerning practices in the Nation.

I find that the State education agencies do have specific requirements for persons who are to work in the schools with children who have speech and hearing impairments. On the basis of preliminary data in the

Office of Education, I learn that 45 State education agencies have official certification requirements for such persons. Certification does not seem to rest upon whether the personnel employed are called "teachers" or "specialists." As a matter of fact, persons certified by State education agencies are serving under various terms, the most frequent of which are: "speech correctionists", "teachers of children with speech and hearing disabilities," and "speech therapists."

My intention in using the term "teaching" in the bill was simply to distinguish this training opportunity from the opportunities already available - through other Federal programs - to speech and hearing specialists who work in hospitals and clinics.

I hope these explanations clear up any misunderstandings that may have been caused by the language in the bill.

If there are better ways of phrasing the proposals, let us by all means use them. The language is important only as it advances the all-important objective which is to prepare persons both for leadership positions and for direct work in the schools with children.

Special Needs

In addition to the two bills which would extend rehabilitation and education services to persons with all types of handicaps, you have before you two bills which focus on the special problems of two categories of handicapped, the blind and those who, because of hearing and speech defects, cannot communicate with their fellowmen.

In my opinion, both of these bills are absolutely essential supplements to the broader legislation which I have just discussed.

H.R. 8212

The program H.R. 8212 would strengthen, was established by the 45th Congress 82 years ago as a means of assuring the blind children of this Nation of a continuing central source of supply of braille textbooks and tactual educational aids through the American Printing House for the Blind, a nonprofit agency incorporated under the laws of the State of Kentucky.

Although this Federally-financed program is small in terms of the numbers of children served and the annual dollar cost, it nevertheless remains one of vital significance to the Nation. For it is with the aid

of these special tools provided by the Federal government that blind children are enable to receive an education through high school and go on to make their way in life, some with college training for a profession and others with vocational training for a trade, to become self-supporting, contributing citizens in their home communities.

Over the years, there has been a growing trend toward the education of blind children in regular local schools in their home communities with sighted children from their own neighborhoods, instead of in special residential schools for blind children only. At present, slightly more than half of the almost 16,000 blind children in the country are being educated in their local schools. In addition, we have been experiencing a sharp increase in the number of blind children in our schools in recent years as those blinded by retrolental fibroplasia over the past ten years have reached school age. I am happy to say that the cause and prevention of this blinding eye disease in premature babies--too much oxygen in incubators--has been determined through the research effort of the National Institutes of Health. However, we

will not reach peak school enrollment for these children for approximately another five years; and we shall still have to contend with an increase in the number of blind children--fortunately a slower rate of increase--as our total population grows.

Thus, we have two problems to contend with and to solve. First, we must increase the annual dollar appropriation to meet increased costs occasioned by the sharp growth in the numbers of blind children. Second, we must develop an effective mechanism for distributing these Federally--provided books and educational aids, so that blind children being educated in local schools in their home communities and in the smaller residential schools for the blind will not be handicapped by lack of adequate aids.

H.R. 8212 will accomplish this first objective and make other needed improvements in the law.

I should like to emphasize the fact that H.R. 8212 is not a controversial bill. As you know, my distinguished colleague from Kentucky, the Honorable Frank Burke, and I

each introduced bills affecting this program earlier in this session of the Congress. These earlier bills took different approaches to improving this program; and the major national organizations for the blind took positions in favor of one bill or the other, thus giving the impression of a controversy among them. These organizations agreed to work together and recommend improvements in the law. H.R. 8212 and H.R. 8207, are now identical and are supported by representatives of these organizations. Representatives of these same organizations are also planning to meet in the fall to devise a practical plan for improving the distribution of the books and tactual aids provided under this program; and they will make their recommendations to the Congress for consideration in the future.

I sincerely hope the Committee on Education and Labor and the entire House of Representatives will act on H.R. 8212 quickly, so that Congressional action can be completed before the end of the current session. By so doing, the Congress can assure blind school children throughout the country that their educational progress will

not be hampered owing to the lack of adequate tools.

H.R. 5743

H.R. 5743 concerns the group of our citizens-- 8 million in all -- who suffer some degree of hearing or speech handicap. Many of them are deaf children. Unless they can be helped to communicate with others in meaningful speech, they will be unable to learn and to develop their mental abilities. To me, this seems particularly tragic, not only for the afflicted individuals but also for our nation in these days when we are seeking desperately to foster and develop our talented young people. Who knows what brilliant mental gifts, potentially able to solve the many critical problems of the world, may be locked away, left to frustration and stagnation, behind a veritable iron curtain of deafness and consequent apathy?

I would call your attention, also, to other young people in need of help because they have been born with cleft palates, are stutterers, or have speech or hearing problems associated with cerebral palsy or mental retardation, and to the many adults who have

suffered a speech loss as the result of laryngectomy, or have aphasia following a stroke. Severe problems of social isolation and consequent personality or even mental illness may arise in many of these cases.

Fortunately, the problems of these people, young and old, are not insurmountable. About 80 percent of the 8 million afflicted with speech and hearing defects are fully capable of education and rehabilitation, given the necessary teachers and therapists. Unfortunately, however, it is estimated that at present not one in five children of school age who need the help of a speech correctionist or hearing therapist is receiving this attention. If these children are to attain their rightful places in society, if the nation is to obtain the potentially great contribution they might make, our pitifully inadequate supply of teachers and specialists trained to help persons with speech and hearing defects must be increased. The legislation you are considering would make this possible.

As I said when I introduced this bill, a recent report has estimated that we need at least 20,000 speech



pathologists and audiologists to effectively diagnose, train, and aid in the rehabilitation of the millions handicapped by speech and hearing disorders. It is disheartening to find that only 2,500 certified speech pathologists and audiologists are now available to cope with this growing national problem, just more than 10 percent of the number needed.

The current deficit of specialized therapists and teachers is so great, and the number of children and adults who desperately need their help is increasing so rapidly, that it will take at least 10 years of concerted action to even partially remedy the need. For this reason, the proposed legislation provides for programs of grants-in-aid to continue for 10 succeeding years, to be initiated at the beginning of the next fiscal year. For the first two years, the amount requested for these grants is only \$2 million a year, certainly a small amount to remedy an urgent problem which has too long been neglected.

I call your attention to the fact that a similar bill has now passed the Senate.

In urging your thoughtful consideration and favorable action on these four measures, I voice again my conviction that it is only just, it is only humane, and it is within the American democratic spirit that we help all our handicapped - old and young alike - attain the fullest possible degree of useful, independent living.

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