

for apportionment among the States would be allotted to the States in equal amounts and the remaining 60 percent would be allotted to the States on the basis of school age population.

Amendments to disaster authority in Public Laws 874 and 815

Background and need

Public Law 81-815 and Title I of Public Law 81-874 were amended by P.L. 89-313, approved November 1, 1965, to give the Commissioner of Education authority, until June 30, 1967, to provide assistance to repair or replace school facilities damaged or destroyed by natural disasters, to provide temporary facilities while damaged facilities were being repaired or rebuilt, and to provide operating assistance as might be needed in any area declared by the President to be a major disaster area.

Prior to these amendments, such disaster assistance was provided by the Office of Emergency Planning. Although this was a new program for the Office of Education, it has worked well in meeting the most urgent needs in disaster areas. There were 11 disasters during fiscal year 1966 and two disasters thus far in fiscal year 1967 for which applications for aid have been received. The total cost of the disaster program for applications received, as of February 1967, exclusive of Hurricane Betsy, is estimated to be \$375,000.

Proposal

Authority to provide disaster assistance under Public Laws 815 and 874 would be extended five years, through fiscal year 1972. Coverage would be extended to a few special public schools that now provide elementary and secondary education, but are not covered by the Act because they are operated by a State rather than a local educational agency.

The burden and effort test now required before emergency assistance can be authorized would be eliminated. This change is necessary because most school districts do not have in their yearly budget funds to meet emergency disaster needs, and they cannot get such funds until a new budget is approved for the following year. At present, the Office of Education cannot give assurance of Federal assistance when the disaster occurs and emergency repairs must be made; the change would permit authorizing emergency aid when needed.

A minimum amount of \$1,000 or one-half of one percent of the agency's operating budget for the year will be established for any disaster claim. This would avoid handling requests for very small amounts of money.

The Commissioner of Education would be authorized to grant funds to a public agency in sufficient amount to house students who were in a private school which was destroyed by a disaster, if the private school is not to be rebuilt. Under present wording, this can be done only if there also is destruction of or damage to public schools; the amendment would permit granting such assistance to a public agency when a private school is destroyed and not to be rebuilt, although no public school has been destroyed or damaged.

Amendment to Public Law 874

The only amendment proposed to P.L. 874 is a technical change in the definition of Federal property. This amendment is made necessary in order to remove any question as to the deductibility of other Federal payments from the gross entitlement of school districts in those cases where the other Federal payment is made because of taxes on private improvements on land held in trust for individual Indians or Indian tribes. Two recent court cases have ruled against making deductions in these cases. The amendment would prevent duplicate payments to some districts.