alerted to the possibility of Saturday sessions beginning next week and continuing until the Democratic Convention, there is a very strong possibility of Saturday sessions until the Republican Convention.

There is much work to be done, so in order to get the work done and remaining "must" legislation enacted, it is highly likely that there will be long sessions and at least the possibility of some Saturday sessions.

I say this just so Senators may be on notice and may act accordingly.

ADJOURNMENT TO MONDAY, JUNE 12, 1972, AT 11 A.M.

Mr. ROBERT C. BYRD, Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock a.m. on Monday next.

The House met at 12 o'clock noon. Rev. John E. Howell, First Baptist Church, Washington, D.C., offered the following prayer:

"Lord God, we need Your strength to persevere in the cause of good when we are bone tired from the struggle. We need Your courage when we are discouraged, Your patience and wisdom when our solutions do not match the magnitude and complexity of our problems.

We believe, Father, that You are personally interested in each of us and in our needs. We also believe You have a mission for each of us to fulfill in Your service and that of our fellows.

Grant to the Members of this House today a keen awareness of Your presence, power, and encouragement as they renew their work.

We ask this in the name of Him who most clearly revealed both Your expectations and Your mercy. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House that it has approved thereof.

 Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arling­ton, one of its clerks, announced that the Senate agrees to the report of the Committee on Appropriations for the amendment of the House to the bill entitled "An act to amend the Public Buildings Act of 1959, as amended, to provide for financing the acquisition, construction, alteration, maintenance, operation, and protection of public buildings, and for other purposes."

The message was also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2. An act to establish a Uniformed Services University of the Health Sciences and to provide scholarships to selected persons for education in medicine, dentistry, and other health professions, and for other purposes.

The message was also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

1. S. 1198. An act to authorize the Secretary of Agriculture to review as to its suitability for preservation as wilderness the area commonly known as Indian Peaks Area in the State of Colorado.
2. S. 3442. An act to amend the Public Health Service Act to extend the authorization for grants for communicable disease control and vaccination assistance and for other purposes; and

PERMISSION TO FILE REPORT ON INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1973

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the Department of Labor, Health, Education, and Welfare and related agencies appropriation bill for fiscal year 1973.

Mr. McDade reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. DULSKI. Mr. Speaker, being necessary to attend official business, June 5, 1972, I missed rollcalls Nos. 185, 186, 187, and 188. Had I been present and voting, I would have voted "yea" on each of the rollcalls.

THE EDUCATION AMENDMENTS CONFERENCE REPORT

Mr. BADILLO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include controversial matter.

Mr. BADILLO. Mr. Speaker, it is tragic that the most sweeping program of aid to higher education is encumbered with amendments that strike at the authority of our courts and at basic constitutional principles.

The intent of the Broomfield amendment is clear. It is designed to halt 14th amendment school desegregation enforcement for up to 18 months—6 months longer President Nixon’s proposed moratorium.
It is not enough to say the amendment is probably unconstitutional and will be struck down by the Court. We cannot take that chance. We are being asked to sacrifice a basic right of American schoolchildren for the financial aid authorized by this bill.

I say that the rights and freedoms fundamental to American life cannot be so compromised. I urge rejection of the conference report and a new start toward providing assistance to higher education.

CALL OF THE HOUSE

Mr. GROVER. Mr. Speaker, I make the point of order that a quorum is not present. The SPEAKER. Evidently a quorum is not present.

Mr. BOOCS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

Mr. Speaker called the roll, and the following Members failed to answer their names:

- Danielson McMillan
- Diggs Metcalfe
- Derwinski Martin
- Abourezk Eshleman
- Conyers McClory
- Denholm Mass.
- Johnson Price
- Johnson Tennessee
- Price Louisinana

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. WAGGONNER. Mr. Speaker, I object. I have two points of order against the conference report.

The SPEAKER. The Clerk will read the report.

Mr. PERKINS. Mr. Speaker, let me first state that the gentleman can make his points of order, and without reading the conference report. Mr. GROSS. Mr. Speaker, I insist upon the regular order.

The SPEAKER. Regular order is demanded.

The Clerk will read the conference report.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that 1 additional hour of debate on the conference report be provided and that the time be equally divided between the gentleman from Minnesota (Mr. QUIE), the ranking minority member, and myself.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. CLAY. Mr. Speaker, reserving the right to object, I should like to ask the chairman if he can assure us we will be given at least 15 minutes of that time to express our opinion.

Mr. PERKINS. Let me say to my distinguished colleague that that would be impossible. I will assure you that your views will be adequately represented—I would not want to make any commitment beyond that. But unless we have the hour and a half the time is going to have to be cut even below the 5 hours.

The point I want to make here is, that there were so many members of this conference committee. We have so many Members who want to speak, and so many members on the committee, that they will not be able to speak even with the hour and a half.

Mr. CLAY. Mr. Speaker, reserving the right to object, are you saying, Mr. Chairman, in dispensing the time that you will be fair and equitable and that our point of view will be permitted to be expressed on this floor?

Mr. PERKINS. I am saying that you will have an opportunity to express your point of view on the floor.

Mr. CLAY. Mr. Speaker, I have no objection.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. GROSS. Mr. Speaker, further reserving the right to object, I wonder what special group is being talked about by the Member who is asking for an unusual distribution of time. What group is he talking about?

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I understood the chairman to say that every Member would be protected to the best of his ability, to present his views. This was why I was hopeful we could renew the gentleman's request for 2 hours.

Mr. GROSS. I understood there were 30 Members of this group. I thought we would be able to make our request. But, of course, I am advised by the request that there is another and special group among us.
Mr. CLAY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. CLAY. I think your question referred to the statement I made about 30 members whom I represent.

Mr. GROSS. Yes.

Mr. CLAY. For your information, they are the good guys who wear the white hats.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Kentucky yield?

The SPEAKER. The gentleman from Iowa has the time under a reservation of objection.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Iowa yield?

Mr. GROSS. I yield to the gentleman from Iowa.

Mr. GROSS. The minority can explain what the good guys in the white hats may mean.

Mr. GERALD R. FORD. I should like to say at the outset, I favor a 2-hour period. I am not sure how to help accommodate the problem by cutting back to an hour and a half. It seems to me that 2 hours would give Members an opportunity to explain their views. I yield to the gentleman from Missouri to withhold his objection. That obviously will give us more time for more people to explain their position on this important occasion.

Mr. GROSS. I will tell the gentleman that the gentleman from Missouri has withheld an objection to an hour and 30 minutes, but he did not withhold his objection to 2 hours.

Mr. PERKINS. The gentleman objected to 2 hours before I made the other request.

Mr. GROSS. I happen to believe that as a Member of the minority of the House, that minority of the House should have equal consideration if there is to be additional time. We are not necessarily good guys in white hats, I do not understand how kind of help to alleviate the problem by cutting back to an hour and a half. It seems to me that 2 hours would give Members an opportunity to explain their views. I yield to the gentleman from Missouri to withhold his objection. That obviously will give us more time for more people to explain their position on this important occasion.

Mr. GROSS. I object, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. SAYLOR. Mr. Speaker, reserving the right to object, I address my remarks now to the chairman of the full committee.

In view of the fact that this is one of the most controversial pieces of legislation so far as conference reports are concerned that have come to this House during this session, I think that the gentleman from Missouri, in requesting only 2 hours, I think he should have requested 3 hours and given everybody who wants to talk the opportunity to do so. I would sincerely hope he will ask for at least 3 hours to give people an opportunity to express their views.

Mr. PERKINS. Let me say to my distinguished colleague from Pennsylvania that as a Member of the minority from Missouri objected to 2 hours, and then I made a unanimous-consent request for one and a half hours.

Mr. SAYLOR. I realize that, but, in other words, you did not solve the problem that the gentleman from Missouri was seeking to solve, and that is to give his group of Members time or to give all Members time to present their views on this piece of legislation.

Mr. THOMPSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. Yes, Mr. Speaker, reserving the right to object.

Mr. THOMPSON of Georgia. I would like to state that I intend to object to anything less than 2 hours. I think we should have 3 hours, and if we are not going to have at least 2, I object to an hour and a half.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. FUCINJIK. Will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman. The SPEAKER. There is nothing pending in order which anyone can yield to.

Mr. SAYLOR. Mr. Speaker, I withdraw my reservation of objection.

Mr. THOMPSON of Georgia. Mr. Speaker, reserving the right to object, I object to a one and a half hour time limit for the simple reason that, if we are going to discuss an issue that is one of the most pressing and critical in this Nation, we are not going to do that properly.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield on his reservation?

Mr. THOMPSON of Georgia. I yield to the gentleman.

Mr. WAGGONNER. To whom does the gentleman yield?

Mr. THOMPSON of Georgia. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I would simply like to say to the gentleman from Georgia that in objecting to one and a half hours, I object to a one and a half hour time limit for the simple reason that if we are going to discuss an issue that is one of the most pressing and critical in this Nation, we are not going to do that properly.

Mr. WAGGONNER. I object to a one and a half hour time limit for the simple reason that if we are going to discuss an issue that is one of the most pressing and critical in this Nation, we are not going to do it properly.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of Georgia. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I would simply like to say to the gentleman from Georgia that in objecting to one and a half hours, I object to it for the simple reason that the gentleman from Missouri has accomplished the same thing that the gentleman from Missouri has accomplished by objecting to 2 hours. He has further restricted the right to talk about this bill on the merits of the conference report.

Mr. THOMPSON of Georgia. One and a half hours does not give us ample time.

Mr. WAGGONNER. Will the gentleman yield further?

Mr. THOMPSON of Georgia. I have to object to anything under 2 hours.

Mr. WAGGONNER. Will the gentleman yield further?

Mr. THOMPSON of Georgia. I have to object to anything under 2 hours.

Mr. WAGGONNER. Will the gentleman yield further?

Mr. THOMPSON of Georgia. Yes. I yield to the gentleman.

Mr. WAGGONNER. The gentleman will certainly agree one and a half hours is better than an hour; will he not?

Mr. THOMPSON of Georgia. It still does not give adequate time, and we should give adequate time on this matter. I will not object if the chairman would restate his request for anything over 2 hours. I do object to one and a half hours.

The SPEAKER. Objection is heard. The Clerk will read.

PARLIAMENTARY INQUIRY

Mr. WAGGONNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.
tienman from Louisiana states both points of order simultaneously, for consideration simultaneously, is the gentleman hindered in any way if one point of order should have merit and the other not have merit?

The SPEAKER. The Chair will state that the gentleman from Louisiana would not lose his right to have the Chair pass on both points of order simultaneously, Mr. WAGGONNER. A further parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WAGGONNER. Mr. Speaker, it is my understanding then that the Chair will rule on the points of order separately?

The SPEAKER. The Chair will rule on all points in order.

Mr. WAGGONNER. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WAGGONNER. Mr. Speaker, my parliamentary inquiry is this, will the Chair rule separately on all points of order?

The SPEAKER. The Chair will state that the Chair would like to hear the points of order first.

Mr. WAGGONNER. Mr. Speaker, I prefer to make the points of order sequentially.

The SPEAKER. The gentleman from Louisiana will state his first point of order.

Mr. WAGGONNER. Mr. Speaker, I make the point of order that the conference report on S. 659 does not comply with the rules and precedents of the House. House Resolution 61, the rule which governed the debate on H.R. 7248 provides that a point of order would lie against provisions in that bill that were properly under the jurisdiction of other committees.

Pursuant to this rule a point of order was made by the gentleman from Pennsylvania (Mr. Goonline) against the language in title XII relative to the creation of land-grant colleges on Guam and the Virgin Islands. The Chair on that occasion sustained the point of order and title XII was stricken. It was later amended with proper language.

On November 4, 1971, the House passed H.R. 7248 and then in the usual manner substituted the language of the House bill for the language of S. 659.

On March 1, 1972, the Senate amended S. 659 with an amendment in the nature of a substitute for the House amendment in the nature of a substitute. Included in the text of this Senate amendment was language designating land-grant colleges on Guam and the Virgin Islands, language, Mr. Speaker, which had been earlier ruled out of order by you in the House.

The conferees have agreed to most of the Senate amendment.

The statement of the managers is as follows:

The conference agreement retains the House provision with respect to endowment grants and the Senate conforming amendments relating to land grant status for such institutions. The Senate amendments are modified so as to provide an annual authorization in the Act equivalent with that provided under the Senate amendments.

Thus, it is clear, Mr. Speaker, that what the conference did was to agree in principle to what had earlier been subject to a valid point of order in the House of Representatives.

Cannon's Precedents at page 136, citation of Speaker Mann of Illinois, February 15, 1921, illustrates the principle at hand here, and I quote:

No part of order lies against a Senate amendment. And the rule has no application unless the point of order is raised during the consideration of Senate amendments to legislative bills carrying appropriations unless authorized by a vote of the House.

Certainly, Mr. Speaker, to permit the House conferees in conference to a Senate amendment, the language of which has or has been subject to a point of order, does violence to the orderly procedure in the House and I, therefore, move to raise as a point of order which had earlier been part of the conference report on the grounds that it includes specific language against which a point of order by the Chair and acting under the authority of House amendments which would have been subject to points of order in the House.

This is, of course, Mr. Speaker, the clear mandate of rule XXI, clauses 2 and 3. It is also the clear philosophy of VII, 1971 which held that the Managers on the part of the House may not agree in conference to amendments in violation of House rules. Thus, I raise a point of order to Senate amendments to legislative bills carrying appropriations unless authorized by a vote of the House.

Certainly, Mr. Speaker, to permit the House conferees in conference to a Senate amendment, the language of which has or has been subject to a point of order, does violence to the orderly procedure in the House and, therefore, move to raise as a point of order which had earlier been part of the conference report on the grounds that it includes specific language against which a point of order by the Chair and acting under the authority of House amendments which would have been subject to points of order in the House.

The rule separately on all points of order should prevail and the only way that a point of order by the Chair and acting under the authority of House amendments which would have been subject to points of order in the House.

The House amendment authorized a lump sum appropriation of $3 million for each institution, plus an annual appropriation of $450,000 for each for general operating expenses in lieu of land-grant status for the institution. The Senate amendments were modified to provide for endowments and payment of operating expenses, but in slightly different form. Land-grant status was conferred on the two institutions, with a cash endowment in lieu of the receipt from the sale of land scrip, plus conforming amendments to other related legislation which is related to land-grant status.

The issue before the conferees, therefore, was not whether aid should be extended to the College of the Virgin Islands and the University of Guam, but only the form such aid should take.

The conferences adopted the Senate approach of conferring land-grant status on the two institutions instead of assistance in lieu of land grant status, but limited the amount of the endowment payment to the House figure of $3 million. The Senate conforming amendments were modified to assure that the colleges' payments for general operating expenses did not exceed the amounts they would have received if the two institutions were located within the United States.

The provision reported by the conferees, therefore, represents a compromise between the House bills and the Senate bills committed to conference. It certainly remains well within the scope of the issues presented to the conferences. That rule to which the distinguished gentleman from Louisiana referred applies only to the consideration of the bill during the House debate.

Mr. Speaker, the point of order should not be sustained.

It was a special and unique rule governing that debate only. It cannot be relied upon now. Again, I repeat, if the bill had been brought to the House under an ordinary rule instead of a special and unique rule at the time, the precedent to which the gentleman has referred would be of no avail.

The SPEAKER. Does the gentleman from Kentucky desire to be heard?

Mr. QUIE. Yes, Mr. Speaker, I would like to speak in opposition to the point of order.

Mr. Speaker, adding to what the gentleman from Kentucky has said—and I think the gentleman from Kentucky summed up the opposition to the point of order in a very excellent manner—I should like to read that portion of the rule that applied when the point of order was made on November 4, 1971. That part of the rule is as follows:

The conference agreement retains the language in title XXI relative to the creation of land-grant colleges on Guam and the Virgin Islands, language, Mr. Speaker, which had been earlier ruled out of order by you in the House.

The conferees have agreed to most of the Senate amendment.

The statement of the managers is as follows:

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Thus, it is clear, Mr. Speaker, that what the conferees did was to agree in principle to what had earlier been subject to a valid point of order in the House of Representatives.

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Mr. Speaker, the point of order should not be sustained.

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The SPEAKER. Does the gentleman from Kentucky desire to be heard?

Mr. QUIE. Yes, Mr. Speaker, I would like to speak in opposition to the point of order.

Mr. Speaker, adding to what the gentleman from Kentucky has said—and I think the gentleman from Kentucky summed up the opposition to the point of order in a very excellent manner—I should like to read that portion of the rule that applied when the point of order was made on November 4, 1971. That part of the rule is as follows:

And further, all titles, parts, or sections of the bill or substitute, the subject matter of which is properly within the jurisdiction of any other standing committee of the House of Representatives, shall be subject to a point of order for such reason if such point of order is properly raised during the consideration.
June 8, 1972

CONGRESSIONAL RECORD—HOUSE

that way, the House accepted that portion of the Senate language which is within the jurisdiction of the House and under the rules, it seems to me, we have only the question of germaneness and cannot raise the rule under which we operated when H.R. 7248 was considered in the House.

Mr. WAGGONNER. Mr. Speaker, the gentleman from Mississippi says that the point of order should have been made during the House consideration and not in conference as is now stated, of H.R. 7248. The point I make is exactly this: A point of order was made and was sustained during the consideration of H.R. 7248, except that it was a point of order which is not whether or not there is an appropriation. The question still is whether or not this committee, having already been ruled against on a point of order during consideration of H.R. 7248, can now, by another device, bring back in this conference report legislation which designates these two institutions in Guam and the Virgin Islands as land-grant institutions. I submit the rule under which we operated the Senate has not violated the rules of the House, and therefore overrules the point of order.

Mr. WAGGONNER. Mr. Speaker, I make a point of order against section 704(a), the appropriation section of the emergency school-aid title of the conference report, H.R. 7248. I respectfully make the point of order, Mr. Speaker, that the conference committee has exceeded its authority. Section 704(a) of H.R. 7248, the House bill dealing with appropriations for emergency school aid authorized $1,500,000,000 for the next 2 fiscal years. In the Senate bill, in section 704(a) the Senate proposed the same amount of money, $1,500,000,000 for the first 2 fiscal years for emergency school aid.

Now, Mr. Speaker, as we know, section 3263, volume 8, of Cannon’s Precedents of the House of Representatives states:

Conferees may not go beyond the limits of the disagreements confined to them, and where the differences involve numbers, conferees are limited to the range between the highest figure proposed by one House and the lowest proposed by the other.

Each House, Mr. Speaker, dealing with this very specific subject, came to a very close agreement. The Senate, in section 704(a), $1,500,000,000. It is apparent, Mr. Speaker, that the conferees disregarded this.

The conferees proposed an authorization for the first 2 years for emergency school aid of $1 billion, a half-billion dollars higher than proposed by either House of the Congress.

Mr. Speaker, does the gentleman from Kentucky desire to be heard on the point of order?

Mr. PERKINS. Yes, Mr. Speaker.

Mr. Speaker. The House amendment authorized appropriations of $850 million for fiscal year 1973 and $1 billion for fiscal year 1974.

The House amendment authorized appropriations of $500 million for the period beginning with enactment and ending June 30, 1973, and $1 billion for fiscal year 1974.


The Chair will point out that neither the House nor the Senate provisions dealing with emergency school aid set an overall limit on authorizations. Both dealt with specific fiscal years. The conference in this situation had the authority to consider the differences between the two Houses with respect to each of the fiscal years 1972, 1973, and 1974, and to compromise their differences on a year-by-year basis. This they have done. The Chair holds that the conferees have not exceeded their authority, and overrules the point of order.

Mr. Speaker. ‘to the range’—between the highest figure proposed by one House and the lowest proposed by the other.

Mr. Speaker, the Precedents of the House do not speak to the fiscal year allocations. The Precedents of the House, and the Rules of the House, state the highest and the lowest figure proposed by one House or the other. I submit the conferees have violated the Rules of the House, because they have not limited the conferees to the range.

They have considered in their actions fiscal year appropriations and not limitations of the respective bills which went to the conference.

THE SPEAKER. The Chair is prepared to rule.

The Chair has referred to that portion of the statement of the managers which explains the language in the conference report to which the point of order is directed. It seems to the Chair that the language in the statement goes directly to the point at issue.

The House amendment authorized appropriations of $500 million for fiscal year 1973 and $1 billion for fiscal year 1974.

The Senate amendment authorized appropriations of $500 million for the period beginning with enactment and ending June 30, 1973, and $1 billion for fiscal year 1974.


The Chair will point out that neither the House nor the Senate provisions dealing with emergency school aid set an overall limit on authorizations. Both dealt with specific fiscal years. The conference in this situation had the authority to consider the differences between the two Houses with respect to each of the fiscal years 1972, 1973, and 1974, and to compromise their differences on a year-by-year basis. This they have done. The Chair holds that the conferees have not exceeded their authority, and overrules the point of order.

Mr. Speaker. Mr. Speaker, do I understand correctly the Chair rules that the conferees have not exceeded the limitations on authorizations contained in either the House or the Senate bills? Mr. Speaker, I hold here in my hand the House-passed bill and the Senate-passed bill.

Appropriations in the House-passed bill, section 1803(a):

There are authorized to be appropriated for carrying out this title not in excess of $850,000,000 for the fiscal year ending June 30, 1972, and not in excess of $1,000,000,000 for the succeeding fiscal year.

I submit that is a very severe and precise limitation.

Appropriations in the Senate-passed bill, section 704(a):

The Commission shall, in accordance with the provisions of this title, carry out programs designed to achieve the purposes set forth in section 70(a). They are authorized to be appropriated to the Com-
The SPEAKER. The Chair knows of no rule that makes such provision.

Mr. WAGGONNER. Mr. Speaker, the gentleman from Missouri just read that particular rule.

The SPEAKER. The Chair has read the rule.

The Clerk will read the statement.

The Clerk reads the statement of the managers.

Mr. HALL. Is it not the fact that it is stated in Jefferson's Manual when the House take an additional half hour to consider the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I would like to renew a unanimous-consent request.

I ask unanimous consent that the House take an additional half hour to consider the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. CLAY. Mr. Speaker, I object.

Mr. Waggonner. Mr. Hall. Mr. Hall, yet 4 minutes to the distinguished gentlewoman from Oregon (Mrs. Green), the chairman of the subcommittee.

Mrs. Green of Oregon. Mr. Speaker, I regret to inform the gentleman that only allow the opposition 4 minutes to state the reasons for opposition to many of the varied, complex, and detailed parts of this legislation. So I hope my colleagues will not regard it as being improper if I seem to be using shorthand in my speech. I will ask to include telegrams and other materials, but will try to summarize now in the allotted 4 minutes to discuss a $20 billion bill affecting the lives of millions of people in the next several years.

Mr. Speaker, in the 18 years I have been in the House I do not recall any time when a Democrat participated in an effort to defeat a conference report. I fully realize that it is most difficult to defeat a bill in its final form when it comes back from conference report. It is only because of overwhelming reasons that I do so today.

As you know, I was the author of the higher education legislation and I now find myself in the most regrettable position of opposing the legislation that I originally cosponsored with several others of my colleagues. This House on November 4 voted 332 to 36 in favor of the higher education bill. In the conference drastic changes were made in several respects. The debate should not center exclusively around the busing issue.

These are educational decisions of major importance and, I regret to report, I believe cannot be construed by anyone as a vote against higher education. In my State of Oregon the President of every private college in the State wrote to me expressing his opposition. Presidents of State-supported institutions have also advised me they think it is a bad bill and that a 1-year extension of existing programs would be far preferable.

Literally hundreds of college and university presidents have written, phoned, and wired urging me to oppose the conference report. As college presidents they certainly are arguing for — I say for — the future of higher education when they say that no bill or a 1-year extension would be preferable to the conference report.

I do not argue that all of higher education is opposed. I do suggest they are attempting to influence and the House. I do not outright oppose the conference bill; other-hundreds are sitting on their hands; and some — but not all — of the community colleges are supporting the legislation. At the conclusion of my remarks I am going to include the article "A Moratorium on Community Colleges."

Glen Olds. The President of Kent State University, in supporting the legislation, even wrote:

The serious limitations of the bill are:

Absurd provisions regarding veterans; failure to respond to middle-income group; there is tremendous opposition to the whole concept of the Education Act of 1965; the laments of International Ed Act of Ignoble fame; false formula for interpreting institutional support.

Mr. Speaker, if a sizable segment of the higher education is opposed to a bill for their special benefit, then we ought to examine the legislation and ask why. Terry Sanford, the former Governor of North Carolina, the President of Duke University and President of the National Council of Independent Colleges, put it very succinctly:

I am opposed as a matter of principle to everything in this bill. I think this bill will be defeated by the Congress simply because it is better than nothing. We react too easily to the dollar sign.

I happen to believe that nothing is much better than many courses of action. I do think we should be firm in insisting that Congress not start false courses that cannot later be corrected.

Yesterday I placed his entire statement in the Congressional Record. I urge its consideration of his views. Mr. Speaker, in my judgment we are starting false courses and we are making false promises that we will never keep. The first false promise appears in the student aid section on page 14 of the conference report in section 411(a).

We state that every student who has been accepted for enrollment shall be entitled to $1,400 a year minus the family contribution. With the 18-year-olds, 19-year-olds, and 20-year-olds, we invite young people to set up separate private residence halls because their parents will be willing and anxious to cooperate if by the new emancipation of their children they are relieved of the financial burden of the high price for higher education. This is accentuated, if by our action today the Federal Government says it will pick up the tab.

It is estimated that the so-called Pell grants for the 18-year-olds next year may cost close to $1 billion the first year if we fully fund the promises we have made today. The sum may be astronomical later. But, Mr. Speaker, this is just the beginning. Before Congress could appropriate any funds for the so-called Pell grants or relate the interest, they are required to come back to the House of Representatives for further instruction.
grants, Congress would have to appropriate under the conference report language $653 million for educational opportunity grants, work-study, and NDEA loans. This is Congress's appro-
propriate funds under the so-called entitlement formula.

I do not happen to believe that this Congress or succeeding Congresses in the next several years will increase student financial aid appropriations to well over a billion dollars. In the authorization legislation today a favorable vote says Congress has promised to keep the federal-aid program going. After studying other budget demands, the funds will not be there and students will have a perfect right to say this is another promise that Congress never intended to keep.

Furthermore, Mr. Speaker, I do not happen to believe that every student attending an institution of higher education is "entitled" as a matter of right to $1,400 of other taxpayers' money. I think any student financial aid supplied by the Federal Government should depend on the academic achievement and the motivation of the student. There are many, many Members in this Chamber who work their entire way through college and did not have a dime of Federal financial assistance. I watched the CBS documentary 2 or 3 weeks ago, "Higher Education--Who Needs It?"—"We have a surplus of Ph. D.'s and many thousands of college graduates who cannot find a job. To use an economic incentive to try to persuade every student to go to college is following a wrong course of action.

In the existing programs—educational opportunity grants, work-study and NDEA subsidized loans and guaranteed student loans, we have never embarked on the theory that every student is "entitled" to this financial assistance. The various proposals have been designed so that the very able, highly motivated student would not be denied the opportunity to attend college because of the status of his parents' paycheck book. This concept I support wholeheartedly.

However, originally these programs were made so that the student financial aid officer would make the decision based on the student's academic achievement and his motivation and his financial need and that of the family. Not a single one of the four programs was originally passed on the theory that any and all enrolled students are "entitled" to the money. Furthermore, Mr. Speaker, if the need was met, and if the students were fully funded, there would be no need for a new program. They would be very adequate for the needs of all students.

In the dozens of letters and telegrams which I placed in the Record yesterday, over and over we find education leaders saying that there are too many students already in college. In a GAO audit made 2 years ago, the level of academic achievement of the special class of stu-
dents at one college was fifth grade. I am advised that at CUNY, compensatory education is provided at the fourth- and fifth-grade level. Is this the role of the university—to provide classes at the elementary and secondary level in order to prepare the youngsters to go to the university? I do not believe that we serve the individuals or the Nation by following a policy that has as its purpose to try to persuade colleges to take students unprepared for college.

Reynolds Clark, former president of San Jose, and now president of the University of Oregon, stated it this way:

To keep young people off the job market our society has an obligation to provide a holding operation for some of our stu-
dents—a kind of advanced baby sitting enter-
prise. Higher education should be available to all qualified aspirants who can profit therefrom; but they who do not want higher education should not be coerced to enter—

we all believe that society has over sold it-
self on the value of college education for all youth and undersold the importance and productive and useful work of other forms.

The Department of Labor has done a detailed study of the manpower needs in the 1970's. The Department concludes that fewer than 20 percent of the jobs in the decade of the 1970's require the equivalency of a bachelor's degree.

In the conference committee session a proponent of the "entitlement" theory argues that the average student for the college or university to pay more attention to the disadvantaged student. Does this Congress really want to pass class legis-
lation and continue a policy which makes it more and more difficult for the middle income student and ignore their needs while we place all the emphasis on the disadvantaged and urge them to enroll at the college whether or not they do college work?

Mr. Speaker, in the original legislation I would never have argued for Federal funds for institutional support had I not been persuaded that many of our private colleges and universities are really facing a financial crisis of major propor-
tions. The bill which the House passed was designed to give across-the-board support to all eligible colleges with a weighted factor for the small college. As a compromise we ac-
cepted a provision that one-third of the national education allowance tied to the dollar vol-
ume amount of EOG, work-study, and NDEA funds at that institution. The conference report changed the 33 1/3 percent to 90 percent so that no undergrad-
uate 4-year institution will receive any institutional aid except that which is tied directly to the funds for needy stu-
dents. Forty-five percent on EOG, work-study and NDEA and 45 percent on Pell grants. In my judgment, Mr. Speaker, this misses the point because higher edu-


cation is for all students enrolled and not just for needy students. Institutional aid should never be based on a particu-
lar socioeconomic class. As Terry San-
ford, the president of Duke University, wrote: "The 4-year college, the most in

need, gets very little from this bill un-
fortunately and starts recruiting a special class of student."

The proponents have sent out notices that the private colleges with 26 percent of the students would receive 30 percent of the funds. Where they get these figures is a mystery but at a minimum they must be depending on the 45 percent of the Pell formula of institutional aid based on the Pell grantees. In my judgment, will never be appropriated. As I said previously, no Pell grants can be funded until $853 million is appropri-
ated for EOG, work-study and NDEA. And then, the 45 percent of the institutional aid cannot be funded until $450 million is appropriated for the so-called Pell grants based on the entitlement theory.

So the proponents in promising institu-
tional aid are again holding out false hopes. This money will not be forth-
coming for institutional aid because Congress will not be appropriating it even over a billion dollars for student aid. It also seems wrong to me to say to the private colleges whose financial crisis is the greatest that you will only get help as you are willing to fit into the mold that the conference committee de-
signed—aid based on the number of dis-
advantaged students you are willing to take. Mr. Speaker, the University of Oregon Colleges has opposed this conference report. The letter follows:

ASSOCIATION OF JESUIT COLLEGES
WASHINGTON, D.C., MAY 31, 1972.

DEAR COLLEAGUE,
The Association of Jesuit Colleges and Universities has reluctantly decided that it cannot endorse the Conference Report on the proposed higher education bill, S. 659. The reason for this is that the legislators of this Assembly have come to the conclusion that the anti-busing provisions added to the original bill have no place in legislation af-
fecting the future of our colleges and universities.

In addition, the Association is grieved that many needs and wishes of our institutions and associations were ignored and deleted in the Conference, particularly in the matter of direct institutional aid. The small and mid-
die-sized private college receives small com-
fort from this particular program as offered in the Conference Report. It hopes that such action does not auger a trend for future legis-
lation.

Further, the Association remains convinced that there is little prosperity for the future for students from middle-income America. It is also clear that there is no money available for "educational enti-
titlement:" promised to students from low-
income families will soon be sufficiently funded to provide all eligible students with support.

Finally, there has been no planning for or evaluation of the effect that the amounts of discretionary funds provided the Office of Education and HEW would have upon the present structure of higher education.

Mr. JOSEPH KANE.

As I said previously, the president of every private college in my State of Oregon opposes the conference bill. To-

day I received a telegram from Don Pat-
terson, executive director in the State of Washington for the Friends of Higher Education. Their telegram reads as follows:

KENN, WASH., June 7, 1972.
HON. EDITH GREEN,
WASHINGTON, D.C.;: We, there to be no misunderstanding about the position of the private higher institutions who are members of Washing-
ton Friends of Higher Education. That we
Father Reiner in Missouri and the author of the book "To Stem the Tide" is opposed to this legislation. Also, I place at this point in the Record the telegrams from the executive director of Independent Colleges in Missouri and Texas. Also, the telegram from Sister Margaret Claydon, president of Trinity College in Washington; Landrum R. Bolling, president of Earlham College in Indiana; Bernard L. Boutin, president of St. Michael College in Vermont; and Michael P. Walsh, president of Fordham University in New York. These people together with Terry Sanford of Duke and Jim Sullivan of Olemiss all have on the national board of the Independent Colleges. They are all opposed to the legislation. Also, Mr. Speaker, today I received a telegram from the chairman of the board of trustees of Urbana College, and a telegram from the dean of faculty affairs at Urbana. They add their names to the long list of college presidents opposed to this legislation:

SHERMAN, TEX., June 7, 1972.

HON. EDITH GREEN, Washington, D.C.: I am not expressing a consensus of membership attitudes controverted however general agreement; a member college presidents seems to believe S. 659 will not not accomplish what the original House bill was designed to do. My personal feeling is that support for S. 659 is a diastic step in the wrong direction.

CHARLES V. GALLAGHER, Executive, Independent Colleges.

BRONX, N.Y., June 7, 1972.


MICHAEL P. WALSH, S. P. President, Fordham University.

URBANA, OHIO, June 7, 1972.

HON. EDITH GREEN, Washington, D.C.: I support your position in opposition to the pending higher education bill. Does not help small private colleges. Thank you for whatever you do.

Sister MARGARET CLAYDON, President, Trinity College.

CHICAGO, IND., June 8, 1972.

HON. EDITH GREEN, Washington, D.C.: Despite numerous good features in higher education bill now before Congress, it fails to deal with certain central problems in higher education while creating an illusion of providing a comprehensive solution. Moreover, it perpetuates and worsens some existing problems. I urge the rejection of this bill in favor of a continuation of present programs more adequately funded and a renewed effort next year to develop a better, more comprehensive omnibus bill.

LANDRUM R. BOLLING, President, Earlham College.

WINOOSKI, VT., June 7, 1972.

HON. EDITH GREEN, Washington, D.C.: I am very disappointed with S. 659, particularly with provisions for institutional aid for higher education. If you will vote no.

BERNARD L. BOUTIN, President, St. Michael College.

Mr. Speaker, this conference bill will help private colleges very little if at all. In the House-passed bill last November, 6924 percent of the institutional aid would go to all institutions on a per capita basis. The conference report comes back providing that only 10 percent of the funds will be distributed on a per capita basis and all of that 10 percent will go to graduate schools and none of it to undergraduate 4-year institutions. Mr. Speaker, fewer than 100 universities, making up only 5 percent of the total, now receive 89 percent of all Federal funds. MIT and Harvard are Nos. 1 and 2 on that list with MIR receiving $97.6 million and Harvard $69.6 million, according to the latest figures available published in 1969. The University of Michigan is next with $61.4 million. In the name of equity and fairness why should we now give you, as our well means, unrestricted institutional aid for only graduate schools? Studies show that in the 4-year undergraduate private colleges over 350 will probably close their doors by 1980 because of the financial crisis. I do not think it is in the national interest to let this happen. The strength of higher education is in the dual system, the public colleges and the private colleges, and especially in these days we find certain moral values present in private colleges that are too often absent in public universities.

Now, Mr. Speaker, let me go to the busing provision. Title VIII in my judgment provides only the illusion of relief from busing but would aggravate the busing problems; it would aggravate by providing new grounds for court activity and specifically this bill provides funds definitely for busing. It is a busing bill.

The conference committee introduced in section 802 the Ashbrook amendment the so-called "Chief over the court, voluntary authority of the appropriate local school officials" which takes all meaning out of the prohibition of the use of funds for busing.

The conference committee introduced in section 802(b) an amendment which added the words "unless constitutionally required an administrative or judicial determination," which renders meaningless the prohibition of Federal activity, encouraging local agencies to bus upon a constitutional determination, administrative, and specifically this bill provides funds for the local agency should bus.

The conference committee introduced into section 803 the limitation:

This section shall expire at midnight on January 31, 1974.

The fact is that imposes a time limitation on the term of relief. It converts a congressional recognition of the general difficulties that school districts face in accommodating to court orders into a short-term relief measure. I, therefore, am unani­mously against this amendment. I am confident that the local agency should bus.

The conference committee introduced into section 803 the limitation:

ANALYSIS OF S. 659 IN REGARD TO BUSING

(Edward J. Hogan, legal counsel, Special Subcommittee on Education)

S.659 is a pro-busing bill.

Title VIII provides only the illusion of relief. Not only does it not provide the substance, but it will have two negative effects: (1) To provide increased occasion for litigation of school issues; and (2) in specific instances to provide federal support for busing.

Section 802(a) the Ashbrook Amendment prohibits use of funds for racial imbalance busing and racial desegregation busing, except in the "case of a school official under a court order to bus" does, in fact, make a new law for the so-called voluntary request. The net effect is to authorize federal money for busing—a real result which is not in the best interest of the voters of this particular district. This provision merely expresses standards laid down by the Supreme Court in the Susan case. It appears to add something and in reality does not.
The other provision prohibits use of funds for busing "where educational opportunities available in the school to which the student is assigned without discrimination on account of race, religion, color, or national origin". The provision is apparently designed to preclude use of funds for busing students, now in good schools, to poorer schools. Actually, according to Section 707, the provision against a busing order provides one school to be inferior and in doing so will probably prove discrimination, thereby introducing the constitutional issue on which the busing to the inferior school can then be ordered. In addition, to the extent that the funds are used to bus students to their present school, the provision will provide students a new, Congressionally enacted statutory ground, in addition to the constitutional one, for requesting transfer to a better school to which they might be assigned under a non-discriminatory school system. Certainly this provision can provide grounds for endless court interference in the drawing and redrawing of school boundaries.

Section 706, by the introduction of the proviso "unless constitutionally required," the decision regarding Constitutional compliance is made administratively as well as judicially. Once made, the prohibited language is meaningless.

It can be argued that the proviso does more than make the subsection meaningless. It may provide a negative inference that, upon finding that a purpose is Constitutional, no evidence will be required to provide federal funds to accomplish it and must require the local or state agency to do the accomplishment. The language would be acc

...
tion to draw up this plan for a metropolitan school district. Grants will also be made to other metropolitan school districts that could vote against busing want to vote for it.

If this conference report is voted on today and approved, this Congress would be putting its stamp of approval on a metropolitan school district such as the court ordered in Detroit, Richmond, and possibly in other places where there are metropolitan school district suits at the present time. What would be the impact in Fort Worth, Indianapolis, Hartford, Conn., Wilmington, Del., Grand Rapids—other places where suits may be brought?

Mr. Speaker, does this Congress that voted for busing want to vote for metropolitan school districts that could not operate unless there was busing?

Do we want to give a few judges the right and the authority to establish metropolitan school districts? Does Congress want to be given the power to establish metropolitan school district such as the court ordered in Detroit, Richmond, and other places where suits may be brought?

The instructions of the House were not followed. This is a whopping bill.

Mr. WAGGONNER. Mr. Speaker, I urge in the interest of education that we vote the conference report down.

Mr. QUIE. Mr. Speaker, I yield 3

Do we want to give $685 million more for additional contracts and grants that cannot—that will not be adequately monitored to provide the kind of accountability that the Congress is demanding?

Do we want to vote $685 million more for additional contracts and grants that cannot—that will not be adequately monitored to provide the kind of accountability that the Congress is demanding?

There have been literally thousands of hours of effort by dozens of Members of this Congress. There have been 282 pages of testimony. The bill consists of 282 pages and the Senate bill consists of 247 pages.

There are more than 400 points of difference that have been acted upon. On about one-third of them, the House receded. The Senate receded on about one-third of them, and there was a compromise on the rest of them.

The bill passed this House substantially in the same form by a vote of 332 to 8 last November.

There are certain points in this bill—isolated provisions—that have attracted the most attention.

I wish I had time to reply to my friend and colleague who argued before me in this well, that we do not have an additional $1,400 for student aid over the present program. We establish a basic program under this bill.

There is vitally needed institutional aid—and the highest percentage of aid goes to the private institutions.

This bill would bring to higher education critically important increased stability, with 3 full years provided, a stability that is so desperately imperative if we are to have any higher education.

We have here significant changes in some 19 other programs besides the nine that are involved in new programs. We have here a mass of ideas that have been discussed and continuing education, college library programs, aid to developing institutions, student assistance, insured student loans, college work-study, career education, education professions development, academic facilities, networks for knowledge, graduate programs and fellowships, aid to community colleges, occupational education, law school clinical experience programs, postsecondary education, arts, music, music education, conservative education, vocational education, Indian education, prohibition of sex discrimination, consumer education, and on and on and on.

The statement from the Governors Conference approving it. We have the backing of every major national educational institution. We have the statement of support of HEW Secretary Richardson. This really is landmark legislation. Anybody who takes this and, because of a few lightning rods of controversy, says, "We will not support this bill today," is in danger of taking a major backward step in the field of education.

Mr. Speaker, the defeat of this conference report, with brushing aside of hundreds of specific features that the conference dealt with, major advances for education of almost every conceivable nature, such defeat of this conference report would be a tragedy.

Mr. DELLNBACK. Mr. Speaker, I think it is absolutely imperative for every mind in this House that is open and has not already decided what it is going to do, that it see this issue in perspective.

Mr. WAGGONNER. Mr. Speaker, I urge in the interest of education that we vote the conference report down. Further, a vote for this conference report is voted on this conference report, with brushing aside of hundreds of specific features that the conference dealt with, major advances for education of almost every conceivable nature, such defeat of this conference report would be a tragedy.
It represents an idea which I have studied and developed for well over a year. I commend Senator Pell and Senator Jacob Lew who was also introduced and pressed for this program.

The basic opportunity grant program does not have some of the shortcomings of our present educational opportunity grant program. But the conference report modified the present EOG program in such a way that I believe the two will complement one another. The EOG was one of those already complicated provisions which was made perhaps complicated by the tough negotiations of the conference committee. But I believe it is sound and workable as it is. But there is no doubt that in a few years we will have the opportunity to change it or to modify it if experience dictates.

The present EOG program has been modified and continued in the conference report as the "supplemental educational opportunity grant" program. Under present practice these supplemental grants are distributed at the discretion of each institution, under guidelines from the Office of Education. It has been the practice to continue a student receiving an EOG for the full 4 years of his education if the student is enrolled in a college currently enrolled in colleges—who enrolled with the understanding the grant was good for more than 1 year—will continue to be so assisted.

But the conference committee changed this program so that no student has any call on the supplemental EOG money beyond 1 year. He, of course, can apply for a grant each year.

I point this out, Mr. Speaker, because the conference committee overlooked what I think would have been the proper change in the authorizing legislation to provide for an authorization figure rather than continuing one authorization for initial year grants and a separate authorization of such sums as may be needed to fund new enrollments.

I would not therefore, expect the Office of Education to request, or the Appropriations committees to make available money to fund renewal grants in the same amount as is available for first-time grants. Rather I would expect each institution to get its fair allotment according to its total request and that the institution would then make its decisions about individual supplemental grants as it determines.

**Guaranteed Loans**

Mr. Speaker, in terms of students and dollars the guaranteed student loan program is the most popular of all the programs. Last year over 1 million students borrowed over $1 billion.

All of us on the committee are concerned about the default rate on these loans. I believe we are getting subsidized guaranteed loans and using the proceeds for purposes other than to meet educational costs.

Another concern of the committee has been the need for stronger and upper middle income students. Under present law all loans made to students with adjusted family incomes of $15,000 or less have the interest paid by the Government while they are in school and during a grace period. All students above $15,000 get no interest subsidy.

I believe the conference report provides for a greater flexibility than the habitually $15,000 rule. Why should the Government pay the interest on a student loan, all of which is not needed to meet educational costs? Especially when there is no way to determine the exact need of a student to students above $15,000 who are truly in need of a loan in order to attend their college or university.

The conference report provides for an institutional determination of the amount a student needs in order to attend that institution. The need is on top of whatever other assistance from family, the State, the institution, other Federal programs or anyone else provide.

This amount is made as a recommendation to the lending agency. We continue to rely on the institutional determination of the amount of the loan. But I certainly would not expect any lending institution to exceed the institutional recommendation unless there is just cause. Of course, when it comes to guaranty agencies, including the Federal Government, to disapprove the guaranty of such subsidized loans which exceed the institution's recommendation by any substantial amount without proper justification.

Mr. Speaker, any student may also apply for a guaranteed nonsubsidized loan—which we have come to term a "loan of convenience" in addition to whatever amount of subsidized loan he might have. Of course the sum of these two loans could not exceed the statutory limits.

**Occupational Education**

Mr. Speaker, I am especially pleased that legislation which I introduced earlier this Congress relating to occupational education is incorporated in the conference report. Although its thrust is the support of postsecondary occupational education, it will encourage and support research and development in the world of work in both elementary and secondary education.

**National Institute on Education**

The President proposed a National Institute of Education in the last Congress and again in this Congress. I think it holds promise of providing some new answers to the old problems of teaching and learning.

The conference report spells out that NIE will have a major responsibility for dissemination as well as for research and development. I think it is important that NIE have good communications with our State and local education agencies. I believe a good educational system will be increasingly dependent on strong and respected leadership at the State level. And I believe we have seen a great improvement in this regard in the past 5 or 10 years.

So it is my hope that NIE would foster good relationships with State departments and other groups so that they might provide ideas and feedback as one source of input to the NIE planning process. The task of dissemination is a very broad responsibility. Many channels must be used to get good ideas understood at the local level. Here again, the State department of education can make major contributions in assisting NIE in carrying out its functions of dissemination and demonstration of the products of NIE research.

State participation can be accomplished through such means as the participation of State education officials in the advisory council. NIE could encourage development of research projects, joint NIE-State agency staff development, and NIE dissemination grants to the State education agencies.

**Innovation**

Although the conference report does not include the President's proposal for a National Foundation on Higher Education, it does give the Secretary of Health, Education, and Welfare new authority to encourage and support projects similar to those in the proposed foundation. I believe the conference look forward with great expectation to the stimulation of new approaches to postsecondary education, the development of new types of educational institutions, and noninstitutional-based learning and crediting systems.

In order to accomplish this challenge, I would hope that the Secretary will be careful not to allow this new authority to get into the same trouble that is in one of the existing units of the Office of Education. I believe it must have some reasonable amount of flexibility and autonomy, as well as the involvement of many individuals outside of Government, in order to provide the creative leadership which we all expect.

Mr. Speaker, I would like to go on discussing the several other important provisions relating to higher education but as I said, I think most of them have been adequately discussed on the floor previously.

Although most of the conferences would have preferred that this legislation not be saddled with the issue of busing, we had no choice. I think that the conference report on S. 659 is a victory for the House of Representatives with respect to the so-called antibusing amendments. The House conferences were under instructions to adhere to the Senate versions of the legislation. They voted time after time to refuse to reconsider any part of the language. But in the end, as in all free conferences, some compromises were required. The compromise reached I hope is acceptable to every Member who voted for the antibusing amendments and to instruct the House conferences.

First, it must be understood that the Senate language did not differ at most points from the language of the House amendments. The Senate language only modified or limited the scope of the House language which is significant because in all previous amendments of this kind we have ended up with language which limited the use of funds to achieve racial balance in the schools. No court has ever sustained such a requirement requiring racial balance in a school, unless when a nearly exact balance was the end result, and the U.S. Supreme Court in the Swann decision (Swann et al. v. Charlotte-Mecklenburg Board of Education et al., April 20, 1971) held that the decision which held "as a matter of sub-
stantive constitutional right, any particular degree of racial balance or mixing is acceptable.

So in previous legislation the Congress has been tilting at legal windmills. But the Ashbrook-Green amendment addressed itself to the use of funds not only for the specific purpose of desegregation, but for transportation of students or teachers—in order to carry out a plan of racial desegregation of any school or school system. The Senate has been tilting at legal windmills, but for less than one year, and for longer than the time for which Federal funds may not be used under the Ashbrook amendment, or from conditioning the receipt of Federal funds upon any act which authorizes the expenditure of funds for the purposes prohibited by the amendment.

The conference amendment added a sentence to the Ashbrook amendment which prohibited officials of the executive branch from ordering or urging a local educational agency or any private agency to use Federal funds for any purpose for which Federal funds may not be used under the Ashbrook amendment, or from conditioning the receipt of Federal funds upon any act which authorizes the expenditure of funds for the purposes prohibited by the amendment.

Now let us examine the conference action. First, with respect to both the Ashbrook and Green portions of the amendment the new prohibition I have cited has not been added to the amendment. The Ashbrook amendment was changed to permit the use of Federal funds—keeping in mind that the act which authorized the funds would also have to permit such use—for the purposes prohibited by the amendment, but only upon "the express written voluntary request of appropriate local school officials." That puts the matter into the hands of local officials, which means it is controlled by school boards which are elected by the local voters in virtually all cases. I find it difficult to follow the argument that this really weakens the Ashbrook portion of the amendment.

The effect of the sentence added by the amendment of Mrs. Green—and I think in all fairness, we have to admit that this—was significantly altered. The prohibition of the amendment still applies, but not to situations where the transportation of students is "constitutionally required," a definition worked out with the Supreme Court. That was the critical compromise. It simply permits Federal officials to sue and enjoin such violations under the Civil Rights Act of 1964 to take action to reach results which are required under the Constitution of the United States.

In any event, Mrs. Green's amendment even without a single change would not stop the process of school desegregation or prevent the use of any of the funds approved by the Supreme Court for carrying out that process, because it would have no effect whatsoever upon the courts.

That is not the case with the Broomfield amendment, which was aimed solely at staying Federal court desegregation orders involving the transfer or transportation of students until all appeals are exhausted or until the time for taking such appeals has expired without one being taken. This is an extremely important and necessary action designed to obtain equity and uniformity in these desegregation cases. If the Federal judiciary some time to assess the mood of Congress and the country with respect to wholesale busing of schoolchildren.

The Broomfield amendment is addressed to order any plan that requires the transfer or transportation of students "for the purposes of achieving a balance among students." It is clear from the debate on the House floor last November that its author and the House understood and intended that it would prohibit all desegregation orders involving the transfer of students from any school attendance area prescribed by competent State or local authority.

The Broomfield amendment was thus far the most significant of the House antibusing amendments covered by the instructions to the conference, and on the substance of that amendment the House and Senate conference committee did engage prolonged debate and insistence by the Senate conference. All we agreed to was a termination date for the amendment of Federal January 1, 1974. This is not significant, since it provides ample time for all pending appeals to be exhausted, as well as appeals of decisions which may be handed down over the next year. That would be time enough to accomplish the purposes of the amendment.

Accordingly, the conference report contains without substantive change the most significant and effective of the antibusing amendments of the House. For the first time in the field of school desegregation the Congress will be exercising its authority, which is limited under the Constitution, to regulate the action of the courts.

One may argue that the Ashbrook-Green amendment was weakened, and it was to the extent I have pointed out, but it is also fair to say that the additional prohibitions relating to excessive busing and to transferring students to inferior schools strengthened the House version. It also holds up to the Federal courts and Federal agencies the signal that while both Congress and the country approve of going forward with the task of ending dual school systems and of reducing racial isolation in our schools, we do not approve of excessive busing as a method of accomplishing these ends.

I think that this was the main purpose of the Ashbrook-Green amendment and the Broomfield amendment. In my judgment, the conference and the conference report merit the overwhelming support of the House.

Finally, Mr. Speaker, I would be remiss if I did not mention briefly those individuals who have played such a large role over the last couple of years in the development of this bill. Throughout, Chairman Perkins has done his best to expedite this legislation and to be fair to all sides. As a member of the minority, I thank him and respect him for that. The chairman has carried an especially heavy burden in the last 6 months as chairman of the conference committee.

I should also like to thank those subcommittee chairmen who have contributed to this bill, since it represents the work of four of our seven subcommittees. Mr. BRADSMAS, as well as doing a most thorough job in preparing the legislation on the National Institute on Education, the chairman of the subcommittee handling the basic higher education legislation. And he contributed a great deal in working with me and others to work out the most acceptable compromises in the conference.

Mr. Speaker, I am most proud of the diligence and hard work displayed by my own colleagues on the minority. Con-
Mr. Speaker, we also know that any major legislation is the result of countless hours on the part of staff. Literally, thousands of staff hours have gone into this legislation. I would like to mention the outstanding jobs that our minority staff did on this legislation: First, Charles Radcliffe on emergency school aid programs, occupational education, and the issue of school busing; Dr. Marty LaVor for his work on the National Institute on Education and Indian Education; and Dennis Taylor for his assistance on youth camp safety and sex discrimination; Dr. Robert Andringa, who did such superb work on the basic higher education legislative issues; and Mr. Ashbrook on this legislation throughout the past 2 years.

Second, it will be alleged, and it has already been referred to, that the conference did keep the spirit of the House instructions on forced busing amendments. The gentleman from Oregon (Mr. Dellenback) just said the conference report was back in the same major form. It is not in the same major form. The antibusing amendments were clearly gutted. We are talking about a situation where, in November, the will of the House was that Federal funds could not be used for busing to achieve racial balance—shall not be used. I repeat—across the board. No matter what the rhetoric is, Federal funds can now be used for busing for racial balance.

In effect, we have gone from a position where we have prohibited Federal funds from being used for busing to achieve racial balance to a position where we now allow Federal funds to a position where we now allow Federal funds for busing, for forced busing to achieve racial balance.

We are now in a position in relation to this legislation in which everything provided for in forced busing that was ever wanted, that was ever discussed and desired in the first place. The House has totally capitulated and, even worse than that, as the gentleman from Oregon has indicated, as if to, in effect, say, "We don't care what the majority of the House wants," they went one step further in allocating up to $100 million for the metropolitan school district concept.

The heart of the court of appeal decision in the Richmond case this Monday in reversing Judge Mehrling's decision was that this case was not like its authority in endeavoring to set up a metropolitan school district combining a city school district and adjoining districts. The heart of the case, the metropolitan school district concept, the very concept that the court of appeals said there is no such authority to establish such a district. What a peg for a court to hang a decision on in the future.

I think most of the Members of this body know that if the House and the Senate conferees had previously enacted a law which included the metropolitan school district concept, there is a very good chance the Monday decision would have been the opposite.

A court would have said this Congress is endeavoring to set up such a school district. Therefore, the concept is not proper. A vote for this conference report will encourage court-enforced metropolitan school districts. The heart of the Richmond case was that the court of appeals did not think that the court of appeals would have decided in the Richmond case this Monday in reversing Judge Mehrling's decision if, indeed, they want to, Members in their districts which municipalities would or would not embark on metropolitan school districts, this issue is a total bugaboo. Three years of effort have gone into this enormous and important piece of legislation, and yet it seems to me we are reduced to emotional grounds of very dubious quality, in terms of accuracy, to defeat it.

Mr. REID. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from New York.

Mr. REID. Mr. Speaker, is it not true that the Carnegie Commission study last year documented that 60 percent of the 50 State institutions of higher education in our Nation are in serious difficulty, some in grave financial straits, and that absent this legislation, we will place the fate of higher education in jeopardy in this country?

Mr. THOMPSON of New Jersey. There is no question about it, and there is no question further that the greatest number of private institutions in the United States, the land-grant colleges and all other colleges favor this legislation, notwithstanding a very small group which says they are against it.

In fact, it is not true that a group of institutions operated by the Jesuits are opposed to it, and on that stationery is St. Peter's College in my State of New Jersey. Father Dougherty, the executive vice president of that college, today talked with me in support of this legislation, as have all 16 of the private institutions in the State of New Jersey.

I respectfully suggest that it is in your best interest to support this conference report.

Mr. QUITE. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. Gerald R. Ford), the distinguished minority leader.
Mr. GERALD R. FORD. Mr. Speaker, although I have some reservations about the higher education portion of this conference report, if it were standing alone I would be inclined to support it.

I have major objections, however, to the total conference report, and for that reason I intend to vote against it.

No. 2: The antibusing provisions are inadequate. The only meaningful part of the conference report in the busing field is the Broomfield amendment. But even that amendment has only a part of the original amendment passed by the House. In addition I must say that there are some legal authorities who question the effectiveness of this Broomfield amendment. They argue that it appears to give relief but in effect it will not achieve that result. Only time will tell. I hope it is effective.

Second, let me say that the conference report in effect junks the Ashbrook and Green of Oregon amendments, and substitutes in place of them the philosophy and principles of the Scott-Mansfield amendment. The Scott-Mansfield amendment is totally ineffective in handling the antibusing problem.

Ladies and gentlemen of the House, it seems to me there is an alternative, a preferable motion, which in my judgment will answer the problems of higher education and retain the integrity of the House position on the antibusing provisions.

There has been some controversy on the floor of the House about the Metropolitan School District and its impact on the higher education portion of this legislation. I do not think we can deny that if we approve this conference report we are legitimizing a Metropolitan School District in law. It is perfectly conceivable, once this becomes law, that a Federal judge, like Judge Roth in Detroit, can say in his decision that the action of the Congress strengthens his justification for a decree merging school districts.

Mr. Speaker, in his decision our action in Congress in his decision. I do not think we want to give him that hook on which to hang his decision.

Mr. Speaker, for 2 weeks I labored with the distinguished chairman of the Committee on Education and Labor seeking a parliamentary way to strengthen the antibusing action in this legislation. Unfortunately, those labors were not successful, and for that reason as well as others I intend to vote against the conference report.

June 8, 1972

Mr. Speaker, I rise in support of the conference report on S. 659, the Higher Education Amendments of 1972. I would like to outline the important provisions of this legislation and the reasons why it is so desperately needed at this time, as well as raising and answering questions as to what it should do and what it will do.

However, many of the Members here today have addressed themselves specifically to title VIII—"General Provisions Relating to the Assignment or Transportation of Students"—in seeking unanimous consent at this point to insert at the conclusion of my remarks the text of the specific sections of this bill dealing with the prohibition against the assignment or transportation of students to achieve racial balance.

I was shocked and somewhat amazed by the distinguished minority leader from Michigan, who preceded me on the floor today and launched a wholly unwarranted and misleading attack on this legislation with respect to its effect on the transportation of students for the purpose of achieving racial balance.

Carl BROOMFIELD of Michigan, and Congressman PERRINS of Kentucky, chairman of the conference committee.

The intent is to prevent any Federal district court, however sympathetically inclined, from effecting any plan requiring the transfer or transportation of students from any school attendance area for the purpose of achieving racial balance among students with respect to race, religion, or socioeconomic status.

If we adopt this conference report today, since it has already been adopted by the Senate, it would be with the concurrent vote of the minority whip who is the junior Senator from the same State and party as our distinguished minority leader, this legislation will go directly to the President for signature.

When it is signed into law, it will constitute the first act by the Congress to prevent such assignment of transportation of pupils until the District Court has had an opportunity to act on this potentially controversial matter.

I have been convinced ever since I first studied the preliminary findings made in the Detroit case that the U.S. Supreme Court would not sustain on appeal any order requiring the merger of school districts contrary to the wishes of the people therein and without their vote and consent or requiring the transportation of students from one school district to another.

The important decision rendered on June 6, 1971, earlier this week, in the Richmond case, I believe vindicates the course of action which we have taken in offering this legislative proposal and supporting it through its tortuous path to today when we now have an opportunity to preserve it.

In view of the Richmond decision, I am convinced that the appellate courts and particularly, the Supreme Court of the United States, will not approve of any such order by a Federal District Court.

When we introduced this legislation in October, 1971, all of us who cosponsored the legislation immediately joined in an appeal to the Attorney General, Frank Kelley, and the State Board of Education, all parties to the Detroit lawsuit, asking them to proceed forthwith to appeal Judge Roth's decision which the Supreme Court should review by the Supreme Court.

Such an appeal has been filed and there is presently pending an appeal filed by Attorney General Kelley so that if we pass this legislation today, and the President signs it into law, any such order entered in the Detroit case could not and would not take effect until those appeals have been heard and considered by the Supreme Court.

I am convinced that if this legislation is adopted today we will never see cross-district busing or court-ordered school district mergers in the State of Michigan or any other metropolitan area such as that surrounding Detroit.

At this point I would like to insert the following of title VIII:

TITLE VIII—GENERAL PROVISIONS RELATING TO THE ASSIGNMENT OR TRANSPORTATION OF STUDENTS

PROHIBITION AGAINST ASSIGNMENT OR TRANSPORTATION OF STUDENTS TO OVERCOME RACIAL IMBALANCE

Sec. 801. No provision of this Act shall be construed to require the assignment or
transportation of students or teachers in order to overcome racial imbalance.

**PROHIBITION AGAINST USE OF APPROPRIATED FUNDS**

SEC. 802(a). No funds appropriated for the purpose of carrying out any applicable program may be used for the transportation of students (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school within a school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school within a school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, except on the express written voluntary request of the appropriate local school officials. No such funds shall be made available for transportation when the time or distance of travel is so great as to risk the health of the children or significantly impinge on the educational process of such children, or on the educational opportunities available at the school to which it is proposed that any such student be transported will be substantially inferior to those opportunities available in the school or school system to which the student would otherwise be assigned under a nondiscriminatory system of school assignments based on geographic zones established without discrimination on account of race, religion, color, or national origin.

(b) No officer, agent, or employee of the Department of Health, Education, and Welfare (including the Office of Education), the Department of Justice, or any other Federal agency shall, by rule, regulation, order, guideline, or otherwise, (1) urge, persuade, induce, or require any local education agency, or any private nonprofit agency, institution, or organization to use any funds derived from any State or local sources for any purpose, unless such funds are derived and expended in accordance with plans and regulations established by the Department of Health, Education, and Welfare (including the Office of Education) or any other Federal agency, shall urge, persuade, induce, or require any local education agency to undertake the transportation of any student whose residence is so great as to risk the health of the child or significantly impinge on his or her educational process; or where the educational opportunities available at the school to which it is proposed that any such student be transported will be substantially inferior to those opportunities available in the school or school system to which the student would otherwise be assigned under a nondiscriminatory system of school assignments based on geographic zones established without discrimination on account of race, religion, color, or national origin.

(c) An applicable program means a program to which the General Education Provisions Act applies.

**PROVISION RELATING TO COURT ORDERS**

SEC. 804. A parent or guardian of a child, or a parent or guardian of children similarly situated, transported to a public school in accordance with a court order, may seek injunctive relief or other appropriate equitable relief to enforce the implementation of such court order, currently in effect, if the time or distance of travel is so great as to risk the health of the student or significantly impinge on his or her educational process.

**PROVISION REQUIRING THAT RULES OF EVIDENCE BE APPLIED IN THE COURTS OF LAW**

SEC. 805. The rules of evidence required to prove that State or local authorities are practicing racial discrimination in assigning students to public schools shall be uniform throughout the United States.

**APPLICATION OF PROVISION OF SECTION 407(b) OF THE CIVIL RIGHTS ACT OF 1964 TO THE ENTIRE UNITED STATES**

SEC. 806. The proviso of section 407(b) of the Civil Rights Act of 1964 providing in substance that no court or official of the United States shall seek to issue any order seeking to achieve a racial balance in any school by requiring the transportation of any student to another school or one school within a school system to another in order to achieve such racial balance or otherewise end racial isolation by reason of any court or in any school system, public school and public school board, as defined by title IV, under all circumstances and conditions and at all times in every State, district, territory, Commonwealth, or possession of the United States, regardless of whether the residence of such public school system, public school or public school board is situated in the northern, eastern, western, or southern part of the United States.

Mr. Speaker, at the beginning of my remarks I indicated that I would like to discuss some of the other important provisions of S. 659 relating to higher education, and explain why they were so desperately needed at this time.

At this point I would like to continue, if I may, and outline some of these very significant features of the education amendments.

Mr. Speaker, consideration of the conference report on S. 659, the Higher Education Amendments of 1972, culminates several years of work by the Congress in reshaping and extending higher education programs which will more effectively enable colleges and universities to provide for the higher education needs of this Nation. More important, the conference bill will result in a realization of the often-stated congressional intent that no student be denied an opportunity for higher education because the cost of it is beyond his reach.

S. 659 extends expiring higher education and student assistance programs for a 3-year period, and these, combined with new provisions of assistance, call for approximately $18.5 billion of meaningful Federal support for the 3-year period.

Highlights of the legislation are:

- By 1979, 40 percent of high school graduates will be attending college, and emergency student assistance programs are strengthened and expanded with a new program being authorized to assist States in establishing State student grants programs and a new Federal student assistance program covering all students with a grant of up to $1,400 to defer college expenses.

Second. For the first time, meaningful support for community and junior colleges is given through an authorization of $375 million and in addition $500 million in Title IV (aid to States) is provided to States to assist in formulating, establishing, and operating programs of post-secondary occupational education.

Third. Forty million dollars is authorized to provide emergency grants to public and private colleges in severe financial distress.

Fourth. A National Institute of Education is established within a $500 million authorization over 3 years to support, conduct, and disseminate research at all levels of education.

Fifth. For the first time, direct aid to institutions, both public and private, is authorized with an annual authorization of $1 billion.

Sixth. Significant assistance is provided to strengthen the opportunities for veterans seeking enrollment in institutions of higher education.

At this point in my remarks, I include questions and answers concerning major aspects of the legislation, as well as a summary of some of the most important features of the legislation:

(1) How will the institutional aid authorized by the bill be apportioned among colleges and universities?

The Conference Report authorizes a three-year formula for distributing institutional aid funds:

- Forty-five percent of the funds will be distributed according to the number of Basic Educational Opportunity Grant recipients enrolled at each institution;
- Forty-five percent of the funds will be distributed according to the amount of Supplemental Educational Opportunity Grant, College Work-Study and National Defense Service Loan funds paid to students enrolled at each institution; and
- Ten percent will be distributed according to the number of private students enrolled at each institution.

The specific provisions of this formula are explained in greater detail on pages 223-228 of the Conference Report.

(2) Will private colleges and universities receive an equitable share under this formula?

Yes. Private colleges and universities in the United States enroll 26.4% of students who attend institutions of higher education. Under the formula contained in the Conference Report, however, it is estimated that 37% of the institutional aid funds will go to private institutions which, according to all the evidence received by the Committee, face greater financial difficulty than most public institutions.

(3) What restrictions will be placed upon the use of institutional aid funds by colleges and universities?

Institutional aid funds paid to colleges and universities must be used for instructional expenses incurred in academically related programs of the recipient institution. No other restrictions (aside from a prohibition against the use of the funds for certain activities) are imposed—colleges and universities are free to use the funds as they see fit.

(4) What does the conference report say about the institutional aid program contained in the conference report compare with the program contained in the House-passed bill?

Both formulas would require approximately the same amount—$1 billion annual-
— to pay each institution the full amount to which it is entitled.

(4) There is no provision in the original Institution Aid formula in the conference report containing any of the provisions of the institutional aid formula approved by the House last fall.

The conference report, Mr. Chairman, proposes to include 55% of the money will be distributed in accordance with provisions contained in the House-passed bill. The other 45% will follow provisions contained in the original Senate-passed bill.

(5) Will the so-called “basic grant” program for students work?

Each student enrolled at an accredited institution of higher education, or an accredited two-year proprietary school, will be entitled to receive an annual grant of $1,400, minus the amount which his or her family could reasonably be expected to contribute for education purposes. However, no grant could exceed the amount necessary to attend the institution at which the student is enrolled, nor could a grant exceed 60% of the amount a student needs beyond his or her expected family contribution to attend an institution.

(7) Who will decide what a student’s expected “family contributions” are?

No. Middle income students as well as low income students will be able to receive Basic Grants, with the only difference being that middle income students’ grants will naturally tend to be smaller.

(8) What limitations does the conference report place on funding of the basic grant program?

The Conference Report provides that Basic Grants may not be used until the National Defense Student Loan and College Work-Study programs are funded at a level equal to the annual cost of Basic Grants, and the Education Opportunity Grants program is funded at a level equal to 75% of FY 1971 original appropriations. This provision was inserted to avoid the issuance of the House conference report without consensus on the language concerning the likelihood of the House conference report that would settle the ongoing conflict between Congress and the Executive.

(9) What about existing student aid programs?

All existing student aid programs, including Educational Opportunity Grants, College Work-Study, National Defense Student Loans and the Guaranteed Loan program, will be continued for three years. The Conference Report substantially follows the eligibility amendments in the House-passed bill which will provide greater access to these programs for students from middle-income families. Up to 30% of the students attending private colleges and universities, where costs are normally higher than at public institutions.

The Conference Report also contains a new provision in the Student Loan Market Association for the purpose of providing greater liquidity for student loan paper, thus enabling banks and other lending institutions to lend on their own loan obligations. The $16,000 annual family income limitation on the Federally subsidized loan program so that students, regardless of family income, will be able to receive a Federally subsidized loan through a bank or other lending institution so long as a student can show that he or she is in need of the loan.

CONFERENCE REPORT HIGHLIGHTS — HIGHER EDUCATION AMENDMENTS OF 1972

The conference report substantially follows the conference Report that was adopted. New program of Basic Educational Opportunity Grants, under which each student who could be expected to annual grant of $1,400 per year, less expected family contribution. No grant could exceed 60% of what a student needed to attend the college for the institution for any year.

Creation of a National Student Loan Marketing Association to buy, sell and warehouse loans and thereby stimulate new capital for such loans.

INSTITUTIONAL AID

$1 billion annually in direct aid to institutions of higher education, and private. Note: 45% of the aid would be based on the number of Basic Grant recipients at each institution; 45% on the aggregate amount of (Supplemental) EOG, Work-Study and NSDNI funds paid to students at each institution; and 10% on the number of graduate students enrolled at each institution.

$40 million annually in emergency grants to institutions in severe financial distress.

Veterans Cost-of-Instruction Grants to institutions in the amount of $100 for each veteran enrolled, and an additional $150 for each veteran who is in a special or remedial program.

COMMUNITY COLLEGES

Start-up and expansion grants for community colleges at the rate of $275 million over three years.

OCUPATIONAL EDUCATION

New program to help the States design, establish and operate post-secondary occupational education programs. Authorization: $850 million over three years.

NATIONAL INSTITUTE OF EDUCATION

New agency established within HEW to support, conduct, and disseminate the products of research at all levels of education. Authorization: $850 million over three years.

HIGHER EDUCATION INNOVATION

New program of grants to institutions to encourage reform and innovation in higher education. Authorization: $135 million over three years.

EXISTING HIGHER EDUCATION PROGRAMS

All existing categorical aid programs, including facilities construction, extended for three years.

INDIEN EDUCATION

$95 million over three years in grants to local education agencies for programs to help meet the special educational needs of Indian children. Authorization: $95 million over three years.

Mr. Speaker, there have been many confusing and misleading statements made concerning the conference report and what it actually contains. Extension of existing programs and the new programs authorized are the product of lengthy and serious consideration by the Congress over a long period of time. In many instances, the conference report contains provisions which are not precisely as the proponents of individual bills would have written. But the overall impact of the bill is constructive and forward moving. Higher education opportunities and the ability of our junior colleges, four-year colleges and universities to provide high quality education programs will be critically impaired unless § 658 as reenacted is fully funded. Consequently, I urge my colleagues to vote “Yes” on the conference report.

Mr. PERKINS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Idaho (Mr. B. R. Fulbright).

Mr. BRADEMANS. Mr. Speaker, the conference report the House considers today is truly a landmark in Federal support for higher education. Indeed, I believe it is the most significant Federal higher education measure since the Land-Grant College Act was signed by President Lincoln over a century ago.

The conference report is the result of bipartisan cooperation and compromise, and the product of a great deal of work by Members of both the House and Senate.

I would like to express my warm personal appreciation to the distinguished chairman of the Committee on Education and Labor, the Honorable Carl D. Perkins of Kentucky, and to the distinguished ranking minority member, the Honorable Albert H. Quie of Minnesota, who have labored long and hard on behalf of this legislation and American higher education.

I would also like to pay tribute to the other members of our committee who helped make possible the conference report today, in particular to our distinguished colleagues the gentleman from New York (Mr. Thompson); the gentleman from Illinois (Mr. Pucinski); the gentleman from Indiana (Mr. Erlenborn); the gentleman from Oregon (Mr. DeWitt); the gentleman from New Jersey (Mr. Beck); the gentleman from Washington (Mr. Mazzoli); the gentleman from Wisconsin (Mr. Stagg); the gentleman from New York (Mr. Reid); and the gentleman from Idaho (Mr. Hansen).

Without their fine work, we would not have this outstanding bill before us.

Mr. Speaker, the conference report on which we are voting today is truly an historic measure.

It contains provisions of great significance for the whole range of postsecondary education activities in the United States.

In addition to extending all existing higher education programs, the conference report would establish two new programs of special significance:

First, a new program of basic educational opportunity grants, approved by the distinguished Senator from Rhode Island, the Honorable Claiborne Pell whose leadership in the other body did so much to bring us to this historic day for American higher education.

Under the new basic grant program, each student will be entitled to a grant of $1,400 per year, less the amount his or her family could reasonably be expected to contribute toward his or her education.

Second, a new program of direct aid to colleges and universities, under which existing students would be entitled to a grant of $1,400 per year, less the amount his or her family could reasonably be expected to contribute toward his or her education.

Mr. Speaker, this legislation, as I have indicated, will establish a landmark in
Federal support for higher education, and as might be expected with any measure of great magnitude, its specific provisions are quite complex.

Indeed, Mr. Speaker, I have been disturbed to find in speaking to many of my colleagues in the House as well as colleagues around the country, that some of the provisions of this bill, including the ones I have mentioned above have been widely misunderstood.

Therefore, Mr. Speaker, I would like to take this opportunity to set the record straight as to what the conference committee agreed to with respect to both student aid and direct institutional assistance to colleges and universities.

First, let me address myself to the question of participation by students from middle-income families in the student assistance programs, and in particular the new program of basic educational opportunity grants.

It is emphatically not true that the basic grant program will be limited to "need." Whatever the formula, the intent is to help the student in need of help, whether he or she comes from a middle-income or a low-income family. A reading of the statutory provisions contained in the conference report makes it clear that we have designed this program so as to prevent middle-income students from being "traded-off" in favor of low-income students, or vice versa, by the Commissioner of Education or anybody else.

And Mr. Speaker, lest there be any misapprehension on the part of my colleagues, let me make it quite clear that I oppose any provision that would apply to any student who is in need of help, whether he or she comes from a middle-income or a low-income family. A reading of the statutory provisions contained in the conference report makes it clear that we have designed this program so as to prevent middle-income students from being "traded-off" in favor of low-income students, or vice versa, by the Commissioner of Education or anybody else.

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Second, Mr. Speaker, I would like to address myself to the provisions of the conference report for direct assistance to colleges and universities, and the erroneous apprehension on the part of some that this program means "small comfort" for private institutions.

The formula agreed to by the conference committee should provide nearly $1 billion in Federal assistance to our colleges and universities, both public and private.

Private institutions today enroll 26.4 percent of the Nation's college student population. In recognition of the fact that private institutions by and large have been experiencing financial distress to a greater extent than have public institutions, the formula contained in the conference report for institutional aid will give private colleges and universities at least 37 percent of institutional aid funds.

Thus the charge that the conference report discriminates against private colleges and universities is simply contrary to the facts. I might add that as a Member of Congress from a middle-income and private college, I would certainly not favor an institutional aid program that would operate against private institutions getting a fair share of Federal assistance.

Mr. Speaker, let me stress one more point on this particular subject. The direct aid provided to colleges and universities by the conference report is, indeed, direct and without strings attached. It is not, as some have erroneously thought, restricted to remedial services or other special services for disadvantaged students. Rather the new institutional aid may be used by each college and university for any instructional purposes if such a subject only to the requirement, of course, that funds obtained under this program may not be used for sectarian purposes.

Mr. Speaker, I would touch on one other matter before concluding my remarks.

As you know, the Select Education Subcommittee, which I have the honor to chair, held extensive hearings last year on the proposed National Institute of Education, which will support research and development in education at every level.

Our subcommittee heard from some of the leading figures in American education on the need to increase the paltry one-half of one percent which we are currently spending, at all levels, on research and development in education.

Repeatedly, Mr. Speaker, witnesses told us of, first, the need for much more educational research of high quality, and then to insure the dissemination of the results of research into the educational system, where it could make an effective impact on improving the learning process.

The proposed National Institute of Education was accepted by both Houses of Congress in an amendment to House language insuring that the Institute would be a strong, viable research and development agency on a par with the Office of Education.

Mr. Speaker, for the sake of brevity I include at this point an outline I have prepared explaining the purposes, functions, structure, and authorizations of the Institute:

**National Institute of Education**

**PURPOSES**

The purpose of the Institute is to promote reform and renewal at all levels of education by advancing education, research and profession, strengthening the scientific and technological foundations of education, and encouraging an educational research and development system.

**FUNCTIONS**

To accomplish these aims, the Institute will:

- Conduct educational research:
  - Collect and disseminate the findings of educational research
  - Assist and foster such research, collection, dissemination, or training through grants, or technical assistance to public or private organizations, institutions, agencies, or individuals;
- Promote the coordination of educational research support within the Federal Government;
- And construct or provide for such facilities as are necessary to carry out the purposes of the Institute.

An essential element in the achievement of the purposes of the Institute is the strengthening of the links between research and educational practice.

The whole complex set of dissemination, utilization functions—including National Center for Educational Communication activities such as ERIC PRP, Publishers Alert—will, therefore, be responsibilities of the National Institute of Education.

**STRUCTURE**

A new Division of Education within the Department of Health, Education, and Welfare will be established. The Division will be headed by a new Assistant Secretary of HEW, and will be composed of the National Institute of Education, and the Office of Education—which are to be separate, co-equal administrative units. The Institute will be headed by a Director and the Office of Education through a Chairperson appointed by the President, with the advice and consent of the Senate.

A National Council on Educational Research will be responsible for general policies governing the Institute. The Director, however, will be in charge of overall operations and allocation of funds, and the National Council will act as decision-making authority. Exclusive of the costs of administering the program, and the strong Directorship will hopefully ensure a vigorous Institute.

**FUNDS AUTHORIZATION**

$650 million is authorized for the Institute over a three-year period. At least 90 percent of the funds appropriated for any fiscal year must be expended through grants and contracts with public or private organizations, institutions, agencies, or individuals.

What I want particularly to explain to Members of the House today, Mr. Speaker, is the intent of the conference with respect to one aspect of our concern to insure that educational research relates to educational practice.

If the purposes of the Institute are to be fulfilled, clearly there must be assurance that the linkages between these two functions of research and practice be strengthened.

These linkages can be achieved in two primary ways:

First, the whole complex set of existing dissemination/utilization functions...
relating to education—including the National Center for Educational Communication and its programs, ERIC, PREP, Publishers Alert—will be responsibilities of the National Institute of Education.

Second, Mr. Speaker, the conferences intended that the State education agencies play a part in the dissemination functions of the Institute. Although as a Federal agency, the Institute must have specific links to existing local education agencies and coordinating product distribution to this Department, it necessarily play a part in the dissemination functions of the Institute.

State education agencies are in an advantageous position to carry out the essential dissemination of Institute supported research. There are several reasons they can be helpful in this respect. First, State education agencies are the existing State mechanisms for administering certain Federal programs such as the III of the Elementary and Secondary Education Act, as well as State-funded developmental programs in many States. State education agencies therefore have experience as disseminating to local districts for program improvement. Moreover, Mr. Speaker, the development of State intermediate offices has accelerated in many States—frequently under increasingly vigorous State leadership—and these regional offices provide additional administrative channels for the dissemination of Institute projects.

In a speech to Mr. Speaker, that the conferences' intention that State education agencies be utilized in the dissemination activities of the Institute is not based solely on the practical fact that these agencies have the capacity to carry out this essential function. The intent is also based on the fact that such utilization is increasingly important as States seek to make themselves more accountable for equalizing classroom opportunity and fiscal support for schools. The Federal Government must clearly be involved in making available the results of the new national educational research effort represented by the National Institute of Education—and this will mean in part working with the State education agencies.

But beyond the participation of State education agencies in the dissemination, diffusion, and demonstration of Institute supported research results, the agencies will also participate in both policy development and the specification of research needs.

It is anticipated that this participation, Mr. Speaker, be accomplished through such means as participation in the National Council on Educational Research, joint research design development, and follow-on efforts. But local education agencies play a large part in these crucial areas, will help insure that the results of research in education do not gather dust on dusty shelves, but, instead, make a real difference in the quality and accessibility of education at all levels.

Mr. Speaker, over the course of the last 2 years our committee has heard witness after witness describe the financial plight of American higher education today. The new institutional aid program contained in the conference report constitutes a rational and considered answer to the financial travails of our colleges and universities, especially in the private sector.

In addition, the conference report does justice to the philosophy that every American young man and woman, regardless of his or her family finances, may aspire to the best education this country can provide and of which he or she is capable. For this reason to fail now on the basis of an unreal promise of a preferential motion that would destroy the principal new programs in this legislation would be a tragedy we cannot afford to see happen.

It is the purpose of this adoption of this conference report.

Mr. REID. Mr. Speaker, we in Congress have today a unique opportunity to vote on an historic piece of legislation. As many have already said, this report could well be the most significant advance in Federal support for institutions of higher education since the Land Grant College Act over 100 years ago.

As a member of the Education and Labor Committee which considered this legislation over the past few years and as one of the conferees who worked for over 2 months to reach agreement on this conference report, I can say clearly that this bill is vital to higher education and essential to millions of students.

Both students and colleges and universities in every congressional district in this country will benefit from major new provisions in this bill and from the continuation and expansion of several other excellent existing programs.

Beginning in 1958 with the enactment of the National Defense Education Act, the U.S. Government made a special commitment to higher education. Every high school graduate an opportunity to seek a postsecondary education. Today over 2 million students are benefiting from four major programs: educational opportunity grants, college work study grants, National Defense Education Act loans and guaranteed student loans. Although these programs have served nearly 16 million students over the past several years, it was felt by the conference that more needed to be done to insure that a student's access to a postsecondary education is not limited by financial needs.

The Senate committee report found, for example, that a student from a family with an income over $15,000 is almost five times more likely to attend college than a student from a family with an income under $3,000. Responding to this gap in higher education system, the higher education act made a fundamental decision that in addition to present student aid programs, there will be created a program of basic educational opportunity grants, an entitlement to every college age youth of $1,440 minus the amount of money that his family can reasonably be expected to contribute to the cost of higher education. These grants will be available to students as a matter of right, regardless of where he or she lives or goes to college, and they are not limited to college students. Middle income students will have a strong incentive to receive basic grants. For the first time the Federal Government has made a commitment to the principle that every American young man and woman, regardless of his or her family finances, may aspire to the best education this country can provide and of which he or she is capable.

For the past 2 years we have seen evidence of an increasing financial crisis among many higher education institutions in this country. In 1971 over a dozen separate studies had been released documenting a new depression in higher education as the gap widened between expected revenues and estimated expenditures. Mushrooming enrollments, the increasing variety of courses, increased expenditures on student aid coupled with accentuated inflation in the economy contributed to sharply increasing costs of education per student.

And with this increase in cost has come a decrease in revenue available from State, private, and Federal sources. Perhaps hardest hit have been the smaller private institutions, dependent on tuition and donations. But public institutions have suffered too as revenues declined. The Carnegie Commission Study last year documented that 60 percent of the 2,340 institutions of higher education in our Nation were in or headed for financial difficulties. With enrollments up 80 percent from 1965, Federal support is at its lowest since 1969.

The conference has responded with realistic and substantial direct college operating subsidies. $1 billion will be directed to all colleges and universities, both public and private institutions, dependent on tuition and donations. But public institutions have suffered too as revenues declined. The Carnegie Commission Study last year documented that 60 percent of the 2,340 institutions of higher education in our Nation were in or headed for financial difficulties. With enrollments up 80 percent from 1965, Federal support is at its lowest since 1969.

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Additional institutional aid is provided for by a $400 million emergency assistance program designed to assist the Nation's schools facing the severest crises. These two new programs—entitlement grants and direct cost-of-education allowances—are the two main provisions of a concept of Federal assistance which I endorsed in 1969. At that time, Congressman John Brademas and I introduced the Higher Education Bill of Rights, incorporating the recommendations of the Carnegie Commission on Higher Education. Today, 3 years later, these ideas have been refined and incorporated into the higher education amendments which we vote on today.

Combined with these two major new programs, several other student aid and categorical institutional aid programs have been revised and extended, thus reversing the trend of decreasing Federal assistance to the institutions of higher education. The political basis for the Federal student assistance programs, and particularly the new basic educational opportunity grant is that students from lower-income families have less access to financial opportunities to pay for guaranteed loans, and are less likely to receive help from relatives and private organizations. And, institutions serving a high proportion of disadvantaged students have less money with which to help their student populations.

Along with the basic grant program, all existing programs, including college work-study, student loan, guaranteed loan, educational opportunity grants, and basic educational opportunity grants have been continued for 3 years, with expanded eligibility requirements, thus providing much greater access to these programs for students from middle income families. This will be of particular benefit for those attending private colleges and universities where costs are normally higher than at public institutions.

Any one of these programs would represent progress. Together, as I said before, this legislation represents one of the most important pieces of education legislation ever before Congress. Recognizing this fact, colleges, universities, and education organizations from every State in the Nation have voiced their support of this bill.

If we defeat this report today, because we disagree with various provisions in this bill, we do not have another chance for many years. We will be saying not now to several million students who need the Federal Government's assistance to move into the mainstream of American life by advancing their education. We will be saying not now to over 2,500 institutions of higher education which have contributed so much and which desperately need our help. Congress, by its response today, may, in fact, be determining the fate of American higher education for many years to come.

Mr. QUTE, Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. Runyan).

Mr. QUTE. Mr. Speaker, one of the Members who has just addressed us is a First Year Senator. I think we need better order and I thank him. However, I will say that if I cannot command the attention of this group then they can go ahead and talk, it is all right.

My usefulness on the Education and Labor Committee seems to be relegated today to digging out certain things that happen in the committee and some of the things that happen in conference and in interpreting them for my colleagues.

I hope you have my prepared statement which gives the six reasons why I oppose this conference report. Additional copies are available in the cloakroom.

Members of the House know that I supported the House bill, as most of you do, but I have opposed the Senate bill. This year earlier when the bill went to conference and was referred back to the House, I offered the motion which was carried to instruct the House to insist on the House language regarding busing.

My opposition to this conference report should not be interpreted by anyone as an intention to kill the higher education bill. The plan is to offer a privileged motion which will include the educational programs, the title housing amendment and to include the titles which were not added last year. Earlier this year when the bill went to conference and was referred back to the House, I offered the motion which was carried to instruct the House to insist on the House language regarding busing.

In case you think all of this malarkey or a snow job by Runyan I want you to look at the report and I state in the conference report you can find these things which I have mentioned. So I hope you will use this and I hope you will study it.

I began thinking about this first when I was a member of the Ways and Means Committee. I have other colleges that are involved in education. In the meantime, we can all hope and work for a better prepared higher education bill which will benefit all members of our society.

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because the judge did not have the right to set up a metropolitan school district and was passing law to give them the right to establish such districts.

Then the next thing is the inclusion of veterans' benefits. And the gentleman from Texas, and other members of our entire Veterans' Committee, we feel our committee should consider this item.

Then we have got the inclusion of the Pell Grants, but we do not need them.

If you look at item 4 you will see that if you include the Pell grants with all the other grants a student in college can get $1,400.

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METROPOLITAN SCHOOL DISTRICT

The Conference Report authorizes the Commissioner of Education to set aside 5% of any政权在 attendance at such institution by veterans. If an institution is to draw up plans for the metropolitan school district. The backbone of this plan is busi-ness, and it is only logical that this supports the plan for the metropolitan school districts. It is thus giving its stamp of approval to these busi-busing decisions and is inviting more. Al-though the House added a dollar in the Federal money and we are now spending, I say "I am not depending on my daddy to get this money." And we have got a lot of smart kids in this country and I expect they will do it.

I am sorry the way time flies, but I hope you will look at item 4 of my hand out.

My strongest reason to oppose the report, it is arguing about money and all the money in the world. The person in the Congress can want to give institutional aid based on the amount of Federal aid to students.

I was a dean of students in a small college, and I used to preside over these meetings for needy students. We invariably looked for ways to help needy stu-dents without using Federal money.

Also, I would like to revise and extend my remarks. I include detailed information supporting my opposition to the adoption of the conference report:

BROOKLYN

The Broomfield Amendment as adopted by the House required that all appeals on bus­ing must be heard before the court orders it. The Conference report sets January 1, 1974 as a termination date for the provision. This weakens the amend­ment and could cause undue hardships in the future.

The Green Amendment prohibited Federal employees encouraging local government or local agencies to use their money for busi-ness. The Conference added "unless constitution­ally required." This language modifies the intent of the amendment and makes it a loophole for debate in Interpretation.

The Ackerman Amendment prohibits the use of funds for busi­ness of students or teachers, or any purpose, as an imbal­ance, or for the purchase of equipment for such transportation and fords any office or employee of B.O.G. the Office of Education, or any other Federal agency to force States to expend State and local funds for purposes for which Federal funds are not appropriated, the Senate added the language "unless instructed in writing by local school officials." This word­ing weakens the Conference's intent, and makes the amendment meaningless and completely disregards the House Instructions to the Con­ferences.

Also it should be noted that in the state­ment on policy the House Amendment stated that guidelines and criteria established pur­suant to this title shall be applied uniformly in all regions of the United States in dealing with the distribution of Federal ownership in the schools of the local educational agencies of any State without regard to the origin of students and the use of Federal money. The Senate amended the policy and stated the criteria used would be pursuant to Title VI of the Right Act. An investigation of this shows it to be different from the House version inasmuch as it reads as follows: "Such uniformity refers to provisions of Federal aid that are not fully understood by the House. But it is not the prerogative of the Federal Government to provide an educational program—it needs to be cleared up and simplified. I know it is a mistake to grant institutional aid on a formula that is based on the amount of students in the schools. While colleges in the past have looked first to other sources for student aid—economically they are now finding that all federal aid possible. The formula states that whatever is appropriated is based on the national money such as E.O.G., N.D.E.A., C.W.S. and G.S.I. Each college adds its total dollars used and receives a pro-rated amount.

45% is based on the number of persons getting E.O.G. grants. After a head count each college receives a pro-rated amount. This is a formula aimed at satisfying the coming school year. 10% is based on the number of graduate students in an institu­tion—each institution receiving a pro-rated amount.

The House Bill allotted 5% of the money appropriated to institution based on enroll­ment.

This is a coglomeration aimed at satisfying the Congress. No thought was given to make this a simple or equitable process. This kind of haggard legislation only leads to confl­usion and criticism of the Federal govern­ment.

TERRY SANFORD, PRESIDENT, DUNKE UNIVERSITY

As President of a private, graduate university, it is quite likely that this bill is very beneficial to us. But I hope we can look beyond our private interests.

I am opposed, as a matter of principle, to exp­erimentation, to taking what is offered by Congress simply because it is better than nothing. We react too easily to the dollar sign. And I am tremendously impressed by the concept of B.O.G. If E.O.G. had been fully funded, we would not need this "new" approach.

Higher education is for all students, not just needy students. I am opposed to the concept of removing all financial barriers to higher education, but I
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cannot stretch this to a policy that suggests removal of financial barriers is the purpose of higher education.

Institutional aid should be based on students' financial need. 

S. DAVID FRAZIER, PRESIDENT, PEACE COLLEGE

College officials have been informed that they must support the Senate version or there will be no legislation at all; I prefer none.

It simply is not reasonable, and neither does it ring true to the American way, to say we will ignore—and perhaps bill any institution which does not have a substantial number of students on federal assistance programs.

Many college officials have "switched rather than fight" because they have been told they are in a "this or nothing" position.

DONALD J. HART, PRESIDENT, ST. ANDREW'S PREPARATORY COLLEGE

Disadvantaged people clearly need help. However, it is a terrible error to fund programs that are based on the assumption that college experience is vital for everyone, and that therefore institutions desiring to qualify for Federal aid must commit personnel and time to "remedial" work.

We would be immensely better off if the expiration dates were merely extended for another year, which would provide time to develop realistic and appropriate legislation for the following year.

JOHN W. WEEMS, PRESIDENT OF MERIDIAN COLLEGE

After reviewing the Higher Education Bill, I believe that a number of unwise decisions were made and it is legislation that should not be supported. I highly recommend that the existing higher education programs be given the opportunity to continue and the extension of the right legislation instead of just some legislation.

The SPEAKER. The time of the gentleman has expired.

Mr. PERKINS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. CURTIS).

Mr. PUCINSKI. Mr. Speaker, if I may have the attention of the House for one observation, the minority leader has tried to create the impression here that if this conference adopts the right legislation here, there will be a preferential motion to do all those things that have to be done.

But there is no assurance that the Senate will approve the right preferential motion. After sitting in conference for countless hours, I can tell you that I have serious doubts that they will accept it.

The higher education bill expires in 3 weeks.

The vocational education bill expires in 3 weeks. You are going to have in this nation unprecedented chaos if we do not address ourselves to the problem today.

This bill has a lot of good things in it. It gives the middle-income family a break on sending their children to college. For the first time we extend student assistance programs to put this new program into full operation, also contains extensions for the present student aid programs. And in fact it improves these programs by increasing the maximum amounts for educational opportunity grants and the guaranteed student loans. The conference report also contains the National Student Loan Marketing Act, which Sally Mae—which will buy, sell, and warehouse guaranteed student loans and thereby stimulate new capital for these loans.

I am extremely pleased that the conference report contains my amendment to open eligibility for all the student assistance programs to half-time students.

The next major innovation in the conference report is the new institutional aid program. This bill will provide unrestricted Federal funds for colleges and universities for the first time. Illinois colleges and universities will receive a total of $43,918,224 when this program is fully operative. The Central YMCA Community College in Chicago will receive $1.6 million; the Kennedy-King branch of the City College of Chicago will receive $1.1 million; Illinois State University will receive $1.4 million; Loyola University will receive $1.1 million; and the University of Illinois at Urbana will receive $3 million.

Mr. Speaker, I yield to the gentleman from INSTITUTIONAL GRANTS

I am very pleased that the conference report also contains the veterans' cost of instruction grants. This program, which I sponsored in the House and supported vigorously in conference, provides each college and technical school enrolling veterans $300 for each veteran and $150 for each veteran who is in a special or remedial program on the condition that the institution increases its veterans' enrollment by 10 percent and use half of the money to establish an office of veterans' affairs and special and remedial programs for veterans. This last requirement is believed to can a large judgment the school is already doing an excellent job for its veterans.

Many of us were only able to attend college because of the World War II GI bill. Many of today's veterans are receiving the same opportunity under the new GI bill. Yet Defense Department studies indicate that men with a high school education can far less likely to use the present GI bill to attend college or junior college than are men of equal ability with preservice college attendance. The GI bill would increase the maximum amount for veterans' assistance programs to $10,000 for the first 4 years, $1,000 for the second 4 years, $500 for the third 4 years, and $250 for the fourth 4 years. This bill makes no judgment at all of the school which offers him the most money.

But this conference report, in recognition of the fact that it may take several years to achieve sufficient appropriations to put this new program into full operation, also contains extensions for the present student aid programs. And in fact it improves these programs by increasing the maximum amounts for the educational opportunity grants and the guaranteed student loans. The conference report also contains the National Student Loan Marketing Act, which Sally Mae—which will buy, sell, and warehouse guaranteed student loans and thereby stimulate new capital for these loans.
only 13 percent of the far greater number of veterans with no preservice college used their once-in-a-lifetime GI bill for vocational training.

Part of the reason lies in the fact that we as a nation have failed to respond to veterans as we did after World War II. At that time federal funds were available for the veterans’ counseling offices on campus, and the colleges and universities were able to meet the needs of our veterans, particularly those who have never enrolled in college. These funds can be used to staff veterans’ counseling offices and to pay veterans to run outreach programs, and enable the colleges to undertake to offer veterans remedial programs and other services needed to enable them to enter and complete college.

Illinois colleges, universities, community colleges, and technical schools could receive $10 million this year under my amendment. Since only 10 percent of Illinois Vietnam-era veterans are enrolled in college, I believe that this new assistance is absolutely vital if we are not to waste the talent of these young men.

VOCATIONAL EDUCATION AND OCCUPATIONAL EDUCATION

The conference report extends the expiring provisions of the Vocational Education Act for 3 more years. These provisions authorize new, innovative programs which were added under my amendment. These funds can be used for postsecondary occupational programs of high quality and for career education in elementary and secondary schools. It is expected that the Commissioner will approve grants in equal amounts for each of these two purposes within each State although he has the discretion to vary these amounts according to each State’s individual needs.

The State Advisory Councils on Vocational Education will have the same responsibility for the States for these new programs as they now have for the vocational education programs. The National Advisory Council will also have the same responsibility on a national level. The Commissioner must assure that adequate funds are available for each State’s allotment for the State councils, and the National Council is expected to request additional funds under authority of section 102(c) of the Vocational Education Act for its new duties under this act.

The conference report also creates a

Bureau of Occupational and Adult Education within the Office of Education. This will give the Commissioner the flexibility for the administration of part B of title X of the Higher Education Act, the Vocational Education Act—including the research and curriculum development programs under the Adult Education Act—and portions of any new act which Congress passes authorizing career education as they are relevant to the purposes of the Federal Government.

ETNIC STUDIES

The bill also contains the Ethnic Heritage Studies Act which I first introduced in 1969. This act, which is authorized at $15 million for fiscal 1973, will provide substantial Federal funds for the first time for the development of curriculum materials on ethnic groups for use in elementary and secondary schools and institutions of higher education. Programs can be funded to focus on one group or to study a number of groups.

The purpose of this new program is to give students the opportunity to learn about the contributions of their own ethnic groups to American life and also to learn of the contributions of the other ethnic groups. I am hopeful that this program will go a long way in fostering mutual respect among students and also to the development of tolerance and respect for others.

Senator Richard Schweiker is to be highly commended for his ardent advocacy of this idea and for his sponsorship of the Ethnic Studies Act in the Senate. His contribution to the successful passage of this act is enormous.

EMERGENCY SCHOOL AID

The conference report also contains the Emergency School Aid Act, a $2 billion, 2-year program providing financial assistance to school districts under court orders to desegregate or voluntarily integrating. I will insert at this point in the Record the State allotments for fiscal year 1973 under this new program:

<table>
<thead>
<tr>
<th>State</th>
<th>Fiscal Year 1973 - Estimated State Amounts</th>
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</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>$24,725,637</td>
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<tr>
<td>Alaska</td>
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<td>Arizona</td>
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<td>Arkansas</td>
<td>$9,413,485</td>
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<tr>
<td>California</td>
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<td>Colorado</td>
<td>$8,660,003</td>
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<td>Connecticut</td>
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<td>Delaware</td>
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<td>Florida</td>
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<td>Georgia</td>
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<td>Kentucky</td>
<td>$5,838,588</td>
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<tr>
<td>Louisiana</td>
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</tr>
</tbody>
</table>

The estimated distribution of $1,000,000 with a 10 percent ($100,000) reserved for sec. 708, and 10 percent ($100,000) reserved for sec. 709 (a) and (c), $11,711,718 and the remainder to the State for the basic amount of $75,000 to each State and District of Columbia and the balance distribution on the basis of the total of the 5-17 population, Negro and other races, April 1, 1970 and estimated enrollment of Spanish-Surname Negros April 1, 1970, with a minimum amount of $100,000.

Total 50 States and District of Columbia: $208,000,000

The conference report authorizes funds for compensatory education in school districts which are receiving integration funds under ESAA. This will give those minority students in schools which are almost impossible to integrate, such as in the heart of Harlem or in the middle of the ghetto in Chicago, opportunities to participate in compensatory education programs of high quality.

The conference report sets forth with considerable care the criteria which the Assistant Secretary is to use in approving applications under ESAA. These criteria are the only criteria which he can use in approving applications. If the Assistant Secretary believes that those criteria are too restrictive, then the administrator is to have the authority of section 710(c) to modify section 710(c). That provision and the Cranston amendment ought to make crystal clear that Congress insists on knowing what is going on in these programs and that Congress will not longer tolerate any administration—regardless of the party in power—issuing guidelines which frustrate the congressional intent.

Let me say another word about busing. You all know my position on busing. I voted twice this year to instruct the House conferences even though I myself was not on the conferees and I voted for all the antibusing amendments. But I am here today to tell you that this bill contains prohibitions stronger against busing than any Congress has ever passed before.

This conference report contains an 18-month delay of all court orders open to appeal which require busing or transferring students from one neighborhood school to another. Let me emphasize that this is far stronger than even the President requested earlier this year.

This is 6 months longer than he requested and it bars far more than just busing—it also bars any transfer of a
child away from his neighborhood school regardless of whether that requires bus­
ing or not.

This conference report also limits the use of Federal funds and restricts the activities of Federal officials to bar any busing which risks the health and safety of the children or impinges on their education. And, very importantly, it bars any busing when as a result children are bused to an educationally inferior school. Congress also includes a congressional statement for the first time on the neighborhood school. We provide that a school system which as­signs students to schools closest to their home—neighborhood schools—meets all requirements of law of such school dis­trict's school boundaries are drawn in a racially nondiscriminatory basis. It is my hope this new directive by Congress will eliminate busing orders in the future.

Mr. QUIE. Mr. Speaker, I yield 2 min­utes to the gentleman from Illinois (Mr. ENLENBORN).

Mr. ENLENBORN. Mr. Speaker, I wish I had more time, as do the other speak­ers I am sure wish they had more time.

Let me talk for just a few minutes about the student assistance portion of this conference report.

I do support the conference report. I was one of the conferees and I signed the report and I hope it will be adopted.

Let me say, first of all, that there are ranges in the student assistance program and I would point out to you that each one has a maximum limitation.

There is no way under this bill that any student can get $7,000. So let me put that to rest.

The gentleman who preceded me in the well has taken all of the maximum limits and added them together. But there is no way you can get that amount for any one student.

There were two overriding concerns in our committee regarding student assistance. One was the availability of loans to students. The other was the terms of the loan. These provisions of the report: First, concern for the middle-income student; and sec­ond, concern for increasing the options a student has in terms of how they would receive assistance, especially the choice of at­
tending a vocational or technical school.

Let us look at how the conference report changes present law to accomplish these objectives.

Middle-income students were specifically kept in mind in approving the follow­ing changes and additions:

- Basic education opportunity grants:
- The use of "expected family contribu­tion" has been part of higher education financing for a number of years. Now it is recognized by our colleges for those students re­ceiving benefits under current programs.
- This program will reach up to family incomes of approximately $12,000 for families of two children, one in college. Higher incomes would qualify if there were more kids, unusual medical problems in the family, and so forth.
- Of course the higher the income, the smaller the basic education opportunity grant. The idea is to provide all students with a comparable base upon which to fund their education. A grant will not exceed half of what the student has to have to meet all his expenses. Additional aid from other sources would have to be found—includ­ing the work-study program, direct loans, and so forth.

Work-study: Present law says that preference must be given to the "low­income student" for the work-study pro­gram.

The conference report changes that to a preference for the student in the greatest need—many middle-income students, especially those attending our higher cost institutions, have need. They should be able to work their way through college with help from this program. For the first time, they will be able to do so.

Direct loans—NDEA loans—because of increasing college costs, the conference report increases the amount a student can borrow under this program.

Incidentally, the conference report eliminates some of the intimidation fea­tures of this program which were origi­nally intended to encourage students to go into teaching. Now that we have a surplus of teachers, these provisions are no longer necessary. The conference re­port would save the Government several million in this respect.

Guaranteed student loans: Perhaps the provisions that have caused the most concern have depended upon the most is the guaran­teed student loan program. Last year over 1 million students borrowed from banks and other lending institu­tions over $1 billion.

In the past couple years, many stu­dents have had difficulty finding these loans because banks had come to their limits. Money has been scarce.

The conference report would solve that problem. It creates a secondary market—Sally Mae—to purchase and warehouse student loans from the lender. This will increase the amount of money in the private market for student loans.

Presently, students whose adjusted family incomes are over $15,000 cannot get the 5 percent interest rate loan. And every loan to students below $15,000 is subsidized. The $15,000 ceiling is some­what arbitrary.

Under the conference report a student, regardless of family income, can be de­termined eligible for a subsidized guar­anteed loan if his institution determines he is in need of the loan.

So we are eliminating subsidized loans to those who use them for purposes other than meeting educational costs. And we will be making subsidized loans to middle- and upper-middle-income stu­dents who definitely need a help.

I mentioned the conference report pro­vides more alternatives for federally aided students. Specifically, it allows stu­dents at accredited postsecondary pro­prietary and nonprofit vocational schools to benefit in all programs. Present law excludes private students.

The conference report opens up all programs to half-time students as well. That will allow more to work their way through school and get valuable experi­ence, and so on.

Mr. PERKINS. Mr. Speaker, I yield 2 minutes to the distinguished gentle­man from California (Mr. HAWKINS).

Mr. HAWKINS. Mr. Speaker, it is with regret and a-problem to me to see the majority views that I must oppose this conference report.

I am not embarrassed by the company in which I find myself, for I believe my own position is in the best interest of all Americans, human justice, and the preservation of constitutional rights.

The 14th amendment—basic to this re­port—protects basic human rights, and both corporate wealth and individual rights.

I therefore welcome the support of many distinguished members from the South and from the Far West—who join in what I consider an unorthodox means to obtain what I believe to be just goals.

Despite some inconsistencies in the educational aspects of the bill S. 659, I would support this report if it did not contain the antibusing amendments. These provisions in the compromise go beyond the separate but equal concept of Plessy against Ferguson—1896—in their impact—and all the way back to the Dred Scott decision, the import of which was to deal with the Negro as a subject­property and not as a human being.

As long as we perpetuate unequal edu­cational opportunities in elementary and secondary grades, the benefits and serv­ices which are provided in higher edu­cation by legislative enactments will widen still further the gap in education, employment, housing, and health be­tween minorities and nonminority groups.

The racially exclusionary implications in the antibusing amendments of this report are deep and strong. Certain groups, especially blacks, are asked to accept further suspension of their con­stitutional rights while Congress debates the issue. I say "deliberate speed" in en­forcing the law as interpreted 18 years ago in Brown against Board of Educa­tion has already run out.

Further, the racial implications of the Broomfield amendment are revealed in its application not merely to court orders which involve busing, but a provision of their con­dential transfers or reassignments even where students walk to neighborhood schools.

In addition, the amendment singles out just school cases involving a balance of race, religion, national origin or socio­economic status and treats these dif­ferently from all other school cases.

These provisions, despite the 3 per­cent of American schoolchildren who ride to school and only 3 percent for purposes of school desegregation, these amendments touch only the 3 percent. Never before have we seen so much emo­
tion and political flak generated for so small a kill.

Mr. BELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. O'HARA). Mr. O'HARA. Mr. Speaker, I am particularly interested in the provisions of section 803 of the conference report.

First, I would like to ask Mr. Broomfield about his meaning when his amendment spoke of an order of a district court requiring the transfer or transportation of students "for the purpose of achieving a balance among students with respect to race, sex, religion, or socioeconomic status." In all of the hearings we have had it is clear, the court has stated that its purpose is to prevent unconstitutional segregation of students. May I inquire of the gentleman from Michigan if it was his intention that section 803 apply to orders that have the practical effect of achieving some sort of racial balance, although the court may have stated that its order was for the purpose of correcting unconstitutional segregation?

Mr. BROOMFIELD. Yes; it was my intention to cover such cases and specifically, it was my intention to cover cases now being litigated in Richmond and Detroit.

Mr. O'HARA. May I ask the chairman of the conference committee, the gentleman from Kentucky, if his understanding is the same as that of the gentleman from Michigan (Mr. BROOMFIELD)?

Mr. PERKINS. Yes, it is. It is my understanding that section 803 covers district court orders which require the transfer or transportation of students for racial purposes whether the court order is framed in terms of correcting unconstitutional segregation or whether it is framed in terms of ending "what is perceived as a balance among students with respect to race."

Mr. O'HARA. If I could continue to have the attention of the gentleman from Kentucky, if the effective date of section 803 is July 1 of this year.

The joint explanatory statement of the committee of conference says:

This section does not authorize the reopening of final orders, however, appealable orders are considered to be within the scope of this amendment.

Does this mean that if an order requiring the transfer or transportation of students has been lifted, for example, July 1, 1972, the effectiveness of such order shall be postponed until all appeals in connection with such order have been exhausted, or in no appeals are taken, until the time for such appeal has expired?

Mr. PERKINS. The gentleman from Michigan is correct; it will apply to such orders whether entered before or after July 1, 1972, as long as appeals of such orders have not been exhausted or, in the event no appeal of such order was entered, until the time for such appeal has expired.
Mr. O'HARA. I thank the gentleman from Michigan and the gentleman from Kentucky for their explanations and I urge adoption of the conference report with the very important provisions contained in section 803.

Mr. QUITE. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. ESCO).

Mr. ESCO. Mr. Speaker, I rise as one who supported the Ashbrook-Green amendments as well as the Broomfield amendment that was voted upon and I instruct the Congress in this legislation. I rise to make sure that we understand, among all the rhetoric that has been going on today, specifically what we will be voting on.

For the first time, the very first time the Congress in this legislation is placing a limitation on the Federal courts in their role of an appellate body. Now, there are some who argue that the Broomfield amendment in its reference to racial balance might well apply to all busing or orders, but the legislative history, and the legislative history just repeated, indicates clearly that it applies to all orders, and that history will be determining.

The applicable history is as follows:

Mr. BROOMFIELD. No, Mr. Chairman, I have a short statement and I should like to complete it.

Mr. Chairman, I am not alone in stating this view. Only last September, Chief Justice Warren Burger said some Federal judges were mired in a quagmire of decisions ordering by ordering more than the law requires. Given those conflicting judicial statements on just which court has decided in regard to busing, it is easy to understand the confusion and emotion that surrounds the busing issue.

We can expect that many of these decisions ordering busing will be appealed and that on appeal they may be overturned. However, the appeal process is a long and difficult one. Now it may take 2 or 3 years. Thus, before the courts can completely decide this question, before society is entitled to the answers, we will have all this busing that will have become an accomplished fact.

Mr. Chairman, forced busing may prove to be an expensive, time consuming and disruptive mistake.

My amendment would only deliver the court the busing order until all those parties have had a chance to plead their case at their own court of last resort.

I believe that it is a fair and equitable approach to this most difficult problem. It gives the courts the time they need to adjudicate this question completely. I urge my colleagues to lend their support to this amendment.

Mr. BOCES. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan.

I know that we are coming to some amendments that will be highly controversial and highly emotional. Before discussing them I should like to commend the gentleman from Oregon and the other members of this committee for a very fine job under most difficult circumstances. The committee has brought here a consolidated bill dealing with the whole area of higher education. It is a good bill and I hope it passes.

Mr. Chairman, to the best of my knowledge this is the first time that this has occurred. The gentlemen from Oregon and the other members of this committee for a very fine job under most difficult circumstances. The committee has brought here a consolidated bill dealing with the whole area of higher education. It is a good bill and I hope it passes.

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ment of racial balance. The purpose of the legislation is to provide Federal assistance to those school districts that through no fault of their own have to take action in conformance with a court order.

It is equity and justice on the part of the Federal Government to provide that financial assistance and to support the causes that we cannot support at the elementary and secondary level. The best way in this emergency to obtain that best education is to provide such Federal assistance funds rather than to force busing. Forced busing to attain racial balance is not the best way to get good education. It would be far wiser expenditure to use that money for the lowering of the pupil-teacher ratio. The emergency school aid bill will accomplish that objective. $1.5 billion will accomplish that.

Let me illustrate. In my hometown of Grand Rapids, Mich., we have, for example, a pupil-teacher ratio of 22:1. If 6 students are to one teacher. In my judgment, it would be far wiser to spend the money that we might spend for busing, to reduce the pupil-teacher ratio. It should be 8 to 1 or 7 to 1. It is a far wiser expenditure to use that money for the lowering of the pupil-teacher ratio. The emergency school aid bill will accomplish that objective. $1.5 billion will accomplish that.

I happen to think it is far wiser timewise for the benefit of the children for kids to be in their neighborhood schools rather than to spend a lot of time traveling from their home to a school which may be 3, 4, or 5 miles away.

For that reason I am strongly in support of the emergency school aid bill. It is a case of equity. It is a case of helping to improve education instead of busing children from school districts that have a 22:1 pupil-teacher ratio rather than to spend a lot of time traveling from their home to a school which may be 3, 4, or 5 miles away.

Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. RANZEN. I thank the gentleman for yielding.

I am new here and I recognize that we have three separate branches of Government. I know that busing is a very emotional and perhaps a political question. But does not your support of this amendment mean that the Members of the U.S. Congress are restraining the members of the judiciary from enforcing what they believe to be a constitutional mandate?

Mr. GERALD R. FORD. Under the Constitution and I am sure the lawyers on the Committee on the Judiciary would agree, the Congress has the authority to prescribe rules and regulations and to appeal the effect of an appeal during the process of appeal. That is all this legislation seeks to do.

Mr. RANZEN. In your history as a Congressman, Mr. Ford, is it true that when you were a congressman politically did not like a court decision that we legislated new ones?

Mr. GERALD R. FORD. I am sure that in the history of the Congress that has been done. I cannot recall a specific case since I have been here, but it is certainly permissible under the constitutional authority allocated to the Congress of the United States.

The Chairman pro tempore. The time of the gentleman from Michigan has expired.

Mr. GERALD R. FORD. Mr. Chairman, I ask unanimous consent that I may proceed for 2 minutes.

The Chairman pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. CAREY of New York. Mr. Chairman, reserving the right to object, I wonder if we could actually hear the wording of the amendment.

Mr. GERALD R. FORD. I think the better way to do that is to suggest that the gentleman come over and get copies of the amendment, but if you would like, I will read the amendment.

Mr. CAREY of New York. I would be glad to hear it now or read it later.

Mr. GERALD R. FORD. The Chairman pro tempore. Is there objection to the request that the gentleman from Michigan be given 2 additional minutes?

Mr. THOMPSON of Georgia. Mr. Chairman, if the gentleman from Michigan is going to read the amendment, I assume that he be given 3 additional minutes.

The Chairman pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GERALD R. FORD. The amendment offered by the gentleman from Michigan (Mr. BROOFSIELD) is as follows:

"On page 277 after line 20, insert:

"Sec. 2. Notwithstanding any other law or provision of law, in the case of any order on the part of any United States district court, circuit court of appeals, or any State or local authority for the transportation of any student or students from any school attendance area prescribed by competent State or local authority for the purposes of achieving a balance among students with respect to race, sex, religion, or socioeconomic status, the effectiveness of such order shall be postponed until all appeals in connection with such order have been exhausted or, in the event no appeals are taken, until the time for such appeals has expired."

"And renumber the remaining sections of title XXI, so we can dispose of the question up or down."

As I understand the amendment before the House it is nothing more than a reaffirmation of existing procedures in the courts. A school district is confronted with a court order, and therefore, a stay of execution while it perfects its appeal. All this amendment does is merely to reaffirm as a statement of the Congress that local school districts faced with a court order do not have to implement the court order until all appeals have been perfected and completed and disposed of—all.

If a local school district chooses not to perfect an appeal, then at least until the time of such an appeal has run, I do not see how or why we should have a great deal of difficulty with that question. I do not see any objection to doing so. I do not see much difference whether one is for it or against it. It is a reaffirmation, and if Members on both sides wish to participate in that kind of reaffirmation, it seems to me they should be given that opportunity.

Mr. FORD. I would ask unanimous consent that what I have said in this way: The amendment merely holds the status quo in a school district until a final judgment has been made by the U.S. Supreme Court. I think that is fairness. That is equity. We ought to approve it.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. JONAS. The record will show that U.S. district courts have refused to stay orders requiring busing to be implemented.

Mr. GERALD R. FORD. Mr. Chairman, in conclusion, this is a bipartisan amendment. It is in the form of a bill sponsored by five Members of the Democratic Party and two on the part of the Republican Party. I think the Committee ought to approve it.

When we vote for this conference report it is an opportunity that we have this year to give Indications to the courts that we wish to stop court-ordered busing for 18 months until either the courts can make a clarification as to busing or we have this amendment or what is in this bill, till this body takes other action by other means on this matter of court-ordered busing.

If Members will recall, the amendment we are voting on today, the primary amendment, the Broomfield amendment, was not germane, but it was put in the bill and left in the bill.

I would suggest to the Members that nothing coming out of the Judiciary Committee this year, or out of any other Committee, out of the Senate, will do this one thing. There are undetermined in this Chamber today, if they vote against this conference report, will be saying they do not wish to stop court-ordered busing for 18 months.

We all have disagreements on this legislation, but we must recognize we have to bring stability to the local school districts and to the children, black and white; and the intent of this legislation is to do just that.

Mr. BROOFSIELD. Mr. Speaker, will the gentleman yield?

Mr. FORD. I am happy to yield to the gentleman from Michigan.

Mr. BROOFSIELD. I wish to compliment the gentleman from Michigan and to say that I think in his explanation of the bill today the gentleman made the point that as a sponsor of the Broomfield amendment I am going to support the conference report.

Mr. Speaker, as the author of the Broomfield antibusing amendment which is contained in the bill before us, I have listened with great interest to the debate about this proposal since it was first introduced by this body nearly 7 months ago.

Fine legal minds, respected scholars and working educators have analyzed it from all sides and presented arguments both for and against my proposal. I have heard some more of this analysis today.

I cannot claim that sort of expertise. I would only ask each of you to ask yourselves one very simple and direct question before you vote today.

Are you for or are you against forced busing?

And, if in all sincerity you conclude that you are against forced busing, you will vote for the bill and my amendment.

Because plainly and simply it is the only antibusing legislation before us today.

It is the only antibusing legislation that will go to the White House for the President's signature tomorrow—not next month, or next fall, or next year, or the year after.

If we, who are opposed to court-ordered busing, view this vote today as an 'all-or-nothing proposition, we are going to get just that—absolutely nothing—to prevent the senseless busing of thousands of school children this fall.

In the Detroit metropolitan area where I come from, in Florida, in California, or Texas where court-ordered busing could begin or will continue next September—just 3 months from now—we will know what happened to the Broomfield amendment?

"Isn't it true," they will ask, "that Congress had before it the means to halt this senseless busing at least while we had an opportunity to get down the way to the U.S. Supreme Court?"
I suggest that a complete reading of the language reads, "for the purpose of achieving a balance among students with respect to race, sex, religion or socioeconomic status."

I repeat it has been busing ordered on the basis of socioeconomic status. That phrase was purposely added to my bill and retained only after a great deal of thought. Our feeling was that the phrase is wide enough and open enough to include any rationale or basis which a court might conceive of in order to justify busing.

I realized that by limiting the language only to cases involving racial balance, there would be those who would try to skirt and evade the obvious and clear intent of my bill. My bill delays all busing orders pending appeal and socio-economic covers enough ground to make sure that happens.

Mr. Speaker it is for all these reasons, but most especially to give relief to millions of Americans who oppose forced busing, that I respectfully urge this House to pass the Higher Education Act and my amendment to postpone court-ordered busing until all appeals to the lower court have been exhausted.

Mr. ESCH. I appreciate the gentleman's statement.

Mr. WILLIAM D. FORD. Mr. Speaker, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. I thank the gentleman for yielding.

Mr. Speaker, in support of the conference report, and ask unanimous consent that I be granted permission to revise and extend my remarks immediately following those of the gentleman from Michigan (Mr. GERALD R. FORD).

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. QUIE. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. STEIGER).

Mr. McCulloch. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I am pleased to yield to the gentleman from Ohio.

Mr. McCulloch. Mr. Speaker, I rise to oppose this legislation. I hope it will be defeated.

Mr. Speaker, we must decide whether we wish to be one country or two. The conference report confronts us with that choice. Since I am committed to the proposition that we should be one nation, indivisible, I shall vote no.

As a U.S. Representative, I was elected to exercise my sound judgment and to legislate not exclusively for those who voted for me but for the common good of all the people of this country.

The common good will not be served by condemning or promoting a policy of racial isolation. No one can seriously—at least, openly—contend that the American way of separation of the races is the path to racial harmony and one America. Nor can anyone seriously contend that the separate facilities made available to minority groups have been, or ever can be, equal in
A policy of integration is thus an absolute necessity for two distinct, independent reasons—national survival and simple justice. Some people do not escape this necessity. It is utter silliness to pursue a policy of racial harmony by educating the races separately. An education in a state of racial separation, at best, is an incomplete education. Although a complete education includes the three R's, it is not limited to them. There are so many other things to learn—not the least of which is learning how to live and live together in our present society.

The law relating to this problem is quite clear. It says that whenever government has caused the races to be educated separately, it must correct this wrong. After having separated the races through its policies in the past, it is no answer for government to cease doing anything. If a car is moving straight, it is not an answer for the driver to take his hands off the steering wheel. In both cases the answer is affirmative action to put us back where we should have always been. The law reflects the commonsense approach to the problem.

Thus the Federal courts have ruled that a school board that racially discriminates in assignment—stop discriminating; rather, it must return to where it should always have been. There are some who argue—to continue our analogy—that the proper policy for the driver is to drive straight, that if the car angles off the road that is wrong but that it is just as wrong to compensate by angling the car back toward the center of the road, that two wrongs do not make a right, and that even if the car is off the road it should pursue the correct policy of driving straight.

The courts have not been fooled by such an argument. Where school boards have some students by race to separate them, the courts have required that they unassign students by race in order to integrate them. Sometimes this can be done more easily than by busing, but no inconvenience. Sometimes it cannot.

For sometimes there arise cases where the prolonged patterns of school segregation which produce black schools and white schools have, in turn, respective- ly drawn around these schools black neighborhoods and white neighborhoods. In such a case, the only possible remedy—the only way to undo the damage of the school board's discriminatory policies, the only way to return to where we should always have been, the only way to pursue a policy of national survival—is to transfer some students to a school beyond the nearest school so that the racial identifiability of the schools might be erased. If the transfer requires the student to travel some distance, generally a mile and a half, the State or local government will provide free transportation.

Busing is an inconvenience, but it is an utterly necessary inconvenience. In some cases, one has only two choices—bus or segregation. To say in such a context that it is for some reason but not for others against busing is to ignore the hard realities of the problem. To delude the American people by professing that they can have it both ways—integration without, in some form, the consequences of busing—is to play politics with the future of our society. I have listened to more than 130 witnesses during the last 3 months of hearings before the Judiciary Committee. I repeatedly asked witnesses of all persuasions if there was any practical alternative to busing. If there is one, I am still waiting to hear it.

What is needed now is someone with the courage of a sales clerk who will say to the American people, "If you want the goods, you will have to pay the price." If we want one America, we will have to desegregate; if we desegregate, we will in some instances, have to bus.

Busing has been an educational fact of life for decades. The fact that busing is in many circumstances inconvenient does not make it right or wrong. Busing is only a means, a neutral means. It is the purpose of the busing that is important. We all have to really know that. There appears to be no objection to busing children long distances for a better education. Experience has shown that if segregated programs of good quality have been offered at some distance from the home, parents fight to have their children bused to that special program. There is no objection, either, to transfering black or white children unusually long distances for their special training. The inconvenience in these cases is thought worth the benefit. What disappoints me is that the same acceptance is not accorded to busing which is intended to bring the races together, equalize educational opportunities, and breathe life into the promise of our constitution.

The burdens of busing for desegregation are not greater than those of busing for other reasons already accepted by most people. What is different is how we value what the busing can accomplish.

Many witnesses against busing listed the inconveniences allegedly resulting therefrom. But what was never explained was why the inconveniences did not matter for the 40 percent of the total number of students who are bused for traditional reasons whereas they counted heavily for those bused to remedy desegregation. Why is it that busing is unsafe for the second group but not for the first? Why is it that busing precludes participation in extracurricular activities for the second group but not the first? Why is it that busing diminishes parental participation in school affairs in the second case but not the first?

The evidence makes clear that these inconveniences either were invented out of fear or were inflicted by State agencies upon the children for political reasons. In Nashville, for example, the children were given a legal education that refuses to provide the buses needed to make the desegregation plan workable. Thus these children attend school shifts during the day, not because a Federal judge has ordered them to be punished as some spokesmen would have us believe, but because local agencies of government have chosen to make it difficult to desegregate.

The question for the Members of this body is whether we shall stand up for those men of courage on and off the bus who have made the law work and bring us all together or alternatively whether we shall reward those who have obstructed the law and sought to keep us divided.

I would accept section 802 would put this body on record clearly on the side of those who have obstructed the law. Its combined purpose is to make it more difficult for new buses to be acquired to carry out constitutional mandates. A vote for section 802 is akin to an act of civil disobedience for which the disobedient need not personally suffer. Instead the inconvenience is inflicted on children or on local taxpayers. That either group should suffer for the political gains of others is, in my opinion, an indefensible proposition.

Finally, section 803 would delay the actual implementation of a transfer or transportation order to achieve a balance on the basis of race until appeals have been exhausted. The provision is either meaningless or mischievous. In either case, I find no reason to support it. It is intended to delay desegregation—where no busing is required and even where there are no circumstances to the contrary—in spite of the fact that the Constitution requires desegregation at once.

Therefore, I shall vote "no." A vote "yes" is not so much a vote against busing as it is a vote against education, against the Constitution, against children and against the common good of the country.

(Mr. McCULLOCH asked and was given permission to revise and extend his remarks.)

MR. STEIGER of Wisconsin. Mr. Speaker, I am reminded by this debate of the sign in the old Mayflower Coffee Shop about "Keep your eye on the doughnut and not the hole." I am afraid there are those today who have decided to pay less attention to the substance and more attention to the rhetoric.

Most Members will remember the eloquent and forceful statement of the gentlewoman from Oregon in November of 1971, in which she said—

The various studies that have been made on the subject of education prove absolutely that the institutions are facing...
the greatest financial crisis they have ever seen in the United States.

Are we now to assume the crisis has disappeared? I think not.

In the Oshkosh Northwestern of May 31, 1972, the headline about a story on Father Reinert’s study said “Many independent schools may be closing their doors.” That is the substance of this conference report.

There are three parts to institutional assistance which I believe the House ought to take into account. The first is to vote down the conference report and attempt to take what is being offered in the form of a preferential motion.

Any kind of preferential motion, Mr. Speaker, is totally inadequate to do this job in terms of meeting the problems facing the institutions of higher education across the United States.

Institutional assistance is a part of what I think the conference has attempted to do in making available both to students and institutions the kind of aid which is most appropriate. To simplify the present programs does little to relieve the serious problems facing some institutions.

Mr. Speaker, one of the big issues through this legislation has been institutional aid.

It is a fairly complicated issue. I have seen some things in print recently that completely misrepresent what the conference is doing on.

Many witnesses before our committee said the exact formula for institutional aid was not that crucial. Any number of formulas are appropriate and we may extend the present programs does little to relieve the serious problems facing some institutions.

Actually, the conference report has three different programs which can be considered as “institutional aid.”

1. General Assistance

According to Office of Education estimates, the main conference report provides for general assistance to institutions of higher education at the rate of $890 million—$490 million for private institutions and $400 million for public colleges. I have heard it said that private institutions would not get any general assistance until over $1 billion is appropriated for student aid.

This statement is absolutely false. The money institutions receive under this program can be spent at their discretion. They do not have to spend it on any particular group or category of students.

It is accurate to say that 55 percent of this general aid is distributed according to formulas which were in the House-passed bill.

That particular part of the total $890 million—or about $490 million—is not tied to the appropriation for the basic opportunity grants. It could be distributed immediately and all $890 million of this $490 million would go to private institutions—45 percent of this general aid is distributed according to a formula related to the number of recipients of basic education opportunity grants on a campus. That includes both low- and middle-income students.

This 45 percent of any appropriation, however, will only be made to those colleges unless the Congress funds the Basic Education Opportunity Grant program at least at the 50-percent level. If not, this part of institutional aid would revert back to the Treasury.

Let us be candid about the reason for this provision. It is to encourage the higher education community to help lobby for student assistance at the same time they lobby for Federal aid for themselves.

The Senate bill would have put this condition on all of the general aid program. The conference report applies it to only 45 percent of the money.

So let us be clear. This general aid will help almost every college and university in the country. Although most of the distribution formula is tied to student assistance, the college is not bound to spend this money only on those receiving Federal student assistance.

And it does to justice to private institutions, many of which are small and cannot realize the same economies of scale which larger institutions can. Although the distribution formula is tied to student assistance, the college is not bound at all to spend this money only on those receiving Federal student assistance.

2. Emergency Aid for Institutions of Higher Education

A second provision in the report authorizes $40 million over the next two years to provide emergency assistance to those institutions which might otherwise not survive without it.

The conference report included $150 million for this purpose, but the Senate reduced this amount to $40 million.

The first general aid provision uses a shotgun approach. Everyone gets something.

The problem with that approach is that, even if funded at substantial levels, it will not provide enough assistance to those institutions about to close their doors.

This emergency aid takes a rifle approach. It targets money only where it is needed and helps institutions to survive.

Money will not go to an institution simply because it is in the red. It must meet certain criteria as determined by the Commissioner, in consultation with a panel of specialists from outside the Government.

The institution must present data about its financial situation and agree to conduct a comprehensive cost analysis study of its operation.

The Commissioner must also determine that the institution, if aided, shows promise of making a major contribution to the overall higher educational system of the area of the State in which it is located.

The conferences discussed the need for sound, rational criteria which could be established and applied to all institutions wishing to seek aid under this program. We intend that the Commissioner would use the panel of specialists to create these criteria in order to provide clearly understood guidelines for institutions to meet before an application could be considered.

3. Cost of Instruction Benefits for Veterans

The purpose of this program is to encourage universities to do a better job of making known their opportunities to our returning veterans.

Our veterans have not been taking advantage of their GI educational benefits. On the West Coast—except in Korea, even though their ability makes them highly eligible for further education. One of the reasons is that colleges tend to concentrate their recruiting efforts on high school students.

This program—estimated to cost $150 million if fully funded—would go to institutions which increase their veterans enrollment by 10 percent over the previous year—50 percent of the money received by an institution would have to be used to provide educational vocational and personal counseling for veterans; for outreach and recruiting; and for special education programs.

We do not intend, as some have suggested, that this program encourage a lowering of standards to admit students who would not or should not otherwise attend college.

Once veterans do find the right educational opportunity for them, they have a proven ability to do what colleges tend to concentrate their efforts on—higher income students.

This is not a massive program of institutional aid. But it is the limited purpose of increasing educational benefits to those who have fought and are fighting for us in Vietnam is a worthy purpose.

The problem of the returning Vietnam veteran concerns us all. About a million GI's are expected to be released from the service this year. What are they coming home to, and what will they do? We have a 1970 GI bill with increased benefits—we have a Jobs for Veterans program—but we also have statistics that show that these GI's are suffering from high rates of unemployment—350,000 veterans are unemployed. Those veterans who have never been to college before are far less likely to use the GI bill to go to college than previous college students who used GI's.

Obviously, our colleges and universities—private institutions and those in college or junior college are one less veteran looking for a full-time job, and one man who will have skills he previously lacked to get a job when he completes his courses.

The reason for the veterans cost us instruction payment is that those veterans who have had previous college experience are almost three times as likely to use the GI bill to go to college as those with equal ability but only a high school education. When you realize that 80 percent of our returning veterans have only a high school education or less, it is not hard to understand that the GI bill alone will not solve the problem.

The problem is that these veterans must be sought out and convinced that the key to their future is higher education and that they can succeed at it. The colleges and the universities can do this job the way it must be done, using student veterans from like backgrounds. Except for some few demonstration efforts, there is no process now available which systematically serves to put the GI bill to the best educational advantage—in touch with institutions of higher education in a manner that overcomes...
The veterans cost of instruction provision is subject to the same safeguards as are the other institutional aid provisions. However, colleges receiving veterans cost of instruction benefits must meet specific requirements to get grants:

First, they must have a program with work study money; and

Second, they must offer veterans counseling services based on the size of the school.

Fifth, they must run an outreach program with work study money; and

Fourth, they must offer prep and remedial programs. Perfecting amendment to the GI bill for more money to the veterans through student aid is only one leg of a three-legged stool. If veterans fail to bring institutional aid with them, no additional veterans tuition payments will be paid to the college. The amendment because the State legislature was reducing the operating funds available to the college. Veterans' tuition payments would be reduced if those men involved to undertake a greater effort in order to aid veterans, we must give the colleges the same incentives we give them to educate other federally aided students.

Lower tuition private colleges should benefit from the veterans cost of instruction amendment. This will give them the means to recruit veterans who will bring with them Federal aid dollars. Giving colleges Federal dollars for doing so, as we are doing in this bill for other categories of federally aided students, should have an impact. No matter how one feels about the GI bill amendments, we must recognize our obligation to those men who served. Many of them were draftees, serving because they were required, and serving well.

In some areas, veterans find that colleges, because their high school records were not all that good, or because the classes they want were not offered when they entered the service and applied at time of the year which are different than the colleges' normal schedules. For example, many veterans being discharged on programs to cut back the Armed Forces are rejected because their applications are made in May or June, and admissions have closed effectively in April. The money these men bring with them may help the colleges about the war, we must readmit the returning veterans and cut back on legislative appropriations. Veterans, therefore, are excluded often, because their high school records were not all that good, or because they were released from the services and applied at time of the year which are different than the colleges' normal schedules. For example, many veterans being discharged on programs to cut back the Armed Forces are rejected because their applications are made in May or June, and admissions have closed effectively in April.

The conference report before us represents the only compromise possible between the divergent views of this House and the Senate on any number of issues. Such compromises were reached after much effort and tedious deliberation devoted to the work of resolving the differences in this legislation.
The conference committee had before it the three versions—the House amendment numbered 423 pages and the Senate amendment numbered 754 pages. These versions in many respects were as dissimilar in their approaches as they were identical in the controversial issues they each contained.

There were more than 383 substantive differences in the bill with which the conference committee had to deal. In our work we utilized nine different committee prints which identified and analyzed these differences. Because of the number and diversity of issues involved, it was necessary to prepare agendas each day so that Members could be advised of each session's activity. At the end of each session, it was necessary also to prepare a listing of the conference agreements and/or discussions with regard to the various points in difference.

Few of the differences could be resolved with relative ease because of the wide range of approaches taken by the bills. Because of their very complex and substantive nature many of the topics required repeated discussion during which additional recommendations and suggestions for possible compromise could be aired.

The number of topics requiring the repeated attention of the conference committee during the 21 sessions included the differences involving institutional assistance, student aid, developing institutions, busing, emergency school aid, occupational education and junior colleges, the political internal approach and program of the study, sex discrimination provisions, the insured student loan program, state scholarships, basic grants, the National Institute of Education, and education renewal.

While these issues in and of themselves were not easily reconcilable, the conference committee was compelled to labor under House instructions. Throughout our proceedings the job of negotiation and deliberation was made much more difficult because of these instructions. In addition, at all times we were conscious of the time element under which the conference committee had to function, and every effort was made to check all possible compromises and solutions with the House Parliamentarian to see that such agreement fell within the scope of conference authority.

Mr. Speaker, there were times when it seemed there would be no conference report. Agreement seemed very remote. The last session of the conference committee—May 16—extended over 15 hours, and I say to my colleagues that even when we were within close reach of a final agreement—not more than 2 hours before our signatures were affixed to the conference papers—there was a great possibility that all of our work would be in vain. A new program which we have to return to the House in disagreement. It was therefore not until the very end of the last session that the conferences could safely feel that a final conference report was possible. Not until we walked out of the Old Supreme Court Chamber in the Capitol at 5:30 a.m. on the morning of May 17—after over 15 straight hours of deliberations—could we say that our conference was successful.

For my part, it was indeed an honor and a privilege to chair a conference committee with which I believe will be recognized as a diligent, persevering, dedicated body ever mindful of its authority and responsibility to the purpose of higher education.

The conference report before us today is the product of the labors of that conference committee. It is a good product—the best possible product—a negotiated product in which is evident the hard-fought give and take compromise agreements which were finally arrived at during the course of deliberation last close to 20 months of conference activity.

This conference experience has convinced me—and I daresay the majority of the House conferences—that higher education bill, and only this higher education bill, stands any chance of final enactment this year. Any attempts to further change or revise or add to what is before us at this very moment will fail. This is the culmination of the efforts of the conference. It is the result of many weeks and months of hard work.

Turning to another area of the conference report of equal importance—student aid, I do not think that neither the House or Senate bills by themselves offered as much in this area as we have in the compromise bill. Three essential items are part of our agreement:

Second, we have fully protected the integrity of existing student assistance programs which have, as you well know, made such a significant contribution to American higher education through the years. Under the agreement, the National Defense Education Act student loan program, the college work-study program, and the educational opportunity grants cannot and will not suffer, but will be maintained in the form of the new program of basic grants.

And I think we should view this area in another way. Let us talk about the people we are trying to help through our student assistance program. One of the great faults with the Senate approach to the issue of student assistance was that it neglected the financial plight in which middle-income families find themselves in financing a higher education. The House approach was a balanced approach in that it strengthened and sharpened the focus on low-income students, and put a cap on the interest subsidy benefits for middle-income students. The Senate approach did not offer this balance. The agreement—because it contains the House expanding provisions of the insured loan program and because it builds into the Federal student assistance program basic and supplemental grants—provides for even a more balanced approach than existed in either bill taken separately.

Another thing, Mr. Speaker, the conference report has been challenged on the basis that it does nothing for middle-income families. One of the great faults of the balanced approach in the House bill and the balanced approach in the Senate bill. Let us consider also that the report contains the Student Loan Marketing Association, which will greatly strengthen and expand the volume of lending under the insured loan program—that program which we have specifically designed for students from middle-income families. Again a compromise measured to the House or Senate bills, we have only a continuing resolution.

The conference report also retains the proposal in the House bill to liberalize the interest subsidy benefits under the insured loan program. Under current law and in the Senate bill, the student from an adjusted family income of $16,000 or more could receive an interest subsidy payment. Under the conference report, this will now be possible provided the student can demonstrate need.
agreement lived up to the letter of the House instruction with regard to the busing agreement. The conference report speaks for itself:

After hours of debate during which the House conferees rejected numerous Senate proposals to weaken and compromise the House agreement and succeeding weeks to maintain the House Broomfield amendment staying court ordered busing until all appeal rights are exhausted. The conference report differs in only one way, and that is that there is a period certain fixed for this prohibition. The date was set as January 1, 1974—a period 6 months longer than the administration's proposed moratorium period.

A slightly modified version of the Ashbrook amendment which prohibits the use of Federal funds for busing is contained in the conference report. As modified, Federal funds could be used only "on the express written voluntary request of appropriate local school officials." But even this permission is limited in that the funds may not be used to maintain the House Broomfield amendment staying court ordered busing until all appeal rights are exhausted.

The conference report contains a provision prohibiting Federal activity with respect to busing which was carried in the Senate and the Green amendment. The prohibition has been modified, however, to allow such activity when "constitutionally required." But once again even this exemption has been limited so as to absolutely bar any such Federal activity if the proposed busing would impinge on the educational process or involve travel over distances which risk health or safety of children or impinge on the educational process.

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June 8, 1972

CONGRESSIONAL RECORD—HOUSE

ARIZONA

I have read over with great care highlights of the Conference Report on the Higher Education Amendments of 1972. While, of course, I voted for the bill and would like to see the funds for institutional aid, I do think the bill will be a great asset to the Thunderbird Graduate School of International Management and to higher education in general. I hope that we in the states in higher education in the United States are mindful of our responsibility to provide assistance to our colleges and universities, in the States.

WILLIAM VORIS,
President, Thunderbird Graduate School of International Management.

Your affirmative vote on this conference committee's recommendation will help to obtain the funds that are so desperately needed in the community colleges in the nation today. As you may know the community colleges attract large numbers of disadvantaged and minority students who are of low socio-economic needs. If we are to provide the advantages of a general education or special vocational education for these students, we must have some way of motivating their attendance in school. The financial aids programs made possible by this bill will do just that. The community colleges are also attracting thousands of veterans, most of whom have no college education and need financial assistance to resume their education. In view of the great needs that exist in our community colleges, I urge your affirmative vote on this bill—S. 659.

JOHN D. RIGGS,
Executive Dean, Mesa Community College.

I express strong support for the Conference Report on the Higher Education Amendments of 1972 and urge early enactment by the Congress.

JOHN W. SCHWAB,
President, Arizona State University.

Greatly appreciate your efforts on behalf of the community colleges and our students. Your Conference Report is excellent and will really help.

GEORGE L. HALL,
President, Arizona Western College.

ARKANSAS

The State of Arkansas would benefit from all programs outlined in the Conference Report. I am especially pleased with the provisions of the bill which relate to the development of community colleges.

M. OLIN COOK,
Director, Department of Higher Education.

CALIFORNIA

Strongly urge immediate favorable vote without further debate on the long delayed omnibus Higher Education bill S. 659 as passed by the Senate yesterday.

HOMER H. GRANT,
President, Northrop Institute of Technology.

The University of Southern California strongly urges support of S. 659—Education Amendment of 1972.

JOHN R. HUBBARD,
President, University of Southern California.

Due to provisions concerning community college expansion, the bill is an endorsement of Cypress College unanimously endorses and supports Senate bill 659. Will await reply on status of bill.

STEVE CIVERTY,
Student Body President, Cypress College.

If it is possible to pass the Amendments that you outlined, Higher Education will be able to perform at a higher level than it did in 1971-72. With new Amendments (programs that are new) each institution that is considered will be in a position to improve its services.

M. C. CLEVEI\RDA, JR.,
President, Selma University.

As requested in your letter of May 19, 1972, concerning the Conference Report on the Higher Education Amendments of 1972, my comments on the scope of the program is good. I think the amounts are not sufficient to properly fund new and existing colleges.

WILLIAM H. MC WHORTER,
President, Lurleen B. Wallace State Junior College.
Just finished reviewing the Conference Report on the Higher Education Amendments of 1972. These are vital to higher education. I urge your continued support.

STANLEY SCHREIBER,
President, Cypress College.


This legislation is needed desperately at this time and particularly by the students in the community colleges of the United States. It is gratifying to note recognition of the purpose and the potential of the community college in the conference report. It is my urgent hope that the compromises on busing in the legislation are sufficiently acceptable that the legislation can be approved, and we can get on with the work that must be done to make higher education responsive to the needs of our people.

GLENN G. GOODE,
President, California State College, Santa Barbara Community College District.

The Purpose of this communication is to express my views, speaking for the President of Holy Name College.

WILLIAM P. NILAND,
President, Diablo Valley College.


SISTER MARY AMBROSE DEBEREUX,
President, Holy Name College.

We urge your support for the Conference Report on the higher education bill, SB 659.

WILLIAM E. TEMPLE,
Chairman, Mount San Antonio College Board of Trustees.

It is gratifying to note recognition of the purpose and the potential of the community college in the conference report. It is my urgent hope that the compromises on busing in the legislation are sufficiently acceptable that the legislation can be approved, and we can get on with the work that must be done to make higher education responsive to the needs of our people.

RICHARD B. BOND,
President, University of Northern Colorado.

I have reviewed the Conference Report on The Higher Education Amendments of 1972 very carefully and urge immediate passage.

JOHN P. CRUTCH,
Acting President, Adams State College.

I was in the audience when you did your long speech in behalf of education. We appreciate the opportunity to comment on the Higher Education Act. The provisions will help many students to take advantage of the community college programs. The extension of eligibility to part-time students reaches a particularly deserving group, since many of these students must work and cannot attend full time. The institutional aid will be a godsend to colleges which are in serious financial distress. We would prefer the general aid provisions originally in the bill, but at least it's a step in the right direction. In a period when unemployment is particularly acute among 18-25 year olds, Congress has shown real statesmanship in providing viable options for the young person who is cut off from the employment market. I applaud your continued leadership in behalf of education.

ROBERT E. SWENSON,
District Superintendent and President, Cabrillo College.

I urge your strong support.

HARRY SCHEIDT,
Superintendent and President, University of California College of Arts and Crafts.

It is unfortunate that the busing amendments were attached to the bill as they were reported by the conference committee, nor my institution can qualify to judge how it appears in the light of the amendments.

PAUL E. WEATHERLY,
President, Delaware Technical and Community College.

This is to express appreciation for your leadership and to support passage of the conference report on S-659. This is a very positive bill for community colleges. It will enable us to meet our responsibilities in critical areas of operation and provide expanded higher educational opportunities for all.

HARRY SCHEIDT,
President, Broward Community College.

The University of Miami, an institution private and independent in character and international in scope, endorses with reservations the final conference committee version of the higher education bill of 1972. We are both troubled and disappointed that the irrelevant issue of busing is attended in this bill. for we are convinced that singular attention to the needs of both college students and institutions of higher education is particularly needed in this time of financial crisis. But we underscore our support for the continuance and expansion of federal commitments to needy students toward the end of equal access through higher education for all those who can benefit from it. Further, we endorse the establishment of the federal financial aid to institutions as a dimension critical to the fiscal salvation of many. We regret that full funding of all programs is not now assured, for the attainment of less a goal than this is required if higher education is to continue to realize its full potential and leadership in meeting the needs of society. We offer both our gratitude and our compliments to the members of the conference for their devoted efforts in behalf of the needs of higher education.

HENRY KING STANFORD,
President, University of Miami.

House Senate conference version of S-659 is an act of educational statesmanship. Proposed funds are badly needed for community college program. Strongly urge your support.

DR. AMBERG,
Vice President, Miami Dade Junior College.

It is with great interest that I have read the highlights of the Conference Report on the Higher Education Amendments of 1972. I am totally in favor of the amendments represented in your report. I would hope for a speedy passage of the amendments. Thank you for all that you and your Committee are doing for Higher Education and College Students.

TIMOTHY H. CEMRING,
Director of Financial Aid, Barry College.

Initially, let me compliment you and those who have worked on the Conference Report for an excellent job. Amendments of 1972 will comment specifically on a number of items in the Conference Report to be over all excellent. Higher educational institutions, in my opinion, can not only live with the ideas as related but will find most to them quite exciting. It occurs to me that many of the changes that you have suggested are designed to lend maximum utilization of existing facilities and the continuation of private higher education as a strong force in this country.

JACK B. CRITCHFIELD,
President, Rollins College.

I have received the highlights you so kindly sent me of the Conference Report on the Higher Education Amendments of 1972 as described in the Conference Report. I urge support of the Higher Education Amendments of 1972 as described in the Conference Report.
mense benefit to all higher education in this country, including our state, our county, and our city colleges. I have, today, wired the entire Flori-
da House delegation urging their support for this bill.

THOMAS W. FRYER, JR.,
President, Florida Association
of Community Colleges.

To better serve our community and its stu-
dents we need quick, positive action on the
Higher Education Act of 1972. I urge you to
support this bill. It will help meet the needs
of our college as our student population in-
creases at 16% per year.

MARK J. RIZZI,
Financial Aid Advisor,
Valencia Community College.

Upon examining the highlights of the Con-
ference Report on the Higher Education Act
of 1972, I find it very favorable to the com-
munity colleges. Even though the com-
monwealth of money in the conference col-
lege is the least expensive form of higher
education more than 50% of our stud-
dents need some type of financial aid to com-
plete college. I emphasize this high need per-
centage with the fact that one of the main
purposes of the community colleges is to help
educate underprivileged, economically de-
prived, and vocationally-technical program
(reared students. This review helps in all of these
areas. Having some 900 veterans enrolled in
our college we also appreciate S-659's $300
payment to the college per full time veteran.
I also support the support of the 25% EOG funds,
the Basic Grant Program, and the matching

community colleges grants for expanding and
building. To better serve our community and
its students we need quick positive action on
the Higher Education Act. S-689 would help
meet the needs of our college as our student
population increases at 16% per year.

JAMES S. KELLERMAN,
Dean of Student Affairs,
Valencia Community College.

Thank you very much for sending us a
copy of the highlights of the Conference Re-
port on the Higher Education Act of 1972. We
have reviewed it with care, and we find
ourselves in general agreement with the pro-
visions. We are particularly strong in our
support to the parts providing for community
colleges and for programs of occupational
education. We urge that the conference com-
mittee's report be brought to the floor and be
passed with the promptness. I urge you to support
leadership in the field of education in the
Congress, and with very best wishes, I am

J. R. BURGESS, JR.,
President, Palm Beach Community College.

As an experienced financial aid officer, my
reaction to the amendments is that these
should make the final bill, even with the
inherent compromise, a landmark in the
history of Federal Support for Higher Edu-
cation and our students. I particularly want
to commend the Conference for the amend-
ment requiring the educational institutions
to recommend the amount of a subsidized
loan to the lender. The creation of a Student
Loan Marketing Association should also have
a beneficial impact on the availability of such
loans. May I take this opportunity to thank
the Committee members, not only as a stu-
dent financial aid administrator, but also as
a citizen and taxpayer, for their labor in
this field. It appears that the final bill should
be a long step down the road to our mutual
goal of removing economic barriers to the
opportunity of education so that every qualified young person will have the
education he wants and can afford.

O. DEAN DILTON,
Director of Student Financial Aid,
Georgia State University.

You and your committee are to be highly
commended for the concern and action you
are directing toward improving the status of
higher education. In general, I agree with
the provisions of your amendment.

EDWARD A. TARRANT, JR.,
Dean of Instruction,
Albany Junior College.

IDAHO

Deeply concerned regarding passage of
Higher Education Conference bill. Want you
to know we appreciate past support and re-
quest your continued efforts toward passage
of compromise.

DAVID BLACKWELL,
Director, Financial Aid,
Idaho State University.

The purpose of this telegram is to express
our appreciation for your efforts on your com-
munity college work of the Higher Education Amend-
ments of 1972. It is very satisfying to see how
you have expanded all of the programs for student financial assistance including those
programs for the veterans. We in the field of
student financial assistance community cer-
tainly appreciate the efforts of you and your committee and we can support the Higher
Education Amendments of 1972.

DAVID PERKINS,
Director of Student Financial Aid,
College of Southern Idaho.

Urge passage of S569. Vital that student be funded thru 1976. Your help very much
appreciated.

EARL A. LOOMIS,
Director of Financial Aid,
Lewis-Clark State College.

ILLINOIS

Our college and students will profit greatly
from passage of 659 Higher Education Act. We are asking our congressmen to sup-
port it. Your leadership in this area is
appreciated.

ELVIS HEMSON,
President,
Springfield College in Illinois and its stu-
dents greatly need the support which the
Higher Education Act, S. 659, provides. We
urge you to do all that you can to see that
this bill is passed.

SISTER MARY PATRICK O'BRIEN, O.S.U.,
President, Springfield College.

We urge your support of the Conference
version of S569.

FORREST D. ETHERIDGE,
President, Weber State Community College.

Kennedy King College completely agrees
with Senate Bill 659 and we urge your sup-
port for this measure. Our faculty and stu-
dents all ask for passage in passing this
important bill.

MACK T. BOWIE,
President, Kennedy King College.

The community colleges in the state of Illi-
ois are greatly benefited by Senate Bill 659. Every facet of the bill would accommodate Spoon River College in the manner we need this bill. The recipients either work or repay these monies at a later date. I personally like this aspect of
this bill. Trust that you will support Sen-
ate bill 659 without hesitation. It will help us.

HEAL BISHOP,
President, Spoon River College.

Overall I am encouraged by this finalized
version. Emphasis on occupational develop-
ment programs, veteran educational devel-
opment and facilities is needed.

WALTER F. BLOCK,
Director of Institutional Relations,
Illinois Benedictine College.

Lake Land College and Board of Trustees
unanimously support Senate bill 659 as agreed
upon by the conference. Junior colleges are in
dire need of this kind of support. Your inter-
rest in good legislation is appreciated.

VIRGIN H. JUDGE,
President, Lake Land College.

My immediate response is one of strong
support for the principles exemplified by this
report. I would like to recognize your diligent
efforts to get a compromise bill passed and signed by the President. I fully recognize
that any bill will be considered deficient in some ways by some segments of the population. However, at this time you do have in
hand proposed legislation which is deserving
of passage. Future legislation can be insti-
tuted as experience dictates. You and the
other conference committee members are to
be congratulated for your major accomplish-
ment in this extremely difficult task.

JOHN T. BERNHAH,
President, Western Illinois University.

I support the conference report. However,
I am disappointed that the conference com-
mittee rejected the broad principle that the
Federal Government should provide general
support to all institutions on the basis of the
number of students educated. I am, also, trou-
bled by the fact that the anti-busing provi-
sions were a part of the consideration. They
should have been a separate issue. Neverthe-
less I would urge the Higher Educa-
 tion Amendments of 1972 out of the consideration. They
should have been a separate issue. Neverthe-
less I would urge the Higher Educa-

IVAN E. PEIRCE,
President, Elmhurst College.

I recommend support for the compromise
higher education bill S569 as reported by the conference committee. I do not agree with
all provisions of this bill but recognize that it
represents a compromise which on balance
will provide needed assistance for higher
education.

ROG A. WEL.

We respectfully urge your support of Senate
bill 659, as amended by the conference com-
mittes. This legislation will mean that Joliet
Junior College and many colleges can provide an
opportunity to many disadvantaged and veteran students that otherwise simply will not be
served. The voice you are well aware, colleges are
facing a financial crisis in this nation. We face
this crisis, knowing well we have to
expand our services to the disadvantaged element of our youth. It is an invest-
ment in human potential that must be
realized for our future survival. Without your
support of this bill, that investment will not
be realized. We thank you for your support
of this legislation.

H. D. McANINCH,
President, Joliet Junior College.

The educational community is pleased with
this legislation. We feel that this bill deserves
our support, because it affirmatively has responded to virtually all the points that educa-
cational leaders brought to the attention of the House and Senate Conference on Higher
Education earlier this year. We sincerely hope your continued support in the passage of this
legislation so vital to the well being of American Education.
J. Richard Stone,
President, Lincoln College.

In short, I feel that S. 659 clearly addresses itself to the needs that exist in community
colleges. In this light, it is my intent to do all I can to encourage the passage of this bill
by both the House and Senate.

Dwight E. Davis,
Associate Dean Curriculum,
Development, Juilet Junior College.

The House should pass it as an initial step in an Improved Higher Education Act.
Louis G. Gatto,
President, Marion College.

We have examined the provisions of the conference committee version of S. 659 which was
passed by the Senate on May 13, 1972. It is my belief that this bipartisan product and
would provide substantial support for the Indiana Institutions we represent, particularly
in student financial assistance and institutional grants. We urge you to vote for this
measure. We know that the bill has undergone many changes in the months of consider-
ation by both houses of Congress and the Conference Committee. Nevertheless, we be-
lieve the result of the Conference Committee Report—will provide essential support of
the higher education needs of Indiana and the nation.

President Issac K. Decker,
Vincennes University,
President Alvin L. Randel,
Purdue University,
President John Putis,
Ball State University,
President Alan Randel,
Indiana State University,
President John Ryan,
Indiana University.

I am not totally satisfied with the bill but it certainly seems to me to be an essentially
good. I urge you to vote for it. I am confident that it will be very helpful to us as a small
private college. We desperately need help and we need it now.
Paul D. Monk
President, Waldorf College.

After careful study I strongly urge the passage of the Higher Education Act (S. 659). Our
College and our students need the support provided by this bill.
Dean J. T. Travin,
Dean of the College,
Clifton Community College.

As president elect of Colby Community
College I wish to extend my sincere support of the Higher Education Act Senate bill No. 659:
The passage of this bill would provide our institution with support that would enable us
to serve better the people of this rural area in North West Kansas. I appreciate your concern
for higher education and urge your endorse-
ment of Senate Bill No. 659. Its passage would have a tremendous impact not only for us but
nationally.

Dr. James H. Tangeman,
President, Colby Community College.

I believe that they represent the best possible compromise which can be reached at
this time on most of the major issues and,

therefore, I strongly support an early adop-
tion of the report.

John E. Visser,
President,
Kansas State Teachers College.

I find myself in substantial agreement with the various provisions as they relate to
Student Aid in its various forms, the suggested formulae for institutional aid, the
emphasis on cost of living Adjustment Payments for Veterans and grants to existing
community colleges to help expand enrollments and modify programs to meet the needs of the
community.

Continuation and expansion of Community
Service and Continuing Education pro-
grams, and Titles II, III, and VI of the Higher
Education Act are also of direct interest to us.
I feel that the transference of the Higher
Educational Facilities Act to become Title VII of Higher Education Act will be of some help
administratively as well as the strengthening
and expansion of its various programs. We
have been beneficiaries of its provisions in our
new campus construction which we are
beginning to occupy this week.
Jack M. Flint

We would like to ask your support of S. Bill 659, the Higher Education Act. With a
particular emphasis on the needs within Stu-
dent Financial Aids and Occupational Educa-
tion Programs. Both of these categories support those students who are in dire need of assistance to function within and assist the
total economy of this country. Without assistance of the type that could come from S. Bill 659, many of these people will remain
uneducated and unemployed. It is imperative that this assistance be provided if they are
Vernon V. Mai,
Dean of Student Services,
Dodge City Community College.

I am writing in support of your strong and long standing position on important educa-
tional legislation and trust this letter to serve as part of the substantial need that urged
the House of Representatives to support and pass the Higher Education Bill. This legisla-
tion is very important to our college movement in this country and I am sure you ar-
are aware of its value to the Community College System. I am sure you can support and have confidence in our leadership in
bring this bill to a successful passage.
We wish for your support, we are very assured of the vital and critical importance to
community colleges which hinges on its
success.

Marshall Arnold,
Director,
Henderson Community College.

The Conference Committee ironed out the questions at issue to a considerable degree
and, in our judgment, the act authorizes both the continuation of proven programs and
the establishment of promising new approaches to the support of both indi-
viduals and institutions.

The legislation has been referred to as one of the most important pieces of legislation
relating to the Federal Government to the institutions of higher education. I believe
that it will be proven in the future to just that.

Herbert E. Longenecker,
President, Tulane University.

The highlights of the Conference Report on Higher Education Amendments of 1972 have
been received by us after careful study and deliberation, we are elated over the possibility
of these Amendments becoming a reality.

Robert L. McNesby,
Superintendent of Student Financial Aid,
Louisiana State University in Shreve-
port.

On behalf of the President of St. Mary's Dominican College, we wish to congratulate the
Committee on the difficult task they have just completed and urge that the bill be
passed. The future of higher education, more especially of private higher education, is cri-
tical and we believe that a great contribution to our country would be lost if such institu-
tions were not funded. We are pleased that the Committee has made a step in the right
direction.

Sister Mary Judene, O.P.,
Treasurer,
St. Mary's Dominican College.

Maine
I want you to know that I, as Chancellor of the University of Maine, wholeheartedly
support the passage of this Higher Education Bill.

Donald R. McNeil,
Chancellor, University of Maine.
MARYLAND

The Board of Education of Montgomery County (MD) supports the report of the House/Senate Conferences on S. 659—the Education Act Amendments of 1972. Your support for enactment of this legislation is urgently requested.

WILLIAM G. COLEMAN
President, Montgomery County Board of Education.

This letter is in support of the Conference Report on the Higher Education Amendments of 1972.

LUTHER C. SHAW,
President, Garrett Community College.

Now that the House-Senate conferences have completed work on S. 659, the Higher Education Act, I should like to inform you of Harford Community College's strong desire for this bill to pass, even as it now reads in the Conference Report. We ask for your support of this bill in the halls and on the floor of the House.

EDMUND H. SCHWANK,
President, Harford Community College.

MASSACHUSETTS

Form of Higher Education Bill is excellent. F. FRANK CARSON, President, Mount Ida Junior College.

We urge your support in the passing of the Higher Education Act Bill, S. 659.

VERMILION, W. J. DUFOUR, A.A., Acting President, Assumption College.

We support the Higher Education Act.

WILBERT E. DECKER,
President, Springfield College.

We have the profoundest hopes that S. 659, the Higher Education Act, will become law in the next few weeks. It would be a great boon for the thousands of students who will be knocking on our doors in the years ahead.

THOMAS E. O'CONNOR,
President, Berkshire Community College.

I am very much interested in the passage of the higher education amendments of 1972 which you are presently considering. The program shows vision and is a step forward in meeting today's education needs.

M. A. MILLER, Jr., E. D., Education Manager, Essex Agriculture and Technical Institute.

MICHIGAN

As Chairman in behalf of Presidents representing 13 public colleges and universities in Michigan, I convey to you our collective strong endorsement of the Conference Report on the Higher Education Amendments of 1972.

HAROLD E. SPENCER
President, Eastern Michigan University.

Urge your support for S. 659. Our community and students need support for this bill; as a new community college these priorities concern us.

JUSTICE D. SUNDHEMANN
President, Gliens Oaks Community College.

Provisions of Conference Report on the Higher Education Amendments of 1972. Student Aid and Institutional Aid are of vital importance to our students and our institutions as we continue to provide high quality educational services to our community. Much is at stake. Your support is urgently and respectfully requested and needed.

DALE B. LACEY,
President, Kalamazoo Valley Community College.

Urgent support needed on S. 659 Higher Education Act. Community colleges students and the Colleges themselves need additional funds to continue existing basic programs. Financing becoming extremely difficult. Your help needed now.

DR. JAMES D. PERRY,
President, Gogebic Community College.

Understand the House-Senate Conference Report on S. 659, the Higher Education Act. This bill provides support for our college and its students including many returning Veterans. Therefore, I urge your support and passage of this important piece of legislation.

RICHARD J. KORDA,
President, St. Clair County Community College.

As Chairman of the Board of Trustees of Kalamazoo Valley Community College, I want to urge your support of the provisions of the Conference Report of the Higher Education Amendments of 1972. The provisions for student aid and institutional aid are of great importance and have tremendous bearing on this institution.

B. A. THUSSMAN,
Chairman, Board of Trustees, Kalamazoo Valley Community College.

Bay de Noc Community College is a small developing institution in the upper Peninsula of Michigan. We serve a sparsely populated area where educational services are extremely limited. It is my opinion that the components of the Higher Education Act as amended by the conference committee be a great assistance to our institution and to the people we serve.

EDWIN K. WURHLE
President, Bay de Noc Community College.

There is now pending before the House after approval by the Senate, S. 659, 'the Higher Education Amendments of 1972.'

The busing provisions of the bill have been and are controversial. Nevertheless, to allow that particular amendment about which both the Congress and the American people are in widely disagreement, as the Higher Education education bill does a very doubtful service to anyone. At the University of Michigan for instance we desperately need financial aid to students including increasing numbers of minority students to whom we are committed. Without Federal aid our whole program will suffer a severe setback.

We had frankly hoped for a better overall bill. It is apparent for instance that the present bill is not adequately funded. Thus it may arouse expectations which cannot be fulfilled. Nevertheless, the bill does at least take some steps in the right direction.

Despite our reservations, we believe that on balance the bill should be approved and I would hope that you would find it possible to vote for it.

R. W. FLEMMING,
President, University of Michigan.

MINNESOTA

This bill will help to meet the needs of those thousands of students who are presently standing outside the educational mainstream because of financial difficulties and racial discrimination. The Higher Education bill will help colleges such as this one meet these needs.

DAVID SWEET
President, Minnesota Metropolitan State College.

I support immediate passage of the Higher Education bill. Delay will serve to cause additional jeopardy to the welfare of the students of the Nation.

HOWARD BELLOWS,
President, Southwest Minnesota State College.

Colleges throughout nation in urgent need of provisions asked by past bills. Your support of this bill currently before your committee. I respectfully urge your support of this bill.

JAMES F. NICKERSON
President, Mankato State College.

I am writing a brief note to urge your support for Conference Report on S. 659, which, in my judgment, has now been reported out and will be coming to the House floor for action shortly. While there may be some differences of opinion among various segments of higher education about specific provisions of this bill, I believe we are generally united in feeling that it's a major step forward.

Your support for this legislation will be greatly appreciated. It will be a helpful step for St. Cloud State College and for thousands of young people in central Minnesota.

CHARLES J. GRAHAM
President, Saint Cloud State College.

We believe this bill is of enormous importance for needy college students, universities and colleges, and we have written to our representatives from Minnesota to encourage the passage of this bill.

HENRY C. OPAL,
President.

We at St. Thomas—like all of higher education—are pleased with the news in today's paper, that the Senate has passed the Higher Education Bill. The conference committee has kept provisions for EOG, Work-Study, and NREEd in its report and this may rescue and otherwise gloomy current aid picture in those areas. Other parts of the Bill, when and if passed, will provide valuable aid to higher education at this crucial time.

While such a compromise, omnibus bill has departed from some provisions I would have preferred, Bill in general deserves our support and therefore I willingly give it, and I urge you to do the same. The Nation cannot afford to have this Bill pass. While there may be the deficiencies of this Bill, including matters of busing, it is infinitely better than no bill this year. The present situation, if not remedied, will be disastrous for this and other colleges.

Rev. Mag. Terrence J. Murphy
President, College of St. Thomas.

I join my colleagues in urging your strong support for adoption of the conference report.

R. A. DEFLIS,
President, Winona State College.

MISSISSIPPI

The entire Mary Holmes College community urges your support of S. 659, the Higher Education Act. As a community oriented, two-year college, those served by Mary Holmes since 1892 badly need the support and assistance promised by the adoption of S. 659.

JOHN W. WALTON,
President, Mary Holmes College.

MISSOURI

It is essential to our future maintenance and growth of the junior colleges of Missouri that you support passage of the Higher Edu
The sighted provisions for the financing of American youth.

Respectfully request your support of Senate Bill 659, Higher Education Act of 1972 when voted on in the House. Benefits derived are of great importance to the students, the college, and the community.

R. S. WALKER, Acting President, Meramee Community College.

I commend the conference committee on the creative results of its efforts and as a private college President concur in the various aspects of the report. I trust that it will be approved by the two houses of Congress and will be made operative in the near future.

The emphasis on assisting students and then helping colleges that provided an education for these students seems to be the appropriate way of meeting both the needs of the youth of our country and of the colleges which are faced with many problems in meeting the cost of education.

FRED HELSERND, President, Cultur-Stockton College.

Thank you for forwarding the summary highlights of the Conference Report on Higher Education Amendments of 1972. The action taken by the Senate on these amendments represents a major step toward financing the education of our nation's low income students. The same action by the House is crucial if higher education, and particularly the community college, is to meet the pressing needs of our urban society. I therefore urge you and your fellow representatives to give your strongest support for these amendments that have been introduced in the past by your fine legislative record.

LESLIE KOLZAI, Chancellor, Metropolitan Junior College District.

I have read the highlights of the Conference Report on the Higher Education Amendments of 1972 and I am in general agreement with the provisions of the Conference Report. There are some items that I would have preferred other provisions for, however, as a compromise, I feel the Conference Report is quite satisfactory.

RICHARD CASTTER, President, Mineral Area College.

This Report conveys a giant step forward for financing the education of American youth.

Although I do not fully understand the minute detail of all the provisions, I do discern that there is significant provision for student aid and institutional aid so desperately needed by so many colleges including Crowder College.

DILL REED, President, Crowder College.

The Senate conference committee on R. 659 is to be commended for far-sighted provisions for the two-year college. The recognition of the service of community and junior colleges to the achievement of national goals has been conspicuous by its absence at the federal level.

The provisions in the conference version of S. 659 will provide much needed assistance to two-year institutions which have begun their development in earnest to complete the development will require funds from as many sources as possible.

I strongly urge you to support S. 659 which will assist the Missouri College in completing its development and which will assist many students in participating in post-secondary education.

DR. JOHN M. GADDA, President, Maple Woods Community College.

Speaking for the total college community, your support is urgently requested for the conference report on Senate Bill 659, the Higher Education Act.

This college and the residents of the junior college district will be unable to meet the education needs in the areas of occupational programs, student financial aids, and veterans education if this bill is not approved and made law of the land.

DONALD D. SHOOK, President, East Central Junior College.

NEBRASKA

I have followed this with a great deal of interest and concern, and even though there are specific provisions with which I wish could be changed, nonetheless, the general tenor of the proposed legislation is such that I hope it will be enacted.

Specifically, we are anxious that this step be taken and that you give the necessary leadership and influence in the House of Representatives, as hopefully anticipating that it will be passed. We support the Report for adoption.

VANCE D. ROGERS, President, Nebraska Wesleyan University.

NEVADA

The provisions and programs contained within the Higher Education Amendments of 1972 are needed now by Western Nevada Community College. Our students, faculty, and administration give you and your committee our full support in finalizing this desperately needed legislation.

LEON H. VAN DOREN, Executive Vice President, Western Nevada Community College.

We strongly support the amendments and if they are passed by the Congress they would provide much needed aid for the community colleges in Nevada. We have three community colleges in the state, two of which are in their initial year of operation and the Higher Education Bill would aid all of them immensely in providing occupational programs for students in Nevada currently not being served.

The student aid provisions will be especially helpful in assisting students in starting a college education. We feel that the appropriation formula could make the difference between the success and the failure in our college.

DR. CHARLES DONNELLY, President, Community College Division, University of Nevada System.

NEW HAMPSHIRE

Dartmouth College supports conference version of Senate Bill 659. Believe general recognition of institutional aid principle and value of other programs outweigh the unfortunate features of aid formula and regrettable anti-busing provisions which should never have been included in this bill.

DR. JOHN G. KEMENY, President, Dartmouth College.

NEW JERSEY

I urge you to support the Joint Conference Report on Senate Bill 659, the Higher Education Bill. It is imperative that the Nation's two and four year colleges receive the institutional aid which has been so carefully considered and support included in this bill. The student aid formulas provided for in this legislation are urgently needed. I believe New Jersey will greatly benefit from the passage of S659.

DR. N. DEAN EVANS, Chairman, Association of County Community College Presidents of New Jersey.

I favor passage of the Conference Report on the Higher Education Amendments of 1972. Conferences did an excellent job. I had problems with the Anti-busing amendments and the formula for institutional aid. The bill is too important to pass. I am at a loss on these two points. As president of St. Peters College in Jersey City, I favor adoption by the House and the Senate of your Conference Report.

REVEREND VICTOR R. YAMTELLI, S.J, President, St. Peters College.

We are pleased that the Conference Committee has supported the principles of taste grants to students and institutional aid as well as continuation of the three major student aid programs. We urge continued Congressional effort to pass this bill, and to support the appropriations that must be approved to make it effective. The combination of rising college costs and inadequate aid funds, especially in the initial EOG program, will make next year and subsequent years very difficult without increasing funding. The bill has raised the hopes of students that increased aid will become available to them. Please continue to do all you can to see that these hopes are realized.

CLARE DAVIES, Director of Financial Aid, Newark State College.


J. P. WORTHINGTON, President, Luther College.

I find the main thrust of the Amendments to be in the interests of higher education and, therefore, urge the passage of the Higher Education Bill as revised by the Joint Conference Committee.

RICHARD K. GREENFIELD, Director of Financial Aid, Jersey City Community College.

Now that the House-Senate conferences have completed their work, I feel that the Senate version is the more desirable of the two. I am steadfast in my assurance that the community college movement, and community colleges, as well as public higher education, will benefit from the passage of S659. Therefore, I reaffirm my resolute support of S659 and urge your continued support of this bill in its present form.

FRANK M. CHAMBERS, President, Middlesex County College.

As you know, I favor across the board increases for colleges and universities advanced to the pattern outlined in the House. However, I believe that the financial crisis plight of private colleges is such that public higher education, is serious enough to warrant passage of the Higher Education Bill.
Again, I appreciate all of the help that you have given to higher education. The passage of this Bill will be of great help to Trenton State College.

CLAYTON R. BROWER, President, Trenton State College.

NORTH CAROLINA

We further encourage your continued support on Senate Bill 659. Our Technical Institute and students greatly need the support which this bill provides for veteran education.

JOHN A. PALCZ, President, McDowell Technical Institute.

Your support of the Higher Education bill currently in conference is urgently requested. These sections dealing with student aid, veterans, the occupational education and continuing education programs, and Titles II, III, and VI are especially vital to the successful operation of our small post-secondary technical institutes such as ours in the economically depressed Appalachia region.

DORIS N. JEWINS, Dean of Instruction, Southwestern Technical Institute.

I would like to say that we are endeavoring to make the best possible use of the funds provided by Senate Bill 659. It is our firm belief that higher education is vital to the economic development of our community.

ALBERT W. CURTIS, Director, Eastern Carolina Technical Institute.

I urge support and favorable vote on 1972 Higher Education Bill as presented in Senate Bill 659. Our college is greatly in need of this legislation, and I am sure our association will help to improve the quality of higher education in our state.

R. BRUCE FREEMAN, Financial Aid Director, Randolph Technical Institute.

As a parent of 2 college students, I urge your support of Senate Bill 659 Higher Education Amendments of 1972. It is my firm belief that higher education is vital to the economic development of our state.

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We further encourage your continued support of Senate Bill 659. Our Technical Institute and students greatly need the support which this bill provides for veteran education.

JOHN A. PALCZ, President, McDowell Technical Institute.

Your support of the Higher Education bill currently in conference is urgently requested. These sections dealing with student aid, veterans, the occupational education and continuing education programs, and Titles II, III, and VI are especially vital to the successful operation of our small post-secondary technical institutes such as ours in the economically depressed Appalachia region.

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CONGRESSIONAL RECORD—HOUSE
June 8, 1972

It seems to me that the Conference Committee is to be congratulated in maintaining the vital elements of the original bills, and I am particularly pleased to see that financial assistance will be made available to part-time students. Reporters tell me that they must be "half-time." It is particularly important to community colleges to have the Federal government increased financial assistance because the real estate tax on which most of us rely substantially, does not increase automatically with increasing enrollments and voted increases are most difficult to achieve each passing year.

ERNST H. HAM, Member, Board of Trustees, Cuyahoga Community College.

OKLAHOMA
As President of a new community college which will open its doors to some 2,000 students in the Fall of 1972, the passage of this legislation is of tremendous interest. For your information, I am sending a copy of the Educational Master Plan which sets forth some of the approaches we are taking in an effort to maximize the effectiveness of our educational programs.

JOHN E. CLARK, President, South Oklahoma City Junior College.

We at Murray State College are pleased with the results of your Committee on Higher Education and regard the assistance given institutions of higher learning for the purpose of making education available to the youth of our nation. It is my hope that you may use your influence to see that this is enacted by Congress and funded to become available as scheduled by your conference report.

CYLDE R. KINDELL, President, Murray State College.

PENNSYLVANIA
We support the Conference Report on the Higher Education Amendments and trust you will also.

HAY HOPPETTER, President, Messiah College.

As a member of the American Association of State Colleges and Universities I want to express my appreciation to you for the support you are giving to the Higher Education bill.

CHERIE T. MCKENZIE, President, Edinboro State College.

Be assured of my pleasure in the improvements which are shown in these proposed amendments.

FREDERICK P. SAMPLE, President, Lebanon Valley College.

I write to indicate my support of the Conference Report on the Higher Education Amendments of 1972.—While certain provisions are of course less than ideal from the college's point of view, I recognize the overall benefit we shall gain—which in these critical times will be welcome indeed.

STEPHEN SCHIMDT, President, Seton Hill College.

My immediate reaction to the highlights of the Conference Report on Higher Education Amendments of 1972 was one of complete accord in regard to all of the provisions for Higher Education as contained in these amendments.

KENNETH E. CEBL, President, The Wilfrid Laurier Area Community College.

It is our earnest hope that the House will act on this legislation promptly, so that it may either become law or be modified in any way or another, it affects every college student in the nation. Its implications are far-reaching and will improve the life prospects of college age young people indefinately into the future, and consequently the course of our nation. Only through education will men and women realize their full potential, and the opportunities which are offered by the community colleges are particularly urgent for a sizable segment of our population. For these reasons, I want to urge Congress to pass this legislation, and to do so as soon as possible so that programs can be developed and students enrolled in them.

JAMES L. EVANKO, Acting President; JAMES J. STENGELS, Dean of Students; Allegheny Campus, Community College of Allegheny County.

SOUTH CAROLINA
We hope you will support the Higher Education Act S. 689. Our Institution and students greatly need the support which this bill provides.

ORANGEBURG COLLEGE TECH.
Higher Education urgently needs the programs and funding to be provided under S. 689 as finalised by House-Senate conference. Any action you can take to secure passage of this vital legislation will be deeply appreciated.

LEX D. WALTERS, Piedmont Tech.

Conference Report acceptable—but I deplore the wording prohibiting provisions working well in South Carolina—my own children included.

PAUL HARDIN, President, Wofford College.

Conference Report on the Higher Education Amendment of 1972 was most encouraging. Early passage of the amendments and adequate appropriations will enable more students to complete their education in less time and at a lower cost. I urge you to vote favorably on the conference report.

B. L. GRIEBLY, Executive Director, Midlands Technical Education Center.

Considering the tremendous task before the Conference Committee, I think an outside commission would be a far better approach to bring about acceptable compromises and agreements in so many areas.

ALAN S. KRASCH, Planning Officer, South Carolina Commission on Higher Education.

SOUTH DAKOTA
I feel that these amendments are improvements on the original bill and I do trust that Congress sees fit to accept and vote favorably on the conference report.

H. M. BRIGGS, President, South Dakota State University.

I believe that the need for adequate federal assistance to the State's junior colleges is manifest to all concerned. These institutions are essential to the educational system of South Dakota and are a number of very excellent reports with much thought and attention given them. I am therefore heartily recommending the approval of the bill.

ROBERT L. TURKEL, President, South Dakota State University.

Thenese
Bill S.659, the Higher Education Act, should certainly be passed for the welfare of vocational and technical education.

H. J. BRANSON, Head, Division of Related Studies, State Technical Institute at Mem­phis.

While the Bill in several aspects, particularly that portion having to do with institutional support which is based on the level of Federal expenditures at institutions for fed­erally aided students, is not my first choice, I do heartily recommend the approval by the House of Representatives of the Conference Report with the understanding that substantial improvements in the Federal pro­gram which are authorized by this Report. For that reason I do support and approve.

I am a great believer in the truth that democracy is the art of the possible. It seems to me that the Bill which results from the long weeks of deliberations by the Conference Committee represents the best possible Bill which can be adopted during the current fiscal year.

J. JEFFERSON BENNETT, Office of the Vice-Chancellor and Pres­ident, The University of the South.

We have reviewed each of the areas discussed in the Highlights of the Conference Report and wish to comment on the other committee members for the manner in which you have treated Higher Education.

D. F. ADKISON, President, Cleveland State Community College.

This will assure you that you have our endorsement of the recommendations of this Committee and our grateful tidings to those who have worked so faithfully in support of these programs.

DEAN R. BURTON, Executive Director of Development, Tuskegee Institute.

My immediate reaction is very favorable. I am certainly relieved to see that past programs in Student Aid have been continued and that funding has been extended. Without them, students' ability to attend college would have been very limited.

JOHN J. BRANSON, Department Head, Student Aid and Veterans, State Technical Institute at Memphis.

We at Tennessee State University believe that Student Aid section of the Conference Report on the Higher Education Amendment of 1972 will be very helpful to our nation's commitment to full opportunity of higher education.

A. P. TROXELL, President, Tennessee State University.

TENNESSEE
In my opinion, if the amendments stated in your report become law and are fully funded, a bright new day will come in higher education. It will allow no student to be turned away for want of funds. It will give the institutions which handle the task of higher education a broad financial base and will sustain a dual system of education within our country. It will also give the financial support needed to raise the academic standards required by a maturing nation which must advance or decay. This is a bill which recognizes the needs of higher education and applies the greatest amount of funds to the area of the greatest need. The alternative to such a bill is a very bleak indeed. Private foundations are dead and the state supported schools take up the slack in some measure at a much higher ratio of cost to the taxpayer. The broad based of academic flexibility afforded the private institutions is the foundation of our democracy. Our way of life would be in jeopardy if we were to continue the present erosion of academic freedom because of lack of adequate financing. I believe that your conference committee has taken the best of all goals and embodied them to a very workable bill which can be justifiably funded.

I support the conference version of the bill and hope that my colleagues in higher
education generally will give you the same response.

JACK K. WILLIAMS,
President, Texas A & M University.

I think this is a good bill in many ways.

AL. G. LANGFORD,
President, Midland College.

In response to your request for immediate reaction to The Conference Report on the Higher Education Amendments of 1972, I am pleased to offer the following comments, some of which may be amended after the full text is studied. The bill is indeed of landmark importance. I am President of the private college organization in Texas, and I believe I am speaking to some extent for them.

J. M. MOUNTY,
Chancellor,
Texas Christian University.

I am in favor of and impressed by the Conference Report on the Higher Education Amendments of 1972. Although I perhaps do not know as much as I should on some of the specific amounts, all that I can find indicates that the bill will be generally adequate to continue the very necessary programs that are now in operation. I am particularly pleased with the Student Marketing Association as I think it will eliminate some very serious problems that have been created. In addition, I think that the increase in maximum amounts might be valuable to some of our students as they transfer to distant senior colleges. I feel that the section on community colleges is good, particularly the grants for planning, developing, etc. new colleges. In Texas at least, some new colleges could be started if there were a little "seed money" to get them off the ground.

R.C. SPENCE,
President, Odessa College.

We should like to express to you and the members of the Committee on Education and Labor our sincere appreciation for the excellent work which has been done on the Higher Education Act, S. 659. We feel that provisions of this bill which greatly increase the range of federal aid to higher education are excellent.

JACK W. HUGGEN,
President, Angeloina College.

We, the educators, administrators and students of the El Paso Community College, are very strongly in favor of this bill.

WALTER G. HALE,
Vice-President,
El Paso Community College.

My general reaction to the program is favorable. The general provisions are certainly ones which we would be happy to accept.

CHARLES J. DAVIS,
Vice-President,
Temple Junior College.

U T A H

You are to be complimented on the leadership you have given Vocational Education and the monies provided for community colleges in the amendments. We hope that this bill passes.

WILSON W. SORENSEN,
President, Utah Technical College.

V E R M O N T

We urge your support of S659 Higher Education Act of 1972. The conference agreement appropriately forced increased charges to students each of last four years. 60% of our students are on financial aid. I urge you to keep our occupational education alive.

PIERRE KLEFFER,
President, Vermont Technical College.

As immediate past president of the National Council of Independent Junior Colleges and a member of the Commission on Legislation of the American Association of Junior Colleges I urge you to support the Higher Education Act, S659, as recommended by the House-Senate conference and approved by the Senate 63 to 15 on May 24, 1972.

WILLIAM L. IRVINE,
President, Vermont College.

V E R N A C E

Responding to Higher Education Amendments of 1972—urge passing on omnibus Higher Education Bill. Practical and portions particularly significant to us for students from lower income group.

HOT E. McTAVISH,
Director, State Council
of Higher Education for Virginia.

I am writing to ask your support for S. 659, the Higher Education Act, which I understand will be presented for House action next week. An administrator at Northern Virginia Community College, I am properly concerned that the educational opportunities provided to disadvantaged students of Northern Virginia are not only maintained but increased. These opportunities, which are available not only to the recent high school graduate but to the experienced citizen whose education has been interrupted or requires additional education for a career advancement, are dependent on the significant degree on the support afforded by such acts as the Higher Education Act.

DEAN ITTER AMOS,
Provo, Eastern Campus,
Northern Virginia Community College.

I encourage support of S. 659, the Higher Education Act, and the Cranston Veterans' amendment to provide additional assistance for veterans.

EDWIN L. WALKER,
Coordinator, Admissions and Records,
Northern Virginia Community College.

As a newly developing institution, it is most urgent for us that the Amendments be enacted in order that appropriateness action be initiated prior to Fall term of this academic year.

HAROLD J. MCCARTY,
President,
Piedmont Virginia Community College.

I write to say how much I hope that you will vote for the Omnibus Education Bill of 1972 which is scheduled for the floor of the House next week and has passed the Senate with the support of both of Virginia's Senators. This bill is of signal importance to the future vitality and strength of higher education upon which the economic, social and cultural capacity of the nation depends to such a large extent. The educational provisions of the bill are so essential at this time that I trust their merits will not be submerged in the considerable school busing, which is a matter extraneous to the activities and goals of higher education.

EDGAR P. SHANNON, JR.,
President, University of Virginia.

W A S H I N G T O N

On behalf of Yakima Valley College I urge your support of Higher Education Bill S659.

DR. THOMAS DEAN,
President, Yakima Valley College.

We urge your support of the passage of the Higher Education Amendments, the conference report, S. 659, on June 6th. We have reviewed both the Senate and House bills prior to conference and have studied the compromise bill reported out of conference May 18. We feel that this is a good bill in long term ramifications of benefits to students who otherwise would not have access to higher education. This is a bill which assists not only disadvantaged youth, but also the middle income sector, whose income hasn't kept pace with rising educational costs.

SUZANNE C. FEBEN,
Director of Financial Aid, University of Washington.

I understand that conference work has been completed on S. 650, the Higher Education Act, and I wish to urge the adoption of this act.

D A V I D B. STROY,
President,
Lower Columbia College.

In sum, we regard the passage of the Amendments as desirable, and commend the conference members for their hard work. The Amendments reflect attention to concerns in the field.

BOYD C. MILLER,
Director, Community College Program,
Eastern Washington State College.

I would like to make one point. S. 650 not only affords the opportunity for all in higher education, it provides direct aid to institutions to support these students. Both students from low-income and middle class families will be aided. On behalf of our students and future students, I urge you to vote affirmatively on this measure.

MARION O. OFFLEY,
President,
Porto Rico.

I hope you will continue to use your power for influence with other members of the House to accept the bill as reported out of Conference, recognizing it for the steps it does take in the right direction.

GEORGE H. WILLIAMS,
President, The American University.

W E S T  V I R G I N I A

This correspondence is sent to register my strong support of the conference report developed by members of the Senate and House of Representatives on the Higher Education Amendments of 1972. I trust Congress will respond quickly and favorably to the report.

JAMES L. CHAPMAN,
President.

W I S C O N S I N

I urge your ardent support of the conference report, and I pray for swift action so that the universities will have time to make award adjustments prior to the beginning of the fall semester.

PHILIP C. GEORGE,
Director of Student Financial Aid, Wisconsin State University.

Higher education compromise bill not ideal but urgency of our financial crisis demands passage of this bill with hope of formula changes later. Private colleges must
survive for their value to education and for economy of all taxpayers. Urge support of you and your colleagues.

ROBERT CHRISTIN,
President, Saint Norbert College.

Mount Storino College, along with all of higher education, has a vital interest in the passing of the higher education programs that have come from the Joint Committee of the House and Senate.

BRUCE A. HARRISON
Mount Storino College.

In my view the committee has done an outstanding piece of work in arriving at reasonable solutions to the current problems of student and institutional aid. T. N. SAVAGE,
Dean, The University of Wisconsin.

I would extend my hearty endorsement of all provisions, particularly those that affect student assistance programs in the form of direct loans and college work-study. I also feel that the proposed payments for Veterans cost of instruction to institutions and the Community Service and Continuing Education programs are of particular benefit to the communities served by our institution. I therefore strongly urge support of these proposals. HARRY J. MAXWELL,
Dean, The University of Wisconsin.

At a conference on legislation convened here in Washington June 6, 1972, by the National Federation of Licensed Practical Nurses, nearly 150 delegates from 35 states adopted the following resolution unanimously: Be it resolved that the delegates to this conference go on record in support of the report on the Education Amendments of 1972. The Delegates to NLFNP Conference are: Vice Presidents, Directors, and Legislation Chairmen in their respective states.

MRS. MARY B. HUNNELL,
President, National Federation of Licensed Practical Nurses.

The SPEAKER. The time of the gentleman from Kentucky has expired.

POINT OF ORDER
Mr. TEAGUE of Texas. Mr. Speaker, I desire to make a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TEAGUE of Texas. Mr. Speaker, the rules of the House limit the number of staff members who are allowed on the floor in a situation like this and I make the point of order that this committee has violated that rule of the House.

Mr. Speaker, the reason I make this point of order is to point out the fact that if the debate concerning this conference report requires 10 or 15 staff members to be on the floor to tell them what to say or what to do, then for sure what we need is not the floor but the rule.

The SPEAKER. The gentleman has made a point of order that the committee has violated the rules of the House in bringing an excessive number of committee staff members to the floor. The rule which governs situations of this kind is rule 32 which lists those who do have the privileges of the floor, and contains the rule: "And clerks and attendants when business from their committee is under consideration; and it shall not be in order for the Speaker to entertain a request for the suspension of this rule."

This rule was adopted before the Reorganization Act of 1947 which provided for four professional staff members for each committee. The Chair must hold under the rule that no committee is entitled under the rules of the House—because the Chair cannot waive the rule—to more than four professional staff members and the clerk, a total of five.

Mr. TEAGUE of Texas. Mr. Speaker, would the Speaker request the staff beyond that number to leave the floor?

Mr. PERKINS. Mr. Speaker, let me say something I certainly want to comply with the rules of the House, but the ranking members of the subcommittee requested the staff and that has always been the custom. And I certainly hope in the future that all committees will abide by the rules of the House, because it would be the purpose of the Committee on Education and Labor to abide by the rules of the House in the future.

I regret that the gentleman from Texas who opposes the bill has made the point of order of this kind, because it certainly certain things that have been done by the gentleman from Kentucky.

The SPEAKER. The Chair would like to add further that the rule explicitly prohibits the Chair from making an exception to the rules. If, however, procedures have changed to the point where every subcommittee wishes to be represented, then the rules of the House should be changed on that the Chair can keep within the rules of the House and to permit other members of the staff to come on the floor in excess of this present number.

For what purpose does the gentleman from Texas (Mr. TEAGUE) rise?

Mr. TEAGUE of Texas. Mr. Speaker, the gentleman from Texas was merely trying to make the point that nobody on this floor knows what is in this bill—and it took six pages to explain the conference report.

The SPEAKER. For what purpose does the gentleman from Louisiana (Mr. WAGGONNER) rise?

Mr. WAGGONNER. Mr. Speaker, has all time expired?

The SPEAKER. No, it has not. Let the Chair state that the gentleman from Minnesota has 4 minutes remaining and the gentleman from Kentucky has 3 1/2 minutes remaining.

Mr. PERKINS. Mr. Speaker, I yield 3 minutes to the distinguished majority leader, the gentleman from Louisiana (Mr. Boggs).

Mr. BOGGS. Mr. Speaker, I know that on both sides of this issue this afternoon there are many Members who are greatly troubled. They find Members with irreconcilable views coming to the same conclusion. That would indicate that probably the easy vote here today would be a "no" vote because if one voted "no," one could say that he was pleasing both sides on this highly emotional and difficult issue.

I wonder though if that is the reasonable and logical thing to do here this afternoon.

This rule extends the five vital existing higher education programs for an additional 3 years. In addition to that, it creates at least five new programs which are the result of many years of study and effort. They are:

The so-called new basic educational opportunity grants.

The program of direct general assistance to the colleges.

The basic grants to the students.

A new program designed to help the States design postsecondary education programs.

The new program for community colleges.

The new National Institute of Education.

These are vital to the continuation of higher education in this country.

But the vote here today comes not on the basic issue but on the hope of rejecting the conference report and passing a preferential motion to extend the existing programs and substitute different language for the borrowing provision.

Mr. Speaker, I just do not think that that can come to pass. To begin with, the other body by a lopsided vote—I think was only 13 votes in the negative—the other body has already adopted this conference report.

I cannot believe at this late stage that the Senate would go back to another consideration of this legislation and that our only recourse would be new legislation.

Mr. Speaker, the education conference report on which the House will vote today is one of the most significant legislations to come before this Congress.

The report extends, for an additional 3 years, programs that have proven their worth in helping to build the American system of higher education, including:

The national defense education loan program, under which over 5 million students have obtained low-interest loans over the past 13 years.

The Higher Education Facilities Act, which since its inception has played a major role in the great expansion of college and university facilities over the past decade.

The educational opportunity grant and college work-study programs, which provide financial assistance to needy students who would otherwise leave college.

The guaranteed student loan program, under which last year alone, 1,080,739 million students obtained more than $1 billion in loans from banks and other lending institutions under the auspices of a Federal guarantee of the principal and interest; and

The so-called categorical aid programs, under which Federal funds are made available to colleges and universities for specific purpose activities, including library support, teacher training, and facilities innovation, as well as language and area studies and other specific categories of academic pursuit.

Mr. Speaker, these programs have served our Nation well and deserve to be continued.

But there are other, new programs that will be established under the provisions of the conference report, which will make it a landmark in Federal support for higher education.
Two of these programs are particularly significant:

A new system of "Basic Educational Opportunity Grants," will be established under which every American college student, from middle-income as well as low-income families, will be entitled to receive an annual grant of $1,400, less that amount his or her family can reasonably be expected to contribute to his or her education.

The new program of direct, general assistance to colleges and universities will be liberalized under which every American college institution will receive a payment based on the number of federally assisted undergraduate students it enrolls, the amount of aid they receive, and the number of graduate students it enrolls. These payments may be used by each college and university as it sees fit—no Federal "strings," other than a requirement that the money not be used for sectarian purposes.

These two innovations—basic grants and direct assistance to colleges and universities—constitute the major new programs included under the conference report, but there are several other innovations agreed to by the conferees that also deserve mention:

A new program to help the States design, establish, and operate postsecondary occupational education programs is created that will answer a long neglected need in our system of postsecondary education—the vocational training of the young man or woman who does not desire to pursue an academic degree;

A new program of startup and expansion grants for community colleges, the fastest growing segment of our higher education system, in terms of both size and popularity; and

The establishment of a National Institute of Education, patterned after the National Institutes of Health, which will conduct, support, and disseminate the products of research at all levels of education, from preschool through the graduate school.

In the list of programs I have mentioned there may be found proposals of this administration as well as the previous one, of the House as well as the Senate, of the liberal as well as the Democratic Party.

The measure before us thus constitutes not only a rational and comprehensive response to the needs of American higher education, but a bipartisan one as well.

Mr. Speaker, this legislation should command the support of every Member of this House—of both divisions.

It is the product of 2 years work in this as well as the other body.

Our 6 million college students and the institutions they attend can wait no longer for Congress to take action in this important area.

Let us examine that question of new legislation for a moment. Here we are in the second week of June. We are a month away from the first great national convention and 2 months away from the second great political convention. We have about 6 active legislative weeks between now and that second national convention.

And then the fall campaign will be here—therefore, I say to you—I say to all of you—if you want an education bill, I hope you will think a long time before you vote against this conference report.

The SPEAKER. The time of the gentleman has expired.

Mr. QUIE. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, as we come to the end of this debate, I imagine that most of you now know what is in the legislation. It has been around for a long time. The House passed its version last November 4, 1971, and it has been out of conference now for 3 weeks.

Mr. Speaker, I am extremely proud of this bill. I do not think the Congress has ever passed a better piece of post-secondary education legislation. I think it is one of the most thoroughly researched and discussed education bills that our Committee has reported out. We have put 2 1/2 years into its development.

All of our colleges—let me repeat—all of our colleges and millions of our constituents will benefit directly from this legislation.

A simple extension or preferential motion, which was spoken of, just will not do the job. Going that route would not provide several provisions now in this legislation.

First, we would not provide relief for hundreds of thousands of middle-income and needier students.

Second, we would not have a secondary market for guaranteed loans.

Third, we would not have the long-sought-after general assistance to institutions of higher education.

Fourth, we would not have this great general assistance for institutions of higher education. It is the best formula, providing the most money for private colleges of any formula that has been considered so far.

Fifth, we would not have the National Institute for Education to launch new research in teaching and learning.

Sixth, we would not have the innovation grants in postsecondary education.

Seventh, and if the preferential motion were to be enacted into law—and I am certain it would not because the Senate would never approve it in its present form—I do not have this major new advancement in support of vocational and occupational education, which is desperately needed.

These probably are not the issues for most of you. The issue undoubtedly is busing. That seems to be on most people's minds. Many have talked about the excesses of the courts on the question of busing, and the opportunity for the Congress to act in a meaningful way. And let me remind you of the adage that "A bird in hand is worth two in the bush."

I believe this 18-month moratorium on the implementation of court orders and the limitations on the use of Federal funds for busing spells "results." For those who have won their appeals and others who face massive financial hurdles to carry out the process of desegregation this bill authorizes $2 billion. And that speaks for itself.

I intend to push for further legislation in this regard in our Committee on Education and Labor. But I do not think anyone can have confidence that legislation to put limits on the courts is going to be enacted into law in this Congress. If this bill does not pass, you lose the opportunity to put an appropriation in this bill, but here you have something that is excellent for higher education, the best you could produce, and you can make some progress away from the courts. What more can you ask now?

I urge you to support the conference report and pass and enact this landmark piece of legislation.

Mr. GSELLER. Mr. Speaker, I cannot in all good conscience vote for this conference report. Unquestionably, the educational provisions of the higher education bill are admirable and merit support and I would do so with great hesitation if it not coupled with provisions inimicable to civil rights. To vote for this conference report would, for me, spell the abandonment of a lifetime's belief that it is constitutional to secured civil rights and an equal abhorrence of un warranted interference with judicial process.

The educational goals of the conference report are admirable and laudable. But to have coupled desirable goals with undesirable ones places me in the position of having to say not that I loved Resolution but that I hated Resolution, it is one of the most thoroughly rehearsed and discussed education bills that our Committee has reported out. We have put 2 1/2 years into its development.
of students for the purposes of achieving a balance with respect to race, sex, religion, or socioeconomic status. I have carefully read the decision in the Brown case, and I clearly understand that there is no constitutional requirement to achieve racial balance in the classroom. As I understand that decision, the court did not feel that the affirmative duty to desegregate dual school systems that was imposed upon local educational agencies by the court in the Brown case could be so extended. I take, therefore, the position that the Supreme Court has already ruled in that fashion that the amendment that comes back to us as a part of the conference report is actually quite meaningless, because although it contains provisions for mandatory stay on district court orders which would prescribe racial balance, it does not pretend to go so far as to decree a stay with respect to court orders that mandate desegregation. The latter would clearly be impermissible from a constitutional point of view.

I also believe that the conference has altered the Ashbrook amendment which would have completely prohibited the use of Federal funds for busing to overcome racial imbalance in a very fundamental way with the incorporation of the provision "cover, of the express written voluntary request of appropriate local school officials." Likewise the conference has significantly altered the legal impact of the so-called Green amendment which would have prohibited Federal officials from requiring or urging schools to use their own funds for busing when the words "unless constitutionally required" were added.

Having said all this, I recognize that there is still significant opposition to the inclusion of even the modified language of the Green, Ashbrook, and Broomfield amendments on the basis that it represents a step backward in the effort to promote desegregation and equality of educational opportunity in our country. In the case of Alexander against Holmes, which was decided in 1969, the Supreme Court indicated clearly that a matter of constitutional principle it would brook no delay in the enforcement of the decision of that case. However, in reliance upon my belief that the wording of the Broomfield amendment as it finally was incorporated in the conference report does not attempt to interfere with desegregation, but only with those situations where a court has erroneously mandated racial balance, I believe that this provision might pass the test of constitutionality.

I also believe that some of those who are adamant in opposition to the conference report because of the language that I have discussed above should bear in mind that this bill will make it possible over the next 2 fiscal years to distribute $2 billion in Federal funds for the purpose of promoting and assisting desegregation in the educational systems of all our Nation's schools. The defeat of this conference report would mean that for a further indefinite period these funds would not be made available.

I think we must also realize that one consequence of the defeat of this conference report would be to possibly doom for some years to come the enactment of some extremely worthwhile programs in the field of student financial aid and assistance that are designed expressly to help bridge the financial handicap of many of whom are also members of minority groups. We must also be cognizant of the fact that the Carnegie Commission on Higher Education, which to my knowledge has never been seriously challenged with respect to the accuracy of its conclusion, indicates very clearly that prompt federal enactment of some formula of this legislation is highly desirable that stands between many smaller colleges and universities and complete financial disaster.

I have frankly some great reservations about other portions of this bill than those that deal with the question of civil rights. The formula that has been enacted for dispensing institutional aid is almost unbelievably complex. I find it very difficult to see how colleges and universities can do the intelligent forward planning required for a wise and judicious use of these funds when the amount of aid to be received is subject to so many contingencies with regard to the level of funding by Congress of the various student aid programs. However, the change that the Carnegie Commission has become so desperate that I fear that at this point it is almost a question of something being better than nothing. However, I would take this opportunity to express the hope and, indeed, the convictions that it will be both desirable and necessary for the Education and Labor Committee to go back to the drawing boards and come up with a more workable formula. Having been critical of various aspects of this legislation I want to make it clear that I think that in many respects it richly deserves the distinction of being truly historic and landmark legislation. The establishment of a national institute of education, the funding of community colleges, the development of new programs of postsecondary vocational training and education, and the development of a mechanism for the secondary financing of student loans are all excellent provisions.

There is the greatest deal of thought that on balance this conference report should have my support. Finally, I would express the hope that in the weeks ahead Congress can act responsibly on the nettle some question of providing proper guidelines for the judiciary which will have the effect of setting the question of school desegregation in a constitutional and responsible manner. And we do not find it necessary to encumber otherwise worthwhile legislation with non germane provisions of the type that were attached to this bill.

Mr. GOODLING. Mr. Speaker, I am strongly opposed to S. 659, the higher education bill, because I firmly believe that this legislation will not accomplish the goal that Congress had in mind. If approved by the Congress, this legislation will not achieve anything that was intended by the legislation. It was just 15 years ago that the launching of sputnik signaled a new era of competition in education and weaponry. Hopefully the historic accord reached last month between the United States and the Soviet Union will provide the framework whereby we can move together to provide higher education for all people in the United States. I am convinced that this legislation is wrong for the wrong reason. I am also convinced that it is wrong for the wrong reason.
June 8, 1972

CONGRESSIONAL RECORD—HOUSE

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States and the Soviet Union will halt the frenzied arms build-up which has plagued us over the past decade. However our struggle on the educational front must continue.

Human history has aptly been described as a race between education and catastrophe. Unfortunately education has been falling behind in that race. It is impossible to describe the opportunity afforded by the arms accord to direct a greater amount of resources to the country's educational system—certainly the largest and, I believe, the most essential--that this Nation is engaged in. This educational bill provides us with a worthy vehicle for that goal.

Throughout my 23 years in public life, I have been deeply committed to improving educational opportunities for our Nation's young people. I know that my colleagues here share that same sense of commitment.

As a member of the Labor-HEW Appropriations Subcommittee, I pledge my continuing support in this crucial effort and I urge my colleagues to approve this conference report.

Thank you, Mr. Speaker.

Mr. MIZEELL. Mr. Speaker, when the House of Representatives first considered the higher education bill, and again when the Senate did so, I was hard put to support it, because I believed the bill included some responsible provisions for improving the Nation's higher education system.

An additional incentive for supporting the original bill was the strong language of three amendments which placed effective restrictions on court-ordered bus-busing plans already in effect and not subject to appeal. I am committed to the principle that every American child, no matter what his race, no matter what his age, deserves the best possible education he can receive, in elementary school, in junior high and high school, in vocational training centers, and in our colleges.

That commitment will not allow me to sacrifice a young child's opportunity for a quality education on the busing altar for the sake of his college-bound brother or sister. Quality education in America need not be an "either or" situation.

I want to see this Congress enact the best higher education legislation possible, but I want to see that legislation handled in a responsible manner. I believe that the program we are discussing today will develop and distribute curriculum materials for use in these schools relating to the history, geography, society, economy, literature, art, music, drama, language, and culture of the group or groups with which the program is concerned, and the contributions of that ethnic group or groups to the American heritage.

My enthusiasm for that bill, though, cannot be extended to the legislation before us today. While it contains some good, strong language, many of the highly lauded colleges and universities, it dooms several hundred primary and secondary schools to more chaos and more wasted resources as a result of unreasonable and arbitrary plans already in effect and...
Our heritage studies programs can also bring us closer together to know the common good without the fear of weakness which the melting pot metaphor is frequently used to destroy them; it suggests a belief that the proper way to treat ethnic cultures is to destroy them; this is not acceptable. It has been recognized that the image of the melting pot never comported with reality in any event. Whatever emphasis was placed on homogeneity and adoption of a common outlook and culture, persistent elements of individual ethnic cultures remained with groups of Americans. Now most Americans have come to recognize that the cultural heritage which make us inclusive as a people and unique are not properly sources of embarrassment, but should be sources of intense pride.

Ethnic pride allows men and women to exert themselves to their fullest capacities, to strive and to achieve, convinced that they do not need to apologize to no man for their forebears.

Ethnic pride has its potential dangers, as well. Of course, narrowly understood such pride can be a source of social disintegration in a country which can ill afford additional division. Today, nationalism bleeds from wounds inflicted by both those who condemn her and those who would defend her.

Our pride in our heritage can and should enable us to make sacrifices for what we know to be good without the fear of weakness which would give pause to those who do not understand their own world. The only way that such activities, as they recognize and value our differences, can also bring us closer together to form a common bond, to perpetuate this tradition, dedicated to the proposition that all men are created equal.

The address follows:

ADDRESS BY THE HON. ANTHONY J. CEBREZZE, AT THE NATIONAL CONFERENCE ON ETHNICITY

Ours is a nation which must be uniquely aware of that quality which has come to be called ethnic pride.

Ours is not a land populated by people who have lived and worked and played together for centuries. Some of the American people have indeed been here for thousands of years, but they have been joined by other, more recent immigrants to the North American continent. The passage of time has brought to our shores people whose roots can be traced to every corner of the Earth.

Northern Europeans came in great numbers in the sixteenth, seventeenth, and eighteenth centuries in the wake of the great explorers’ voyages to the new world.

Blacks were carried to our shores during that same period to fulfill the needs of an underpopulated expanse.

The Nineteenth and early Twentieth Centuries saw wave upon wave of central and southern Europeans reach this Nation.

And at various times throughout these centuries groups of Asians added their numbers to the growing population of America.

For many years it was fashionable to speak of a melting pot—in which the individual was to be boiled and presumably assimilated thereby—and from which could be distilled a single homogenous product.

In the last few years it has been recognized by many Americans—frequently the children or grandchildren of immigrants—that the melting pot metaphor is an unfortunate one.

It suggests a belief that the proper way to treat ethnic cultures is to destroy them; this is not acceptable. It has been recognized that the image of the melting pot never comported with reality in any event. Whatever emphasis was placed on homogeneity and adoption of a common outlook and culture, persistent elements of individual ethnic cultures remained with groups of Americans. Now most Americans have come to recognize that the cultural heritage which make us inclusive as a people and unique are not properly sources of embarrassment, but should be sources of intense pride.

Ethnic pride allows men and women to exert themselves to their fullest capacities, to strive and to achieve, convinced that they do not need to apologize to no man for their forebears.

Ethnic pride has its potential dangers, as well. Of course, narrowly understood such pride can be a source of social disintegration in a country which can ill afford additional division.

Today, nationalism bleeds from wounds inflicted by both those who condemn her and those who would defend her.

She suffers when one seer announces the cure for all America’s problems is a return to the land of state from which we emerged centuries ago. Her purpose is to assure us that the answer to the national problems can be found in the police state tactics adopted against whom we fought World War II.

Conceivably ethnic pride can magnify these problems by adding new dimensions to the divisions which plague our nation.

Ethnic pride can open new wounds in the body politic. It can encourage bigotry and discrimination, it can pit man against man simply because we can trace to different corners of the earth.

Or—the ethnic’s interest in his own origins, his love for the culture of his ancestors, can help us bind up our national wounds and can aid in the struggle to attain the long sought after goal of national unity and understanding.

Properly understood, I believe the new found interest in ethnicity has such potential.

Anyone who has come to love a culture must, if he is at all sensitive to come under attack, for others may have a similar feeling for the heritage of his own.

As an individual compares the culture of his ancestors with the culture of his neighbors, he begins to recognize the substantial differences which set those cultures apart the needs and drives which men seek to satisfy and the way they stay up this earth are remarkably similar.

Any honest examination of our ethnic heritages must convince us that there is much we have contributed to America—and much that is good about our country that has been given to it by others.

It would seem that such understanding is the first step toward a solution of the divisions which plague us.

From such understanding can result a breakdown of alienation, and ultimately the maintenance of a pluralistic society with a diversity of attitude but with some consensus about basic values and common national goals.

With these insights into our fellow man—and perhaps more importantly into ourselves and those who are most like us—we can begin anew the task of bringing unity to our nation.

The challenge which faces us all is to ensure that the values of ethnicity are not overshadowed by the fear of weakness which would give pause to those who do not understand their own world.

This conference on ethnicity and meetings like it can serve a great cause. They can enable us to better understand and appreciate our ethnic differences, the common good to which we must all dedicate ourselves. It is my prayer that such a step as they recognize and value our differences, can at the same time achieve the unification which can make us superior to another.

Our pride in our heritage can and should enable us to make sacrifices for what we know to be good without the fear of weakness which would give pause to those who do not understand their own world.

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Act. During the deliberations on H.R. 7248 last November in the House of Representatives, I supported the gentleman's amendment and voted for the Higher Education Act.

During my 8-year record in the Congress, I have consistently voted in support of higher education, including Federal programs and facilities for America's schoolchildren, and especially, to improve the quality of education for all our children. Among the bills I have supported are the Elementary and Secondary Education Act of 1965, the National Vocational Student Loan Insurance Act of 1965, the Health Professions Education Assistance Amendments of 1965, the Higher Education Act of 1965, the Veterans Readjustment Benefits Act of 1966, the Library Services and Construction Act Amendments of 1966, the International Education Act of 1966, the Adult Education Act of 1966, the National Foundation on the Arts and Humanities Act, the Education Professions Development Act, the Public Broadcasting Act of 1967, the Elementary and Secondary Education Act Amendments of 1967, the National Foundation on the Arts and Humanities Amendments of 1967, the Handicapped Children's Early Education Assistance Act of 1968, the Higher Education Act Amendments of 1968, the Vocational Education Amendments of 1968, the National Center on Educational Media and Materials for the Handicapped Act of 1969, the Emergency Insured Student Loan Act of 1969, the Elementary and Secondary Education Act Amendments of 1970, the Elementary and Secondary Education Act Amendments of 1970, the Elementary and Secondary Education Act Amendments of 1970, and the Health Manpower Act.

As I have stated, I supported H.R. 7248, and at the time that votes were being taken on amendments to this bill, I supported the Pucinski amendment—not now included in the House conference report—which added Title 21 to the higher education bill and contained an antibusing amendment and a definition of neighborhood schools.

On May 11, 1972, I voted to instruct the House conferees to insist on the House antibusing amendments. These amendments, as originally adopted by the House of Representatives, would have stayed all court busing orders until all appeals were exhausted, would have forbidden the use of Federal funds for busing on account of race, and would have prohibited Federal agencies from ordering busing as a condition of receiving Federal aid.

On May 11, when another vote was taken on the House position, I again voted to instruct the House conferees on the higher education bill not to forego the House position on busing in the bill. This was an unprecedented action on the part of the House conferees. Even the majority of the House Members felt it was necessary—indeed imperative—to reinstruct their conferees to hold their position on this vital issue.

I believed the conferees should have stayed all court busing orders until all appeals were exhausted, should have forbidden the use of Federal funds for busing on account of race, and should have prohibited Federal agencies from ordering busing as a condition of receiving Federal aid.

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I believed the conferees should have stayed all court busing orders until all appeals were exhausted, should have forbidden the use of Federal funds for busing on account of race, and should have prohibited Federal agencies from ordering busing as a condition of receiving Federal aid.
This can only be regarded as fiscal irresponsibility, particularly when it is viewed in light of the fact that during the past year alone we have spent $100 billion more than we have collected in taxes, and the taxpayers will simply not stand for their elected representatives to write legislation that is purely for the personal advantage and worthiness of the cause. Evidently some of those serving in this Congress are not hearing the cries of the American people—stop spending, stop duplicating, stop wasting—and before we turn our backs on this bill, we should recognize that it is full of duplication and waste of the taxpayers' dollars.

As my voting record indicates, I am no Johnny-come-lately to the cause of better education. As a former schoolteacher in the Chicago public schools—at the Carl Shurz High School on Milwaukee Avenue and other neighborhood schools in Chicago—I cannot stand idly by and watch one of the most outstanding systems of free education in existence in the world today being completely de­structed in an attempt to serve the parochial ideological interests of a few who are so far removed from the people that they cannot see the forest because of the trees.

If the conference report is defeated today, the House will once again have an opportunity to pass a higher education bill in this session. Within the next year, the House will once again have an opportunity to pass a higher education bill hopefully more responsive to the needs of the people, and if I support such a bill wholeheartedly at that time.

In the meantime, for the reasons I have cited, I am opposing the conference report on higher education and urge its defeat.

Mr. HORTON. Mr. Speaker, I rise in support of the conference report on S. 658, the higher education bill. I will vote for this measure, though my decision to do so was one of the most difficult I have ever made and I am sure this is the case for a great many of my colleagues. We have before us a good bill for higher education that is consistent with our educational philosophy. But the bill also includes antibusing provisions which go beyond those I have supported in the past and beyond what the conference committee has present for us a final vote. Some of the antibusing language has even gone beyond the strong antibusing amendments which were adopted with my support last November.

Standing out among the proposals of this omnibus bill are the provisions establishing basic educational opportunity grants, a new program to provide post­secondary education to students who would otherwise be denied such opportunity because they lacked the funds. Under the grant system, any student admitted to an accredited institution of higher education would be entitled to a Federal grant based solely on need. The grant would be equal to $1,400, less the expected family contribution but not to exceed the total cost of attendance. Unfortunately, some students needed to meet his educational costs for any one year. The far-reaching effect of this program was best summarized in a Washington Post editorial of May 21:

"We strongly urge the Federal Government to be saying loud and clear to all young people: 'If you can meet the academic qualifications for education beyond high school you will not be denied the opportunity because your family is poor.'"

In addition, the bill provides colleges with flexible support by offering general assistance that eliminates limitations on its use, a welcome departure from Federal assistance programs of the past. The bill offers special help to smaller institutions and low-revenue Federal grant-based solely on need.

As my voting record indicates, I am no Johnny-come-lately to the cause of education beyond high school. My support of the conference report on antibusing language has even gone beyond the House of Representatives. I voted in favor of a Federal grant based solely on need. But the higher education bill before the House today contains several provisions which could significantly increase the opportunities for disadvantaged Americans to receive a college education. The bill would also enhance the quality of learning for all students at the postsecondary level.

In reversing the trend of decreasing Federal assistance for higher education, this legislation strongly commits the National Government to the principle that every qualified high school graduate is entitled to further education and that educational opportunity for poor children should not be denied him for financial reasons. Complementing the assistance provided to individual students, $1 billion would also be added annually in direct aid to colleges and universities, both public and private. Educational opportunity centers would be established under the bill to provide guidance to low-income students on the type of postsecondary education they should pursue. The newly created National Institute of Education would provide a vital initiative for greatly needed innovation and creativity in education. The antibusing and far-reaching provisions make this bill a landmark piece of legislation in the area of higher education. The future of postsecondary education in this country is, indeed, made brighter by these provisions.

But the colleges and universities assisted by this bill represent only the pinnacle of our educational system. While helping to assure that no one will be denied a college education due to a lack of financial resources, this higher education bill and the antibusing language will not guarantee that American children will be deprived of the educational resources they need to qualify for admission to college. Although this legislation is forward looking in its approach to postsecondary education, the antibusing amendment that remains in this conference report marks a patently unconstitutional attempt to turn back the clock to the era of separate and unequal. It is for this reason I must speak against the adoption of this conference report.

In its momentous decision in the case of Brown v. Board of Education in 1954, the Supreme Court declared—

"It is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the State has undertaken to provide it, is a right which liberty and justice for all must Surely encompass."

When the Court overruled the decision of the Board of Education, it was departing from the normal standard which holds the deprivation of constitutional rights should be remedied immediately and
totally. Eight years ago, the Supreme Court first stated that the time for mere "dictionary supremacy" had run out. The Court has repeated that assertion on several subsequent occasions. The Brookfield amendment contained in this legislation is an effort to persuade the Congress to order district court orders involving the busing of students or make the busing or transfer of students until the appeals process has been exhausted, or until July 1, 1974—over 20 years after segregation occurred—in the Brown case. This amendment is far more than an effort to sanction the continued maintenance of segregation for an additional 24 months.

The constitutional rights of black children and of all disadvantaged American youth will not simply be suspended over this period, they will be forgotten. We cannot look upon this amendment as a palliative that will satisfy the desires of those who remain opposed to equal educational opportunities for all our citizens. Our amendment is more than an amendment alone, but will seek additional legislation to curtail the rights of blacks and others. We cannot justify support of this amendment on the grounds that it does not contravene constitutional law. Our obligation to uphold the Constitution is as great as that of the judicial branch and cannot be sacrificed on the altar of political expediency. Any freeze on school desegregation would run counter to a 57-year string of Supreme Court decisions and would also constitute the first congressional refusal from the outlawing of discrimination in public education embodied in the Civil Rights Act of 1964.

In its statement on the conference report on the higher education bill, the Congressional Black Caucus termed busing "a necessary tool which, in part, accomplishes our aims of providing quality education for black children and abolishing inferior school programs for the poor and the black." The proposed moratorium on busing, the Caucus went on, "legitimizes inferior schools for the black child and prevents those who are most dealing in this instance with a question of accepting one offensive provision in a bill so that we can also obtain the benefits of the praiseworthy aspects of the legislation. Rather we are confronted with an attempt to subvert the Constitution itself. If we allow the principles upon which this Nation and Government are based to be disregarded in this instance, it will become much easier to follow a similar course of expediency in the future.

Mr. REYES. Mr. Speaker, if Congressmen were permitted to vote "yes but" on bills before the House we would never be faced with the necessity of voting against good parts of a bill in order to prevent the enactment of other parts. Since we are not permitted such luxury, I must try to explain why I have made the difficult decision to oppose this conference report.

I agree with the objectives of Federal participation in the support of higher education, and especially with the objectives of an educational system which will make it possible for every qualified student to get a college education, regardless of financial disability. I also firmly support aid to community colleges and vocational training. But I also firmly believe that the massive funding will be spent effectively. The only way to be sure that our efforts to upgrade the availability of a quality education will succeed is to review and evaluate the progress of our efforts, as they proceed. Otherwise the money authorized here may as well be spent paving the ocean for all the good it will do.

The bill recommended by the conference contains some ineffectual sops to the principle of accountability and evaluation in education, but it provides no guidelines and no funds at all to carry them out. The GAO is only authorized to evaluate programs on a piecemeal basis at the request of committees or, if manpower is available, at the request of individual Members.

There is a justified feeling of frustration in this country over the meager results we have to show for our massive investment in an almost stereotyped massification of students. The recognition of other ethnic groups, and the likelihood of other ethnic groups immediately wanting their own legitimate interest after their black and other others have succeeded will end this. Today's bill fails to make that possible.

Second, I am also concerned over the little-noticed precedent that this bill establishes by creating a separate Bureau and Deputy Commissioner of Education for one particular ethnic group. After extensive field hearings all across the country it was clear that Indians and their organizations are not very enthusiastic over the prospect of having to deal with a whole new department for their education. But even more important is the likelihood of other ethnic groups immediately wanting their own legitimate and special problems recognized by a separate bureau and deputy commissioner as the Indians will have here. The Department of Health, Education, and Welfare is vigorously opposed to this precedent and I think it bodes ill for the future of the Office of Education as an effective or even credible organization.

But Mr. Speaker, my principal objection, like that of a large number of my colleagues, is to the substance of the bill's provisions relating to busing. What we see here is a breakdown of the legislative branch of Government. The Congress as a whole is refusing to face the necessity of pounding out the guidelines necessary to resolve the busing dilemma.

There is no assurance on the desirability of becoming a single, integrated society and of providing a quality education to all our people regardless of race. But in a democracy there is no abridgment of the freedom of the elected representatives of the people sitting down and working out some plan acceptable to the voters to carry this out. No one can force unpopular solutions to tough social issues like busing down the throat of the people of this country. They just will not stand for it. If they have to, they will punch an amendment into our Constitution to prevent it.

When the House-passed antibusing language was qualified by the expression "dictionary supremacy" the legislative branch was shirking its responsibility and shifting the job of finding constitutional solutions to the courts. The people will be forced to bring suits to find out what is or is not "constitutionally required," and those who decide will not be responsible to the voters. This mocks the whole theory of representativeness of government and will not work.

The bill also defies the House's express instruction to its conferences on the question of requesting assistance for the costs of busing public schools to allow "local school officials" to ask for such funds, but does not say which official. It may mean elected school boards. Past history indicates it more likely will be tenure-protected school administrators who reflect the views of the education establishment rather than the community.

Will they be able to initiate busing programs over the objections of the voters, the law of litigation will inevitably follow. This is another ruse to avoid the necessity of getting the consent of the people. It will not work either.

Mr. Speaker, if this body goes along with the Senate's insistence on delegating issues like these to the courts, we will have only ourselves to thank when the Judges do no less than provide a use and useful institution and when the voters go over our heads to clutter the Constitution with short-term, tactical amendments.

I cannot support this abandonment of our responsibility.

Mr. DRINAN. Mr. Speaker, the vote I cast today against the higher education conference report is the most difficult and personally painful vote I have ever cast in Congress.

I have spent most of my working life as an educator. I know the financial needs of our universities and colleges and their students. I know how acutely the $18.5 billion in funds provided by this bill will be needed—funds to extend student aid programs, funds to establish a new program of substantial grants of assistance directly to institutions of higher learning, and funds to stimulate the growth of student loans.

But this bill, as reported by the conference committee also contains provisions which would frustrate and in many cases make impossible the integration of our school systems as required by the Constitution and laws of the United States. These provisions if enacted would make a sham of 18 years of Supreme Court cases—from Brown against Board of Education onward—and would ensure that thousands of black and other minority children in the United States never get an equal educational opportunity.

This bill not only prohibits court-ordered transportation of students, but also any "transfer" of students for purposes of desegregation. Not only is busing prohibited, but also prohibited would be any other proven and accepted means of integration, including pairing of schools, for example.

I feel that the abridgments of the civil rights of students... in this bill, I believe that the suspension by Congress of the
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effectiveness of Federal court orders under these circumstances is unconstitutional.

Thus, while this vote is a painful one for me, it is one as to which I am free from doubt. We cannot pass this bill consistent with the mandates of the 14th amendment and the constitutional doctrine of separation of powers.

On March 8 and March 23, 1972, in House debate, I set out at length my views on the constitutional and policy implications of the busing issue. I continue to believe that the antibusing provisions of this bill which suspend court orders and sanctions against segregation for this and whites are unconstitutional. I will not repeat here the analyses I made in March, but I affirm them again today.

When I came to Congress the oath of office I took required my “true faith and allegiance” to the Constitution. I am persuaded that to vote for this bill would not be consistent with allegiance to the Constitution.

I wish to insert in the Record at this point, Mr. Speaker, three of the many letters I have received in opposition to this bill. They are from the AFL-CIO, the American Civil Liberties Union, and the National Council of the Churches of Christ. I agree with their views:

American Federation of Labor and Congresses of Industrial Organizations


Dear Congressman Drinan: Since the start of the current session, organized labor consistently has supported legislative efforts to improve our country’s educational system. We are proud of this role. The AFL-CIO, therefore, does not take lightly its decision to oppose the Higher Education Conference Report.

The AFL-CIO takes this position not because of the proposals dealing with higher education, but because of the inclusion of the Broomfield Amendment in the conference report.

Members of the House should understand clearly that the Broomfield Amendment has perverted the purpose of a bill which has been designed to upgrade our educational system. It is a bill designed to upgrade our educational system.

The Broomfield Amendment prohibits both the transportation and the transfer of students. Thus, even when busing is not allowed as a tool for desegregation, other tools also are prohibited—such as: school consolidation, closing of inadequate schools, re-arrangement of attendance zones (within walking distance), school pairing, new school construction, etc. Put bluntly, there is no way a court can ever order desegregation without some transfer of students.

Eighteen years ago, organized labor hailed the Supreme Court’s Brown decision as historic. The AFL-CIO never has veered from its view that “separate but equal” is inherently unequal and a denial of constitutional rights. In 1964, the Supreme Court declared that dual school systems must be terminated “at once.”

The Broomfield Amendment violates the constitutional principles established by the Supreme Court. While some have sugest that it is simply a “stopgap” measure, I believe that the Court will reject this amendment. The oath taken by House members to preserve the integrity of the Constitution gives them the same responsibility as federal judges.

Regardless of the merits of the remainder of the conference report, Congress must not endorse a halt in the desegregation of our schools. Such an endorsement would be contrary to all that Americans who still seek quality education and equality of educational opportunity.

Since the last time down on the conference report, the AFL-CIO urges you to vote “No,” and thereby voice your opposition to an amendment that seeks to turn back the clock on court-ordered desegregation.

Sincerely,

Andrew J. Rehmiller,
Director, Department of Legislation.

Washington Office,
American Civil Liberties Union,

Dear Congressman: Sometime within the next few days you will be voting on the Conference Report on the Higher Education Act.

As you know, amendments have been added to the major bill which deal with the school busing. The truth is, the amendments reported out by the Conference Committee deal only peripherally with busing.

The amendments in question forbid not only court-ordered transportation, but any transfer of students as a device for desegregation. This would eliminate solutions such as redistricting, rezoning, pairing, educational priorities, and all other means of overcoming unequal educational opportunity.

The plain fact is this: if the Higher Education Act alone will mark the first time in some 20 years that the Congress of the United States has chosen to enact legislation that is effectively anti-busing. It is not just anti-busing but anti-integration.

In view of the agony this nation has already suffered due to segregation, it is hard to believe the Congress may now be about to turn away from its commitment to equal opportunity, and from its obligation to say “no” to segregation in any guise.

Some say the Act must be passed because of the important aid it would offer our colleges and universities. But the overriding fact is that the damage from the so-called “busing” amendments will be irreparable, while any harm to higher education can surely be quickly remedied by a concerned Congress.

Unfortunately, we cannot keep the good in this bill and eliminate the bad. As Senator Kennedy said, we are faced with an indivisible package of excellence and muck.

This legislation would sacrifice the rights of minority children with what amounts to a bribe—the bribe being urgently needed funds for higher education.

Yet some Congressmen seek to justify the bill by saying the so-called busing amendment will be defeated as unconstitutional. This is an amazing rationale. Every Congressman takes a sworn oath to support the Constitution. If you believe the “busing” amendment is unconstitutional, it is your obligation to vote “No.”

Furthermore, even if you should somehow overrule the Supreme Court, it is no excuse to say the courts will remedy the wrong. By the time any court action could be completed, the school years will have been lost. Thousands more children will have been cheated of their rights.

This has been a situation that separate schools are not equal. All-white schools have a marvelous way of finding themselves overcrowded.

How ironic, then, that in the name of “higher education,” this legislation would freeze underprivileged children into separate and unequal facilities. What good will better colleges be for those who need them most, if their early schooling does not equip them for any higher education?

The contradictions in this legislation are so great that they amount to trying to build a skyscraper on sand. A skyscraper can’t be built on sand. Nor can a decent nation be built on the sand of segregation.

Again, the salient fact of this legislation is that it is not “anti-busing”. It is anti-transfer, and thus pro-segregation. Its passage would mark a tragic about-face in America’s quest for equal opportunity for all citizens.

I hope this will not be the Congress to abandon that quest. I urge you to guide by your conscience.

John C. Coffee

From the Conference Report on the Higher Education Act, I urge you to vote “No.”

With best regards,

Arlie Schurz,
National Legislative Director.

Washington Office, National Council of the Churches of Christ in the U.S.A.


Dear Congressman Drinan: I write to urge you to reject the so-called busing amendments to the Higher Education Bill. I do so with sorrow because the legislation authorizes badly needed assistance for colleges and universities. I do so understanding the dilemma which this legislation poses for many members of Congress. I urge Congress to compromise and accommodation are an important and often necessary part of the legislative process.

However, in this instance, in our opinion, the price is too high. The Conference Report represents the greatest threat to orderly school desegregation since that process began with the 1854 Supreme Court decision. It is not just anti-busing but anti-integration.

By blocking both the transportation and transfer of students, it could bring court-ordered desegregation to a halt for 18 months.

The Conference Report represents compromise of a kind we hope you will not accept. Our society cannot afford to compromise the constitutional rights of any of its citizens, the independence of its judiciary, nor our goal of becoming one nation, indivisible.

Sincerely yours,

Cynthia C. Wedel
Mrs. Theodore O. Wedel

Mr. EDWARDS of California. Mr. Speaker, today on the floor of the House is the conference report on an historic student education initiative, a $18.5 billion bill, which not only extends existing programs but creates exciting and long-needed new ones.

For their first time, the bill commits the Federal Government to the principle that every qualified high school student graduate, regardless of his family income, is entitled to higher education, whether in community college, vocational institutes or the traditional 4-year college or university. This is a concept I heartily endorse.

Another commendable concept is contained in the legislation. That is, that there should be direct assistance to institutions of postsecondary education based in part on the number of students benefiting the basic grant provided on the bill, the amount of Federal student assistance at each school and graduate education. Again, this is a concept which I endorse.

Additionally, a new student loan marketing association is established which
would expand the availability of credit and thereby expand the number of student loans. Again, this is a program with which I have no quarrel.

Yet despite all of these fine and innovative features, despite the general thrust of the entire bill in terms of higher education, I must sadly vote against it. Not because I have not been a vigorous supporter of federal aid to education, not because I want to denounce to students from low-income families the opportunity to further their education, not because I do not recognize the desperate financial straits of many of our higher education institutions find themselves in today, but because my commitment to the United States Constitution must exceed my commitment to any particular piece of legislation that would endanger or encroach on the constitutional rights of any citizens of the United States.

And the latter is what I believe this bill, encumbered as it is with unwise amendments, will do if it is enacted into law.

Voting for the conference report would signal to minority groups in this country—minority groups in this Nation—that despite the 1954 Supreme Court decision, that despite the numerous civil rights bills enacted by the Congress over the last 12 years, that despite this country's verbal commitment to equal rights for everyone, the Congress of the United States is willing to sacrifice 14th amendment guarantees of equal educational opportunity for the sake of pacifying some groups in this country that have more power and more visibility.

The President of the United States has already opted for expediency over moral leadership in this whole area of equal educational opportunity. Is the Congress of the United States going to uphold the President's position and reaffirm his stand that the long-sought goal of equal education is not attainable in America or at least cannot be espoused by those seeking public office? If this is the case, then why do Americans look for redress when public officials, sworn to uphold the Constitution, wink at their oath on an occasion like today?

Those of us who have long supported civil rights goals in this country must not be tempted to slough them off today when the vote comes. We must be willing to unequivocally stand up today and tomorrow and whenever the occasion arises to continue to reaffirm our belief in the Constitution and in equal opportunities for everyone.

Only by taking a public stand of firmness in these troubled times can we ever hope to rally millions of decent Americans—honestly confused and bewildered by the artificial atmosphere whipped up by so many public figures in this country—to the continuing struggle for equal rights and the hopefully temporary need for business to help achieve this goal.

Mr. Speaker, I regret that I must vote against final passage of the higher education bill before the House this afternoon. I need not dwell upon the omission of legislation for our colleges and universities and there are many such institutions in my Congressional District.

However, I cannot in good conscience vote for this bill in the face and I have the obligation, believing full well that my total opposition to the war required me to vote against bills containing legitimate defense expenditures. Today I can do no less in supporting our Constitution and the courts of this country from this blatant denial of the rights of all children in our country to a decent education. The higher education provisions are not only legitimate but praiseworthy measures. But I have no other recourse under these most unfortunate circumstances confronting me today.

Since coming to Congress I have voted against every appropriation bill containing funds for the further prosecution of the Vietnam war. I have done this knowing full well that my total opposition to the war required me to vote against bills containing legitimate defense expenditures. Today I can do no less in supporting our Constitution and the courts of this country from this blatant denial of the rights of all children in our country to a decent education. The higher education provisions are not only legitimate but praiseworthy measures. But I have no other recourse under these most unfortunate circumstances confronting me today.

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Mr. Speaker, I sincerely hope that a straight 1-year extension of existing education programs or a continuing resolution for 1 year at the 1972 level of funding can be passed soon as a temporary measure. In the meantime, the importance of the conference report on the Higher Education Act cannot be overemphasized. This bill establishes the need for third party financial aid to our colleges and universities. In view of the financial crisis faced by the higher education community, the legislation has a sense of urgency.

One segment of the higher education community which has been particularly hard hit is the community college. Community College enrollment ranks seventh nationwide. I have found that students in our community colleges have different characteristics from those in typical 4-year institutions. They tend to be older—50 percent of the vocational-technical students are over the age of 20; and more frequently hold some type of part-time job while attending college; on 49.6 percent of the students at Kirkwood Community College in Iowa, receive financial aid. The high percentage of veterans attending our community colleges is an especially important factor. We need to provide educational opportunities to those individuals who have served their country and would appreciate some help in return. In the seven-county area served by Kirkwood Community College, veterans are returning at the rate of 200 each 6 weeks.

And this emphasizes that the community college is serving that huge segment of our area population which was not previously served by our traditional 4-year institutions. Consequently, there is a real need for Federal legislation which will permit additional planning and expansion of opportunities provided by our community colleges.

In Iowa, Kirkwood Community College offers an example of the type and extent of aid that our community colleges have been receiving. In the initial year of the educational opportunity grant program Kirkwood was approved by the regional panel for $90,000 in Federal moneys. They received $9,480. In college work-study, they were approved by the regional panel for $132,490. They received $34,561. In the NDSL program, panel action approved $123,174. If the program is extended, estimated receipts will reach $364,953. This shows how essential the institution is in a position of accepting no new applications for financial aid for the coming academic year. In turn, many prospective enrollees have no alternative but to forgo enrollment.

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My further support for this bill is based on the following national statistics: Currently, U.S. community colleges enroll 33 percent of all students in higher education and enroll 62 percent of all handicapped students who are enrolled in higher education, but receive only 9 percent of Federal funds expended for higher education. Next year, the majority of those people who have too long been denied opportunities in our scheme of higher education.

A particularly significant provision of this bill results from an amendment I proposed, was adopted on the House floor and agreed to by the conference. It authorizes the waiver of maintenance of effort requirements for student assistance programs in certain cases. This could be applied to a situation where an institution's income was decreased, for example, by a decline in enrollment. This provision allows the Commissioner of Education to waive minimum require-
ments for continuance of the program based upon higher enrollment figures. This type of situation is faced by many of our private schools at the present time.

I cannot overstate the importance of higher education in our society. This bill helps supply the needs of our higher educational system; for those means are receiving my support. The formula for busing institutional aid upon the number of federally aided students enrolled at any individual school is a sound one. The exclusion of both old programs is vital to the maintenance of equal educational opportunities for all.

Mr. RANGEL. Mr. Speaker, I am straining to find something good in the advice given me by those of my liberal colleagues concerning their support of the higher education conference report which includes the antibusing provisions.

But I am driven to the conclusion that my friends are deserting me and the black community in what could mark the beginning of one of the saddest chapters in American history. Today could become even a call to arms. I observe my otherwise progressive friends compromising away the meager step that busing represents toward eliminating the inexcusable injustices on our people that have festered for generations. I begin to wonder whether my liberal colleagues are really only sunshine patriots.

To my conservative colleagues, I would say that you may believe that the Supreme Court has along with me decided whatever Congress orders, but I have hopes that even Mr. Nixon's most conservative appointees will see through this product of sloppy drafting—perhaps by interpreting the term racial balance—even the traditional tools for desegregation other than busing will be barred. A lowering of the student population threshold or the integration of a school board's student body will not be enough; school consolidation, zoning, pairing, construction of new schools and other measures all involving the transfer of students would be delayed. But bluntly, there is simply no way a court can begin doing its constitutional duty to desegregate the schools unless it orders the transfer of pupils.

The Ashbrook amendment, section 802(a) of the bill, prohibits the use of Federal education funds for transportation of pupils or teachers to overcome racial imbalance or achieve desegregation, except on the express written consent of local school officials. No such funds could be made available for transportation if the time or distance of travel is so great as to risk the health of the children or significantly impinge on the educational process, or would result in children being assigned to a school substantially inferior to the one he or she would be attending under a nondiscriminatory geographic zone assignment.

When courts continue to order the desegregation of schools by transporting pupils, even if the cost is substantial, what are we doing to the young children or significantly impinge on the educational process, or would result in children being assigned to a school substantially inferior to the one he or she would be attending under a nondiscriminatory geographic zone assignment.

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Mr. Speaker, I think that the vote I am going to cast today is one of the most difficult I have made since I came to the House in late 1969.

On the one hand the bill before us contains $18.5 billion for the extension of present higher education programs and the creation of new ones. The new programs include one to provide about $1 billion annually to Federal Land Grant colleges and universities, and another one providing basic grants to needy students.

The Basic Educational Opportunity Grants program, established by this act, is a new program under which students at colleges and universities would be entitled to basic grants of assistance up to $1,400 per year, minus what the family could be expected to contribute. A student can expect 60 percent of what a student needs to attend a particular institution for 1 year. These grants will help to alleviate the chronic shortage of funds to needy students and allow them to plan on higher education free of the fear.

The bill also authorizes $40 million in emergency grants to institutions in severe financial straits, and $75 million to institutions for $300 per veteran enrolled, and an additional $150 for each veteran participating in a special reserve veterans program.

In addition, it prohibits discrimination on the basis of sex in all federally assisted education programs, exempting
only undergraduate admissions to private institutions, public institutions with a traditional policy of admitting only students of one sex and military academies.

The Higher Education Act is a good bill. It has taken 2 years to work out these provisions and the result is its much needed provisions of assistance to American students from disadvantaged families. Yet attached to the legislation is an amendment which I find abhorrent. This amendment prohibits the implementation of district court orders involving either busing or the transfer of students for the purposes of achieving a balance among students with respect to race—until the appeals process has been exhausted or until January 1, 1974, whichever is earlier. The bill also prohibits the use of Federal education funds for transportation of students or teachers to overcome racial imbalance or to achieve desegregation, except on the express written consent of local school officials.

No such funds could be made available for transportation of students if the time or distance traveled is so great as to risk the health of the children or significantly impinge on the educational process, or would result in children being assigned to a school not integral to one he or she would be attending under a nondiscriminatory geographic zone assignment plan.

This amendment also prohibits Federal officials from urging, persuading, or requiring the use of non-Federal funds for transportation to correct racial imbalances or achieve desegregation, or to condition a grant of Federal funds on such transportation unless constitutionally required.

Mr. Speaker, I realize that this conference is going to pass the House. But I must vote against it. The amendment is totally wrong, and since the rules of the House require me to vote yes or no on the entire conference report rather than on a stand alone amendment, I will cast my vote against the amendment, as I would like to do, and I am forced with regret to vote "no."

This amendment will effectively prohibit not only the transportation of students but also the transfer of students. As a result no tools may be used for desegregation including school consolidation, closing of inadequate schools, redrawing of attendance zones within walking distance, school pairing, new school construction, et cetera. By stopping this amendment we will be able to achieve a balance among students with respect to race—until the appeals process has been exhausted or until January 1, 1974, whichever is earlier. The bill also prohibits the use of Federal education funds for transportation of students or teachers to overcome racial imbalance or to achieve desegregation, except on the express written consent of local school officials.

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Mr. Speaker, I realize that this conference is going to pass the House. But I must vote against it. The amendment is totally wrong, and since the rules of the House require me to vote yes or no on the entire conference report rather than on a stand alone amendment, I will cast my vote against the amendment, as I would like to do, and I am forced with regret to vote "no."

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No such funds could be made available for transportation of students if the time or distance traveled is so great as to risk the health of the children or significantly impinge on the educational process, or would result in children being assigned to a school not integral to one he or she would be attending under a nondiscriminatory geographic zone assignment plan.
onstration and evaluation of special Indian education programs. Also, $5 million is authorized in fiscal 1973, $8 million in fiscal 1974, and $8 million in fiscal 1974 for Adult Indian education programs.

And perhaps most importantly, Mr. Speaker, it provides for the creation of a Bureau of Indian Education within the Office of Education and a Deputy Commissioner. This, combined with the National Advisory Council on Indian Education, will begin the extremely important task of involvement of Indian people in their own and their children's education.

Therefore, just three of the many benefits to be derived by education from this legislation. It is landmark legislation. Higher education in this country is in deep financial difficulty. It were almost the advantage of highly educated people, we must act now to relieve those difficulties.

Mr. SIKES. Mr. Speaker, I recognize the need for a higher education assistance. I have already said that the conference report now pending would provide a proper vehicle for this objective but it does not. It brings to the House as a result of this conference bill a different bill—a bill that has in it serious weaknesses and a number of objectionable features. I believe the proposal now before us is damaging to educational processes. That it will perpetuate forced busing and that it will result in lowered standards of education at institutions of higher learning. If I read the bill correctly, it will set up a new welfare program for education patterned after the aid to dependent children program. If the student abandons his home ties, he gets $1,400 per year plus food stamps. This can provide a hippie haven of boundless proportions.

In my part of the country, we hold to the idea that colleges and universities should be open to anyone, of any economic bracket, just so long as the student has demonstrated the ability and desire to master the work required. We tried to help provide the financial means where this is necessary, we strive to continually increase the standards of college entrance and graduation. Those who can afford to pay their own way do so. Deserving students who cannot afford to foot the bill are helped, if help is available, through work programs or scholarships. Active efforts are made to assist any student, of any economic station, if that student has the ability and desire to meet the standards for obtaining a college education.

If I interpret the conference report correctly, it places stress on only one standard which is to be met if a college or university is to be Federal approved. This standard is $1,400 dollars. That standard is; how many people are enrolled. The program of benefits starting at $1,400 per pupil per year would establish something resembling an educational welfare program. This is not the way to run a higher educational system, Mr. Speaker. This proposal would result in a mad scramble by colleges to seek out—not brilliant students and deserving students—but economically deprived students. Academic standards would go out the window. Entrance requirements would rest on random selection. In effect, this changes the bill into a law that forces an educational welfare program.

This is wrong, and it must not be enacted into law. This is the reason we have to come into the question of veterans benefits in a completely unrealistic manner, setting up a new veterans aid program for schools. It, too, is based on the school's ability to recruit students.
provides needed financial aid for many colleges and universities dangerously close to the edge of bankruptcy. But I cannot turn away while efforts are being made to undo so many years of progress in the field of civil rights. I urge, therefore, that S. 659 be defeated.

Mr. CULVER. Mr. Speaker, the vote today on the adoption of the conference report on the Higher Education Act of 1972 places many of us in a painful dilemma. Unquestionably in its basic content, this is one of the most significant and long-needed legislative proposals which we have acted during my 8 years in this House. Moreover, it is the product of the most genuine and pains-taking legislative craftsmanship and effort. Its potential benefit, not only for our many colleges and institutions of higher learning, but also for neglected areas such as Indian education, is immense. By any reckoning this bill deserves support.

However, we cannot be oblivious to the one major defect in the bill before us—the insertion of an extraneous amendment which we least expected. I would question our resolve to achieve nondiscrimination in public education. The antibusing amendment may be unconstitutional; it may turn out to have only slight legal effect; it may sink in its own weight. But the fact that the amendment may ultimately be of small consequence does not justify our trivializing it or neglecting the change of attitude and commitment which it conveys to both members of minority groups and the country as a whole. It is a large blemish which the Nation, hopefully, will soon have the capacity and compassion to erase.

I have carefully pondered my vote, and on balance, I shall support the conference report. There is too much basic worth in the legislation, which has been the culmination of years of effort to bring our Federal programs into line with the contemporary need in post-secondary education—improving and expanding our national educational effort. This is not a bill which can quickly be reconstructed and brought back to the floor. The busing issue cannot be stamped out by defeating this conference report. I have been persuaded—indeed I have been persuaded that defeating the Higher Education Act of 1972 would neither advance the cause of education nor subsequently prevent even more lacerating blows to the cause of equal rights.

Mr. Speaker, I vote for this bill with the hope that it will bring new vigor to American higher education, that it will expand opportunities for many young Americans, that it will alleviate the heavy economic pressures on many students, parents, as well as institutions, that it will help to maintain a proper balance and diversity among our institutions of public and private education. We can, I think; be confident that this bill at its true core embodies an act of legislative statesmanship and concern.

Mr. BADILLO. Mr. Speaker, it has become almost a cliche to describe as “historic” the education amendments before the House today. Unfortunately, this is so in both the positive sense and the negative sense.

Without doubt, the higher education assistance provisions represent a major step forward to achieve an enthusiastic support. They include a new program of basic educational opportunity grants to assure that no qualified student will be denied the resources necessary to complete a college education.

This legislation also includes a desperately needed program of aid to institutions of higher education, to help them meet and bear the burden they cannot be made through tuition alone. Particularly significant is the formula under which this aid is to be allocated, which emphasizes assistance to institutions with high proportions of disadvantaged students. Having had a hand in working out this formula when the higher education bill was still in committee, I want to point out that this allocation was necessary to assure a fair apportionment of funds to developing institutions and those with high percentages of minority and disadvantaged students. These institutions, perhaps the most in need and without this formula, would have been among the lowest in funding priorities.

These amendments also include the Emergency School Aid Act, a $2 billion program to assist school districts desegregating as a matter of local choice or under court order, in providing quality, integrated education to all students. This bill was before the General Subcommittee on Education, on which I serve, for many months and I am gratified that the final version includes the special set-aside for bilingual education programs which I succeeded in having incorporated in the House version of this bill.

Another very significant provision establishes the National Institute of Education, modeled on the National Institutes of Health, to provide the coordinated educational research and development needed to improve the education effort. It is heartbreaking to see millions of American children still receiving inadequate educations, despite the tremendous increase in expenditures at all levels, because of our failure to develop new techniques and procedures which have been developed in recent years. It is to be hoped that the National Institute of Education will undertake the broad research and demonstration program needed to assure that our education dollars are being spent effectively and that those who still are denied the benefits of our national education effort. It is heartbreaking to see millions of American children still receiving inadequate educations, despite the tremendous increase in expenditures at all levels, because of our failure to develop new techniques and procedures which have been developed in recent years. It is to be hoped that the National Institute of Education will undertake the broad research and demonstration program needed to assure that our education dollars are being spent effectively and that those who still are denied the benefits of our national education effort.

Other highly significant provisions of this conference report include expansion of existing aid programs for postsecondary education, bars to discrimination on the basis of sex in education programs, establishment of a National Student Loan Marketing Association to support the guaranteed student loan program and creation for the first time of an ethnic heritage studies program.

It is fair to say that the single most important education measure ever before the Congress. And it is tragic that it comes to us mortally encumbered with three amendments designed to cripple the capacity of the Federal courts and agencies to remedy racially discriminatory school segregation. These amendments, if passed, will scandalize the American people, make it impossible for me to support the conference report for they represent a retreat from the national commitment to nondiscrimination embodied in the Civil Rights Act of 1964 and a serious threat to the authority of the courts.

The intent of the Broomfield amendment is quite clear. It is designed to postpone all orders, in all cases involving transportation of children to achieve school desegregation. If this intent is given effect, the amendment will halt 14th amendment enforcement for up to 18 months—6 months longer than President Nixon’s proposed moratorium.

It is a tragic irony that we are taking this legislation up just after the 10th anniversary of the historic Brown against Board of Education decision which ruled that “separate but equal” is not at all equal. The Broomfield amendment is an attempt to negate and nullify behind that decision and the mandate established in the 1969 Alexander against Holmes County, in which the Supreme Court declared that dual school systems were unconstitutional. It has been suggested repeatedly that the Broomfield amendment is so poorly drafted and so clearly in opposition to the trend of court rulings that it will be found unconstitutional and, therefore, we should vote for the conference report to salvage all that is good in the bill. I think it would be dangerous and mistaken for any Member to vote for this conference report hoping that the Court will bail us out. In the first place, it would be foolhardily to attempt to anticipate the Supreme Court, particularly in view of recent changes in membership and the ideological shift which apparently has taken place. And in the second place, we all have taken an oath of office to preserve the integrity of the Constitution.

I think the distinguished Senator from Minnesota (Mr. Mondale) put the issue in its proper perspective during Senate debate on this conference report when he said:

I think most of us would agree that if someone offered us a bargain—to reduce our freedom of speech, our right to assemble, or our right to practice our religion in exchange for another 10 miles of super highways—we would all say, “we cannot exchange our freedoms for super highways.” These freedoms found in the Constitution, the freedoms fundamental to American life, are not in any sense nominal. They are on a different level, a different plateau, and bear a different value from other disputes.

Mr. Speaker, I urge rejection of the conference report. There is still time to prevent this bill from higher education. I urge that we should not do an order to small threat which attacks so basic a principle of our society and our system of laws.
determination of this conference report on S. 659, the Education Amendments of 1972, with mixed and troubled emotions.

It is equally clear, whatever misgivings may have been entertained about any particular section of the report, that the educational benefit essence of the bill has been hailed and endorsed by an impressive array of professional organizations and authorities as comprising perhaps the most important single educational advance ever placed before the Congress.

In summary, among many other projects, we have before us a feast of the higher education reform in this country that has already drawn fire from groups, who consider any restriction on busing plans, as in every other measure, that represents the most impressive and most alluring that nearly two decades after the Supreme Court's decision in the case of Brown v. Board of Education, rather than deal with the diminution of the right of small children to quality integrated education. The provisions of the antibusing provisions in this bill which do not deal with higher education, rather they deal with the de­

pected support of Members concerned about the future of American education. Clearly, on their own merits, the substantive Higher Education proposals offer a progressive vision for American education. The extension of student aid programs and creation of new forms of financial assistance promises to expand educational opportunities for all Americans.

Further, the revolutionary institutional aid programs, which I wholeheartedly support, would greatly diminish the burden on the hard-pressed colleges. I am particularly pleased that a new program to aid our communities colleges is incorporated in S. 659. I have sought such assistance for many years and am also happy to note that James A. Colston, president of Bronx Community College, is one member of our leading educators who has urged adoption of S. 659. I have sought such assistance for many years and am also happy to note that the conference did a remarkable job in balancing the varied interests in educational programs and while the conference report may not give all institutions what they sought, it does make the single greatest leap forward for higher education reform in this century. Thus, it deserves the support of most of our college and university organizations.

It is against this background that I confront the busing amendment. Many persons and groups whose judgment I respect, have urged defeat of the entire education bill because of the antibusing provisions. However, I do not believe the provision is a fatal flaw in the bill. In this regard, I was impressed by the following New York Times editorial of May 19, 1972:

The agreement reached by Senate-House conferees on the antibusing amendment should remove the most serious obstacle to enactment of the historic education bill. A compromise is a compromise that has already drawn fire from Southern segregationists, who wanted to ram an anti­integration rider down the conference conference report may not give all institutions what they sought, it does make the single greatest leap forward for higher education reform in this century. Thus, it deserves the support of most of our college and university organizations.

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gationist teeth from the dreadful provision presented to them by the House. The House, by its delay for up to nineteen months, pending all appeals, any Federal court orders requiring busing to achieve racial balance. On that basis, it does not require the expenditure necessary for school desegregation. It merely adheres to the Supreme Court's ruling that it is proper for the lower court to order schools to achieve integration but not to create racial balance.

Far from bowing to the House order to provide desegregation funds and accede to compulsory busing, the amendment allows the expenditure of such funds for busing if local communities request them. It does not permit Communities to pay for desegregation plans and to rely on Federal aid for busing. Unfortunately, the conference added "unless constitutionally required." is a red flag politically magnified by Governor Wallace and given bogus respectability by President Nixon. The conference compromise, which closely resembles the earlier Scott-Mansfield amendment, is designed to do as little harm as possible. Federal authors would undoubtedly agree that it serves no constructive purpose in its own right; rather it is a shield for saving the college campuses with­out any and school Integration.

It should also be noted that the most vociferous opponents of school busing are all urging a "no" vote on the conference report.

On balance, I believe the importance of the bill for higher education is overriding.

Mr. FUQUA. Mr. Speaker, I cannot re­member a legislative proposal that has elicited from me more ambivalent feel­ings than has the Higher Educational Act of 1972. Even the higher education community is unable to take more than an ambiguous stand on this legislation as there are a number of unmitigating provisos in this sweeping measure.

One of the more odious provisions of the measure sent to us from conference is the formula tying institutional aid to the amount of Federal dollars going un­needed students. I feel strongly that all qualified students should be able to obtain a postsecondary education through Federal assistance without having to do so. But where does the student from the middle income group fit into the broad picture of higher education? We are confronted once again with a situa­tion in which Federal aid is not righted at the expense of the middle and lower income taxpayer. The funding formula developed under the able leadership of Mrs. GREEN rejected the concept of institu­tional aid based on a particular class of students and this concept has my sup­port. The provision for general assistance to institutions of higher education as contained in the conference report gives me much concern.

Another area of great concern to me is that of school busing. The House was most explicit in its version of the Higher Education Act about prohibiting or forced busing of our schoolchildren. I reject the inference that antibusing lan­guage is superfluous to higher education legislation. Forced busing is one of the most pressing social concerns of this day and I feel strongly that the question should be addressed with strong pro­scriptions against compulsory busing. In this regard, I supported and still support the language as contained in the House ver­sion. I voted for the Broomfield amend­ment because I felt that all appeals should be heard before court-ordered busing plans are enforced. Yet, and con­trary to the House instructions, the confer­ence added a termination date for these appeals. I reject the inclusion of this termination date as the congested state of our courts will often require judicial action after the January 1, 1974, date.

Similarly, I voted in favor of the Green amendment because I feel strongly that Federal employers must be prohibited from encouraging local governments or local agencies from paying for desegregation. Unfortunately, the conference added "unless constitutionally required." Any layman can recognize that the inclusion of this phrase effectively diminishes the impact of the Green amendment and renders the language meaningless.

The House version also stated that no funds will be appropriated for the pur­pose of carrying out any applicable pro­gram used for the transportation of stu­dents or teachers or for the purchase of equipment for such transportation in or­der to carry out the desegregation. Yet the conference send us a pro­vision which would prohibit such appro­priations unless instructed in writing by local school officials. This is perversely in the right of the House and these funds would not be expended to carry out busing plans.

Finally, the House was steadfast in requiring that all guidelines and criteria established for the transportation of schoolchildren shall be applied uniformly in all regions of the United States in dealing with conditions of seg­regation by race in the schools without regard to the origin or cause of such segregation. Once again the conference lessened the strong and sound purpose of this provision.

If we are to address the question of school busing we must meet it headon. I see little to be gained by this one step forward, two steps backward approach. The House repeatedly has faced up to the fact that forced busing is patently unpopular, unsuccessful in bringing about quality education, and is socially divisive.

However, even though the language of the conference report is not as strong as I would like for it to be, I do not feel that we can afford to sacrifice what is in this new and innovative bill. The House Education and Labor Commit­tee is considering legislation that would provide funds for alternative means of school desegregation without the burden of forced busing. In another amendment, the House Judiciary Committee is considering legis­lation calling for a moratorium on all forced busing of schoolchildren. Finally, the House Judiciary Committee is con­sidering a constitutional amendment prohibiting forced busing. I have signed the discharge petition to bring this amendment to the House floor. These measures as well as next year's elementary and secondary education bill will provide useful opportunities to elim­inate the social ills comcomitant with forced busing. I must repeat, however, that I strongly reject the watering down of the House language and several other provisions of the conference report.

But what are our alternatives? Higher education has had to wait over two years for an omnibus bill. Here we are at the end of another year and no legislation that will remedy some serious shortcomings in programs of Federal assistance to higher educa­tion. We are now, however, out of options and must face up to the fact that the conference report in spite of the objections I have just mentioned.

No legislation is going to be perfectly satisfactory to all concerned. I wish that the conference report could have been closer to the measure which was passed by the House and which received my support. In considering this measure I have attempted to balance the objectionable provisions against those which will assist our educational system. In addi­tion, the long delay in getting an anni­versary extension has created a great deal of interest in voting for or against the conference report. After a careful analysis of the measure, I feel that I must support the conference report although I have strong reservations about the much delayed and uncertain, this bill cannot be considered as if in a vacuum. The appropriations proc­ess will play an important role in deter­mining whether the ultimate programs will provide the kind of assistance needed by our higher education institutions.

The new basic education opportunity grants appear excessive and I would prefer greater support of existing pro­grams which have met the test of time. Fortunately, or unfortunately, the con­ference report requires that funding of present programs must reach a high level of funding each year before any appropriations may be made for the new basic education opportunity grant pro­gram. Supplemental education opportu­nity grants must equal $7.5 million; the college work study program must be funded at over $327 million; NDEA direct loan program must be funded at over $26 million before funds are appropriated for the new basic education opportunity grant program. I am most hopeful that these programs can be funded at a higher level and much less emphasis be given to the new pro­gram.

Notwithstanding the provisions to which I have just expressed my concern, this higher education bill will provide greater support of existing educational programs. One of the most exciting provisions of this measure is the creation of a Student Loan Marketing Association to help insure adequate funds for guaranteed student loans. The as­sociation would sell stock and buy up student loan notes from private lenders. I was the author of a very similar pro­posal which would have created a secondary market for student loan notes. Consistent with the estab­lishment of SMLA the legislation extends the existing Federal work study pro­gram, increasing the amount a student may borrow each year from $1,600 to $2,500. The bill places a limit of $7,500
on the total amount undergraduates can borrow and a total of $10,000 on the amount graduate students can borrow, including their undergraduate loans.

Another essential provision of the bill extends the national defense student loan program and authorizes annual appropriations of $400 million through fiscal 1975 and limits to $2,500 the total a student may receive during his first 2 years in college. The bill allows all undergraduates to receive a total of $5,000 in such loans and a graduate student $10,000, including his undergraduate loans.

One of the most essential provisions of the bill authorizes $275 million through fiscal 1975 for a program of matching grants to assist in planning, establishing and expanding community colleges. Many community college educators, their professional State associations, the American Association of Junior Colleges and the Carnegie Commission on Higher Education have advocated the expansion of the very successful community college programs.

Graduate education receives increased attention in the bill. The reports recognize the scientific and technological offshoots of graduate education and the prominent role it plays in maintaining our leadership in world technology and trade. The bill establishes a new section consolidating graduate aid. It authorizes a program for improvement of graduate facilities and programs with authorizations of $30 million for fiscal 1973, $40 million for fiscal 1974, and $50 million for fiscal 1975. The bill authorizes a program of graduate fellowships, similar to the current national defense graduate fellowships, for persons teaching in institutions of higher education. In addition, it authorizes a program of public service fellowships and extends the current program of language and area studies.

A total of $80 million through 1975 is authorized to develop curricula and programs training for teachers and public service personnel. Another important provision authorizes funds for college library programs.

For these and other beneficial programs I do not feel that we can afford to defeat the conference report. Higher education contributes greatly to maintaining our position as a world leader. This is not to say that it is desirable to encourage every young person to obtain formal education beyond the high school level. Certainly there are young people who prefer for one reason or another to enter the trades and they can benefit greatly by vocational and occupational training. This bill provides incentives and opportunities to enter these trades. It is the nature and the development of sound vocational education programs must be encouraged.

It comes then, to a matter of balancing provisions and elements of the bill. While I have outlined my objections to certain provisions of this measure, I do not feel that we can discard over 2 years of hard work and hard thinking by the committee, by having long hours of hearings by defeating the conference report. For this reason, I will vote in favor of the conference report, though reluctantly, so that we can move ahead with much needed educational programs. It is important to realize that the authorizations of virtually all of the programs and others not mentioned here will expire on June 30, 1972. If the House rejects the conference report we are confronted with a possibility of throwing the ball out with the baton and encourage my colleagues to join me in support of this legislation.

Mr. PICKLE, Mr. Speaker, although I support this bill for passage I have some definite reservations and objections to the substance of the provisions on institutional aid to higher education.

This bill has recently been called by the Washington Post what "may be the most far-reaching legislation to come to a final vote in this Congress" and a bill which the New York Times states "can affect the fate of American higher education for generations to come." I agree generally in these descriptions and that is why I want the record to show several concerns I have about the bill.

The conference committee and accepted by the Senate contains many very fine provisions, including the extension of many excellent Federal aid programs, the addition of new student assistance programs, and new authorization levels for funding. However, the provisions for aid to institutions under title X, it seems to me, focuses almost exclusively upon aid to needy students. Such institutional aid as may become available under title X of the bill is almost exclusively dependent upon the extent to which recipient institutions are obtaining and providing Federal aid to economically needy students. The provisions of title X ignore first the many purposes of higher education other than aid to the needy students which need to be supported, and second the efforts of the States, institutions, and private donors to provide assistance to needy students.

This is not to say that in any way I oppose more aid to needy students. I would point out that in my State of Texas, higher education has always been made available to economically disadvantaged students through low tuition charges. For example, a Texas student may complete a year's work of 30 credit hours for a tuition charge of $120. The voters of Texas in two separate elections approved bonds of $285 million for loans to students, a program which has provided from date 1964, $205,000 loans to 175,000 students for $91.6 million. Texas institutions have combined millions of dollars with millions in Federal aid to construct facilities to accommodate more students. New schools have been authorized and funded to provide more convenient geographic accessibility and increased educational opportunity for students. And our Texas institutions have accompanied the excellent and beneficial Federal aid programs for students.

However, Texas has pursued other objectives in higher education such as development of state承认, admission standards; and encouragement of concentration programs and fellowships, for persons teaching in institutions of higher education. In addition, it authorizes a program of public service fellowship and extends the current program of language and area studies.

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to withhold it. Specifically, these trap door clauses provide:

First. That no basic opportunity grants to students may be made until annual appropriations are made at the following minimum levels in each of the three programs:

- BOG: $130,000,000
- Work-Study: $287,400,000
- Student Loans: $266,000,000

Second. That no institutional aid based on the basic opportunity grants to students will be issued until the BOG program receives appropriations for at least 50 percent of such student grant entitlements, that is, until an appropriation of an estimated $250,000,000 is appropriated for the BOG program.

Third. That after appropriations reach the minimum of 50 percent, the funds to meet the institutional grant entitlements related to the BOG grants may not exceed the percentage equal to the level at which the BOG program needs are funded; that is, for example, if the BOG needs are funded at 51 percent, the institutional grants may not exceed 51 percent of the entitlement.

I have addressed these topics concerning this bill for several reasons. First, I believe we should all be aware that we are probably not providing an adequate general aid program for higher education in this bill. Second, we should be aware that to trip the lever that would place the proposed institutional aid program in full operation, we are committing ourselves to appropriations for student aid and institutional aid in excess of $1 billion. And third, if we put this program into full effect in 1 year, we cannot easily withdraw from it in a subsequent year since institutions will immediately become dependent upon the continued income under the institutional aid program.

On the matter of busing, the bill postpones the effectiveness of orders issued by a U.S. District Court on appeal until such time when such orders require "the transfer or transportation of any student or students to achieve a balance among students or teachers in order to carry of any Federal funds for transportation of any student or student to students or teachers in order to carry out plans of desegregation except on the express written voluntary request of appropriate local school officials."

I take mention of one other item in the bill—youth camp safety. I am glad the conference agreed to proceed with provisions requiring a full survey of all youth camps in the country by the Secretary of Health, Education, and Welfare, and to present Congress within a year such recommendations as the Secretary thinks best to carry out requirement for safe camps throughout the United States.

Mr. Speaker, good education should come first in our consideration. Although many of us are troubled by some sections of the bill, I believe the general advancement of higher education is better achieved by passage of the bill than by withhold the provisions of the bill that will help further develop our technical and vocational programs both on the secondary and post-secondary levels lend substantial weight to the need to approve this conference report.

Mr. STOKES. Mr. Speaker, I rise to declare my opposition to the conference report. The administration's so-called busing provision in this conference report is not moderate. I cannot accept that view. The principles it represents are radical, not moderate. It interferes with the judicial process by declaring a busing moratorium pending appeal. Even more important, it represents a retreat from the Federal Government's commitment to equality in education.

I firmly believe that the critical importance of meaningful education for our young people. I cannot, however, forsake the necessity for desegregation of elementary and secondary education in exchange for improved funding and other benefits for higher education.

Provisions of this bill such as expanded aid to college and college students, aid to vocational and Indian education, elimination of sex discrimination in higher education, and financial aid to desegregating school districts are vitally needed. Let us defend the bill and halt the erosion of civil rights. We cannot get on with the business of making real improvements in education at all levels.

Mr. RAILESBACK. Mr. Speaker, Clark Kerr, the noted educator who is now chairman of the Carnegie Commission on Higher Education, has referred to the Education Amendments of 1972 as the most important legislation for higher education since the Morrill Act of 1862—the law which created land-grant State colleges such as the University of Illinois. Since more than 3 years of bipartisan effort have been devoted to the evolution of this bill, which will provide authorization for $18.5 billion in aid to higher education. Unfortunately, the focus of public attention in regard to this legislation has not been on the aid to higher education— which was its original and still primary intention—but rather on the various amendments that are attached to it concerning the peripheral, yet highly emotional, issue of busing. It is ironic that this should happen, and it will become tragic if the compromise amendments result in the bill's rejection.

Passage of the Education Amendments of 1972 will be of significant benefit to the State of Illinois. Illinois ranks fifth in the 50 States in educational spending. In fiscal year 1970 Illinois institutions of higher education received a total of $151,674,000 in Federal funds. Numerous college educators have contacted me, explaining it is now necessary to provide increased assistance to the institutions of higher education in view of increased costs. The following chart will show how institutional costs have jumped over the past few years:

| Instructional Cost per Full-Time Equivalent Student (Actual Expenditures) |
|--------------------------|--------------------------|--------------------------|
| Chicago State             | $1,136                    | $1,287                    | $1,511                    | $1,554                    |
| Eastern Illinois          | 1,256                      | 1,287                      | 1,348                      | 1,485                      |
| Illinois                  | 1,395                      | 1,437                      | 1,536                      | 1,600                      |
| Northern Illinois         | 1,195                      | 1,207                      | 1,348                      | 1,396                      |
| SIU-Carbondale            | 1,456                      | 1,447                      | 1,547                      | 1,701                      |
| SIU-Edwardsville          | 1,531                      | 1,587                      | 1,600                      | 1,701                      |
| U. of Illinois at Urbana  | 1,672                      | 1,736                      | 1,860                      | 1,982                      |
| U. of Illinois at Chicago | 1,777                      | 1,857                      | 1,974                      | 2,064                      |
| Western Illinois          | 1,860                      | 1,982                      | 2,089                      | 2,154                      |
| Averages                  | 1,860                      | 1,982                      | 2,089                      | 2,154                      |

I am convinced the legislation we are considering today will dramatically help our institutions of higher learning. It is estimated that approximately 200 independent colleges in the United States will close out their fiscal year because of money problems. The Education Amendments of 1972 will direct the Commissioner of Education to distribute $40 million to institutions in such severe financial distress.

The legislation will also authorize a new program of aid distribution to colleges, and a new program of basic educational opportunity grants for students. In addition, there are important provisions authorizing education, for the handicapped, community services, ethnic studies, and consumers' education. Sex bias is banned in all graduate admissions and in undergraduate admissions to educational public colleges. Further, an education division is created in the Department of Health, Education, and Welfare to include the Office of Educational and a newly-created National Institute of Education.

The Education Amendments of 1972 is of broad and enormous importance to the future of our higher education system. I urge the House to pass the conference report on this legislation without delay.

Mr. SMITH of Iowa. Mr. Speaker, I find the reasons for voting for and against the bill are hotly disputing on both sides. I do not recall a bill in recent times where I have had as much difficulty making up my mind whether the arguments on one side outweigh the arguments on the other.
I do not like the bill among other things for the following reasons:

First, it holds out several false promises which are subject to conditional limitations which are not readily apparent to people reading the summary of the bill. Institutions will not receive the amount of institutional aid they think they will get in many cases and most students will not receive a basic grant as many had been led to believe.

Second, institutional aid is tied to Proposition 10 which specifies standards that are not readily apparent even to the members of Congress who will be voting on the bill. Institutions will not receive the amount of institutional aid they think they will get in many cases and most students will not receive a basic grant as many had been led to believe.

Third, the emergency school aid portion of the bill contains provisions that leave something to be desired. They overlap considerably with the objectives of title I of the Elementary and Secondary Education Act but they are not as clearly spelled out. For instance, the money received by a school district is based upon the number of children from needy families and therefore upon the ability to secure funds from local taxes or the availability of other methods, find ways to increase the number and amount of federally assisted student aid.

Fourth, one of the general provisions of the bill interferes with the operation of the courts and assures compliance with court orders that they can secure substantial relief merely by filing an appeal of no matter how nonmeritorious it may be. In meritorious cases, the legal remedy of getting relief in a hurry by showing that irreparable harm will result from a delay, but in this case, substantial delays would be available even without such a showing and some delay would be guaranteed by just waiting to see if appeals are filed.

On the other hand, there are some provisions in this bill which will serve a useful need this coming year. We have been appropriating money under a simple 1-year extension of previously enacted programs and without any updating of these provisions in the education agencies. The educational agencies must need some time to plan for it. Some of the new program provisions in this bill will result in the adoption of better legislation. If I were sure of this, I would have no hesitation in voting against the bill and immediately report back on my report of new legislation but I am having difficulty believing that this can be assured in this Congress. Perhaps we can correct some of the deficiencies that I mentioned above through the appropriations process during the coming year and I hope that the next Congress will be able to pass some amendments clearing up other negative aspects to this bill.

I regret that we will not have the opportunity to vote today on a bill which I could more enthusiastically support; but, as in the case with all bills, we eventually have to vote either "yes" or "no." But both those who vote "yes" and those who vote "no" should resolve to take further action to try to improve the provisions of this bill and remove some of the objections that I have referred to in this statement.

Mr. SATTERFIELD, Mr. Speaker, I rise in support of the conference report. Although I am opposed to it for several reasons, I will confine my remarks to title II of the bill.

I do so because I am deeply concerned about the effect this title will have in areas like Richmond, Va., where I represent, where the question of merger of school districts for the purpose of achieving a given racial balance in public schools has been very much in the news of late.

I am concerned about how the passage of this title might affect the recent decision in the Richmond case by the United States Court of Appeals for the Fourth Circuit when it is considered in the U.S. Supreme Court.

I am concerned about how it will affect other areas which are now or will in the future be confronted with similar problems and cases growing out of those problems.

Let me invite your attention to section 709 of the measure we are considering.

One hundred million dollars are available for three things under section 709. First, for grants and contracts to educational agencies to assist them in establishing and maintaining integrated schools; second, for grants to local educational agencies to pay all or a part of the cost of planning and constructing integrated education parks; and last, what I consider most offensive, is a provision to provide grants to groups of local educational agencies located in areas defined in the standard metropolitan statistical area and those who vote "yes" or "no" should resolve to take further action to try to improve the provisions of this bill and remove some of the objections that I have referred to in this statement.

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across our land. The city of Richmond has been under a forced busing order for 2 school years. The district court ordered a metropolitan school district to accommodate a master busing plan. Earlier this week, the United States Circuit Court of Appeals for the Fourth Circuit ruled that the Federal judge in this case had exceeded his authority and reversed his decision. This has been discussed at length by the Members of this body. However, let me remind you that the decision in question applies only to the facts as they existed in Virginia and does not affect any other area.

Let me remind you also that if we approve this measure today, we will establish through title VII a basis upon which another court might very well determine has created and confer the authority which the Fourth Circuit Court found lacking in the Richmond case. If we vote for this bill we will be directed by Congress to spend its weight and to expend its funds to achieve in any standard metropolitan statistical area, including Richmond, to achieve the kind of merger which was the subject of the Fourth Circuit Court's ruling.

And let me remind you further that by passing this bill we may very well establish a condition where these mergers can be forced to occur. I use the word forced advisedly because I know and you know from bitter experience how the threatened use or nonuse of Federal funds, whether such use or nonuse is right or wrong, has been employed in the past to bring a local school agency to its knees and to agree to things which it would not otherwise have accepted.

Mr. Speaker, the provisions of title VII alone establish ample justification for a vote against this conference report. I urge my colleagues who are interested in future busing and who have read this title to read the editorial from the Richmond Times-Dispatch, which I inserted in the Congressional Record on Thursday, June 3, at page 19875.

This conference report should be defeated and I urge my colleagues to vote against it.

Mr. HOGAN. Mr. Speaker, today I must decide on a vote which is one of the hardest decisions I have had to make since my election to Congress. In fact, I can remember only once or twice before in the 3½ years that I have served in this body that a legislative vote has been as difficult as my decision today to vote against this higher education bill.

Before coming to Congress I served on the faculty of the University of Maryland and since I have been in Congress I have been a staunch supporter of education, but this bill before us today does not deserve my support.

I am one of many of my colleagues who have previously supported education bills are in a similar position, and I am sure there will be criticism whichever way we vote. I will refer to only one of the complexities of this mammoth piece of legislation, we have been placed into a "damned-if-you-do, damned-if-you-don't" situation. Depending on your point of view, either the higher education provisions or the busing provisions color your perspective.

As the Representative of Maryland's Fifth Congressional District, which includes Prince Georges County which has been the target of HEW-conceived busing schemes, obviously my primary view of this bill is influenced by the busing provisions which the conference compromises have rendered meaningless. After a review of titles VII and VIII of this legislation, I am sure that a vote for this bill is a vote for busing.

As so many newspaper headlines pointed out on the morning that the conference was concluded, the conference did yield on the all-important antibusing provisions so as to render them worthless.

What makes this compromise all the more appalling, however, is the number of times that the House has gone on record in opposition precisely to the compromise language included in this conference report. On this bill alone, the House voted for three different antibusing amendments last November:

The Ashbrook amendment—which stated that no funds appropriated for the purpose of carrying out any applicable order of court, or for the purchase of equipment for such transportation in order to carry out a plan of racial desegregation of any school or school system

The Green amendment—which forbade Federal employees from encouraging local governments or local agencies to use their money for busing.

And the Broomfield amendment—which required that all appeals must be heard before court orders are enforced.

But perhaps even more important than these three votes was the unprecedented step taken by the House to twice instruct House conferees to insist on our recorded House position. The conference report does not contain these instructions and sold us out on busing. It is not often that we have five votes on a single issue in a single piece of legislation, with every vote marking a milestone in each instance. The House's view left no room for doubt as to where we stand on busing.

Of course, even before those five votes for the antibusing provisions in the House bill, this body had gone on record numerous times in the past on this issue.

I have only served in the Congress since the start of the 91st Congress in January 1969. In that time, I cast my vote against busing on at least five occasions prior to the five votes I just mentioned. Those five votes were as follows:

First. On December 18, 1969, I voted against the Senate amendments to the Labor-HEW appropriations measure which added the words "except as required by the Constitution" to language in the bill prohibiting funds from being used to force busing of students, aboard or otherwise, without the consent of any elementary or secondary school student against the student's or parent's choice, and forbidding busing of students to a particular school as a condition precedent to obtaining Federal funds.

Second. On February 19, 1970, this body passed the Labor-HEW appropriations—a new bill reported after the President vetoed the December 18 measure—by a vote of 315 to 81. This bill included the antibusing provisions "except as required by the Constitution" as the earlier bill without the Senate amendments. It also included a freedom of choice provision to the effect that no Federal funds would be used to provide, carry out, or implement any plan that would deny any student the right of attending any public school of his choice as selected by parent or guardian.

Third. On March 3, 1970, two votes were taken on the conference report on the Labor-HEW appropriations. The first vote on a motion to table the motion to accept the watered-down Senate antibusing and freedom of choice amendment was defeated 164 to 222. The second vote to agree to the Senate language to strike out provisions prohibiting use of funds appropriated under the bill for forced busing and designed to protect freedom of choice school plans.

Fifth. On November 4, 1971, this body failed to suspend the rules and pass H.R. 2266, the Emergency School Aid Act by a vote of 185 to 269, thereby expressing disapproval of Federal funding of massive busing programs.

Furthermore, I think it must be pointed out that in this conference report which we have before us, the House conferees agreed to the Senate provision to set aside 5 percent of the title VII funds—5 percent of $2 billion—for the Commissioner of Education to plan a metropolitan school district.

The Senate conference argued it is voluntary because two-thirds of the school districts involved in busing children—would have to approve of such a plan. What about one-third of the school boards and parents who might oppose such a cross-school-lines desegregation plan?

I can envision the District of Columbia School Board and the Prince Georges County School Board getting together and agreeing to a plan tobus students in and out of the District of Columbia.

Does Congress have sufficient information to put its congressional stamp of approval on a $100 million authorization to the Commissioner to plan a metropolitan school district?

This cannot be defended as sound educational policy and certainly not a metropolitan school district—such as the one expressed in the District of Columbia, Va.—cannot operate without transporting children from one school district to another.

Furthermore—if Congress were to approve this $100 million plan for a metropolitan school district, I believe we would invite further court orders similar to
Mr. RANDALL. Mr. Speaker, I support the conference report on the higher education bill, which comes back to the House identified as S. 659.

It should be clear at the outset that the easy vote on this conference report would be a "no" vote, because there are so many organized groups opposing this, largely because certain Catholic organizations to the Committee on Civil Rights, which seems to be an umbrella organization of several different civil rights groups. By voting "no" you would be telling the Catholic Member could please and satisfy such diverse groups ranging all the way from the League of Women Voters, to the CIO, Common Cause, the Auto Workers and even the Americans for Democratic Action. Is a "no" vote in the interest of the future of higher education in America?

Mr. Speaker, or any one who has not literally lived with the course of this report and studied every line of every paragraph, the debate this afternoon must have been difficult to understand and even rather confusing as to why some Members who would be expected to support an education bill were against it, and even other Members who in the past have been cool toward Federal aid to education were against the conference report. I can never recall such strange coalitions on the floor of the House as happened during the discussion of the conference report.

After listening to the debate, an observer would be justified to wonder whether or not this was really a conference report on a higher education bill, as all of the titles describe it to be, or a protracted debate over the issue of busing.

Some opponents of the report have argued that title VII will prevent integration of schools and recreation areas, and would constitute a throwback of as much as 35 years in interracial relationships. Equally as convinced are those who contend that the measure would violate the Constitution, as a restriction or unrestricted busing of students. The rest of us should remember that this is a debate over interpretation of exactly the same constitutional question as the section of the same conference report by men who should be equally well informed, and all fair-minded men who are presumed to be making their interpretations in a spirit of good faith.

One way to describe the alignment of opposition to this report would be to say that all of the opponents are out on each
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edge of the spectrum, so to speak. Opponents consist of extreme liberals who believe that all civil rights will hereafter somehow be impaired or infringed, and on the other end of the spectrum there are many who believe that it was so pronounced? we expect that they would budge much that it was so pronounced? we expect that they would budge much higher education bill this year.

I support the conference report on S. 659 because it extends several existing and very vital higher education programs, and also because it creates several new programs which seem to many people to be meritorious and acceptable. The important point, as I see it, is that this may be our last chance for a bill on higher education this session.

The other body has already adopted this bill, and I suppose, as being the true moderates or in the middle of the road. Let us do more work on busing in another bill after we pass this education bill.

I support the conference report on S. 659 because it goes too far in the prohibition of busing. I believe that this measure goes so far in terms of social legislation in the removal of lingering racial imbalance in the schools, that it can hardly be justified. I do not believe that the measure goes far enough.

Perhaps, as being the true moderates or in the middle of the road. Let us give the community colleges a strong voice in the affairs of the Department and to the Division of Adult, Vocational, and Technical Programs.

The important thing to remember is that school will start in about 10 or 11 weeks, and there is not time enough to start all over again on a new bill. We need this legislation. We need it now.

The previous question was ordered. The question is on the conference report on March 8, 1972? Mr. WAGGONNER. Speaker, I ask unanimous consent that all Members to adjourn some time in the latter part of September or early October of this year.

I am inclined to agree that this may be one of the better post-secondary education bills that we have ever had in one package. All college towns those who may be opposing this bill, will benefit from it, and millions and millions of our young constituents will benefit from this bill.

The vocational and occupational sections of this conference report are badly needed.

The true issue is education, not busing. There is an 18-month moratorium on busing, and that allows time for concerted action by those who believe that this bill has not gone far enough, and those who may be inclined to think it has gone too far in the prohibition of busing.

Our job, Mr. Speaker, is to defeat the discharge petition for a constitutional amendment against forcing attendance of any students at other than their neighborhood schools. There is nothing to stop a vigorous push for further busing limitations in other legislation, but if we do not act on this bill now there very likely will not be another higher education bill this year.

We can restrict the Federal agencies in their zeal to continue busing. We can reach these zealous bureaucrats by bringing to the Federal agencies the appropriations bills, but I repeat again, we may not have another chance to pass such landmark legislation on higher education.

There has been more than one conference on this higher education bill. Our body of the Congress cannot expect to succeed in getting everything that it wants. We must keep in mind that there were only 13 votes in the other body against this conference report. How can we expect that they would budge much away from their previous position when it was so pronounced?

The important thing to remember is that school will start in about 10 or 11 weeks, and there is not time enough to start all over again on a new bill. We need this legislation. We need it now.

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Mr. WAGGONNER. Mr. Speaker, a further parliamentary inquiry, Mr. Speaker. The SPEAKER. The gentleman will state it.

Mr. WAGGONNER. Am I correct, then, that in the event the House votes its disagreement with the conference report, the status of the bill would be that it would then be restored to the position it occupied before a conference was requested?

The SPEAKER. The Senate amendment to the House amendment would be before the House for further consideration.

Mr. WAGGONNER. Would the Speaker please clarify that? Is it the Senate amendment which would be before the House, or the House amendment?

The SPEAKER. The last amendment offered would then be pending.

Mr. WAGGONNER. Is it occupied before a conference was requested, would it then be in order to offer a preferential motion to further amend the Senate amendment in the nature of a substitute to the House amendment in the nature of a substitute to S. 659?

The SPEAKER. The Chair will pass on that matter when it is before the House.

Mr. WAGGONNER. Mr. Speaker, a further parliamentary inquiry, Mr. Speaker. The SPEAKER. The gentleman will state it.

Mr. WAGGONNER. Mr. Speaker, in the event the conference report is rejected, would it then be in order to offer a preferential motion to further amend the Senate amendment in the nature of a substitute to the House amendment in the nature of a substitute to S. 659? The SPEAKER. The Chair will pass on that matter when it is before the House.

Mr. WAGGONNER. Mr. Speaker, a further parliamentary inquiry.

SEVERAL MEMBERS. Regular order.

The SPEAKER. Regular order has been resumed.

The question is on the conference report.

Mr. WAGGONNER. Mr. Speaker, this is regular order.

The SPEAKER. That is completely within the discretion of the Chair.

Mr. WAGGONNER. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WAGGONNER. Mr. Speaker, in the event that a preferential motion does become in order, who would the Chair recognize to offer that preferential motion?

The SPEAKER. That is a matter completely within the discretion of the Chair, and the Chair will pass on that matter, when it is before the Chair.

Mr. WAGGONNER. Mr. Speaker, a further parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it, and this will be the last parliamentary inquiry the Chair will recognize.

Mr. WAGGONNER. Mr. Speaker, does not a preferential motion, if we reach that point in time, supersede other instructions?

The SPEAKER. The Chair cannot pass on that, because the Chair at this time cannot anticipate what motions may be made.

Mr. PUCINSKI. Mr. Speaker, a parliamentary inquiry. The SPEAKER. The Chair will not recognize for further parliamentary inquiries.

The question is on the conference report.

Mr. ASHBOURNE. Mr. Speaker, on that point. The yeas and nays were ordered. The question was taken; and there were—yeas 218, nays 180, not voting 34, as follows:

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Until further notice:
Mr. Burton with Mr. Bob Wilson.
Mr. McMillan with Mr. Springer.
Mr. Lujan with Mr. Del Clawson.

Messrs. KYL, SMITH of Iowa, SCHERLE, and BIAUGH changed their votes 2-1, on the request.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FUNDS FOR COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. THOMPSON of New Jersey. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 798 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 798

Resolved, That effective January 8, 1972, the funds, expenditures, and investigations to be conducted pursuant to H. Res. 27 by the Committee on the District of Columbia, acting as a whole or by subcommittee thereof, shall be expended pursuant to regulations of the contingent fund of the House on expenditures for the employment of investigators, attorneys, and experts, and clerical, stenographic, and other services, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers signed by the chairman of such committee and approved by the Committee on House Administration.

SEC. 2. No district of the head of the department or agency concerned, is authorized to reimburse services, information, facilities, and personnel of any other departments or agencies of the Government.

SEC. 3. The official committee reporters may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

SEC. 4. No part of the funds authorized by this resolution shall be expended for expenditures in connection with the study or investigation of any subject which is being investigated by any other committee of the House, and the chairman of the Committee on the District of Columbia shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

SEC. 5. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. THOMPSON of New Jersey (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the resolution be dispensed with and that it be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. HALL. Mr. Speaker, my inquiry does not go to whether or not it was printed in the Record, but whether the reduction was printed, filed, and available for the Members for the requisite number of days.

Mr. HALL. May I ask the distinguished gentleman further if this represents a reduction in the funding of the committee work for this year?

Mr. THOMPSON of New Jersey. I did not hear the gentleman's question.

Mr. HALL. Mr. Speaker, to rephrase my question, is the $30,000 allowed here the total amount that was requested by the committee?

Mr. THOMPSON of New Jersey. Yes. May I respond to the earlier question?

Mr. HALL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 948 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 948

Resolved, That effective January 3, 1972, expenses incurred by the Select Committee on Merchant Marine and Fisheries on the House select committee amendment to the Committee on Merchant Marine and Fisheries shall be financed from such funds.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditures connected with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Merchant Marine and Fisheries shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Mr. THOMPSON of New Jersey, Mr. Speaker, this particular resolution was printed in the Record approximately 2 weeks ago.

Mr. HALL. Mr. Speaker, my inquiry does not go to whether or not it was printed in the Record, but whether the reduction was verified. There was an error in printing or whether the reduction as stated on the face of the resolution was immediately verified. There was an error in printing or whether the reduction as stated on the face of the resolution was immediately verified.
PEACE CORPS ACT AMENDMENTS OF 1972

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1011 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1011
Resolved, That upon the adoption of this resolution to move that the House resolve itself into the Committee of the Whole House on the State of the Union pursuant to H. Res. 14149 authorizing continuing appropriations for Peace Corps, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, I yield myself such time as I may use, and at the conclusion of my remarks I yield 30 minutes to the gentleman from California (Mr. MORGAN).

Mr. Speaker, House Resolution 1011 provides an open rule with 1 hour of general debate for consideration of H.R. 14149, Peace Corps Act Amendments of 1972.

The main purpose of H.R. 14149 is to authorize appropriations for the Peace Corps for fiscal year 1973.

The bill authorizes $88,027,000 for fiscal year 1973, $14,828,000 for support programs, and an adjustment of $99,000 because of the pay raise effective January 1 of this year.

Not more than $350,000 of the authorized funds may be used in any fiscal year for the encouragement of voluntary service programs. These funds may be contributed to other institutions or private voluntary organizations, and so forth, to pay a proportionate share of costs to encourage the development of and participation in international voluntary programs.

The Peace Corps National Advisory Council is abolished effective 90 days after enactment of legislation establishing a National Advisory Council for ACTION, or enactment of this legislation, whichever is later.

There is expected to be a high turnover in personnel this year because of the 1972 Peace Corps Act amendments. The 1972 Act increased Peace Corps funding to 1972 levels, and the subsequent increase in Peace Corps personnel has been in response to the increased funding levels.

Mr. Speaker, I urge the adoption of the rule in the sense that the legislation may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my understanding of House Resolution 1011 permitting the consideration of H.R. 14149 is in accordance with the statement made by the gentleman from Massachusetts (Mr. O'NEILL) and I urge the adoption of the resolution.

Mr. O'NEILL. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered. The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14149) authorizing continuing appropriations for Peace Corps, and for other purposes.

Mr. Speaker, the question is on the motion offered by the gentleman from Pennsylvania (Mr. MORGAN).

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 14149, with Mr. BuRea of Massachusetts in the chair.

The Clerk read the resolution.

The previous question was ordered. By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania (Mr. MORGAN) will be recognized for 30 minutes, and the gentleman from California (Mr. MALLIARD) will be recognized for 30 minutes.

Mr. Speaker, the resolution was agreed to.

The motion was agreed to.

Mr. Speaker, in support of H.R. 14149, the Peace Corps Act Amendments of 1972.

H.R. 14149 is a short bill and a simple bill. Its primary purpose is to authorize an appropriation of $88,027,000 to finance the operations of the Peace Corps for fiscal year 1973. This is the full amount sought by the administration for international operations of Action, that is, the Peace Corps. The breakdown is as follows:

- International programs $72,200,000
- Support programs $14,828,000
- Adjustment to reflect Federal pay raise effective January 1972 $99,000

Total $86,027,000

It should be noted that the executive request was for a continuing authorization of appropriations for the Peace Corps, which did not actually specify a dollar amount or time limitation. Our committee disapproved that request in the belief that an annual review of Peace Corps programs and activities via the regular authorization process is essential, particularly during this period when the economy is in a time of organizational changes and a redirection of many of its overseas programs. Instead, we authorized the amount the administration indicated was needed for one year—that is fiscal year 1973.

Additionally, the Committee on Foreign Affairs disallowed the administration's request for authority to shift up to
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10 percent of appropriated funds within Action—that is, from domestic to international operations and vice versa—to meet emergency situations. It was felt that the grant of such broad authority would constitute an unwarranted impairment of the committee’s legitimate oversight responsibilities.

H.R. 14149 also provides an authorization of not more than $300,000 in any fiscal year in support of international voluntary service programs and activities. Lastly, the bill before us contains the requested authority to abolish the Peace Corps and the Peace Corps Operations Fund 90 days after the enactment of legislation establishing a National Advisory Council for Action—or enactment of this bill, whichever is later.

I might point out, Mr. Chairman, that almost $3.5 million of the current Peace Corps budget for fiscal year 1973 represents expenses which should have been incurred in fiscal year 1972, but for which sufficient funds were not available. This includes about $3.2 million in training costs and an additional $900,000 in direct expenses for volunteers completing their normal 2-year assignments. Another almost $4 million—$999,000 to be exact—represents increased costs directly attributable to a Federal pay raise, effective in January of this year.

As many Members are aware, the Peace Corps has undergone a financial crisis during the last 6 months of the current fiscal year due to a variety of exigencies, which may be in order: From July 1, 1971, until last December, the Peace Corps had been operating on a continuing resolution, approved on a month-to-month basis—pending definitive action on its appropriation request by the Congress. This meant that until December 1971 they were spending at the rate of, first, $82 million and subsequently, $77 million per year. Beginning in December, however, the Peace Corps was cut back to a rate of $72 million per year.

In May 1971, when House-Senate conferees finally agreed to an appropriation of $72 million, it became clear that a drastic reduction in current operating expenses would have to be made for the balance of this fiscal year. At one point, in fact, cables were prepared for transmission to the field which would have called for the immediate return of some 2,318 volunteers before their contractual 2-year assignments had been completed.

The necessity for such a move was eventually obviated by the transfer of $26 million to the Action agency from the Agency’s Peace Corps Operations Fund. At this point, Mr. Chairman, I should add that this emergency action was taken in consultation with and with the full approval of the distinguished chairman of the Appropriations Subcommittee on Foreign Operations (Mr. H. WILSON). Although the premature return of volunteers from overseas was thus avoided, much of the savings took the form of deferred expenditures—that is, by delaying volunteer travel past July 1, 1972, Peace Corps was able to save the training of volunteers. Since these are fixed costs—the bill must be paid eventually. Hence the inclusion of these amounts in the current Peace Corps budget.

As a result of these cuts in appropriated funds, Action officials have instituted rather drastic economies in the administrative and program support areas. These include the elimination of 60 overseas staff positions—from 330 to 270—and the termination of 130 administrative and program staff, both in Washington and abroad.

Although from the standpoint of legislative review, certain jurisdictional problems have inevitably arisen as a consequence of the year-old merger of the Peace Corps with a number of domestic voluntary action programs into a single agency called Action, it appears that certain economies in administrative and program support costs have been achieved through this consolidation. At the same time, I want to emphasize—as I did last year—that this reorganization made absolutely no change in the Peace Corps Act. The Peace Corps is still governed by the same provisions of law that were in effect before the administration’s decision to merge the two programs went into effect. Except for the minor modifications contained in H.R. 14149, as amended by our committee, these provisions will continue to apply in the forthcoming fiscal year.

Mr. Chairman, although the basic legislation is not changed by this bill, the Peace Corps itself has undergone a considerable qualitative transformation during the past several years. The Peace Corps is now recruiting people with technical skills which are needed in the less developed countries, such as mechanics, farmers, and specialists in watershed management and soil conservation. Even in the field of education, the emphasis has shifted away from direct classroom teaching in the primary and secondary schools to vocational and teacher training and the development of curriculum.

Under this redirection of the program, the Peace Corps is sending overseas fewer liberal arts graduates just out of college. By the end of 1971, 6,885 Peace Corps volunteers were participating in 720 distinct programs abroad in 57 countries. This represents a complete reversal of the steady decline in overall Peace Corps strength from 12,313 in calendar year 1966 to 6,900 in calendar year 1970. Last July, I might add, the Peace Corps predicted a total strength of only 6,200 in calendar year 1971 and 6,690 in calendar year 1972. This increase in the number of new recruits during 1971 is based, at least in part, on the Peace Corps’ decision to send an increasing number of volunteer families abroad and a simultaneous lessening of the earlier emphasis on youth. Obviously, the new volunteers are both more experienced and more mature.

Perhaps as a partial consequence of this fact, the Peace Corps has experienced more problems over the past year—invoking either the volunteers or the staff. To the best of my knowledge, there have been no instances of volunteers becoming involved in political activity of any kind. And the Peace Corps has not been kicked out of any country since I last stood before this body in defense of the Peace Corps authorization bill of last year. I mention this point because I know it has traditionally been of considerable interest to a number of my distinguished colleagues.

I might add that the new programs over the past couple of years—in such countries as Zaire—formerly the Congo—and Mauritius—have been welcome by the host governments concerned. In fact, during the recent budget crisis, two governments even volunteered to increase their contributions—either in cash or in kind—to insure the continuation of Peace Corps operations in their respective countries.

Mr. Chairman, the Peace Corps has rendered an important service to the people of the less-developed countries. Moreover, the volunteers are providing a variety of skills and increasingly important services for a fraction of their real value—that is, at bargain rates for the U.S. taxpayer. We should not forget, however, that the Peace Corps has also rendered a great service to the people of this country. I believe that the vast majority of returning volunteers—and there are presently 51,000 in this category—have benefited from their foreign assignments and that most of them will better understand this experience. I also believe that all of us benefit from their presence among us.

Mr. Chairman, it is important that the Peace Corps continue to operate and operate effectively. As H.R. 14149, as amended, will fulfill this objective and I urge its adoption.

Mr. CHARLES H. WILSON. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I am glad to yield to the gentleman from California.

Mr. CHARLES H. WILSON. I have been a supporter of this program since its inception and I have felt it has been a worthwhile program. However, I have talked to the parents of young people who have returned from serving in the Peace Corps and I have heard of a great disenchancement with it. They have reported that their offspring have come back drug addicts. They have become welfare recipients. They have been unable to situate themselves in society upon their return.

The gentleman has mentioned certain areas in which the program is working and they sound worthwhile, but I am wondering if the gentleman can tell us how it is really helping our country and whether we are making a contribution which is worthwhile to the United States of America.

Mr. MORGAN. As the gentleman knows, the program has been in effect since 1961. There are now about 51,000 returned volunteers who have returned to their life in this country. I am sure there is a small minority of that number, the same as we have returning from Vietnam and other places, who have become addicted to drugs. But I think the number of such individual is very few and constitutes rather drastic economies in the Peace Corps. The Peace Corps has sent a number of such individuals is very few and constitutes rather drastic economies in the Peace Corps budget.
house activity, as well as private industry. They are doing an excellent job.

I feel the service that they have rendered overseas in the Peace Corps has been very valuable. I realize that some years ago the Peace Corps in our military in Vietnam, have gotten into serious trouble overseas.

Mr. CHARLES H. WILSON. As the gentleman is aware, once a program is established, it is very difficult to discontinue it, and that is why I asked the gentleman whether he could assure me that the program is actually making a contribution toward our nation's efforts to get along in the world and is a worthwhile contribution, and not merely a continuation of an old program that we feel we must continue just to keep it going. So, perhaps I will support it, but I am inclined right now to feel that we have no further need for it.

Mr. MORGAN. I might point out to the gentleman, as an example of a new activity, the John F. Kennedy Center has been built, which our highly skilled medical people are operating with physicians, nurses, and technicians. They are training many specialists and technicians. The Peace Corps has come a long way from the first days the gentleman from California and myself first supported it.

Mr. CHARLES H. WILSON. I thank the gentleman very much.

Mr. MAILLIARD. Mr. Chairman, I yield myself such time as I may consume.

The CHAIRMAN. The gentleman from California is recognized.

Mr. MAILLIARD. Mr. Chairman, I rise in strong support of this bill, which would authorize funds for the operation of the Peace Corps in fiscal year 1975.

Our distinguished chairman has reviewed in some detail the current status of the Peace Corps, and has described what is contained in the recommendation of the committee as an authorization of $88,027,000, asking that it be approved by the House. I certainly do not want to go over the same ground, but I have only a few comments I would like to make.

I would like to emphasize today that if the funds recommended for authorization are needed both for a slightly expanded program in the year ahead and to pick up certain training and other expenses which were deferred because of the financial crunch that the chairman described that the Peace Corps faced last year. This situation came about because of the drastically reduced appropriation, finally agreed to in February of this year. The Peace Corps had been spending under a continuing resolution at a higher rate for the previous part of the fiscal year. The delay on the part of Congress made it extremely difficult for the Peace Corps to conduct its operations in an efficient manner.

Nevertheless, I believe that the leadership of the Corps deserves our commendation for attempting to maintain the administrative overhead has been cut to the bone.

In addition to a reduction in administrative staff of over 12 percent from fiscal year 1969 to fiscal year 1971, 60 overseas staff positions were eliminated, and 130 administrative and program staff personnel were terminated for economy reasons during fiscal year 1972.

I think they also deserve credit from us for their efforts to redirect the program so that it effectively meets the needs of the host countries for more volunteers with practical experience and technical skills. In addition, the pilot program for sending families abroad has been highly successful. These new directions in Peace Corps programming have stimulated much interest and in 1971 reversed a 4-year downward trend in applications to participate in the program. This renewed interest is now being sustained, and I am advised that this year applications to date already equal the number for the entire year of 1970.

It is worth noting, I believe, that the caliber of the applicants is at a very high level, which is enabling the Peace Corps to be very selective in those it chooses for overseas service. The great experience and maturity of the volunteers being selected appears to have had beneficial effects overseas, according to the chairman.

In the first place, the Peace Corps, as the chairman explained, there have been none of the problems that did plague the Peace Corps in prior years, and, for that reason, the program is going very well, and deserves the full support of the House.

Mr. Chairman, I yield 5 minutes to the gentleman from Alabama (Mr. Buchanan).

Mr. BUCHANAN. Mr. Chairman, I join the chairman and the distinguished ranking minority member and other members of our committee in strong support of this legislation. I would call to the attention of the committee the supplemental views submitted with the report by our colleague, the gentleman from Illinois (Mr. Dwarinus) in which he says:

The Peace Corps represents an important national asset, which merits the full support of the Congress.

Joseph Batchelder merits the congratulations of the Congress and the people for the significant changes which have been made in recent years in the Peace Corps. The higher level and broader range of skill and the greater degree of maturity and experience represented in Peace Corps Volunteers have made a good idea in foreign policy even better. It is ironic that last year the Peace Corps should have had funding difficulties created by the Congress when it continued to enjoy a very high level of public support. In recent polls 80 percent of the American people reflected their support of the Peace Corps. I believe it enjoys that support on the part of the Congress as well. Our failure to authorize and appropriate sufficient funds for last fiscal year has hindered the Peace Corps at the very time when host country requests for Peace Corps volunteers were at an all-time high and many Peace Corps personnel were being hired for service than the Peace Corps could employ and support even if its full request had been honored by the Congress.

The same situation prevails in an even more marked degree at present concerning host country requests and a surplus of high-quality applicants. It is therefore, my profound hope that the Congress will appropriately meet the full amount requested to carry on this vital aspect of our Nation's foreign policy.

The entire Peace Corps request is but a tiny drop in the ocean of Federal expenditures. Yet, it sustains what has proven itself to be an important national asset which does much good for our country and in the world.

Mr. Chairman, this legislation deserves our full support. I urge my colleagues to both authorize and appropriate these needed funds for the Peace Corps operation.

Mr. MORGAN. Mr. Chairman, I have no further requests for time.

Mr. MAILLIARD. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Peace Corps Act Amendments of 1972".

Section 1. The first phrase of section 3(b) of the Peace Corps Act (22 U.S.C. 2652(b)), ending with a colon, is amended to read:

"(b) There are authorized to be appropriated to the President such sums as may be necessary to carry out the purposes of this Act.

Committee Amendment

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On the first page, strike out line 6 and all that follows through page 2, line 2, and insert in lieu thereof the following:

"(2) There are authorized to be appropriated to the President such sums as may be necessary to carry out the purposes of this Act.

Committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Committee amendment: On page 2, line 4, strike out "1972" and "$77,200,000" and insert in lieu thereof "1973" and "$88,027,000", respectively.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 4, strike out all of section 3.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

"(2) There are authorized to be appropriated to the President such sums as may be necessary to carry out any other such activity or function."
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DELETING $300,000 AND SUBSTITUTING THEREFOR $350,000 AND DELETING "1971" AND INSERTING "1972" BEFORE THE WORD "FISCAL" THE WORD "ANY".

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendment: On page 2, line 13, strike out "Sec. 4" and insert "Sec. 5".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

Sec. 5. Section 12 of the Peace Corps Act (23 U.S.C. 2511) is repealed, and the Peace Corps Corporation (18 U.S.C. 179) is abolished, effective ninety days after the enactment of legislation establishing a National Advisory Council for Action, or the enactment of this bill, whichever is later.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 19, strike out "Sec. 10" and insert "Sec. 11".

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Burke of Massachusetts, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee of the Whole House on the State of the Union, having had under consideration the bill (H.R. 14149) authorizing continuing appropriations for Peace Corps, and for other purposes, pursuant to House Resolution 1011, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The Speaker. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The Speaker. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read:

"A bill to authorize appropriations for the Peace Corps, and for other purposes."

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFERENCE ON H.R. 14734, AUTHORIZING APPROPRIATIONS FOR DEPARTMENT OF STATE AND FOR U.S. INFORMATION AGENCY

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 14734) to authorize appropriations for the Department of State and for the U.S. Information Agency, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? The Chair hears none, and appoints the following conferees: Messrs. Morgan, Zablocki, Hays, Fountain, Pas- sell, Mahaffy, Perlman, Wurts, Bloomfield, and Thomson of Wisconsin.

EXEMPTING THE MANAGERS ON THE PART OF THE HOUSE ON H.R. 14734 FROM CERTAIN RESTRICTIONS

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House appointed on the bill H.R. 14734 not be bound by the restrictions of clause 3, rule XX.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. HALL. Mr. Speaker, reserving the right to object, may we have an explanation of what this exemption is, please?

Mr. MORGAN. Will the gentleman yield?

Mr. HALL: I am glad to yield to the gentleman.

Mr. MORGAN. Mr. Speaker, the Senate has combined in a single bill three authorizations which passed the House as separate bills:

H.R. 13336, the authorization for the Arms Control and Disarmament Agency, passed the House April 12, 1972;

H.R. 14734, the authorizations for the Department of State and the United States Information Agency, passed the House May 17, 1972; and

The House this afternoon has passed H.R. 14149, the Peace Corps authorization.

All of these authorizations are included in the bill passed by the Senate May 31.

The Senate took H.R. 14734, the State Department and U.S. Information Agency authorizations, struck out all after the enacting clause and inserted the text of their omnibus bill, including the authorizations for the Arms Control and Disarmament Agency and the Peace Corps, and asked for a conference.

Technically, these two authorizations might be considered nongermane to the House bill which authorizes funds only for the Department of State and the U.S. Information Agency. I have requested that the House confer not be bound by the rule on germaneness.

The purpose of my unanimous-consent request is merely to make it possible for us to take the three House bills to conference so that we can consider them and the omnibus Senate bill at the same time.

I believe this will conserve the time of the House and expedite the completion of our work.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LEGISLATIVE PROGRAM FOR WEEK OF JUNE 12

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority leader as the program for the remainder of this week, if any, and the schedule for next week.

Mr. BOOGS. Will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Louisiana.

Mr. BOOGS. In response to the request of the distinguished minority leader, we have completed the legislative business for this week, and I intend to ask to go over to Monday.

Monday is District day, but there are no bills from the District Committee. We have scheduled H.R. 10732, the SBA loan ceiling, which will be called up under an open rule with 1 hour of debate.

Also H.R. 12846, the Armed Forces drug treatment program, with an open rule and 1 hour of debate.

Tuesday and the balance of the week H.R. 14370, State and Local Fiscal Assistance Act, with a closed rule and 8 hours of debate. That is the revenue-sharing bill.


On Wednesday we will observe Flag Day, which is customary, and on Thursday the President of Mexico will address a joint meeting of the House and Senate here.

Of course, conference reports may be brought up at any time, and any further program will be announced later.

Mr. GERALD R. FORD. Would the gentleman from Louisiana tell the House, is there a distinct possibility or not for a session next Friday?

Mr. BOOGS. Well, I would say there is a possibility. I do not want to rule out a session next Friday. If both appropriations are not considered, there would not be a session next Friday, but the plan is to call up both of them so at this time I just do not know.

Mr. GERALD R. FORD. Next Friday is a third Friday.

Mr. BOOGS. That is correct. It is an eligible Friday.

ADJOURNMENT OVER TO MONDAY NEXT

Mr. BOOGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the report of the gentleman from Louisiana?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOOGS. Mr. Speaker, I ask unanimous consent the business in order on Calendar Wednesday next week may be dispensed with.

The SPEAKER. Is there objection to
the request of the gentleman from Louisiana? There was no objection.

SUGGESTED USE OF POW'S AS SHIELDS IS REPREHENSIBLE AND MISCHIEVOUS

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. TALCOTT) is recognized for 10 minutes.

Mr. TALCOTT. Mr. Speaker, in a post-California primary interview over NBC, one of my colleagues suggested that General Diap of the Government of North Vietnam take 700 of our POW's and place one each in 700 city squares throughout North Vietnam—and that this tactic would certainly force us to stop our bombing of North Vietnam.

Because the gentleman from California (Mr. McCloskey) is a personal friend and once served in a military capacity, I do not want to believe what I have heard and seen.

This is a horrendous suggestion by a public official of the United States or any civilian. The rationale is specious as well as mischievous.

Our military personnel now incarcerated by the North Vietnamese Government have never been considered or treated as prisoners of war under any international treaty, agreement, or understanding. They have been treated simply as hostages. At best, their treatment has been watched and notarialized. No nation has ever waged a more vicious war of terror and aggression against another people than North Vietnam is waging against the people of South Vietnam, Laos, and Cambodia. No military authority has ever treated captured military personnel more inhumanely. The Nazis baked political prisoners in ovens and made lampshades from human skins, but they complied with international rules of warfare respecting captured military personnel. They never suggested using POW's as hostages or shields.

The commanding general of the North Vietnamese military needs no suggestion from a Member of the Congress on how to mistreat captured military personnel or cause agony and worry to their families and loved ones at home.

I strongly wish that a mutual cease-fire could be adopted, that the fighting, bombing, shooting, and killing could stop, the war ended, and peace prevail.

This will require the initiative, resolve and action of both sides. Perhaps it can be achieved soon; but in the meantime the suggestion that POW's be used as shields is barbarous.

Actually our POW's would be safer in the city squares than in camps or prisons near military targets. Placing POW's near military facilities would be an heinous and explicit violation of the Geneva conventions.

We as Members of the Congress and human beings interested in the humanitarian treatment of other human beings should be urging compliance rather than violations of the Geneva conventions.

The wives and families of our POW's and our MIA's have every reason to be shocked and angered by this suggestion. I trust the gentleman will retract his suggestion. I am confident he never intended the barbarous implication of his remarks.

Let us urge both sides to mutually cease fire and negotiate a peace so that all killing, terror, apprehension, and agony of servicemen, civilians, and their families can be ended so that all peoples can live in true peace with freedom.

The President's proposal for peace seems to be the best and most generous proposal yet offered.

Using prisoners of war in such a diabolic way would violate every rule of law and international agreement. This use of prisoners would violate every tenet of humanitarian treatment of human beings.

His premise is a mischievous misrepresentation of peace, policy, and practice of our present bombing in North Vietnam. The targets are military, not city squares. Cities are not being bombed. Although accidents and mistakes can and do occur in any war, we are extremely scrupulously avoiding strictly civilian structures and civilian personnel.

Our targets have military values—surface-to-air missile sites; ammunition and fuel storage dumps; transportation and logistics systems; powerplants; marshaling yards for tanks, weapons, and trucks; and concentrations of troops and fuel supplies.

We have taken extraordinary precautions to warn their government, their people, and their suppliers of our objectives and targets. We have been extraordinarily successful. We all know that if our bombing was hitting civilian structures or injuring civilian personnel that the North Vietnamese Government would support the world media with plenty of documentary photographs and I am confident they would find some newspaper or television network to publish the photos for all of the world to see. But this has not happened. And although I wish that the bombing, mining, shooting, and killing were not occurring, I am grateful that our objectives are military and not civilian. I wish also that the objectives, policies, and practices of the North Vietnamese were the same.

HIGHER EDUCATION ACT

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. MCDONALD) is recognized for 10 minutes.

Mr. MCDONALD of Michigan. Mr. Speaker, I am taking this special order today, because there was not sufficient time allotted during the debate on the Higher Education Act conference report. If time had been allotted to me today to make my remarks they would have been basically in agreement with those made by our distinguished minority leader, GERALD FORD.

I voted against the conference report because the so-called antibusing amendment would have no positive effect on the busing problem within my congressional district, and it was pointed out by Congressman FORS, experts have suggested that it may have no effect on busing whatsoever.

Mr. Speaker, at this time I quote an article and editorial of May 18 and 19 of the New York Times:

The Amendment (Broomefield) would delay for up to nine years, pending all appeals, any Federal Courts orders requiring busing to achieve racial balance. On that basis, it does not prohibit busing necessary for school desegregation. It merely adheres to the Supreme Court's ruling that it is proper for the Lower Courts to order busing to achieve integration but not to create racial balance.

The Broomefield amendment was also changed in conference so that it applies only through 1973.

The full impact of conference committee changes in the House antibusing amendments is described in the article in the May 18 New York Times:

The compromise would also permit Federal Courts to order busing if this was sought by local officials, and it would allow Federal officials to encourage busing under their civil rights laws.

The conference basically accepted the Senator's language outlawing busing only if it endangered the health of pupils or required them to be sent to inferior schools.

The liberal New York Times editorial described the conference action as follows:

The Conference compromise, which closely resembles the Senator's amendment, is designed to do as little harm as possible. Its liberal authors would undoubtedly agree that it serves no constructive purpose in its own right, rather, it is a shield for saving the college campuses without actively sabotaging school integration.

For all of the above reasons stated, I opposed the conference report.

PART III—CHILDREN'S ALLOWANCES

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, I insert the third and final excerpt of the study on the various children's allowances proposals all over the world. The charge that these programs spur the birth rate is one which I believe to be groundless, based on Canada's experiences. The subsidy for special attention to the section entitled "Impact on Birth Rates" in this study.

IMPACT OF BIRTH RATES OTHER MEASURES

Table 3 provides a comparison of the expenditures for children's allowances in terms of both total social security expenditures and the GNP in each of the five countries under consideration. The deductions set forth in a 1967 study by the International Labor Organization (ILO) were used to update the expenditures for 1958, 1957, and 1968 as far as possible.

Footnotes at end of article.
TABLE 3—EXPENDITURES FOR CHILDREN'S ALLOWANCES AS A PERCENTAGE OF TOTAL SOCIAL SECURITY EXPENDITURES AND OF GROSS NATIONAL PRODUCT. FIVE COUNTRIES, 1966-68

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1 Social security expenditures include administrative expenditures but generally exclude those for government employee programs, industrial occupational pension plans, and benefits under private medical care insurance plans. The data used here, except as otherwise noted, are defined as "Social Security" (International Labor Organization, 1967).
2 Children's allowances include family allowances and youth allowances but exclude the following allowances of the Province of Quebec. Social security expenditures exclude housing, education, and agricultural price support programs.
3 Children's allowances for 1967 estimated.


In 1968, the results relate favorably to the data in table 2. France is well ahead of the other countries with about one-fourth of all social security outlays going to children's allowances. Except for Canada, the other countries rank in the same order as they did in relation to average earnings: Sweden, the United Kingdom, and West Germany.

For the purpose of calculating the proportion of total social security expenditures directed toward children's allowances—9.3 percent—indicates relatively high levels for those nations rather than high children's allowances. This point is borne out by the GNP figure, which is considerably lower than the one for the other countries. Still, expenditures have risen substantially with the maturing of the Canadian and Quebec pension plans and the earnings of the retirement age group year by year.

Except for the United Kingdom, national outlays for children's allowances account for a declining proportion of total social security expenditures as defined and calculated by the ILO. These allowances have been increasing at a slower rate than other social security expenditures with the ad hoc method of adjustment, the allowances have tended to remain at a given benefit level. Other nations have also observed the need for an adjuster, but which are often tied to a consumer price index or an earnings ratio. And rapid expansion in other social security programs has adversely affected the availability of funds for children's allowances. In recent years, the United Kingdom received a remarkable increase in child welfare caused a notable reversal in its spending share for children's allowances. In 1968, payments to families with at least one child averaged 1.7 percent of total social security expenditures rose markedly, reflecting the first benefit increase in at least two years.

As table 4 shows, the consumer price index outpaced the benefit rate index throughout the entire period in both Canada and France.

Footnotes at end of article.
CONGRESSIONAL RECORD · HOUSE
June 8, 1972

IMPACT ON BIRTH RATES

There is no agreement among social scientists or policymakers as to whether children's allowances programs have any effect on birth rates. The available evidence shows no clear relationship.

Chart 1 traces birth rates during 1948-69 in the five countries studied and the United States, with allowance programs marked. One is the similarity in the development of birth rates in Canada and the United States, and the absence of children's allowances in the latter country. The other is the contrast between these two countries as a group and the European countries considered as a group.

In both Canada and the United States, increased birth rates in the late 1940's and early 1950's were followed by slight declines during the next 5 years and by sharper declines during the 1960 decade. A three-point spread maintained through the 1950's started to narrow after 1960 as the Canadian rate decreased more rapidly. By 1960 the two rates had converged.

In the European countries, all rates were falling during the early 1950's. Between 1955 and 1960, however, the trend reversed for 4 in these countries and the United Kingdom. The upward movement continued into the early 1960's. Then the Swedish rate also turned upwards. The French rate declined during the 1960's, but increased in 1965. Since 1965, rates for all four countries have been declining.

To explain the data for the individual countries, one is struck by a steep increase in the Canadian birth rate during 1948-47 that might be related to the introduction of children's allowances in 1945. Closer examination reveals that the rate had been rising since the late 1930's. A more plausible explanation is that the 1945-47 increases were the continuation of a prevailing trend, buoyed by the military demobilization and rising incomes.

Similarly, an increase in the allowance rates in 1947 had no apparent effect on a gentle downturn at the time.

As noted earlier, children's allowances were introduced in Sweden in 1948 and increased in 1952. During this period, as chart 1 (not reproduced) indicates, the birth rate was falling continuously. When the allowances were again increased in 1954, the birth rate was rising. Two and an equal third of a point in the late 1950's did not visibly influence an already determined birth rate.

A similar pattern is found in the United Kingdom. The advent of children's allowances by rate increases in 1953 and 1957, had no measurable effect on a declining birth rate.

The introduction of children's allowances in West Germany in 1944 had no identifiable and immediate effect on the birth rate; it held steady the following year and increased gently during the next 5 years. During the 1960's a peak was reached in 1963 and the rate then declined slowly year by year. The 1966 increase in the rate of allowances apparently did not affect this process.

In France, there is little statistical support to link children's allowances and the birth rate directly. The evidence is found in the 1930's—interrupted neither by the introduction of compulsory children's allowances for wage earners in 1937 nor by the generalization of allowances through the Family Code in 1939. The bottom line increase in the rate of allowances from 1937 during World War II with a rate of 13.1 per 1,000. A subsequent postwar high of 21.3 was reached in 1944 (not reproduced), since the rate has been below or equal to 20.7 since 1937. The decline has been slow but steady. After higher allowances were established in 1953, the birth rate increased. In the first 5 years it later resumed its downturn. It is still too early to assess the effect of the 1969 increase in allowances.

CONCLUSION

In retrospect, perhaps the most striking development in children's allowances has been the recent acceptance of general revenue sharing among the free world—and thus implicit support of the theory that the responsibility for bringing up children must be shared by all.

Among the 45 odd national programs currently in existence, about one-fourth are government financed, chiefly in Western Europe.

FOOTNOTES

2 In Canada, New Zealand, the United Kingdom, and West Germany, the rates of children's allowances are determined by legislation.
3 The programs of Finland, Luxembourg, and the Netherlands are among the exceptions to this rule. The employer also contributes to the allowances in these countries. See Social Security Programs Throughout the World, 1971, Research Report No. 40, Office of Research and Statistics, Social Security Administration, 1972.
4 The public employee program provides for 60DM per child a month when other income is in support of one or more children; the maximum assistance does not exceed 125DM per month. See footnote 9 for rates under the regular children's allowances. Nationality and family allowances of 20% of the regular child rate allowances allow 26DM a month for the second child when monthly family earnings are below 3250DM.
5 In early 1971, employers contributed 10.8 percent of payroll up to 1500DM a month per employee.
6 ILO, Legislative Series, France 10 (Part I, section 4, and Part IV, section 29).
8 These data were provided by the Embassy of the Federal Republic of Germany, Washington, D.C.
10 Annuaire Statistique de France, 1969, p. 73.

FEDERAL TAX RELIEF FOR EDUCATIONAL LOAN REPAYMENT EXPENSE

(MR. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

MR. BINGHAM. Mr. Speaker, during the past several weeks I was absent from the House due to pressing matters in my congressional district. Had I been present, I would have voted "aye" on the following rollcall numbers: 115, 116, 121, 126, 127, 128, 130-135, 138-142, 151, 152, 162-164, 165, 166, 167, 172, 173, 177-181.

PRESIDENTIAL ELECTIONS ACT

(MR. BLANTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

MR. BLANTON. Mr. Speaker, today I am introducing the Presidential Elections Act. I feel that this legislation corrects many of the existing flaws in the system that we call an elections system.

In the first place this bill provides for the direct election of the President and Vice President, a step which should have been taken long ago.

Second, the bill establishes a system for national primaries to select the party candidates for President and Vice President. In addition, there is adequate protection for the establishment of third or Independent Party candidates.

To guard against someone winning either the nomination of the general election with only a small portion of the vote I have included a 40 percent plurality mandatory for victory in either race with a provision for a runoff if no one receives the necessary plurality.

Finally, in what I consider to be one of the strongest and most needed aspects of the legislation, the bill places a restriction on candidate advertising before 30 days prior to the primary and 45 days prior to the general election. I feel that
this is more than enough time for the candidates to put their views before the public.

It is, therefore, that this bill in conjunction with the recently enacted campaign spending legislation will assure the American people of true electoral reform. The type of reform which is badly needed and, until now, which very little has been done about.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Snouw) and to revise and extend their remarks and include extraneous matter):
Mr. Talcott, for 10 minutes, today,
Mr. McDonald of Michigan, for 10 minutes, today,
(The following Members (at the request of Mr. Snouw) and to revise and extend their remarks and include extraneous matter):
Mr. Gonzalez, for 10 minutes, today,
Mr. Murphy of New York, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:
Mr. Aspinall,
Mr. Broomfield to revise and extend his remarks on the higher educational bill today,
Mr. Que to revise and extend his remarks immediately after the remarks of Mr. Dellenback during general debate on the higher education conference report today,
(The following Members (at the request of Mr. Snouw) and to include extraneous matter):
Mr. Hall,
Mr. Hutchison,
Mr. Anderson of Illinois in two instances,
Mr. Wyman in two instances,
Mr. Whalen,
Mr. Dellenback,
Mr. Michel in two instances,
Mr. Riegel,
Mr. Railback in two instances,
Mr. Minshull,
Mr. Collier in five instances,
Mr. Heinz,
(The following Members (at the request of Mr. Snouw) and to include extraneous matter):
Mr. Fraser in five instances,
Mr. St Germain,
Mr. Badillo,
Mr. Rangel in three instances,
Mr. Hagan in three instances,
Mr. Rawick in three instances,
Mr. Rodgers in five instances,
Mr. Hurgate in three instances,
Mr. Pucinski in six instances,
Mr. Gonzalez of Massachusetts,
Mr. Stokes in two instances,
Mr. Brinkley,
Mr. Moorhead in five instances,
Mr. Jacobs.

SENATE BILLS AND A JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1198. An act to authorize the Secretary of Agriculture to review as to its suitability for preservation as wilderness the area commonly known as the Indian Peaks Area in the State of Colorado; to the Committee on Interior and Insular Affairs.
S. 3442. An act to amend the Public Health Service Act to extend the authorization for grants for communicable disease control and vaccination assistance and for other purposes; to the Committee on Interstate and Foreign Commerce.
S.J. Res. 206. Joint resolution relating to sudden infant death syndrome; to the Committee on Interstate and Foreign Commerce.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:
S. 1736. An act to amend the Public Buildings Act of 1959, as amended, to provide for financing the acquisition, construction, alteration, maintenance, operation, and protection of public buildings, and for other purposes.

ADJOURNMENT

Mr. McKay, Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 55 minutes p.m., under its previous order, the House adjourned until Monday, June 12, 1972, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:
Mr. Patman: Committee on Banking and Currency. H.R. 15389. A bill to amend title XII of the Housing and Urban Development Act of 1965; with amendments (Rept. No. 92-1117). Referred to the Committee of the Whole House on the State of the Union.
Mr. Flood: Committee on Appropriations. H.R. 15417. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes (Rept. No. 92-1118). Referred to the Committee of the Whole House on the State of the Union.
Mrs. Hancock of Washington: Committee on Appropriations. H.R. 15418. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1973, and for other purposes (Rept. No. 92-1119). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:
By Mrs. Abzug (for herself, Mr. Baskin, Mr. Collins of New York, Mr. Frankel, Mr. Franks, Mr. Grasso, Mr. Halpern, Mr. Harrington, Mr. Hathaway, Mr. Koch, Mr. Mitchell, Mr. O'Keefe, and Mr. Rudake):
H.R. 13399. A bill to prohibit discrimination by financial institutions or any other persons on the basis of sex or marital status in connection with federally related mortgage transactions, and to require all similar transactions to comply with such legislation, and for other purposes; to the Committee on Banking and Currency.
By Mr. Mills of Arkansas (for himself and Mr. Byrnes of Wisconsin):
H.R. 13396. A bill to provide for a 4-month extension of the present temporary level in the public debt limit; to the Committee on Ways and Means.
By Mrs. Abzug (for herself, Mr. Badillo, Mr. Collins of Illinois, Mr. Frankel, Mrs. Grasso, Mr. Halpern, Mr. Harrington, Mr. Hathaway, Mr. Koch, Mr. Lent, Mr. Mitchell, Mr. O'Keefe, and Mr. Rudake):
H.R. 13394. A bill to discriminate against any federally insured bank, savings and loan association, or credit union against any person on the basis of sex or marital status in credit transactions and in connection with applications for credit; and for other purposes; to the Committee on Banking and Currency.
By Mr. Anderson of Illinois:
H.R. 13393. A bill to prohibit flight in interstate or foreign commerce to avoid prosecution for the killing of a policeman or firefighter; to the Committee on the Judiciary.
By Mr. Bingman:
H.R. 13394. A bill to amend the Internal Revenue Code of 1954 to provide that principal repayments on educational loans shall be allowed as a deduction in the same manner as interest; to the Committee on Ways and Means.
By Mr. Blanton:
H.R. 13395. A bill to provide for the selection of candidates for President of the United States on a national presidential primary election, and for the election of a President and a Vice President, by direct vote of the people, and for other purposes; to the Committee on House Administration.
By Mr. Conte (for himself and Mr. Brownland, Mr. Boland, Mr. Brooks of Massachusetts, Mr. Cleveland, Mr. Donohue, Mr. Drinan, Mr. Giammo, Mrs. Grasso, Mr. Harrington, Mr. Hathaway, Mrs. Hicks of Massachusetts, Mr. Mallary, Mr. McKee, Mr. H. Reuss, Mr. St Germain, Mr. Stengel of Wisconsin, Mr. Tierney, Mr. Waldie, Mr. McKethan, and Mr. O'Konski):
H.R. 13386. A bill to provide for the prompt resolution of certain disputes relating to Government contracts, and for other purposes; to the Committee on the Judiciary.
By Mr. Devine (for himself and Mr. Phillips):
H.R. 13397. A bill to amend title 10 of the United States Code, to provide that personal delivery of notification of death of servicemen to the next-of-kin may only be made by officers; to the Committee on Armed Services.
EXTENSIONS OF REMARKS

By Mr. EDMONDSON:

H.R. 15398. A bill to amend title 38 of the United States Code in order to provide for more efficient job counseling and employment services for veterans; to the Committee on Veterans' Affairs.

By Mr. FISH:

H.R. 15399. A bill to amend the Occupational Safety and Health Act of 1970 to provide that where violations are corrected within the prescribed abatement period no penalty shall be assessed; to the Committee on Education and Labor.

By Mrs. GRASSO:

H.R. 15400. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification, reform, and relief for small business; to the Committee on Ways and Means.

H.R. 15401. A bill to amend title II of the Social Security Act to provide minimum monthly benefits thereunder for all insured individuals, without regard to the time at which such age is attained; to the Committee on Ways and Means.

H.R. 15402. A bill to amend title XVIII of the Social Security Act to increase from 60 to 120 the number of "lifetime reserve" days for which inpatient hospital benefits may be paid under the Medicare program, to reduce the amount payable to a beneficiary with respect to those days, and to provide a similar 60-day lifetime reserve for the personal care benefits; to the Committee on Ways and Means.

H.R. 15403. A bill to amend title II of the Social Security Act to permit the computation of additional taxable income payable to a surviving couple (or to the surviving widow or widow) to be made on the basis of their combined earnings; to the Committee on Ways and Means.

By Mr. McCURLEY (for himself and Mr. Hamer of Idaho):

H.R. 15404. A bill to provide for a comprehensive analysis of the means for providing public use and enjoyment of the outstanding recreation and scenic values of the public lands adjacent to the Middle Snake River to assure the preservation of these values until analyses are completed, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. MIDI:

H.R. 15405. A bill to provide that time spent by all American citizens in enemy prison camps shall be creditable (as though it were military service) toward pensions, annuities, or similar benefits under various Federal retirement programs; to the Committee on Ways and Means.

H.R. 15406. A bill to amend title II of the Social Security Act to provide that where a person in good faith went through a marriage ceremony with an insured individual but (because of a legal impediment) such marriage was invalid, such person (if living with such individual at the time of his death or of application for benefit) shall be considered the widow of the insured individual for benefit purposes notwithstanding the existence of another person who may be entitled to, or widower of such individual; to the Committee on Ways and Means.

H.R. 15407. A bill to amend title II of the Social Security Act to provide that where violations are corrected within the prescribed abatement period no penalty shall be assessed; to the Committee on Education and Labor.

By Mr. MURPHY of New York:

H.R. 15408. A bill to amend the Communications Act of 1934 in order to provide for the regulation of networks; to the Committee on Interstate and Foreign Commerce.

By Mr. NEDZI:

H.R. 15409. A bill to amend the Internal Revenue Code of 1954 to raise raised additional revenues by tax reform; to the Committee on Ways and Means.

H.R. 15410. A bill to amend the Economic Stabilization Act to prevent excessive rent increases; to the Committee on Banking and Currency.

By Mr. WAMPLER:

H.R. Res. 1013. A Concurrent resolution to provide for the regulation of networks; to the Committee on Banking and Currency.

By Mr. WOOLF:

H.R. 15411. A bill to prohibit the use of any nuclear weapon in Southeast Asia unless Congress first approves such use; to the Committee on Armed Services.

By Mr. FLOOD:

H.R. 15412. A bill making appropriations for the Departments of Labor, Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes; to the Committee on Appropriations.

By Mr. HANSEN of Washington:

H.R. 15413. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes; to the Committee on Appropriations.

By Mr. BADILLO (for himself, Mr. Bur®ton, Mr. Murphy of New York, Mr. Rosenthal, Mr. Ryan, Mr. Burton, Mr. Pepper, Mrs. Chisholm, Mr. Symington, Mr. Wolff, Mr. Hamley, Mr. Edwards of California, Mr. Mitchell, Mr. Dow, Mr. Scherber, Mr. Riegel, Mr. Koch, Mr. Kyros, and Mr. Boland):

H.R. Res. 1233. Joint resolution directing the President to seek international agreements establishing uniform standards for the protection of persons utilizing aircraft and airport facilities; to the Committee on Foreign Affairs.

By Mr. BADILLO (for himself, Mr. Rangel, Mr. Metcalfe, Mr. Bingham, Mr. Adriano, Mrs. Hicks of Massachusetts, Mr. Helstoski, Mr. Finken, Mr. Celler, Mr. Powell, Mrs. Mink, Mr. Nix, Mr. Hathaway, Mr. Seiberling, Mr. Winn, Mr. Pettit, and Mr. Choate):

H.R. Res. 1223. Joint resolution directing the President to seek international agreements and standards for the protection of persons utilizing aircraft and airport facilities; to the Committee on Foreign Affairs.

By Mr. DUNCAN:

H.R. Res. 1224. Joint resolution to mandate consideration of comprehensive legislation reforming and recodifying the Federal income, estate, and gift tax laws; to the Committee on Rules.

By Mr. BADILLO (for himself, Mr. Blanton, Mr. Halpenny, Mr. Anez, Mr. Rangel, Mr. Rosenthal, Mr. Ryan, Mr. Bingham, Mrs. Chisholm, Mr. Symington, Mr. Wolff, Mr. Hanley, Mr. Edwards of California, Mr. Mitchell, Mr. Dow, Mr. Scherber, Mr. Metcalfe, Mr. Bingham, and Mr. Adriano):

H. Res. 629. Concurrent resolution to provide for the air transportation of veterans; to the Committee on Foreign Affairs.

By Mr. BIDILLO (for himself, Mrs. Hicks of Massachusetts, Mr. Helstoski, Mr. Reid, Mr. Powell, Mrs. Mink, Mr. Nix, and Mr. Roeper):

H. Res. 630. Concurrent resolution to provide for the air transportation of veterans; to the Committee on Foreign Affairs.

By Mr. BIDILLO:

H. Res. 1013. Resolution relative to a transatlantic lunar expedition; to the Committee on Science and Astronautics.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and several referred as follows:

By Mr. DUNCAN:

H.R. 15414. A bill for the relief of Raymond L. Wallis, to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 15415. A bill for the relief of Johnson S. Jardiniano; to the Committee on the Judiciary.

By Mr. BLACK:

H.R. 15416. A bill for the relief of Anastacia Roder Cabrera; to the Committee on the Judiciary.