trict of Columbia court of general sessions for the term of 10 years to fill a new position created by Public Law 89–598, approved September 21, 1966.

IN THE AIR FORCE

Maj. Gen. John S. Hardy, [redacted] Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title 10 of the United States Code.

Lt. Gen. Benjamin J. Webster, [redacted] (major general, Regular Air Force, U.S. Air Force, to be placed on the retired list in the grade of lieutenant general under the provisions of section 8962, title 10 of the United States Code.

IN THE ARMY

The following-named officers for appointment in the Regular Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier generals, Medical Corps

Brig. Gen. Robert Lee Rhea, Jr., [redacted] Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Philip Wallace Mallory, [redacted] Army of the United States (colonel, Medical Corps, U.S. Army).

Maj. Gen. Charles Harold Gingles, [redacted] Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Oscar Elliott Ursin, [redacted] Army of the United States (colonel, Medical Corps, U.S. Army).

Maj. Gen. Laurence Addison Potter, [redacted] Army of the United States (colonel, Medical Corps, U.S. Army).

To be brigadier generals, Dental Corps

Col. Robert Bruce Shira, [redacted] Dental Corps, U.S. Army.

Col. Pearson White Brown, [redacted] Dental Corps, U.S. Army.

DIPLOMATIC AND FOREIGN SERVICE

The following-named person for appointment as a Foreign Service officer of class 1, a consular officer, and a secretary in the diplomatic service of the United States of America:

Maurice L. Hawes, of the District of Columbia.

For appointment as a Foreign Service officer of class 2, a consular officer and a secretary in the diplomatic service of the United States of America:

Dante E. Candelore, of California.

For appointment as a Foreign Service officer of class 3, a consular officer, and a secretary in the diplomatic service of the United States of America:

James W. Missibeck, of New York.

For appointment as a Foreign Service officer of class 4, a consular officer, and a secretary in the diplomatic service of the United States of America:

James Maish, Jr., of California.

For appointment as Foreign Service officers of class 7, consular officers, and secretaries in the diplomatic service of the United States of America:

Henry R. Appelbaum, of New York.
Robert W. Becker, of Minnesota.
David L. Boerigter, of Michigan.
L. Paul Bremer III, of Connecticut.
William R. Brew, of New York.
Miss Edith Louise Bruce, of Illinois.
George S. Durgan, of Connecticut.
John D. Finney, Jr., of Missouri.
Alan H. Flanigan, of Tennessee.
Dennis G. Harter, of New Jersey.
Ronald L. Humphrey, of Washington.
Wendell H. Jones, of Minnesota.
Allen J. Kampel, of New York.
Gilbert D. Kulick, of California.
Laurin L. Laderoute, of New York.
Ernest H. Latham, Jr., of Massachusetts.
Miss Bonnie M. Lincoln, of Minnesota.
David W. Loving, of Virginia.
James N. May, of North Carolina.
Miss Stephanie Mayfield, of California.
James A. Nathan, of Illinois.
David C. Norton, of Florida.
Thomas F. O'Herron, of New York.
David D. Passage, of Colorado.
Andrew D. Sens, of the District of Columbia.
Michael S. Sinton, of California.
Steven E. Steiner, of Pennsylvania.
Robert H. Stern, of New York.
A. Stephen Telkins, Jr., of Pennsylvania.
Thomas F. Timberman, of Maryland.
Victor L. Tomseth, of Oregon.
James A. Treichel, of the District of Columbia.

For appointment as Foreign Service officers of class 8, consular officers, and secretaries in the diplomatic service of the United States of America:

Wendell L. Belew, of California.
Clifford Lloyd Brody, of Virginia.
James W. T. Clarkin, of Rhode Island.
Miss Kathleen Jane Day, of Florida.
Thomas G. Eversen, of Wisconsin.
Brian R. Furness, of Maryland.
David P. Garretson, of New York.
John F. Hildebrand, of Texas.
David L. Hobbs, of California.
Larry J. Ikels, of Texas.
Barry B. R. Jacobs, of Michigan.
Robert K. Kelley, of California.
Charles T. Long, of Virginia.
Rafael L. Marin, of New York.
G. Eugene Martin, of New York.
Charles T. Moffitt, of California.
John G. H. Muehlke, Jr., of New Hampshire.
Richard W. Mueller, of Connecticut.
B. Donovan Picard, of Alabama.
Lionel A. Rosenblatt, of Pennsylvania.
Eric Rosenquist, of the District of Columbia.
Stanley S. Shephard, of Colorado.
David L. Tivol, of California.
Miss Marilyn Ann Train, of California.
Christopher G. Ward, of New York.
Douglas K. Watson, of California.
Stephen W. Worrel, of Ohio.

Foreign Service Reserve officer to be consular officer of the United States of America:

John S. Tilton, of Virginia.

Foreign Service Reserve officers to be consular officers and secretaries in the diplomatic service of the United States of America:

John Raymond Baine, of Virginia.
Philip J. Balestrieri, of Virginia.
Clarence E. Barbier, of Connecticut.
Francis E. Barnhart, of Maryland.
Gerard L. Buckhout, of New York.
Stanley R. Burnett, of Virginia.
Paul J. Burns, of New York.
George T. Colman, Jr., of Virginia.
Nicholas E. Conduras, of Massachusetts.
Jeff Corydon III, of Maryland.
McGregor Gray, of Maryland.
John J. Kadilis, of Maryland.
John F. King, of Virginia.
Gabriel L. Lowe, of Virginia.
David B. McGrath, of Virginia.
George B. Morley II, of New Hampshire.
Harold M. Otwell, of California.
Daniel Ricketson, of Minnesota.
Owen E. Robinson, of California.
Clark Rumrill, of New York.
Sunao Sakamoto, of Hawaii.
Alexander Shatton, of the District of Columbia.
Stannard K. Short, of Virginia.
Stanley Sikora, of Pennsylvania.
Royce W. Snyder, Jr., of Virginia.
George D. Swerdlin, of Virginia.
Samuel H. Wyman, of the District of Columbia.

Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

Donald S. Brown, of New York.
Newman Jeffrey, of Michigan.
Willard Dean Sharpe, of California.

Foreign Service staff officers to be consular officers of the United States of America:

Miss Sarah R. Aft, of California.
Miss Edith M. Brown, of Florida.
Miss Nancy M. Campbell, of Virginia.
Miss Rachel C. Campbell, of Illinois.
Miss Micaela A. Cella, of New Jersey.
Mrs. Sarah G. Fisher, of Maryland.
John C. Garon, of Maryland.
Rudolph F. Glasl, of Wisconsin.
Julio B. González, of Texas.
David P. Hudson, of Florida.
Lewis A. Kert, of California.
William D. Kralle, of Pennsylvania.
Richard H. Luchesa, of Pennsylvania.
Mrs. Lela B. Luther, of Missouri.
Mariano R. Martinez, of Texas.
Miss Rose M. McCarthy, of Massachusetts.
Harry C. Merson, of Tennessee.
John H. Miller, of New York.
Spencer W. Phillips, of Connecticut.
J. Keith Powell, of Texas.
Arthur L. Price, of Illinois.
William J. Raftery, of New York.
Miss Margot E. Reiner, of New Jersey.
Miss Lucille M. Reny, of Maine.
Miss Mary A. Ryan, of New York.
Thomas J. Sinclair, Jr., of Maryland.
Miss Molly G. Skoll, of California.
David G. Summers, of Massachusetts.
James R. Todd, of Pennsylvania.
Donald R. Tremblay, of California.

ORGANIZATION OF AMERICAN STATES

Sol M. Linowitz, of New York, to be the representative of the United States of America on the Council of the Organization of American States, with the rank of Ambassador.

COMMERCE DEPARTMENT

Ross D. Davis, of New York, to be an Assistant Secretary of Commerce.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

William L. Porter, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia for the remainder of the term expiring June 30, 1967, vice James A. Washington, Jr.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 6, 1966

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

In Him we live and move and have our being.—Acts 17: 28.

Eternal Father, who art the life of our spirits, the law of our minds, and the love in our hearts, with simple trust we draw near to Thee, opening our lives to Thy renewing presence. Strengthened with might by Thy spirit in the inner man, may we launch out into this new day sustained by an unfaltering faith which holds us up and supported by an unfailing fortitude which will carry us through with honor to ourselves, to our country, and to Thee.

Into Thy keeping we commit our loved ones, our Armed Forces throughout the world—especially in Vietnam—our Nation, and the cause of freedom.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

During this time of danger and trouble keep us steady, make us confident, and give us the courage to face each day with a firm trust in Thee: through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill and concurrent resolution of the House of the following titles:

H.R. 8034. An act authorizing the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wis., and for other purposes; and

H. Con. Res. 1028. Concurrent resolution directing the Secretary of the Senate to correct the title of the bill, S. 3467.

The message also announced that the Senate agrees to the amendments of the House to a bill and joint resolution of the Senate of the following titles:

S. 2218. An act to establish a contiguous fishery zone beyond the territorial sea of the United States; and

S.J. Res. 108. Joint resolution to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2102) entitled "An act to protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BARTLETT, Mr. MAGNUSON, and Mr. PROUTY to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2720) entitled "An act to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. BARTLETT, and Mr. PROUTY to be the conferees on the part of the Senate.

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

S. 3247. An act to provide certain increases in annuities payable from the Foreign Service retirement and disability fund, and for other purposes.

The message also announced that the Vice President, pursuant to Public Law 689, 84th Congress, appointed Mr. Moss to be an alternate delegate to the North Atlantic Treaty Organization Parliamentary Conference to be held in Paris, France, November 14–19, 1966.

DEPARTMENT OF DEFENSE APPROPRIATIONS

Mr. MAHON. Mr. Speaker, I call up the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes, with Senate amendments thereto, and move that the House further insist on the disagreement of the House to the amendments of the Senate and ask for a further conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion of the gentleman from Texas.

The motion was agreed to.

The SPEAKER. The Chair appoints the following conferees: Messrs. MAHON, SIKES, WHITTEN, GEORGE W. ANDREWS, FLOOD, LIPSCOMB, LAIRD, MINSHALL, and BOW.

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATIONS

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17788) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, with the Senate amendments thereto, disagree to the amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana? The Chair hears none, and appoints the following conferees: Messrs. PASSMAN, ROONEY of New York, NATCHER, Mrs. HANSEN of Washington, Messrs. COHELAN, LONG of Maryland, MAHON, SHRIVER, CONTE, ANDREWS of North Dakota, and BOW.

AUTHORITY TO FILE CONFERENCE REPORT ON H.R. 17788

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on H.R. 17788.

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

There was no objection.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 340]

Albert	Battin	Brown, Calif.
Arends	Belcher	Brown, Clarence J., Jr.
Aspinall	Bray	Callaway
Cooley	McDowell	St Germain
Corman	McEwen	Saylor
Craley	McMillan	Scheuer
Davis, Ga.	McVicker	Schisler
Denton	Mackie	Scott
Duncan, Oreg.	Martin, Ala.	Shriver
Dyal	Martin, Mass.	Smith, Calif.
Edmondson	Martin, Nebr.	Steed
Edwards, Ala.	Moeller	Stephens
Erlenborn	Morris	Sweeney
Evans, Colo.	Moss	Thomas
Fisher	Murphy, N.Y.	Thompson, Tex.
Flynt	Murray	Toll
Foley	O'Konski	Tuck
Fulton, Tenn.	Olsen, Mont.	Tupper
Grider	O'Neill, Mass.	Vivian
Griffiths	Pool	Walker, Miss.
Gross	Powell	Walker, N. Mex.
Halleck	Purcell	Watkins
Harvey, Ind.	Rees	Whitener
Hébert	Reinecke	Willis
Holifield	Rivers, Alaska	Wilson, Bob
Jacobs	Robison	Younger
Landrum	Rogers, Tex.	
Long, La.	Roncalio	
Long, Md.	Roudebush	

The SPEAKER. On this rollcall 348 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXEMPLARY REHABILITATION CERTIFICATES

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 16646) to amend title 10, United States Code, to authorize the award of exemplary rehabilitation certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 8, after "honorable" insert ", or who received a general discharge,".

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

Mr. HALL. Mr. Speaker, reserving the right to object, will the gentleman make a short explanation of the Senate amendment and tell us whether it would be germane under the rules of the House, to the bill passed by the House?

Mr. BENNETT. It would be germane. It is a very small amendment of the Senate. All the Senate did was to include general discharges along with other types of discharges for consideration.

The House version had left out general discharges, because there is not usually substantial disapproval involved in a general discharge. Therefore, we saw no purpose in having it in this bill. The Senate decided it wanted to be able to have an exemplary rehabilitation certificate even as to a general discharge. We have no objection to this, because it does not in any way weaken the bill or hurt it in any way.

Mr. HALL. Will the gentleman state for the RECORD whether this bill that passed the House had to do with application to the regular military corps for this type of discharge?

Mr. BENNETT. This bill allows a request to the Department of Labor to get an exemplary rehabilitation certificate to show that the man has performed properly in civilian life. It does not wipe out his original type of discharge at all.

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

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PERSONAL FINANCIAL STATEMENT

Mr. DUNCAN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. DUNCAN of Oregon. Mr. Speaker, in times past I have inserted in the CONGRESSIONAL RECORD a statement of my income, assets, and liabilities. In view of the fact that I am again offering myself for public office and that much of the unfortunate results of conflicts of interests can be avoided by full and complete disclosure, I am again doing so. My statement follows:

I. ASSETS

1. Stocks and bonds:

One hundred shares of ICOA Insurance Co: $200.

One share of Rogue Valley Country Club: $75.

2. Financial interests subject to Federal regulatory agencies: None.

3. Real estate:

Residence in Medford, Oreg. (cost approx.) $25,000.

Residence in Virginia (cost) $43,500.

One hundred and fifty-five acres unimproved land near Medford, Oreg. (cost) $13,400.

4. Personal property:

(a) Household furniture in Virginia and a little in Medford. Most of the Medford furnishings went to the Salvation Army because of no storage facilities.

(b) Savings account in Jackson County Federal Savings and Loan, Medford, Oreg., approximately $2,800.

(c) Cash value of life insurance, about $3,750.

(d) A 1964 Ford Falcon (cost) $2,100; 1957 Oldsmobile (cost) $150; horse trailer (cost, approximately) $900; two horses; pets; and one-third interest in float house (cost about $85).

II. LIABILITIES

1. Mortgage on home in Medford: $6,339.

2. Two trust deeds on home in Virginia: $32,215 and $3,404.

3. Personal notes from First National Bank: $5,000.

4. Current household expenses.

III. INCOME

Virtually all of my income is from my congressional salary. I will have one or two small honorariums for speeches and a small amount from my former law partnership for accounts receivables and work in progress before my resignation upon my election to the Congress.

TAX CREDIT FOR TEACHERS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. HALL. Mr. Speaker, I have today joined in sponsoring legislation to insure the tax deductibility of educational expenses incurred by members of the teaching profession.

The bill would permit deductions necessary for expenses incurred while qualifying for academic credit necessary for maintaining and improving employment. The Internal Revenue Service has chosen to narrow its application of section 162 of the Internal Revenue Code.

At the present time, regulations limit deductions from gross income for educational expenses in those limited circumstances where an individual must take educational courses to maintain his job. No deduction is being allowed now for educational expenses to prepare a teacher for a better job, or even improve his or her effectiveness in present employment.

The bill being introduced today would serve to reverse this money-grabbing and "backward" trend, in IRS interpretation—specifically in one important area. Because of the teacher shortage in the country, it is believed action on this bill should be taken in time to make it applicable to 1966 tax returns.

We have a strange situation today where the Federal Government is expending large sums of money for education and training, while at the same time maintaining tax barriers and rates, which discourage people from spending these sums on themselves in order to upgrade their inherent skills.

We have received many letters from education officials in southwest Missouri urging support of this legislation, and after thorough research I am convinced it is both desirable and equitable.

The urgency is demonstrated by the fact that the Internal Revenue Service has proposed new regulations, July 8, 1966, which if made final, would make most teachers' educational expenses nondeductible.

PERSONAL ANNOUNCEMENT

Mr. HANSEN of Iowa. Mr. Speaker, yesterday I was unavoidably detained on official business and thus missed the vote on the conference report covering food for peace. Had I been present I would have voted "yea" on the motion to return the bill back to conference.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 13161, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from New York [Mr. POWELL] had 53 minutes remaining and the gentleman from New York [Mr. GOODELL] had 49 minutes remaining. Before the Committee rose yesterday the gentleman from Indiana [Mr. BRADEMAS] had been recognized for 10 minutes. The gentleman from Indiana is now recognized for 10 minutes.

Mr. BRADEMAS. Mr. Chairman, I rise in support of H.R. 13161, the 1966 amendments to the historic Elementary and Secondary Education Act of 1965, which I imagine most of us in this committee would agree represents, if not the most significant education bill ever enacted in the history of our country, at least the most important education legislation since the Land-Grant College Act back in the middle of the last century. The landmark legislation we are considering here today has provided the first general Federal-aid program to education for our elementary and secondary schools and in practically every school district of our country. This bill has come to the aid of hard-pressed teachers and overburdened administrators. Most important of all, Mr. Chairman, this legislation has given to children all over the country an opportunity for a better education.

Mr. Chairman, my colleagues have been discussing some of the amendments that have been recommended by the Committee on Education and Labor to various titles of the 1965 act. Therefore, I would like to concentrate briefly on the amendments proposed to title III of the act, the supplementary educational centers and services.

Let me observe at the outset, Mr. Chairman, that the title III part of the 1965 act, a very significant part in terms of its impact on the American educational system, nonetheless represents a rather modest part of the bill so far as expenditures are concerned. In the 1965 act we authorized $100 million for this title. Title III established a 5-year program of grants for the purpose of supplementary educational centers and services, to stimulate and assist in the provision of vitally needed educational services that are not available in either sufficient quality or quantity, as well as to aid in the establishment and development of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

The touchstone of title III is innovation. Its principal purpose is to raise the quality of elementary and secondary education. Title III is not intended, therefore, simply to encourage more of the same to American schoolchildren. It is intended as a stimulus to improvement. Its support of imaginative, innovative programs is helping educators all across the country reduce the gap between research and the quality of educational practice, between what we know about education and how we teach. Title III achieves this purpose by encouraging local school districts to design at the local level innovative solutions to particular problems and then, by providing the resources, to help them put into effect plans that they have locally developed.

The development of the title III projects is now up to local administrators and classroom teachers as well as other professionals in the field of education and representatives of various educational and cultural resources of the area being served. We want to see this initial program at the local level. We want to help people at the local level to take a serious look at their most pressing educational problems and encourage them in their thorough search for the special services that they decide will help them to meet those problems. In a sense we are endeavoring to put our money where the shoe pinches by relying on the ingenuity and a commitment of local educators to educational excellence and improvement.

Mr. Chairman, I feel it is significant that the general response to this program has been heartening. I further believe its overall significance is clearly seen in the actual demand for proposals under title III, which have thus far exceeded the funds that have been made available.

Mr. Chairman, as I stated earlier, the bill last year authorized $100 million for title III programs, only $75 million of which was actually appropriated.

Mr. Chairman, by the end of this fiscal year, 2,700 projects had been submitted, projects seeking over $250 million.

Mr. Chairman, 1,000 of these programs were finally approved.

Mr. Chairman, the committee has, therefore, this year authorized $150 million for fiscal 1967, which authorization will permit the continuation of these worthwhile programs, programs which were begun in 1966, and which will make possible the support of approximately 1,000 new projects in fiscal 1967.

Mr. Chairman, in fiscal 1968, the committee bill authorizes the sum of $575 million, and I shall say a word about the purpose of these additional funds in just a moment.

Mr. Chairman, does the chairman of our subcommittee, the distinguished gentleman from Kentucky [Mr. PERKINS] wish me to yield to him at this time?

Mr. PERKINS. Yes, I desire the gentleman from Indiana to yield to me.

Mr. BRADEMAS. I shall be glad to yield to the distinguished chairman of the subcommittee.

Mr. PERKINS. First, Mr. Chairman, permit me to compliment the distinguished gentleman from Indiana [Mr. BRADEMAS] who has taken the lead in writing title III of the Elementary and Secondary Education Act, not only for this year but for last year, and a gentleman who has contributed so much during the course of the hearings to this entire piece of legislation, particularly those provisions which seek to inspire excellence and improvement in quality of education.

Mr. Chairman, I would like to ask the gentleman from Indiana [Mr. BRADEMAS] whether the evidence disclosed the fact that the funds which we appropriated and authorized last year were well utilized and put to use for a good purpose? Also, whether most of the funds were used for planning purposes and why it is necessary to authorize $150 million for fiscal year 1967 and why it is necessary to go above that amount for fiscal year 1968.

Mr. BRADEMAS. Mr. Chairman, I thank the chairman of the subcommittee for his kind comments, and in my remarks I shall answer the gentleman's questions.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield for a question?

Mr. BRADEMAS. I would like to complete my statement before yielding to the gentleman from Minnesota.

Mr. Chairman, in the thousands of school districts across the country affected by title III projects, over 8 million children are now benefiting from the exemplary programs that title III authorized, involving such new approaches as team teaching, computer-assisted instruction, flexible scheduling, instant retrieval of educational materials and programed learning for individual instruction.

Several hundred multipurpose centers are being planned or operated through the joint effort of schools in different districts and even in different States. Such cooperative planning offers our schools a new-found wealth, both in resources and in ideas.

Mr. Chairman, this approach has been urged in other contexts by such distinguished educational authorities as Dr. James B. Conant and Rev. Terry Sanford, former Governor of the State of North Carolina. At least 12 of our large cities have undertaken, entirely on their own volition metropolitan projects, involving both central city and suburban school districts, to reverse the deterioration of the schools in our central cities.

Mr. Chairman, as a firm believer in the role of the teacher as central to the improvement of education, I am particularly pleased to see that title III inservice projects are engaging some 300,000 teachers in a reexamination of their training and experience in order to develop methods and techniques relevant to the individual differences and varied background of their students.

But most of all, Mr. Chairman, it is the children who benefit while the Nation gains from better schools. Title III projects have meant and will mean better instruction, new methods of learning, and also new experiences—such as live theater, musical concerts, and art exhibits—for over 8.3 million children. For these children, as well as for many others as the program continues, title III can make the difference between just going to school and having a chance for a first-class education.

Yet, Mr. Chairman, despite our concern for providing quality educational opportunity for all children of our country, title III has until now overlooked a group for whom education can be of significant importance.

I refer at the outset to the American Indian children who attend schools operated by the Bureau of Indian Affairs of the Department of the Interior. And, I refer to the children who attend schools operated by the Department of Defense. For this reason, the committee has recommended that these children be included in the provisions of title III, which title at present authorizes a set-aside of 2 percent of the funds for children who go to schools in the outlying areas of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific. The set-aside figure for the outlying areas, together with the children in the Defense Department, overseas dependent children, and the Indian children, will be 3 percent.

In addition, Mr. Chairman, the committee has recognized that many of our local communities are making valiant educational efforts, but that they are already overtaxed and overburdened. Many of these communities facing the greatest educational problems are the same communities which are least able to meet them because of pressing financial burdens. For this reason the committee proposes to amend the present act to require the Commissioner of Education to give special consideration to meritorious proposals from local educational agencies which are financially overburdened.

This section, Mr. Chairman, provides that the Commissioner will give special consideration to those districts which are making reasonable tax efforts, but which are unable to meet the critical educational needs because of serious overcrowding, obsolete buildings, racial imbalance, or unsafe facilities, or because of any other condition that has imposed a substantial and continuing financial burden on the local agency.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. I yield an additional 5 minutes to the gentleman.

Mr. BRADEMAS. I was referring, Mr. Chairman, to title III of the bill, which provides for some assistance to school districts which are very seriously overburdened in terms of their financial efforts in coping with a number of pressing problems.

Just as with title III programs during the last year, the proposals contemplated by the committee amendment to title III would originate from the local school district. They would be reviewed by the States, which have an opportunity then to make recommendations as under the present procedure—and there is no

change whatsoever in the present procedure—and then be subsequently approved by the Office of Education. No school district or community would be required, would be forced, would be compelled, to make a special effort in a particular problem area. The choice with respect to the amendment that I am presently discussing, as with the operation of title III as it is at present, rests with the particular locality. As in the past year, projects will be approved on the basis of merit within the limitation of the allocation for the State.

The Commissioner, however, must give special consideration to projects of high merit which deal with the pressing educational problems which the committee has listed.

The local projects will be reviewed by the State educational agency and final approval for funding will take place in Washington, as at present, from the Office of Education. But I reiterate, Mr. Chairman, the fundamental point that the initiative for proposals will still come from the local school areas. The Office of Education will fund only projects which are initiated, designed and submitted by local school districts.

Mr. Chairman, because of the relatively low level of funding last year—and I now address myself to one of the points which the gentleman from Kentucky raised—title III applications for construction have received low priority. Increased authorizations will mean that the necessary construction, which has been deferred until now, can receive greater attention. Planning for construction of innovative centers should receive greater priority, and the committee has set authorization levels with that need in mind. Obsolete, unsafe and overcrowded facilities do not create the kind of atmosphere in which creative imaginative education, which it is contemplated title III should encourage, can take place.

Our 1966 amendments will be of significant value in eliminating these roadblocks to educational progress.

Mr. Chairman, I believe that Congress can be very proud of what has been accomplished so far under the impetus provided by the Elementary and Secondary Education Act. I believe as well that the 1966 amendments will serve to strengthen the act, and thus enhance the quality of educational opportunity for the young people of our country.

I urge very strongly, therefore, that this Committee act favorably on H.R. 13161.

Now I will be pleased to yield to my colleague from Minesota.

Mr. MACGREGOR. In speaking of title III the gentleman told us, and I am sure I am quoting him correctly, that the help was designed to go where the shoe pinches.

May I ask the gentleman from Indiana whether under title III it is the intent of the Committee on Education and Labor to give special assistance to disadvantaged or impoverished areas?

Mr. BRADEMAS. I would say to the gentleman from Minnesota, if he will examine the formula for the making of grants under title III——

Mr. MACGREGOR. I have done so.

Mr. BRADEMAS. He will observe that there is no poverty formula along the lines of the title I formula. It is important, I think, and there is perhaps a good deal of confusion in the public mind on this, that we recall that it is the title I programs which are written on the basis of putting the funds into the school districts where there are large concentrations of low-income families. But the formula does not carry over into title III.

Mr. MACGREGOR. I thank the gentleman for making that distinction and for nailing down the fact that the intent of title III is not necessarily to provide assistance in areas where the need is.

Mr. BRADEMAS. I did not say that. I did say that there is a distinction between the purpose of title I and the purpose of title III and I pointed out that the distinction can be observed by reading the formulas for the allocations of moneys under the two titles. I note in the title III formula there is no reference to the fact that funds must be granted to concentrations of low-income families.

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

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield further?

Mr. BRADEMAS. I will yield at this point to the gentleman from Michigan [Mr. WILLIAM D. FORD] and later yield to the gentleman from Minnesota [Mr. MACGREGOR].

Mr. WILLIAM D. FORD. Mr. Chairman, I would like to point out that the language of the section that is being questioned at the moment is specifically designed to give school aid on the basis, not of the financial standing of the individual students in the school districts, but on the financial status of the school district itself. The words are, for example, that "special consideration will be given to the school district that is making a reasonable local tax effort but" "is nevertheless"—nevertheless is the important word here—"unable to meet critical educational needs under this section of the bill."

I might say specifically there are three areas that we are targeting in on: the older parts of some of our cities where the facilities that they have been able to provide, with our overtaxed local ability to support schools, are overcrowded, inadequate, and unsafe; the rapidly growing suburban school district, which despite the Herculean efforts on the part of the States and the local communities to raise taxes, cannot keep pace with the rapid growth; and the rural school districts which, because of the sparsity of the school population and the property tax that it takes to support quality education are in need. These are the three areas, specifically, that this section of the bill would direct the attention of the commissioner toward. I might say that the original purpose of this section is to provide a means of using the resources of our educators across the country and of finding new methods of improving the quality of education.

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

Mr. BRADEMAS. I yield to the gentleman.

Mr. MACGREGOR. I thank the gentleman from Michigan for the detailed information on the question of the purpose of title III. But I do want the record to show that in my particular suburban district the only title III money which has been disbursed by the Office of Education during the school year of 1965–66 has gone to the wealthiest school districts, and the poorer schoolchildren have not received one dime of money under title III.

I bring this point out even though it may well be that the poorer school districts were tardy in making their application for funds. I do think that the intent of title II as developed by the gentleman from Michigan [Mr. WILLIAM D. FORD] has not been carried out in the implementation of the program in the suburban Minneapolis areas.

Mr. BRADEMAS. I will say to the gentleman that his remarks are most encouraging to me because if he carries through on his philosophy he will be a strong supporter of the proposed title III amendment which the committee bill contains.

The fact of the matter is that the amendment I have just been discussing, which is addressed to the kinds of needs which the gentleman from Michigan also discussed, is what we hope will be added to the present language of the bill. This language is not now in the law.

So if I read the gentleman aright, he wants us to help him do what he wants to help his own school district to do.

Mr. GOODELL. Mr. Chairman, I yield 13 minutes to the gentleman from Alabama [Mr. GLENN ANDREWS].

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

Mr. GLENN ANDREWS. I yield to the gentleman from California.

Mr. BELL. I just take this time to mention that, as the House knows, my amendment relating to adult education was defeated during consideration of amendments on the poverty bill. I have the amendment up again for this particular bill, H.R. 13161. I want to point up one thing. I agree very much with what the gentleman from Indiana [Mr. BRADEMAS] said. He has been an outstanding member of the committee. However, I think he has made some errors in his comments during the debate on the poverty bill relative to adult education.

For example, he said the Commissioner is too busy with other programs to be given an added responsibility. The point is under the Adult Education Act it is already being handled by the Department of Education and the Office of Education, and only the purse strings under the OEO would be involved. The administration request for money was less than $40 million. This year there is an expansion of the program under the Poverty Act with less money. These and other points I would like to bring out which I think were missed. It was claimed that my amendment and the Office of Education program was not

focused on the poor through the guidelines set up in conjunction with the Commissioner of Education. My amendment states its purpose, and I read it in quotes: "To encourage and expand basic educational programs for adults, to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, and to become more productive and responsible citizens."

The thrust of the amendment would be to improve the ability of the deprived. This is no different from what it is under the present OEO.

The argument was made that this means it would be a scattered program if it were changed. Actually, it would not be. This would eliminate a scattered program by eliminating the unnecessary OEO middleman.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield for one observation?

Mr. GLENN ANDREWS. I have only a few minutes; I yield to the gentleman from Indiana very briefly.

Mr. BRADEMAS. I just want to say to my good friend from California that I appreciate his comments. If we are both reelected to Congress on the 8th of November, I look forward to discussing his proposal when we next year debate extension of the Economic Opportunity Act.

Mr. BELL. I thank the gentleman.

Mr. GLENN ANDREWS. Mr. Chairman, during the recent 1966 civil rights debate, a very eloquent plea for spiritual attainment was made by the gentleman from Maryland [Mr. MATHIAS]. He urged the adoption of the open housing section of the bill as a means of getting something off our consciences and of bringing to our hearts a sort of spiritual peace.

I weighed this deep emotional sincerity against the background of my own, and then believed, as I do now, that we had the same end in view. But I do not believe you can effectively legislate matters of the heart. You only compound the problem. We witness today serious reactions to the liberal drive to end discrimination quickly with irresistible Federal law and arrogant executive decrees instead of persuasion.

The Southern States have lived for a hundred years with a custom which had the legal sanction of the highest court in the land. This custom had State and local legal sanctions only in the Southern States, but was practiced all over America not in hate, but as a natural selective process. If there is now hate, some of it is against arbitrary, illegal, heavy-handed, vindictive authority. People prefer their own kind, naturally. This has never until now been declared a general crime.

I regard the retention of some degree of voluntarism in personal association, freedom to choose our companions, at least in some facets of our daily living, as a cornerstone of the very survival of the great American experiment. The welding together into a Nation of an assortment of people of different cultures and ethnic backgrounds, different physical, mental, and moral capacities, requires some recognition, some tolerance, of American differences. The Nation is not strengthened by bureaucratic mixing and blending of these differences—it is questionable whether these differences can ever be wiped out by Executive decree.

The Brown decision of 1954 recognized that the descendants of the former slaves were not enjoying full citizenship, full access to the advantages of free America: it reversed the traditional Court position which had endured for a hundred years.

The Supreme Court in 1954 struck down the State and local laws requiring segregation in public institutions.

If I may interpret what the Court said in the 1954 decision—and I represent the predominant view of 400,000 people—the Court said unequivocally that it was not within the authority of any government or agency to choose an environment or social mixture of any of its citizens in public institutions—that is, in schools, buses, juries, or courthouses. In short, legal segregation in public institutions had to go.

I submit that, if it was beyond the authority of Government to segregate, I have yet to see the source of the authority to force integration in public institutions, by direct action or by indirection as in Federal aid to education, rent supplement or any other Federal bribery. We are all aware of more stringent schemes as concocted by the recent HEW task force. We have read the blueprint on forced integration of the future—bonus Federal money to those who integrate the most. The bonus is a particularly irritating method of force.

As the Government spreads its economic mantle over one facet after another of the lives of its citizens, each time clothing with a public interest a new department of our lives, the matter of choosing an environment for our citizens in public institutions means choosing an environment for us in everything that we do.

Federal aid for everything we do is changing us from a free to a coerced society. We appear to need a bigger and better civil rights bill every few months to whip some poor victim of 100 years of custom into line. Coercion fails to give me Mr. MATHIAS' spiritual uplift—coercion, rather, gives me a spiritual depression.

In defiance of the Brown Court decision of 1954, which said that Government had no right to choose an environment, the Commissioner of Education, with the advice and consent of the President, is now personally attempting to choose the environment or social mixture for millions of Americans. And if the President does not concur with Mr. Howe's speeches all over the country, he has never said so and the integrity of the executive branch is being compromised. While the President is persevering in silence, America is being handed a deal which could outdo discrimination as an evil—that deal is political mixmasterism.

Mr. Howe's guidelines and speeches say, in arrogant imperative, "I shall choose the environment of our junior citizens, based on voluntarism, initially, in whatever percentages I may feel are expedient. If that does not accomplish my objective, which is completely balanced integration, I will defy geography, tear down existing schools, build new ones and redraw boundaries." Mr. Howe and Secretary Gardner both assure America that they have no intention of requiring or compelling busing or of rezoning. But if you look at what they propose, somebody is going to have to bus someone or no one gets to school. Great central school parks may not be rezoning, but it is zone destruction. It is a disservice to the intelligence of America to play the old shell game with them, using the vagueness of words in the English language to con or deceive them.

I come from a region hungry for knowledge, a region where poverty stalks the lives of great sections of my people. I come from a region where education should have far-reaching results.

I shall introduce an amendment to the primary and secondary education bill to prevent any governmental agency from cutting off Federal funds in order to overcome racial imbalance in public schools. I hope this may temper this mixmaster madness. My amendment already has the sanction of the courts.

The courts have already said, "you shall not tear down schools or redraw zones or bus to achieve racial balance." I think it highly proper that we stop fooling the American people with word games and executive trickery.

Let America understand that the executive branch of the Government intends to support the law as spelled out by the courts and by, in this case, the Congress itself, by adopting my amendment.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me for 1 minute or even 30 seconds.

Mr. GLENN ANDREWS. If I have any more time, I will be glad to yield.

The CHAIRMAN. The gentleman from Alabama has 2 minutes remaining.

Mr. PERKINS. I just wish to compliment the gentleman and the great State of Alabama in the circumstances for the progress they are now making under the Elementary and Secondary Education Act of 1965. I am advised you have 118 school districts and you only have 11 that have been declared ineligible for assistance under the Elementary and Secondary Education Act, but you do have in the deferred status 9 other school districts that have received funds and only 2 of those that have been cut off have been put in the deferred status. So I think your State, considering all of the circumstances involved, is making tremendous progress under this particular piece of legislation.

Mr. GLENN ANDREWS. I would say to the gentleman that when we have no ineligible districts instead of 11 and when we have no districts in confusion instead of 9, when such a time arrives, I will have no need to stand in the well and offer this amendment.

Mr. GOODELL. Mr. Chairman, I yield 10 minutes to the gentleman from New York, [Mr. FINO].

Mr. FINO. Mr. Chairman, I intend to support this bill, but I also hope to see

one part of it cut to the bone. I refer to the section of the bill which is to provide a half billion dollar slush fund for school busing, pairing, and redistricting.

Frankly, I was amazed to read that this administration, notwithstanding the fact that we are fighting a war in Vietnam, proposes to spend $575 million in fiscal 1968 for the "supplementary" services section—title III of the Elementary and Secondary Education Act. Do you know what that title provides for? I regret to say that this money is to be used to fund schemes for ending so-called racial imbalance. This language is right in the committee report.

The committee report says on page 24 that:

> Projects under this title may be used to encourage imaginative approaches, designed by local school districts, to achieve the elimination of racial segregation and related conditions.

Related conditions, of course, mean racial imbalance. Now the Supreme Court has refused to deal with racial imbalance. I would hate to see the House of Representatives turn to fuzzier thinking than even the Supreme Court.

Let me tell you what title III has been used for to date. In Hartford, Conn., this Federal money has been used for the busing of schoolchildren.

Mr. Chairman, I am against forced busing of our schoolchildren and I am against anything like busing. In a nutshell, I am for the neighborhood school and against programs to undercut it in the name of "racial balance."

One type of program mentioned in the committee report is "support of joint academic programs by suburban and core-city school districts." Mr. Chairman, that is a fancy name for a program which amounts to busing—pure and simple. I will not vote for money for a program which will split classes between slum and suburban schools so that children in my district or other outer metropolitan area districts get bused into the slums so that some sociological quack like Harold Howe can experiment.

If you do not think that the new Commissar of Education has busing in mind, read his speeches. On May 3, at Columbia University in New York, Harold Howe said:

> Busing of pupils to create racial balance is highly controversial, but must be conceded to be helpful in some situations.

I suggest you read the recent testimony of Howe before the Rules Committee. He talked about how both busing and metropolitan areawide school planning are under consideration down at the education directorate. Let me also point out that this bill specifically includes language providing for reimbursement for "pupil transportation services." What else is that but busing?

Yesterday, I discussed this point about busing with the gentleman from New York [Mr. CAREY] and the gentleman from Kentucky [Mr. PERKINS]. They told me that this language will not be interpreted to mean busing for racial balance. Just busing of crippled children. Now I would not for one minute doubt the statements of the two gentlemen. They do not want this money used for school busing for racial balance. But the gentlemen from New York and Kentucky do not make the rules down at the Office of Education. Harold Howe does. And we all know Harold Howe. He has babbled about busing, pairing, and metro planning at every conference of school planners from Los Angeles to Long Island. Who here wants to leave the definition of "busing" to Harold Howe?

I suggest that anyone who does is taking a big chance with the children of this Nation. As a matter of fact, the child you save may be your own. Think of it that way. That is how the people of this Nation are thinking about it.

Several weeks ago, I exposed the proposed Equal Educational Opportunity Act of 1967. This incredible document proposes to add busing grants to the Civil Rights Act. But if we pass this bill today, it will not matter if busing is tacked onto the civil rights bill because Commissar Howe will be able to give away Federal dollars for school busing under the terms of this very bill.

Let me read you the list of racial balance schemes proposed by the Office of Education in the 1967 draft legislation, which, by the way, has gone to Secretary Gardner and bears the names of the Office of Education planning head and the Office legislative man. Here is the list of grants the social planners want to make under the Civil Rights Act, which is to be amended, they hope. Here is the list:

1. Comprehensive, district-wide rezoning of school attendance areas to obtain maximum heterogeneity.
2. Pairing, grouping or clustering of adjacent Negro and white schools a division by grade level in two or more residential areas.
3. Reorganization of the use of schools; reorganizing the grades of a school; converting schools to other uses; clothing schools; changing feeder patterns; grade pattern reorganization.
4. Careful site selection to locate new schools so as to maximize integration of residentially segregated student populations.
5. Increased bussing from overcrowded to underutilized schools.
6. Development of "magnet" high schools, each specializing in a different subject area with enrollment open to the entire school district on the basis of interest rather than ability.
7. Development of supplemental educational centers, comprehensive community schools and shared time programs to draw district-wide enrollment as well as participation from private and parochial schools.
8. Open enrollment, voluntary enrollment and free transfers.
9. Creation of metropolitan school districts to include urban and suburban areas.
10. Suburban-Inner City pupil exchanges.
11. In-class pupil grouping to avoid racial separation, development of ungraded primary classes; remedial and compensatory programs within the framework of regular classroom structure.
12. Inservice training for teachers and other school personnel; employment of specialists to advise school personnel, parents, children and the public on problems of desegregation; improving guidance and counselling services.
13. Development of new curricular materials, particularly those including proper representation or racial and religious minorities.
14. Teacher assignment to assure faculty integration at all schools.
15. Improvement of recruitment and advancement of minority group teachers and of white teachers who are motivated to teach in ghetto schools and in transitional programs.

Now Commissioner Howe says that this type of program—which he admitted before the Rules Committee he is considering—is purely voluntary, and is simply intended to stimulate local efforts. In other words, only cities requesting it will get it.

This is not true, there will be coming up before the House next week a mechanism to force communities to take money for busing and other experiments, such as educational parks and suburban-inner city pupil exchanges. The "metropolitan planning" section of the 1966 omnibus housing bill requires metropolitan areas to plan education according to Federal criteria before they can get bonus grants for airports, sewers, and so forth. Secretary Weaver, another supersocial planner, specifically said so on February 28 of this year when he testified before the Subcommittee on Housing, of which I am a proud member.

I urge this House to delete the money for title III's busing, pairing, and educational park schemes. I hope that the House will cut the proposed busing and racial school experiment money down to size, or cut it out altogether.

In closing, I would like to tell the House that for pointing all this out, I have earned a desperate smear from the Washington Post. I urge the Members of this House to read that editorial, and then to read my reply, which is in the RECORD for October 4. I answered the lies or faulty research of the Post by quoting Secretary Weaver. He told our Housing Subcommittee hearings last February and March that education was involved in both the demonstration cities and metro bill. The foolish Post said that—and I quote:

> The demonstration cities bill has nothing to do with schools.

This stupidity is all the more inexcusable when you consider that the Post contacted my office several weeks before, and all of this was cited and explained to them. They were not even smart enough to read the hearings and see that there are 12 Office of Education programs in the demonstration cities bill.

I commend the Post editorial to you all. Read it and read my reply. You will learn the anatomy of a smear. I suggest you read this bill carefully, too, and the hearings as well. The social planners are at work. The country wants us to stop them.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. WILLIAM D. FORD].

The CHAIRMAN. The gentleman from Michigan [Mr. WILLIAM D. FORD] is recognized for 5 minutes.

Mr. WILLIAM D. FORD. Mr. Chairman, I simply would like to observe that as one of the authors of title III, I feel the gentleman who just preceded me in the well once again is searching for the

nonexistent specter of school busing with about the same success as the old maid who looks half hopefully under her bed for a burglar.

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

Mr. WILLIAM D. FORD. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I have listened with great interest to the remarks made by our able and distinguished colleague from New York. Last week he read John Lindsay out of the Republican Party. Maybe this week is Governor Rockefeller's week.

I call to the attention of the gentleman from New York the language of the bill, and I challenge the gentleman from New York to show me where there is anything in the bill that, to quote him, forces busing on local school districts. He will not find it, and he knows he will not find it.

The gentleman also made reference to an alleged bill which he says will impose mandatory busing on children in the United States.

I refer the gentleman from New York to a statement made by the Commissioner of Education, Mr. Howe, on the 13th of September this year—and these are facts that I am quoting, because I agree with the gentleman that stupidity has no place in a discussion of so sensitive an issue, and on that we are completely, 100 percent, in agreement.

I call the attention of the gentleman from New York to these facts—facts, that is, f-a-c-t-s, not allegations—that is, a-l-l-e-g-a-t-i-o-n-s.

The Commissioner stated:

The Office of Education has no intention of compelling school busing and the redrawing of school boundary lines.

The Office of Education is firmly committed to the principle of local control of public schools.

Mr. Chairman, on the 14th of September, the next day, the Secretary of Health, Education and Welfare, John W. Gardner, a distinguished Republican American, repeated the position of the Department and he said—and this is a fact—f-a-c-t:

We can say flatly—

F-l-a-t-l-y—

that the Department of Health, Education, and Welfare has no intention whatever of submitting legislation that would compel school busing or rezoning.

The Department of Health, Education and Welfare—

Secretary Gardner went on to say:

is deeply concerned with improved education throughout the Nation and the insurance of equal educational opportunities for all.

It should be emphasized, however—

Secretary Gardner continued—

that any legislation proposed by the department will embody the historic American principle of local supervision and control of public education.

Now, Mr. Chairman, if indeed there were in this bill any such mandatory requirement of busing, which the gentleman from New York has alleged was in this bill, I would oppose it flatly because I do not think it would be wise to impose in any mandatory way such a requirement on the local school districts.

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

Mr. WILLIAM D. FORD. I yield to the gentleman from New York.

Mr. CAREY. The worst disservice that could be done to this bill at this juncture would be to misrepresent title III for anything but what it is. It is really the "sweetheart title" according to the educational authorities of this country.

It is a title for innovation and for imaginative proposals which must originate in the community with wide consultation and coordination of all the strengths in the community—the arts, the sciences, literary people, public and nonpublic educators—the entire community participates.

The one thing that it certainly is not is a "poor child" title. This is the title which addresses itself to educational programs for all children of families of all incomes.

I have the great honor to represent an area in New York City and share in the representation of a section of New York City with my distinguished colleague, the gentleman from New York [Mr. FINO], in a district which is quite similar in income to his own. I regard the gentleman very highly. Within the confines of his district there is the great Fordham University. Fordham University has participated very actively in the generation of title III proposals. I know that his district, as mine has also, has benefited in these new imaginative proposals that go to the building of quality programs into our educational system.

I know my distinguished colleague, the gentleman from New York, is conversant with the precedents and the history and experiences which he and I have shared in watching these programs develop in New York City. These include some of the finest things that have ever been done. Children are getting to go to museums and art exhibits. They hear traveling symphonic groups. The schoolchildren are seeing these great works of natural history in the museums. This is done under title III, and the gentleman well knows that.

I think the gentleman also knows that there has never been a proposal made in our city or anywhere else under title III that this title be used for any kind of program for the transportation of children for other than cultural purposes. Is that not the truth and I would like to have the answer of my colleague, the gentleman from New York [Mr. FINO]?

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

Mr. WILLIAM D. FORD. I yield to the gentleman from New York to answer our colleague's question.

Mr. FINO. I am in complete agreement with the gentleman from New York, that if this bill provided for exactly what the gentleman has said it will provide, I am in complete agreement.

However, I do have this fear—that with Mr. Howe down here in the Department of Education, and with his philosophy and with his thinking, I have tremendous fears that compulsory busing might be injected into this picture.

If the gentleman is sincere when he states that the only purpose is exactly what he supposes and states—that is, for cultural transportation and all that sort of idea, then will he support an amendment to restrict any compulsory busing under this legislation?

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

Mr. WILLIAM D. FORD. I yield to the gentleman.

Mr. CAREY. Such an amendment, and I have had the opportunity to consider it, which would simply dot the "i" and cross the "t" and which has to do with compulsory busing may well be considered by the House. But none of us have seen the gentleman's amendment. I am not going to prejudge it and say at this time whether I would be for it or against it.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CAREY].

Mr. CAREY. Mr. Chairman, to continue, I want to make the point crystal clear that any misinterpretation of title III would not work, curiously, to the disadvantage of poor children only.

It would not work to the disadvantage of poor Negro children who are basically helped under title I. If you destroy title III, if you impair the local school district in its exercise of discretion, you will be doing it to the disadvantage of the middle-income groups who participate in title III. This would work to the disadvantage of districts like that of the gentleman from the Bronx and my own district. That is why I do not want to see any impairment of this.

In consideration of the gentleman's very grave concern that there would be compulsory busing involved here, let me recite a history of the recent relationship between the New York City Board of Education and the Commissioner of Education of the United States. When the board was considering title I proposals and title III proposals during the past school year, advices were received from the Commissioner of Education at my instance. I took the proposals and submitted them to the Commissioner for study.

The Commissioner gave me some curbstone opinions on what the proposals contained in terms of value and quality. These were communicated to me. These evaluations were sent to the board. The board, probably quite properly, resented the Commissioner communicating with me instead of with them.

The Commissioner went up to the board, met with them, and, in all candor, he apologized. He was "carried out on his shield." He said he would never again do anything unless he conferred with the board first.

I want to impress on the gentleman from New York that the board in every way imposed its will upon the Commissioner as to the conduct of its own programs. I think the gentleman will agree

that no amendment we could pass in this House could have any effect upon the local authorities, the discretion and will of the school authorities in New York State and New York City. Under this bill I am sure he does not want to accomplish that.

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

Mr. CAREY. I yield to the gentleman from New York.

Mr. WOLFF. Since from this colloquy there is no question as to whether local autonomy will be maintained under this bill and busing can only be initiated by State authority, I wonder if we can get some information from the gentleman from New York [Mr. FINO] as to Governor Rockefeller's position on the question of busing.

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

Mr. CAREY. I yield to the gentleman from New York.

Mr. FINO. I would like to tell the gentleman from Nassau County that I am not interested in the position of Mr. Rockefeller; neither am I interested in the position of Mr. Lindsay. They have their own problems, and I suggest that we let them solve their own problems.

Mr. CAREY. I agree they have problems.

Mr. FINO. I am interested in the people of the 24th Congressional District. I am interested in seeing that there is no involuntary or forced busing under this legislation. When the gentleman said that this legislation will have no effect on the local authority because they are autonomous and all that nonsense, let me remind the gentleman from New York that the Commissioner of Education here in Washington holds the purse strings and the gentleman from Brooklyn knows full well that if he controls the purse strings, then he can control the destiny of that school district, wherever it might be.

Mr. CAREY. Mr. Chairman, I decline to yield further at this point. I did recite to the gentleman an actual instance of where the board called the Commissioner to account in New York City, and the Commissioner accepted the imposition of their will upon his. This has happened before. This is a clear precedent. But in not one instance has the Commissioner been able to direct the board in that city to take one single action that was not of their own doing.

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

Mr. CAREY. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, as an indication of my own earnest in this respect, I want to say to my fellow Mediterranean from New York that if he can show me where there is any language in this bill that provides for compulsory busing, I will buy him a first-class dinner at the best Greek restaurant in New York; if he cannot show me such language, I hope he will buy me a first-class dinner at the best Italian restaurant in New York.

Mr. CAREY. Mr. Chairman, I decline to yield further at this point. Because I, too, am a member of a Panhellenic organization known as Ahepa, if there are any dinners going around here, I want to be in on them. I have great regards for the Sons of Italy as well.

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

Mr. CAREY. I yield to my colleague from New York.

Mr. FINO. The gentleman from New York still has not answered my question as to whether or not he will support an amendment that I shall offer to make it explicit and clear that no interpretation of this section of the law shall imply any compulsory busing or involuntary busing.

Mr. CAREY. I would dearly love to discuss the amendment with the gentleman. I have not seen it.

Mr. FINO. I do not want to discuss it with the gentleman. I want to know if he will vote for it.

Mr. CAREY. I am opposed to the compulsory busing of schoolchildren.

Mr. PERKINS. Mr. Chairman, I yield myself 1 minute.

First let me state that I had the privilege of hearing the distinguished city school superintendent from the State of New York, before our committee, on this particular title.

He was not concerned about busing. In fact, there is no busing in this title. He was concerned about many things, including the quality of education, that was going to be improved in New York City as a result of this title.

He stated that many projects had been approved under this title, and he was there asking for money to finance these projects to improve the quality of education of all the children in New York.

Mr. GOODELL. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, again we have the elementary and secondary school bill before us, with a great deal of controversy and concern about what will be enacted.

My position this year is slightly different from what it was last year.

I was strongly opposed to most of the bill last year. I was opposed to the formula which would have given the least amount of money to the poorest State and the greatest amount of money to the wealthiest State—$121 per poor child in Mississippi and $364 per poor child in New York.

We have changed that, now—not fully, not to the extent I would like to see it, but at least we have changed it sufficiently so that the poorer States will receive the amount of money which an average State in the Union would receive. I believe this was a great step forward. Mississippi will receive $237 per poor child under my amendment.

We have made some other smaller amendments in the act, which are beneficial. There is help to the Indian children and help to the migratory children, which I believe will have a salutary effect on the future of these young people.

My other change of opinion from last year comes from the fact that we have a program in operation in the schools now. Title I is operating in more than 90 percent of the school districts of the country. They have been led to believe it will continue. The continuing resolutions enable those who want to take a chance on the whole year to begin in the first month and in the second month of this school year. I believe that in order to keep faith with these people we should do as best we can to adopt a bill which will continue into next year.

Also title I especially, I believe, needs to be in a 2-year bill. As we know, the schools prepare their budgets about April for the coming year. If they live in uncertainty as to whether the bill will be continued, and what will be in the legislation, that makes it extremely difficult for them. They cannot carry on past the end of the fiscal year like the Federal Government does.

So, since the Federal Government is now a major partner in education, not only in higher education but also in the elementary and secondary schools, I believe we must bear this in mind.

But there are still plenty of faults in this act, even after amended as in the bill before us.

In title I the States do have a choice. They must approve the projects that come from the local school districts, but they cannot lay out State plans in which they can put special emphasis into an area of dire need.

Every Member knows that someplace in his State the children are educationally deprived. Everyone knows it. Nobody has to question that at all. If such a district, however, cannot receive a sufficient amount of money to bring their young people out of their deprivation, because some other school district receives money which it does not need—those who don't need it are wealthy districts with a small percentage of poor children, and therefore such poor children receive the same education as the wealthier. I do not believe we are zeroing in on the real problem of the educationally deprived children until we permit States to determine as only they can determine where the greatest incidence of educational deprivation exists.

I think that an amendment which would permit a State to devise a State plan which must be approved by the U.S. Commissioner of Education would be an amendment that would improve this legislation. Now, the committee has not seen fit to adopt the amendment I have offered because they fear there are some States in the Union that you cannot trust. They cite Southern States and use Alabama and Mississippi as a couple of examples of States they cannot trust. My amendment permits the Commissioner to reject a State's plan if he feels it is not in the best interest of all people of the State, no matter what the race may be of the young people in the State. But in the future we must permit State planning in order that they may and that we may zero in on areas of the States that have the greatest need. Title III is especially bad in this respect. Now all a State can do is make some recommendations. As was pointed out yesterday, the Commissioner of Education approved some title III grants that have not been recommended by the States.

I believe title III especially could function much better if a State plan were required. Especially if the O'Hara amendment remains in the bill, because this changes its concept from the concept which we had last year to a new one, a broader expanded one, where we get into classroom instruction and a whole host of other expenditures.

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

Mr. QUIE. I yield briefly to the gentleman from Indiana.

Mr. BRADEMAS. First may I say that I appreciate the leadership that the gentleman from Minnesota has given on this bill and I am very glad he is a supporter of it. However, with respect to the last point he has been making on the question of the role of the States in the process of approving title III funds, would the gentleman not agree that in all of the hearings we had, there was very little, if indeed any, attack on that particular point. I do not recall that any States came to our committee or that we heard a lot of complaints about that.

Mr. QUIE. The gentleman is correct. In the hearings we did not have that kind of criticism or complaint. I notice that there is a tendency of many organizations—and this cannot just be leveled at educational organizations—who have been trying for years and years and years to get some Federal help and are now quite careful that they are not too critical immediately after a proposal was enacted into law. But I have heard from many school superintendents and teachers and people who are administering these programs who have criticized this fact and have told me that of any change they would be most in favor of it would be for a State plan in title III.

Mr. BRADEMAS. I wish the gentleman, if he will yield further, had brought to the attention of the members of the committee this volley of complaints, because this is the first time before the House that I have heard it.

Mr. QUIE. I sent over to some of my colleagues complaints that I have received. I will say I hope we get into this some in the Green subcommittee studies this fall of the Office of Education and the operation of educational laws they administer. I believe this year it would be unwise to expand the authorization, as this bill proposes, when we are fighting a war in Vietnam. I believe it would be unwise to expand this beyond the budget which the President recommends. This bill is definitely beyond the President's budget. I think it would be good if we would limit it to the budget. I think the two ways in which we could do it would be to put an authorization limitation on the number of dollars we want in title I so that under the new formula it would be prorated so that it would not expend more than the present authorization or the present law authorizes. The same thing with title III. I think it would be unwise now to expand this beyond the $150 million for title III that the President recommends.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield for a moment?

Mr. QUIE. Yes. I will be glad to yield.

Mr. O'HARA of Michigan. Yesterday the gentleman from New York [Mr. GOODELL] and I had a discussion with respect to a statement I had made to the effect that no title III applications had been approved that did not have prior approval of a State education agency. The source of that statement made by me is page 21 of the committee report at the bottom of the last full paragraph in which it states:

> No projects have been approved that have not finally been recommended for approval by a proper State educational agency.

Mr. QUIE. I see that.

At this time I yield to the gentleman from New York [Mr. GOODELL].

Mr. O'HARA of Michigan. Mr. Chairman, if the gentleman from Minnesota will permit me to finish my statement, I believe I can clear it up.

Mr. QUIE. Yes; certainly.

Mr. O'HARA of Michigan. Evidently, this report was printed subsequent to the first two go-rounds of approval applications under title III, but prior to the last go-round of applications for approval under title III, and if any title III applications have been approved, without first having been approved by the State educational agency, I am sure they are in the third go-round, and if that is the case, I apologize for having made this statement, because I relied upon information that is apparently out of date.

Mr. QUIE. I would add, Mr. Chairman, in my statement to the Members of the Committee of the Whole House on the State of the Union that I know my friend, the gentleman from Michigan [Mr. O'HARA] would never attempt to mislead the House of Representatives and, personally, I recognize that this was not intended, or that any thought was maintained on his part to mislead anyone.

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

Mr. QUIE. Yes, I yield to the gentleman from New York.

Mr. GOODELL. Mr. Chairman, I thank the gentleman from Minnesota for yielding.

Mr. Chairman, the information that some projects had been approved came from Dr. Estes, the Director of the Division of Plans and Supplementary Centers in the Office of Education.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. GOODELL. Mr. Chairman, I yield 10 additional minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. Chairman, will the gentleman yield further?

Mr. QUIE. I yield further to the gentleman from New York.

Mr. GOODELL. In other words, these had been approved, when the State agency had recommended against them.

And, Mr. Chairman, it is my understanding that some 3 months ago the figure that was estimated by the Commission to the chiefs of the State school officers was 6 percent of the total applications which had been turned down but which had been given funds, even though the State had recommended against them.

What the total figure is today, I am not aware as to how many had been turned down.

Mr. Chairman, the 6 percent and the figure ratio are different.

Mr. Chairman, if there were 1,030-something grants made, I suppose you would come up with somewhat over 60. I think the figure used a few moments ago was somewhere around 27 or 30 that had been approved against which the State had gone. That is the source of information which I used in the discussion yesterday.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me at that point?

Mr. QUIE. I yield to the chairman of the subcommittee.

Mr. PERKINS. In the course of the hearings, the Commissioner had not approved any application from a local educational agency for a grant under title III. But I understand subsequently thereto, a few may have been approved.

Mr. Chairman, we must keep in mind that these applications come from the local agency, and that is where the grants are made.

Mr. QUIE. Mr. Chairman, all of us recognize this.

Mr. Chairman, I had promised to yield to the gentleman from Michigan [Mr. WILLIAM D. FORD] on this subject.

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

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. I believe the latter situation of the chief State school officer was true in July of this year.

Mr. Chairman, I do not have the letter right here, but I am referring to information and am informed that it was in July, and it did say that not only 6 percent had been recommended against by the State but that they had been funded.

Mr. QUIE. Mr. Chairman, I yield to the gentleman from Michigan [Mr. WILLIAM D. FORD] for, I hope, a question.

Mr. WILLIAM D. FORD. Mr. Chairman, I call the attention of the gentleman in the well to page 121 of the report, in connection with the request that the gentleman has just made about holding to the budget and holding to the line, and the criticisms of the committee proposals with regard to the expenditure of funds.

I call his attention—without reading it in full—to the first full paragraph on that page, under the gentleman's signature, relative to the majority breaking the 1968 budget before it is even written, and I ask the gentleman if it is not true that the so-called Quie amendment, which he defended here yesterday on the floor, will add to the cost of this legislation in fiscal 1968 $400 million that will go to those States that at the present time do not expend in the education of their children an amount equal to or in excess of the average per-pupil expenditure in the country.

Mr. QUIE. Let me say to the gentleman that I accepted the figure of the gentleman from Kentucky of $350 million. Being chairman of the subcommittee, I thought he undoubtedly would have the best figure available, and therefore I would accept it.

But if the gentleman from Michigan will remember my amendment as I proposed it in the committee, it was not to increase the low-income factor from $2,000 to $3,000, therefore save that money and put it into the formula, which would have balanced out, and stayed within the budget. That part of my amendment would have saved $450 million and therefore more than offset my amendment which is a part of this bill.

And we tried to reach an agreement in the committee, and the agreement we got was that the majority of those—that meant those who voted for my amendment—would accept the change in the formula, but they would not accept the change in the low-income factor. So we are caught with an authorization, as the gentleman says, which is above the President's budget.

As I said a few minutes ago, what I would like to see us do, then, is put in a dollar figure authorization limit in title I so that there will be a proration to each school district.

As the gentleman also knows, the administration recommendation for title I without any changes would have meant an 85 percent payment for this fiscal year, and therefore the payment will be something less than full authorization. So when the gentleman chastises me because my amendment will go beyond the President's budget, I would say that if my full amendment had been adopted it would not have gone beyond it, and I am still going to try to protect the President's budget; I am going to stand up for the President in this regard.

Mr. WILLIAM D. FORD. But the gentleman nevertheless will support the $400 million increase, whether it is changed or not?

Mr. GOODELL. Mr. Chairman, may I inquire how much time we have?

The CHAIRMAN. After the gentleman from Minesota concludes, the gentleman from New York will have 6 minutes remaining.

Mr. QUIE. Mr. Chairman, I would say that I do believe in the new formula, I believe in it wholeheartedly, and I think one reason why the Federal Government should be helping in elementary and secondary education is because it wants to equalize educational quality throughout the country. You all know that there are some States, some school districts, that cannot provide an adequate education for their young people.

Let us look again at Mississippi. Mississippi, a maligned State in very many instances, yet is putting up 6.27 percent of its per capita income toward education.

That is high in percentage throughout the country. There are some that are higher, it is true. Some of the Western States are expending higher amounts than that—New Mexico 9 percent—but when you look at New York, which has been receiving the highest payment, they are only expending 4.59 percent.

So what I believe we ought to do on the Federal level when we assist the States is to make certain that we help the poor States—at least bring them up to the national average.

That is what my amendment does, bearing in mind what we have done in the formulas, and other legislation in the past, vocational education, for example, where the poorer States receive the most, they receive a higher payment than the wealthier States. So it makes no sense to me to do it in the reverse, and pay wealthier States more than the national average.

But you know politics. You cannot take money away from people that they are receiving. Therefore, some of the wealthier States are getting a higher payment. My amendment does not take anything away from them. It lets them retain what they had before. I do not believe in it, but because of the politics in the situation we are going to let it happen.

I might point out another fault that I see in the administration of title I. I believe there has been an insufficient amount of money going to preschool education.

Just as we put a percentage in the higher education bill of an amount of money that ought to go to 2-year institutions, the junior colleges, and the community colleges, because we believe in them and we figure that they have not developed a strong enough voice, we said there a certain percentage should go to the community colleges. The same way here, last year only 5.7 percent of the money in title I went for preschool programs.

We know the need here because we have been involved in the efforts to bring people out of poverty. We know the local districts and the parents of the children who are poor and who are educationally deprived and do not have the voice in the local school system that other parents have.

We see that the poor people are unable to provide nursery schools for their children.

But we have realized from the studies that have been made, the tremendous improvement in the ability to assimilate education which we see in young children who do have preschool training. Preschool training has been proven by two summers in project Headstart and a number of years on a small scale in preschool education and this last year a little greater in the preschool education.

If you bring the parent and child in the preschool together in a training program, they can then assimilate and in a much greater degree than ever was conceived possible when they get into the first, second, and third classes.

I might point out that if any of you have my concern about the first, second, and third grades doing an adequate job, it will become glaringly apparent that when we talk about preschool education we are doing a lousy job in the first three grades in the schools of America. They will have to upgrade their programs just as the colleges had to upgrade their programs when we got the new math and the new sciences.

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

Mr. QUIE. I yield to the gentleman.

Mr. PERKINS. The gentleman from Minnesota realizes that possibly 65 percent of title I money has gone for the first six grades. He may be correct about only 5.7 percent for the preschool program. But I thought the figure was about 10 percent. I know during the summer program we spent about $350 million.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. MEEDS].

Mr. MEEDS. Mr. Chairman, I rise in support of the bill, H.R. 13161.

Mr. Chairman, while I shall speak to certain specific aspects of this bill, I want to state strongly that I support these amendments and I feel that Public Law 89–10 is a compliment to all the Members of the 89th Congress who have supported it. If they had been able, as I was able in the subcommittee, to hear the witnesses who came before our subcommittee and who congratulated us and who told us in glowing terms about the excellent programs that are being carried out under this legislation, they would feel these compliments as I did.

Mr. Chairman, I am going to talk about amendments specifically regarding Indians, migrants, and Public Law 874.

In that order, Mr. Chairman, under the old bill, the bill which we are now amending, there was no provision for the Bureau of Indian Affairs as an educational agency in spite of the fact that approximately 44,000 Indian people are attending Bureau of Indian Affairs schools.

While it was not the desire of the subcommittee and/or the committee to perpetuate any type of education which places Indians aside in a special category, we felt after the hearings and after the testimony which was presented that there were special circumstances which required the type of education which the Bureau of Indian Affairs is presently carrying out.

There are good programs by the Bureau of Indian Affairs on resident vocational education and in furnishing dormitory facilities where young Indian people who are from reservations that are so remote and isolated that it would be impractical to have schools on those reservations and in those places.

There are only nine States in these United States that have completely integrated Indian people into the public school system.

In nine States of this Union there are no Bureau of Indian Affairs schools. There are no barriers in other instances which prevent a young Indian student from coming into the public school and partaking of that education immediately. So some of these special schools are necessary.

Mr. Chairman, this bill will make the Bureau of Indian Affairs a designate

agency, and they will receive the 1-percent increase which is going into that section which will come from the outlying-areas portion of the bill. This percentage will amount to about $10 million, and will be made available to the Bureau of Indian Affairs for the Bureau of Indian Affairs Education.

This legislation and this change is necessary because we are shown Indian children are perhaps some of the most educationally deprived people in our Nation. There is a 50-percent dropout rate of Indians across the Nation, even though the national average for all people is only 29 percent. On the reservations the adult Indians at age 45 average an 8th-grade education, whereas the national average, on the other hand, runs approximately to 12th-grade education.

So we concluded, and I think properly so, that one of the areas of greatest educational deprivation was the Indian people, and this amendment undertakes to do something about it.

Mr. Chairman, another segment of our society in which the percentage of educationally deprived children is at least as great as and perhaps even greater than that of the Indian children is the migrant children. Approximately 150,000 of these children follow their parents across the Nation from State to State, season to season, and are not being properly educated. In fact, they are averaging between 2 to 6 weeks of education in any one spot in this Nation. Over half the migrant children in our schools today are at least 2 years behind their peers when they reach grade 6, if they ever do.

Also, Mr. Chairman, of all the migrants over 25 years of age, only one-third have completed a fourth-grade education. The median education of our migrant people is only 6.5 years, as compared to the almost 12 years of the median education of the average American.

This bill will provide approximately $40 million, which will be allocated to the State educational agencies—and I want to make that amply clear—to the State educational agencies, which will make their plans for migrant education and will carry out the plans through their own State departments of education upon approval of the Commissioner of Education.

Addressing myself to the last part of my remarks, I would like to make it clear that our committee, the subcommittee and the full committee, have made no major changes in Public Law 874. The authorization for Public Law 874 will be approximately the same as it was in fiscal 1966. We have made some improvements or some minor amendments which we feel will improve the act.

For example, we have proposed an amendment in this act which will allow the alternative to the larger cities in our Nation of coming under this act. We saw places where they have large school districts, but the percentage of children, while they may come in the thousands, may not equal 3 percent. So we have the alternative that if they have over 100 students or 3 percent, they will be entitled to the benefits of this act. This will certainly affect and make available for the cities of Chicago, Detroit, Cleveland, Milwaukee, Dallas, Nashville, Cincinnati, and others the benefits of Public Law 874.

We now also allow the school districts to make, and under an amendment of this act we would require the use of, group comparable rates. That is what some States have been doing, and this certainly can be called an economy move. What some school districts have been doing under the present law is shopping. School districts are called comparable when they really are not comparable.

We now will require them to consolidate and to make comparable selections or group selections, so that the basis of their entitlement will not be really larger than what it costs in those areas to educate children.

We have also recognized the problem of where a parent of a child may indeed be in the service and may be overseas. Such a child, under the present law, because that parent is not within commuting distance, is not able to participate, and the school district is not entitled under the present law to receive the benefits under Public Law 874.

Under our amendment, the Federal connection of the parent being established, it would not be necessary for the parent to be within commuting distance.

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

Mr. MEEDS. I yield to the chairman of the subcommittee.

Mr. PERKINS. I certainly wish to compliment the distinguished member of the subcommittee. I ask the gentleman if the evidence did not disclose that we could not cut back the impacted program without seriously damaging education programs in these areas because of the military buildup throughout the country and the extra burden that buildup is imposing.

Mr. MEEDS. I am glad the chairman of the subcommittee brought that up, because it is a very important point.

We went into the field and made some very close examinations as to the effect of the proposed cuts which the Bureau of the Budget would make on Public Law 874.

We found one instance—and it just happened to be in my own congressional district—where there would be a buildup of 420 students, all of whose parents would be stationed on the base, and for whom the local educational agency would be required to fund. That was 420 additional students, yet there was more than a 50-percent cut in the impacted area funds which would have been allowed under the Bureau of the Budget, or 26 percent of the budget of that school district.

The CHAIRMAN pro tempore (Mr. GALLAGHER). The time of the gentleman from Washington has expired.

Mr. PERKINS. Mr. Chairman, I yield the gentleman 2 additional minutes.

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

Mr. MEEDS. I yield to the distinguished Speaker.

Mr. McCORMACK. I wish to congratulate the gentleman from Washington for a very excellent presentation which he has just made. It is one of the finest and most effective speeches I have ever heard any Member make in my many years as a Member of this body.

The gentleman has shown his dedicated mind by his knowledge of the facts and of the situation throughout the country, by his knowledge of the educational situation throughout our country. None of us can fail to be impressed by what the gentleman has said, in giving information in a sound and logical manner, in a powerful and effective manner.

I was particularly impressed with the gentleman's speech, and I want to congratulate him particularly for the information he has given about the children of our American Indians and our migrants. It is something which is effective and powerful, and should touch not only the hearts but also the reason of every one of us.

Mr. MEEDS. Thank you, Mr. Chairman.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

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

Mr. ROGERS of Colorado. In the discussion the gentleman made reference to certain changes made in Public Law 874.

On page 67 of the bill, in section 213, there is reference to "Adjustments for Reductions in State Aid" which is also explained on page 36 of the report.

The reduction apparently is to be aimed at those States which fail to supply a fair proportion of State aid to the school districts.

Mr. MEEDS. That is correct. That portion of the bill is not for the purpose of penalizing school districts which have an equalization formula within the State and in which funds may be allocated from the State to the local educational agencies, but only if the State drops its effort and does not maintain its present effort in education.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. SCHEUER].

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman from New York yield to me so I may ask a question of the gentleman from Washington [Mr. MEEDS]?

Mr. SCHEUER. I will yield briefly for that purpose.

Mr. ROGERS of Colorado. If a State has a plan whereby the allocation of a State's fund gives to the school district based upon public enrollment and the taxing base of that particular school district certain funds, would that kind of a formula—in the more wealthy districts, which would receive less State money—would that in any manner reduce the amount of money that would be eligible there under Public Law 874 or would this amendment cause that to be reduced?

Mr. MEEDS. If the gentleman will yield, I would like to reply to the gentleman from Colorado that it would not. The gentleman is talking about an equalization formula where the State's support or the local support may be conditioned on the support of the other, that is, the State or local support. In

that instance the impact money may be added into and figured in that equalization formula. We looked into this and found it would be almost impossible to withhold funds in a situation where an equalization formula such as the gentleman from Colorado mentioned existed. So the purpose and intent of it is to insure State and local effort is not diminished because of the funds coming in under Public Law 874.

Mr. ROGERS of Colorado. Then, as I understand the gentleman's explanation, there must be a reduction by the State itself because the school district gets Public Law 874 money.

Mr. MEEDS. Precisely.

Mr. ROGERS of Colorado. Before this amendment would become effective?

Mr. MEEDS. Precisely.

Mr. ROGERS of Colorado. Thank you for that explanation.

Mr. SCHEUER. Mr. Chairman, I am happy to rise in support of this bill and the pending amendments to the historic Elementary and Secondary Education Act. I am proud to have played a small part in the passage of this bill last year and its extension this year. We are writing fundamental social policy here in a field which for too many decades was neglected beyond belief. Now this legislation is emerging as perhaps the most vital of all the Great Society programs. Children are our most important commodity; we can no longer give them short shrift in their development. Whether it is the white child or minority child, he must not be left to the vagaries of an educational environment that is less than the best.

I welcome the bipartisan support of my colleague from Minnesota [Mr. QUIE], in the thoughtful remarks he made in highlighting the importance of the relationship between Headstart and preschool, and the elementary and secondary education bill. I could not agree with him more as to the stark truths we are learning in Headstart and the high priority these dramatic lessons should give to building a radically expanded preschool education and parent outreach program within the framework of a much more enriched and vital public school system.

Credible evidence stemming from serious research is mounting which indicates that the Headstart child stands a good chance of succeeding in elementary school given an alive and stimulating teacher and an enriched classroom atmosphere, but where the Headstart child is cast into the foreboding world of a mediocre public school, his preschool experience and progress is shattered.

We already know some simple truths about what happens to children from Headstart once they enter kindergarten or first grade.

We know, for instance, that a child with Headstart has a better chance than a non-Headstart child to be ranked in the top 30 percent of his class if a good teacher manages the class.

We know that if a poor teacher is managing a class with Headstart and non-Headstart children, the average Headstart child will do worse than the non-Headstart child.

We know that good or poor teaching affects the Headstart children far more markedly than the non-Headstart children. Contrariwise, we know that non-Headstart children are not as dramatically affected by good or poor teaching.

This means, of course, that if a Headstart child is to achieve permanent progress and momentum from his preschool experience, his performance in public school depends more on the qualities of the school and the teacher than does the performance of the non-Headstart child. All of the findings reinforce the belief that Headstart advantages can be maintained only if the level and teaching and the curriculum in the kindergarten and first grade are strong. This, of course, would be to the advantage of the non-preschool children too.

The opposite is true. More damage is done to children who look forward eagerly to education programs they have learned to enjoy, than to the child who has had no previous knowledge of what to expect, if the later school experience is poor.

It is this simple, harsh truth more than any other that confirms the utter tragedy of many of our public schools. How do we reinforce and rethink public school education to give it that continuity in enriched development, whether it is the small class, the deep involvement of parents, or the complex of community and family services we bring to bear on Headstart children?

We must devote major resources to studying the basic elements of the elementary school system, particularly in the first 3 years—among the most formative in a child's life—so as to make the necessary structural changes to insure that the whole child is attended to, that he is stimulated to learn, that the momentum of the preschool and Headstart experiences are not lost in public school as is unquestionably the case today in a disturbing number of instances.

I am introducing an amendment to insure that we know the answers and make elementary education a total and positive experience in child development.

My amendment will encourage State and local leadership in devising studies of the first 3 years of public school which will give us hard information, analysis, and data upon which we can make judgments about how well the public schools are fulfilling their obligation to provide the best possible educational setting for all children in this country.

Already Headstart has pioneered in a compelling demonstration of the dramatic and profound impact on disadvantaged youngsters of a program which makes possible small classes, a comprehensive spectrum of educational, health and social services as well as parent outreach and participation, and the training and employment of persons from the neighborhoods served as subprofessional education aids. We can no longer ignore the highly significant implications of this experience for our school systems.

Ideally, at a minimum, these services should be extended into the early public school years. The public schools should reach out and downward to embrace Headstart and preschool programs and make them an integral part of the school system, while at the same time bringing the total resources of the community to bear on the development of all children from as young as 2 years, perhaps, up through the primary grades.

This is a goal to which I am committed. The amendment is but the first step in that bold direction.

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

Mr. SCHEUER. I shall be happy to yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I would like to say to my colleague, the gentleman from New York [Mr. SCHEUER], that I am pleased with the gentleman's comment, which adds a bipartisan approach which would bring about a solution of this problem.

Mr. Chairman, the gentleman's remarks with reference to preschool education and the first 3 years of school, is really shocking and deplorable, when we find that money has been expended for a good purpose but turns out to be of little avail. As the gentleman from New York has mentioned, preschool training has been completely lost when children got into first grade. I will say that the best expenditure of money to help educationally deprived children is to begin before they get that way, and improve the first three grades so they do not regress again.

Mr. Chairman, I want to say to the gentleman from New York that I shall join with the gentleman in the excellent amendment which he proposes to offer.

Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Chairman, I have already discussed briefly with the committee inequities inherent in the distribution formula as contained in title I of this bill as it applies to the congressional district which I represent.

Mr. Chairman, the critical educational needs in the suburban areas north and northwest of the city of Minneapolis, the hard pressed and less affluent areas of the congressional district which it is my honor to represent, are for construction money. More specifically, money is needed to reduce the burden of debt which was necessarily incurred because of past construction needs.

Therefore, Mr. Chairman, I am greatly disappointed to read in the report accompanying this bill from the Committee on Education and Labor, the following language which appears on page 22:

> While the committee does not wish to see school districts attend to their less pressing problems at the expense of fundamental needs, it emphatically states that title III is not intended as general support for the conduct of day-to-day school operations and ordinary school construction.

Mr. Chairman, the Office of Education in the Department of Health, Education, and Welfare advised me on September 30 that although some title III money during the school year 1965–66 went into the more prosperous areas of my district,

not a cent was provided to the poorer suburban school systems north and northwest of Minneapolis. These districts are in great relative need, particularly for construction money and funds which would help them manage monster building debts incurred by reason of their greatly expanding school populations and because of the fact that they have a limited tax base. There is no reason why the work both of the subcommittee and of the Committee on Education and Labor did not provide for curing these built-in inequities. Indeed the majority now proposes to continue them insofar as title I is concerned and insofar as title III is concerned for the coming school year.

Mr. GOODELL. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we have been dealing with rather sensitive topics during the general debate upon this bill.

Mr. Chairman, I feel it is imperative that we be very factual and very accurate about what this bill proposes to do and what powers are left with the Commissioner of Education.

Mr. Chairman, there have been statements made that there is nothing contained in this bill which offers or extends an incentive for busing; there is nothing in this bill that offers an incentive to the local people to take other actions. The bill clearly defines pupil transportation services as within the purview of title I, thereof.

In the title III addition made by the committee, clearly and unpreservedly we require the Commissioner to give special consideration to certain types of applications. Included among those applications is an application to correct racial imbalance in the school.

It is very clear, I think, to be factual about it, and accurate, that a local school district can apply for funds for busing to try to correct racial imbalance. So that the Commissioner is ordered to give special preference and special consideration to such an application.

I think it is also clear, regardless of the merits, that the Commissioner is able to give grants for local applications for busing and that he may move into a variety of other areas. These are the areas that concern me a great deal more. In effect, we give the Commissioner the authority to determine when a locality is making a reasonable tax effort. If in the opinion of the Commissioner the locality is not making a reasonable tax effort, it is disqualified for title III funds, and for this special consideration.

The same is true of the Commissioner's power to decide when schools are seriously overcrowded and what overcrowding means, or an unsafe school, and what obsolete means as applied to classrooms. And then the language, "or because of any other condition that has imposed substantial and continuing financial burden upon the agency," occurs.

The Commissioner under those circumstances can and must give special consideration for grants.

I think, as we debate this, we should all be very careful to be accurate as to what powers are given to the Commissioner, and in that sense we will at least be making a decision on the facts.

Mr. PERKINS. Mr. Chairman, I yield the remainder of the time to the gentleman from New York [Mr. CAREY].

The CHAIRMAN. The gentleman from New York [Mr. CAREY] is recognized for 5 minutes.

Mr. CAREY. Mr. Chairman, first let me commend again the members of the subcommittee and the full committee on both sides for, first, the constructive and diligent efforts that are evidenced by the production of this legislation, and second, for the high level of debate which we have enjoyed so far.

I come to the well as one who has increased pride and satisfaction in the progress of this legislation. It has been on our books as a statute since April 11, 1965.

If we look at the preponderance of comment made about this bill, indeed, if we look at almost all of the comment made about this bill, of that in the record and the testimony before the committee, we find an overwhelming degree of support from the educational community, from civic leaders, from parents, from all who are truly interested in education. It remains an historic landmark, in fact, the greatest piece of legislative enactment in all of the educational history in our country. It is that, regardless of what is going to be said about it in the next few minutes of debate.

Mr. Chairman, if the Committee will think back in its recollection, with all the flak and all the noise that was made about this bill when it first came to the floor, very few of those outcries are heard any more. In fact, with regard to title II the provision which provides for the loan of textbooks and the provision for library materials to children of all schools, even those who were most opposed to this kind of a program, were abstemious in their restraint of objection. There is an absence, a paucity of any kind of criticism on the operation of the program.

Title IV, the research title, is working wonderfully for the progress of education.

In title V, for the strengthening of the State departments of education—there are wonderful new beginnings and concepts for introduction into the State schools. All of these are working wonderfully.

Therefore let us look at the bill in the best possible light since the children are concerned.

I have only one real concern about the bill and I have one reservation, that in the debate to follow during the 5-minute rule someone is going to shout—"How" or "Howe."

Then someone else is going to shout—'How" or "Howe."

Then we are going to hear an Indian war cry—"How!" I hope we are not going to stampede all over this bill like a bunch of Indians.

Gentlemen, do not let this bill become involved in election-year jitters.

This bill was a good bill all during the spring when our subcommittee held extensive hearings and we heard from all the educational authorities who wanted to come before the committee. We opened our door to all Members of this body to come in and have their say on this bill.

We loved the bill back in those days in the spring of the year and we should love it now.

In fact I am reminded of a song that was written by a mayor of New York City back in democratic days. "I hope you will love me in December as you did in May."

That is what we need to do with this bill because children are involved.

It is just as good a bill as when we wrote the bill in 1965 and in fact it is a better bill this year.

Everyone had a chance to criticize or to offer constructive suggestions with reference to this bill all during the spring and summer. Therefore I say it ill becomes those who now come to the floor of the House and try to involve this bill in any kind of racial tension or any kind of falsely constructed busing argument to impair the effective working of this bill by introducing such amendments at this time at this late hour in the closing days of this session.

If this bill has done anything, it has built up a better and more effective working relationship between the States and the Federal Government and among the States and within the cities.

The bill has brought together those forces in education that heretofore were divided and which were not coordinated in the movement toward the great objective of quality education.

This bill has been the instrument—yes, if you will—an ecumenical instrument to bring together all the forces of good in education. Let us do nothing on this day to divide those forces, and place those forces in disarray because November is coming up.

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

Mr. CAREY. I yield to the gentleman.

Mr. COHELAN. Mr. Chairman, this legislation before us today carries forward the hopes and promises of the 89th Congress that the special educational needs of our most educationally deprived children will be met. I rise in support of H.R. 13161 and urge that it be passed.

In its first session, this Congress finally swept away the myth that the Federal Government could not cooperate with the States and local communities in bringing quality education to all of our young people. It faced up squarely to the direct relationship between poverty and low educational achievement—to the fact that lack of a good formal education is likely to mean low wages, frequent unemployment and a home in an urban or rural slum. It recognized that education is a key weapon in our fight against poverty and inequality—that it is the key to a society where every individual, whatever his starting point, has the opportunity to achieve the best that is in him.

In enacting the Elementary and Secondary Education Act, this Congress made a national commitment to improv-

ing the quality and the opportunities for education in this country. It is our responsibility to see that this commitment is fulfilled.

There is impressive evidence, Mr. Chairman, that the funds provided to date under this act are being utilized effectively to meet serious educational needs at the elementary and secondary levels. In spite of the handicap of starting well after the beginning of the academic year in 1965, some 22,000 projects in 17,000 school districts were funded under title I. More than 7 million educationally deprived and handicapped children have been reached by special services and programs, and 72 percent of the school districts across the United States have already participated in this effort. From my own experience, I know that schools in the Seventh District of California have made good use of this support.

In the interest of time, I will not discuss each of the amendments to the original act that this bill contains. In general, they are designed to permit the participation of more children and to strengthen areas of the program where experience indicates this is needed. I fully support these changes and additions, which I believe reflect a more realistic level of financial need.

There is one amendment, however, that I would like to comment on, and that is the extension of title I funds to the children of migratory farmworkers.

These men and women who toil in our fields have often and correctly been described as America's forgotten people. But the tragedy of our neglect has fallen most heavily on their children, who by any standard are the most educationally deprived group in this country.

Each year, approximately 160,000 children accompany their parents as they follow the crops. Some spend only 2 to 6 weeks in any one school district during the harvest season. Many, for reasons of sheer economic necessity or the lack of nearby school space, never see the inside of a classroom. Many are retarded 2 years and more below their grade level. Achievement in reading and other language arts is especially low.

The plight of these children is not only a national problem but a national disgrace. Absence of a basic education condemns them to a life of ignorance, poverty and dependence on our society. We can and must do better. This bill would make that possible.

Under title I amendments, State educational agencies would be aided in establishing special programs to help meet the urgent and special educational needs of these children. This is an appropriate and necessary supplement to the other forms of assistance we provided for migrant farm workers in the antipoverty amendments last week. It is essential if these children are to break out of the vicious cycle of poverty and achieve a better, brighter and more productive future.

Mr. Chairman, no task before our country is more important than expanding and improving the educational opportunities of all our people. Education is both the foundation and the unifying force of our democratic way of life. It is the mainspring of our economic and social progress.

This bill, then, is an investment in the future of America. It is a wise, practical and necessary investment which deserves and demands our support.

Mr. PELLY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Chairman, I find myself at a considerable loss to understand why the school superintendents and principals in my congressional district have not written me about the elementary and secondary education bill. They generally do.

It may be due to the criticism I raised last year as to the dangers inherent in certain aspects of this program. My friends in the schools may think me a lost cause when I question the wisdom of channeling Federal assistance to private schools through public school boards.

However, that objection is moot today. That is the way the program works.

This bill, on the other hand, would correct, or at least improve, some of the weaknesses the Republicans pointed to last year. The rich counties have been getting more money for education of their disadvantaged children than the poor counties. Now, as I understand, the formula will be changed and improved.

Depending on how the bill is amended, I may support it. I have checked with the Washington State Superintendent of Public Instruction and likewise with the office of Gov. Dan Evans. It seems that our schools in Washington are counting on Federal money to continue their programs. If, at this late date, they were cut off, the results could be serious and our children would be the losers.

I have always feared Federal control of local school districts. That control belongs in the hands of parents and school boards. Some day, I hope, before Federal assistance to schools goes too far, a new method of eliminating controls will be adopted. I favor return of Federal income tax money to the States, so State legislatures can provide for our schools instead of Federal officials doing this.

But until any such new method can be adopted, reluctantly, I suppose I must go along, because of the need for funds and the value of education.

Congress must carefully scrutinize what is going on. There exists a plan in the Department of Education and in the minds of persons in that department, for federalization of our schools. The blueprint of that plan is contained in a pamphlet which is difficult to obtain, but all one has to do is read the various speeches of Commissioner Harold Howe and his views will indicate what that agency has in mind.

So, Mr. Speaker, what with ideas that Federal officials have of rewriting textbooks and using the schools as a means of standardizing our society, we must be careful. On the other hand, no one, more than I, wants to assure every boy and girl in America an opportunity to acquire a high-quality education.

Under unanimous consent I include at this point a telegram received this morning from Washington State's Superintendent of Public Instruction in obvious strong support of this legislation:

OLYMPIA, WASH.,
October 6, 1966.

Hon. THOMAS PELLY,
House Office Building,
Washington, D.C.:

I sincerely urge your strong support of H.R. 13161—Elementary Secondary Education Act and amendments thereto.

LOUIS BRUNO,
Superintendent of Public Instruction.

Mr. DENT. Mr. Chairman, no matter what we personally feel about the bill before us one thing we must all agree on, education is good business.

Getting away from the social and humane benefits that come from education as it is applied to our way of life, the benefits for the individual can, and in most cases are, economic.

Education has and will continue to be the greatest force in our Nation and in the world for peace, understanding, and prosperity.

Prosperity for the individual will in turn bring prosperity to a nation and all of its institutions.

I repeat, Mr. Chairman, no matter how you view it, education is good business.

I include the following information for the RECORD:

ADVISORY COMMITTEE

H. C. Bleckschmidt, Assistant Superintendent in Charge of Business Affairs, Normandy School District, Normandy, Missouri.

Forrest E. Conner (ex officio), Executive Secretary, American Association of School Administrators, Washington, D.C.

Edward C. Epstein, President, Crete-Monee Board of Education, Crete, Illinois.

Charles W. Foster (ex officio), Executive Secretary, Association of School Business Officials of the United States and Canada, Chicago, Illinois.

Everett Keith, Executive Secretary, Missouri State Teachers Association, Columbia, Missouri.

Oscar Lanphar, Secretary-Business Manager, Community Consolidated School District 65, Evanston, Illinois.

Dale Stauffer, Assistant to the Director, Chemical Therapeutics Research Laboratory, Miles Laboratories, Inc., Elkhart, Indiana.

Harold S. Vincent, Superintendent of Schools, Milwaukee, Wisconsin.

Harold V. Webb (ex officio), Executive Director, National School Boards Association, Evanston, Illinois.

That the United States is one of the great civilizations in the history of human life on our planet, no one can deny. We can take pride in this fact; but we should ask ourselves, "What is especially significant in our way of life?"

Some persons might answer that the important feature of American life in our time is the large amount of money we have to spend. We consume an abundant supply of goods and services, and compared with the majority of the other nations of the world, we are indeed rich. About half the people of the world live in nations where the average income per person is less than $200 per year. Technological know-how applied to our production problems has produced a standard of living for our citizens which is the highest in history. Our Gross National Product, the total output of goods and services, is now more than $3,200 per person. This compares

with $80 per person in India and $32 per person in Ethiopia. We have only 6 percent of the earth's population. We live on 7 percent of the world's land area. Yet we produce more than 30 percent of the world's goods and services.

This country consumes one-third of the total energy produced in the world, and we own one-half of the world's telephones, radios, and television sets.

There is one automobile for every three persons in the United States. The Soviet Union has one automobile for every 336 persons. In the United States today, the problem is where to park the third automobile that so many families now have. In Ethiopia today, the problem is how to feed the third child that has just come into the family. In Moscow, the problem is to convince the starving family in Ethiopia or Red China or elsewhere that food will be abundant for them under the Communist brand of socialism.

In the United States, 94 percent of the homes have water piped into them. The percentage in Egypt is 20; in Brazil, 16; in India, 14; and in Ethiopia, 8.

The standard of living in the United States is about twice that of the advanced countries of Europe, such as France, Germany, and England.

Other persons might say that the distinctive quality of American life is our scientific accomplishments. From the reaches of space to the depths of the ocean, American scientists stand at the forefront of discovery. We see practical applications of science in improved medical care, gains in highway safety, our efficient system of jet air transport, international television, and finally, in our sparkling array of household appliances.

Still others might point to the fact that so broad a land, populated with people drawn from so many different countries, is governed by democratic processes and that in the face of the growing complexity of business life we have maintained a free economic system.

But the list is not complete unless we take note of our remarkable system of public education. Our best schools are the equal of those found anywhere in the world. The unique feature of American education, however, is that our young people, as a whole, are offered considerably more years of schooling than are made available to students in other countries. Except for those youths who choose not to attend, we have achieved universal secondary education; the rest of the world has not. In addition, it appears that public junior (community) colleges will soon be so freely available that practically every youth in America with the ability and the desire will be able to attend one within commuting distance of his home.

Benefits for All

THE STUDENT

Our public education system provides benefits to students first and foremost, and these benefits are of many kinds. One of the most easily measured is financial: the more education a person has, the more money, on the average, he earns. Estimated average lifetime earnings of people by levels of education completed follow:

Schooling	*Lifetime earnings*
Elementary school:	
Fewer than 8 years	$143,000
8 years	184,000
High school:	
1 to 3 years	212,000
4 years	247,000
College:	
1 to 3 years	293,000
4 years	385,000
5 or more years	455,000

Source: Miller, Herman P. *Rich Man, Poor Man.* New York: Thomas P. Crowell, 1964, p. 145.

We see that the high school graduate earns about $35,000 more during his lifetime than the person who drops out of high school, even though the graduate starts work one or two years later than the dropout. The college graduate earns $138,000 more than the high school graduate, even though typically he starts to work four years later.

These figures describe only the present situation, but the fact that education pays financial dividends has been recognized for some time. In 1930, the college graduate was estimated to have lifetime earnings $35,000 greater than the high school graduate. This was back in the days when prices were considerably lower than they are now, so the extra income represented much more in goods and services than $35,000 would buy today. Around 1930, it was calculated that four years of college cost $6,400, counting tuition, room, board, books, and other expenses. The college graduate received, on the average, 5.5 times more "extra" income than his college education cost him. Presently, college costs are a little more than double what they were in 1930, that is, about $14,500 for four years. But today, the college graduate receives 9.5 times more in "extra" income than college costs him ($138,000 divided by $14,500). College education has actually improved as an investment, even though the supply of college graduates has increased enormously since 1930.

Now, extra pay accompanying more education is not due alone to the fact that educated people have different kinds of jobs than people with less education, although generally it is true that the more schooling one has, the broader the range of jobs from which one can choose. Consider these figures about people in the same jobs. The last census (1960) showed that carpenters with an elementary education earned $4,800 a year, on the average, while carpenters who had completed high school earned $5,700. Electricians who had finished elementary school but not high school earned $6,100, while electricians who had graduated from high school received $6,600. For toolmakers, the figures are $6,700 and $7,300. The situation is the same for people who work in government. Local firemen who did not graduate from high school earned an average of $5,300, while those who held high school diplomas received $6,100.

THE CITIZEN

The benefits to citizens are various. Among them are the gains we all enjoy from scientific discoveries. Let us look first at the field of medicine. The results of medical research are well known. The crippling of children and young adults by infantile paralysis is now almost a thing of the past. No longer do vast numbers of people succumb to such diseases as pneumonia, diphtheria, and meningitis. Let's take a less prominently discussed disease: aneurysm—a permanent abnormal blood-filled dilation of an artery. Until four or five years ago, 9 out of every 10 persons who developed this condition were dead within five years. Now, 7 out of 10 who undergo new surgical procedures are alive and well at the end of five years. One could extend the list of present benefits of medical research almost indefinitely, but naturally one wants to look to the future. Major efforts are now being made to conquer the scourges that kill large numbers of mature adults: heart disease, cancer, and stroke.

Approximately $1 billion is now being spent annually in the United States on medical research. The corps of research workers numbered 39,700 in 1960. It is literally true that these researchers hold the lives of many of our friends and neighbors in their hands. What determines the quality of medical research? What determines, for example, how rapidly cures for cancer will be developed? To be sure, research facilities and equipment are important. Nonetheless the primary and basic factor is the caliber of people who conduct the research. Insofar as extraordinarily competent people are recruited to the field and are provided with exceptionally good training, the quality of research will be high. This is where the educational system comes in. The educational system is first of all society's instrument to discover talent and to develop that talent to a high peak of usefulness. No one can tell when or where a future genius is going to be born, and this is why our society casts a wide net for talent—why society needs mass education.

The Country and the Community

NATIONAL POLICY

The Annual Report of the President's Council of Economic Advisers, dated January 1965, contained the statement: "In 1964, the United States passed a watershed in economic policy." This statement referred to the fact that the Congress had passed a tax cut (amounting to about $14 billion for the year 1965), and it had done this in a time of substantial prosperity, not to combat a serious recession. In June 1965, the Congress passed another tax cut (of about $4 billion), again while the economy was breaking all previous records of production. Though the Employment Act of 1946 had committed the federal government to policies which would promote "maximum employment, production, and purchasing power," the government had theretofore been willing to act strongly only when we appeared to be heading for real economic trouble; for example, when a serious recession was threatening us.

Under the new economic philosophy of the federal government, policies are to be based on the proposition that the economy should continually be pushed to the maximum use of our resources: unemployment of men and machines is to be kept at the minimum level attainable.

Tax cuts are a means to this end because we generally spend the additional money, thereby creating a demand for goods and services and putting more men and machines to work.

The better our children are educated the sooner they will learn new techniques in on-the-job training programs. Moreover, the success of industrial training programs depends on the academic preparation of the trainer as well as on that of the trainee. Insofar as we can obtain improvements in our elementary and secondary schools, the foremen and skilled workers of the future will be better able to impart knowledge about work skills to apprentices and other young recruits to the labor force.

Although the relation between education and labor productivity may be easiest to see in the case of the rising number of science-based industries, all employers benefit from having workers who display traits of initiative, responsibility, self-discipline, ambition, and planning. Wages are high in America, and in spite of the great degree of mechanization we have, labor costs are still a very important element of total cost in American industry. For example, General Motors Corporation spent $4,592,481,476 in payrolls in 1964. This amount was 4.9 times more than the company spent on plants and equipment. Payrolls represented 27 percent of net sales, and a 10 percent saving in labor cost would have served to increase net income by 26 percent. Accordingly, when schools develop tendencies in youth to work hard and be responsible, conscientious citizens, the significance to business costs is highly important.

TEACHERS' SALARIES

The biggest single item of school expense is teachers' salaries. Are teachers' salaries too high? Let's recall what we have talked about several times already, namely, that the amount of money people make is related to the amount of education they have. Teachers, curiously enough, are the big exception to this rule. The 1960 U.S. Census revealed the following situation. Secondary school teachers had received an average of 17.2 years of education. This put them in the same category as physicians (17.5 years), dentists (17.3 years), lawyers (17.4 years), and veterinarians (17.4 years); and as chemical engineers (16.7), architects (16.8), pharmacists (16.2), and reporters (16.0). The average pay of secondary teachers at the time of the 1960 census was $5,800. The average for those workers listed above was $9,700—$3,900 more a year than teachers were paid. The lowest income for any of the workers listed here, aside from teachers, was $6,800 for reporters; even this was $1,000 higher than the average teacher's pay.

On the other hand, secondary school teachers had at least five more years of education, on the average, than any of the following occupational groups: ships' officers, electrotypers, locomotive engineers, photoengravers, electricians, and millwrights. Yet the average annual salary of teachers was below that of any of these groups—and in some cases as much as $2,000 below. Teachers provide the educational basis of the income differences that exist in our society, but their own incomes do not reflect the amount of education they have had. This is said not so much to plead for higher pay for teachers as simply to point out that we are truly getting a bargain when we pay taxes to buy educational services.

In any case, teachers' salaries are increasing gradually. In 1964–65 the average pay of public school teachers, elementary and secondary, had risen to $6,450. More important than the average figure is the fact that salary schedules in a number of states now enable outstanding teachers to earn a respectable salary for a college graduate—a salary, that is, in the area of $10,000 to $12,000.

Of course, it can be claimed that teachers work a short year and that the relatively low amount of salary they receive reflects this fact. Nowadays, the working year of a conscientious teacher is only about one month shorter than that of members of other professions. The secondary school teacher, today, attempts to provide instruction for 120 to 150 students each school day; it would be a wonderful thing if teachers could and would spend that extra month in preparing for the next year's work.

A FINAL WORD

Education is a great engine of social progress. In this report we have described the manifold ways in which good schools strengthen our society. Let us recall some of the main points.

1. Well-documented evidence indicates that schools have made a magnificent contribution to our economic growth. More education means a more highly skilled work force; gains in worker efficiency achieved through education have accounted for 20 to 23 percent of our growth in national product. Education is the base upon which the quality of research and development activities of American industry rests; the "advance of knowledge" achieved through research accounts for an additional 20 percent of our prosperity.

2. Investments in education, accordingly mean bigger markets for American businessmen. Rising markets give us strength in our economy.

3. Just as we want our economy to be generally strong, we want the many special benefits that education-based research helps to provide: freedom from disease, better communiactions, faster travel, clean water, and clear air in our growing cities.

4. We want a national government and an economic structure that can cope with chronic unemployment, a problem which appears to be characteristic of periods of rapid technological change. We believe that education, properly directed, is the chief means whereby people can find new kinds of jobs when the old kinds disappear. Labor, industry, and government must be sensitive to this fact.

5. For our whole system of government to function properly, we need strength and fiscal stability in our local governments. Good education is an important safeguard against economic stagnation and decay of local areas.

6. Of great importance are the benefits that education yields to the student as an individual. For the student, the zealous pursuit of education leads to higher income; the opportunity to choose among a variety of interesting and challenging kinds of work; a greater chance to participate in on-the-job training (in order to keep one's skills fresh and up-to-date); and, finally, job security.

7. By no means, however, are all the individual benefits of education in material form. Education promotes stability of family life, the improvement of educational opportunities for one's children through the early learning experiences that educated parents offer their boys and girls, and a vastly greater capacity to enjoy leisure. Furthermore, the attainment of full cultural maturity may be a central purpose of education.

8. Education is one of the chief ways by which we come to value human life in all its complexity. Through education, our children are led to develop a feeling of compassionate regard for their fellowmen—to be willing, on the one hand, to walk the extra mile to alleviate our neighbor's distress; and to be able, on the other, to share gracefully our friend's happiness in times of joy.

Such a great engine of social progress is too important to be run ineffectively and inefficiently. Schools, like any activity conducted by man, can be made better than they are; and, as they are improved, we will reap even greater benefits. Improvements will occur as taxpayers respond favorably to well-documented presentations of financial need and—most important—as the best minds of our rising generations are attracted to the schools as teachers.

Americans can be justly proud of the efficiency with which their schools are administered. The price of teachers' services, while rising steadily, still represents a great bargain for the taxpayer. Budgetary techniques are improving. In terms of quantity—and quality as well—educational research is moving ahead so that our teachers may make more effective use of their skills. Much progress has been made in consolidating school districts which were too small or too poor to be run efficiently. We look forward to an increasing measure of cooperation between local school authorities and other agencies of local government. All these things augur well for achieving gains in efficiency in education.

The outlook for American education is one of well-tempered optimism. Great opportunities lie ahead. There is a need to acquire greater strength to meet these opportunities. This need is matched by a feeling of confidence in the ability of our schools to serve our society in ever more challenging ways. Truly, *education is good business.*

H. RES. ——

To authorize the General Subcommittee on Labor of the Committee on Education and Labor to conduct an investigation and study of the operation of elementary and secondary schools by Federal agencies and of production of foreign-made goods competing with domestically produced goods.

Resolved, That the General Subcommittee on Labor of the Committee on Education and Labor, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study (1) of the operation by the Federal Government of elementary and secondary schools, both at home and abroad, with a view to determining means of assuring that the children of civilian officers and employees, and members of the Armed Forces, of the United States will receive high quality elementary and secondary education, and (2) of the circumstances surrounding the production in foreign nations of goods which are subsequently sold in the United States in competition with domestically produced goods.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. TRIMBLE. Mr. Chairman, I support the amendment that will be offered by the gentleman from North Carolina [Mr. FOUNTAIN] because it

keeps control of our schools at the State and local level.

Mr. FOGARTY. Mr. Chairman, we Americans have always believed that all our citizens should have opportunity to grow to full stature. We have known that nature is not always fair in the start in life it gives to people. Men are not necessarily equal in the circumstances and endowments with which they begin. But we have believed that we could use education as a mighty tool to equalize the opportunities of children to realize their aspirations.

But education cannot equalize opportunity if education itself is not given in equal measure to all our children. When the socially and economically disadvantaged attend poor schools, their handicaps are doubled.

Last year we took a long stride with the ESEA to make the blessings of education more nearly equal for both the rich and the poor. Tonight we extend and enlarge that great act. I am proud to vote for it and to give it my full support. It reflects credit on the Congress that passes it—just as it enriches the lives of the children it is meant to help.

I wish to make very evident in my opinion the Elementary and Secondary Education Act is one of the most remarkable pieces of legislation in the history of Congress. In attempting to provide improved educational opportunities for the deprived children of our Nation and in providing an incentive for the improvement of education at all levels, the act has the loftiest of purposes. Moreover, its effects to date have been successful beyond our hopes.

In Rhode Island, for example, Portsmouth and East Providence school district have utilized funds available under title I to provide tutorial programs for educationally deprived students at all levels. Also, successful attempts are being made to take advantage of the gains already made by children under Headstart programs. For example, in West Warwick each child is attending a federally funded kindergarten for 2½ hours a day 5 days a week.

Furthermore, Providence has implemented a project on the University of Rhode Island campus which provides guidance, instructional, diagnostic, and recreational services to students who, because of serious learning problems, need special educational services.

All of these, in addition to many other imaginative programs, are concrete evidence of the success of title I.

In addition to benefiting from title I, Rhode Island schools have effectively utilized funds from title III. For example, Providence, Blackstone Valley, and Wakefield School Districts have learned the rich diversity of resources they have available to them and are using them to provide richer lives for their students.

North Providence, Middletown, and Providence School Districts have taken dramatic steps to improve the remedial and guidance services available to all students from elementary through adult education levels. In yet another outstanding example of the imaginative use of Federal funds available under title III of the Elementary and Secondary Education Act, students in Providence School District now have the programs of music, drama, ballet, and museum activities which provide them with an enriched educational experience and an appreciation for our cultural heritage.

One of the most exciting uses to which title III funds have been put is the creation of the Educational Laboratory Theater for the Secondary School Children of Rhode Island. This landmark project provides all students in grades 10 through 12, public and nonpublic, with the opportunity to see dramatic productions during this school year. This is indeed a significant accomplishment which was made possible only by the availability of Federal funds.

Thus, because of its outstanding past effectiveness and its promise for even greater success in the future, I wish to add my full support for this bill.

Mr. ROBISON. Mr. Chairman, I have decided to support this bill—H.R. 13161—the Elementary and Secondary Education Act of 1966, on final passage, even though I still firmly believe that this new program, as enacted into law last year, is not the answer to the needs of education at this level.

I believe the debate on this bill this year has made it even more clear than it has been before that what we actually have, here, is a program providing peripheral or marginal aid to education, at this level, under the guise of a program supposedly aimed at and designed to serve the special educational needs of the "educationally deprived" child. And, further, that this program has, at best so far, actually been only of a tenuous and indirect benefit to such children.

Indeed, a conference that I had last weekend with an areawide group of elementary school principals in my congressional district confirmed my previous opinion that the Federal dollars being expended for the purposes supposedly espoused under this act are, with rare exceptions, being used to fill in the gaps—so to speak—in the normal operational budgets of the school districts receiving them for programs or projects that their local taxpayers, for one reason or another, have been unwilling to pay for themselves.

This being the case—or, at least, my judgment of the situation—what the Congress really needs to do is to review this entire subject, fully and objectively, and, if that is indicated, to redirect this program accordingly.

If a Congress ever does that—and it obviously will take another Congress than this one to do it—I believe we will discover that the most feasible and efficient method for "aiding" education at this level is to adopt some form of the various "tax sharing" proposals that have heretofore been made, including my own proposal, H.R. 16205.

Most of the school districts in my congressional district have applied for and received some aid under this program. The Federal grants they have received range in size from a low of $15,412 to a high of $277,000—based on such information as I have been able to gather, and that information is now rather complete.

Every little bit helps, of course—and there is no doubt that these moneys have been put to good use—but we need, I believe, to keep our sense of proportion about this aid and, when it is related as I have related it to the normal operational budgets of those school districts, we find that it averages out to a Federal "contribution" of 1.8 percent.

It is certain, therefore, that no school district budget anywhere in my district has been reduced, as a result of this "aid," and that no school tax rate anywhere in my district has gone down or even been held at its former level as a result of this "aid."

And this, I believe, is our real, our ongoing problem, here; that of finding some permanent method for relieving the ever-increasing burden of those school taxes on local real estate, a burden that is bound to grow ever heavier as such additional sources as we can find for additional State revenues for school purposes become scarcer and scarcer.

Mr. Chairman, I know from letter after letter I receive from my constituents—just as all my colleagues here are receiving such letters—that many of them, especially the older, retired person trying to live on a fixed income, just do not know how they are going to be able to maintain their homes and pay those ever higher school taxes.

A "tax sharing" plan—based on the so-called "Heller proposal"—would as I said provide the means for easing that burden, and, at the same time, would permit our own people in charge of our own educational systems to use those returned tax moneys in the manner and for the programs and projects to which they would assign the highest priorities.

I would like to hold out for that kind of an approach this year, Mr. Chairman, but the necessities of the moment do not make that very practical.

It is obvious that this program is going to be extended just about as it is.

It is also obvious that we will have to wait for another Congress—a more objective Congress—to take another look at such alternatives as are available to us.

In addition, we are already nearly a month into the present school year. Most of my school districts—like those of most of my colleagues—have already applied for assistance under this program for this year, and have adjusted their overall programs accordingly. Having gotten them out on this limb, those of us here who feel as I do have little alternative except to follow through and vote to extend this program, such as it is, for 1 more year.

But I, for one, will be waiting with hopes that when the 90th Congress convenes next January we will fully reconsider what we are doing.

Mr. SKUBITZ. Mr. Chairman, the Committee on Education and Labor completed its work on the elementary and secondary amendments last July. By accident or design it comes before us

today, 1 month after the schools have begun operation.

On three separate occasions this body—in June, again in September, and again in October—passed continuing resolutions authorizing the agencies to continue spending money at the same level as provided in fiscal 1966. Our failure to act at an earlier date has placed every school district in a bind. Budgets have been adopted, personnel hired, programs commenced. School districts assumed, and rightfully so, that Congress would at least enact legislation comparable to that enacted in 1965. If legislation is not enacted into law, chaos might well result in many areas. This is particularly true in my State of Kansas, which operates on a cash basis.

I shall support this bill—not because I agree with it in principle; in fact, I think it is entirely wrong in its approach. I support it because I do not want to do irreparable damage to our schools.

The question before us is not whether we should improve the educational opportunities for every boy and girl, the question is how this should be done. The question is not one of intent; it is one of procedure.

I object to this bill because it leads us down the road to Federal domination of our schools. Proponents of this bill deny it, but ask any school administrator or board member who is required to prepare reports, or meet the guidelines laid down by the "Commissar" of Education. Day by day the noose becomes tighter and tighter.

I am hopeful that following the November election this body will be made up of men and women who believe in education but not in federalized education—who will provide assistance to education but who will insist that control of our schools remain in the State and local communities.

Last year, this body passed the original legislation. It carried the title "To strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools." The "declaration of policy" found therein is as follows:

> In recognition of the special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate educational programs, the Congress hereby declares it to be the policy of the United States to provide financial assistance (as set forth in this title) to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means (including preschool programs) which contribute particularly to meeting the special educational needs of deprived children.

Were the funds distributed on the basis of need? Look at the facts. Under the formula that was devised the opposite effects resulted. For example: First, the 10 "wealthiest" counties in the United States having 32,452 deprived children received $8,918,087, while the 10 "poorest" counties having 32,563 deprived children received only half as much—$4,507,149. Second, in Montgomery County, Md., the average family income is $9,317. This county has 2,300 deprived children and received $572,000. Compare this with Tunica County, Miss., where the average family income is $1,260. This county has 2,900 deprived children and received $357,000.

What are the effects of the formula under this bill? Kansas in 1963–64 spent 6.55 percent of her total per capita income for education. Under the formula provided in this act, Kansas will receive $240 per deprived child. Compare this with New York which spent 4.59 percent of her per capita income on education, but will receive $393 per child, or with New Jersey which spent 3.78 percent of her per capita income on education and will receive $301 per child. Mississippi which spent 6.27 percent of her per capita income will receive $129 per child. How does this conform to the purpose of this legislation as stated in the "declaration of policy?" Where is the justice and equity, I ask?

The youth of this country are our most precious resource and the wisest investment society could possibly make is in the development of their bodies and minds. As one who has labored in the vineyard of education as a student, teacher, and school administrator, I think I know something about education and its problems that confront our youth, schools, teachers, and local communities.

My first official act as a Congressman was to introduce a bill which would return to each State 3 percent of the total individual income tax collected to be used for educational purposes. If enacted into law, Kansas would keep approximately $11 million of its own tax money, and control would be in the hands of the State and local communities.

I think it is important that the States be allowed the discretion and the responsibility for the distribution of funds for educational purposes. Of one thing I am sure, the taxpayer will get more for his dollar by having the educators in the State make the determination rather than a bunch of bureaucrats in Washington. Let us take bureaucracy out of democracy.

Mr. DANIELS. Mr. Speaker, last year, after many years of frustration in attempting to pass legislation which would strengthen American elementary and secondary education, we enacted the Elementary and Secondary Education Act. With the passage of that act we took the initial step in assuring that every American child would have an equal opportunity to a high-quality education regardless of where he lives or the economic circumstances of his parents. The passage of that legislation was a commitment on the part of Congress—a commitment to the proposition that the Federal Government will assist the States and the local schools in areas of critical educational needs.

One of the areas of critical educational needs which Congress recognized was the special need of disadvantaged children. In response to this need, the major thrust of the Elementary and Secondary Education Act was to establish a special program specifically designed to meet the special educational needs of disadvantaged children under title I.

Now, not quite a year since funds were first made available, we have had an opportunity to review the first year's operation of the program. Frankly, as a result of this review, I am proud to have had a hand in its creation.

Title I authorized school districts across the Nation to use almost $1.2 billion. I have to admit that I was somewhat apprehensive. This was a large sum of money, and decisions as to how it was to be spent were being made by officials in almost 18,000 school districts and in every State educational agency. Further, since funds were not made available until after the school year began, thousands of school districts had to plan and implement projects with a great deal of speed while, at the same time, they were already conducting their regular school program.

My apprehensions were uncalled for. Reports on the operation of the new program give evidence of a success which has exceeded our expectations. Initially there was some difficulty in conducting an extensive review because many of the projects were funded just a few weeks before hearings began. However, the hearings were extended over a period of several weeks. Further, we continued to collect additional data until a few days ago.

Of the $1.18 billion authorized, projects amounting to $1.05 billion were approved. That amounts to 89-percent utilization. Of the amount not used, $21 million was attributed to the enforcement of the Civil Rights Act.

The fact that 11 percent of the funds was not used is, in itself, a tribute to the good judgment of the State and local school officials. I asked Office of Education for the major reason for nonutilization of title I funds. The administrators informed me that the major reason, other than civil rights enforcement, was that State educational agencies were very strict in approving projects. There was a real effort made to insure that the intent of Congress was carried out and that the projects were of the highest quality.

From this report, I think we can be assured that Federal dollars were spent wisely.

In our review of the program, we were particularly gratified to find that schools had devised methods for effective use of school personnel. More than 40 percent of the participating school districts used title I funds to hire teacher aids. These teacher aids, serving in a subprofessional or auxiliary capacity, were able to relieve classroom teachers from many of their nonteaching chores. This permitted the teachers to serve more students and to spend more time with individual students.

Other uses of title I funds have been guidance and counseling services, a broad range of remedial educational programs, health care projects, and, in some instances, school breakfast programs for

children who have been coming to school without breakfast.

Schools have been able to hire highly trained specialists who are best qualified to deal with the problems of disadvantaged children. They have hired speech therapists, remedial reading specialists, school social workers, and many professionals whose training has uniquely qualified them to deal with the disadvantaged.

As a whole, we have found that school administrators throughout the Nation have moved rapidly through the process of implementing the program. In spite of the speed with which they moved, there is every evidence that they have done an outstanding job. At every turn we have found enthusiasm, efficiency, and wise administration.

I am proud to be able to make this kind of report on a new program—a program which, if our educators were not able, could have had only mediocre success. It is with this report that I recommend and urge you to support the continuation of the program for 2 more years.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 13161, the Elementary and Secondary Education Amendments of 1966.

In March 1965, when the Elementary and Secondary Education Act of 1965 was under consideration by this body, it was my privilege to support that legislation and to point out that it would dramatize our national concern over the problem of correcting educational deficiencies among children born to poverty. The experience since the enactment of this legislation shows that our faith in its uplifting provisions for our educationally deprived children was not misplaced. The studies made by our Committee on Education and Labor reveal general success in this program. However, these studies also indicate areas where the program could be expanded and strengthened.

The Elementary and Secondary Education Amendments of 1966 are designed to do just this for the program, which is already recognized as one of the great achievements of the 89th Congress.

The bill we are now considering extends the Elementary and Secondary Education Act through fiscal 1968, and strengthens and improves the 1965 legislation by increasing aid for federally impacted areas. I am pleased that the assistance for the education of children of low-income families which was provided under title I of the 1965 act will now include a larger number of children under an expanded distribution formula. The raising of the low-income factor to $3,000 in fiscal year 1968, in my opinion, is realistic. More children will also be provided assistance by the requirement that the most recent aid to families with dependent children—AFDC—data be used to count the number of children aged 5 to 17 in families receiving AFDC. These changes, plus the committee-adopted amendment of basing the per-pupil payment on 50 percent of the national average per pupil expenditure if higher than 50 percent of the State average per pupil expenditure, would mean a substantial increase in the funds allocated under title I of the 1965 act.

In Hawaii, this would mean that in fiscal year 1967 the sum of $968,424 would be available for AFDC, almost twice the amount allocated in fiscal year 1966. As a result, the estimated total maximum grant under title I would be increased by almost a million dollars in fiscal year 1967, over the $2.1 million estimate for 1966.

I am gratified that under the 1966 amendments Hawaii will also be eligible for increases in other phases of the proposed expansion of the program.

Finally, the bill now before us would also correct inequities which time and practice have disclosed in Public Laws 815 and 874, both enacted in 1950, with respect to federally affected areas.

Mr. Chairman, the program of assistance for our elementary and secondary schools was given a notable start in 1965. The bill on the floor would strengthen and improve that program. I therefore urge wholehearted support for the Elementary and Secondary Education Amendments of 1966.

The CHAIRMAN. The time of the gentleman has expired.

All time has expired.

Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

Mr. GOODELL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 341]

Albert	McEwen	Rogers, Tex.
Arends	McMillan	Roncalio
Aspinall	McVicker	Roudebush
Ayres	Mackay	Saylor
Battin	Mackie	Schisler
Bray	Martin, Ala.	Scott
Brown, Calif.	Martin, Mass.	Shriver
Cooley	Martin, Nebr.	Sisk
Corman	Michel	Smith, Calif.
Davis, Ga.	Miller	Smith, Va.
Denton	Moeller	Stephens
Dorn	Morris	Sweeney
Dyal	Morrison	Teague, Tex.
Edmondson	Murphy, N.Y.	Thomas
Edwards, Ala.	Murray	Thompson, Tex.
Evans, Colo.	O'Brien	Toll
Evins, Tenn.	O'Konski	Tuck
Fisher	Olsen, Mont.	Tupper
Flynt	O'Neill, Mass.	Van Deerlin
Foley	Pepper	Vivian
Grider	Pool	Walker, Miss.
Griffiths	Powell	Walker, N. Mex.
Gross	Purcell	Watkins
Hansen, Wash.	Rees	Weltner
Harvey, Ind.	Reinecke	Whitener
Hébert	Rivers, Alaska	Wilson, Bob
Leggett	Robison	Younger

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 13161, and finding itself without a quorum, he had directed the roll to be called; when 351 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 13161

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 "Elementary and Secondary Education Amendments of 1966".

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Part A—Financial assistance to educational agencies for the education of children of low-income families

Grants to School Agencies

SEC. 101. Section 202 of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended, is amended to read as follows:

"Duration of Assistance

"SEC. 202. The Commissioner shall, in accordance with the provisions of this title, make payments to State educational agencies for the period beginning July 1, 1965, and ending June 30, 1968."

Grants for Indian Children in Schools Operated by the Department of the Interior

SEC. 102. Section 203(a)(1) of such Act of September 30, 1950, is amended to read as follows: "There is hereby authorized to be appropriated for each fiscal year, for the purposes of this paragraph, an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 207(a) (other than payments under such section to jurisdictions excluded from the term 'State' by this subsection). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Department of the Interior (to meet the special educational needs of educationally deprived children in elementary and secondary schools operated for Indian children by that Department) according to their respective need for such grants. The maximum grant which a local educational agency in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be eligible to receive, and the terms upon which payments shall be made to the Department of the Interior for such Indian children, shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title."

Payments to State Educational Agencies for Assistance in Educating Migratory Children of Migratory Agricultural Workers

SEC. 103. (a) Section 203(a) of such Act of September 30, 1950, is amended by inserting after paragraph (5) the following new paragraph:

"(6) A State educational agency which has submitted and had approved an application under section 205(c) for any fiscal year shall be entitled to receive a grant for that year under this title for establishing or improving programs for migratory children of migratory agricultural workers. The maximum total of grants which shall be available for use in any State for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in the United States multiplied by the sum of (A) the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State full time, and (B) the full-time equivalent of the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State part time, as determined by the Commissioner in accordance with regulations. For purposes of this paragraph, the 'average per pupil expenditure' in the United States shall be the aggregate current expenditures, dur-

ing the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies (as defined in section 303(6)(A)) in the United States plus any direct current expenditures by States for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

(b) Section 205 of such Act is amended by adding the following new subsection at the end thereof:

"(c)(1) A State educational agency or a combination of such agencies may apply for a grant for any fiscal year under this title to establish or improve, either directly or through local educational agencies, programs of education for migratory children of migratory agricultural workers. The Commissioner may approve such an application only upon his determination—

"(A) that payments will be used for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of migratory children of migratory agricultural workers, and to coordinate these programs and projects with similar programs and projects in other States, including the transmittal of pertinent information with respect to school records of such children;

"(B) that in planning and carrying out programs and projects there has been and will be appropriate coordination with programs administered under part B of title III of the Economic Opportunity Act of 1964; and

"(C) that such programs and projects will be administered and carried out in a manner consistent with the basic objectives of clauses (1)(B) and (2) through (10) of subsection (a), and of section 206(a).

The Commissioner shall not finally disapprove an application of a State educational agency under this paragraph except after reasonable notice and opportunity for a hearing to the State educational agency.

"(2) If the Commissioner determines that a State is unable or unwilling to conduct educational programs for migratory children of migratory agricultural workers, or that it would result in more efficient and economic administration, or that it would add substantially to the welfare or educational attainment of such children, he may make special arrangements with other public or nonprofit private agencies to carry out the purposes of this subsection in one or more States, and for this purpose he may set aside on an equitable basis and use all or part of the maximum total of grants available for such State or States."

(c)(1) The portion of section 206(a) of such Act which precedes clause (1) is amended by striking out "participate in the program of this title" and inserting in lieu thereof "participate under this title (except with respect to the program described in section 205(c) relating to migratory children of migratory agricultural workers)".

(2) The first sentence of section 207(a)(1) of such Act is amended by inserting "it and" after "the amount which".

(3) Section 210 of such Act is amended by striking out "section 206(b)" and inserting in lieu thereof "section 205(c) or 206(b)".

(4) Section 211(a) of such Act is amended by striking out "section 206(a)" and inserting in lieu thereof "section 205(c) or 206(a)".

Grants—Eligibility for and Computation of Amounts

SEC. 104. (a)(1) The portion of section 203(b) of such Act of September 30, 1950, which precedes paragraph (1) thereof is amended by striking out all that follows after "children aged five to seventeen, inclusive," and inserting in lieu thereof "described in clauses (A) and (B) of the first sentence of paragraph (2) of subsection (a):".

(2) Section 203(b)(1) of such Act is amended by striking out all that follows "shall be" and inserting in lieu thereof "at least ten."

(3) Section 203(b)(2) of such Act is amended by striking out "shall be one hundred or more" and inserting in lieu thereof "shall be at least ten".

(b) The first sentence of section 203(a)(2) of such Act is amended by striking out "the average per pupil expenditure in that State" and inserting in lieu thereof "(i) for the two fiscal years ending prior to July 1, 1967, the average per pupil expenditure in that State, and (ii) for the succeeding fiscal year, the average per pupil expenditure in that State, or in all the States, whichever is higher".

(c) The last sentence of section 203(a)(2) is amended to read as follows: "For purposes of this subsection, the 'average per pupil expenditure' in a State, or in all the States, as the case may be, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies (as defined in section 303(6)(A)) in the State, or in all the States, as the case may be, plus any direct current expenditures by the State or States for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

Raising the Low-Income Factor to $3,000 After June 30, 1967

SEC. 105. Section 203(c) is amended to read as follows:

"(c) For the purposes of this section, the 'Federal percentage' shall be 50 per centum and the 'low-income factor' shall be $2,000 for each of the two fiscal years ending prior to July 1, 1967, and they shall be 50 per centum and $3,000, respectively, for the succeeding fiscal year."

Using Most Recent Aid-for-Dependent-Children Data Available After June 30, 1966

SEC. 106. Effective with respect to fiscal years beginning after June 30, 1966, the third sentence of section 203(d) of such Act of September 30, 1950, is amended to read as follows: "The Secretary of Health, Education, and Welfare shall determine the number of children of such ages from families receiving annual income in excess of the low-income factor from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act on the basis of the latest calendar or fiscal year data, whichever is later."

Repealing Provision for Special Incentive Grants

SEC. 107. (a) Title II of such Act of September 30, 1950, is amended by striking out section 204.

(b) Such title II is further amended by—

(1) striking out "basic grant", "BASIC GRANTS", and "basic grants" each time they occur and inserting in lieu thereof "grant", "GRANTS", or "grants", as the case may be;

(2) strking out "or a special incentive grant" in the portion of section 205(a) which precedes clause (1); and

(3) striking out in section 207(a)(2) the portion which follows the comma and inserting in lieu thereof "except that this amount shall not exceed the maximum amount determined for that agency pursuant to section 203."

Treatment of Income of Employees Receiving Aid for Dependent Children

SEC. 108. The following new section is added immediately after section 212 of such Act:

"Treatment of Earnings for Purposes of Aid to Families With Dependent Children

"SEC. 213. (a) Notwithstanding the provisions of title IV of the Social Security Act, a State plan approved under section 402 of such Act shall provide that for a period of not less than twelve months, and may provide that for a period of not more than twenty-four months, the first $85 earned by any person in any month for services rendered to any program assisted under this title of this Act shall not be regarded (A) in determining the need of such person under such approved State plan or (B) in determining the need of any other individual under such approved State plan.

"(b) Notwithstanding the provisions of subsection (a) of this section, no funds to which a State is otherwise entitled under title IV of the Social Security Act for any period before the fourth month after the adjournment of the State's first regular legislative session which adjourns more than sixty days after enactment of the Elementary and Secondary Amendments of 1966, shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of subsection (a) of this section."

Providing That a Program or a Project Must Be at Least a Certain Minimum Size To Be Approved

SEC. 109. Section 205(a)(1)(B) of such Act of September 30, 1950, is amended by striking out the comma after "needs" and inserting in lieu thereof the following: "and to this end involve an expenditure of not less than $5,000, except that the State educational agency may with respect to any applicant reduce the $5,000 requirement if it determines that it would be impossible, for reasons such as distance or difficulty of travel, for the applicant to join effectively with other local educational agencies for the purpose of meeting the requirement;".

Uses of Granted Funds

SEC. 110. (a) Section 205(a)(1) of such Act of September 30, 1950, is amended by striking out "(including the acquisition of equipment and where necessary the construction of school facilities)" and inserting in lieu thereof the following: "(including the acquisition of equipment, and, where necessary, the construction of school facilities and plans made or to be made for such programs, projects, and facilities)".

(b) Section 205(a)(1) of such Act is further amended by inserting before the semicolon at the end thereof the following: ": *Provided*, That the amount used for plans for any fiscal year shall not exceed 1 per centum of the maximum amount determined for that agency for that year pursuant to section 203 or $2,000, whichever is greater".

(c) Section 205(a) of such Act of September 30, 1950, is amended by renumbering paragraphs (5), (6), (7), and (8) as (6), (7), (8), and (9), respectively, and by inserting after paragraph (4) the following new paragraph:

"(5) in the case of an application for payments for planning, (A) that the planning was or will be directly related to programs or projects to be carried out under this title and has resulted, or is reasonably likely to result, in a program or project which will be carried out under this title, and (B) that planning funds are needed because of the innovative nature of the program or project or because the local educational agency lacks the resources necessary to plan adequately for programs and projects to be carried out under this title;".

(d) Section 205(a) of such Act is amended by striking out "and" at the end of paragraph (8), by striking out the period at the end of the last paragraph and inserting "; and", and adding at the end thereof the following new paragraph:

"(10) in the case of a project for the construction of school facilities, that, in developing plans for such facilities, due consideration has been given to excellence of architecture and design, and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project)."

Computing Amount of Payments for State Administrative Expenses

SEC. 111. Clause (1) of section 207(b) of such Act of September 30, 1950, is amended to read as follows:

"(1) one per centum of the total maximum grants for State and local educational agencies of the State as determined for that year pursuant to sections 203 and 208, or".

Provisions To Encourage Local Effort

SEC. 112. (a) Section 207(c)(2) of such Act of September 30, 1950, is amended by striking out "for the fiscal year ending June 30, 1964" and inserting in lieu thereof "for the second preceding fiscal year".

(b) Section 203(a)(3) of such Act is amended by striking out "1966" and inserting in lieu thereof "1967" and by striking out "30 per centum" both times it appears and inserting in lieu thereof "40 per centum".

Continuing and Revising Provision for Adjustments Where Necessitated by Appropriations

SEC. 113. (a) Section 208 of such Act of September 30, 1950, is amended by striking out "for the fiscal year ending June 30, 1966," and inserting in lieu thereof "for any fiscal year".

(b) Such section 208 is further amended by adding at the end thereof the following: "In order to permit reductions made pursuant to this section for any fiscal year to be offset at least in part, the Commissioner may set dates by which (1) State educational agencies must certify to him the amounts for which the applications of educational agencies have been or will be approved by the State, and (2) State educational agencies referred to in section 203(a)(6) must file applications. The excess of (1) the total of the amounts of the maximum grants computed for all educational agencies of any State under section 203, as ratably reduced under this section, over (2) the total of the amounts for which applications of agencies of that State referred to in clauses (1) and (2) of the preceding sentence are approved shall be available, in accordance with regulations, first to educational agencies in that State and then to educational agencies in other States to offset proportionately ratable reductions made under this section."

Payments on Account of Neglected or Delinquent Children

SEC. 114. (a) The first sentence of section 203(a)(2) of such Act of September 30, 1950, is amended by striking out all that follows "multiplied by" and substituting: "the number of children in the school district of such agency who are aged five to seventeen, inclusive, and are (A) in families having an annual income of less than the low-income factor (established pursuant to subsection (c)), (B) in families receiving an annual income in excess of the low-income factor (established pursuant to subsection (c)) from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, or (C) living in institutions for neglected or delinquent children but not counted pursuant to paragraph (5) of this subsection for the purpose of a grant to a State agency."

(b) The second sentence of such section 203(a)(2) is amended by striking out "the number of children of such ages and families in such county or counties" and inserting in lieu thereof "the number of children of such ages in such county or counties who are described in clause (A), (B), or (C) of the previous sentence,".

(c) Subsection (b) of section 203 of such Act, as amended by section 104 of this Act, is further amended by—

(1) striking out, in the part which precedes paragraph (1), "clauses (A) and (B)" and inserting in lieu thereof "clauses (A), (B), and (C)";

(2) striking out in paragraph (1) "the number of such children of such families" each time that it appears and substituting "the number of such children";

(3) striking out in paragraph (2) "the number of children of such ages of families with such income" and substituting "the number of such children"; and

(4) striking out in paragraph (3) "the number of children of such ages of families of such income" and substituting "the number of such children."

(d) The third sentence of subsection (d) of such section 203, as amended by section 106 of this Act, is further amended by inserting ", and the number of children of such ages living in institutions for neglected or delinquent children," before "on the basis of".

(e) Section 203(a)(5) of such Act is amended to read as follows:

"(5) In the case of a State agency which is directly responsible for providing free public education for handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education) or for children in institutions for neglected or delinquent children, the maximum grant which that agency shall be eligible to receive under this title for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in that State multiplied by the number of such children in average daily attendance, as determined by the Commissioner, at schools for such children operated or supported by that State agency, in the most recent fiscal year for which satisfactory data are available. Such State agency shall use payments under this title only for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of such children."

Definitions

Broadening definition of "local educational agency"

SEC. 115. (a)(1) Section 303(6) of such Act is amended to read as follows:

"(6)(A) For purposes of title I, the term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a State. Such term includes any State agency which directly operates and maintains facilities for providing free public education.

"(B) For purposes of title II, the term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school, and it also includes (except for purposes of sections 203(a)(2), 203(b), and 205(a)(1)) any State agency which is directly responsible for providing free public education for handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education) or for children in institutions for neglected or delinquent children."

(2) Paragraphs (4) and (5) of section 203(a) of such Act, as amended by this Act, and references thereto, and paragraph (6) of such section 203(a) as added by this Act, and references thereto, are respectively redesignated as paragraphs (5), (6), and (7), and such section 203(a) is further amended by inserting after paragraph (3) the following new paragraph:

"(4) In the case of local educational agencies which serve in whole or in part the same geographical area, and in the case of a local educational agency which provides free public education for a substantial number of children who reside in the school district of another local educational agency, the State educational agency may allocate the amount of the maximum grants for those agencies among them in such manner as it determines will best carry out the purposes of this title."

Providing for a more precise definition of "current expenditures"

(b) Section 303(5) of such Act is amended to read as follows:

"(5) The term 'current expenditures' means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant fixed charges, and net expenditures to cover deficits for food services and student body activities, but not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds granted under title II of this Act or title II or III of the Elementary and Secondary Education Act of 1965."

Part B—School library resources, textbooks, and other instructional materials

Appropriations authorized

SEC. 121. Section 201(b) of the Elementary and Secondary Education Act of 1965 (Public Law 89–10) is amended to read as follows:

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $105,000,000 for the fiscal year ending June 30, 1967, and $175,000,000 for the fiscal year ending June 30, 1968."

Interior Department Schools for Indians and Defense Department Overseas Schools

SEC. 122. Section 202(a) of such Act is amended by—

(a) striking out "2 per centum" in the first sentence and inserting in lieu thereof "3 per centum";

(b) striking out "and" after "the Virgin Islands," in the first sentence, and striking out all of such sentence after "the Pacific Islands" and inserting in lieu thereof the following: ", the Department of Defense (for library resources, textbooks, and other printed and published instructional materials for the use of children and teachers in the overseas dependents schools of the Department of Defense), and the Department of Interior (for library resources, textbooks, and other printed and published instructional materials for the use of children and teachers in elementary and secondary schools

operated for Indian children by that Department), according to their respective needs for assistance under this title. The terms upon which payments shall be made to the Department of Defense and Department of the Interior for such purposes shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title."

Administrative Costs of State and Local Agencies

SEC. 123. (a) Paragraph (2) of section 203(a) of such Act is amended—

(1) by inserting "(i)" after "State plan, including",

(2) by inserting immediately before "except that the" the following: "and (ii) the distribution and control by a local educational agency of such library resources, textbooks, and other instructional materials for the use of children and teachers in schools referred to in clause (A),", and

(3) by striking out "shall not exceed for the fiscal year ending June 30, 1966, an amount equal to 5 per centum of the amount paid to the State under this title for that year, and for any fiscal year thereafter an amount equal to 3 per centum of the amount paid to the State under this title for that year" and inserting in lieu thereof the following: "for any fiscal year shall not exceed an amount equal to 5 per centum of the amount paid to the State under this title for that year, or $50,000, whichever is greater".

(b) Paragraph (3) of section 203(a) of such Act is amended by striking out "and" at the end of clause (A), by striking out the semicolon at the end of clause (B) and inserting ", and", and by adding at the end thereof the following new clause:

"(C) provide assurance that, in order to secure the effective and efficient use of Federal funds there will be appropriate coordination at both State and local levels between the program carried out under this title with respect to library resources and the program (if any) carried out under the Library Services and Construction Act (20 U.S.C., ch. 16);".

Part C—Supplementary educational centers and services

Appropriations Authorized

SEC. 131. Section 301(b) of the Elementary and Secondary Education Act is amended to read as follows:

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $150,000,000 for the fiscal year ending June 30, 1967, and $575,000,000 for the fiscal year ending June 30, 1968."

Interior Department Schools for Indians and Defense Department Overseas Schools

SEC. 132. Section 302(a) of such Act is amended by—

(a) striking out "2 per centum" in the first sentence and inserting in lieu thereof "3 per centum";

(b) striking out "and" after "the Virgin Islands," in the first sentence and by striking out all of such sentence after "the Pacific Islands," and inserting in lieu thereof the following: "the Department of Defense (for carrying out the purposes set forth in paragraphs (a) and (b) of section 303 for children in overseas dependents schools of the Department of Defense), and the Department of the Interior (for carrying out the purposes set forth in paragraphs (a) and (b) of section 303 for the benefit of Indian children in elementary and secondary schools operated by that Department) according to their respective needs for assistance under this title. The terms upon which payments shall be made to the Department of Defense and the Department of the Interior for such children shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title."

Excellence of Architecture and Design and Works of Art

SEC. 133. Section 304(a)(4) of such Act is amended by striking out "and (C)" and inserting in lieu thereof the following: "(C) that, in developing plans for such facilities due consideration will be given to excellence of architecture and design, and to the inclusion of works of art (not representing more that 1 per centum of the cost of the project), and (D)".

Special Consideration for Local Educational Agencies Which Are Financially Overburdened

SEC. 134. Section 304 of such Act is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) In approving applications under this title for grants for any fiscal year beginning after June 30, 1967, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, racially imbalanced, or unsafe, or because of any other condition that has imposed a substantial and continuing financial burden upon the agency."

Part D—Cooperative Research Act amendments

Permitting the Research Training Program To Be Carried Out Through Contracts as Well as Grants

SEC. 141. Section 2 of the Cooperative Research Act (20 U.S.C. 331a) is amended by striking out "(a)" after "503" in subsection (a), and by amending subsection (b) to read as follows:

"(b)(1) The Commissioner is authorized to make grants to universities and colleges and other public or private agencies, institutions, and organizations to assist them in providing training in research in the field of education (including such research described in section 503(4) of the Elementary and Secondary Education Act of 1965), including the development and strengthening of training staff and curricular capability for such training, and, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5), to provide by contracts or jointly financed cooperative arrangements with them for the conduct of such activities; except that no such grant may be made to a private agency, organization, or institution other than a nonprofit one.

"(2) Funds available to the Commissioner for grants or contracts or jointly financed cooperative arrangements under this subsection may, when so authorized by the Commissioner, also be used by the recipient (A) in establishing and maintaining research traineeships, internships, personnel exchanges, and pre- and post-doctoral fellowships, and for stipends and allowances (including traveling and subsistence expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts as may be prescribed by the Commissioner, or (B) where the recipient is a State educational agency, in providing for such traineeships, internships, personnel exchanges, and fellowships either directly or through arrangements with public or other nonprofit institutions or organizations.

"(3) No grant shall be made or contract or jointly financed cooperative arrangement entered into under this subsection for training in sectarian instruction, or for work to be done in an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects."

Consolidating Research Authority Under Section 2

SEC. 142. Section 4(b) of the Cooperative Research Act is amended by striking out the second sentence thereof.

Amending the Definition of "Construction" To Include the Acquisition of Existing Buildings

SEC. 143. Section 5(4) of the Cooperative Research Act is amended to read as follows:

"(4) The terms 'construction' and 'cost of construction' include (A) the construction of new buildings, and the acquisition, expansion, remodeling, replacement, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land (except in the case of acquisition of an existing building) or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not acquired, expanded, remodeled, or altered."

Part E—Grants to strengthen State departments of education

Appropriations Authorized

SEC. 151. Section 501(b) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: "For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $25,000,000 for the fiscal year ending June 30, 1966, $30,000,000 for the fiscal year ending June 30, 1967, and $50,000,000 for the fiscal year ending June 30, 1968."

Elimination of Matching Requirement

SEC. 152. (a) Section 503 of the Elementary and Secondary Education Act of 1965 is amended by striking out "(a)" where it appears after "Sec. 503.", by striking out "Federal share of", and by striking out subsection (b) of such section.

(b) Section 303(b)(3) of such Act is amended by striking out "503(a)(4)" and inserting in lieu thereof "503(4)".

(c) Section 502(b) of such Act is amended by striking out "Federal share (as defined in section 503(b)) of the" and by striking out the last sentence of paragraph (2) thereof.

(d) Section 504 of such Act is amended by striking out "section 503(a)" both times it appears and inserting in lieu thereof "section 503".

Technical Amendment Regarding Interchange of Personnel with States

SEC. 153. Effective as of April 11, 1965, section 507(c)(3(d) of the Elementary and Secondary Education Act of 1965 is amended by inserting ", and for retention and leave accrual purposes," after "toward periodic or longevity step increases".

Part F—Dissemination of information

SEC. 161. Title VI of the Elementary and Secondary Education Act of 1965 is amended by redesignating sections 604 and 605 as 605 and 606, respectively, and by inserting after section 603 the following new section:

"Dissemination of Information

"SEC. 604. In order to disseminate information concerning this Act, and any Act amended by this Act, to State and local educational agencies, for use in their elementary or secondary schools, the Commissioner—

"(1) shall prepare and publish catalogs, reviews, bibliographies, abstracts, analyses of research and experimentation, and such other materials as are generally useful in the encouragement and most effective use of this Act, or any Act amended by this Act,

as well as foster the development of information networks, systems, or other procedures for disseminating the results of research and experimentation conducted under this Act, or any Act amended by this Act;

"(2) may, upon request, provide advice, counsel, technical assistance, and demonstrations to State and local educational agencies and institutions of higher education undertaking to initiate or expand programs carried out under this Act, or under any Act amended by this Act, to increase the quality or depth or broaden the scope of their educational programs;

"(3) shall prepare and publish an annual report setting forth (A) projects carried out under this Act, or under any Act amended by this Act, and the cost of each such project, and (B) developments in the utilization and adaptation of projects carried out under this Act, or under any Act amended by this Act, and

"(4) may, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5), enter into contracts with public or private agencies, organizations, or groups, to carry out the provisions of this section."

Part G—Effective date

SEC. 171. The provisions of this title shall be effective with respect to fiscal years beginning after June 30, 1966.

Mr. POWELL (during reading of the bill). Mr. Chairman, I am wondering if my colleagues would agree that the bill be considered as read at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. POWELL]?

Mr. GOODELL. Mr. Chairman, reserving the right to object, may I ask the gentleman whether we can do it by title?

Mr. POWELL. I can assure the gentleman that we will give ample opportunity for any amendments. I am not trying to hamstring any part of it.

Mr. GOODELL. Mr. Chairman, it seems to me it would be more orderly to know where we are in the bill if the titles are open to amendment at any point, and we can proceed expeditiously in that way.

Mr. POWELL. The gentleman is objecting, then?

Mr. GOODELL. I would object to it.

The CHAIRMAN. Objection is heard.

Mr. POWELL. Mr. Chairman, I then ask that the further reading of title I be dispensed with, and that the Committee consider title I as having been read, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman?

There was no objection.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 40, line 3, strike out "at least ten" and insert in lieu thereof "equal to 3 per centum or more of the total number of all children aged five to seventeen, inclusive, in such district, except that it shall in no case be less than ten".

Page 40, on line 6, strike out "at least ten" and insert in lieu thereof "equal to 3 per centum or more of the total number of all children aged five to seventeen, inclusive, in such county, except that it shall in no case be less than ten".

Mr. FEIGHAN. Mr. Chairman, I rise in support of the bill. After many years of attempting to pass legislation which would strengthen American elementary and secondary education, we enacted Public Law 89–10 last season. With the passage of that act we took a significant step in assuring that every American child would have an opportunity to a high-quality education. I regard last year's action as a pledge to our young people that their Nation's Government regarded their education as vital to the Republic's future—a commitment to the proposition that the Federal Government will assist the States and the local schools in areas of critical educational needs.

One of the areas of critical educational needs which Congress recognized was the special need of disadvantaged children. In response to this need, the major thrust of the Elementary and Secondary Education Act was to establish a special program specifically designed to meet the special educational needs of disadvantaged children under title I.

Now, not quite a year since funds were first made available, we have had an opportunity to review the first year's operation of the program. Frankly, as a result of this review, I am proud to have had a hand in its creation.

I am heartened by the broadened opportunities in the State of Ohio and in the Cleveland area. Title I of Public Law 89–10 as amended by this bill will provide my State with approximately $62 million next fiscal year; $43 million in the current school year.

Reports that I have seen on the operation of the new program give evidence of a success which has exceeded educators' expectations. Nationwide, of the $1.18 billion authorized, projects amounting to $1.05 billion were approved. That amounts to 89 percent utilization.

The fact that 11 percent of the funds was not used is, in itself, a tribute to the good judgment of the State and local school officials. I asked the Office of Education for the major reason for nonutilization of title I funds. The administrators informed me that the major reason, other than civil rights enforcement, was that State educational agencies were very strict in approving projects. There was a real effort made to insure that the intent of Congress was carried out and that the projects were of the highest quality.

From this report, I think we can be assured that with no exceptions Federal dollars were spent wisely.

I am also extremely pleased that the committee has adopted an amendment to Public Law 874 which I have supported—to make Cleveland and other large city areas eligible for the first time for Federal payments for the education of federally connected children.

Mr. QUIE. Mr. Chairman, as you listen to the reading of my amendment, it changes the effect of this bill as to which school district would be able to receive money under title I.

A school district would have to have at least 3 percent of its children, age 5 to 17 in the so-called poverty class, for which they receive this money.

The law presently provides that a county must have at least 100 and a school district must have 3 percent or 10, whichever is less.

My amendment would change the new requirement in the bill that a district only need 10. I think it is inconceivable that some school districts with a substantial number of children in the district, and have only 10 who come from families of less than $2,000 or are in the AFDC category, should then receive some money.

This program is for the school districts that have a substantial number of children who are educationally deprived.

This amendment would affect a handful of very wealthy school districts; possibly Montgomery County, Md., would be one of them and Du Page County, Ill., and Bergen County, N.J. They would be eliminated by my amendment.

But this bill is many times spoken of and it is intended to help the educationally deprived; and one of the bigger groups who are supposedly educationally deprived are the poverty children.

So in order to prevent the money from going into school districts with a small number of children from poor families compared to the total number of children, I think this would be a much better criteria than just 10 students as presently provided in the bill.

Therefore, I would surely ask you to support my amendment.

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

Mr. QUIE. I yield to the gentleman.

Mr. WILLIAM D. FORD. I call the attention of the gentleman to page 43 of the bill, starting on line 18, which contains the title, "Providing that a program or a project must be at least a certain minimum size to be approved."

I will remind the gentleman that the circumstances or the situation which the gentleman just outlined cannot occur because in order to have a project approved, you must put enough school districts together with 10 or 12 or 15 children so that you can put together a meaningful program of not less than $5,000 in size, and that $5,000 represents one-half of the per pupil expenditure times the number of children that you combine into this program. This is of special benefit in the extreme rural parts of the country particularly in some parts like Appalachia where you have a number of small districts which acting alone could not come up with a program of substantial size which would guarantee a good end result.

By requiring them to put enough of these programs together to meet the $5,000 qualification, we encourage them to combine their entitlements so that they can engage in a joint program.

Mr. QUIE. I recognize, I will say to my colleague, the gentleman from Michigan, the value of that amendment and it would apply to the rural areas. What I am talking about are the wealthier counties which have a substantial number of poor students but do not have anywhere near 3 percent. Therefore, I do not believe the intent of the language on page 43 is to bring together the school districts that are wealthy but rather as the gen-

tleman mentioned, districts like we find in Appalachia—my amendment would apply to the wealthy school districts which presently have less than 3 percent but more than 10 and, therefore, would not allow them to come under the program. Their districts can well afford good education without Federal aid.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment. In my judgment, the great virtue of this legislation is that we recognize the plight of the disadvantaged child, whether he is in a wealthy district or in a poorer school district. The amendment that the gentleman from Michigan [Mr. WILLIAM D. FORD], just referred to that we adopted this year requires projects to involve at least as much as $5,000, unless it would work an extreme hardship. If the Commissioner found that it would work an extreme hardship in any case the requirement could be waived. The purpose of this legislation is not to reward or punish school districts but to provide for the special educational needs of children who are educationally disadvantaged. It is the purpose of the legislation to put this money into any districts in the country where these disadvantaged youngsters are. I think the amendment that we adopted this year, putting the $5,000 minimum limitation or program size except in extreme hardship cases, amply takes care of the situation and is as far as we dare go without the danger of eliminating benefits for needy children.

Therefore, Mr. Chairman, I ask the Committee to vote down the amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota [Mr. QUIE].

The question was taken; and on a division (demanded by Mr. QUIE) there were—ayes 38, noes 47.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. O'HARA OF MICHIGAN

Mr. O'HARA of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA of Michigan: Page 63 between lines 12 and 13, insert the following new part:

"PART H—RACIAL IMBALANCE

"SEC. 181. Section 604 of the Elementary and Secondary Education Act of 1965 (containing a prohibition against Federal control of education) is amended by inserting the following at the end thereof and before the period: ', or to require the assignment or transportation of students or teachers in order to overcome racial imbalance'."

Mr. O'HARA of Michigan. Mr. Chairman, it is very unfortunate that in the course of this debate some statements have been made on the floor of the House, the implications of which were that under this bill the Office of Education, or the Secretary of the Department of Health, Education, and Welfare, or the Federal Government, operating through one or more of its agencies or departments, could require the busing of children or the assignment of children or the assignment of teachers to correct a so-called racial imbalance.

Mr. Chairman, the chairman of the subcommittee and the other members of the majority on the subcommittee have repeatedly pointed out this is not true. To make certain that everyone understands it is not true I have offered this amendment.

I should like to point out how section 604 of the Elementary and Secondary Education Act would read following the adoption of this amendment. It now reads:

Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

We would add: "or to require the assignment or transportation of students or teachers in order to overcome racial imbalance."

I believe that is about as clear as we can make it.

Let me point out what the amendment is and what it is not.

In the first place, title VI of the Civil Rights Act deals with segregation and it in no way deals with any so-called racial imbalance. It deals with racial discrimination and racial segregation. It gives no warrant or authority to deal with so-called racial imbalance. And nothing in this act would permit requiring correction of racial imbalance, absent racial discrimination or segregation prohibited by title VI of the Civil Rights Act of 1964.

We would not add to or take away from the Civil Rights Act of 1964 by this amendment. What we say, simply, is in order to overcome the false allegations which have been made against this legislation we want to add a prohibition that would specifically spell out that nothing contained in this act could be construed to require the assignment or transportation of students in order to overcome racial imbalance as such.

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

Mr. O'HARA of Michigan. I yield to the gentleman from New York.

Mr. GOODELL. I believe the gentleman's statement a few moments ago is not entirely accurate with reference to what is in this bill. I do not mean to misquote the gentleman, but if I understood him correctly he said there is nothing in this bill that would permit money to go for busing unless there was segregation in violation of the act.

Mr. O'HARA of Michigan. The gentleman misunderstood me, I believe.

Mr. GOODELL. I should like for the gentleman to repeat that, and to clarify it.

Mr. O'HARA of Michigan. I said that there was nothing in this act that would in any way permit any officer of the Federal Government to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

The gentleman certainly would agree with that statement, would he not?

Mr. GOODELL. Will the gentleman yield?

Mr. O'HARA of Michigan. Would the gentleman agree with that statement?

Mr. GOODELL. Will the gentleman yield?

Mr. O'HARA of Michigan. I yield.

Mr. GOODELL. There is nothing in the act that says the Commissioner can require them to bus, but the gentleman yesterday, at page 25334, answered a question by the gentleman from North Carolina [Mr. KORNEGAY]. Mr. KORNEGAY asked:

Is there any provision in this bill which would give to a local school unit an incentive, and that is more money?

The gentleman replied:

There is no incentive contained therein which has anything to do with busing.

And the gentleman talked about title III.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(On request of Mr. GOODELL, and by unanimous consent, Mr. O'HARA of Michigan was allowed to proceed for 5 additional minutes.)

Mr. GOODELL. I believe the record should be clear that the new provision which the gentleman was instrumental in putting into the bill does put an obligation on the Commissioner to give special consideration to applications from the local units for funds, for a variety of reasons, including overcrowded conditions, obsolete classrooms or schools, unsafe schools, or any other condition that has imposed a substantial and continuing financial burden upon the local agency, and one other, racially imbalanced schools.

I think we can agree that this provision clearly permits and puts an obligation on the Commissioner to give special consideration to grants to local agencies to come forward with busing proposals if they wish to or with other proposals to solve these problems. Is that not correct?

Mr. O'HARA of Michigan. A busing proposal, a simple busing proposal, would not be a supplementary educational center or service as provided for in title III. But let me say that it is not germane, is it, to what we are doing right now? When we have reached that point I will be happy to discuss it with the gentleman and clear up any difficulty that exists there. But I would like to repeat and reiterate now what we are doing is amending section 604 of the existing legislation which applies to the entire Elementary and Secondary Education Act of 1965 to make it perfectly clear what was always clear to most of us, that nothing contained in that act could be construed to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

Mr. WYDLER. Mr. Chairman, will the gentleman yield to me?

Mr. O'HARA of Michigan. I yield to the gentleman from New York.

Mr. WYDLER. I think this whole question on the amendment you are offering turns on the word "required." I would like to ask the gentleman, would the meaning of the amendment you are offering be the same if we were to add to the word "required" or after it the words "or induce"? Is that what the gentleman is telling the House now, that your amendment would disallow or not allow the Commissioner of Education to induce these school districts to bus pupils for the purpose of correcting racial imbalance?

Mr. O'HARA of Michigan. It would not. No.

Mr. WYDLER. Thank you.

Mr. O'HARA of Michigan. There is nothing in the act that permits him to induce them to correct racial imbalance. I do not have Webster's dictionary in front of me and cannot tell you the exact meaning of the word "require," but I mean it to include "coerce" and "compel" and "force" or "insist" or whatever. But what I am not saying is that the Commission of Education is under any obligation to prevent a school district from taking steps to correct racial imbalance if that is what they want to do. Now, I understand there are some school districts in the State of New York which, with the encouragement of the Governor, are thinking of undertaking such projects, and the Commissioner could not stop them from doing it.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

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

Mr. O'HARA of Michigan. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I just want to support the observations of the gentleman from Michigan.

As a matter of fact, I have in front of me a statement, made by a very well-known State school superintendent, who said with reference to the operations in his State:

> We're pushing voluntary busing when the climate and the distances are right.

Mr. Chairman, the man who made that statement, I may say to my friends on the other side of the aisle, was Dr. Max Rafferty, the superintendent of education for the State of California, a gentleman who is a rather conservative America spokesman in the field of education.

And, Mr. Chairman, secondly I wish to underscore what the gentleman from Michigan [Mr. O'HARA] has just said; namely, that in this area we are talking about local initiative.

Mr. Chairman, it is up to the local school system as to whether or not it decides that it wants to transport or bus the students.

Mr. Chairman, I would hope that those persons who like to run up the flag with reference to the question of Federal control, would not want to suggest an approach which would prevent, which would prohibit, a local school district from doing what in its local judgment was best in order to make its local operation more proficient.

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

Mr. O'HARA of Michigan. I yield to the gentleman from New York.

Mr. POWELL. Mr. Chairman, the gentleman from Michigan [Mr. O'HARA] has offered a very worthwhile amendment. And, Mr. Chairman, I was one who in 1954, initiated this program and it is now a part of the law of the land.

But, Mr. Chairman, never did I at any time intend that there should be any forceable Federal supervision or force of the Federal Government employed to force any local district to do that which was then contrary to the best principles of our democracy.

Mr. Chairman, I believe that this amendment which has been offered by the gentleman from Michigan [Mr. O'HARA] is a very salutary one, and I rise in support of the amendment.

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

Mr. O'HARA of Michigan. I yield to the gentleman from Louisiana with whom I worked out these amendments.

Mr. WAGGONNER. Mr. Chairman, I thank the gentleman from Michigan for yielding. We did work these amendments out together.

And, Mr. Chairman, in order that we may further clarify this particular amendment, is this one of the amendments that the gentleman from Michigan [Mr. O'HARA] and I have worked out in lengthy discussions?

Mr. O'HARA of Michigan. That is correct.

Mr. WAGGONNER. Does it not have to do with imbalance?

Mr. O'HARA of Michigan. That is correct.

Mr. WAGGONNER. And, I can conclude that if this amendment is adopted, the prohibitions set forth therein, having to do with Federal control of education will then say—nothing contained in this section shall be construed to authorize any department, agency, officer or employee of the United States to exercise any direction, supervision or control over the curriculum, program of instruction, and administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system, or to require the assignment or transportation of students or teachers in order to overcome racial imbalance; is that not correct?

Mr. O'HARA of Michigan. The gentleman from Louisiana is correct.

Mr. WAGGONNER. And, Mr. Chairman, if the gentleman will yield further, does the gentleman feel that this would put in proper perspective the intent of the Congress with respect to the prohibition which would be made to apply to the Commissioner of Education, or anyone else in the Federal Government, as to what their authority is, and this, in removing their authority to withhold any funds which would be authorized and appropriated under this Act, should the Commissioner of Education attempt to continue his present effort to put into practice the revised guidelines which have to do—whether the gentleman agrees or not—to employing and assigning teachers, busing, or transporting students?

Mr. O'HARA of Michigan. I am not thoroughly familiar with all of that. Certainly the Commissioner of Education, before he distributes Federal school aid funds, must abide by the strictures of title VI of the Civil Rights Act with respect to segregation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WAGGONNER. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. O'HARA of Michigan. I thank the gentleman.

Certainly we are not going to change that. I know the gentleman from Louisiana agrees that the amendment would not change the impact of title VI. However, we make it clear that title VI is all—that is to say, that title VI gave no warrant to any Federal office to go beyond eliminating racial discrimination and affirmatively requiring racial balance. Because where discrimination is absent, if we have racial imbalance that is not a result of racial discrimination, it is not covered by title VI, and it is not a proper area for the Commissioner to enter into. Of course, I am not going to get into a specific discussion on whether he has or he has not.

Mr. WAGGONNER. Mr. Chairman, would the gentleman yield further?

Mr. O'HARA of Michigan. Yes.

Mr. WAGGONNER. I would agree that this amendment would, of course, not amend title VI of the Civil Rights Act because to do so you would have to amend the bill to read in the prohibition section that nothing contained in this act or any other act would be allowed, but the gentleman would agree that as far as the administration of this proposed act we are now debating, that the authority of the Commissioner of Education, or any other individual employed by the Federal Government, or agency of the Federal Government, would be restricted by these prohibitions.

Mr. O'HARA of Michigan. That is correct.

Mr. WAGGONNER. I thank the gentleman. I think this does improve this act. Certainly I am going to support the amendment.

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

Mr. O'HARA of Michigan. I yield.

Mr. POWELL. I would say to the gentleman that, following the remarks of the distinguished gentleman from Louisiana, I would like the House to know that news came to us about a task force, and about three that were going into districts, and

telling them "You must," and "You shall." And as soon as this side of the aisle—and with all due deference to my friends on the other side of the aisle, because they were not around at the moment—we heard about it, we agreed to ask the Commissioner of Education to remove these three gentlemen from the task that had been assigned to them. Because there is nothing in this legislation, past or present, that gives a right to any individual to go into any district and say "You shall," or "You must."

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

Mr. O'HARA of Michigan. I yield.

Mr. WAGGONNER. I thank the gentleman for yielding once again.

I realize the intent of this, and I accept in good faith the action of the committee in supporting this amendment that serves to further restrain the authority of the Federal Government to interfere with the administration of this act.

I personally would like to see it amended, at least to read in any other act, but I realize we have accomplished a great deal through this. You can rest assured I will keep trying.

Mr. O'HARA of Michigan. Mr. Chairman, I thank the gentleman.

I would just like to sum up what we propose to do.

While we provide by title VI of the Civil Rights Act—and I think the majority of us on the committee certainly support title VI of the Civil Rights Act—and are determined not to give funds to segregated activities, nor to support racial discrimination; that we do not mean by that to go beyond cases of racial discrimination, in an attempt to correct racial imbalance that is not the result of racial discrimination.

I hope the amendment will be agreed to. I believe it will clearly define the issues in this debate.

Mr. GOODELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. GOODELL. Mr. Chairman, if the gentleman from Michigan is available, I would like to clarify if I can the import and the impact of his amendment.

As I understand it, the amendment is in the section prohibiting Federal control in the present law, and it will prohibit the requiring of assignment or transportation of students and teachers in order to overcome racial imbalance.

The question, and I agree with one of my colleagues who spoke earlier, revolves around what the word "require" means.

You are going to forbid any Federal official from requiring assignment or transportation of students or teachers.

Does this mean that the Commissioner would be barred from making the busing of students a condition for a grant?

Mr. O'HARA of Michigan. The Commissioner would be barred from requiring the busing of students to overcome a racial imbalance, as separate and distinct from the requirements of title VI with respect to racial discrimination.

Mr. GOODELL. That is to overcome racial imbalance?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. The Commissioner would not be able to say to a locality, "If you want this money, you must set up transportation of students to overcome racial imbalance, as distinguished from racial discrimination"?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. If I may ask the gentleman some further questions.

Under title I we have clearly defined in this bill the word "expenditures" to include pupil transportation and the cost of pupil transportation.

In other words, in title I we have made it clear that you can spend money for busing of pupils generally; is that not correct?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. If the Commissioner so desired, under your amendment could he say to a local district, "You will not receive title I money unless you take action to overcome racial imbalance in your school district"?

Mr. O'HARA of Michigan. As distinguished from racial discrimination?

Mr. GOODELL. Yes; as distinguished from racial discrimination.

Mr. O'HARA of Michigan. He could not.

Mr. GOODELL. The assumption in everything that we have said is that title VI does not apply. In other words, if title VI applies then we are in a different ball park?

Mr. O'HARA of Michigan. That is right.

Mr. GOODELL. Title VI I think, and it is the gentleman's assumption and mine, bars discrimination?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. But it does not bar de facto racial imbalance as such.

Mr. O'HARA of Michigan. It does not bar de facto racial imbalance when and if it results without any intention to discriminate on the basis of race—when it is not the result of discrimination.

Mr. GOODELL. That is, it does not bar de facto racial imbalance unless it results from discrimination?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. In other words, title VI does not bar de facto racial imbalance as such unless it is the result of racial discrimination.

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. There is one other aspect of this that bothers me, which I would like the gentleman, since he is the author, to discuss. It is in the bill now and is shown at the bottom of page 98 of the report in italics showing where it changes the law.

There is specific reference in that section to racial imbalance in schools and it is clear that some kind of special grants are authorized to local school districts with respect to a condition of racial imbalance.

Can the gentleman explain to me what kind of conditions and what kind of grants would be involved in this title because your amendment covers this title as well as title VI as I understand it?

Mr. O'HARA of Michigan. As the gentleman knows, the purpose of the amendment which appears at the bottom of page 98 and the top of page 99 of the committee report is to permit some construction of facilities, supplemental educational centers as authorized in title III, and to direct the attention of the commission, in reviewing such applications, to the particular needs of the school districts that have school facilities problems, for one reason or another, rather than those that are already all set in terms of basic facilities.

But since it is causing some confusion, in order to lay at rest the fears of the gentleman about this, I wish to inform the gentleman at this time that I will, as soon as the opportunity presents itself, offer an amendment to this new section which will clear up any confusion that may exist.

Mr. GOODELL. I do not know what the gentleman's amendment is, but the gentleman may mislead some of our colleagues who have not worked on title III as much as we have, if he implies that title III is simply construction and facilities money. As the gentleman knows, there is a long list of types of activities for which funds can be granted.

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. Construction is only one aspect, constructing a center. In most instances, as a practical matter, the money will go for personnel, remedial teachers, or certain types of equipment and things of that nature.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield for a moment at that point?

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

Mr. O'HARA of Michigan. That is correct, but if you read the amendment in connection with the authorization for fiscal 1968 and in connection with the committee report explanation of the amendment, you will see that the primary thrust of the amendment is toward the construction of facilities.

Mr. GOODELL. I am still left with a question. I do not believe the gentleman answered it when he was describing earlier the impact and the general purport of title III grants. The O'Hara section that was added to this bill states in part:

> The Commissioner shall give special consideration to the application of any local agency to meet critical educational needs, including—

And then it lists preschool, obsolete classrooms or schools, unsafe schools, and racially imbalanced schools.

As a practical matter, I must say to the gentleman my concern is with this entire section, not with any single part of it. My concern is the authority given the Commissioner here. It is not just an authority, but a requirement upon the Commissioner to give special consideration where he judges they are making a reasonable tax effort locally, where he

judges buildings are obsolete, where the Commissioner judges they are unsafe, or, in the Commissioner's judgment, and I quote: "because of any other condition that has imposed a substantial and continuing financial burden."

What do you have in mind here?

Mr. O'HARA of Michigan. I have in mind the offering of an amendment to that section which will change the language which the gentleman has been quoting, and when we get to it, I will be happy to do so. But that is not a part of my amendment which is now before the Committee of the Whole.

Mr. GOODELL. The only place I know of in this act that refers to racial imbalance is this section, and the gentleman has just offered an amendment that applies not only to this section but to the entire act. It is relevant what impact your amendment will have on this section with the words "racially imbalanced" in it. I would like to know.

At this stage I am not saying I will be for or against your amendment. I would be inclined to be for it, but I want to know what it would do.

Mr. O'HARA of Michigan. My amendment would apply in either case. Section 604 would apply to the entire Elementary and Secondary Education Act and it would affect the entire act, including the title III amendment which the gentleman has been discussing in the last few minutes.

Mr. GOODELL. Let me ask you another question. You had said that your amendment that you are now offering would make it impossible for the Commissioner, as a condition of making a grant under this act, to require busing or transportation of students. Suppose there is a racially imbalanced situation. Agreed, the Commissioner does not make it a condition of the grant that they bus, but he makes it a condition of the grant that they eliminate the imbalance. Would that be barred by your amendment?

Mr. O'HARA of Michigan. That situation would pertain to the other phase of my amendment. If the gentleman will read it, he will see that it states, "to require the assignment or transportation."

Mr. WAGGONNER. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] be allowed to proceed for an additional 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GOODELL. Let me put it so it is very clear. The Commissioner says to a school district, "As a condition of my making this grant, you must eliminate the racial imbalance in your schools." Is that barred by your amendment?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. How is it barred? You say assignment or transportation. He cannot require assignment or transportation.

Mr. O'HARA of Michigan. The Commissioner cannot make that requirement under present law.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield to me for a minute? I believe that I can clarify this matter.

Mr. GOODELL. The gentleman says he cannot do it under present law. I tend to agree with him. But there are statements made which indicate he might feel he has such authority.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield so that I can explain what the next amendment will be, to clarify this matter?

Mr. GOODELL. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. The gentleman will propose another amendment, in addition to the one now under consideration, which would have to do with the language appearing at the bottom of page 98 of the report. Subsection (c) would then read as is, down through the word "obsolete," and after the word "obsolete" two words would be added. Those two words would be "or unsafe." All the language contained further in the section, having to do with racial imbalance or because of any other condition that has imposed a substantial and continuing financial burden upon the agency, would be stricken from the language as it appears in the report or the bill for that matter. I have simply used the report in reference.

Mr. GOODELL. Would the gentleman repeat the two words? It would read "obsolete," and then what?

Mr. WAGGONNER. "Obsolete or unsafe," and all further language would be deleted.

Mr. GOODELL. In other words, the gentleman plans to offer an amendment that will strike "racially imbalanced" from the section?

Mr. WAGGONNER. Yes; and this further amendment will make the language we are now considering consistent with this proposed amendment we are discussing.

Mr. GOODELL. May I ask the gentleman from Michigan, is that his intention?

Mr. O'HARA of Michigan. That is correct.

Mr. GOODELL. Happily, I believe this clarifies the question from our viewpoint.

I believe I speak for the gentleman from Minnesota and myself. From the outset our concern about this section has been the tremendous authority given the Commissioner to make judgments in all of these other matters, not particularly on the racially imbalanced question.

The gentleman's amendment, if adopted, will let us debate that whole question and clearly focus on whether the Commissioner of Education should be given power to say whether a local school district is making a reasonable tax effort, judge overcrowded conditions, and so forth.

Mr. QUIE. Mr. Chairman, I move to strike the requisite number of words.

I should like to ask the gentleman from Michigan [Mr. O'HARA] a couple of questions.

I might say, before I do, I agree with the gentleman on the offering of the amendment, and also I feel very strongly that we ought to have integrated schools in the country. This is not in any way in opposition to the local school districts doing everything possible to bring about integrated schools.

My question comes with respect to the old language of section 604, which we will number section 605, which is:

> Nothing contained in this Act shall be construed to authorize any employee of the United States to exercise any direction, over personnel of any educational institution.

I have picked out the words I want to ask questions about.

I note such a thing has happened in Georgia, in Evans County, where the administrator has been told that and I quote "there shall be a full-time regular classroom teacher teaching in a school where a majority of the faculty is of the opposite race, in all three of the schools in the system, and there shall be two teams of at least two full-time regular classroom teachers each teaching where a majority of the faculty members are of the opposite race."

Does this in any way conform with the language of the act I just read that they shall have no control over or any direction of personnel?

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

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

Mr. O'HARA of Michigan. It does not. When the Members of the majority were apprised of that instance to which the gentleman has referred, we immediately contacted the Office of Education and called this to their attention.

They agreed with us that whoever had issued any such instruction had gone beyond any authority he had in law. They have assured us they have taken steps to correct any misapprehension that may exist from the effort of this overzealous official. I am sorry that it occurred. I am sure we all are. However, it is quite clear that no administrative official acting under this act has any authority to tell a school district that they must do thus and so. They have no such authority.

Mr. QUIE. Getting back to the gentleman's amendment, the person employed by Commissioner Howe also went on to recommend transportation use and how they ought to operate it. I quote:

> A single economical bus system operating in the district where students living in a particular area will be picked up by one bus that will serve that area and be dropped off at the school they attend, whether it be Claxton or Evans County.

Would your amendment prohibit them from saying under title VI of the Civil Rights Act that they must provide a single bus transportation system, one bus that picks up all the students going to that school?

Mr. O'HARA of Michigan. Well, now, wait a minute. Again we get to the question of racial imbalance and racial discrimination. Are you talking about

a situation where a bus goes down a road and picks up kids of one race and does not pick up kids of another race?

Mr. QUIE. That is right. This is really a question of desegregation. Your amendment does not in any way prohibit the enforcement of title VI of the Civil Rights Act?

Mr. O'HARA of Michigan. No. Not in any way.

Mr. QUIE. The use of a single bus for all students?

Mr. O'HARA of Michigan. It certainly does not prohibit in any way the enforcement of title VI, but it makes clear that we have given no authority in this act to go beyond title VI.

Mr. QUIE. That is right. So what we would prohibit here, then, is they would be prohibited from busing from one school to another in order to achieve racial balance in another school which is a neighborhood school.

Mr. O'HARA of Michigan. That is correct.

SUBSTITUTE AMENDMENT OFFERED BY MR. FINO

Mr. FINO. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. FINO as a substitute to the amendment offered by Mr. O'HARA of Michigan: On page 63, between lines 12 and 13, add the following:

"Nothing in this act shall authorize the reimbursement of any expenses, howsoever defined, which shall be incurred, directly or indirectly, in transporting pupils, by bus or otherwise, for the following purposes:

"1. to achieve racial balance in any school;

"2. to transfer children to a new school district where such new district shall have been drawn to achieve racial balance in any school;

"3. to attend educational parks or such other facilities as shall have been created or constructed for any reasons including racial balance or socio-economic integration;

"4. to attend any other facility aided in whole or in part, directly or indirectly, by a grant under Title III of the Elementary and Secondary Education Act of 1965, which shall affect the racial composition of such facility. It is the intent of Congress to prohibit reimbursement of any expenses involving transportation of children for reasons directly or indirectly involving racial balance in any educational facility."

Mr. FINO. Mr. Chairman, for the last 25 or 30 minutes we have listened to arguments pro and con on the amendment offered by the gentleman from Michigan [Mr. O'HARA]. Apparently, from the discussion on both sides of the aisle, it is quite clear that there are questions as to whether we mean that there shall be no busing of schoolchildren to accomplish racial balances. My substitute amendment makes it clear so that there is no question in anyone's mind that it is strictly an antibusing amendment. If we adopt this substitute to the gentleman's amendment, I think we will clear the atmosphere and raise no questions as to what the legislative intent of this Congress is on the busing of our schoolchildren.

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

Mr. FINO. Yes. I am glad to yield.

Mr. WAGGONNER. I interpret the gentleman's substitute amendment to have to do only with busing of students, and it has nothing whatever to do as a substitute with matters concerning employment. Am I correct?

Mr. FINO. That is right.

Mr. WAGGONNER. I thank the gentleman for yielding.

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

Mr. FINO. I shall be happy to yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, I dislike for us to misunderstand each other, but if I understood the amendment which has been offered and, apparently, agreed to, we were endeavoring to make it positive that it was not to be considered the duty of the Commissioner of Education to force de facto desegregation by the busing of students, but nothing should be done to prohibit the expenditure of Federal money in order to do so, if a school district wanted to do it and needs to do it, for its own purposes, under the operations of their own school district?

Mr. Chairman, what you are attempting to do is to keep them from using Federal funds, funds properly given to them under the act, to overcome racial imbalance if they so desire.

And, Mr. Chairman, I do not believe that is a part of what we are trying to do in this section.

Mr. SMITH of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been going through a period of discussions with the Commissioner of Education for 2 pretty full days.

And, Mr. Chairman, I have been rather astonished in the differences which seem to exist between Members who are discussing this bill today and the Commissioner of Education.

Now, Mr. Chairman, you have got a provision in this amendment, the original amendment, which prohibits the Commissioner of Education from transferring teachers from schools of one race to schools of another, with a little provision on it for the purpose of correcting racial imbalance.

Mr. Chairman, I just ask what that means, because I asked that question of the Commissioner of Education as to whether or not he had authority, in the light of the civil rights statement, and my questions to the Commissioner were directed to the question as to whether or not he had authority to do certain things with reference to the complaints where he was so doing.

Mr. Chairman, I submit again that in the light of the provisions contained in title VI of the Civil Rights Act of 1964, which prohibits anyone who distributes these funds from interfering with the condition of employment between an employer and his employee.

Well, Mr. Chairman, he could not furnish the committee with the proper answer, but he called upon his lawyer from the Department of Justice and his lawyer undertook to explain whether or not he could do it, because the law says you cannot do it. The gentleman could not bring me to an understanding of his philosophy with regard thereto.

So, Mr. Chairman, the gentleman came back on Tuesday, on the second hearing, and brought me this brief or opinion or letter from the Acting Attorney General, which undertook to justify that action.

Now, Mr. Chairman, it is freely admitted that it is being done and it is being done under compulsion, and that the Commissioner of Education tells these school authorities locally that they must transfer Negro teachers to white schools and that they must transfer white teachers to Negro schools.

Even though the schools have been set up, and the contracts have been signed. Now, I want to know just what we are intending to do here on this subject. This amendment would probably prohibit them, playing with the words if possible, from doing anything other than the law already does. But I notice a little tail on the amendment of my friend from Michigan, "nor the reassignment or transportation of students and teachers," in order to overcome racial imbalance.

I would like the gentleman to tell me what he means. All I want to know is whether the Congress has given or will give under this act the Commissioner of Education the right to go down to the school and say "Here, you must put a Negro teacher over in this white school, and you must put a white teacher over in this Negro school."

Could you answer that question, because the Attorney General cannot, except he says he is authorized to do it.

Mr. O'HARA of Michigan. If the gentleman will yield, Mr. Chairman, I will attempt to answer the question as I understand it.

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. O'HARA of Michigan. The gentleman from Virginia knows better than I, or as well as anyone, certainly, that we cannot and will not affect any decision of the Federal courts or any Federal court orders with respect to discrimination under the 1954 or subsequent rules of the Supreme Court.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WAGGONNER. Mr. Chairman, I ask unanimous consent that the gentleman be permitted an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. SMITH of Virginia. I yield.

Mr. O'HARA of Michigan. Neither do we attempt to affect any valid orders—I do not know whether we should call them "orders"—any valid requirements for school districts seeking Federal funds with respect to their compliance, as far as title VI of the Civil Rights Act, which prohibits racial discrimination in activities for which Federal funds are sought.

But what we are saying is that the Commissioner of Education has no authority to go beyond title VI of the Civil

Rights Act. And title VI of the Civil Rights Act gives him the authority to require as a condition to receipt of a Federal grant that the school seeking the grant not practice racial discrimination in the assignment of its students, or its teachers.

But it does not give him authority to require—affirmatively require a racial balance as distinguished from eliminating racial discrimination.

Mr. SMITH of Virginia. Mr. Chairman, I am sorry to say that the gentleman's answer reminds me of what I was reminded of in trying to find out about this in the Committee on Rules on the Commissioner's explanation. And it is like the old expression of trying to catch an eel in a barrel of lard.

So I have not been able to get a clear answer on that subject as yet.

Now, who is going to determine whether it is done to affect racial imbalance? Who is going to determine whether it is done for the sole purpose of integrating the races?

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. SMITH of Virginia. Yes, I yield.

Mr. O'HARA of Michigan. We make it clear what the Commissioner's authority is, and how it is limited. If he goes beyond his authority, presumably he will be accountable in the courts.

We are attempting to spell out the extent of the Commissioner's authority. And we cannot, and I know that the gentleman from Virginia cannot, either, stand by the shoulder of the Commissioner all the time, and say "Now, tut, tut, tut, that is not racial discrimination, that is racial imbalance produced by a nondiscriminatory pattern," and so forth.

I think in some of these areas you are going to reach a gray area where it is difficult to distinguish between a situation of racial imbalance and one of racial discrimination, or produced by racial discrimination.

We will have fights about that in the courts probably for years to come.

But anyway we will try to spell out what the authority is here.

Mr. SMITH of Virginia. I just wonder if somebody cannot write a law on this subject and get it passed through the Congress that will make it clear what powers this Commissioner has and what powers he does not have. How are you going to decide that question—if you take a teacher out of one school and put a teacher into another school?

In answering that question, I am referring the gentleman to the amendment which he is proposing and also to the provisions of title VI of the Civil Rights Act of 1964 which provides that they shall not interfere between employer and employees and set forth what they shall do and what they shall not do. There is a direct prohibition. Now which law are you going to follow? I have a brief here from the Acting Attorney General. Maybe you ought to read it. I have not had the time to read it.

Mr. O'HARA of Michigan. The distinguished gentleman from Virginia is probably a much better lawyer than I am and if he cannot figure it out, I doubt if I could. All I am trying to do is to explain what I am trying to do.

Mr. SMITH of Virginia. I used to be able to figure out what the law was when the Congress wrote them, but when the Federal courts write the laws, I am frank to say I cannot understand it. I do think this subject needs clarification as do a number of other subjects that have been acted upon by the Congress.

Mr. WAGGONNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in one last effort to clarify the intent of this amendment, I would like to ask one and at the most two questions of the gentleman from Michigan [Mr. O'HARA].

Is it not the intent of the present amendment now under consideration for which the gentleman from New York has offered a substitute amendment, to add language to the prohibition section which prohibits Federal control of education as related to this act—to add language which simply says to the Federal Government or to any agent of the Federal Government that in addition to the prohibitions which were originally written into this act that now the Federal Government or none of its agents can under the authority of this act—and I make no reference to other acts—require the assignment or transportation of students or teachers in order to overcome racial imbalance?

Mr. O'HARA of Michigan. That is absolutely right.

Mr. WAGGONNER. One further clarifying question. With reference to making the language of the entire bill consistent, did not the gentleman say that it was his further intention to make this language of this section and the entire bill consistent and to do so that he would strike that language of his amendment in title III which appeals at the bottom of page 98 and the top of page 99 of the committee report, which had to do with racial imbalance or other conditions?

Mr. O'HARA of Michigan. That is also correct.

Mr. WAGGONNER. I thank the gentleman.

Mr. ANDERSON of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I appreciate the valiant effort that the gentleman from Louisiana particularly has made to try to clarify the language and to interpret for the committee the language of the amendment offered by the gentleman from Michigan [Mr. O'HARA].

However, I think we ought not to ignore this fact—that you can still do by indirection things that may be directly prohibited.

That is why I would suggest that the more specific language in the substitute amendment offered by the gentleman from New York [Mr. FINO] is far preferable to the broad general language of the amendment offered by the gentleman from Michigan [Mr. O'HARA].

I say that for this reason. Some of you may have been on the floor last night when I referred to some of the remarks that the Commissioner of Education, Mr. Howe, had made in testimony before the Committee on Rules and also in some of the speeches he has made during the last year.

In one of those speeches he said this, and I quoted from it, I believe, in the remarks I made yesterday:

> Sure, the neighborhood schools are fine. It has been a very useful system and we want to try to preserve it. But the time has come—

Mr. Howe said—

> when we have to reappraise where the boundary lines will be drawn so far as the neighborhood is concerned.

Note again those words:

> But the time has come when we have to reappraise where the boundary lines will be drawn so far as the neighborhood is concerned.

Commissioner Howe then went on to lament the fact that we have de facto segregation, that we have racial imbalance in many of the school districts of our country which, he said, is not only unjust, but illegal and unconstitutional as well.

What I am afraid of is that even if we adopt the O'Hara amendment and express a positive prohibition against the Commissioner of Education requiring the assignment or the transportation of pupils or teachers to correct racial imbalance, that the Commissioner can, by indirection, accomplish the same purpose. He would do this by imposing a condition on the school district and telling them, "You must redraw the lines of that school district; you must enlarge the boundaries of that neighborhood school to take in other areas before you get this grant from the Federal Government." What will we have then? We will have a situation where, whether you like it or not, you are going to have to bus students from one area of the city to another, or from one area of the county to another.

As I understand the language of the amendment offered by the gentleman from New York [Mr. FINO] it would clear up that point completely. It would simply say that you cannot, directly or indirectly, either by way of assignment or by redrawing or tampering with neighborhood school boundary lines accomplish the end which is sought to be prohibited; namely, the busing of students to overcome racial imbalance.

Let me say this: I do not challenge for a moment the sincerity with which the amendment was offered, but still Mr. O'HARA spoke pretty much in an attitude of noblesse oblige when he offered his amendment and said:

> This is really not necessary, but to lay the ghost of this false, ridiculous charge that this bill would lead to school busing, I will offer this amendment.

Yet it was not 3 minutes later until we heard from the chairman of the committee himself, the gentleman from New York [Mr. POWELL], giving a precise example of where this kind of intrusion on local authority had occurred.

So I do not think anyone here in the House ought to be misled about the im-

portance of the action which we are taking, or how necessary it is to clearly spell out a legal prohibition. I would suggest again, in closing, that if you want to adopt an amendment that really accomplishes the purpose that all of us have in mind, the language offered by the gentleman from New York [Mr. FINO] is far superior.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. I should like to direct a question to the gentleman from Michigan. At the present time we find instances in which the Office of Education has deferred action on a particular application until certain requirements have been complied with. Under the language of the amendment you have offered, would it still be possible for the Office of Education to defer action on an application until certain students attend another school, or until certain teachers or certain procedures have been followed?

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Michigan for reply.

Mr. O'HARA of Michigan. The only conditions under which it would be possible to defer action on an application is if the school district refuses to file an assurance of compliance with title VI of the Civil Rights Act, or files an assurance that is invalid on its face, or if there is a substantiated complaint that racial discrimination, in violation of title VI, is being practiced. Those are the only conditions where deferral would be possible.

Mr. ANDERSON of Illinois. Mr. Chairman, I would suggest again that we adopt the substitute amendment offered by the gentleman from New York.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment. I shall be very brief.

The entire thrust of everything that has been said by way of explaining the provisions of the Elementary and Secondary Education Act here this afternoon makes very clear that all applications for the programs authorized under the legislation are based on local initiative. This is especially true, as I said in my own remarks, with respect to title III applications.

As I listened to the amendment proposed by the gentleman from New York [Mr. FINO] which would forbid local school districts from undertaking to do certain things that they at the local level may wish to do, I can only say, Mr. Chairman, that in 8 years, as a member of the Committee on Education and Labor, I have never seen any proposal that would impose such unwarranted Federal dictation on local school districts as the Fino Federal control amendment would do.

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

Mr. BRADEMAS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Does the gentleman mean he rises in opposition to the Fino substitute rather than in opposition to the amendment of the gentleman from Michigan [Mr. O'HARA]?

Mr. BRADEMAS. That is correct.

Mr. WAGGONNER. I thank the gentleman.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New York [Mr. FINO] to the amendment offered by the gentleman from Michigan [Mr. O'HARA].

The substitute amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Michigan [Mr. O'HARA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. O'HARA OF MICHIGAN

Mr. O'HARA of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA of Michigan: On page 58, lines 1 through 4, strike out "racially imbalanced" and all that follows through the word "agency" on line 4, and insert "or unsafe".

Mr. O'HARA of Michigan. Mr. Chairman, this is the amendment which has been referred to several times in the debate on the amendment just agreed to.

On page 57 of the bill, we amend title III of the existing Elementary and Secondary Education Act to provide that when approving applications under that title of the act the Commissioner of Education must give special consideration to school districts which meet certain conditions and which have certain kinds of problems. One of the problems which we said would entitle an applicant to special consideration was a problem that the applicant wished to correct which dealt with racial imbalance.

Mr. Chairman, there has been a good deal of "flap" over this, which I believe to be entirely unwarranted, because if a school district has a serious problem of racial imbalance within its schools which it wants to correct because it believes doing so would improve its educational system, I think it might be entitled to a little special consideration. But since an effort has been made to take this simple provision and turn it into some sort of ogre I am offering to take it out.

The same is true with respect to the other language following the words "racial imbalance" with the exception of "or unsafe"—that is to say, "because of any other condition that has imposed a substantial and continuing financial burden upon the agency." Because people were seeing ghosts in that, too, and were dreaming up all kinds of different situations that this terrible man down at HEW might consider to be "any other condition that has imposed a substantial and continuing financial burden." In order to clear that up, Mr. Chairman, I offer this amendment.

If the amendment is adopted, that section would read:

In approving applications under this title for grants for any fiscal year beginning after June 30, 1967, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four- and five-year-olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe.

Mr. Chairman, I ask that the amendment be adopted.

Mr. RYAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Chairman, I regret that the gentleman from Michigan has offered an amendment to eliminate the language "racially imbalanced." Section 134 of H.R. 13161 is designed to require the Commissioner to give special consideration to local educational agencies which have critical educational needs because, among other factors, of racial imbalance in some or all of their schools. It would help local school districts to deal with the urgent problems arising from de facto segregation. The urban ghettos of this Nation have been shortchanged far too long. The children of today must be prepared for tomorrow, and this means an educational foundation of excellence.

I am deeply concerned that the Committee feels it necessary to retreat. In explaining the purpose of section 134, which amends section 304 of the Elementary and Secondary Education Act, the committee report at page 24 says:

Among the projects which shall receive special consideration are problems, in both the North and the South, arising out of efforts to overcome racial segregation and related conditions. Thus, projects under this title may be used to encourage imaginative approaches, designed by local school districts, to achieve the elimination of racial segregation or the alleviation of problems resulting from racial concentrations of students. These projects could include, for example, the construction of educational parks and other experimental or demonstration facilities under plans insuring desegregated student attendance, the conduct of teacher inservice training programs in community relations, support of curriculum development projects, and the support of joint academic programs by suburban and core-city school districts.

The committee hopes that this amendment will be of significant importance in overcoming the difficulties confronting many school districts today. These difficulties have been evident in the applications already submitted for project approval. An analysis of the 991 planning projects submitted during the first 2 project periods shows that 234 of them would have culminated in the need for the construction of a center or other facility to house the program being planned. In addition, the Office of Education estimated that, of the 24,000 independent school districts, two-thirds are financially unable to afford viable programs, centralizing vitally needed services for the education program.

Under the proposed amendment, it is possible that large cities, confronted with problems of obsolete core-city school buildings and de facto segregation, might attempt to utilize title III funds for the establishment of educational parks. The first two rounds of project approval resulted in the funding of planning projects for educational parks

in Philadelphia, New York, Pittsburgh, and East Orange, N.J. In addition, proposals are currently before the Office of Education for the planning of educational parks in St. Paul, Chicago, Syracuse, and Cleveland. Denver, Baltimore, and Richmond have expressed interest, and are designing proposals for the development of educational parks. Moreover, it is apparent from data on school facilities in rural areas that many multigrade, one-room schools still exist simply because of a lack of local financial resources to provide consolidated facilities. The education park concept may well offer exciting possibilities in such areas. If such ideas are to be successful, this planning activity will result in an exceedingly large request for operational and construction funds. To support these additions, the committee recommends an authorization of $575 million in fiscal year 1968.

Mr. Chairman, the Senate bill has language similar to the new subsection (c) of section 304 of the act. This is a crucial provision, and I hope that it will be retained in conference.

On March 1, 1966, President Johnson submitted to Congress a special message on health and education in which he proposed that "$5 million be added to title III to help communities in planning school construction to encourage innovation and to deal with obsolescence, overcrowding, and special problems such as de facto segregation."

In response to the message and in recognition of the great need for further efforts to desegregate our schools the Committee on Education and Labor included this language which requires the Commissioner of Education to—

Give special consideration to the application (for title III funds) of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, racially imbalanced, or unsafe, or because of any other condition that has imposed a substantial and continuing financial burden upon the agency.

This merely gives a preference to those applying for title III funds to aid in the eradication of racial imbalance in our schools. Under this amendment racial imbalance is only one of the factors to be considered for special preference.

If one looks at the pace of school desegregation in the United States since 1954, one cannot help being dismayed at the fact that there is still opposition to language such as that before us or the efforts of the Office of Education to come to grips with this problem.

As we all know, in 1954 the Supreme Court of the United States in the historic decision of Brown against Board of Education declared that the maintenance of separate schools for children of different races was unconstitutional.

Yet 12 years later the Office of Education estimates that only 7.5 percent of the Negro students in the 11 Deep South States are enrolled in school this year with white pupils. Estimates of civil rights organizations vary between 5 and 6 percent.

And in the North de facto segregation resulting from segregated housing patterns deprives our children of the opportunity to develop their full potential.

Mr. Chairman, for 100 years Negro children have suffered from inferior education in inferior schools. I deplore the temper of the House which would condemn little schoolchildren to continued cultural deprivation by refusing to give special consideration to local educational agencies which are trying to solve their own problems.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. O'HARA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODELL: On page 41, strike out lines 7 through 11 and insert in lieu thereof the following:

"(c) For purposes of this section—

"(1) the 'low-income factor' shall be $2,000 for each of the two fiscal years ending prior to July 1, 1967, and $3,000 for the succeeding fiscal year, and

"(2) the 'Federal percentage' for any local educational agency shall be 100 per centum less a percentage which bears the same ratio to 50 per centum as the median family income in the county in which the school district (or major portions thereof) of such agency is located bears to the median family income in the State, except that the Federal percentage shall in no case be more than 66⅔ per centum or less than 33⅓ per centum: *Provided, however,* that the Commissioner may adjust the Federal percentage within these limitations for any local educational agency which would be affected in a manner inconsistent with the purposes of this title."

Mr. GOODELL. Mr. Chairman, this is a very simple amendment. It is designed to provide more money in those districts within each State which are poorest and less money to those which are wealthiest. Under the act, the Federal payment for each child counted equals 50 percent of the State per pupil cost of education. Under the law, half of whatever you are spending per pupil in the State on an average will be paid to each school district or county in Federal money multiplied by the number of poor children. This amendment would provide a sliding scale for that Federal percentage of 50 percent. It would vary from one-third of the per pupil cost in wealthy districts to two-thirds in the poorest. Most districts would remain at about 50 percent, as they now are. The scale is arrived at by comparing the median family income of the county with the median family income of the State. In this way it would provide for a more equitable distribution of funds within the State without affecting the total amount of funds going into the State as a whole. Median family income is the best and fairest means of judging the wealth of an area. It is not subject to the distortions which affect per capita income, for example, such things as a few millionaires driving the figure up. The data are fully available from the census. By comparing county wealth with State wealth we would not subject the measurement to the distortion of regional differences in income across the nation. The only comparison made would be to other counties within the same State.

Mr. Chairman, it is time to convert this act from a Federal shotgun scattering money all over the landscape and rifle in on the areas of real and primary need. This amendment would not accomplish that purpose completely, but it would be a sensible step in the right direction.

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

Mr. GOODELL. I yield to the gentleman from New York.

Mr. McCARTHY. Mr. Chairman, I rise in support of the gentleman's amendment—I regret people on this side of the aisle are not paying attention—because I do not see how we can justify this situation where Montgomery County in Maryland, where my children attend school, the wealthiest county in the United States, and the town I represent, the town of Amherst in western New York, receive a bonanza under this program when the money is needed in areas of Baltimore, in the case of Maryland, and in Harlem and in the ghettos of Buffalo and the other cities of New York State.

Mr. Chairman, there is an obvious inequity here, when these wealthy areas receive so much money.

Mr. Chairman, this program is designed to improve the quality of education where that improvement is needed most.

Mr. Chairman, how can we justify the fact that these large bonanzas go into areas like Montgomery County and into the town of Amherst, N.Y., which it is my honor to represent?

Mr. Chairman, I compliment the gentleman from New York [Mr. GOODELL] and I think this represents an improvement, if adopted, which will rectify this, what I consider, very inequitable situation.

Mr. Chairman, I certainly shall support the amendment which has been offered by the gentleman from New York and I thank the gentleman from New York for yielding.

Mr. GOODELL. I thank the gentleman from New York for his support.

Mr. Chairman, the language of the allocation formula is complicated.

The effect of this amendment is very simple. It would, if adopted, permit the money within a State to go to the poorer counties and would make more money available to the poorer counties within the State, and less money available to the richer counties.

Mr. Chairman, the adoption of this amendment would not affect the total amount going to any State, but within the State it would provide a simple and specific allocation formula designed to give the poorer counties more of the share of Federal moneys going into that State.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, for some time we have been operating title I of Public Law 89–10 under a continuing resolution. Since all the school districts that receive funds from title I money rely upon receiving a

specific amount of funds to which they are entitled under the present formula, their programs have been worked up and adjusted accordingly.

Certainly, Mr. Chairman, we would do a grave injustice to many of the districts, if this amendment were adopted, to take away the funds from those districts at this late hour, when they have relied upon the funds and they have established programs dependent upon these funds. Now, shall we say that we are going to "give you some funds or so much money, but we will base it upon entirely new criteria and your program will have to be eliminated or cut in half"?

Mr. Chairman, this is the first notice we have ever given to them and it is inequitable to adopt such a formula at this time, and I would urge the members of the Committee to vote down this amendment.

Mr. Chairman, we have taken steps to do just what the gentleman indicates he wants to do; that is, direct more funds toward the poorer school districts. But the people will know, well in advance, what is contemplated. The fact of this change in fiscal year 1968 is being made known now.

So, therefore, Mr. Chairman, I ask the Committee to vote down the amendment, because if adopted, it would tear up thousands of programs in this country that have been set up in good faith by people who have been relying upon them.

Mr. WILLIAM D. FORD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. WILLIAM D. FORD. If that school district happened to be located within a county that, by reason of some extremely wealthy adjoining school districts, had a relatively high level of income, I might point out, just as an example, that in Wayne County, Mich., or the city of Detroit, there are 45 or 46 school districts, and they vary in their ability to support school districts and support children by as much as 20 times. In other words, the wealthier school district has 20 times the wealth of the poorest. But all of the students in that county would be actually discriminated against because of the wealthier school districts, even though they attended schools within the county that were in fact the poorest of the districts.

In other words, the district with 20 times the wealth of the district in which they went to school would be used to measure the amount of support for them.

We must not lose sight of exactly what the gentleman from Minnesota [Mr. QUIE] was talking about a few moments ago, and that is that the focus of this bill is on the individual children who come from culturally deprived backgrounds, and are expected to be reached by the special programs that title I does contain, and these others. So it costs just as much, and perhaps in many instances more, for this special program for the child in Montgomery County as it does in the poorest county of Maryland.

And what you are actually saying is that although the program should be designed for the poverty child in Montgomery County, it should be supported at something less than the cost in Montgomery County.

I believe, to continue this a step further, an examination of the statistics would prove that counties like Montgomery County tend to run up the average per pupil expenditure for the State of Maryland, and that the poor counties tend to bring it down. And this would work against the impoverished child, and this is true within a county where the relative per capita income is high.

In closing, I would like to point out that the gentleman well knows, as a member of our committee that there is no place in this country—there is no State in this country—where the local effort for the support of education is dependent upon an income tax that raises the support for education directly to the income level of the parents of the children.

There is no equitable way that we can change the formula during the present fiscal year.

Mr. QUIE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as I mentioned earlier in the debate, some effort must be made to get this money into the school districts that really need it.

Now, it is true that practically every school district in the country can find some poor child; but if the school district is wealthy enough, as some school districts are, to provide an excellent education, such as we have talked about here many times—Montgomery County, and all of those poor children go to those same schools as the wealthy—surely they cannot be any more educationally deprived than the wealthier kids who go to those schools.

If there was plenty of money, and the Federal Government was going to assume the responsibility of aid to all schools, and that all schools would get so much per child, then I can see some reason for giving it also to the wealthier schools, because that is also their responsibility; but here we are giving aid to the educationally deprived children, and also the school districts, where the people do not have the per capita income to draw from, so that there is a greater need of assistance there.

There is a certain amount of money available here, and it would seem to me to be a wiser expenditure of the money if we would give it to the areas of greatest need.

I think the formula suggested by the gentleman from New York is satisfactory, and I do not see why there should be any objection to the amendment.

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

Mr. QUIE. I yield.

Mr. PERKINS. I still do not understand how the gentleman from Minnesota can argue for a change in the formula in the middle of a fiscal year.

Do you not think that it would bring chaos where the programs have already been established, and where we are going to cut out so many programs in the State, which this change in the formula would bring about? I would believe that it is very inequitable to take that action in this fiscal year.

Mr. QUIE. I would say to the gentleman that he raises a valid point, and when he raised it I was going to ask my colleague if he would not make his amendment apply to 1968, because the gentleman is correct; we are in the midst of the school year, and I do not think we ought to be changing rules in the middle of the game.

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

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. I expect from what the gentleman from Kentucky has said that when we amend this to make it effective after the 1st of July of next year, he will support the amendment. I think the gentleman's point has validity.

As I indicated in my remarks in general debate, one of the problems we have is that this is October of the present school year. Many programs are ongoing. The school districts have set their programs up and they are counting on this Federal money as a result of this law. It is unfortunate that we are not debating this in the spring of the year when we could make changes in the law that would be effective as of the first of the school year in September.

But in view of this situation that the amendment was prepared without that fact in mind and that it is October at this point, I ask unanimous consent, Mr. Chairman, to amend my amendment so as to insert after the words "shall be" the words "50 per centum, except that for any year beginning after June 30, 1967, it shall be * * *". Then continue "100 per centum less a percentage * * *" as the amendment now reads.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. GOODELL]?

There was no objection.

The CHAIRMAN. Without objection, the Clerk will read the amendment, as amended.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. GOODELL: Page 41, strike out lines 7 through 11 and insert in lieu thereof the following:

"(c) For purposes of this section—

"(1) the 'low-income factor' shall be $2,000 for each of the two fiscal years ending prior to July 1, 1967, and $3,000 for the succeeding fiscal year, and

"(2) the 'Federal percentage' for any local educational agency shall be 50 per centum, except that for any year beginning after June 30, 1967, it shall be 100 per centum less a percentage which bears the same ratio to 50 per centum as the median family income in the county in which the school district (or major portions thereof) of such agency is located bears to the median family income in the State, except that the Federal percentage shall in no case be more than 66⅔ per centum or less than 33⅓ per centum: *Provided, however,* That the Commissioner may adjust the Federal percentage within these limitations for any local educational agency which would be affected in a manner inconsistent with the purposes of this title."

Mr. GOODELL. Mr. Chairman, will the gentleman from Minnesota yield further?

Mr. QUIE. I yield to the gentleman.

Mr. GOODELL. Mr. Chairman, this amendment would provide for a change in the allocation formula to give aid to the poor counties and more money within the State beginning the next school year after July 1 of next year. They will be warned. They will know how much they are going to get under the allocation formula and know what amount is going to the individual States.

It simply provides for a redistribution within the States to the poorer counties and the poorer areas, I might say in reply to the point raised by the gentleman from Michigan, by providing that it is to go to counties on the basis of the median family income. We will provide the money to the county and it can be allocated to the poorer school districts within that county so that your poorer school districts will end up getting their money.

The whole purpose of this is to see to it that not only within the State but within the county we allocate the money to the poor school districts that need it.

Mr. CAREY. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, the thing about this amendment that impresses me the most is that it should be offered in broad daylight at 3:30 in the afternoon of October 6 in this year 1966—yes, in this day and age.

This would distort and reverse the whole purpose of this bill. This would make it a system of State patronage to the counties within the State.

This is a reversal of the one-man one-vote accomplishments. It goes beyond the Dirksen amendment which attempted to upset the one-man, one-vote concept.

This would turn the money away from the city dweller up into the vineyards and farmlands and the uplands of New York State and every other State—and it would be a wonderful thing for Jamestown, but it would wreck the city of New York. I do not blame the gentleman for standing up for Jamestown. But it is only one little community in Greater New York. We would measure the per capita income of the great city of New York, which is one school district—I remind you that New York City is one school district—we would take the per capita income of the Wall Street people, the Fifth Avenue people, and we would apportion that throughout the great city of New York, and we would confer that per capita income on Harlem, Stuyvesant, south Bronx, and other disadvantaged communities. Then we would say, "If you really want to see good schools, we will get a bus and give you a ride to Jamestown to see what the children are doing up there."

That is what the amendment would do. This amendment would put Jamestown on the same level as the city of New York in apportionment. I do not know what they do about measuring per capita income in Jamestown. They may hide it beneath the haystacks. We do not know how they measure income up there.

We know how they measure it in New York City because we are paying enough income tax; we can tell you everything now. This amendment would divide the income and the Federal dollars.

Then in Albany or somewhere the incumbent Governor would decide whether it was time that Jamestown got a little more and New York City got a little less.

This amendment would wreck the whole participation of the urban communities in the benefits of aid to education.

My colleague knows I am right. In his heart he knows I am right. And he knows that if this amendment had any standing, he would have offered it in the subcommittee through one of his good colleagues, or he would have brought it up in the full committee. But it never saw the light of day until now, and I think now it deserves the light of day for one blinking instant, and then it should be put to bed forever.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

The purpose of the formula is to assure that the special needs of the educationally deprived child may be met wherever he may be. We have educationally disadvantaged children in every county in the country. There may be inequities in the formula, but to the best of our capacities we have taken steps to correct them. The gentleman from New York [Mr. GOODELL], took an active part and interest in these changes.

We will deny many needy children necessary education if we require elimination of allotments to school districts because they have greater wealth than others and say, "We are going to give it to some poorer district, or we are going to let someone at the State level make that determination."

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

Mr. PERKINS. Not just at this point. In opposing the amendment, it is grossly unfair to the children of any school district that has received program benefits, to say that "funds will not be available to continue your program because, although you are in great need, your district is too rich." The changes that have been made in committee, we believe, are equitable and are actually addressed to the concerns expressed. We do reach more positively to the needy child by including other categories—the orphan, the neglected, the child of the migratory farmworker—the Indian child. We provide for fund increases in the poorer districts, scheduled to take place next year, when their programs can better and more effectively assimilate additional funds.

In conclusion, trying to take funds from school districts that are now receiving a certain amount of funds, knowing what they are entitled to under the act, and reducing that amount or perhaps cutting them out completely, I say is completely unfair, and the gentleman's amendment should be defeated.

Mr. GURNEY. Mr. Chairman, I rise in support of the amendment.

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

Mr. GURNEY. There must be some answer to the nuclear-like holocaust predicted by the gentleman from New York [Mr. CAREY], and for that answer I will yield to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. I appreciate the gentleman's yielding.

I appreciate the gentleman from Brooklyn attributing such good representation to the gentleman now standing, from the city of Jamestown, that I would fight for my area. I would.

But the gentleman has inferred a motive in the amendment which is not there.

In the first place, the gentleman is aware that the median family income for New York County is lower than the median family income for New York State. New York County is going to end up getting a little more money under this amendment than otherwise. I would suspect the gentleman might find some surprising switches.

The second point the gentleman made was that someone at the State level might use this for patronage. The gentleman must not have read the amendment. The distribution is to be based on census data. It will go to the counties with the lowest median per family incomes. This is clear. No one in Albany or in any other State capital will be able to revise this.

All it will do is put in a clear formula to say that the poorer counties, based on median family income, will get a higher percentage payment than the richer counties. It is that simple. It leaves it within the present law for State allocations but provides a redistribution for the counties.

There will be the same options as there are under the present law.

The gentleman raises a question about allocations, that this would disturb the whole bill. The gentleman knows that under the present law the allocation formula is written right down to the school district, if the census data is available for the school district, and to the county if there is no census data available for the school district within that county. This will keep it exactly the same. It will change the percentage formula by which they would allocate the money to the counties, with the poorer counties getting more and the richer counties getting less.

I believe the gentleman will find, when we talk about poorer counties getting more, that New York County would be below the average in New York State, and would end up getting somewhat more than under the present allocation formula.

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

Mr. GURNEY. I yield to the gentleman from New York.

Mr. CAREY. I must agree, in this respect, that New York County may have a lower median income than the county the gentleman chose to compare with, upstate.

Mr. GOODELL. I chose the State median family income to compare with New York County.

Mr. CAREY. What the gentleman fails to realize is that New York County is only one of five counties under the jurisdiction of the one school district, under the New York City Board of Education. We have to take into consideration the median income of all counties of New York City. That is where the disadvantage would occur.

Without knowing and without studying the effect of this upon a large combined school system, which is a grouped school system, it would, in effect, change the whole relationship with the State. That is why the amendment is not constructed to take into consideration the intricacies of the New York State school system.

The gentleman cited New York County, but did not cite New York City.

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

Mr. GURNEY. I yield to the gentleman from New York.

Mr. GOODELL. I would say to the gentleman that we would not change the relationship to the State at all. This is merely a matter of changing the allocation formula to the counties within a State. The relationship to the State will remain exactly the same.

The allocation is to be based upon census data. It would be a matter of arithmetic to determine how much each of the counties would get.

This is very clearly based upon need, upon which it should be based. That was the supposed philosophy of the original allocation formula. We had to have a rule of thumb, and we used the number of children who come from families with less than $2,000 income. It is a rule of thumb, and it does not automatically, we all agree, give the right amount of money to every county.

This would not disturb that, but it would point to the per family median income as a test of how rich or wealthy the county is and how much it is able to bear in taking care of its own problems.

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

Mr. GURNEY. I yield to the gentleman from New York.

Mr. CAREY. I should like to point out that the rule of thumb really is a karate blow to New York City, because the census data the gentleman talks about are the 1960 census data, and things have changed since then.

Mr. GOODELL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will simply state that I want to reclarify once again what this amendment will do, because the allegations made against it perhaps confused my colleagues. The present law distributes this money to school districts on the basis of the number of poor children in those school districts according to the census data. If census data is not available, it is distributed to the county. This does not change any of that. The present law, however, makes the distribution within the richer States higher than in the poorer States. This particular amendment does not change that. The richer States continue to get their allocation and the poorer States the same allocation now under the law. This goes to the distribution within the State. It would in effect put more money into your poor counties based upon median family income and less into your rich counties within the State. It would be automatic, based upon census data and the clear formula. There would be no discretion or patronage involved at the State level or any other level. It would be a direct allocation based on need within the State correcting many of the distortions which do occur today with rich school districts and rich counties getting so much money.

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

Mr. GOODELL. I yield to the gentleman.

Mr. MEEDS. I thank the gentleman for yielding.

I just have to say that the effect in my State of Washington would be the same effect that the gentleman from New York [Mr. CAREY,] cited for the State of New York. The fact is that while King County has a high per capita income, it also has some of the worst pockets of poverty in the State. That equalization formula which the gentleman from New York [Mr. GOODELL] is advocating would pull money away from these areas where it is needed worst.

Mr. GOODELL. You know, the interesting thing is that you people who advocate this meet yourselves coming right around a circle. You come back and say that the richest counties are the ones that need it the most. If that is so, then, my sakes alive, how are we ever going to set any priorities in an education bill? The richest counties are not the ones that need the money the most. It is rather the poor counties and the poor school districts that need it the most. That is where the money should be allocated. The gentleman from Kentucky makes an argument that come next July 1 the school districts around the country are going to find they are getting a different amount than they are getting this year, but if you follow that argument all the way through, you say that this Congress can never change the allocation formula to the various States and school districts; we have to go forever with the allocation that we now have or at least never reduce it in any school district or any county regardless of their need. I think this is a very unfortunate way to argue against the amendment.

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

Mr. GOODELL. I yield to the gentleman.

Mr. WILLIAM D. FORD. The gentleman on the floor is a member of the subcommittee that considered this legislation. We had school people from every level, the local, county, State, and intermediate school officials. We had extensive hearings on this bill this year. I simply ask the gentleman if he ever at any time presented the question of his proposed change in this formula to any group of school people representative of a cross section of the local officials charged with the responsibility of carrying out the intent and purpose of this act in a way that would give them an opportunity to evaluate and comment on it. Until now I have heard no school person who has had an opportunity to measure this very drastic change in the formula and tell us or give us any advice at all as to how they view its effect.

Mr. GOODELL. If the gentleman will leave me some time to answer him, I will say to the gentleman that I have discussed this with school officials and it conforms to the comments that you have heard and that I have heard. They come from school officials and from the American taxpayers, that money is going into some of the richest school districts and the richest counties in this country when we do not have enough money for the poor school districts and the poor counties. This has been said by many school authorities as well as taxpayers. I did offer this amendment in the full committee, but it was turned down. I say to the gentleman from New York [Mr. CAREY] it is typical of the amount of consideration that we had on the amendments offered from our side of the aisle that he did not even know it was offered.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The question was taken; and the chairman announced that the noes appeared to have it.

Mr. GOODELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the chairman appointed as tellers Mr. PERKINS and Mr. GOODELL.

The Committee divided, and the tellers ers reported that there were—ayes 36, noes 62.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer three amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

Page 43, line 18, before "Providing" insert "Providing for Making Payments in Accordance with a State Plan, and", and after line 19 insert the following:

"SEC. 109. (a) Subsection (a) of section 205 of such Act of September 30, 1950, is amended by striking out everything which precedes paragraph (1) and inserting in lieu thereof the following: '(a) A State may receive grants under this title for any fiscal year upon the submission to, and approval by, the Commissioner of a State plan which provides for making payments to local educational agencies upon its determination (consistent with the State plan and with such basic criteria as the Commissioner may establish)—' ".

Page 43, line 20, strike out "SEC. 109." and insert in lieu thereof "(b)", and after line 5 on page 44 insert the following:

"(c) Section 205(a) of such Act is further amended by inserting after paragraph (4) the following new paragraph:

"'(5) that the application is consistent with a system of priorities set forth in the State plan which ranks local educational agencies in order with respect to such factors as (A) the concentration of educationally deprived children, (B) incidence of school dropouts, juvenile delinquency, and families receiving public assistance, and (C) rapid growth of school population and adequacy of school facilities, and that the project described in the application is designed to meet the most urgent needs of educationally deprived children in the area served by the local educational agency;'."

Page 47, in line 12, before "Payments" insert "Allocation of Funds to States, and", and strike out lines 14 through 17, and insert in lieu thereof the following:

"SEC. 114. (a) Section 203(a)(2) of such Act of September 30, 1950, is amended by striking out the first two sentences and inserting in lieu thereof the following: 'The maximum grant a State shall be eligible to receive under this title for any fiscal year shall be an amount equal to the Federal percentage (established pursuant to subsection (c)) of the average per pupil expenditure in that State, or in all the States, as the case may be, multiplied by the number of children in such State who'."

Page 48, strike out lines 4 through 23 and insert in lieu thereof the following:

(b) Section 203 of such Act is amended by striking out subsection (b) thereof, and by redesignating subsections (c) and (d) as (b) and (c), respectively.

Page 48, line 24, strike out "(d)" the first time it appears and insert "(2)" and immediately before line 24, insert the following:

"(d)(1) Section 203(d) of such Act is amended by striking out the second sentence thereof, and by striking out, in the fourth sentence, 'each county or school district' and inserting in lieu thereof 'a State, or in all the States,'."

Page 51, line 13, strike out "(5), (6), and (7)" and insert "(3), (4), and (5)" and strike out everything after "amended" on line 14 through line 24 and insert in lieu thereof "by striking out paragraph (3)".

Mr. GOODELL (during reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read, and printed at this point in the RECORD.

They are amendments of some length. They involve State plans, as a substitute for the present system of distributing funds.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. GOODELL]?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendments.

Mr. GOODELL. Mr. Chairman, these amendments offered en bloc would provide for the administration of title I through a State plan submitted by the State Education Agency, and approved by the Commissioner of Education.

Funds would be allocated to the States on exactly the same basis as they are allocated to counties and school districts under the present act.

In other words, every State would continue to get the same amount of total money. States would have to use their funds for the same purposes set forth in the act as it would be amended by this bill.

The advantages in this approach are as follows: First, the State could and would be required to concentrate funds in those schools most in need of this aid, and to do so on the basis of a set of priorities outlined in the amendment.

Second, the census data for an entire State are far more reliable and less subject to changed conditions than are the data for a single county. Thus we avoid the embarrassment of granting funds to a school district which in 1966 cannot find a single student who meets the family income requirements of the act.

I might say in this connection, Mr. Chairman, we are still proceeding basically on census data in most parts of the country of 1959. That is when the income data was collected by the Census Bureau. It is now 7 years old. We are all aware that one out of five Americans move every year. We are a mobile people. So we have a static formula for distribution in this bill. We objected to that formula in the original act.

By giving this money to the States, and letting them allocate it within a State plan that is approved by the Commissioner of Education, we would introduce a flexibility that is badly needed.

Another advantage of this approach is that a State could concentrate on major problems such as construction to eliminate inner city slum schools, that we have been hearing about. The slum school conditions are one of the problems of major magnitude which cannot be met with the limited funds now available to a single school district under the act.

Put another way, the present allocation formula is a scattergun approach, so that none of the school districts as a general rule receive enough money in the concentrated poverty areas to do the kinds of things that need to be done desperately.

Fourth, instead of reviewing thousands of local applications, many of very minor impact or importance, the States could devise a single plan to attack major problems in the education of the economically and educationally deprived children.

Finally, this is the established pattern of administering educational programs. It would require a State assessment of its own needs, which would have the effect of strengthening the entire school system. If this amendment were enacted it would go far toward correcting the difficulties that we have in the operation of the present act. And I urge its adoption.

I yield back the balance of my time.

Mr. MEEDS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not take the 5 minutes, but all I can say is the gentleman from New York continues to confound and amaze me. It has been my understanding that the gentleman from New York has always been in favor of local control of schools.

The amendment which the gentleman now proposes would raise the control to the State level and leave the local school districts at the mercy of the whim and caprice of the States.

I would like to point out, Mr. Chairman, presently the plans under title I are formulated by the local school agency at the local school level where those people know their problems best.

Certainly the State now has the authority to approve or disapprove those plans as does the Commissioner of Education.

So that we are getting in a sense the type of State control that the gentleman wants only we are allowing the State local school district to make the determination of their educational needs.

I would further point out that we had no witness before our committee nor did we have any request before our committee that this type of program be promulgated.

Another thing that I would point out is this, it would place a tremendous burden of responsibility on the State educational agency, for which there are not appropriate funds in this act or available by the State agency at the State level.

Mr. Chairman, I would strongly recommend that this amendment be voted down.

Mr. GURNEY. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, it seems we have heard frequently this afternoon arguments from the other side that we should encourage as much as we can local initiative in developing plans for the use of Federal aid to education. It occurs to me that in the amendment now pending, we have a very good and practical approach for initiating local plans at the State level. Indeed, it takes this whole area of Federal aid to education out from under the onus of Federal control and Federal direction and Federal dictation, which we have heard bandied about on the floor during the entire debate.

Certainly, there is much evidence before the committees and most certainly before the Committee on Rules that there is dictation in this area. The amendment offered by the gentleman from New York, it occurs to me, would alleviate this kind of criticism of the program.

I would hope that the House would support this amendment.

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

Mr. GURNEY. I yield to the gentleman from New York.

Mr. GOODELL. I thank my colleague for yielding and I have asked him to yield simply to respond to the surprise expressed by my colleague on the position that I take. I do not understand why he would be surprised because since I came to the Congress of the United States I have fought for State and local control and State and local responsibility in education. I believe that we should not, except under very unusual circumstances, bypass the State educational agencies and go directly from the Office of Education to the local school system.

This has been a consistent position taken by me, and not only by me but virtually all of the Republicans on this side of the aisle. We believe that the

States should be involved. They should put out their own plans and there should be this kind of flexibility available under a program so that the problems of New York which are different can be solved with a New York approach and so that the problems of Washington that are different can be solved with a Washington approach, and likewise for Arkansas, Florida and other areas, of course.

My amendment leaves the overall unity that the gentleman I am sure would insist is necessary in a Federal program because the Commissioner of Education has to approve the various State plans. The State plans do not have to be uniform. They do not have to be identical. Each State will come forward with its own plan and submit it to the Commissioner of Education and the minimum guidelines and the minimum standards that the Commissioner of Education must enforce in this law would be enforced.

I would much prefer giving more State discretion and more State option because they are the creators of the local schools and the local municipal governments. These local schools and local municipal governments are the creatures of the State government—created by the State constitution and the laws of the State. And very properly, when we talk of local option, we have to funnel it through the creator—the State itself.

This is my view, Mr. Chairman, and I think the amendment that I am offering would implement effectively the State plans without the loss of flexibility nationally.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, the gentleman from New York is seeking in principle to do by this amendment just exactly what he failed to do by the amendment offered a few minutes ago which was voted down.

If the gentleman's amendment were agreed to, it would disrupt the disbursement of funds going into school districts in every State. According to the equalization plan he has in his amendment, which the States would be allowed to follow, an entirely new type of legislative program would be started with no assurance whatsoever that any school district could continue the programs so effectively launched last year.

Therefore, Mr. Chairman, the amendment should be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The question was taken; and on a division (demanded by Mr. GOODELL) there were—ayes 16, noes 49.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GURNEY

Mr. GURNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GURNEY: On page 49, after line 25, insert:

"STATE REALLOCATION OF FUNDS

"SEC. 115. Section 206 of such Act is amended by redesignating subsection (b) as subsection (c) and inserting the following new subsection:

"'(b) An application submitted in accordance with the requirements of subsection (a) may, at the election of the State educational agency provide for the reallocation among eligible local educational agencies of such State of the amounts to which such agencies are entitled. Any application which provides for such reallocation shall include—

"'(1) A plan for concentrating reallocated funds in those local educational agencies having schools with a greater proportion of educationally deprived children, which also takes into account such factors as (i) overcrowded school facilities, (ii) the incidence of juvenile delinquency, unemployment, and families receiving public assistance, and (iii) school retention rates and similar indices of educational effectiveness;

"'(2) A statement of priorities of need among eligible local educational agencies based upon the factors set forth in paragraph (1) which assures that reallocated funds will be utilized for projects designed to overcome the most urgent educational problems; and

"'(3) Such other information as the Commissioner reasonably may require to assure that the purposes of this title are being carried out.'"

On page 50, line 3, strike out "SEC. 115." and insert "Sec. 116.".

Mrs. MAY. Mr. Chairman, I make the point or order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-six Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 342]

Abernethy	Gross	Rivers, Alaska
Albert	Haley	Robison
Arends	Harvey, Ind.	Rogers, Tex.
Ashbrook	Hébert	Roncalio
Ashley	Irwin	Roudebush
Aspinall	Jones, Ala.	St Germain
Ayres	Keogh	Saylor
Battin	King, N.Y.	Schisler
Belcher	McEwen	Scott
Bray	McMillan	Shriver
Brown, Calif.	McVicker	Smith, Calif.
Celler	Macdonald	Smith, Va.
Cooley	Mackay	Stephens
Corman	Martin, Ala.	Sweeney
Daddario	Martin, Mass.	Teague, Calif.
Davis, Ga.	Martin, Nebr.	Teague, Tex.
Denton	Michel	Thomas
Diggs	Moeller	Thompson, Tex.
Dorn	Morris	Toll
Dow	Morrison	Tuck
Dyal	Murphy, N.Y.	Tupper
Edmondson	Murray	Vivian
Edwards, Ala.	Nix	Walker, Miss.
Evans, Colo.	O'Brien	Walker, N. Mex.
Everett	O'Konski	Watkins
Evins, Tenn.	Olsen, Mont.	White, Idaho
Fallon	Olson, Minn.	Whitener
Fisher	O'Neill, Mass.	Wilson, Bob
Flynt	Patman	Wilson, Charles H.
Foley	Pepper	Younger
Fulton, Tenn.	Powell	
Grider	Purcell	
Griffiths	Reinecke	

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PRICE) having assumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 13161, and finding itself without a quorum, he had directed the roll to be called, when 332 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the Clerk had reported the amendment of the gentleman from Florida. The gentleman from Florida is recognized for 5 minutes in support of his amendment.

Mr. GURNEY. Mr. Chairman, one of the troublesome things about this bill, and one of the real deficiencies, it seems to me, recognized even by many of its ardent supporters, has been the way that funds are distributed among the States to the school districts. In fact, almost all day today and a good deal of the time the bill was under debate yesterday I suppose this one fact was talked about as much as anything.

The bill gives a kind of shotgun approach to the scattering of Federal aid for the school districts. It is a good deal like a few pellets out of a shotgun charge, very little aid finds its mark. It seems to me that this approach wastes dollars, just as a shotgun charge is wasted. I might say that even the majority recognizes this deficiency, because if you will turn to page 11 of the report you will find that it recites, for example, that 56 States and territories are helped, or 3,200 counties and 24,000 school districts.

Then, it says, the formula generally tries to distribute assistance equitably. However, it goes on to say that the committee has become aware of some inequities in title I allocations to school districts. It explains that these inequities are generally caused by population shifts.

But the point I make is that even the majority in their own report recognizes that there is a deficiency in the way the funds are distributed in this bill. There have been attempts made to strengthen this. The last amendment offered was to that end.

My amendment seeks to do the same thing, but it seems to me that this amendment would do it in a way that not even the majority could object to, because what we propose here in this amendment is to give the States permission to develop school plans for various school districts so that a needy school district that needs the money a good deal more than another school district can put it in that needy school district like a rifle shot instead of a shotgun charge.

The plan is permissive. It does not say it has to be done. It does not force the State school superintendents to come up with a plan. It simply says that they can do this.

Moreover, it also provides if a plan is presented it must explain in detail how these moneys are put into needy schools.

The plan also must show priorities, which must be set out in the plan. Then, when this is all done, the plan can be presented to the Office of Education in Washington. It can be reviewed. If they believe it is a good idea, they can accept it. If they do not believe it is a good idea, they can also reject it.

I listened with interest here a short time ago when the gentleman from Indiana [Mr. BRADEMAS] was arguing in opposition to one of the amendments offered on this side, and this is what he said. I took down the essence of his remarks. He said that the entire thrust of this legislation is to encourage local initiative.

I hope he means that. I hope that will be the position of the majority. Because, if they truly mean that, then it seems to me this amendment can be accepted, because what we are trying to do here, indeed, is to encourage local initiative, to put the responsibilities in the local school boards and on the State educational systems, so that they can come up with the best plans possible.

No matter what view we take on Federal aid to education, no matter what the philosophy of any of us here is on government in general, I believe all of us would agree one of the great strengths of the kind of governmental system we have, this kind of Republic, this federal system, is the getting of ideas from down below, the governments at the local level, the generating of a whole lot of ideas from a whole lot of different people who live close to problems and can tailor their ideas to meet the needs.

As I said, there are 24,000 school districts in this country, and it occurs to me that the amendment will give the school districts the opportunity to develop plans which can help this legislation.

I hope the committee will support this amendment.

Mr. BRADEMAS. Mr. Chairman, I ask unanimous consent that the amendment of the gentleman from Florida be re-reported, because we are not sure what is proposed.

The CHAIRMAN. Is there objection to the unanimous consent request of the gentleman from Indiana?

There was no objection.

The Clerk re-reported the amendment.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

The effect of this amendment would be to leave it up to the State educational authorities under plans to put the money into the States anywhere they wanted to place it.

The gentleman in the amendment makes some effort to set up some priorities for the distribution of the funds but this body would have no assurance that funds would be placed where they are needed. Moreover, this amendment is contrary to the principle in the bill of reaching the educationally deprived or handicapped child wherever that child may be located.

Therefore, Mr. Chairman, I ask the Committee to vote down the amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, an examination of the report will indicate that most of the factors that the gentleman from Florida [Mr. GURNEY] has advanced as those he would like to have taken into consideration in the allocation of funds are now provided for in the allocation of funds within a county. In a good many of our States, even within counties, there is a great disparity between school districts. However, this legislation attempts to direct the distribution of funds in title I down to the county level, leaving to the States the devising of a formula for distribution within the counties. I think it is at once apparent that it is unwise to follow any plan where you would pit one county against another county in seeking to set up a priority system for the division of the moneys that would otherwise go to county A, by dividing it among counties B, C, and D, we would immediately create a system, in each State, of competition among the counties for the allocation of funds that would make the present sweepstakes we have in many State legislatures with regard to the millage formula and its composition look like a Sunday school field day. Rather than an orderly distribution of these funds to the areas where they are most needed; I think it would introduce a new element of competition between the districts that would destroy the purpose of the act and fly right in the face of everything the gentleman from Minnesota [Mr. QUIE] and the gentleman from New York [Mr. GOODELL] have said they agree ought to be accomplished in the distribution of these funds.

Mr. GOODELL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, those who are striving to defend the bill as it comes to the floor without change are continually finding themselves going around in circles and coming back and meeting themselves again in their arguments. When I offered an amendment that would permit the direct allocation based on census figures to the areas in need, it was opposed because it was too inflexible. Now we have an alternative to that which is more flexible. It permits the States to take a reading and, with the permission of the Commissioner of Education, to concentrate and focus funds within the State in the areas of greatest need. We have heard the gentleman from Michigan [Mr. FORD] and others talk about the slum areas and the need to put more money there. This amendment would permit them to do that. Instead of sending the money automatically to the richer areas of the State, the State would have the option of submitting a plan to the Commissioner of Education which would say, "Here is the area of greatest need. Let us focus and concentrate on it and accomplish something there." It does exactly what the gentlemen on the other side of the aisle are constantly saying they want accomplished, those from the urban areas. It would appear, in putting all of the arguments together here from the other side of the aisle in opposing Republican amendments, that they simply do not want priorities. They want no priorities. They want the money spread as widely as they can. Get everybody in on the act and give everybody a little bit of this money. That is a very poor way to try to accomplish a simple objective of uplifting those areas and those schools and those pupils who have inefficient and inadequate schools. Spread it to the richest areas as well as the poorest areas. Give no one any discretion in the matter.

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

Mr. GOODELL. I yield to the gentleman from Florida.

Mr. GURNEY. Mr. Chairman and Members of the Committee, it seems to me that the only argument that has been made in opposition to this amendment is this one: It assumes that the State school boards will somehow be political log-rollers here and be entirely unfair in the presentation of their plans and in the distribution of the funds within the school districts within the State. First of all, Mr. Chairman, I do not think that that is a valid assumption at all.

But, even if it were—even if it were—I suppose you usually have a plan that was submitted to the Office of Education that was unfair to the school district in the State of Kentucky——

Mr. PERKINS. Mr. Chairman, that is not my contention.

Mr. GURNEY. Or, in the State of Florida or in the State of New York?

Mr. Chairman, what would happen in the practical politics of the situation?

Mr. Chairman, the school districts and their representatives in the Congress of the United States and their Members in the House of Representatives, would point out this inequity and this is unfair, and this is the manner in which it would be met, as indeed it always is, in legislation upon any vote where Federal funds are going to the States.

Mr. Chairman, I submit that this argument that the school board in the first instance would be unfair and completely political and partisan, as a practical matter 435 Members of the Congress representing districts from all over the Nation represent the effective balance to any local ruling such as this.

Mr. Chairman, we believe the amendment to be sound. It does provide flexibility and it does answer this argument which has been batted back and forth all day long here today and yesterday to the effect that there is an inequity in the distribution of these funds and that some of these funds go into areas where they should not go.

Mr. Chairman, we know that this represents an inequity as now contained in the bill, but this is the manner in which to correct it.

Mr. GOODELL. Mr. Chairman, the gentleman's amendment provides at the very end thereof that any reallocation must be approved by the Commissioner.

So, Mr. Chairman, you have a final guarantee, from the gentleman's viewpoint, that nothing untoward is going to take place in line with what has been stated in opposition to this amendment.

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

Mr. GURNEY. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I would agree with the gentleman from

New York if we had originally adopted this formula which we have made and committed to all of these local educational agencies all over the country which are expecting one-half of the State average to be funded.

Now, we are proposing to take some of them—and we have a long way to go in order to correct any inequity—but the formula contained in this bill, the formula which the gentleman from New York [Mr. GOODELL] helped to write, effective in 1968, provided the additional money, by putting the floor under the poor districts, without making any funds available for the other districts with reference to the impoverished.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GOODELL. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. The answer to the gentleman on this question is that, first of all, the Commissioner has to approve it; so that if there is any inequity in any school system that is proceeding now with programs, the Commissioner has it within his authority to protect them and to see that such program is implemented, if the gentleman is simply interested in protecting them.

Mr. Chairman, in the second place, the States are not interested themselves in disrupting programs that are now going on and into which money is now going in support thereof.

Mr. Chairman, I believe we can assume that the States will want to protect their programs too. This is within the discretion of what the gentleman from Kentucky is saying.

However, this is what troubles me so. Once we commence the program, we apparently cannot diminish the amount of money going into any single school district or into any single county, since it is the desire to keep any money flowing. Even though the money may be flowing into low-priority areas and wealthy areas, where they do not have the need demonstrated, it must continue to flow ad infinitum. Does the gentleman from Kentucky disagree with that appraisal of his position?

Mr. PERKINS. Mr. Chairman, if the gentleman from New York will yield further, permit me to state that it is the principle of this legislation to stress the impoverished children wherever they may be located, whether they be in a wealthy district or located within a poor district.

Mr. Chairman, I feel that poor educational districts should be given priorities and it may be necessary to take funds away from wealthier districts that have impoverished children, and where they are relying upon those funds.

Mr. GOODELL. The gentleman should not confuse this 1968 amendment with the Quie amendment allocating increased money to poorer States. In effect, we have recognized this principle partially for the States in the Quie amendment. This amendment is trying to recognize it within the States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. GURNEY].

Mr. GURNEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GURNEY and Mr. PERKINS.

The Committee divided; and the tellers reported that there were—ayes 43, noes 85.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 41, strike out lines 9, 10, and 11 and insert in lieu thereof "shall be $2,000 for each of the three fiscal years ending prior to July 1, 1968."

Mr. QUIE. Mr. Chairman, during the course of the debate the gentleman from Michigan [Mr. WILLIAM D. FORD] asked me where the money was going to come from to pay for my amendment which was adopted in committee which would permit the poorer States to raise the money which they would receive under the formula to the national average. As I mentioned, I offered in committee an amendment to delete the increase in low income factor to $3,000.

So what this amendment does is to go back to the present act as it operated in 1966 and as it will operate in 1967, only counting the children of families with incomes of less than $2,000 and those on AFDC.

The result would be a saving of about $450 million.

I think in 1968 the expenditure of money that will be made under the formula will be sufficient and in order to stay within the recommendations of what the President has been talking about, and not getting expenditures way out of line, this is an amendment which should be adopted.

We have a problem in this title in that there is no dollar authorization, but actually we go by the formula and it would depend on what percentage of the formula the school receives, depending on the amount of money the Committee on Appropriations gives to the Office of Education.

So, Mr. Chairman, what this does is to prevent a change in the formula and count only the children from families of $2,000 and not those between $2,000 and $3,000 in 1968.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we have worked diligently on this formula and we feel we have an equitable formula. With the raising of the low-income factor from $2,000 to $3,000 effective in 1968, we would not only make it possible for the program to more effectively cope with the special educational needs of youngsters but also in many districts make it possible to extend the program to many children who could benefit but are not now participating.

I certainly feel it would be an injustice to undertake to interfere with the present formula which governs allocations.

Therefore, Mr. Chairman, I ask that the Committee vote down the amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, I move to strike out the last word and rise in favor of the amendment.

Mr. Chairman, in conversations I have had with my colleague, the gentleman from Minnesota [Mr. QUIE], previously I agreed with him on this amendment. It had been my plan to fight vigorously when this legislation was up for renewal to see that this change is made prior to the effective date of the changes in the proposed legislation.

For this reason I would support the amendment at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The question was taken; and on a division (demanded by Mr. QUIE), there were—ayes 29, noes 40.

Mr. GOODELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GOODELL and Mr. PERKINS.

The Committee again divided, and the tellers reported that there were—ayes 47, noes 71.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 46, after line 3, insert:

"LIMITATION ON GRANTS

"SEC. 112. Amend section 207(a)(1) of such Act by striking out the period in the first sentence and inserting: '; except that the aggregate amount of all such payments shall not exceed $1,070,410,000 in the year ending June 30, 1967.'"

Mr. QUIE. Mr. Chairman, what this amendment would do is to bring title I of the Elementary and Secondary School Act back to the the budget figure recommended by the President in his budget message.

The estimate I see here on title I at present is $1,363,962,696. The budget request which the President made was $1,070,410,000.

The amendment would bring it back to that level. I believe it would be a responsible act on our part, to have in the authorization bill for the present fiscal year, 1967, the exact budget request, and not go over what the President recommended.

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

Mr. QUIE. I yield to the gentleman from Kentucky.

Mr. PERKINS. I seek to find out how the gentleman attempts to cut it back, whether in the elementary and secondary, or the impacted program, or across

the board. What would be the approach?

Mr. QUIE. This amendment goes to title I of the Elementary and Secondary School Act, 89–10. The figure I have is that the bill before us would put into title I of the Elementary and Secondary School Act $1,363,962,696, but the President asked only $1,070,410,000.

Mr. PERKINS. I am sure the gentleman realizes that the only place we are above the recommended authorization figures in title I are attributable to the amendment concerning the current AFDC data, which will cost about $100 million to bring up to date. Is the gentleman proposing to cut out the AFDC?

Mr. QUIE. No. I do not propose to change the formula at all. As I saw the estimates, the administration would fund about 85 percent of the formula.

Mr. PERKINS. The gentleman is taking that approach? That is what I seek to find out.

Mr. QUIE. That is right. This would put it in a dollar figure. It would do the same thing as we would do if the Appropriations Committee sent us a supplemental appropriation bill of $1,070,410,000 for title I.

Mr. PERKINS. This is making an across-the-board cut.

Mr. QUIE. To title I only.

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

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman's amendment would take an across-the-board approach, which the President apparently took in preparing the budget. This is about $300 million, to come from title I, that the President did not budget.

The gentleman talks about being $100 million over the President's budget. The figures in the President's budget, as I understand it, are $1,070 million for title I. In this bill there is $1,363 million for title I.

The President had in mind, apparently, as the gentleman in the well indicated, the application of an 85-percent formula in title I instead of 100 percent.

Whatever means is taken, it is precisely the means the President has recommended in stating his budget figure.

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

Mr. QUIE. I yield to the gentleman from Kentucky.

Mr. PERKINS. I am sure the gentleman realizes we cannot afford to take the budget figures, but we have to take what the amounts add up to according to the administration recommendations and our recommendations. As I read the figures, the administration recommendations were for $1,230 million.

Mr. QUIE. That is not what the President requested in his budget message. Since then he has called the Members of the Appropriations Committee, and other colleagues, and has pleaded with them. He said that over the air, and said it to the American people. My constituents say to me, "How can you vote for anything over the President's budget? He has the responsibility to prevent the kind of inflation that will increase the costs of things schools have to purchase."

Mr. PERKINS. We voted to build schools all over the world, in the foreign aid program. It would seem to me that what we have authorized for our needy schools in title I would be a minimum figure.

We should authorize every penny of the $1,363 million. Therefore, Mr. Chairman, I oppose the amendment of the gentleman.

Mr. QUIE. It is a question, Mr. Chairman, of whether one wants to support educational legislation within the budget of the President or go beyond it. At this point, with the trouble we are having with fiscal integrity in this Government, we ought to stay within the President's budget.

Mr. GOODELL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I will not take the full time allotted me but simply state that the President has made a variety of appeals to the Congress to stay within the budget figures. He has indicated we are in a very serious economic situation and we must hold expenditures within reasonable levels. Your President and our President has appealed to the Congress to stay within these budget figures. The bill before us, in title I, is almost $300 million above what the President has budgeted. The President has requested that we try to meet our obligations here and control inflation by holding Federal expenditures within reasonable limits. The President obviously had in mind applying a percentage formula to the title I allocation, which can easily be done. The President was aware of how much this was going to cost when he sent his budget up here. He has specifically indicated he would hold it within that figure. Mr. QUIE's amendment would put the ceiling right there at the budget level.

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

Mr. GOODELL. I yield to the gentleman.

Mr. PERKINS. I am sure that the President of the United States does not want to cripple the school program in this country.

Mr. GOODELL. At that point I will say to the gentleman that he is saying that the amount that the President budgeted would cripple the school program in this country. I do not believe that. I think the President budgeted this keeping well in mind that this would keep the program moving at a reasonable level, uncrippled.

Mr. PERKINS. Let me say to the gentleman, that we must not lose sight of the fact that if it were not for the unswerving dedication of our great President to the cause of improving American educational opportunities we would not have had this law last year nor this bill on the floor today. At a minimum, all we are proposing to do here is to carry out the program of last year with some additions, such as, requiring the use of current AFDC data and adding certain categories I know the gentleman does not oppose, like the neglected and dependent children, the Indians, and the children of migratory workers. Therefore, I say again that I oppose the gentleman's amendment.

Mr. GOODELL. The gentleman from Minnesota [Mr. QUIE] indicated that his amendment would not affect those areas you are talking about but simply go on the basis of what the President recommended in the budget figures as what is necessary in title I. We will authorize that amount and we will not go the $300 million above that amount that the committee has recommended here.

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

Mr. GOODELL. I am glad to yield to the gentleman.

Mr. COLLIER. I might suggest that in looking at the last release that I received in my office, possibly some of the areas that might be cut would be projects recently approved for about $77,000 to establish a center for visual arts, music, and dancing. Another one that might be cut is one that deals with outdoor camping programs in Topeka, Kans. There are several that could be cut back without crippling the program, I suggest to the gentleman.

Mr. GOODELL. I would urge the adoption of the Quie amendment in support of the President.

Mr. PERKINS. Mr. Chairman, I rise to oppose the amendment and I urge that the Committee vote it down, because we cannot afford to finance school programs at 75 percent or 85 percent of the cost. We are reasonably near the administration's recommendations and the departures in my judgment have been dictated by needs disclosed in our committee's extensive study of this legislation. The gentleman's proposal is a meat ax approach in trying to reduce all of the local educational agencies back to 85 percent.

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

Mr. PERKINS. I yield to the gentleman.

Mr. GOODELL. I am interested in the gentleman's phraseology "reasonably within the President's figures." The committee increased the President's figures by about one-third, in the sum of almost $300 million for title I of the Elementary and Secondary Education Act alone. There has been no dispute about that. It certainly does not seem to me that it is reasonably within the President's budget figures.

Mr. PERKINS. The gentleman is high, but we did increase authorizations where the judgment of a majority of the committee felt it was necessary.

After we heard the evidence, we felt that we should use current data on aid to dependent children in the formula. This represented one of the areas into which we thought we should go and as a result the authorization was increased. So that represents one of the reasons why we increased the authorizations over those recommended by the President. The most substantial departures from the administration's recommendations were in the impacted areas legislation.

At this point I would like to insert a table of comparative authorizations:

Authorizations—Elementary and Secondary Education Amendments of 1966

[In millions]

Public Law 89-10	1966	1967	
		Administration recommendations	House committee
Title I	$1,190	$1,230	$1,363
Title II	100	105	105
Title III	100	150	150
Title V	25	22	30
Total	1,415	1,507	1,648
Impact aid:			
Public Law 874	388.0	183.4	450.5
Public Law 815	50.08	23.0	58.0
Total	438.08	206.4	508.5

Mr. MEEDS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to get this back into the proper perspective.

Mr. Chairman, I agree with the chairman of the subcommittee, the gentleman from Kentucky [Mr. PERKINS], when the gentleman talks about a meat-ax approach, because if this amendment is adopted that is certainly what its adoption would represent.

Mr. Chairman, I would like to bring out the fact that under this bill in 1966 we authorize in title I $1,190 million.

Under this amendment and the amendments which we are proposing, the total authorized would be $1,360 million. That money would go into programs which have been talked about here today, support for the Indian children in the amount of approximately $10 million, support for the migrant workers' children in the amount of approximately $40 million, support for the handicapped to the extent of anywhere from $30 million to $40 million, and then the big amount of about $96 million with reference to the AFDC figure.

Mr. Chairman, I do not know where the gentlemen on the other side of the aisle get their figures, but the proposal of the administration this year is for $1,230 million under title I.

Mr. Chairman, this bill, and the amendments thereto would carry $1,363 million, which is $123 million over the proposal of the Bureau of the Budget.

Mr. Chairman, the amendment of the gentleman from Minnesota, three-hundred-and-some-odd-million dollars, and the adoption of the proposed amendment would definitely represent a meat-ax approach.

Mr. Chairman, if the gentleman is looking at the entire bill, the gentleman is correct. This is about the amount by which it is over the total budget, but that comes in another section of the bill, the impacted areas section of the bill, which we shall be discussing later.

Mr. Chairman, I believe if the gentleman is saying, "Let us just knock out three-hundred-and-some-odd-million dollars from this section," it represents a meat-ax approach.

However, Mr. Chairman, if the gentleman is saying on the other hand, "Let us take away from these fine programs," it represents a poor approach and I suggest that we vote against the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The question was taken; and on a division (demanded by Mr. GOODELL) there were—ayes 29, noes 56.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 45, line 13, strike out "paragraph" and insert "paragraphs" and following line 19 insert: "(11) that priority shall be given to those applications of local educational agencies which propose to establish or expand programs of preschool education."

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes in support of his amendment.

Mr. QUIE. Mr. Chairman, what this amendment would do is to require the Commissioner of Education, when he approves grant requests, or the State education department when they approve requests for the school districts, to give priority to those applications which propose to establish or expand programs of preschool education.

As you know, all the requests cannot be granted. Some of them will have to be turned down. In making that determination we are just giving this guide to the Federal Commissioner of Education, and the department of education commissioners of each State, on where the emphasis ought to be.

One of the problems, as I stated before, has been that many people have not been aware of the potential of preschool education, and the parents of the poor children who are educationally deprived, in making preschool education available, beginning at the age of 3, I would say. Also, poor people just do not have the political force in their local communities to bring about preschool educational programs.

As we know, in some of the wealthy areas they have had preschool programs for some time, nursery schools for their children. This amendment would give the kind of encouragement that I believe we ought to have in title I in the preschool programs.

As I said earlier, this will improve the other grades once the recognition is made of the potential in the preschool training.

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

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. Mr. Chairman, I strongly support the gentleman's amendment.

Mr. Chairman, if I may I would like to take this time to answer the gentleman from Washington. I did not understand previously when he said we were not cutting almost $300 million out of title I, but he said that total cut was from the whole bill. The committee's own sheet, which I have in my hand, on title I shows $1,363,962,696. The President's budget is $1,070,460,000 for title I. I think the figures are clear—$293 million over the budget in title I alone.

Mr. QUIE. Mr. Chairman, I would say to the gentleman that I secured all my information from the Democratic side, and I would expect that the figures are accurate when I secured the information from that side.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment. I am sure the gentleman is aware that we on this side share his concern as to preschool programs. But I would have to object to the amendment for two reasons.

In the first place, in section 134 of title III of the committee bill, we give consideration to the problem to which the gentleman's amendment is addressed when we provide that "the Commissioner must give special consideration to the application of any local educational agency for a supplementary center project which is making a reasonable tax effort but is unable to meet critical educational needs," and at this point the bill says "including preschool education."

There is a second reason I would oppose the gentleman's amendment, and that is for the same reason that I have had to oppose a number of amendments on the other side, and that is that they would unduly restrict the local public school districts in determining for themselves what their own educational needs are.

My view is perhaps the reverse of what is commonly but erroneously thought to be the attitude of the two political parties in our country as to the role of the local public school agency.

In this connection it is interesting, I think, Mr. Chairman, that time after time we on this side have today voted to defend the autonomy of the local public school district and against efforts to weaken or destroy it. This is the reason I am very much opposed to the gentleman's amendment and I urge its defeat.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The question was taken; and on a division (demanded by Mr. GOODELL), there were—ayes 23, noes 56.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GURNEY

Mr. GURNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GURNEY: On page 55, strike out line 23 and insert: "for the fiscal year ending June 30, 1968, such sums as the Congress may hereafter authorize by law."

Mr. GURNEY. Mr. Chairman and Members of the House, this amendment is certainly clear and I will not use the entire time.

What this amendment does is limit the authorization authority for the supplemental educational centers to 1 year,

that is this coming fiscal year, instead of, as the bill now provides, for this coming year and also for the fiscal year 1968.

It seems to me this is a sensible thing to do. This is an experimental program and I would remind the House it is a brand new program that we started out in the past year with $100 million. This bill provides for upping the amount to $150 million this coming fiscal year which seems to be a very healthy increase. It does not seem wise at this time to go on and make the authorization for 1968, which raises the amount to $575 million.

As a matter of fact, that is an increase of $425 million—nearly a half billion dollars.

I would like now to turn to the committee report where it talks about the supplementary educational program and read a little bit from what it says.

It says for example that projects under this title may be used "to encourage imaginative approaches."

Then it goes on to say, "these projects could include, for example, construction of educational parks and other experimental demonstration facilities."

It goes on further in the page to say, "the educational park concept may well offer exciting possibilities in such areas."

Well, it may be that they are exciting and they are imaginative—let us hope that they are. Let us hope that they come up with ideas that assist us in this program.

But let us also not forget that one of the primary reasons we sit here in the House of Representatives and each year sit as authorization committees is to go over in careful detail what these programs are doing. In the year after we take a look at what we authorized, and see how it worked.

Here above all in this particular bill where we have a brand new experimental so-called exciting, imaginative program—it seems to me it is not too much to ask the House of Representatives or the Committee on Education and Labor to come back here next year and to see what we did with $150 million before we authorize another $575 million.

This amendment does not propose to cut a thing out of this bill. It does not propose to cut any program out of this bill. The only thing it asks us to do is to come back here as a House of Representatives next year and in a responsible way and in a way that I think our people sent us here to do, to take a look at this program and see if it is working well.

Mr. Chairman, I hope the amendment is adopted.

Mr. O'HARA of Michigan. Mr. Chairman, I rise in opposition to the amendment.

The amendment offered by the gentleman from Florida tells a little more really about the gentleman's attitude toward this bill than it meant to tell. I note with some interest, if I understand his amendment correctly—and I hope he will tell me if I do not—that his amendment proposes to cut out the 1968 authorization for title III. Is that correct?

Mr. GURNEY. That is correct.

Mr. O'HARA of Michigan. Do you propose to cut out the second year authorization for title I?

Mr. GURNEY. No, the amendment provides only that the authorization for the supplementary education centers for 1968 be cut out. It does not disturb the bill at all in its present form for the next fiscal year.

Mr. O'HARA of Michigan. That is interesting because it is not only title III, of course, that has a 2-year authorization in the bill; it is title I, it is title II, it is title IV, and it is title V that have 2-year authorizations. The gentleman from Florida is not talking about making a 1-year bill; he is talking about making it a 2-year bill, except to cut the second year completely out of a title that he apparently does not favor.

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

Mr. O'HARA of Michigan. I yield to the gentleman from Florida.

Mr. GURNEY. I do wish to correct the gentleman in his assertion that I propose to strike this out simply because I do not like the title. That is not the case at all. The difference, as I see it, is this. I can understand an argument that it is advisable to have a 2-year authorization for these school programs that affect every school district in the United States; that it is a good idea to permit school districts to make their plans for the future for 2 years instead of 1. I can understand that argument. But I do not think that that argument at all applies to a brand new experimental program as is proposed in this particular title and, as I see it, that is the difference.

Mr. O'HARA of Michigan. I think there is a difference all right, but it runs a little bit the other way. The fact is that in title III we started off approving only planning grants. We said that we are not going to approve the actual operating programs because we want first to start off small. First, we will give small grants to school agencies to develop their plans for their supplemental educational service centers. Then in the second year we are going to go on, and we are going to permit the initiation of some of these actual services that have been authorized under title III.

Incidentally, of the $150 million authorized for fiscal 1967, $125 million of the $150 million has already been committed in the planning period. There would be only $25 million in this current fiscal year for the approval of new plans.

Then, if you go on into 1968, when the program ought to be reaching its fruition, unless you authorize the appropriation of the additional amounts that are provided for in this bill, you would have to, in effect, cut back somewhat on the plans that have already been approved and which are being carried into effect.

One of the troubles we had with the poverty bill is that we tried to start off all at once. We started right off in the beginning with practically the full amount that we intended to devote to the program. We did not start off small and try to get our troops in order before we started funding any sizable programs. We have taken the sensible approach in title III, and the gentleman's amendment would in effect threaten the commonsense approach that we have taken.

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

Mr. O'HARA of Michigan. I yield to the gentleman from Florida.

Mr. GURNEY. As I followed the gentleman's description of this particular program in relation to the supplementary education centers, it is that this past year we did planning, and this next fiscal year of 1967 we are going to fund some of the plans that were made.

As a matter of fact, I believe on page 23 of the report it is set out that we are funding approximately 1,000.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(On request of Mr. GURNEY, and by unanimous consent, Mr. O'HARA of Michigan was allowed to proceed for 2 additional minutes.)

Mr. GURNEY. Now I ask my question. Why would it not be a sensible thing, since we have gone only through the planning stage and in the next year will go through the first stage, to see how these things work? Why is it not sensible for the committee to come back next year, and for the Congress on the recommendation of the committee to see how these things have worked for the first time, because they have not been tried before? They won't get a chance to work until this coming year. Why is it not sensible to come back and take a look for the first time to see how they have worked, before we give them $425 million in addition?

Mr. O'HARA of Michigan. I assure the gentleman we are not going to give any money to any program that is not working.

The gentleman's amendment in effect would say that any school district which does not have a title III application already approved can forget about title III, because there will not be any room for any more title III applications. Of the $150 million authorized, $125 million has been committed to projects approved during the past fiscal year. There would be no room for new approvals. We would be shutting out any school district which might have a good title III plan, however good it might be.

I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. GURNEY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. COLLIER

Mr. COLLIER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLLIER: On page 59 at end of line 16, insert the following: "Whenever a program or project requiring an aggregate funding of $50,000 or more is approved by the Commissioner under Part C entitled 'Supplemental Educational Centers and Services' of all proposed salaries and other expenses or such program or project shall be published in a newspaper of general circulation in the district in which it is to be carried out."

Mr. COLLIER. Mr. Chairman, I do not believe that this amendment needs

any clarification. It simply provides the means by which the average citizen, who certainly has the right to know the cost of any tax-financed program, will be properly informed.

Particularly under the supplemental and educational centers title of this bill, which was title III of the original bill, there will be countless programs and projects of every conceivable nature scattered across the face of the country. Let me point out that many have already been approved for school districts with average income levels far above the national average. In fact, there are many that could only be classified as wealthy school districts by all national standards.

As some Members may or may not know, the number of $100 per day consultants in these programs runs from 3 to 10, for periods of 40 to 60 days.

It has been my experience that many knowledgeable people are not aware of the details of the programs for which school administrators apply for Federal money—much less an accounting of the manner in which these funds are to be expended. Let me say that the merit of any program is not the question as affected by this amendment. Instead, it is just a case of giving the people information in any area which it has been the right and even the responsibility to have. Furthermore, I think that this amendment will serve as a check and double check for each local community in addition to being informative to those who are vitally interested in their local school systems and their activities.

I cannot believe that there is a Member of this House who believes in the purpose of this program and in education in general who could question the good sense of such a provision in this bill.

In fact, I am sure if any of you were to ask any of your constituents if they favored this amendment, they would invariably say they would support it. Therefore, I urge its adoption, particularly since the multitude of applications and approvals in the future will demand a program of educating the citizenry with regard to the education of their children.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, aside from the fact that I think the gentleman's amendment discriminates against the great radio and television industry in our country and denies it the largesse that might be afforded if his amendment were adopted, I think there is another important reason why his amendment should be defeated. That is that nowhere does it suggest, nor does the gentleman suggest that this kind of an amendment ought to be applied to other Federal grant-in-aid programs such as the urban renewal program, the aid to airports program, water pollution, public works, college housing, agriculture, the entire gamut of Federal aid programs. It is only those programs the chief beneficiaries of which are the schools and schoolchildren of the country to which the gentleman addresses himself. I think, as the gentleman suggested, that the amendment is clear on the face of it. I think, on the face of it, it ought to be defeated.

Mr. WATSON. Mr. Chairman, I rise in support of the amendment.

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

Mr. WATSON. I will be happy to yield to the gentleman.

Mr. COLLIER. Mr. Chairman, let me say I am sure the gentleman from Indiana who just spoke is quite aware of the fact that in many areas it is required by law that there be printed in newspapers of general circulation such information as I have provided would be supplied in that manner in my amendment. I know of nowhere in any of these compulsory legal notice laws where it is required that it also be shown on television or announced by radio. So I would think that his argument is rather facetious indeed.

Second, as far as publishing the figures on other types of programs is concerned, I can assure the gentleman that if he would join with me in such amendments I would be delighted to have this type of information published on any Federal program. I think I have illustrated the need for this provision because these are community programs. I am certain that the gentleman who just spoke cannot give me the type of breakdown of expenditures on any program in his district of the type covered by my amendment. Let me cite a personal experience as an example of the need for this provision in the law.

Recently I wrote to an assistant superintendent of schools in order to get a breakdown of this information on a project approved upon his application. I was advised only that he had complied with title III of the bill and received a formal "thank you for your interest." Subsequently I sent a member of my staff over to the Office of Education. She spent one and a half hours attempting to get the figures that were necessary to evaluate the funding of the program. When she finally returned to my office with figures, they did not jibe with those released. An hour and a half later I received a call from HEW in which they provided a revised set of figures—and, mind you, this was by telephone—which did correspond with the original figures on the application. Now, if that is not evidence of the need for this amendment, then I can only say that the majority of the Members of this House just do not care whether the people of this country are entitled to know how their tax moneys are being spent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. COLLIER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODELL: On page 55, strike out lines 22 and 23 and insert: "and for each of the two succeeding fiscal years."

Mr. GOODELL. Mr. Chairman, unless there are questions or comments, I shall not take the full time allotted to me in the offering of this amendment.

Mr. Chairman, this amendment would have a simple impact.

Title III would be held at its present level of $100 million for the next succeeding fiscal year. It would bar expansion of title III, as proposed, to $575 million in fiscal 1968, as well as to $150 million in fiscal 1967. I believe the amendment should be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODELL: On page 57, strike out everything following line 9.

Mr. GOODELL. Mr. Chairman, this amendment would strike the addition to present law, as offered in the committee bill by the gentleman from Michigan [Mr. O'HARA].

It strikes a section, if adopted, which would increase the powers of the Commissioner of Education with reference to title III projects.

Mr. Chairman, it proposes to strike the entire section which gives the Commissioner the authority to determine what overcrowding of schools is, or what unsafe schools are, or what obsolete schools are, and what a reasonable tax effort locally is.

Mr. Chairman, if adopted, my amendment strikes the authority and the obligation of the Commissioner to give special consideration to ratification for grants in areas of this nature.

Mr. Chairman, this is the section which the gentleman from Michigan [Mr. O'HARA] earlier amended down to eliminate the language about "racial imbalance."

Mr. Chairman, from the very outset many of us on this side were philosophically concerned, and in terms of the implementation of this act, primarily with the expansion of the authority granted to the Commissioner of Education in a broad field in title III.

And, of course, this is implementing the section by a boost in money to title III from $150 million this year to $575 million next year, a very sizable boost of 3½ times.

Mr. Chairman, obviously there are great plans for this particular section of the bill in fiscal 1968 that requires such a boost in the amount of money authorized.

Mr. Chairman, I would hope that we could strike the "O'Hara section" entirely and limit the Commissioner to the powers he now has, which powers are ample in themselves—in fact, excessive.

Mr. WILLIAM D. FORD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not use all of the time allotted to me, but I would call the attention of the Members to the existing act, Public Law 89–10, which is being amended further under the bill now pending before us.

Mr. Chairman, I would like to call the attention of the Members of the Committee of the Whole House on the State of the Union to page 57 of the bill now pending before us and, further, to call attention to the fact that the gentleman from New York [Mr. GOODELL] has spoken several times on yesterday and today with reference to this section of the bill.

Mr. Chairman, the gentleman from New York [Mr. GOODELL] has offered the amendment in several different ways, and it has been defeated upon each occasion. However, each time he has tried to leave the impression that this is a new section of the bill and one which stands all by itself.

This is not the situation.

Mr. Chairman, if the members of the Committee of the Whole House on the State of the Union will look at line 15, they will see set forth the general usage of Federal funds under title III which carries the increases in funds for title III that have heretofore been mentioned.

Mr. Chairman, we are directing the Commissioner, in the examination of applications for grants under title II, to give special consideration to those applications which come from local educational agencies which meet certain specifications and that he give special attention thereto.

If you read further, the bill says we are asking the Commissioner and directing him, as a matter of fact, that he must give special consideration to applications made by any local educational agency which is making a reasonable tax effort. That means a local educational agency which he finds to have already sought remedies to their problems by taxing their own constitutents, but which is nevertheless unable to meet its critical educational needs, including preschool education.

We have hard Mr. QUIE and Mr. GOODELL both say that nothing could be holier than preschool education. And we are saying in this section that the kind of application that ought to get priority in a title III application is, first, the school district that has tried by local efforts to meet its needs and, second, in spite of that effort is unable to meet its needs, and third, is trying with this application to put a preschool program into effect.

In addition to that, we provide for a special consideration for a school district that is suffering from a lack of facilities, the facilities it has are obsolete and unsafe, and otherwise unsuitable for continued use as a school, and particularly for those school districts where we have overcrowded classrooms.

Now, every one of the purposes of this section have been advocated by both of the gentlemen who have been carrying on the minority side of this debate during the past 2 days.

What Mr. GOODELL would do, would be to remove from this bill the principal improvements of the bill that would give special consideration to those districts without regard to the existence of poverty, or the nonexistence of poverty.

I yield to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. I thank the gentleman for yielding.

In the first place, I would like to correct the record. This is the first amendment I have offered to this title. And none of the other amendments I have offered——

Mr. WILLIAM D. FORD. Let me apologize to the gentleman, because they have come so fast that I am not sure who offered them. But this is the fourth time that the same effect would have been accomplished by amendments offered by your side.

Mr. GOODELL. Will the gentleman yield?

Mr. WILLIAM D. FORD. I yield.

Mr. GOODELL. As far as I am aware, the only amendment that has been offered to the O'Hara section here are the two offered by Mr. O'HARA himself, one that changed this particular section, and the other that added the overall prohibiton against the use of funds for busing.

But let me say further to the gentleman that he raises the question of preschool and early school. Mr. QUIE and I are obviously very much in favor of preschool and early school. We are not in favor of inserting it into every section and every law that comes to this House where it affects education or——

Mr. WILLIAM D. FORD. Mr. Chairman, I do not choose to yield further to the gentleman at this point if the gentleman's intention is to say that he is in favor of the preschool system only as a part of title I, and tied directly to the poverty children. I think the record should be abundantly clear that title I is not based on the same things as title III. The gentleman has spent all day here, and yesterday, trying to expand the preschool program in the poverty areas, and now the gentleman is speaking against a preschool program in a section of the bill that does not depend upon poverty as a condition precedent for eligibility.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GURNEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment.

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

Mr. GURNEY. I yield to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. I thank the gentleman.

Mr. Chairman, the gentleman from Michigan who interrupted me, after yielding to me, prevented me from finishing my thought. I would just like to have the RECORD clear on this point.

We have a serious problem in implementing preschool and early school programs now, because you have them funded out of poverty money, and also out of education money. They are not properly coordinated.

We have ample evidence of the chaos and confusion that has been created by this administrative monstrosity.

With two different agencies in Washington spending funds entirely independently for different types of programs, with different standards for their preschool and early school programs, we tried in the poverty legislation to combine these two and we still want to combine them into a single program.

But when you are for preschool and early school programs, it does not mean that you want to put preschool and early school programs into every agency of the Government and have them all uncoordinated. What we would like to do is to put ample money into a single program, with single standards, that can be understood at the local level and administered effectively without waste and inefficiency in the process.

Second, if the gentleman is saying that we should spend money for Headstart preschool-type programs for youngsters who are not poor and for youngsters who are not deprived, when we have 1,100,000 youngsters who are deprived and who are poor reaching the age of 4 every year—I disagree absolutely.

I think the high priority should be for deprived youngsters. The high priority should be for the poor youngster and there are 1,100,000 of them reaching the age of 4 every single year.

The maximum we are going to reach under the poverty program and under this program as funded today is around 550,000 in a summer program. So that means you are going to reach, hopefully, about half of those in need for a short summer period.

We do want to give the first priority to the poor youngsters and to the deprived youngsters. I believe very much in the preschool programs for all youngsters but I do not believe that when we are appropriating Federal money we should give it to all the youngsters until we have taken care of the deprived youngsters.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The question was taken, and on a division (demanded by Mr. GOODELL), there were—ayes 23, noes 52.

Mr. GOODELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed Mr. GOODELL and Mr. PERKINS as tellers.

The Committee again divided, and the tellers reported that there were—ayes 40, noes 89.

So the amendment was rejected.

Mr. POWELL. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. POWELL. I should like to ask the gentleman from Minnesota whether we can agree to close all debate at 7 o'clock.

Mr. QUIE. If the gentleman will yield——

Mr. POWELL. I yield to the gentleman from Minnesota.

Mr. QUIE. I would prefer that we finish consideration of the amendments that the gentleman from New York [Mr.

GOODELL] and I are offering earlier than that, so that some of the Members who are not on the committee will have an opportunity to offer amendments. I feel embarrassed that the committee members should take all the time on amendments, not permitting time for others.

I should like to confer with my colleague.

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

Mr. POWELL. I yield to the gentleman from New York.

Mr. GOODELL. Each of us has only one more quick amendment of this type.

Mr. POWELL. Did the gentleman say "fairly queek"?

Mr. GOODELL. "Fairly queek" and quick. In my own instance I doubt that I would take the full 5 minutes. We could dispose of those amendments and give an opportunity to those who are not on the committee to offer other amendments. I think we will probably finish before 7 o'clock.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 56, after line 22, insert:

"REQUIREMENT FOR STATE PLAN

"SEC. 133. Section 304 of such Act is amended by—

"(a) striking out the sentence of subsection (a) beginning 'Such grants may be made' and inserting in lieu thereof 'Such grants may be made by the State educational agency in accordance with a State plan approved by the Commissioner for carrying out the purposes of this title.';

"(b) striking out of subsection (a) 'Such applications shall—' and inserting in lieu thereof 'Such State plan shall—';

"(c) striking out 'Commissioner' each time it appears in subsection (b) and inserting in lieu thereof 'State educational agency';

"(d) striking out 'his' in paragraph (6) of subsection (a) and inserting in lieu thereof 'its';

"(e) striking out 'applications', 'application', and 'an application' each time they appear in subsection (b), and by inserting in lieu thereof, respectively, 'State plans', 'State plan', and 'a State plan';

"(f) striking out paragraph (4) of subsection (b).

"SEC. 134. Section 305(a) is amended to read as follows:

"'(a) From the amounts apportioned to each State under section 302 the Commissioner shall pay to the State educational agency of each State an amount equal to the total sums expended by applicants to carry out the purposes set forth in applications approved in accordance with the State plan.'"

Renumber the remaining sections accordingly.

Mr. QUIE (interrupting the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota? Without objection, it is so ordered.

There was no objection.

Mr. QUIE. Mr. Chairman, the reason why I made the unanimous-consent request is that the remainder of the amendment is that it is just conforming.

What my amendment would do is to provide for State plans in title III.

I have received recommendations, especially from State commissioners of education. They wish to have a voice in developing the projects in title III.

The way it is now, all the State can do is to recommend whether a proposal requested under title III meets with their approval. Some of those 27 in number that have been approved by the U.S. Commissioner have not been recommended by the State. For the most part they have been recommended by the State. Only 40 percent of those, however, recommended by the State have finally received approval by the Commissioner.

I believe the arguments for this amendment are compelling. It would permit the State education agency to exercise proper legal control over the operation of the public school system. It would plan effective use of the funds to coordinate the centers with the other educational programs of the State.

The only reason I can see for having the concentration of power in the U.S. Commissioner of Education, as presently is the case, is his attempt to coordinate the local supplemental centers with the federally established regional centers under title IV. I believe, if this is desired, it could easily be accomplished by the U.S. Commissioner of Education dealing with the State departments of education.

The desirable innovations in education I believe should be tested on a statewide basis. As a result, that would give the kind of strength to the State departments of education that we desire by the expenditure of money under title V of the act, which Republicans have supported.

We have heard from State administrators in various parts of the country. I cite as an example Superintendent Donovan of New York City and Superintendent Allen of New York State, who testified that the program would be administered better at the State level. As they both said, it is closer to Albany than to Washington. I know in Minnesota it is a lot closer to St. Paul than to Washington.

For this reason, I believe this would be an effective amendment and we ought to adopt it.

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

Mr. QUIE. I yield to my colleague from Minnesota.

Mr. MACGREGOR. I have been in communication both personally and by letter with some 20 school superintendents and assistants in my district. Four of them mentioned the subject matter of the gentleman's current amendment as the most pressing need in improving and revising Public Law 89-10.

I strongly support the amendment offered by the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. In closing, Mr. Chairman, let me say we have suggested numerous amendments this afternoon. This is the last amendment I will offer to title I. I believe this is the most important amendment I have offered this afternoon, because it would enable the States to assume responsibility for title III which they must assume if title III is to be used effectively, especially since the House has decided to keep the O'Hara amendment.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. BRADEMAS. I yield to the gentleman from New York.

Mr. CAREY. I thank the gentleman.

Mr. Chairman, on page 22 of House Report 1814, on H.R. 13161, there is criticism of section 118.11 of HEW regulations on title III, concerning participation of non-public-school children in supplementary centers and services. The regulation provides that subject to local determination by the local public educational agency:

Supplementary education services * * * shall be provided on publicly controlled premises, but also such services may be provided on nonprofit private school premises if such action is indicated to assure the success of the projects or the effective participation in such services or activities by children enrolled in nonprofit private schools * * *.

The report erroneously indicates that the regulation is incompatible with congressional intention and inherently contradictory.

Both statements are in error. There is no contradiction. All the regulation provides in very simple English is that on the basis of local determinations, supplementary educational services may be provided on publicly controlled premises but also on those of nonprofit private schools if it will assure success of the project. What could be simpler—or clearer?

The regulation also is wholly consistent with the declaration of the Congress in 1965. Report No. 143 on the Elementary and Secondary Education Act of 1965, March 8, 1965, made clear the congressional intention when it stated on page 17:

It is intended that the local public education agency through its preserved autonomy over local school matters will have wide latitude in fashioning programs of direct benefit and advantage to elementary and secondary school pupils regardless of whether they are enrolled in public schools.

These sentences are in context with other paragraphs which make clear opportunity to offer a diverse range of educational experience including making available special equipment or specially qualified personnel, such as artists or musicians on a temporary basis to public and other nonprofit schools, organizations, and institutions.

It goes on to say:

Title III could provide for the establishment of instructional materials centers in our cities and states for the purpose of furnishing modern instructional equipment and materials to the schools in those areas * * *.

All this means is that the local public educational agency is free to determine the best method of bringing the supplementary services to the children regardless of their school enrollment.

If the regulations were altered to preclude sending an orchestra or other enriching element to the children in private schools, it would be widely at variance with declared congressional intention—and at the same time educationally awkward and restrictive.

These services are not contributions to institutions—but to children.

Mr. BRADEMAS. Mr. Chairman, I agree completely with the gentleman from Minnesota that it is important the States have a voice in the title III programs.

I would draw to the gentleman's attention page 98 of the report, in which the language of the present act is to be found. He will notice that one of the requirements for applications to be approved by the Commissioner is that the application has been submitted for review and recommendation to the State educational agency.

So, in point of fact, the States do participate in the shaping of these programs, and they are afforded a full opportunity to make their views known.

The gentleman from Minnesota knows, I believe, that he and I are in agreement on the importance of strengthening State departments of education. Indeed, I was the one in our committee, when this bill was first written, who offered an amendment to raise the authorization originally recommended in title V, because I felt so strongly about the importance of strong State departments of education.

There is another reason why the gentleman's amendment would be unwise and it is that all the State departments of education in our country are not as strong as is the State department of education in the State of New York.

The fact is that many of them are not as well staffed, let us say, as the department in New York State is to be able effectively to exercise a final veto of title III programs.

There is another reason why I oppose the gentleman's amendment. It is that this title III program is one that so far has worked very well indeed. There have been practically no complaints. The gentleman cited one, and I have agreed with him on it and expressed a judgment as to why I think it came from the State of New York. I think the gentleman would be interested to know that the Office of Education has funded only 27 projects which were not recommended by the States, which represent about 1 percent of the 2,700 title III applications in the United States.

Mr. QUIE. Mr. Chairman, will the gentleman yield there?

Mr. BRADEMAS. Yes. I yield to the gentleman.

Mr. QUIE. The gentleman's remarks may give the wrong impression. I think it amounts to 2.5 percent. Not that it makes a great deal of difference. It is 2.5 percent; that is, of the 1,030 centers approved.

Mr. BRADEMAS. I do not want to go to conference on the figures with the gentleman, but these are the figures that the Department of Health, Education, and Welfare has given me, and I can say that it is a modest percentage.

Mr. QUIE. Just run the arithmetic through your head once, if you will.

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

Mr. BRADEMAS. Yes. I yield to the gentleman.

Mr. GOODELL. It is apparently the same department that gave Mr. O'HARA the erroneous information that none of the programs that had been disapproved by States had been funded. This I hope is the accurate figure, but at any rate it is the figure that I have.

Mr. BRADEMAS. The final point I would make in opposition to this amendment is a very simple one. It is the one that I have made in opposition to a number of amendments on the other side. Once again an effort is being made apparently to diminish and erode and weaken the initiative of the local school districts. That is another reason I urge defeat of the amendment.

Mr. O'HARA of Michigan. Mr. Chairman, I rise in opposition to the amendment.

I just wanted to point out, Mr. Chairman, that some States I understand now have State laws prohibiting a local school system from complying with the antidiscrimination requirements associated with obtaining Federal grants under this act. To require State approval before a school district could have an application approved would be to permit such laws to operate so as to exclude all districts in that State from the benefits of the act.

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

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. QUIE. I do not understand the gentleman's objection when title I already requires State approval. There seems to be no constitutional or statutory complication there in the State.

Mr. O'HARA of Michigan. I think if the State statutes to which I have referred had been enacted before we acted in committee on title I, we would have been wise to adopt some different provision on that. I certainly do not want to make all title III grants subject to State approval when I know that there are States that have specifically forbidden their school districts from qualifying for title III assistance. I do not want to see that kind of an action succeed, and I am sure the gentleman does not. Therefore, I hope the amendment will be defeated.

Mr. GOODELL. Mr. Chairman, I rise in support of the amendment.

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

Mr. GOODELL. I yield to the gentleman.

Mr. QUIE. I would like to speak to the question of whether we are taking authority away from the local school districts, which has been their right, to determine the local educational system. One must understand the education systems in the States. Local school districts exist because the States permit them to exist. We have State systems of education in the country and the State legislature has the final say. The State can change the local school district, as we have seen. In some of the States, when they wanted to move from the small school districts to large ones, they went to the county system of school districts. Each county has a school district. To give the authority to the State strengthens the responsibility of the people in the local community, because they then can coordinate the effort from one school district to the other, and we see these efforts going on in many of the States. I know in my own State when we had large numbers of small districts we had to go through a consolidation and coordination program to bring them down to a consolidated area. The State was involved in bringing this about. This plays into the hands of more responsibility on the part of the States with this amendment. Either the State does it or the Commissioner of Education and I have more confidence in each State.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The question was taken; and on a division (demanded by Mr. GOODELL) there were—ayes 29, noes 51.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODELL: On page 57, after line 9, insert:

"APPROVAL BY STATE EDUCATIONAL AGENCY

"SEC. 134. Section 304(b)(4) of such Act is amended by striking out 'has been submitted for review and recommendations to the State educational agency' and inserting in lieu thereof 'has been approved by the State educational agency'."

Renumber the remaining section accordingly.

Mr. GOODELL. Mr. Chairman, the previous amendment which was offered by the gentleman from Minnesota [Mr. QUIE] would have given the States considerable option in developing their own programs.

Mr. Chairman, this amendment is simpler than that. It requires, in title III with reference to supplementary centers, that the proposals be submitted to the State educational agency for review and recommendation.

Mr. Chairman, as has been indicated, in at least 27 of the cases that have been funded so far, the States having recommended against a program, the Commissioner has approved them.

This does not point up the other cases that are much greater in scope and frequency, cases where the State recommended programs that the Commissioner did not approve.

In any event, Mr. Chairman, the purpose of my amendment, if adopted, would simply require, under title III, that these programs be approved by the State educational agency and not just submitted to the State for recommendation.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The question was taken; and on a division (demanded by Mr. GOODELL) there were—ayes 20, noes 49.

So the amendment was rejected.

Mr. GOODELL. Mr. Chairman, I move to strike out the last word.

I just want to say we are not holding the Members here and offering an amendment several times. That was the first time that amendment has been offered, or anything similar to it. This is an act of earnestness and sincerity on our part. We believe this program should be redirected, and we are not offering repetitive amendments. We have not offered repetitive amendments.

Mr. Chairman, I yield back the balance of my time.

Mr. BUCHANAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to call to the attention of the Committee, the New York States Supreme Court ruling, in August, voiding the law requiring public schools to lend textbooks to non-public-school pupils, and ruling that financial help to a pupil is in fact the same as financial help to the school.

This casts a serious question on the child benefit theory which I think the Committee ought to take under advisement.

I understand in this bill there is no direct aid for any sectarian school. There is, however, provision, for example, for a public teacher to instruct a special class in such a private school, or for a library service such as "lending" textbooks to the library of a private school for the use of the students there, or other services not offered by the private school itself. For example, there could be a mobile science lab that goes to the private school.

I call, therefore, to the attention of the Committee the fact that a question has been raised about the validity of the child benefit theory by a State supreme court. And, second, that there have been questions raised about the implementation of this act to date by some of the very religious leaders who raised no objection to the passage of the act in the first place.

For example, in the colloquy last year the Baptist Joint Committee on Public Affairs' position was brought out by the chairman of the full committee, indicating from this that the Baptists of this country approved the act. I challenged that statement then, as I would now. But it is true that the Baptists' joint committee raised no clear objection to the act itself. They have, however, this year, raised a question about its implementation by the Commissioner. The record of that body's positions and actions in this connection to date is recounted in the following staff report:

A SUMMARY AND BACKGROUND REPORT TO THE BAPTIST JOINT COMMITTEE ON PUBLIC AFFAIRS ON ITS INVOLVEMENT IN THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

(Staff report from the office of the Baptist Joint Committee on Public Affairs, Washington, D.C., Sept. 21, 1966)

TESTIMONY, 1965 AND 1966

The Baptist Joint Committee was not totally unprepared for the educational whirlwind that hit the 89th Congress in its opening months. Following the 1964 elections it became clear that a major effort for education legislation would be made early in the next session of Congress. Dr. Carlson spent a large part of the month of December 1964 working up a Staff Report on "Education Prospects in the 89th Congress." A review of this Staff Report, issued January 4, 1965, reveals clear discernment about the prospects for education in the 89th Congress. All evidence pointed to the conclusion that an education bill would be enacted at this first session of the 89th Congress.

Realizing the emergency nature of the situation, a meeting of the Executive Committee of the Baptist Joint Committee was held on January 6, 1965. Dr. Walter Pope Binns was the chairman of the Committee. At this meeting the following principles were agreed upon for guidance of the staff:

1. Shared Time, or dual enrollment as it is now called, is a concept that needs to be experimented with, but it needs to be watched carefully.

2. The child benefit theory is valid, provided it is within limitations.

3. Community centers or educational institutes should provide resources for enrichment for the people of the whole community.

The minutes of the Executive Committee state: "It was also agreed that the staff should be authorized to express these positions as assistance to those drafting legislation, in testimony before congressional committees, and in releases to leaders among the Baptist constituency and other denominations."

The basic positions on the various provisions of the Elementary and Secondary Education Act of 1965 (ESEA) taken by the Baptist Joint Committee and its staff are seen in testimony by its executive director before the General Subcommittee on Education of the House Committee on Education and Labor on January 28, 1965. A few days later on February 2 he appeared before the Subcommittee on Education of the Senate Labor and Public Welfare Committee.

The approach to federal aid to education embodied in H.R. 2361, H.R. 2362, and S. 370 were so different from the traditional approaches, that Dr. Carlson urged upon both the House and the Senate "the importance of taking time enough so that communication, deliberation and understanding can take place." But Congress and the Administration were in such a hurry that the bill was introduced, hearings held, actions in both houses of Congress completed, and signed into law by the President on April 11, 1965, in less than three and one-half months.

In his testimony before the House Committee Dr. Carlson pointed out several church-state weaknesses in the Administration's bill, and made constructive suggestions for correction of these shortcomings.

He enunciated the principle of channeling public funds through public agencies for public purposes.

On dual enrollment (parochial children taking part of their instruction in public schools) Dr. Carlson said: "'Dual enrollment' can well be defended as the right of all children to the programs offered in the public schools, and, in this instance, to programs financed by Federal funds properly distributed through public channels to the public school districts and carried out in public facilities."

He warned against using a concept of "mobile educational services" that might be administered in such a way as to make the services of public personnel and materials "a part of the church program." Likewise, he warned against provisions in community action programs that would give private agencies veto power over public programs.

For the provision of textbooks and teaching aids for pupils in private schools, Dr. Carlson strongly urged the public library concept. Specifically he said, "If a State library system is needed, it would not be difficult to make it clearly a public library geared to the needs of the populations involved. Equitable policies of administration would be needed, but there need be no problems of 'allocation' if the materials are for the person and not for the institution. No religious institutions would acquire property at public expense, and no public funds would be used to meet institutional program needs. The State could keep complete control of the spending of the funds, the ownership of the property and the terms on which personal use is made of it. Furthermore, there would be no religious issues raised because the materials are public school materials. And, best of all, there would be no eroded confidence resulting from charges of evading the law."

Dr. Carlson further urged that the proposed supplementary educational centers and services "be under responsibile public guidance."

A year later (March 7–30 in the House and April 1–22 in the Senate) hearings were held involving the extension of, and amendments to, the Elementary and Secondary Education Act of 1966. Although the Baptist Joint Committee's executive director did not testify before the House General Subcommittee on Education, an exchange of telephone conversations and letters between Dr. Carlson and Congressman PERKINS, committee chairman, did take place.

Dr. Carlson made it clear that he was not satisfied with the manner in which the ESEA had been administered the first year as far as the practice of church-state relations was concerned. His view was that the Office of Education was not administering the Act according to the intent of Congress. Congressman PERKINS responded by asking for specific evidence that the charges were true.

At the time of the hearings it was too early for either the government or private agencies to have an adequate survey and report of the actual practice in the administration of the ESEA in the various states. However, the staff of the Baptist Joint Committee, along with other private agencies, undertook to make a limited survey and to report later their findings to the Congressional committees involved. The findings of the survey by the Baptist Joint Committee will be reviewed later in this Staff Report.

In a statement filed May 10, 1966 with the Subcommittee on Education of the Senate Committee on Labor and Public Welfare, Dr. Carlson opposed a four-year extension of the ESEA and asked for an annual congressional review of the administration of the Act. He presented to the Senate committee the resolution on the ESEA approved by the Baptist Joint Committee in its March 1966 meeting along with the tentative report of the survey of practices in 15 states. (A summary of both of these items will be found later in this Staff Report.)

In his pleas for only a one-year extension of the ESEA Dr. Carlson said: "An additional year of development will serve to provide enough actual experience with the Act to make more thorough and representative local evaluations possible. The Act has been indicted at a number of important points. These cannot be evaluated until local practice is fully established and until regulations and guidelines have been improved on the basis of experience."

TENTATIVE RESULTS OF SURVEY

Following the hearings in the House and prior to the hearings in the Senate on the "Elementary and Secondary Amendments Act of 1966" the Baptist Joint Committee staff made a survey of 15 states, inquiring about the church-state practices in the administration of the ESEA. Dr. Walfred H. Peterson, director of research for the Committee, made a report of his findings in a

paper entitled, "Some Data on the Elementary and Secondary Education Act."

In his introductory remarks Dr. Peterson said: "What follows is a statement of some tentative results of field studies and brief field reports on the operation of Title II, the library resources title, of the ESEA. 'Tentative' is underlined, because only 13 state studies and reports, which vary greatly in thoroughness, are in hand. . . . This provides enough material to yield only trial conclusions and impressions which must be further tested against additional and more complete state studies."

Dr. Peterson then expressed five tentative impressions as a result, of his study.

First, there is much evidence that the purpose and pattern of Title II of the Elementary and Secondary Education Act is widely misunderstood. The purpose is to provide library resources for pupils and teachers of all schools. Some communities are using the funds for building up the libraries of private schools.

Second, there is some indication that administrative practices being developed do not operate to implement the public library pattern.

Third, three reports show that in some measure state administrative problems may relate to the inadequacy of Office of Education directives.

Fourth, there appears to be developing a practice of dividing up materials between pupils in public and private schools on a per capita basis.

Fifth, it is likely that non-circulating materials such as encyclopedias will be placed on the shelves of private school libraries.

Dr. Peterson concluded, "Unfortunately, the early indications are not encouraging to those who put a clear separation of church and state high on their list of values. The early indications seem to show that the Office of Education does not give decisive guidance to the states and localities, and the states and localities do not carefully review the church-state theory on which the Act passed. As a result some of the press and the public think of the Act as incorporating grants to church-controlled elementary and secondary schools."

ACTIONS OF BAPTIST JOINT COMMITTEE

At its March 1965 meeting the Baptist Joint Committee discussed at length the Elementary and Secondary Education Act that was currently before Congress. The minutes of the Executive Committee of January 6, including the positions of the Executive Committee and the activity of the staff on the ESEA were thoroughly reviewed. There was a consensus giving approval to both. When the Baptist Joint Committee met in October 1965 the ESEA had been enacted into law, but the administrative principles being worked out by the Office of Education had not yet crystallized.

However, by the time the Baptist Joint Committee met for its March 1966 session, the ESEA had been in operation almost a year and Congress was considering amendments to the Act and a proposed four-year extension. Dr. Carlson reported to the Committee that "some difficult problems had developed in the administrative regulation and guideline procedures." He asked for guidance from the Committee before presenting testimony at the hearings. He reported: "A look at the regulations and guidelines shows that the intent of Congress, as stated in the House and Senate reports and from our reading of the law, has been significantly violated." A nine-page Staff Report reviewed the "Church-State Issues Related to the Implementation of the Elementary and Secondary Education Act."

As a result of the report of the staff to the Baptist Joint Committee and the ensuing discussion, the Committee adopted the following resolution:

"RESOLUTION CONCERNING THE ELEMENTARY AND SECONDARY EDUCATION ACT AND ITS ADMINISTRATION

"While the Baptist Joint Committee on Public Affairs has never taken a stand on the 'child benefit' theory related to the First Amendment, the Joint Committee assumes that constitutional soundness of parts of the Elementary and Secondary Education Act is determined by the manner in which these parts of its provisions square with that theory. The Joint Committee noted the care used by the House and Senate 'Reports' in explaining several provisions of the Act in terms of that theory. In light of the floor debates on the Elementary and Secondary Education Act, we believe that the Congress passed the law because it believed the 'child benefit' theory had been properly regarded in the drafting process at critical points.

"The Baptist Joint Committee has been disappointed that the regulations and guidelines of the Office of Education do not show the same careful regard for implementing certain sections of the Act according to the limits of the 'child benefit' theory. We recognize that there is difficulty involved in properly administering this pioneering Act, and, therefore, we have exercised caution in the complaint just voiced. However, we note a pattern in the regulations and guidelines which defines the scope of some federal aids so that they become benefits to non-public schools. The effect is to violate the 'child benefit' theory as it has been developed by the courts and as it was expressed in the House and Senate 'Reports.'

"We cite some examples of problem areas:

"The definitions in regulations for Title I of 'special educational services and arrangements' and of 'mobile educational services and equipment' we feel differ from the explanation of these provisions in the 'Reports' and in floor debate. The difference would be toward aiding non-public schools.

"The impact of the Guidelines and of administrative practice for Title II would violate the public library ideal that inspired that title. We think the placing of materials for very extended periods of time in non-public school libraries when some of those materials do not circulate and when all of those materials are not catalogued for readily available public reference violates the intent of Congress and constitutes an improper aid to those schools.

"The definition of 'dual enrollment' in the regulations for Title III turns that term into 'shared use of public facilities.' We think the qualification 'under public auspices' will not be very meaningful in the actual experience of many localities. The Regulation, which is intended to describe the use of Title III services for public and non-public school students, is contradictory and offers no meaningful check on the use of those services on non-public school premises.

"In sum, the possible aids the Act provided for students and teachers in non-public schools are stretched at several points. The final effect is to do more than the 'child benefit' theory would reasonably allow.

"We do not think that administrative efficiency or convenience or financial economies warrant this violation of what we think is the meaning of the establishment clause.

"The Baptist Joint Committee on Public Affairs calls attention to these issues in the confidence that the General Subcommittee on Education will exercise strict legislative review of the rules and practices of the Office of Education in light of the original intent of Congress. Given the unsatisfactory nature of the administrative interpretation of the Act, we think that an annual Congressional review is still needed. We oppose a four-year extension of the authorizations for the Act until these administrative problems have been solved.

"We also urge the appropriate agencies of the Baptist Conventions to engage themselves in the local and state educational problems in an effort to achieve the needed extension of public education without violation of the Constitutional principle involved."

Another voice of caution raised this year was that of John J. Adams, associate director and legal counsel of Americans United, in testimony before the Senate Education Subcommittee of the Committee on Labor and Public Welfare this year. I include his statement herewith, noting that it was made before the New York State Supreme Court ruling to which I earlier referred:

STATEMENT ON S. 3046 OF JOHN ADAMS, ASSOCIATE DIRECTOR AND LEGAL COUNSEL OF AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE, BEFORE THE EDUCATION SUBCOMMITTEE OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE

My name is John J. Adams. I am Associate Director and legal counsel of Americans United for Separation of Church and State, an organization which, under its charter, has as its only concern the preservation of separation of church and state as derived from the First Amendment to the Constitution of the United States and constitutions of the several states.

Because of serious church-state questions existing under Public Law 89–10, which S. 3046 seeks to extend for four years, this organization urges that (i) only a one year extension be recommended by this Subcommittee and (ii) an extensive investigation and study of Titles I, II and III of Public Law 89–10 be undertaken to ensure that in the administration of this law church-state violations are avoided.

With less than one year of administration of Public Law 89–10, widespread concern exists among many groups over the present implementation of the Elementary and Secondary Education Act of 1965. Central to the enactment of this Act was the "child benefit" theory. This concept avers that the state may extend certain welfare aids *to the students* attending church-related schools without violating the strictures of the First Amendment.

Reconciliation of this concept, however, with the United States Supreme Court's prohibition in the *Everson* case of 1947 against aid to "an institution which teaches the tenets and faith of any church" is not always easy.[1] The difficulty may be best illustrated by reference to one provision included within the Elementary and Secondary Education Act of 1965. Title II of this Act, provides for grants for the acquisition of "school library resources, textbooks, and other printed and published instructional materials" for the use of children and teachers in public and private elementary and secondary schools. Such use is to be on a loan basis.

The loan of textbooks to students in those private schools which are church-related is said by some to have constitutional precedent in *Cochran* v. *Louisiana State Board of Education*, 281 U.S. 370 (1930). There the Supreme Court upheld a Louisiana statute permitting the loan of texbooks to parochial school children. However, as the Court had not as yet applied to the states through the 14th Amendment the establishment clause of the First Amendment, the constitutionality of that texbook loan law was decided only on the narrow ground that it did not violate the 14th Amendment's protection

[1] *Everson* v. *Board of Education*, 330 U.S. 1, 8–9, (1947).

against the taking of private property for private use. In short, *Cochran* was not a First Amendment case.

Nevertheless, its rationale is illustrative of the severe limitations of the "child benefit" theory when tested against the *Everson* prohibition against aid to sectarian schools. In a three-page opinion, without any lengthy and scholarly discussion of the religious issue as was done 17 years later in *Everson*, the Supreme Court quoted from the Louisiana State Supreme Court opinion the following passage:

"The schools . . . are *not the beneficiaries* of these appropriations. They obtain *nothing* from them, nor are they *relieved* of a single obligation because of them." Id. at 374 (emphasis added).

The *Cochran* case mentions nothing about library resources, which are provided for along with textbooks in the 1965 federal education law. Clearly, stocking a parochial school library through books purportedly loaned to students would directly aid the institution. Contrary to the finding in the *Cochran* case, with respect to textbooks previously purchased by students, furnishing dictionaries, encyclopedias, reference books, maps, the complete works of William Shakespeare, as well as the works of Thoreau and Emerson, for the use of students in a parochial school library would, in the words of the *Cochran* case, "relieve" parochial schools of this present institutional obligation. Certainly no pupil has ever been required in a parochial school to provide his own library.

Hence, absent a strict adherence to the "loan" to students concept embodied in the 1965 educational Act, unconstitutional aid to religious institutions is certain to occur. With this in mind, the regulations of the Office of Education promulgated under this Act become crucial.

Section 117.5 of the regulations of the Office of Education incorporates language of the Act in an attempt to ensure that the funds appropriated will not inure to the benefit of any private institution, while at the same time making the materials purchased available for the use of children and teachers in all schools.

In this vein the regulations provide that (1) the library resources, textbooks, and other instructional materials are "to be made available to children and teachers and not to institutions"; (2) such materials are to be made available only on a "loan basis"; (3) title and administrative control over such materials must remain in public authorities; (4) all materials "must be that approved for use by public school authorities in the State"; and (5) the materials provided must not "supplant those being provided children but must supplement library resources, textbooks, and other instructional materials."

However, not mentioned anywhere in the regulations is the concept of a "central library system" stressed in the Report of this Committee.

In its report this Committee suggested that the State plans implementing this Title might seek "to utilize or establish a central public depository within a school district or within an area to serve more than one school district from which all elementary and secondary schoolchildren and teachers could 'check out' library resources, textbooks, and other instructional materials." Senate Report No. 146, p. 23. The Report further indicated that such procedures "would assure the state authority an appropriate accounting for the use of the material and its proper return for reassignment." *Ibid.*

The Committee Report further states, "with the strict conditions which have been imposed by the committee on the operation of Title II, in principle, its operation would not be different from the conduct of a public library program which makes available on a loan basis library materials, unrestricted as to content, to both public and private school students." *Id.* at 24.

Not only do the Office of Education regulations fail to mention this central or public library concept, they, in fact, seemingly attempt to discourage such a concept directly counter to the intent expressed in the Senate Report. Section 117.4(d) specifically provides, "The State plan shall contain an assurance that Federal funds made available to the State under Title II of the Act will not be used to supplant or duplicate functions of the public library system of the State."

Abandonment of the "central library concept" has, on the basis of present indications, resulted in library resources being placed in parochial schools on a "permanent loan" basis. Save for perfunctory inventory procedures, required by state agencies, such loaned library resources have for all intents and purposes become part of the library resources of parochial schools. The control over the use of the library resources is wholly subject to the rules and regulations of each parochial school, not public authorities as envisioned by the Act or the Regulations. For example, "the Official Policies and Guidelines Governing the Administration of Title II", prepared by the Texas Education Agency and approved in 1965 by the United States Office of Education, provides as follows:

"The procedure followed in making loans to pupils and teachers in non-public schools should permit the use of these materials on a comparable basis and under the same policies which are normally followed in their school building for materials purchased with private school funds." (Emphasis supplied.)

It is respectfully submitted that such abdication of public control over the use of library resources purchased with federal funds was not contemplated by this Subcommittee nor by the Congress when it enacted Public Law 89–10. Section 205 of the Act clearly states in respect to library resources that "the control and administration of their use, shall vest only in a public agency."

CONCLUSION

Similar church-state problems exist in the administration of Titles I and III of Public Law 89–10. As other witnesses before this Subcommittee either have or will testify to these problems, they need not be reiterated at this time. However, because of the concerns expressed, it is respectfully urged that before this Subcommittee extends the authorization of this Act for four more years, this Subcommittee should undertake a thorough examination of the law as presently administered to ensure that the First Amendment principles respecting church-state separation are being strictly observed.

Thank you.

Mr. Chairman, the committee ought to take under advisement the doubts raised concerning the validity of the child-benefit theory by the New York decision, and the questions raised concerning Commissioner Howe's implementation of the act, as to whether the Commissioner is staying within the guidelines provided him by the legislation as passed by the Congress, and within what the Congress has interpreted as the constitutional bounds of the child-benefit theory. The expansion of present programs in this area, without careful review and reconsideration seems extremely unwise. Their very continuation may well be halted by court rulings on first amendment grounds.

AMENDMENT OFFERED BY MR. FOUNTAIN

Mr. FOUNTAIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOUNTAIN: On page 63, after line 9, insert the following:

"PART G. COMPLIANCE WITH SECTION 602 OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

"SEC. 171. The Commissioner of Education shall not defer action or order action deferred on any application by local educational agencies for funds authorized to be appropriated by this Act or by any Act amended by this Act on the basis of alleged noncompliance with the provisions of title VI of the Civil Rights Act of 1964 unless and until, as provided by section 602 of title VI, there has been an express finding on the record, after opportunity for a hearing, that such local educational agency has failed to comply with the provisions of title VI."

And on line 10, strike out "G" and insert "H", and on line 11, strike out "171" and insert "181".

Mr. FOUNTAIN. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOUNTAIN. Mr. Chairman and Members of the House, this amendment means simply what it says. It means that just as local and State school authorities are required to comply with title VI of the Civil Rights Act so must Commissioner Howe, the Commissioner of Education comply with title VI.

As we all know, programs authorized under the Elementary and Secondary Education Act are subject to the provisions of title VI of the Civil Rights Act of 1964.

Title VI forbids racial discrimination in programs for activities receiving Federal financial assistance.

I think it might be appropriate that I read the pertinent portion of section 602 of title VI so that there will be no misunderstanding as to just what it does require.

I read as follows:

Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement.

Provided, however, That no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means.

In the case of any action taken terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action.

No such action shall become effective until thirty days have elapsed after the filing of such report.

That means action terminating or refusing to grant or to continue assistance. That is the action to which this provision has reference.

As I recall, when this act passed there were many Members of this body who

opposed the enactment of title VI because they were sincerely and deeply concerned that administrative officials might misuse it to arbitrarily and unjustifiably deny Federal funds to local governmental units which were not engaging in discriminatory practices. Congress recognized this concern by including specific provisions in title VI to prevent denial of Federal funds without due process of the law. The provisions, which are contained in section 602 of title VI, allow a Federal agency to terminate or refuse to grant Federal financial assistance to local governmental units only after there has been an express finding, after opportunity for a hearing, of a failure to comply with the nondiscrimination requirements of title VI. Section 602 further provides that no action to terminate or refuse to grant Federal assistance shall become effective until 30 days after a full written report of the circumstances and ground for such action has been filed with the appropriate committees of the House and Senate.

The Supreme Court has ruled that schools must be desegregated. Whether they agree with that decision or not, the overwhelming majority of the school officials and citizens of the South are complying with it. In most cases, southern school districts have complied by adopting and carrying out a "free choice" plan under which each student—or his parents—decides for himself which school he will attend. The Federal courts have repeatedly held that such a plan, if carried out in good faith, fufills legal requirements for school desegregation. The courts have made it clear that, so long as a truly free choice is offered, the amount of actual integration resulting from the choices of students does not matter.

In theory, the Commissioner of Education purports to follow court rulings by recognizing free-choice plans as an acceptable method of desegregating previously segregated school systems. In practice, however, the Commissioner has not been willing to abide by court rulings. Instead, he has demonstrated by his conduct that he is unwilling to accept free-choice plans unless they result in the amount of actual integration he wants.

In any proper legal proceeding, in view of Federal court rulings, it is extremely unlikely that an otherwise valid free-choice plan would be found to violate the requirements of title VI simply because it did not result in a large enough amount of actual integration to satisfy the Commissioner of Education. But this has not deterred Commissioner Howe from demanding—under threat of refusing Federal funds—that free-choice plans produce a percentage of actual integration sufficient to satisfy him, without regard to the wishes of the students concerned.

At least 70 school districts which are carrying out free-choice plans have been told by Commissioner Howe that they will be denied Federal funds for new programs unless and until they somehow force the transfer of more Negro students to predominantly white schools. Congress specifically provided, in section 602 of title VI, that Federal funds are not to be refused to any local school district unless and until there has been "an express finding on the record, after opportunity for a hearing, of a failure to comply" with the requirements of title VI. To the best of my knowledge, however, not a single one of the 70 or more districts which are presently being denied funds for new programs has been found, through the procedures required by section 602, to be engaging in discriminatory practices. Moreover, so far as I am aware, none of these districts has even been given an opportunity to defend itself at a hearing, as required by section 602.

Commissioner Howe piously contends that he is not actually "refusing to grant" funds for new programs to the school districts involved, since that would admittedly violate section 602. Instead, he says, he is merely "deferring" action indefinitely on applications for funds submitted by these districts. From the standpoint of the schools and students affected, of course, an indefinite "deferral" of action on an application for funds has exactly the same effect as a refusal. And no one knows this better than Commissioner Howe. His "deferral" action is a transparent attempt to evade the procedural safeguards established by Congress in section 602. If Commissioner Howe is allowed to get away with it, he will have succeeded in setting himself up as prosecutor, judge and jury and in deciding the issues without even allowing the defendant an opportunity for a trial.

Let me make it very clear that the school districts affected by Commissioner Howe's "deferral" orders have not refused to comply with the law. Every one of these districts, so far as I am aware, has taken steps to comply with the law by carrying out a free choice desegregation plan. I am not, of course, familiar with the circumstances involving all the school districts which have received "deferral" notices. I am familiar, however, with the situation in a number of North Carolina school districts which have received such notices. As far as these districts are concerned, it is my understanding that the Office of Education has no evidence whatever that the school officials have not acted in good faith to insure that students were given a free choice of schools. It is my further understanding that the Office of Education has not even received any complaints that these school officials have engaged in discriminatory practices. Instead, the deferral notices appear to be based on an examination by the Office of Education of reports filed by the school districts which did not show a sufficient number of Negro students in predominantly white schools to satisfy the Office of Education.

In my judgment, the "deferral notices" sent out by the Commissioner of Education are not going to result in more integration. School officials are willing to do what the law requires. They have demonstrated their willingness to carry out a good faith free-choice plan. But they are not willing to force Negro students to transfer to predominantly white schools—against their own wishes and the wishes of their parents—in order to comply with the arbitrary and illegal personal demands of the Commissioner of Education.

Unauthorized "deferral" action by Commissioner Howe may, however—if he is allowed to get away with it—have the effect of depriving needy children of the special educational assistance and adequate diets which Congress intended them to have.

In enacting title VI of the Civil Rights Act of 1964, Congress made it very clear that no local school district should be refused Federal financial assistance without due process of the law—so clear that the amendment I am offering should never have become necessary. However, Commissioner Howe has already defied the procedural safeguards of title VI by serving summary notice on at least 70 school districts that they will be denied Federal funds for new programs.

At the moment, Commissioner Howe's deferral notices affect only southern school districts. I hope, however, that my colleagues from other sections of the country will not make the mistake of regarding this as a southern problem. If Commissioner Howe is allowed to disregard due process of the law and attempt to exert personal control over schools in the South today, what will prevent him from doing the same thing in other sections of the country tomorrow?

My amendment does not change title VI in any way. It simply reaffirms and reasserts the clearly expressed intention of Congress that the nondiscrimination requirements of title VI shall be enforced in accordance with due process of the law. And it makes it unmistakably clear that the Commissioner of Education, as well as local and State school authorities must obey the law.

I see no logical reason why anyone, favoring title VI, should oppose this amendment.

Mr. ABBITT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Chairman, I wholeheartedly support the amendment offered by the gentleman from North Carolina [Mr. FOUNTAIN].

Many of us are alarmed about the action of the Commissioner of Education in his all-out effort to desegregate the public schools. If something is not done immediately, he is well on his way to wrecking public education. I am convinced that many officials connected with the Office of Education have very little interest in educating the youth of America but are more interested in integrating the children and the faculty.

For some time, I have been cooperating and working with other Congressmen from our general area of the Nation in trying to prevail upon Commissioner Howe to stop his harassment of the dedicated public school servants in our area. Last May, I along with several other southern Congressmen had a conference with Commissioner Howe and urged him to consider the educational

values of our schools and not dwell so much on his so-called guidelines. It was pointed out cogently to him that if his present practices were kept up he would not only disrupt our schools but he would set back public education if indeed he did not wreck the public school system of our area. We were given assurance that his whole idea was to educate our children and not wreck our public schools.

We have seen an arrogant display by the Office of Education in an attempt to coerce and blackmail public school officials into submitting to guidelines far more stringent and objectionable than was ever contemplated by the Congress when the law was enacted.

On more than one occasion, these so-called teams representing the Office of Education have set up certain guidelines and requests to the school officials. Then when accepted by the school officials before the week was out, these agents of the Office of Education would call back and demand further concessions.

Howe and his cohorts are going too far, too fast, and far beyond that authorized in the law. Apparently Howe has set up his own set of rules and intends to make himself czar and political ruler over the public schools of America.

I know of one instance in which these so-called agents complained because the people in the county were getting along too well, had too much harmony and cooperation.

Mr. O'HARA of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, before we can appropriately vote on this amendment I believe we have to know just what is being done and what change would be effectuated if the amendment offered by the gentleman from North Carolina were to be adopted.

Under the existing procedures of enforcement of title VI of the Civil Rights Act of 1964, if a school district fails or refuses to file an assurance of compliance with title VI, or if it files an assurance that is invalid on its face, or if the Commissioner of Education has reasonable grounds to believe that the assurance is not being carried out, then and only then may the Commissioner of Education defer the approval of the application from that school agency, and then only with respect to applications for new programs under which that district has not previously been funded.

If it is an old program, they will keep on getting the money. If the Commissioner of Education decides that they are not in compliance, he must keep on approving their applications, anyway, and keep them under the old program until he has gone through the hearing and appeal procedure provided under the Administrative Procedure Act.

However, with respect to a new application by a school agency under a program under which they have not been previously receiving help, the Commissioner, in accordance with the suggestions of the Attorney General of the United States, has adopted the procedure of deferring approval of that application and not sending the money to the school district if no assurance of compliance was given; if the assurance of compliance was invalid on its face; or if he has reasonable cause to believe that the assurance is not being executed.

Mr. Chairman, I think this is an eminently reasonable procedure. The change proposed by the gentleman from North Carolina is an attempt to direct that if a school district refused to file an assurance or filed an assurance that was invalid on its face or just plain defied the provisions of title VI of the Civil Rights Act, if it was an otherwise valid application for funds, the funds they sought would have to be granted. It would be up to the Secretary to hurry up then and try to get a hearing and make a determination so that he could stop the payments to the school district. I do not agree with the gentleman's interpretation of the Civil Rights Act. I do not think that his amendment would necessarily have that effect. But, of course, that is his intention. I think that the procedure that has been adopted is correct.

If no assurance is forthcoming or if it is invalid on its face or if there is reasonable cause to believe it is not being carried out, then we should hold up the approval of that application at least until an effort has been made to work the problem out so that the application can be approved. An application should not be approved until the Commissioner is satisfied that title VI will be complied with. I think that is the proper procedure. That is the procedure that is being followed now.

Mr. Chairman, I hope that the amendment will be rejected.

Mr. MEEDS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Washington is recognized for 5 minutes.

Mr. MEEDS. Mr. Chairman, I yield to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I hold no brief for or against Dr. Howe, but I do hold a brief for the integrity of title VI of the Civil Rights Act of 1964. I want to be sure that there is no attempt made to emasculate title VI of the act of 1964, but I think that this amendment would seriously affect the operation of that title. For that reason, despite my high regard and affection for the gentleman from North Carolina, I, perforce, must object to this amendment. In addition thereto, the Committee on the Judiciary has a subcommittee which is about to stage a hearing on so-called guidelines and operations under title VI of the 1964 act. It would be well, I believe, to wait until that inquiry is made and findings are developed by that subcommittee before we tinker with title VI.

The amendment, if adopted, would forbid the Commissioner of Education from deferring action or ordering any deferral of action in any application for funds authorized or to be appropriated by the bill now under consideration. This means that a local school district, submitting a new application for funding a new program under title I of the Elementary and Secondary Education Act of 1965, could deliberately refuse to furnish with its application an assurance of nondiscrimination, as is required by the regulations approved by the President, and would, nonetheless, be entitled to favorable action on the application and to the payment of funds for the program.

Title VI of the Civil Rights Act of 1964 requires that the Federal administrator of any Federal financial assistance to State-operated programs refuse such assistance under appropriate regulations to any applicant not complying with the nondiscrimination requirements of that title.

Obviously, the administrator cannot refuse funds after they have been paid. Accordingly, to make the provisions of the act of Congress effective, the Attorney General has instructed the heads of the various agencies administering programs of financial assistance that they may, for a limited period, delay the paying of funds under new programs until an administrative determination can be had on allegations that the recipients are not complying with the requirements of title VI.

Such delay, however, is permitted under the Attorney General's instructions only when the agency has clear reason to believe that there is noncompliance. The most obvious type of such noncompliance would, of course, be the failure to file the written assurance of nondiscrimination that is required by the regulations approved by the President. Even then, however, this delay, or deferral, in the payment of funds would apply only to new programs and would have no effect on the payment of funds in continuing programs already approved.

I would like to point out that under the administrative procedures that Congress has written into title VI, and the regulations of HEW approved by the President, it takes an absolute minimum of 110 days from notice of administrative hearing for noncompliance with title VI to final termination of funds. This means that an application for a grant which is to be paid in a lump sum could be made in utter disregard of the requirements of title VI, could show on its face that it was made in violation of title VI, and the administrator would, nonetheless, be obliged, were this amendment to be adopted, to pay out funds in violation of the clear mandate of this Congress contained in section 601 of the 1964 act.

I would also point out that the amendment would affect only one Federal program and would introduce a lack of uniformity in procedural rules which could itself lead to confusion in the administration of title VI.

Before this House adopts a proposal which would hastily change administrative procedures and would defeat the purpose of its 1964 enactment and could well result in the loss of rights of citizens who are entitled to the equal enjoyment of programs financed by Federal funds, I would urge that a careful study be made of whether any change in the present procedures is indeed desirable and, if so, what those changes should be. I do not believe we should indulge in legislating on this serious matter on

a program-by-program basis, but should take the time and care to devise the best and most just system that could apply to all Federal programs.

And for that reason I hope the amendment does not prevail.

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment; and this is a very difficult thing to do—to oppose the distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], an individual for whom I have a very high regard and a tremendous amount of respect—respect and admiration for his ability, his fairness, and his liberal views; but in my opinion the pending amendment concerns an attempt by an agency to amend the Civil Rights Act and by regulation this is what has been done.

Mr. Chairman, insofar as deferring action, I have yet to find any person downtown in an agency, or here, who has found any provision in the Civil Rights Act which gives an individual or agency the right to defer action with reference to the expenditure of funds in this case without an opportunity for a hearing.

Now, Mr. Chairman, I submit that there is no difference between the deferral of action on application for funds and the withholding of funds.

Mr. Chairman, I cite to the Members of the Committee the situation in Chicago when funds were withheld.

Mr. Chairman, let us bear in mind the provisions of the Civil Rights Act.

I voted for the Civil Rights Act. I think it is a fair law. It is needed.

Today, I support the Civil Rights Act. But the Civil Rights Act says that an agency cannot withhold funds unless—and listen—"unless there has been an express finding on the record after opportunity for a hearing of a failure to comply with such requirement."

But what does the regulation say that has been issued downtown? It says that they can "defer action." In other words, they can withhold funds on a "substantiated complaint, the agency's own investigation, or otherwise."

Will you please tell me what "or otherwise" means? That you can withhold funds on a new application, you can defer action on it on just a "substantial complaint, the agency's own investigation, or otherwise."

That is not the Civil Rights Act that we passed in this House. This is an amendment to the Civil Rights Act by the agency downtown.

I want to suggest one other thing as to the kind of an investigation, and how they can defer action. They can defer it on a substantiated complaint, or the agency's own investigation.

Now, I have not intended to use this, but I think the debate requires it, because of sustained objection to what seems to me to be a reasonable amendment.

We have memorandums that are signed by an investigative team from the Office of Education. Three people are sent in to a certain area, and they stayed for a total of 2 days. And after they were there in the school district for a total of 2 days, they apparently knew all about the problems of the district, and they knew all the answers. And so they wrote the memorandum and signed it:

All first-grade students shall attend X elementary school, and all second-grade students shall attend the Pearson Elementary School.

These students could be switched, that is, the first grade in Pearson, and the second grade at X school or both grades could attend other schools. All eighth grade students shall attend such and such a training school.

Talk about Federal control of education at the local level! Let me read further on in the memorandum as signed by three employees of the Office of Education:

There shall be at least one full-time regular classroom teacher at each school or there shall be at least two teachers at one school (full-time classroom teacher) and at least one full-time classroom teacher at each of two other schools. By full-time classroom teacher is meant a teacher teaching full-time at only one school. It is recommended that these teachers be in the schools with desegregated grades.

At another point in another memorandum signed by one member of the investigative team of the Office of Education the following language is found:

Faculty: There shall be at least eleven (11) full-time classroom teachers teaching in schools where their race is in the minority for the school year including if possible one white librarian in the Emanuel County High School (full-time), one Negro librarian in the Swansboro Elementary School (full-time) and one Negro shop teacher in Swansboro High School (full-time). All the other teachers shall be full-time regular classroom teachers. At least seven (7) schools including the above mentioned three shall have at least one full-time faculty member whose race is of the minority race at that school.

Mr. Chairman, where in the Civil Rights Act or in any education act passed by this Congress do we give authority to a team from the Office of Education to go into a school district and give such directions as these?

Section 301 of the elementary and secondary education amendments reads as follows:

In the administration of this Act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction of any school or school system of any local or state educational agency.

If the memorandum which I just read and the other parts of the six memorandums which I hold in my hand are not in direct violation of this law then I am simply not able to understand the English language. This is a direct attempt to exercise "direction, supervision and control of the personnel" of a local educational agency.

Now, I suggest to you—if the Office of Education sent to Portland, Oreg., a team of three people who would come into Portland and stay 2 days, and after they were there for 2 days they wrote out a memorandum to the school board, and the superintendent of schools at Portland, Oreg., saying what they "shall" do—not what they might do or what they could do, but what they "shall" do—I would consider it very presumptuous. I suggest, also, that any Member of this House would share that same disgust and anger if "a team" came into that person's district for a total of 2 days and suddenly found out all the answers on what "must" be done. I also suggest it is in direct violation of the section I quoted, section 301 of the Education Act.

May I repeat, the Department regulation states application for funds "may be deferred" if the head of the Agency has reasonable grounds based on the "agency's own investigation." This kind of an investigation?

Mr. Chairman, I support the pending amendment because I do not think this House would want the Civil Rights Act amended by regulation. That is all we are saying. We are saying that before there is any deferment of application for funds that they shall have the complaints on the record, and the local district shall have an opportunity for a hearing as the Civil Rights Act provides.

What is wrong with that? What is wrong with any city in the United States having this opportunity before their funds are withheld or before action is deferred? What is wrong with holding a hearing and allowing the people there to express their views, and present their side of the case?

This seems to me very fair and reasonable.

If there is a proven violation of the Civil Rights Act—yes—cut off the funds. But I do not think that we want to go beyond the Civil Rights Act. If we do—let us amend the Civil Rights Act by congressional action, not by Department regulation. Therefore, I support this amendment, Mr. Chairman.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of this amendment. We did study this whole subject very carefully. I think the question here today is whether or not we are going to keep the pledge we made in 1964 when we passed the Civil Rights Act and pledged there would not be any Federal interference with local communities in administering the Federal school aid program. We said then that Federal aid did not mean Federal control or interference in local school districts. And I intend to keep that pledge.

This amendment gives us an opportunity to keep that pledge.

The Office of Education came into Chicago and tied up for some time $31 million of funds—funds needed most desperately in areas of greatest need—and they did not give us a single word as to why these funds were tied up. It was not until we vehemently protested this holding up of funds and after the press of Chicago blistered the Office of Education that the funds were released.

There is nothing in the school act that gives them that right. And there is nothing in the Civil Rights Act that provides such arbitrary powers, but the Office of Education still held up the funds.

The legislation before this Congress now would guarantee that a local community will be told why funds will be tied up if it fails to conform with existing law and given an opportunity to conform before funds are cut off.

They did not have such power in the Education Act, so they went to title VI of the Civil Rights Act and they used that as the excuse for tying up Chicago's funds. But title VI specifically, as the gentlewoman from Oregon said, precludes and bars the holding up of funds until there has been a hearing and it says further, "That no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of a failure to comply with the requirements and has determined that compliance cannot be secured by voluntary means."

That was not done in Chicago.

The gentleman from New York, the distinguished chairman of the Committee on the Judiciary, spoke against this amendment. But I remember when the gentleman was managing the civil rights bill and when we discussed title VI—and I recall how he assured the House local communities would have all the opportunities spelled out in title VI to correct their shortcoming before any funds would be denied. It was on the strength of these assurances that we supported and enacted title IV.

This language was written into title VI to make sure that if a school district refused to comply, it was given a chance to comply before the funds were held back.

This procedure is not being followed.

So I submit to you, this is a reasonable amendment. It does not in any way interfere with the normal desegregation of America's schools.

I tell you, this is a reasonable amendment. It closes a loophole in the education act spelling out that before funds can be held up, there must be a hearing.

Somebody on the committee said, "Well, we might take this amendment if you put a limitation on it of 100 days or 120 days." I would have no objection to that. But it seems to me the Office of Education is going to control the time.

If, indeed, a school board is not complying with Federal law and the Office of Education wants to hold up funds, which they have the right to do under title VI, and which they should do if a district is not complying with the law—these funds should be held up—nothing in the amendment will preclude the Office from holding up such funds after a hearing.

It seems to me that in the amendment before us today, the Office of Education would have to give that school district a hearing. How soon that hearing will be held depends on the Office of Education. They can have it immediately. They can have it forthwith—they can have it with dispatch. Or if they want to, they can delay it and prolong it for a long time. But it will be the Office of Education that will decide on the speed with which it moves and not the school district which is under investigation.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. O'HARA of Michigan. Of course, with respect to the time that the hearing would take, that is covered by the Administrative Procedure Act.

Mr. PUCINSKI. That is correct.

Mr. O'HARA of Michigan. Certain time periods are fixed there.

Mr. PUCINSKI. That is correct.

Mr. O'HARA of Michigan. Did I understand the gentleman to say that he felt pending the determination, funds should be held up; or that pending the determination should the funds be granted?

Mr. PUCINSKI. The funds should be allowed and an investigation, where needed, should be conducted without delay. If a school district engages in dilatory tactics, then its funds should be held up pending completion of the investigation. But such holding up of funds should be for a short period only.

I do not mind telling you that we still to this day in Chicago do not know what their findings are. They have auditors crawling through all of Chicago in the school system doing various other things and I have had educators all over the country tell me that they have to answer piles and piles of questionnaires and fill out mountains of reports while funds are being held up.

I think the school board ought to know where it stands.

I say that right now all over this country school districts cannot plan with any kind of intelligent methods because they never know where they stand.

The Office of Education can cut you off tomorrow. All this amendment does is to say, if you are going to cut us off or if you are going to deny us the funds, get us to a hearing with dispatch and tell us what we are doing that is wrong.

The Civil Rights Act provides that the Office of Education should try to get compliance before any funds are tied up. This is not being done.

Now if the local community says, we refuse to comply and we refuse to abide by the law and we refuse to meet all of the requirements, then their funds should be held up.

But all this amendment does is to say, let us get to a hearing as quickly as possible and bring all the facts out in the open and then make the determination.

Mr. Chairman, I think this is a sound investment.

Mr. SISK. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I realize that the Members are anxious to vote and get this over with, and I hesitate to take the time of the House on a subject that I certainly am not expert on. But as I understand the amendment, all in the world it seeks to do is to make the Department of Health, Education, and Welfare comply with the Civil Rights Act of 1964. It is just that simple.

I want to assure some of you gentleman, if you have not spent some time with your school people in your school districts, they are becoming concerned about Federal domination. We have all pledged to our people at home, when we have passed various bills dealing with Federal aid to education, that we were going to make certain that control of those schools remained at the local level and they did not become dominated and run by the Federal Government.

I voted for every civil rights bill that has ever been proposed on the floor of the House. I voted for the bill we are talking about now—the Civil Rights Act of 1964. But, unfortunately, some people in the administration apparently have decided that they will twist, distort, or use whatever methods possible to put in effect their own peculiar philosophies against the intent, and the clear intent, of the Congress of the United States. That is the only issue involved in this situation.

So I would hope that the House would adopt this amendment. I had understood that a number of the members of the committee were favorable to acceptance of the amendment so we could proceed to vote on the issue, and I am surprised to hear opposition, when all in the world the amendment does is to ask that the Department of Health, Education, and Welfare comply with the Civil Rights Act of 1964 and require that a finding be made that actually there has been a violation.

So, Mr. Chairman, I hope that the amendment will be adopted.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment. I shall take but 30 seconds.

Under the proposed amendment, a Governor Wallace type could take Federal funds, thumb his nose at the Government of the United States, and keep stalling the hearings.

Mr. Chairman, no man in this Chamber, no Member of this body, knows more about the Civil Rights Act than does the distinguished chairman of the Committee on the Judiciary. I urge this Committee to follow his leadership and vote down the amendment.

Mr. RYAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and members of the Committee, the debate this afternoon has lost sight of one very simple proposition, and that is, that the Supreme Court desegregation decision of 1954, some 12 years later, has not been complied with. According to the latest statistics, only 7½ percent of the Negro students in the 11 Southern States are enrolled this year with white students—only 7½ percent.

In spite of the promulgation of the guidelines, in spite of all the hue and cry about the guidelines, the fact remains that the Commissioner of Education has certified 98 percent of all the southern school districts as qualified to receive Federal aid. On the one hand he certifies that 98 percent of the schools are in compliance, and yet on the other hand only 7½ percent of the Negro children are in integrated schools. So it seems clear that the Department of Health, Education, and Welfare has not fully effectuated the policy of the Supreme Court and has not carried out the policy of the Congress which we wrote into title VI.

Instead of adopting title VI, we should have adopted legislation which I repeatedly proposed to cut off funds from any Federal program in which there is segregation and discrimination. Title VI

itself was a compromise included in the administration's bill in the spring of 1963. I, and others, had argued that there should be a complete ban on Federal funds for any program where there was discrimination and segregation.

I stated my position on this floor many times.

I offered antidiscrimination amendments. I supported other amendments. The chairman of this distinguished committee for years had an amendment, known as the Powell amendment, which would prevent funds from going into segregated school districts. Yet Federal funds are still going to segregated schools.

Here we talk about curtailing the little enforcement efforts now being made by the Commissioner of Education. It is dismaying that the Commissioner of Education should be under attack for trying to deal with this problem.

Mr. Chairman, the Civil Rights Commission reported that in 1964, a full 10 years after the decision:

> Only 2.25% of the Negro children in the 11 states of the Confederacy and 10.9% of the entire region encompassing the Southern and border states are attending school with white children, with 1,555 biracial school districts out of 3,031 still fully segregated, and with 3,101,043 Negro children in the region attending all Negro schools. (Civil Rights Commission Survey of School Desegregation in the Southern and Border States 1965–66, February, 1966, p. 1)

In 1964 Congress responded to the obvious fact that a shocking number of school districts refuse to comply with the Brown decision by enacting the Civil Rights Act of 1964. Section 601 of title VI declared:

> No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Section 602 of title VI directed each Federal department to issue regulations effectuating the nondiscrimination ban and empowered the departments to terminate Federal assistance in cases of noncompliance with the ban on discrimination.

There is no question that title VI applies to programs of Federal aid to education and in accordance with the clear statutory requirement the Office of Education, like other Federal agencies, promulgated regulations to enforce title VI. The first guidelines were issued on April 26, 1965. In spite of the intention of the Office of Education to implement title VI, it is clear that the Office was not stringent enough in its enforcement of the title. The Civil Rights Commission reports:

> A total of 4,823 districts had been certified as qualified to receive Federal financial assistance—98% of all the districts in the 17-State region." (Civil Rights Commission, Survey of School Desegregation in the Southern and Border States 1965–1966, February 1966, p. 26).

In March of this year the Office of Education issued new guidelines, and Commissioner Howe has taken a more active role in enforcing title VI. The record of desegregation in schools is still abysmally poor. The Office of Education estimates that only 7.5 percent of the Negro students in the 11 Deep South States are enrolled in school this year with white pupils. Estimates of civil rights organizations vary between 5 to 6 percent.

On August 31, 1966, speaking at the American Sociological Association in Miami Beach, Fla., Robin M. Williams, a Cornell professor, told his fellow experts just how effective the Office of Education and its guidelines have been.

He said, and I quote, that our public schools are "more segregated" in 1966 than they were in 1954 when the Supreme Court outlawed segregated schools.

Mr. Chairman, this Nation cannot tolerate racial injustice in our schools. The record of the past 12 years clearly shows that voluntary compliance with the Constitution and Federal statutes will not work. The Federal Government must use its power to desegregate the schools. One of the most effective means of achieving this end is to cut off funds to any school district which continues to run segregated schools. It is nothing less than hypocrisy for the Federal Government to urge voluntary compliance while at the same time being in the position of supporting segregated schools with Federal funds. The citizens of this country have a right to expect that Federal agencies will carry out the mandate of the Congress and that Congress will not pass legislation and then be indifferent or hostile to its execution.

Mr. Chairman, we are all aware of the great frustration felt by many of our citizens who supported civil rights legislation only to find later that it had not been implemented. What may happen, and what seems to be happening already, is a disillusionment with the legislative process among a substantial number of American citizens. It is time to end this disillusionment by carrying out the policy of this Congress as spelled out in title VI of the Civil Rights Act of 1964.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. FOUNTAIN].

The question was taken; and on a division (demanded by Mr. BRADEMAS) there were—ayes 103, noes 60.

Mr. BRADEMAS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. FOUNTAIN and Mr. PERKINS.

The Committee again divided, and the tellers reported that there were—ayes 113, noes 63.

So the amendment was agreed to.

Mrs. GREEN of Oregon. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentlewoman will state it.

Mrs. GREEN of Oregon. Is title II open for amendment?

The CHAIRMAN. Not at this point.

AMENDMENT OFFERED BY MR. SCHEUER

Mr. SCHEUER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHEUER: On page 61, after line 22, insert the following:

"SEC. 154. Section 503 of such Act is amended by striking out 'and' at the end of paragraph (9), by striking out the period at the end of paragraph (10) and inserting in lieu thereof '; and'; and by adding at the end thereof the following:

"'(11) evaluation and demonstration projects to insure that benefits obtained by children in Headstart and other preschool programs are not lost during their early elementary school years, but are instead enhanced so as to provide continuity in and accelerated development of the child's learning, academic and other social achievements.'"

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendment.

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

Mr. SCHEUER. I am happy to yield.

Mr. QUIE. Mr. Chairman, I would say I think this is an excellent amendment. I think this research and study is absolutely necessary and, therefore, I will be very happy to accept the gentleman's amendment.

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

Mr. SCHEUER. I am glad to yield to my distinguished chairman of the subcommittee of the Committee on Education and Labor, the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, I have had an opportunity to observe the amendment which has been offered by the gentleman from New York [Mr. SCHEUER] and I, too, feel that it is a good amendment and that we should accept it.

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

Mr. SCHEUER. Of course, I am delighted to yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, some of us do not have any idea what is contained in the proposed amendment which has been offered by the gentleman from New York [Mr. SCHEUER].

Mr. Chairman, I would ask that the gentleman from New York take 30 seconds during which to explain it.

Mr. SCHEUER. Mr. Chairman, this amendment simply permits and encourages State educational agencies to use a portion of the $25 million which is allocated to them for research, to engage in research and demonstration projects to determine what steps may be taken by local education agencies to improve the first three grades of the public education system, in an effort to assure that they enhance and complement Headstart and other preschool programs. In all too many cases children from deprived homes in substandard neighborhoods who have been enriched and stimulated in Headstart programs move on to public schools, only to lose their eager outreach and initiative, their excitement about learning, and their zest for knowledge. This withdrawal syndrome is sufficiently in evidence as to cause deep concern about the quality of public school programs, curriculums, and personnel in meeting the needs of disadvantaged chil-

dren. This amendment would permit and encourage research, evaluation, and demonstration projects aimed at finding a solution to this critical "gut problem" of the slum school.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SCHEUER]

The amendment was agreed to.

Mr. DON H. CLAUSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have before us the Elementary and Secondary Education Amendments of 1966 for consideration and approval by the Congress. As most of the Members and my constituents know, I have had, over the years, many reservations about expanding Federal involvement in our educational system and, of course, my specific objections relate to a very strong concern over possible Federal control of education in America.

However, the question of providing general aid to elementary and secondary education was decided last year. Now we have before us legislation designed to improve that bill. So today, if certain amendments are accepted and written into the bill, I find myself inclined to support the legislation. This is a departure from my earlier position and, therefore, I believe I should express my reasons for this departure.

First of all, with a precedent having been established last year, many of the school districts and school boards in the country have set their budgets and are dependent upon the anticipated revenue provided under the previously passed legislation. If this legislation were not to pass and was rejected, only two alternatives would be available to local school administrators. They would have to cut back on the educational program for the children or shift the financial burden onto the shoulders of the local property taxpayers. Anyone familiar with school finance must understand the heavy burden already placed on local school district property taxpayers and realize that this is totally impossible at this time. While if I had my way, I would maintain a consistent position, which has been to suggest a major revision of our tax structure at all levels of government so as to provide independent tax sources to States and local school districts to meet the increasing demands for financing education.

Additionally, I have felt that the Federal Government could provide on a formula basis a return of a percentage of the Federal income tax to the States, thereby permitting the States to revise their revenue allocations and/or their tax structures to permit the local school districts to have more money or to provide relief to the property taxpayers.

Included in this bill are certain amendments relating to federally impacted areas. Inasmuch as I have military installations in my district, I have consistently supported the Federal assistance to local school districts in the form of payment in lieu of taxes, based on the impact of Federal installations located contiguous to school districts. Here again, I feel obliged to continue my support of this concept because this is definitely a Federal responsibility.

Certainly we all feel a strong obligation to see that our young people have the maximum opportunity to acquire an education in every section of the country. As a matter of fact, I am pleased to advise the Members of the House that as the lead author of the Montessori school bill, this legislation gained the approval of the Ways and Means Committee, and I will be asking for your support once it is presented on the House floor for action. Simply stated, this legislation is designed to enhance the early age, Headstart educational programs.

I do have one reservation regarding the bill before us today. I do not want to extend or expand the Commissioner of Education's powers that would permit him to force his decisions upon local educational political subdivisions through the withholding of funds. In other words, I will never support any legislation that would establish a trend toward the Commissioner of Education becoming the "education czar" of American schools.

This we must guard against with consistency, and maintain a continuing vigilance against this possibility. These decisions must be left to the discretion of the local parent organizations and the local school boards. Again, I reiterate my position. I am violently opposed to Federal control of our educational system. I am strongly in support of doing everything within my power to strengthen the State and local school systems.

Quite frankly, there are a number of recommendations that I have to carry out this objective. But, being the political realist that I am, I know that the Congress, at least this year, is not willing to accept the type of tax revision recommendations that I think would permit us to carry out the kind of finance program that would give America a better educational system in each State and community.

I have had correspondence from a number of the junior college educators in my district, and I certainly want to support their position to qualify for the same assistance that has been heretofore made available to the elementary and secondary schools. The junior college, both in California and hopefully throughout the country, is becoming recognized as a very vital and necessary extension of our educational system.

It is particularly needed for students coming from the rural areas and for students who "are beginning to mature" as they go through the transition from the high school to the college level education. Additionally, there are some adult education programs that are in need of assistance because of the rapidly changing circumstances surrounding the vocational capabilities of our citizens.

California has advanced over the years in providing an extensive increase in the number and types of junior colleges. Certainly, under Public Laws 815 and 874, it is vital that they be considered in the same category as the elementary and secondary schools.

While I am not in agreement with certain sections of the bill, I understand the federally affected or impacted areas authorization runs until June 30, 1968. Also, with the past experience of Congress position on impacted aid, I have every confidence this will continue to hold the support of a vast majority of the Members of Congress, myself included. So I am pleased to observe this program is not in jeopardy.

The President said today that a vote for an increase in legislative programs over the President's budget is a vote for a tax increase. Therefore, I will be voting for the motion to recommit that will cut back the amount of the authorization to conform with the President's budget request.

If this motion carries, I will support the bill even though I do not agree with some of its provisions. Repeating my earlier statement, I will support the bill because of the fiscal dilemma the local school boards would be faced with because of the delay in congressional action beyond the time when they set their budgets. I might add, those school boards should take heed and do everything within their power to further keep from "getting on the hook" by dependence on Federal money.

If the motion to recommit is not accepted, I will not support the legislation because the inflationary trends, the budget deficit, the Vietnam war costs, and the President's suggestion of a tax increase all weigh heavily on my decision to ask that the authorized amount be kept within the budget request limitations.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

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

There was no objection.

The Clerk concluded the reading of the bill, as follows:

TITLE II—FEDERALLY AFFECTED AREAS

Part A—Amendments to Public Law 874

Subpart 1—Major Amendments

SEC. 201. Section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended in the following respects:

Providing an Alternative Means of Meeting the Eligibility Requirement

(a) (1) Section 3(c)(2)(B) is amended by inserting after "amount to" the following: ", whichever is the lesser, one hundred such children, or a number of such children equal to".

(2) Section 3(c)(5) is amended by striking out "percentage requirements" and by inserting in lieu thereof "requirements".

Method of determining local contribution rate

(b) Subsection (d) of section 3, relating to the computation of the local contribution rate, is amended as follows:

(1) The first sentence of subsection (d) is amended by striking out "and the local educational agency".

(2) Clauses (1) and (2) of the first sentence of subsection (d) are amended to read:

"(1) he shall place each school district within the State into a group of generally comparable school districts; and

"(2) he shall then divide (A) the aggregate current expenditures, during the second

fiscal year preceding the fiscal year for which he is making the computation, which all of the local educational agencies within any such group of comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year."

(3) The third sentence of subsection (d) is amended by striking out "If, in the judgment of the Commissioner, the current expenditures in those school districts which he has selected under clause (1)" and substituting in lieu thereof "If, in the judgment of the Commissioner, the current expenditures in the school districts within the generally comparable group as determined under clause (1)".

(4) The next to the last sentence of subsection (d) is amended by inserting after "as the case may be," the following: "plus any direct current expenditures by the States for the operation of such agencies", and by inserting "either of" after "funds from which".

Subpart 2—Minor and Technical Amendments

SEC. 211. Section 3 is further amended in the following respects:

Providing that children or servicemen shall be deemed to reside with a parent employed on Federal property

(a) (1) the first sentence of subsection (b) of section 3 is amended by—

(A) inserting "(1)" before "resided on Federal property",

(B) inserting "(2)" before "resided with a parent", and

(C) inserting before the period at the end thereof ", or (3) had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949)".

(2) The second sentence of subsection (b) is repealed.

Providing that all Federal payments will be deducted from gross entitlements on the same basis

(b) subsection (e) of section 3 is amended to read as follows:

"(e) In determining the total amount which a local educational agency is entitled to receive under this section (other than subsection (c) (4) thereof) for a fiscal year, the Commissioner shall deduct (1) such amount as he determines that agency derived from other Federal payments (as defined in section 2(b) (1)) but only to the extent such payments are not deducted under the last sentence of section 2(a), and only to the extent the payments are made with respect to property on which children, counted for purposes of this section, live or on which their parents work, and (2) such amount as he determines to be the value of transportation and of custodial and other maintenance services furnished such agency by the Federal Government during such year. The Commissioner shall make no deduction under this subsection for any fiscal year in which the sum of the amounts determined under clauses (1) and (2) of the preceding sentence is less than $1,000."

Making the Appropriation for One Fiscal Year Available Through the Following Year To Meet Obligations of the Current Year

SEC. 212. Section 5(b) is amended by adding at the end thereof the following new sentence: "Sums appropriated pursuant to this title shall remain available for obligation as provided in this title until the close of the fiscal year next succeeding the fiscal year for which they were appropriated."

State Aid Reductions

SEC. 213. Section 5 is amended by adding at the end thereof the following new subsection:

"Adjustments for Reductions in State Aid

"(d) The amount which a local educational agency in any State is otherwise entitled to receive under section 2, 3, or 4 for any fiscal year shall be reduced in the same proportion (if any) that the State has reduced for that year its aggregate expenditures (from non-Federal sources) per pupil for current expenditure purposes for free public education (as determined pursuant to regulations of the Commissioner) below the level of such expenditures per pupil in the second preceding fiscal year. The Commissioner may waive or reduce this reduction whenever in his judgment exceptional circumstances exist which would make its application inequitable and would defeat the purpose of this title."

Where a Local Educational Agency Cannot or Will Not Educate Children Living on Federal Property

SEC. 214. Section 6 is amended by redesignating subsection (f) as subsection (g), and by inserting immediately after subsection (e) the following new subsection:

"(f) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of sections 3 and 4 of this Act. If a local educational agency refuses for any other reason to provide in any fiscal year free public education for children who reside on Federal property which is within the school district of that agency or which, in the determination of the Commissioner, would be within that school district if it were not Federal property, there shall be deducted from any amount to which the local educational agency is otherwise entitled for that year under section 3 or 4 an amount equal to (1) the amount (if any) by which the cost to the Commissioner of providing free public education for that year for each such child exceeds the local contribution rate of that agency for that year, multiplied by (2) the number of such children."

SEC. 215. Section 303 is amended in the following respects:

Extending to all property the provision which permits Federal property used for housing to be counted as Federal property for one year after transfer by the United States

(a) Clause (B) of the next to last sentence of section 303(1) is amended by striking out "housing".

Repeal of exclusion of property used for provision of local benefits

(b) The last sentence of section 303(1) is amended by—

(1) striking out "(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,"; and

(2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), respectively.

Eliminating eligibility of federally connected children in thirteenth and fourteenth grades

(c) (1) Subsection (4) of section 303, relating to the definition of "free public education", is amended by striking out "for the purposes of title II".

(2) Subsection (15) of that section, relating to the definitions of "elementary school" and "secondary school", is amended by striking out "For the purpose of title II, the" and inserting "The" in lieu thereof.

Authorizing the Commissioner to establish a method of counting children for the purpose of determining average daily attendance.

(d) Subsection (10) of section 303 is amended to read as follows:

"(10) Average daily attendance shall be determined in accordance with State law, except that (A) the average daily attendance of children with respect to whom payment is to be made under section 3 or 4 of this Act shall be determined in accordance with regulations of the Commissioner, and (B) notwithstanding any other provision of this Act, where the local educational agency of the school district in which any child resides makes or contracts to make a tuition payment for the free public education of such child in a school situated in another school district, for purposes of this Act the attendance of such child at such school shall be held and considered (i) to be attendance at a school of the local educational agency so making or contracting to make such tuition payment, and (ii) not to be attendance at a school of the local educational agency receiving such tuition payment or entitled to receive such payment under the contract."

Part B—Amendments to Public Law 815

Extending Temporary Provisions for One Year

SEC. 221. Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress) is amended by striking out "1966" and inserting "1967".

Reducing Percentage Increase Required for Eligibility and Lengthening Increase Period to Four Years

SEC. 222. (a) Section 5(c) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), as amended, is amended by striking out "at least 5 per centum" and inserting in lieu thereof "at least 6 per centum".

(b) Section 15(15) is amended (1) by inserting "third or fourth" immediately before the phrase "regular school year" the first time that phrase occurs in the subsection, (2) by striking out "1963–1964" and inserting in lieu thereof "1962–1963", and (3) by striking out "or the regular school year preceding such school year".

(c) Section 15(16) is amended by striking out "two" and inserting "four" in lieu thereof.

(d) Section 5(f) of such Act is amended to read as follows:

"(f) In determining under this section the total of the payments which may be made to a local educational agency on the basis of any application, the total number of children counted for purposes of paragraph (1), (2), or (3), as the case may be, of subsection (a) may not exceed—

"(1) the number of children whose membership at the close of the increase period for the application is compared with membership in the base period for purposes of that paragraph, minus

"(2) the number of such children whose membership at the close of the increase period was compared with membership in the base year for purposes of such paragraph under the last previous application, if any, of the agency on the basis of which any payment has been or may be made to that agency."

Reduction in the Non-Federal Growth Requirement

SEC. 223. Section 5(d) of such Act is amended by striking out "107 per centum" and by inserting in lieu thereof "106 per centum".

Extending the Time for Determining the Number of Unhoused Children by Authorizing the Commissioner to Make the Estimate for a Period Extending Two Years Beyond the Increase Period

SEC. 224. Section 4 of such Act is amended by inserting "the second year following" immediately before the phrase "the increase period".

Making the Provisions Relating to Indians Living on Reservations Permanent

SEC. 225. (a) The first sentence of section 14(b) of such Act is amended by striking out "ending prior to July 1, 1966," and ", not to exceed $60,000,000 in the aggregate.".

(b) The third sentence of section 14(b) is amended by striking out ", except that after June 30, 1966, no agreement may be made to extend assistance under this section".

Providing That Children Who Have a Parent in the Uniformed Services Will Be Considered As Federally Connected

SEC. 226. (a) Section 5(a)(1) of such Act is amended by inserting ", (A) who so resided" immediately before the phrase "with a parent employed on Federal property" and by inserting immediately before the comma preceding the phrase "multiplied by 95 per centum" the following: ", or (B) who had a parent who was on active duty in the uniformed service (as defined in section 102 of the Career Compensation Act of 1949)".

(b)(1) The first sentence of section 5(a)(2) of such Act is amended by inserting "(A)" after "children", by inserting "(B)" immediately before "residing with a parent", and by inserting after "school district)," the following: "or (C) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949),".

(2) The second sentence of section 5(a)(2) of such Act is repealed.

Providing for Transfer of Title to Facilities to the Local Educational Agency Where It Is in the Federal Interest To Do So

SEC. 227. Section 10 of such Act is amended by inserting "(a)" immediately before the first word thereof, and by adding the following new subsection:

"(b) When the Commissioner determines it is in the interest of the Federal Government to do so, he may transfer to the appropriate local educational agency all the right, title, and interest of the United States in and to any facilities provided under this section (or sections 204 or 310 of this Act as in effect January 1, 1958). Any such transfer shall be without charge, but may be made on such other terms and conditions, and at such time as the Commissioner deems appropriate to carry out the purposes of this Act."

Repeal of Exclusion of Property Used for Provision of Local Benefits

SEC. 228. The last sentence of section 15(1) of such Act is amended by—

(1) striking out "(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,"; and

(2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), respectively.

Eliminating Eligibility of Federally Connected Children in Thirteenth and Fourteenth Grades

SEC. 229. Section 15(4) of such Act, relating to the definition of "free public education," is amended by inserting ", except that such term does not include any education provided beyond grade 12" immediately before the period at the end of the sentence.

Works of Art Included in "Minimum School Facilities"

SEC. 230. Section 15(10) of such Act, relating to the definition of "minimum school facilities", is amended by adding at the end thereof the following: "Such regulations shall require the local educational agency concerned to give due consideration to excellence of architecture and design, and provide that no facility shall be disqualified as a minimum school facility because of the inclusion of works of art in the plans therefor if the cost of such works of art does not exceed 1 per centum of the cost of the project."

Including American Samoa in Definition of "State"

SEC. 231. Section 15(13) of such Act, relating to the definition of "State," is amended by inserting "American Samoa," immediately before "the Virgin Islands".

Part C—Effective date

SEC. 241. The amendments made by this title shall be effective for fiscal years beginning after June 30, 1966, except that if the amendment made by section 214 would have reduced the payments under such Act to a local educational agency for the fiscal year ending June 30, 1966 (if it had been in effect for that year), the amendment shall not apply to that local educational agency for fiscal years ending prior to July 1, 1968, and except that the amendments made by section 215(c) and section 229 shall be effective for fiscal years beginning after June 30, 1967.

Mr. GONZALEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the primary purpose in my moving to strike the requisite number of words is in an effort to address a few questions to the committee with reference to certain language as now contained in the bill which I believe needs some clarification in order to avoid future complications.

Mr. Chairman, I have discussed this question with several members of the committee and I shall preface my remarks by saying that I join this committee in support of this bill and compliment the chairman of the Committee on Education and Labor, the gentleman from New York [Mr. POWELL], and the members of the subcommittee headed by the gentleman from Kentucky [Mr. PERKINS] for the splendid job they have done in behalf of this much-needed legislation.

Mr. Chairman, with respect to this particular section, under the grants that the Federal Government will make to the State educational agencies, there is provided in section 103 grants for migrant children and the fact that the Commissioner could conceivably contract with private agencies or with these private, nonprofit agencies or other public agencies, other than the State educational agency, which might be unable or unwilling to enter into such a contract.

What I want to know is, in the discussion on this section was it the intention to conceive of a separate, segregated type of program for the migrant children?

Mr. MEEDS. Mr. Chairman, if the gentleman will yield?

Mr. GONZALEZ. I yield.

Mr. MEEDS. I would say it was definitely not the intent of this committee or the intent of this legislation to provide segregated education for migrant workers' children. There may be circumstances in which special educational programs will have to be carried out because of the time of the year, and the place. But we definitely do not contemplate segregated education in this instance.

Mr. GONZALEZ. It is your opinion, then, that a reasonable construction of this language would not permit the Commissioner of Education to enter into the type of agreement that would create a seperate building, or the construction of a separate building for the exclusive, segregated use of migrant children?

Mr. WILLIAM D. FORD. Mr. Chairman, if the gentleman will yield to me?

Mr. GONZALEZ. Certainly; I yield to the gentleman.

Mr. WILLIAM D. FORD. In considering this legislation we had several groups, not only migrant workers' children, but several groups that heretofore had not been counted in computing the children for the purpose of distributing funds in the several titles. In doing so I think we made it very clear that we treat the migrant workers' children simply as an additional category of children to be counted for the purpose of distribution of funds.

It is entirely possible that a facility might be constructed that would not otherwise be constructed, because of the needs in a particular area for the migrant children. But it is difficult to conceive of how that could be done as a part of the regular program, without violating the other acts.

Mr. GONZALEZ. Mr. Chairman, that is what I had in mind. In other words, insofar as it is feasible, the local facilities will be used in carrying out the provisions of this act?

Mr. MEEDS. Mr. Chairman, if the gentleman will yield further?

Mr. GONZALEZ. I yield.

Mr. MEEDS. We would certainly hope that local and existing facilities would be used to the greatest extent possible. However, when other facilities are necessary to carry out the purposes of this act, which is to provide education for migrant workers' children in a non-segregated manner, then those funds can be so used under this act.

Mr. GONZALEZ. I thank the gentleman.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield.

Mr. DE LA GARZA. Mr. Chairman, I wonder if I might continue further on this subject with the gentleman from Washington?

When the gentleman was speaking of facilities, was he speaking merely of buildings, or all of the school facilities such as the teachers, and the educational capabilities, also?

Mr. GONZALEZ. I might say to the gentleman I was referring to both.

Mr. DE LA GARZA. Mr. Chairman, did the gentleman from Washington understand my question, and if so would the gentleman's answers to the questions of the gentleman in the well be restricted only to facilities such as buildings, or

would it also include facilities such as the educational facilities, the teachers, and the other educational aspects?

Mr. MEEDS. I was saying that it includes all of the educational program and equipment, the buildings and facilities.

Mr. DE LA GARZA. I thank the gentleman.

AMENDMENT OFFERED BY MR. O'HARA OF MICHIGAN

Mr. O'HARA of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA of Michigan: On page 69, after line 3, insert the following:

"SEC. 215. Section 301(a) of the Act of September 30, 1950 (Public Law 874; Eighty-first Congress) is amended by inserting the following at the end thereof and before the period: ', or require the assignment or transportation of students or teachers in order to overcome racial imbalance'." And renumber the sections which follow accordingly.

Mr. O'HARA of Michigan. Mr. Chairman, strictly after we started on the 5-minute rule I offered an amendment which was agreed to, which I said applied to all of the Elementary and Secondary Education Act of last year.

I am informed by counsel that through inadvertence the amendment I offered would apply to four of the titles of the 1965 bill but not to the fifth.

The amendment I offer now is the same amendment and would apply the same prohibition to the title of last year's Elementary and Secondary Education Act which was inadvertently missed.

Mr. Chairman, I hope the amendment will be approved.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. O'HARA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 63, after line 18, insert the following:

"GRADUAL APPLICATION OF ABSORPTION PROVISION

"(a)(1) Paragraphs (1) and (2) of section 3(c) are amended to read as follows:

"'(c)(1) The amount to which a local educational agency is entitled under this section for any fiscal year shall be—

"'(A) with respect to children determined under subsection (a), an amount equal to the local contribution rate (determined under subsection (d)) multiplied by the number of children determined under subsection (a) minus a number equal in the year ending June 30, 1967, to 1 per centum, and in the year ending June 30, 1968, to 2 per centum, and in each fiscal year thereafter to 3 per centum of the total number of children who were in average daily attendance during that year and for whom the agency provided free public education, and

"'(B) with respect to children determined under subsection (b), an amount equal to one-half the local contribution rate (determined under subsection (d)) multiplied by the number of children determined under subsection (b) minus a number equal in the year ending June 30, 1967, to 2 per centum, and in the year ending June 30, 1968, to 4 per centum, and in each fiscal year thereafter to 6 per centum of the total number of children who were in average daily attendance during that year and for whom the agency provided free public education.

"'(2) No local educational agency shall be entitled to receive any payment for a fiscal year unless the total number of children for whom the agency will receive such payments is ten or more. Notwithstanding the provisions of paragraph (1), whenever and to the extent that, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purposes of this Act, the Commissioner may waive or reduce the 1, 2, or 3 per centum deduction contained in clause (A) of paragraph (1), or the 2, 4, or 6 per centum deduction contained in clause (B) of paragraph (1).'

"(2) Subsection (c) is further amended by inserting immediately after paragraph (2) the following new paragraph:

"'(3) For the purposes of this subsection, a local educational agency may count as children determined under subsection (b) any number of children determined under subsection (a).'"

And in line 21 on page 63, strike out "(a)" and insert "(b)", and in line 5 on page 64, strike out "(b)" and insert "(c)".

The CHAIRMAN. The gentleman from Minnesota [Mr. QUIE] is recognized.

Mr. QUIE. Mr. Chairman, before I explain the amendment, I will yield to my colleague, the gentleman from Minnesota [Mr. NELSEN] for a question to the chairman of the subcommittee.

Mr. NELSEN. Mr. Chairman, I thank my colleague for yielding.

The question I wish to pursue is this: One of the great voids in our educational system is, in my judgment, the neglect in the area of training for the mentally retarded.

We have legislated in that field through our Health and Safety Subcommittee, but we have not really reached the day care centers where there can be some training given to the mentally retarded. I think this is a field that needs attention.

I hope the chairman of the subcommittee and our Minnesota Representative could give me some light as to what we can do under this bill.

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

Mr. QUIE. I yield to the gentleman.

Mr. PERKINS. Under title I, as the law is presently written, you can obtain the relief you are seeking. The local educational agency can make funds available for the mentally retarded or for the day care centers in their plan. There are no obstacles in your path. If the local educational agency wants to spend some of their funds in that manner and they feel that it is a matter of priority and the plan is approved, funds may be expended for those purposes. In several instances funds have been expended in this way.

Mr. NELSEN. Is there any provision so that several districts may be joined together in more centrally and conveniently located centers so that they can work cooperatively?

Mr. PERKINS. They could join together cooperatively, and the act so provides.

Mr. NELSEN. I thank the gentleman.

Mr. QUIE. I will say to the gentleman, this bill does provide for the joining together of school districts.

When you talk about educationally deprived children, there are three groups that we are talking about. As to two of these groups, we fairly well know who they are. One is the group who are poor and economically deprived and therefore they are considered to be educationally deprived.

The other group are the mentally and physically handicapped who are definitely deprived and educationally deprived. They are permitted to be included in a school district's program, as the gentleman from Kentucky just said.

Mr. NELSEN. I thank the gentleman.

Mr. QUIE. Mr. Chairman, I would very quickly like to explain this amendment.

I would call this President Johnson's amendment. The President asked that in the impacted aid program we keep down the cost. Federally impacted aid should be cut by providing for some absorption.

You know how people raise a cry for a Federal establishment in their area. They love to have them in there. They want to keep them. We hear from our colleagues when they are about to lose a Federal establishment. How terrible it would be if it were removed from their district. You would think that they could at least absorb some part of the cost of educating the children.

So rather than providing complete absorption the first year as President Johnson wanted, my amendment would provide for a 1-percent absorption the first year and an additional percent the next 2 years so it will take 3 years to accomplish what President Johnson wanted to accomplish in his recommendation for impacted aid in 1 year. I am for it and think that in this case we should support the President.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment. If the amendment were adopted, it is true that it would take about $220 million out of the bill, but it would eliminate more than 1,000 districts from eligibility over this Nation. The change of rate of payment by eliminating one-half the national average and one-half the State average would also reduce the amount of the bill by about $120 million.

These two provisions would drastically reduce the payments in about 65 percent of present impacted districts. The change in the rate of payment would mean that the wealthiest districts with the lowest State aid would receive the highest rate of payment and the poorer school districts with the highest State aid would receive the lowest payment.

This concept is contrary to the principles the gentleman has been espousing all afternoon. It would mean payments of as little as $45 a pupil in the South and 10 times that amount in the more wealthy districts in industrial States.

In view of the buildup of our military in this country and the impact existing, I know that the Committee does not want to go along with an amendment of this type, and I ask the Committee to vote it down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The amendment was rejected.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODELL: Beginning with line 19 on page 63, strike out everything down through line 6 on page 64.

The CHAIRMAN. The gentleman from New York is recognized in support of this amendment.

Mr. GOODELL. Mr. Chairman, in reference to the impact program, the bill will add 1,000 new school districts by adding new eligibility requirements. At present the requirement is 3 percent of the schoolchildren federally affected. The amendment in the bill that is before us provides that if there are 100 schoolchildren, they will qualify. It is estimated that this will increase from the present 4,200. Another 1,000 school districts will be eligible. It will cost $35 million.

My amendment would simply strike the expansion of the impact program, making more areas eligible.

I yield back the balance of my time.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. GOODELL].

The amendment was rejected.

AMENDMENT OFFERED BY MR. WATSON

Mr. WATSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WATSON: On page 76, line 15, after "1967" change the period to a semicolon and insert: *"Provided, however,* That no funds shall be expended hereunder so long as the present United States Commissioner of Education occupies that office."

Mr. PERKINS. Mr. Chairman, a point of order. The amendment is not germane and is subject to a point of order.

The CHAIRMAN. Does the gentleman from South Carolina wish to be heard on the point of order?

Mr. WATSON. Mr. Chairman, I could not think of anything that would be more germane to this piece of legislation than the one who occupies the Office of U.S. Commissioner of Education. The whole bill revolves around that particular Office. He is charged with the responsibility of the implementation of this legislation. This is a legislative bill; it is not an appropriation bill.

I submit, Mr. Chairman, that it is germane to this legislation. If it is not, then we have been engaged in an exercise in futility this afternoon.

The CHAIRMAN. Does the gentleman from Kentucky desire to be heard on the point of order?

Mr. PERKINS. Yes, Mr. Chairman.

The amendment is not germane, because we are undertaking to invade the authority of the executive branch of this Government. The executive branch of this Government has the appointive power, not the legislative branch. Therefore, this amendment or proposal contravenes the law and Constitution, and it is not germane.

Mr. WATSON. Mr. Chairman, may I be heard on that particular matter?

The CHAIRMAN. The Chair will hear the gentleman from South Carolina.

Mr. WATSON. Certainly it is not uncommon—in fact, it is the usual practice—for the Congress to restrict the executive in the administration or implementation of pieces of legislation. I am attempting to provide under this piece of legislation that no funds shall be expended hereunder until such time as this gentleman is removed. The President would do the removing. We are not attempting to remove the gentleman. It would be up to the President to determine whether to do so or not.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, to which a point of order has been made by the gentleman from Kentucky. The amendment provides:

However, that no funds shall be expended hereunder so long as the present U.S. Commissioner of Education occupies that office.

The Chair is of the opinion that the amendment is germane to the bill, and overrules the point of order.

The gentleman from South Carolina is recognized in support of his amendment.

Mr. PERKINS. Mr. Chairman, I move that the amendment be tabled.

The CHAIRMAN. That motion is not in order in the Committee of the Whole.

Mr. WATSON. Mr. Chairman, I shall not take 5 minutes. I am sure, as I present this amendment, perhaps some of my colleagues think it is presented in jest. This amendment, I assure you, is not presented in jest. It is presented with the same seriousness the other amendments have been presented to this particular bill.

I do not believe, during the course of the 4 years I have been honored to serve in this body, I have heard any man so maligned or so criticized as the present occupant of the Office of U.S. Commissioner of Education. That criticism has been totally justified in my judgment.

I am not for a moment questioning his loyalty to the country. I am not questioning his professional qualifications.

But I believe, as our colleague, the gentleman from California, mentioned just a moment ago, indeed he has some peculiar philosophies insofar as education is concerned.

He has done more to harass and disrupt local school systems than any man alive, and this harassment has not been restricted to the South. We have seen from the amendment we just adopted, as presented by my colleague from North Carolina, that there is widespread resentment over the highhanded manner in which this man has conducted the affairs of the Office of U.S. Commissioner of Education.

It is significant that educators and legislators on both sides of the aisle, from all sections of the country, have voiced strong criticism of this man.

I have met with him personally, with a number of my colleagues. We are unable to reason with him whatsoever or to get him to be reasonable in any manner whatsoever. He has an apparent idea that he is above and beyond the law or the intent of Congress.

This, I believe, is a good amendment. I hope that the Members will go along with it, because I believe that no man—indeed, no one—is doing a greater disservice to the cause of education today then the present Commissioner Howe.

He has placed sociological or personal ideas above the cause of education, even if our educational system is destroyed in the process.

I believe that if he should be removed, then the school districts throughout this country that are now working and spending more time trying to work out compliance forms will be able to get back to the main task of education. If you believe in some of the criticism that has been leveled here and if you want to follow through with the action we just took a few minutes ago in trying to restrict the hands of the U.S. Commissioner of Education, I urge you to go along with my amendment.

Mr. PERKINS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it will serve no useful purpose, in my judgment, to discuss this amendment. I think all of the Members of this body know and realize that we have three separate branches of Government.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. WATSON].

The amendment was rejected.

Mr. GOODELL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise at this point to inform the House as to the nature of the motion to recommit that will be offered. As was developed during the debate, this bill as it comes before us is a total of $328,552,696 above the President's budget. It is $328 million above the President's budget. Motions offered on this side and amendments offered during debate were turned down. Their purpose was to hold this bill within the President's budget. The motion to recommit will include a cut of $293.5 million from title I in accordance with the amount of the President's budget. It is exactly the amount that the President's budget calls for for title I and will cut $50 million from title III by holding to existing authorization on supplementary centers. This will be a cut of $343.5 million from the bill this year. That will put it well within the President's budget.

For the subsequent year, fiscal year 1968, we will cut a total of $991.5 million or almost $1 billion—$416 million of this will be cut by holding title I to $1.8 billion, which is about $500 million above the present level and is the amount estimated at this point as to what will be needed to fund title I in 1968. It will save $575 million by restricting title III authorizations to a single year, giving us an opportunity next year to review this. The authorization of the program in title III will continue and we can reexamine it then.

In addition to cutting $343 million this year to put it within the President's budget and almost $1 billion next year, the motion to recommit will strike the section of the bill known as the O'Hara amendment, which was approved in the Committee of Education and Labor, which expands the powers of the Commissioner of Education.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman from New York yield to me at this point?

Mr. GOODELL. Mr. Chairman, I yield to the gentleman from Michigan, the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Chairman, earlier today President Johnson held a press conference, and permit me to read for the benefit of the Members of the Committee of the Whole House on the State of the Union from a UPI story, and I quote:

Johnson warned Congress today that a vote to increase Federal spending would be a vote to raise taxes.

Johnson spoke as the lawmakers entered the home stretch of action on appropriation bills totalling more than $80 billion.

To Congressmen and Senators eager to go home and campaign for reelection, the President said:

"Each vote to increase the budget is likely a vote for increased revenues later."

In other words, Mr. Chairman, a vote for the motion to recommit, which will be within the budget, is a vote against an increase in taxes. A vote against this motion to recommit is a vote for an increase in taxes.

Mr. Chairman, I urge everyone who is against an increase in taxes to vote for the motion to recommit.

Mr. GOODELL. Mr. Chairman, the motion to recommit will represent an opportunity for all of our colleagues to vote to help the President stay within his budget. Just a few hours ago the President appealed to Congress to help him. Are the Democrats going to do so in the House?

Mr. MACGREGOR. Mr. Chairman, the formula which governs distribution of most of the money under the Elementary and Secondary Education Act is grossly unfair to the people I represent. While the school districts of Anoka County and suburban and rural Hennepin County receive 20 percent of Minnesota State aids to education, only 3 percent is our share of all money allocated to Minnesota under title I of Public Law 89–10.

My constituency of some 600,000 people makes more than its per capita contribution in taxes to the support of both State and Federal aids to education. The great majority of my constituents are happy to do so because of their dedication to excellence in our public schools and because we enjoy a higher per capita income than either the Minnesota or the national average. But when the disparity in assessment of need is almost 7 to 1 between the State and Federal programs, someone's distribution formula is seriously wrong.

State aids are determined by our State legislature. State senators and representatives are familiar with community means and with the relative needs of different school districts throughout Minnesota. They have determined that the schools in the Third Congressional District are deserving of one-fifth of the State money.

The powers that be in this Congress and in the Johnson administration have decided that less than one-thirtieth of the Federal money going to Minnesota should be spent in the same schools. I cannot agree that this is either justified or equitable.

Last week Minnesota's commissioner of education and the U.S. Office of Education supplied me with the actual figures for the school year 1965–66. They are as follows:

Total Minnesota State aids	$193,169,437
Third District distribution	$38,049,317
Share of State total, percent	20
Title I Federal aid to Minnesota	$19,738,265
Third District distribution	$662,166
Share of State total, percent	3

The extension of the Elementary and Secondary Education Act which we are now considering will do nothing to correct this injustice during the next 2 years.

But justice could have been done if an amendment which was offered earlier in this debate had been accepted. That amendment would have altered the inequitable pattern of Federal school aid by authorizing State education agencies to develop State plans for the use of Federal funds. Had this amendment been adopted, a State could redistribute its share of Federal funds according to State law and in order to concentrate them in the areas of greatest need. This is the traditional administrative device for the use of Federal funds, and it has the advantage of permitting statewide concentration upon the most urgent educational problems. It also encourages responsible State educational planning.

It is most unfortunate that this State distribution amendment was rejected. The present majority here talks a great deal about helping those who most need assistance, but it has failed in this bill to match its vocal concern with intelligent action.

Is the Minnesota case unique? Indeed it is not. A study of the situation in other States shows a pattern of inequitable treatment of suburbia which is nationwide.

Some will argue that suburbanites are affluent, that they can and should shoulder a disproportionately large share of the bill. This is as much myth as fact. While there is much wealth in suburbia, there are also widespread areas of low- and middle-income family concentrations. And there are schoolchildren who qualify as "economically disadvantaged" in every sizable suburb.

Notwithstanding this, those whom I represent would not protest the Federal distribution formula if it channeled needed funds exclusively into the most poverty-stricken areas of America's big cities and to the rural poor. But strangely, under this legislation the very rich get even richer. Distributions under title I of the Federal law last year prove that we are concentrating limited funds in the very wealthy school districts, with the richest getting twice as much Federal assistance per impoverished child as the very poor areas of the Nation. The following chart shows the precise data during the school year 1965–66, which would not be substantially altered by the present legislation for the 1966–67 school year:

Relationship of family income to Federal assistance under the Elementary and Secondary Education Act of 1965

County and State	Family income data			School-age children		Total fiscal year 1966 entitlements under the act
	Median income (1960)	Under $3,000 (1960) (percent)	$10,000 and over (1960) (percent)	Number of impoverished children for purposes of this act [1] (fiscal year 1966)	Percent of all school-age children	
United States	$5,660	21.4	15.1	5,344,363	11	$1,075,926,915
10 wealthiest counties:						
Montgomery, Md.	9,317	5.5	44.6	2,305	2	556,726
Arlington, Va.	8,670	6.0	38.6	1,001	4	179,279
Fairfax, Va.	8,607	5.8	37.8	1,992	3	344,230
Du Page, Ill.	8,570	5.9	36.0	2,375	2	631,013
Marin, Calif.	8,110	8.8	33.4	1,592	4	402,250
Westchester, N.Y.	8,052	8.0	36.3	7,692	3	2,812,502
Bergen, N.J.	7,978	6.4	32.1	4,432	2	1,275,485
Union, N.J.	7,746	7.8	30.5	4,739	3	1,363,836
Montgomery, Pa.	7,632	7.4	30.7	2,919	3	692,941
Fairfield, Conn.	7,371	9.3	29.1	7,209	4	1,831,518
Total eligible children				36,186		
Total funds						10,089,780
10 poorest counties:						
Grant, W. Va.	2,437	64.0	3.0	733	35	116,957
Falls, Tex.	2,287	60.6	4.0	2,757	41	542,246
Sunflower, Miss.	1,790	68.1	3.9	9,543	42	1,156,611
Knox, Ky.	1,722	70.5	1.7	4,347	39	676,697
Tensas, La.	1,683	70.9	3.3	2,635	41	501,967
Williamsburg, S.C.	1,631	68.3	2.5	10,070	41	1,339,108
Sumter, Ala.	1,564	72.3	2.7	4,385	43	626,221
Holmes, Miss.	1,453	72.0	2.8	6,418	52	777,861
Breathitt, Ky.	1,432	76.0	2.0	3,270	39	509,040
Tunica, Miss.	1,260	77.8	3.7	4,044	54	490,132
Total eligible children				48,202		
Total funds						6,736,840

[1] The number of children deemed "impoverished" is based on census tabulations for the year 1960 of children aged 5 to 17 in families with incomes less than $2,000, and from children in families receiving more than $2,000 income in 1960 but who received Federal aid to dependent children in 1962. Interestingly, in this latter category are 6,330 children in the 10 wealthiest counties but none in the 10 poorest counties since in none of the States represented by the poorest counties are ADC payments available to children in families with incomes above $2,000 per year.

Sources: (1) U.S. Department of Commerce, Bureau of the Census, County and City Data Book. (2) Committee on Education and Labor, U.S. House of Representatives, "Education Goals for 1965" (committee print), pp. 65–126. (3) Committee on Labor and Public Welfare, U.S. Senate, "Maximum Basic Grants, Elementary and Secondary Education Act of 1965" (committee print).

How can such a disposition of funds in a law supposedly designed to improve school programs for impoverished children be justified? While it is true that even wealthy areas have a small percentage of disadvantaged children, these youngsters are attending some of the best financed and most advanced public schools available anywhere. Since the Federal funds are limited, the money funneled into wealthy school districts necessarily reduces the amounts available for desperately underfinanced schools in areas of very high concentration of poverty such as city slums and economically depressed rural areas.

The greatest educational needs in the Minneapolis-St. Paul suburban area are for construction funds. The less prosperous but fast-growing school districts north and northwest of the city of Minneapolis are hard pressed to find new brick and mortar money. They are now heavily burdened by debts incurred as a result of previous necessary classroom construction programs. Many have already bonded beyond legal limits. It is commonplace to find relatively poor suburban school districts which are millions of dollars in debt for school construction beyond their total assessed valuation.

I had hoped that this legislation would ease that debt burden and would assist in financing new school building projects. Unfortunately, this is not the case. The majority of the Committee on Education and Labor has made it crystal clear that during the school year 1966–67 no help will be forthcoming to those schools in my district which need it most. The report accompanying this bill states on page 22:

> While the committee does not wish to see school districts attend to their less pressing problems at the expense of fundamental needs, it emphatically states that Title III is not intended as general support for the conduct of day-to-day school operations and ordinary school construction.

Last year title III money went to the more prosperous schools in Minnesota's Third Congressional District. No title III funds whatever were allocated to school districts in Anoka County, and only one district in north Hennepin received any benefit. Almost 90 percent of the Federal money under this section of the Elementary and Secondary Education Act went to schools in south and southwest Hennepin County.

The bill before us promises no remedy for this inequity during the 1966–67 school year. This is so because the majority continues to provide for direct submission of applications to the U.S. Office of Education instead of placing the decisionmaking authority in the Minnesota Department of Education. Washington bureaucrats cannot be expected to be as knowledgeable about relative needs in any given area as the people who live there.

The following chart graphically demonstrates the crazy patchwork which is the pattern of Federal aid to education in the principal school systems of Minnesota's Third Congressional District. These results flow from the many errors which I have discussed, and from the continuing insistence of Federal planners on categorical instead of general aids:

Distribution of State and Federal aids to education during school year 1965–66

Total State aids	State aids per pupil	Priority rank for State aids	District name	Priority rank for Federal aids	Federal aids per pupil, title I	Total Federal aids, titles I and III	Title I funds	Title III funds
$585,395	$390	1	St. Francis	2	$11.00	$16,545.00	$16,545.00	
1,178,766	386	2	Centennial	9	4.40	13,511.75	13,511.75	
685,131	289	3	Brooklyn Center	12	3.90	9,375.50	9,375.50	
1,051,913	284	4	Spring Lake Park	15	3.20	11,974.00	11,974.00	
399,488	275	5	Eden Prairie				(1)	
5,251,754	268	6	Anoka-Hennepin No. 11	10	4.30	83,552.25	83,552.25	
4,968,693	267	7	Bloomington	7	5.20	125,521.25	97,891.25	$27,630
2,468,185	260	8	Osseo	6	5.30	50,186.50	50,186.50	
6,041,912	256	9	Robbinsdale	18	2.40	83,978.00	57,128.00	26,850
1,214,603	248	10	Fridley	13	3.40	16,545.00	16,545.00	
699,400	244	11	Mound	1	11.80	34,080.55	34,080.55	
1,717,142	242	12	Minnetonka	13	3.40	72,690.25	23,990.25	48,700
448,341	238	13	Orono	4	7.20	13,523.76	13,523.76	
1,148,721	238	13	Wayzata	3	8.30	39,983.75	39,983.75	
2,588,237	229	15	Richfield	15	3.20	36,674.75	36,674.75	
1,472,115	216	16	Columbia Heights	11	4.00	27,107.00	27,107.00	
2,232,530	202	17	St. Louis Park	8	4.90	55,823.40	54,996.40	827
1,839,835	196	18	Hopkins	4	7.20	112,629.00	68,900.00	43,729
1,655,177	174	19	Edina-Morningside			56,225.00	(1)	56,225
172,821	116	20	Golden Valley	17	2.60	4,000.00	4,000.00	
202,430	116	20	St. Anthony				(1)	

[1] These school districts elected not to receive the funds to which they were entitled.

Source: Figures obtained during the period Sept. 29 through Oct. 4, 1966, from the U.S. Office of Education and the Minnesota State Department of Education.

One of the school district superintendents whom I represent wrote me last week:

> While much good has undoubtedly accrued to various school systems as a result of the Elementary and Secondary Education Act, my own position is one of strong opposition to federal aid of this type. I believe the law in general to be unfair, cumbersome, inefficient, insufficient and another unfortunate extension of federal control into the operation of local school districts. It helps solve problems of lesser importance by instituting special programs in prosperous areas while basic financial needs of a poorer school district may not be even met.

I would gladly support a general education bill which provided construction and other assistance to those schoolchildren and school districts truly in need. My efforts to reshape Public Law 89–10 to those ends have been brusquely turned aside. I cannot put my stamp of approval on the Robin-Hood-in-reverse results which will flow from this legislation.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools, pursuant to House Resolution 1025, reported the bill back to the House with an amendment 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?

Mr. O'HARA of Michigan. Mr. Speaker, I demand a separate vote on the Fountain amendment which appears on page 63 of the bill, after line 9.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. FINO. Mr. Speaker, I demand a separate vote on the O'Hara amendment, the antibusing amendment.

The SPEAKER. Will the gentleman from New York inform the Chair as to which amendment offered by the gentleman from Michigan [Mr. O'HARA], the gentleman from New York [Mr. FINO] has in mind?

Mr. FINO. Mr. Speaker, the antibusing amendment.

The SPEAKER. The Chair is not aware of that designation.

What amendment does the gentleman from New York have in mind? The gentleman's characterization does not give sufficient information to the Chair. The Chair is endeavoring to protect the rights of the gentleman from New York.

Mr. FINO. Mr. Speaker, the amendment which appears on page 57.

The SPEAKER. The Chair will state that the gentleman from New York [Mr. FINO] is acting in accordance with the rules and the Chair wants to cooperate with the gentleman. The Chair's inquiry was directed to the gentleman in order to ascertain the particular amendment which the gentleman has in mind.

Mr. FINO. Mr. Speaker, the amendment offered by the gentleman from Michigan [Mr. O'HARA] which appears on page 61 of the bill.

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Michigan will state his parliamentary inquiry.

Mr. GERALD R. FORD. Mr. Speaker, I believe it would be helpful and to the benefit of the Members of the House if the amendment of the gentleman from Michigan [Mr. O'HARA] were reread.

The SPEAKER. The gentleman from Michigan [Mr. O'HARA] offered several

amendments that were adopted in the Committee of the Whole. The Chair is trying to ascertain the particular one that the gentleman from New York has in mind.

Mr. FINO. Mr. Speaker, if there is any question in the mind of the Speaker as to which ones they are then I will ask for a separate vote on all of the O'Hara amendments.

The SPEAKER. Does the gentleman demand a separate vote on all of the O'Hara amendments?

Mr. THOMPSON of New Jersey. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. THOMPSON of New Jersey. Mr. Speaker, we have two of our distinguished colleagues named O'HARA. Which Mr. O'HARA does the gentleman refer to?

Mr. FINO. Mr. Speaker, the gentleman from New Jersey was not paying attention. I said the gentleman, Mr. O'HARA, from Michigan.

Mr. THOMPSON of New Jersey. Thank you very much. You know that much, anyway.

The SPEAKER. The Chair is trying to ascertain the amendment the gentleman from New York has in mind.

Mr. GOODELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GOODELL. Mr. Speaker, the confusion involved in this is because the gentleman from Michigan [Mr. O'HARA] offered his first amendment and it was not drawn properly and did not do the job, and it was put in the wrong place in the bill. He subsequently came back at the end of the debate and offered a correcting amendment.

The parliamentary inquiry, Mr. Speaker, is, Can we have the vote on the second amendment offered by the gentleman from Michigan, and does the second correcting amendment offered by the gentleman from Michigan [Mr. O'HARA], include the first amendment with reference to busing?

The SPEAKER. It is the Chair's recollection that the gentleman from Michigan [Mr. O'HARA] offered one amendment covering four sections of the bill. Later he offered another, intended to cover the fifth section.

Will the gentleman from Michigan [Mr. O'HARA] let the Chair have his opinion, and can the gentleman ascertain that the first amendment was intended to cover five sections, or five provisions, but covered only four, and that the gentleman then offered his second amendment to carry out the intent that he had in mind?

Is the Chair's understanding correct?

Mr. O'HARA of Michigan. Mr. Speaker, the Speaker has correctly stated the matter. The first amendment applied to four of the five titles of the elementary and secondary education bill passed by this Congress in 1965.

The second amendment on that subject, the last amendment I offered, covered the first title of that bill that we enacted in 1965.

The SPEAKER. Is that the amendment the gentleman from New York has in mind?

Mr. FINO. Mr. Speaker, that is correct.

The SPEAKER. Does the gentleman from New York demand a separate vote on both of the amendments?

Mr. FINO. Mr. Speaker, I do, to eliminate any confusion.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent that the two amendments on which the gentleman from New York has asked for a separate vote be voted en bloc.

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

There was no objection.

The SPEAKER. Is a separate vote demanded on any other amendment?

If not, the Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

Page 63, after line 9, insert the following:

"PART G. COMPLIANCE WITH SECTION 602 OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

"SEC. 171. The Commissioner of Education shall not defer action or order action deferred on any application by local educational agencies for funds authorized to be appropriated by this Act or by any Act amended by this Act on the basis of alleged noncompliance with the provisions of title VI of the Civil Rights Act of 1964 unless and until, as provided by section 602 of title VI, there has been an express finding on the record, after opportunity for a hearing, that such local educational agency has failed to comply with the provisions of title VI."

And on line 10, strike out "G" and insert "H", and on line 11, strike out "171" and insert "181".

Mr. BRADEMAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRADEMAS. Mr. Speaker, is this the so-called Fountain amendment?

The SPEAKER. That is correct.

Mr. BRADEMAS. I thank the Speaker.

The SPEAKER. The question is on the amendment.

Mr. O'HARA of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 221, nays 116, not voting 95, as follows:

[Roll No. 343]

YEAS—221

Abbitt	Betts	Casey
Adair	Boggs	Cederberg
Anderson, Ill.	Bolton	Chamberlain
Anderson, Tenn.	Bow	Chelf
Andrews, George W.	Brock	Clancy
Andrews, Glenn	Brooks	Clark
Andrews, N. Dak.	Broomfield	Clausen, Don H.
Ashmore	Brown, Clarence J., Jr.	Cleveland
Ayres	Broyhill, N.C.	Collier
Baring	Buchanan	Colmer
Bates	Burleson	Conable
Beckworth	Burton, Utah	Conte
Belcher	Byrnes, Wis.	Corbett
Bell	Cahill	Cramer
Bennett	Callan	Culver
	Callaway	Cunningham
	Cameron	Curtin
	Carter	Curtis
	Davis, Wis.	Jonas
	de la Garza	Jones, Ala.
	Dent	Jones, Mo.
	Derwinski	Karth
	Dickinson	Kee
	Dole	Keith
	Downing	King, Utah
	Duncan, Oreg.	Kornegay
	Duncan, Tenn.	Kunkel
	Dwyer	Laird
	Ellsworth	Landrum
	Erlenborn	Langen
	Everett	Latta
	Evins, Tenn.	Leggett
	Fascell	Lennon
	Findley	Lipscomb
	Fino	Long, La.
	Ford, Gerald R.	Long, Md.
	Fountain	McClory
	Frelinghuysen	McCulloch
	Fulton, Pa.	McDade
	Gathings	MacGregor
	Gettys	Machen
	Giaimo	Mahon
	Gibbons	Mailliard
	Goodell	Marsh
	Grabowski	Matthews
	Gray	May
	Green, Oreg.	Mills
	Grover	Minshall
	Gubser	Mize
	Gurney	Monagan
	Hagan, Ga.	Morse
	Hagen, Calif.	Morton
	Halleck	Mosher
	Hamilton	Natcher
	Hanley	Nelsen
	Hanna	O'Neal, Ga.
	Hansen, Idaho	Passman
	Hansen, Iowa	Patman
	Hansen, Wash.	Pelly
	Harsha	Pickle
	Hays	Pike
	Hechler	Pirnie
	Henderson	Poage
	Herlong	Poff
	Horton	Pool
	Hosmer	Pucinski
	Hull	Quie
	Hungate	Quillen
	Hutchinson	Race
	Ichord	Randall
	Jarman	Redlin
	Jennings	Reid, Ill.
	Johnson, Calif.	Reifel
	Johnson, Okla.	Rhodes, Ariz.
	Johnson, Pa.	Roberts
		Robison
		Rogers, Colo.
		Rogers, Fla.
		Rostenkowski
		Roush
		Rumsfeld
		Satterfield
		Schneebeli
		Schweiker
		Secrest
		Selden
		Senner
		Shipley
		Sikes
		Sisk
		Skubitz
		Slack
		Smith, Iowa
		Smith, N.Y.
		Smith, Va.
		Springer
		Stafford
		Staggers
		Stanton
		Steed
		Stratton
		Stubblefield
		Talcott
		Taylor
		Teague, Calif.
		Thomson, Wis.
		Trimble
		Tunney
		Tuten
		Udall
		Ullman
		Utt
		Vigorito
		Waggonner
		Waldie
		Watson
		Watts
		Weltner
		Whalley
		White, Tex.
		Whitener
		Whitten
		Widnall
		Williams
		Wolff
		Wright
		Wyatt
		Wydler
		Young
		Zablocki

NAYS—116

Adams	Garmatz	Nedzi
Addabbo	Gilbert	O'Hara, Ill.
Annunzio	Gonzalez	O'Hara, Mich.
Ashley	Green, Pa.	Ottinger
Bandstra	Halpern	Patten
Barrett	Hathaway	Pepper
Bingham	Hawkins	Perkins
Blatnik	Helstoski	Philbin
Boland	Hicks	Powell
Bolling	Holifield	Price
Brademas	Holland	Rees
Burke	Howard	Reid, N.Y.
Burton, Calif.	Huot	Resnick
Byrne, Pa.	Irwin	Reuss
Carey	Jacobs	Rhodes, Pa.
Celler	Joelson	Rodino
Clevenger	Karsten	Ronan
Cohelan	Kastenmeier	Rooney, N.Y.
Conyers	Kelly	Rooney, Pa.
Daddario	King, Calif.	Rosenthal
Daniels	Kirwan	Roybal
Dawson	Kluczynski	Ryan
Delaney	Krebs	St Germain
Diggs	Kupferman	St. Onge
Dingell	Love	Scheuer
Donohue	McCarthy	Schmidhauser
Dulski	McFall	Sickles
Edwards, Calif.	McGrath	Stalbaum
Fallon	Mackie	Sullivan
Farbstein	Madden	Tenzer
Farnsley	Mathias	Thompson, N.J.
Farnum	Matsunaga	Todd
Feighan	Meeds	Van Deerlin
Flood	Miller	Vanik
Fogarty	Minish	Vivian
Ford, William D.	Mink	Wilson, Charles H.
Fraser	Moorhead	Yates
Friedel	Morgan	
Gallagher	Multer	
	Murphy, Ill.	

NOT VOTING—95

Abernethy	Ashbrook	Berry
Albert	Aspinall	Bray
Arends	Battin	Brown, Calif.

Broyhill, Va.	Hall	Olson, Minn.
Cabell	Hardy	O'Neill, Mass.
Clawson, Del	Harvey, Ind.	Purcell
Cooley	Harvey, Mich.	Reinecke
Corman	Hébert	Rivers, Alaska
Craley	Jones, N.C.	Rivers, S.C.
Dague	Keogh	Rogers, Tex.
Davis, Ga.	King, N.Y.	Roncalio
Denton	McDowell	Roudebush
Devine	McEwen	Saylor
Dorn	McMillan	Schisler
Dow	McVicker	Scott
Dowdy	Macdonald	Shriver
Dyal	Mackay	Smith, Calif.
Edmondson	Martin, Ala.	Stephens
Edwards, Ala.	Martin, Mass.	Sweeney
Edwards, La.	Martin, Nebr.	Teague, Tex.
Evans, Colo.	Michel	Thomas
Fisher	Moeller	Thompson, Tex.
Flynt	Moore	Toll
Foley	Morris	Tuck
Fulton, Tenn.	Morrison	Tupper
Fuqua	Moss	Walker, Miss.
Gilligan	Murphy, N.Y.	Walker, N. Mex.
Greigg	Murray	Watkins
Grider	Nix	White, Idaho
Griffiths	O'Brien	Willis
Gross	O'Konski	Wilson, Bob
Haley	Olsen, Mont.	Younger

So the amendment was agreed to.

The Clerk announced the following pairs:

Mr. Albert with Mr. Arends.
Mr. Hébert with Mr. Bray.
Mr. Keogh with Mr. Bob Wilson.
Mr. O'Neill of Massachusetts with Mr. Martin of Massachusetts.
Mr. Rivers of South Carolina with Mr. Broyhill of Virginia.
Mr. Foley with Mr. Battin.
Mr. Dow with Mr. Harvey of Indiana.
Mr. Hardy with Mr. Hall.
Mr. Fuqua with Mr. Watkins.
Mr. Grider with Mr. Roudebush.
Mr. Mackay with Mr. Walker of Mississippi.
Mr. Edmondson with Mr. Gross.
Mr. Edwards of Louisiana with Mr. Edwards of Alabama.
Mr. Denton with Mr. King of New York.
Mr. Walker of New Mexico with Mr. Shriver.
Mr. Morris with Mr. Tupper.
Mr. Morrison with Mr. Berry.
Mr. Murphy of New York with Mr. McEwen.
Mr. Sweeney with Mr. Saylor.
Mr. McVicker with Mr. Ashbrook.
Mr. Fulton of Tennessee with Mr. Moore.
Mr. Rivers of Alaska with Mr. Michel.
Mr. Nix with Mr. Greigg.
Mr. Moeller with Mr. Younger.
Mr. Olsen of Montana with Mr. Martin of Nebraska.
Mr. Brown of California with Mr. Harvey of Michigan.
Mr. Abernethy with Mr. Martin of Alabama.
Mr. Aspinall with Mr. O'Konski.
Mr. Cooley with Mr. Dague.
Mr. Corman with Mr. Reinecke.
Mr. Dyal with Mr. Smith of California.
Mr. Gilligan with Mr. Del Clawson.
Mr. Craley with Mr. Devine.
Mr. Haley with Mr. Schisler.
Mr. Rogers of Texas with Mr. McMillan.
Mr. White of Idaho with Mr. Thompson of Texas.
Mr. Tuck with Mrs. Thomas.
Mr. McDowell with Mr. Davis of Georgia.
Mr. Purcell with Mr. Olson of Minnesota.
Mr. Moss with Mr. Willis.
Mr. Teague of Texas with Mr. Scott.
Mr. Stephens with Mr. Roncalio.
Mr. Jones of North Carolina with Mr. Macdonald.
Mr. Fisher with Mr. Evans of Colorado.
Mr. Flynt with Mr. Dorn.
Mr. Cabell with Mr. OBrien.
Mr. Dowdy with Mr. Murray.

Mr. BROOKS changed his vote from "nay" to "yea."

Mr. MONAGAN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the so-called O'Hara amendments on which a separate vote has been demanded.

The Clerk read as follows:

Amendments offered by Mr. O'HARA of Michigan: On page 63, between lines 12 and 13 insert:

"PART H—RACIAL IMBALANCE

"SEC. 181. Section 604 of the Elementary and Secondary Education Act of 1965 (containing a prohibition against Federal control of education) is amended by inserting the following at the end thereof and before the period: ', or to require the assignment or transportation of students or teachers in order to overcome racial imbalance'."

On page 69, after line 3, insert the following:

"SEC. 215. Section 301(a) of the Act of September 30, 1950 (Public Law 874; Eighty-first Congress) is amended by inserting the following at the end thereof before the period: ', or require the assignment or transportation of students or teachers in order to overcome racial imbalance'."

The SPEAKER. The question is on the amendments.

Mr. FINO. Mr. Speaker, on this vote I demand the yeas and nays.

The SPEAKER. Members in favor of taking this vote by the yeas and nays will rise and remain standing until counted. [After counting.] Fifty-six Members have arisen, not a sufficient number.

The yeas and nays were refused.

Mr. FINO. Mr. Speaker, I ask for tellers.

Tellers were ordered, and the Speaker appointed Mr. O'HARA of Michigan and Mr. FINO as tellers.

The House divided, and the tellers reported that there were—ayes 263, noes 5.

So the amendments were agreed to.

The SPEAKER. The question is on the amendment as amended.

The amendment, as amended, was 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.

MOTION TO RECOMMIT

Mr. COLLIER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. COLLIER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. COLLIER moves to recommit the bill, H.R. 13161, to the Committee on Education and Labor with instructions that it be reported back to the House forthwith with the following amendments:

(1) That payments under title I of Public Law 89-10 be limited to $1,070,410,000——

Mr. GOODELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. GOODELL. In view of the fact that the recommital motion has been explained, and it will cut $343 million——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GOODELL. I rise to save the House some time by asking unanimous consent—I withdraw my request.

The SPEAKER. The Clerk will continue the reading of the motion to recommit.

The Clerk read as follows:

(1) That payments under title I of Public Law 89-10 be limited to $1,070,410,000 for fiscal year 1967 and to $1,800,000,000 for fiscal year 1968.

(2) That the authorization for title III of such Act be limited to $100,000,000 for fiscal year 1967, and to such sums as may hereafter be authorized by law for any other fiscal year.

(3) That lines 10 through 22 on page 57 of the bill and lines 1 through 4 on page 58, known as the O'Hara amendment, be stricken from the bill.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. COLLIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 150, nays 185, not voting 97, as follows:

[Roll No. 344]

YEAS—150

Abbitt	Everett	Mosher
Adair	Evins, Tenn.	Nelsen
Anderson, Ill.	Findley	O'Neal, Ga.
Andrews, George W.	Fino	Passman
	Ford, Gerald R.	Patman
Andrews, Glenn	Fountain	Pelly
	Frelinghuysen	Pickle
Andrews, N. Dak.	Fulton, Pa.	Pirnie
	Gathings	Poage
Ashmore	Gettys	Poff
Ayres	Goodell	Pool
Baring	Grover	Quie
Bates	Gubser	Quillen
Belcher	Gurney	Race
Bennett	Hagan, Ga.	Randall
Betts	Halleck	Reid, Ill.
Bolton	Hansen, Idaho	Reifel
Brock	Harsha	Rhodes, Ariz.
Broomfield	Henderson	Roberts
Brown, Clarence J., Jr.	Herlong	Robison
	Hosmer	Rogers, Fla.
Broyhill, N.C.	Hull	Rumsfeld
Buchanan	Hutchinson	Satterfield
Burleson	Ichord	Schneebeli
Byrnes, Wis.	Jarman	Selden
Cahill	Jennings	Sikes
Callaway	Johnson, Pa.	Skubitz
Carter	Jonas	Smith, N.Y.
Casey	Jones, Ala.	Smith, Va.
Cederberg	Jones, Mo.	Springer
Chamberlain	Keith	Stanton
Clancy	Kornegay	Stubblefield
Clausen, Don H.	Kunkel	Talcott
	Laird	Taylor
Collier	Landrum	Teague, Calif.
Colmer	Langen	Thomson, Wis.
Conable	Latta	Tuten
Corbett	Lennon	Utt
Cramer	Lipscomb	Waggonner
Cunningham	Long, La.	Watson
Curtin	McClory	Watts
Curtis	McCulloch	Whalley
Davis, Wis.	MacGregor	White, Tex.
de la Garza	Mahon	Whitener
Derwinski	Mailliard	Whitten
Dickinson	Marsh	Widnall
Dole	Matthews	Williams
Downing	May	Wright
Duncan, Tenn.	Mills	Wyatt
Dwyer	Minshall	Wydler
Ellsworth	Mize	Young
Erlenborn	Morton	

NAYS—185

Adams	Annunzio	Beckworth
Addabbo	Ashley	Bell
Anderson, Tenn.	Bandstra	Bingham
	Barrett	Blatnik

Boggs
Boland
Bolling
Brademas
Brooks
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Callan
Cameron
Carey
Celler
Chelf
Clark
Cleveland
Clevenger
Cohelan
Conte
Conyers
Culver
Daddario
Daniels
Dawson
Delaney
Dent
Diggs
Dingell
Donohue
Dulski
Duncan, Oreg.
Edwards, Calif.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Fogarty
Ford,
William D.
Fraser
Friedel
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Okla.
Karsten
Karth
Kastenmeier
Kee
Kelly
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kupferman
Leggett
Long, Md.
Love
McCarthy
McDade
McFall
McGrath
Machen
Mackie
Madden
Mathias
Matsunaga
Meeds
Miller
Minish
Mink
Monagan
Moorhead
Morgan
Morse
Multer
Murphy, Ill.
Natcher
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Ottinger
Patten
Pepper
Perkins
Philbin
Pike
Powell
Price
Pucinski
Redlin
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stalbaum
Steed
Stratton
Sullivan
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Waldie
Weltner
Wilson,
Charles H.
Wolff
Yates
Zablocki

NOT VOTING—97

Abernethy
Albert
Arends
Ashbrook
Aspinall
Battin
Berry
Bow
Bray
Brown, Calif.
Broyhill, Va.
Cabell
Clawson, Del
Cooley
Corman
Craley
Dague
Davis, Ga.
Denton
Devine
Dorn
Dow
Dowdy
Dyal
Edmondson
Edwards, Ala.
Edwards, La.
Evans, Colo.
Fisher
Flynt
Foley
Fulton, Tenn.
Fuqua
Gilligan
Greigg
Grider
Griffiths
Gross
Haley
Hall
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Jones, N.C.
Keogh
King, N.Y.
McDowell
McEwen
McMillan
McVicker
Macdonald
Mackay
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Michel
Moeller
Moore
Morris
Morrison
Moss
Murphy, N.Y.
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Purcell
Reinecke
Rivers, Alaska
Rivers, S.C.
Rogers, Tex.
Roncalio
Roudebush
Saylor
Schisler
Scott
Shriver
Smith, Calif.
Stephens
Sweeney
Teague, Tex.
Thomas
Thompson, Tex.
Toll
Tuck
Tupper
Walker, Miss.
Walker, N. Mex.
Watkins
White, Idaho
Willis
Wilson, Bob
Younger

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Roudebush for, with Mr. Keogh against.

Mr. Teague of Texas for, with Mr. O'Neill of Massachusetts against.

Mr. Fuqua for, with Mr. Foley against.

Mr. Hardy for, with Mr. Dow against.

Mr. Hébert for, with Mr. Murphy of New York against.

Mr. Bray for, with Mr. Denton against.

Mr. Jones of North Carolina for, with Mr. Gilligan against.

Mr. Scott for, with Mr. Moss against.

Mr. Rivers of South Carolina for, with Mr. Sweeney against.

Mr. Cooley for, with Mr. McDowell against.

Mr. Abernethy for, with Mr. Aspinall against.

Mr. Tuck for, with Mr. Albert against.

Mr. Dorn for, with Mrs. Thomas against.

Mr. Dowdy for, with Mr. Schisler against.

Mr. Fisher for, with Mr. McVicker against.

Mr. Battin for, with Mr. Mackay against.

Mr. Smith of California for, with Mr. Corman against.

Mr. Saylor for, with Mr. Brown of California against.

Mr. Younger for, with Mr. Evans of Colorado against.

Mr. Bob Wilson for, with Mr. Dyal against.

Mr. Berry for, with Mr. Edmondson against.

Mr. Del Clawson for, with Mr. Craley against.

Mr. Edwards of Alabama for, with Mr. Moeller against.

Mr. Hall for, with Mr. Morris against.

Mr. Broyhill of Virginia for, with Mr. Morrison against.

Mr. Bow for, with Mr. Nix against.

Mr. Devine for, with Mr. O'Brien against.

Mr. Martin of Nebraska for, with Mr. Toll against.

Mr. Rogers of Texas for, with Mr. Olsen of Montana against.

Mr. McMillan for, with Mr. White of Idaho against.

Mr. Edwards of Louisiana for, with Mr. Olson of Minnesota against.

Mr. Murray for, with Mr. Walker of New Mexico against.

Mr. Willis for, with Mrs. Griffiths against.

Mr. Reinecke for, with Mr. Fulton of Tennessee against.

Mr. Walker of Mississippi for, with Mr. Greigg against.

Mr. Shriver for, with Mr. Rivers of Alaska against.

Mr. Michel for, with Mr. Cabell against.

Mr. McEwen for, with Mr. Macdonald against.

Until further notice:

Mr. Davis of Georgia with Mr. O'Konski.

Mr. Stephens with Mr. Harvey of Indiana.

Mr. Flynt with Mr. Ashbrook.

Mr. Thompson of Texas with Mr. Tupper.

Mr. Purcell with Mr. Martin of Massachusetts.

Mr. Roncalio with Mr. Martin of Alabama.

Mr. Haley with Mr. Harvey of Michigan.

Mr. YOUNG changed his vote from "nay" to "yea."

Mr. FALLON changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The question was taken; and there were—yeas 237, nays 97, not voting 98, as follows:

[Roll No. 345]

YEAS—237

Adams
Addabbo
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Ayres
Bandstra
Baring
Barrett
Bates
Beckworth
Bell
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Clarence J., Jr.
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cahill
Callan
Cameron
Carey
Carter
Casey
Celler
Chelf
Clark
Cleveland
Clevenger
Cohelan
Conable
Conte
Conyers
Corbett
Culver
Curtin
Daddario
Daniels
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dulski
Duncan, Oreg.
Dwyer
Edwards, Calif.
Ellsworth
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Ford,
William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Grover
Gubser
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kupferman
Landrum
Leggett
Long, Md.
Love
McCarthy
McCulloch
McDade
McFall
McGrath
Machen
Mackie
Madden
Mailliard
Mathias
Matsunaga
May
Meeds
Miller
Mills
Minish
Mink
Mize
Monagan
Moorhead
Morgan
Morse
Multer
Murphy, Ill.
Natcher
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Powell
Price
Pucinski
Quie
Race
Randall
Redlin
Rees
Reid, N.Y.
Reifel
Resnick
Reuss
Rhodes, Pa.
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Stafford
Staggers
Stalbaum
Steed
Stratton
Stubblefield
Sullivan
Teague, Calif.
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Waldie
Watts
Weltner
White, Tex.
Widnall
Wilson,
Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—97

Abbitt
Adair
Anderson, Ill.
Andrews,
George W.
Andrews,
Glenn
Ashmore
Belcher
Bennett
Betts
Bolton
Brock
Broomfield
Broyhill, N.C.
Buchanan
Burleson
Byrnes, Wis.
Callaway
Cederberg
Chamberlain
Clancy
Clausen,
Don H.
Collier
Colmer
Cramer
Cunningham
Curtis
Davis, Wis.
Derwinski
Dickinson
Dole
Downing
Duncan, Tenn.
Erlenborn
Findley
Ford, Gerald R.
Fountain
Gathings
Gettys
Gurney
Hagan, Ga.
Halleck
Hansen, Idaho
Harsha
Henderson
Herlong
Hull
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Kornegay
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
MacGregor
Mahon
Marsh
Matthews
Minshall
Morton
Mosher
Nelsen
O'Neal, Ga.
Passman
Poage
Poff
Pool
Quillen
Reid, Ill.
Rhodes, Ariz.
Roberts
Rogers, Fla.

Rumsfeld	Stanton	Watson
Satterfield	Talcott	Whalley
Schneebeli	Taylor	Whitener
Selden	Thomson, Wis.	Whitten
Sikes	Tuten	Williams
Smith, Va.	Utt	
Springer	Waggonner	

NOT VOTING—98

Abernethy	Gilligan	O'Brien
Albert	Greigg	O'Konski
Arends	Grider	Olsen, Mont.
Ashbrook	Griffiths	Olson, Minn.
Aspinall	Gross	O'Neill, Mass.
Battin	Haley	Purcell
Berry	Hall	Reinecke
Bow	Hansen, Iowa	Rivers, Alaska
Bray	Hardy	Rivers, S.C.
Brown, Calif.	Harvey, Ind.	Rogers, Tex.
Broyhill, Va.	Harvey, Mich.	Roncalio
Cabell	Hébert	Roudebush
Clawson, Del	Jones, N.C.	Saylor
Cooley	Keogh	Schisler
Corman	King, N.Y.	Scott
Craley	McDowell	Shriver
Dague	McEwen	Smith, Calif.
Davis, Ga.	McMillan	Stephens
Denton	McVicker	Sweeney
Devine	Macdonald	Teague, Tex.
Dorn	Mackay	Thomas
Dow	Martin, Ala.	Thompson, Tex.
Dowdy	Martin, Mass.	Toll
Dyal	Martin, Nebr.	Tuck
Edmondson	Michel	Tupper
Edwards, Ala.	Moeller	Walker, Miss.
Edwards, La.	Moore	Walker, N. Mex.
Evans, Colo.	Morris	Watkins
Fisher	Morrison	White, Idaho
Flynt	Moss	Willis
Foley	Murphy, N.Y.	Wilson, Bob
Fulton, Tenn.	Murray	Younger
Fuqua	Nix	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Roudebush against.
Mr. Denton for, with Mr. Bray against.
Mr. Hall for, with Mr. Fuqua against.
Mr. Albert for, with Mr. Flynt against.
Mr. Aspinall for, with Mr. Fisher against.
Mr. Mackay for, with Mr. Abernethy against.
Mr. White of Idaho for, with Mr. Dorn against.
Mr. Tupper for, with Mr. Dowdy against.
Mr. Dow for, with Mr. Edwards of Louisiana against.
Mr. Harvey of Michigan for, with Mr. Hardy against.
Mr. Moore for, with Mr. Hébert against.
Mr. Edmondson for, with Mr. Jones of North Carolina against.
Mr. Shriver for, with Mr. McMillan against.
Mr. Foley for, with Mr. Murray against.
Mr. Gilligan for, with Mr. Rivers of South Carolina against.
Mr. Grider for, with Mr. Rogers of Texas against.
Mr. O'Neill of Massachusetts for, with Mr. Scott against.
Mr. Morris for, with Mr. Teague of Texas against.
Mr. McVicker for, with Mr. Tuck against.
Mr. McDowell for, with Mr. Battin against.
Mr. Walker of New Mexico for, with Mr. Berry against.
Mr. Cabell for, with Mr. Bow against.
Mr. Brown of California for, with Mr. Broyhill of Virginia against.
Mr. Macdonald for, with Mr. Younger against.
Mr. Murphy of New York for, with Mr. Smith of California against.
Mr. Fulton of Tennessee for, with Mr. Reinecke against.
Mr. Corman for, with Mr. Michel against.
Mr. Moss for, with Mr. Devine against.
Mrs. Griffiths for, with Mr. Del Clawson against.
Mr. Nix for, with Mr. Harvey of Indiana against.
Mr. Rivers of Alaska for, with Mr. McEwen against.

Mr. Dyal for, with Mr. Martin of Nebraska against.
Mr. Evans of Colorado for, with Mr. Saylor against.
Mr. Olsen of Montana for, with Mr. Bob Wilson against.
Mr. Moeller for, with Mr. Edwards of Alabama against.
Mr. Schisler for, with Mr. Martin of Alabama against.
Mr. Hansen of Iowa for, with Mr. Walker of Mississippi against.

Until further notice:

Mrs. Thomas with Mr. Cooley.
Mr. Davis of Georgia with Mr. Roncalio.
Mr. Craley with Mr. Willis.
Mr. Olson of Minnesota with Mr. Haley.
Mr. Greigg with Mr. Thompson of Texas.
Mr. Stephens with Mr. Sweeney.
Mr. Purcell with Mr. Morrison.
Mr. O'Brien with Mr. Toll.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ENGROSSMENT OF BILL H.R. 13161

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that in the engrossing of the bill, H.R. 13161, the Clerk be authorized to make corrections in punctuation and section numbers.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, 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. 15098. An act to amend Public Law 89–284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Tex., in 1968, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3467) entitled "An act to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children."

The message also announced that the Senate further insists upon its amendments to the bill (H.R. 15941) entitled "An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes," disagreed to by the House; agrees to a further conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RUSSELL of Georgia, Mr. HILL, Mr. MCCLELLAN, Mr. ELLENDER, Mr. STENNIS, Mr. SYMINGTON, Mr. SALTONSTALL, Mr. YOUNG of North Dakota and Mrs. SMITH to be the conferees on the part of the Senate.

LEGISLATIVE PROGRAM

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. BOGGS. Mr. Speaker, I take this time to announce that tomorrow, in addition to the bills to be taken up under unanimous consent which are listed on the whip notice from the Committee on Ways and Means, there will also be considered seven unanimous-consent bills reported by the Committee on Armed Services and I ask unanimous consent that the numbers of titles of these bills be printed at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The bills are as follows:

H.R. 13320. A bill to authorize the disposal of 1.8 million carats of industrial diamond stones from the national stockpile and the supplemental stockpile;

H.R. 13370. A bill to authorize the disposal of 130,000 short tons of fused crude aluminum oxide from the national stockpile;

H.R. 13661. A bill to authorize the disposal of approximately 14,572 short dry tons of battery-grade synthetic manganese dioxide held in the national stockpile;

H.R. 17376. A bill to authorize the disposal of 24,500 pounds of nickel from the national stockpile;

H.R. 16394. A bill for the relief of certain enlisted members of the military services who lost interest on amounts deposited under section 1035 of title 10, United States Code, or prior laws authorizing enlisted members' deposits, and for other purposes;

H.R. 16000. A bill to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Navy, Air Force, and Marine Corps, and for other purposes; and

H.R. 3500. A bill to authorize the President to advance Maj. Gen. Robert Wesley Colglazier, Jr., to the grade of lieutenant general.

ADMINISTRATIVE MANAGEMENT SOCIETY SECOND ANNUAL FEDERAL PAPERWORK MANAGEMENT AWARDS GIVEN 21 GOVERNMENT OFFICIALS

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

Mr. BOLAND. Mr. Speaker, I had the distinct privilege of presiding at the second annual Federal Government Paperwork Management Awards banquet, sponsored by the Administrative Management Society, at the Shoreham Hotel here in Washington on Tuesday evening, September 27.

The Administrative Management Society is a professional society of 15,000 administrative managers organized into 176 chapters in the United States, Canada, and Jamaica, West Indies. It has individual members throughout the free world. Its purposes are to promote improved management and administration in business, government, and other organizations through various educational processes. The society maintains world headquarters in Willow Grove, Pa. The officers of the society are:

International president: L. W. Lynett, IBM Corp., Armonk, N.Y.

First vice president: R. W. Ball, Rochester Gas & Electric Corp., Rochester, N.Y.

Vice president: T. C. Collins, Jr., Southern Life Insurance Co., Greensboro, N.C.

Vice president: H. W. Dean, Eastman Kodak Co., Rochester, N.Y.

Vice president: K. B. Smoyer, Micro Switch Division, Honeywell, Inc., Freeport, Ill.

Chairman, executive committee: J. B. Poole, Norton Abrasives, Ltd., Belfast, North Ireland.

Executive director: Robert C. Walter, Administrative Management Society, Willow Grove, Pa.

Mr. Speaker, everybody complains about the high cost of doing business, including the Government. But, the Administrative Management Society has honored those who have done something about it. To inspire Federal agencies to reduce the burden of paperwork they create, AMS has launched an award program to recognize Federal employees who are helping to cut paperwork.

Some 20 Federal agencies and the District of Columbia government are vying for the Paperwork Management Award. Each of these agencies has nominated one of its people, who during the last year, has been instrumental in bringing about major reduction in paperwork cost, either within the Government itself, or for businesses that must deal with the Government. These 21 persons were honored at this banquet.

To handle this paperwork explosion in the Government, the Congress was farsighted enough in 1950 to pass the Federal Records Act. Under the aegis of this law, the General Services Administration through the National Archives and Records Service, has tried to provide some leadership to our executive branch agencies. Under the Federal Records Act of 1950 they, too, have a mandate to keep their paperwork within bounds.

This awards banquet shows that although we have a tremendous paperwork problem everywhere, nevertheless we can agree with Robert Walter, executive director of the Administrative Management Society, who told me:

The AMS Federal Paperwork Management Award is designed to tie in with President Johnson's War on Waste campaign, and his drive for paperwork simplification in the Federal Government. As administrative managers, we understand the problem on controlling paperwork costs, and we feel that every worthwhile government action in this direction should be recognized.

To that we all can agree.

Mr. Speaker, I think that the General Services Administration should be commended for the role it has played in controlling paperwork in our Government. Particular credit should go to Dr. Robert H. Bahmer, Archivist of the United States, and his staff at the National Archives and Records Service. At this time I would like to also commend the many departments and agencies of the Government that are doing so much to control the growing volume of paperwork. Also, I would like to offer my personal congratulations to the award winners and to extend to them the gratitude of the Congress of the United States for their dedication, efficiency, and efforts in saving an estimated $80 million in paperwork costs.

Mr. Speaker, Chairman John W. Macy, Jr., of the U.S. Civil Service Commission, read the following letter from President Johnson commending the awards winners:

THE WHITE HOUSE,
Washington, September 27, 1966.

My perpetual interest in economy is well known in every office of the government.

We need to conserve man hours wherever possible. We need to cut costs wherever we can. Certainly the improvement of paperwork management will help us to save both man hours and dollars.

I have instructed management at every level to encourage the best efforts of all personnel to devise new ways of reducing paperwork and lowering other costs of their operations.

Each innovation for economy in government merits our applause.

I am delighted, therefore, to commend the Administrative Management Society for giving special recognition to the most exceptional of these achievements.

LYNDON B. JOHNSON.

Mr. Speaker, the awards were presented to the winners by Mr. L. W. Lynett, International President of the Administrative Management Society. In making the presentations, Mr. Lynett said:

REMARKS OF L. W. LYNETT

On behalf of the Officers, Directors, Members and Staff of the Administrative Management Society, it is my pleasure to extend our congratulations to the Nominees in the AMS Federal Government Paperwork Management Awards Program.

We are proud to be able to recognize these Government Managers not only for their contribution toward more effective management, but the inspiration they provide to all government management for improved performance in all sectors. We were impressed by the professional administrative competence shown by the Nominees of the Administrative Management Society Award. We feel confident that this award has contributed substantially toward improved paperwork management within the Government.

I wish to extend our appreciation to the President of the United States for the continuing leadership he has provided through his "War on Waste." Also, we thank the many officials of the Federal Government whose wholehearted interest and cooperation have made this a most successful professional endeavor. These include, among many others, Elmer B. Staats, Comptroller General of the United States, House Representative Edward P. Boland, the Heads of the Nominating Agencies, the Personnel Officers and other Officers of the Agencies, and also the Officials of the National Archives and Records Service of the General Services Administration.

Finally, I wish to thank the Chairman and Members of the Special Awards Board convened by the Administrative Management Society to make the difficult professional judgments essential to a successful Federal Government Paperwork Management Awards program.

L. W. LYNETT,
International President, Administrative Management Society.

Mr. Speaker, I include at this point in the RECORD the names of the awards winners and a brief description of their personal contribution to paperwork costs savings:

ROBERT E. BEETS, CHIEF, RECORDS MANAGEMENT BRANCH, GENERAL SERVICES ADMINISTRATION, WASHINGTON, D.C.

Mr. Beets as Chief, Records Management Branch in the General Services Administration, has complete responsibility for the agency-wide internal records management program. This involves a systematic disposition of GSA inactive records and the effective management of current records, files, correspondence and mail. He has planned, directed and surveyed paperwork processing procedures, document flow, purchase and use of filing equipment and the overall records management program effectiveness of the operating and staff offices in the Central Office and regions.

Under his guidance and instruction, files and records in all services and staff offices were surveyed, disposal schedules established and filing methods simplified and systematized. Savings of over $277,000 were realized through filing cabinets and office space made available for reuse through records destruction or transfer to Federal Records Centers. In addition, a reduction of requisitions for new filing equipment resulted in a cost avoidance of over $33,000.

Mr. Beets has made a significant personal contribution to the agency in developing a new internal GSA standard for the disposal of bulky procurement records six years after contract settlement instead of having to retain them in Federal Records Centers. This will make thousands of cubic feet of Federal Supply Service procurement records eligible for disposal and provide immeasurable savings and benefits to the agency. As a result of Mr. Beets' contributions to date, such benefits will undoubtedly continue to accelerate.

MISS FRANCES T. BOURNE, SENIOR RECORDS MANAGEMENT SPECIALIST, OFFICE OF MANAGEMENT PLANNING, DEPARTMENT OF STATE, WASHINGTON, D.C.

Miss Frances T. Bourne, a Senior Records-Management Specialist in the Office of Management Planning of the State Department, has full technical responsibility for the design, complex preparation and production of an outstanding Correspondence Handbook for both domestic and overseas use. The Correspondence Handbook provides direct, first-hand and centralized guidance to secretaries and officer personnel in drafting and typing ten classes of correspondence, special documents, and all kinds of papers throughout the Department Offices and in over 278 posts overseas.

Miss Bourne has incorporated in the new Correspondence Handbook major changes in style practices which will streamline and modernize the Department's correspondence practices.

This new handbook has helped to increase productivity by five to ten per cent for a conservative annual world-wide savings of approximately $20,000. Through increased efficiency and improved operations added savings will result. It also has provided the basis for establishing a sound correspond-

ence management program within the Department—an important element of a comprehensive paperwork management program.

RUFUS L. CARPENTER, CHIEF, RECORDS MANAGEMENT DIVISION, DEPARTMENT OF VETERANS BENEFITS, VETERANS ADMINISTRATION, WASHINGTON, D.C.

As Chief, Records Management Division, Mr. Carpenter is directly responsible for formulating and administering the Department's Records Management Program—a tremendous management responsibility, since this Department has one of the largest record-making and holding services in the Government. Holdings as of June 30, 1965 amounted to 690,785 cubic feet.

Under his outstanding leadership, the Department has saved the Government over 7 million dollars and has brought marked improvement in the paperwork activities of the Veterans Administration. During the period of almost 7 years, Mr. Carpenter has obtained outstanding results in reducing its records holdings in spite of the fact that thousands of new applications, creating all types of related paperwork, are processed daily. As a result of Mr. Carpenter's planning and direction, a file disposal program, a reorganization of filing systems and a record disposition system have reduced record holdings by 12,390 cubic feet over the previous fiscal year.

Also, Mr. Carpenter has undertaken profitable studies and projects which have resulted in significant savings in the creation, maintenance and disposition of records. Increased efficiency from the use of modern methods and equipment is given constant attention by Mr. Carpenter. In all, his recommendations have resulted in an annual savings of almost 1.5 million dollars annually in operating efficiencies. His distinctive performance will serve as an incentive to others in the Federal Government to increase the effectiveness of its paperwork management.

LOUIS G. CARRICO, CHIEF, RECORDS ADMINISTRATION STAFF, CENTRAL INTELLIGENCE AGENCY, WASHINGTON, D.C.

Mr. Carrico has served as the Central Intelligence Agency's Records Administration Officer since 1953 and has had a key role in developing highly effective Records and Paperwork Management Programs. In addition to his achievements in improving the world-wide record-keeping system of the Agency, he established uniform standards and procedures for the retention and disposal of Intelligence materials in other elements of the Intelligence community of the United States. He is particularly noted for the development of a Vital Materials Program, which has been a model for other Federal Agencies.

Under his leadership, the Agency has developed one of the most sophisticated Records and Paperwork Management Systems in the Federal Government. Through his professional experience in program promotion, he has gained the support of top management and the cooperation and participation of Officers at all levels of the Agency.

The program is comprehensive in scope. It covers all areas in the management of CIA directives, reports, forms, communication, files, and records from date of creation to final storage or destruction.

The importance and impact of Mr. Carrico's accomplishments are best summarized by the fact that he was commended by the Special Assistant to the President for National Security Affairs for his able and efficient direction of the Records Management Services rendered to the National Security Council. In addition, other agencies with unusually difficult security problems have drawn on his successful management techniques and procedures to improve their Paperwork Management Systems and the operations of their records centers.

Mr. Carrico's contributions to effective records and paperwork management within the Central Intelligence Agency have resulted in important savings in man-hours, equipment, and supplies.

ROBERT J. DRUMMOND, JR., DEPUTY DIRECTOR, CHICAGO REGION, U.S. CIVIL SERVICE COMMISSION, WASHINGTON, D.C.

As Deputy Director of the Chicago Region, Mr. Drummond has responsibility for the management and direction of the Commission's recruiting, examining, and inspection functions in several Central States. Among many of his accomplishments in paperwork management, Mr. Drummond redesigned Standard Form 85 so as to group in one location on the form the identifying items that are common to a number of related investigative forms used by the National Agency Check and Inquiry process. This arrangement permits preparation of a reproducing master by a photocopy process directly from Standard Form 85. The master, in turn, is used to print identifying information on various investigative forms.

Standard Form 85 is used in about 250,000 cases annually and its volume use can reach 500,000 in a year of heavy recruiting. These are typed by the appointee or the employing agency and submitted with other required forms to the Commission for initiation of a national agency check and inquiry investigation. The Commission utilizes from 2.5 to 5.0 million written inquiry forms annually. The revised Standard Form 85 eliminates the need for typing individual masters in each of the Commission's area NACI centers and substitutes a machine operation.

The revised system has been successfully tested. Projected on an annual volume of 250,000 cases, a savings of $27,500 would result. On a half million cases, $55,000 would be realized. Equally important as the cost considerations involved in the proposal made by Mr. Drummond is the fact that the revised system will permit prompt indexing of unanticipated increases in case receipts, permits economical scheduling of the workload, and allows for prompt handling of cases. By improving and simplifying forms within the U.S. Civil Service Commission, Mr. Drummond has made a substantial contribution to effective paperwork management in government.

JOSEPH F. GORMAN, ASSISTANT CHIEF, RECORDS MANAGEMENT BRANCH, U.S. ATOMIC ENERGY COMMISSION, WASHINGTON, D.C.

As Assistant Chief, Records Management Branch and Senior Principal Management Analyst, Mr. Gorman has contributed to the development and establishment of an active and progressive records and paperwork management program. Beginning with the Manhattan Engineer District, predecessor to the Atomic Energy Commission, Mr. Gorman inaugurated and developed a new file scheme for organizing current records which provided ready retrieval and full exploitation of the entirely new subject of atomic science.

Mr. Gorman has successfully conducted special studies and analyses of major projects. One such study led to the establishment of the first records center in the Manhattan Engineer District (MED) which resulted in the establishment of other low cost record storage areas within AEC offices and contract organizations. The savings resulting from the transfer of AEC and contractor operated record centers to the centralized National Federal Records are estimated to be approximately $500,000. Also, significant savings were realized when files were reduced to a minimum.

Mr. Gorman actively participated in the development of contract clauses regarding ownership, retention, disposal and access of records generated by contractors. His studies resulted in a 50% reduction in the retention period of records kept by contractors which reduced contractors' cost by $100,000 annually.

AEC records, forms and paperwork processes produce both tangible and intangible benefits to the government, its contractors and its licensees. Mr. Gorman has contributed significantly to the improvements made in the establishment of a highly efficient and effective paperwork system. With these improvements in quality, the costs for performing these services have been drastically curtailed.

REAR ADM. IRA FREDERICK HADDOCK, ASSISTANT CHIEF FOR SUPPLY MANAGEMENT, DEPARTMENT OF THE NAVY, WASHINGTON, D.C.

The Secretary of the Navy, recognizing the danger of the Navy becoming overcome by paperwork, initiated a project known as "SCRAP," a selective curtailment of reports and paperwork. Rear Admiral Haddock was chosen to head up the specialized Paperwork Reduction Program within the Bureau of Supplies and Accounts whose numerous operating field activities are scattered throughout the world and involve widely varied paperwork problems.

To carry out the objectives of Project SCRAP, Rear Admiral Haddock conducted a comprehensive review of the various paperwork used and generated in the Naval Supply System. His review of 13,571 field activity paperwork products resulted in the elimination of 1,411 reports and forms.

A second coordinated review of forms and reports prepared or required by the Navy Bureau of Supplies and Accounts Headquarters, again resulted in positive benefits. A total of 683 reports and forms were reviewed and of this number, 117 were eliminated and 46 simplified.

The elimination and/or simplification of 14 percent of all reports and forms generated savings of 207,939 man-hours which can now be devoted to more essential tasks in the Navy Supply system.

Rear Admiral Haddock's accomplishments in the field of paperwork management, have created a system-wide awareness of the potential benefits present in a systematic and searching review of paperwork needs. The impact of these benefits include intra-supply system dealings, intra-Navy Department business and government paperwork and affect logistics operations involving private industry and the public. Rear Admiral Haddock is now Commander, Defense Construction Supply Center, Columbus, Ohio.

MRS. PHYLLIS T. JENNESS, HEAD, OFFICE SERVICES, GEMINI PROGRAM OFFICE, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, HOUSTON, TEX.

In April, 1962, Mrs. Jenness transferred to the newly created Manned Spacecraft Center, located at Langley Air Force Base, Virginia. As Office Services Supervisor, Mrs. Jenness accepted a challenge in records and paperwork management not previously encountered in scope or intensity for a Government program.

Assigned to the Gemini program and the Manned Spacecraft Center, Mrs. Jenness developed a method of streamlining the existing documentation and correspondence operations of the Gemini program. Her action resulted in an estimated reduction of at least 40 percent of the total documentations distribution and a significant reduction in time, effort, and expense. Realizing that certain documents have wide-spread use throughout the Center, Mrs. Jenness set up a central information storage and retrieval system which resulted in an estimated $300,000 savings.

Also, Mrs. Jenness initiated an altogether new office documentation system which requires a minimum of time and effort for retirement of all permanent files at the termination point of the program. All documentation and records pertaining to a single Gemini mission are retired immediately and only single copies are held for reference. Her

procedure is used effectively on current Space Programs.

Mrs. Jenness' accomplishments have resulted in improved programs for the National Aeronautics and Space Administration, and more effective documentation and correspendence operations.

HORACE H. KRAMER, CHIEF, RECORDS MANAGEMENT BRANCH, BUREAU OF PUBLIC ROADS, DEPARTMENT OF COMMERCE, WASHINGTON, D.C.

Mr. Kramer developed a Retention Schedule of Federal-aid Highway Records for State Highway Departments. His guideline schedule has application throughout the 50 state highway departments and serves as a valuable tool of management to assure that essential records on Federal-aid Highway Projects are filed in each of the State Highway Department offices. It provides for microfilming of records.

Mr. Kramer's accomplishment has important impact on both highway construction activities of each of the states as well as on the Federal Government. The Federal-aid highway program combines the efforts of the States and the Bureau of Public Roads to construct the best possible highway system for the American public and involves Federal-aid to the States approximating four billion dollars annually.

At present the State highway offices maintain approximately 650,000 cubic feet of records material at an approximate filing and maintenance cost of $45,500,000. The reduction in records holdings of the 50 State Highway Offices provides very sizable benefits in terms of dollar and manhour savings.

The Retention Schedule of Federal-aid Highway Records for state highway departments developed by Mr. Kramer effectively controls the paperwork relating to the Federal-aid Highway Program, and reduces the costs of administration overhead in each Highway Department.

HUBERT E. LA CROIX, DIRECTIVES MANAGEMENT BRANCH, MANAGEMENT ANALYSIS DIVISION, FEDERAL AVIATION AGENCY, WASHINGTON, D.C.

In his present position, Mr. LaCroix was responsible for installing a new audience-oriented directives checklist (cataloging) system for all Federal Aviation Agency directives issued at every agency level. Each field office of the Agency now receives, each quarter, a complete list of all directives issued by the Agency headquarters, regional and area offices which apply to that office, tailored to match the office's functional and organizational needs.

This accomplishment affects virtually every employee of the Agency in that the reliability of the direction he receives from every level of the Agency through the directives system is now verifiably accurate and readily located. The end result was achieved with a net reduction of nearly 2 million catalog pages a year and will achieve a 3.5 million page one-time cleanout of directives files. In addition, this will result in a cost reduction of more than $3,000 worth of files space and equipment. Further, files maintenance cost has been reduced by $580,000 annually in 1,750 field offices of the Agency.

Through the improved and simplified checklist that Mr. LaCroix has made available to Federal Aviation Agencies, a significant reduction in paper, directive files, and references has been accomplished.

OLLON D. M'COOL, CHIEF, OFFICE MANAGEMENT DIVISION, THE ADJUTANT GENERAL'S OFFICE, DEPARTMENT OF THE ARMY, WASHINGTON, D.C.

Mr. McCool has had a distinguished administrative career of 26 years with the Adjutant General's Office, steadily progressing to his present position of Chief, Office Management Division. During these years, he has meshed a wide variety of paperwork management tasks into an effective and efficient program—among the largest volume and broadest ranging paperwork activities in the Federal Government. Mr. McCool directed the development of tested techniques and standardized procedures for records management, files organization, documentation systems, utilization procedures, correspondence, mail management programs, and files disposition procedures. He has also expanded the Army Records Management Program into "new" areas of program emphasis, including records downgrading and declassification, as well as unofficial historical research access programs.

Mr. McCool's name is probably most intimately connected with the Army Functional Files System, a system for establishing and keeping files based on specific functions performed by organizational elements. Through his efforts, the Army was the first agency to successfully accomplish a unitary filing and disposition system developed for Federal records. The system eliminated many uneconomical and costly filing procedures, made possible the adoption of standardized file labeling data and, above all, reduced duplicate files.

A five-pronged program for the department increased correspondence quality and reduced costs. Mr. McCool developed and distributed manuals and guides on the composition and production of correspondence which brought important results in the standardization of correspondence preparation, an improvement in writing, the use of form and guide letters for repetitive writing, and a reduction in the volume of correspondence.

The Army Functional File System has become a pattern for functional filing systems in many government agencies and business organizations. Its manual on microfilm management has been widely used both within and outside of the government. Ollon D. McCool has been and remains a prime mover in the development of broad-based comprehensive Paperwork Management Programs.

WILLIAM J. MC LAUGHLIN, MANAGEMENT ANALYST, OFFICE OF ORGANIZATION AND MANAGEMENT, DEPARTMENT OF LABOR, WASHINGTON, D.C.

As Management Analyst, Mr. McLaughlin established on a firm and respected foundation, a Directives System that is formally used throughout the Department for communicating policy and procedures from the Offices of the Secretary and Assistant Secretaries. The system allows for quick and efficient communication with key groups of departmental supervisors and officials, as well as the broad spectrum of supervisors and employees.

Mr. McLaughlin's efforts have had their most direct influence on the internal operation of the Department. The impact of the contribution can best be described by comparing the previous system with that which has replaced it. The "old" system, lacking direction and substance, simply meant directives management by assignment of numbers. Directives lacked consistency in content, format, clearance and distribution. Material describing the organization of the Department was oriented almost exclusively to statute, executive order and regulations.

After five years of operation, the new system is found to be conceptually sound and operationally effective. It has become a smoothly functioning system capable of fulfilling a vital communications role for the Secretary and top management. It provides for coded directives, standardized format, periodic indexing, systematic distribution, with provisions for informal and informational type directives. Recent improvements by Mr. McLaughlin will result in reduced volume of published material by 20 per cent and provide more selective distribution closely tied to the need-to-know basis.

BRUCE M'NAIR, DIRECTOR, FACILITIES MANAGEMENT DIVISION, INTERNAL REVENUE SERVICE, WASHINGTON, D.C.

Mr. McNair came to the Internal Revenue Service in 1953 and was given the immediate responsibility to establish a formal records administration program within the Service. Since February, 1956, he has coordinated the wide varieties of the facilities management activities in the Service as Director, Facilities Management Division. The Records Administration Program under Mr. McNair's guidance over the past thirteen years has produced significant management improvements which have resulted in more effective use of Service manpower, reduced operating costs, and improved taxpayer relations.

Under his capable leadership, a program of standardizing forms was inaugurated which resulted in a reduction of over 22,000 forms. Mr. McNair has been equally effective in cutting down on paperwork cost through efficient correspondence management. The second Hoover Commission cited the work done by the Service to streamline its massive correspondence operation as one of the prime examples of how to do a better paperwork job at lower cost. The correspondence management system which has now been in use throughout the Service for more than ten years has resulted in a savings in excess of 5.5 million dollars.

Through the issuance of a Form Letter Handbook, a Correspondence Handbook, and a first in the Federal Government, an Envelop Handbook, the Internal Revenue Service has provided standards, guidelines, and a source of information which provide for the economic, efficient and prompt handling of millions of letters written by the Service each year.

The Internal Revenue Service accumulates a large mass of records each year. In 1953, approximately 93 million tax returns of all types were filed. Millions of records are created within the Service each year in processing and examination of the returns. Total records holdings at that time were in excess of 1.4 million cubic feet. In 1965, over 102 million tax returns were filed. In spite of the increase in tax returns filed each year, records holdings have been reduced to 578,000 cubic feet as a result of comprehensive records control schedules and minimum records retention periods. This program, coupled with a new system for handling tax returns has played an important part in streamlining and modernizing the operations of the Internal Revenue Service. The programs developed by Mr. McNair in his ten years of service with the I.R.S. has helped in a very significant way to increase productivity of personnel and in other ways reduce operating costs. His efforts have been indispensable also in the transition to automatic data processing which is now being installed Service-wide.

MRS. MILDRED C. PORTNER, SECRETARY OF THE LIBRARY, LIBRARY OF CONGRESS, WASHINGTON, D.C.

Mrs. Portner, appointed Secretary of the Library in 1947, has established, developed, and administered the Paperwork Management Program of the Library. Under her skillful direction the Library of Congress has achieved greater efficiency in all of its paperwork operations, in management of current records, and improved archival procedures. As secretary, Mrs. Portner, is the Records Officer of the Library, serving as liaison between the Library and the Congressional Offices on paperwork management and related problems. Her accomplishments in both the Library and the Congress which it serves, have resulted not only in dollar savings, but also in increased efficiency.

In March 1958, Mrs. Portner organized the Paperwork Management Activities in the office of then Majority Leader of the Senate, Lyndon Baines Johnson. She directed the

reorganization of the Records and Correspondence procedures, practices and systems of the office; established a program for the development of an LBJ Historical Archive; and guided the training of the staff to operate both as current records manager and collector of the historical record.

Mrs. Portner continued directing the expansion and refinement of this program of assistance during the period of the Vice Presidency and has contributed significantly in the establishment, development, and orderly arrangement of this historical documentation during the Presidency of Mr. Johnson. Her foresight, imagination, dedication, and consistent efforts have made the Johnson Archive virtually unique in the history of Presidential Archives. For the first time, long-term advanced planning, systematic organization, and continuing attention has been given to the full preparation of Presidential records for ultimate deposit. These records, already arranged with appropriate finding media, will serve as the foundation of the collections of the Lyndon Baines Johnson Presidential Library to be established in Austin, Texas, now in the stage of architectural planning.

ROBERT D. RICE, RECORDS MANAGEMENTS OFFICER, DEFENSE INTELLIGENCE AGENCY, WASHINGTON, D.C.

As Records Management Officer since 1963, Mr. Rice has developed and implemented the Agency's world-wide Records Management Program. It provided for the control and improvement of all records, including substantive intelligence materials from their creation or receipt to their disposition, and formally established an Area Records Officer concept.

Working under conditions, of extreme pressure, minimum personnel, and short deadlines, Mr. Rice completed an eighteen major element record control schedule, specifically tailored to hundreds of dissimilar items maintained in hundreds of smaller components. An Agency General Schedule governing the disposal of a major portion of more common administrative and housekeeping records of the Agency was also developed. He also formulated and published a complete Agency guide which provides standards, systems and procedures for the guidance of Agency personnel in handling files operations. As indication of Mr. Rice's professional ability, this guide has served the Agencies effectively for more than two years, and no major revisions have been required.

During 1966 a highly successful one-time project to reduce the Agency's TOP SECRET inventories was spearheaded by Mr. Rice. Under his guidance, a concentrated 60-day effort of Area Records Officers, files custodians, and others succeeded in reducing inventory by more than 45 per cent, from 32,306 documents to 14,556. This accomplishment will result in an annual cost avoidance of $110,000.00.

Under Mr. Rice's expert guidance and direction, files were fully centralized, files mechanized, indexes automated, and other improvements in files operations which resulted in equipment pay-out and net savings over a ten year period in excess of $67,000. All of Mr. Rice's accomplishments have had a direct Agency-wide impact. His efforts have brought the Agency greater effectiveness, efficiency and productivity which have direct bearing on and relationship to all of the Agency's dealings with other Government Agencies, other Governments and, in a more limited sense, the public.

JOHN M. RILEY, CHIEF, PUBLIC INQUIRIES BRANCH, SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION AND WELFARE, BALTIMORE, MD.

In his present position, Mr. Riley supervises a staff of 122 employees and plans, directs, and coordinates the preparation of replies to priority inquiries, and the development and revision of Administration-Wide Correspondence Processes, Policies and Procedures.

The Social Security Administration receives, processes, and replies to over 15 million direct inquiries each year. It also processes a massive amount of additional correspondence. The Social Security Administration is unique in that it has correlated its public information and public correspondence programs.

In the development of an Administration Program to improve the quality and expedite the handling of written public correspondence, Mr. Riley's knowledge and ingenuity has led him to pioneer many innovations and improvements in correspondence procedures. He planned, directed and coordinated a branch reorganization program which systematically aligns the multitude of branch duties with appropriate sections within the organization. Mr. Riley's efforts to increase production led to the purchase and use of automatic typewriters in the agency. Also, he established an electronic data processing control system for all correspondence receipts and installed a conveyer belt for faster internal processing of correspondence.

Mr. Riley's studies of correspondence resulted in a refinement of the handling processes and, in tangible results, he has saved the government thousands of dollars and man-hours yearly. Under his direction and leadership, the Social Security Administration has profited from his invaluable improvements in all activities and areas of the public correspondence field.

EVERETT E. SHEATS, CHIEF, FORMS & RECORDS MANAGEMENT BRANCH, POST OFFICE DEPARTMENT, WASHINGTON, D.C.

The Postal Service manually processes over two billion blank paper forms yearly, each containing an average of thirty items of data. The seventy largest post offices use the equivalent of 30,000 man-years annually in paperwork, or over $215 million in salary costs, exclusive of supplies, equipment and floor space. These post offices write over two million letters and memoranda annually. A 5 per cent and possibly 10 per cent reduction in these costs amounts to between $10 and $20 million annually.

By planning, developing and implementing a paperwork cost reduction and systems improvement program in the Postal Service, Mr. Sheats has provided economies in personnel, lowered costs, and has speeded the flow of work. The program provides for systems studies in depth to eliminate paperwork containing information and data not really essential to effective post office operations and management. It gives the department tighter control over the creation of new paperwork through a continuing review of all requests for new or revised forms, reports and directives, correspondence and over the office equipment used at all levels. It sets up teams of post office operating employees and GSA consultant personnel who train post office field personnel on-the-job. This provides a trained staff of local people able to perform self-evaluation studies to simplify and eliminate paperwork. When fully implemented, a staff will be fully trained in the systems approach to the paperwork problem in 15 regional offices, 34,000 post offices and other field units.

As an example of the savings and improvements resulting from this program, the daily work hour report prepared manually by 192 post offices was replaced with a bi-weekly report prepared by the computer as a payroll by-product. This resulted in savings of over 600,000 hours annually in preparation costs alone. Also, a Vital Records Program reduced storage areas by 50 per cent.

Mr. Sheats has made a significant contribution to the Post Office by developing a broad managerial program which provides the Post Office with a capacity to meet the challenge of growing paperwork loads and modern office needs.

MR. WILLIAM A. SNYDER, CHIEF, PLANS, PROGRAMS AND PROCEDURES BRANCH, DEFENSE CONSTRUCTION SUPPLY CENTER, COLUMBUS, OHIO

Mr. Snyder joined the Defense Supply Agency in 1961 as a Procurement Analyst and has been employed by the Defense Construction Supply Center since that time. In developing a new system for contract solicitation, he completely revised the manner in which bids and offers were being solicited from industry. Under the previous system used by the Defense Construction Supply Center, large numbers of bulky copies of terms, conditions, and provisions were reproduced for distribution to suppliers on each solicitation. The average package sent to each prospective bidder contained 104 pages.

Mr. Snyder's system consolidated all the terms, conditions of the solicitation, all instructions to the supplier and all contract provisions required by public law, directed by higher headquarters or originated by this center into a Defense Construction Supply Center Contract Clause Book. The book is published and distributed to all suppliers on the bidders list. Since suppliers now have a ready reference to all these items, it is possible to refer to applicable portions of the Clause Book in solicitations and contracts. This is accomplished by preparing reproducible mats which contain the identification number and title of each provision in the Clause Book. Buyers now prepare solicitations simply by checking the applicable provisions on the reproducible masters. Thus, only the cover sheet, item description and one-time provisions must be typed on each solicitation.

The new system eliminates 62 pages per solicitation. The average number of prospective bidders on each action is 34. Each mailing, therefore, has been reduced by 2,108 pages resulting in a $25 savings per solicitation. Based on an estimated 20,000 solicitations, total dollar saving could amount to $500,000 annually. If the system is standardized and implemented in all centers of the Defense Supply Agency, at all procurement offices of the Military Departments, and in other Federal Agencies, additional savings will result to the Federal Government, and many tangible and intangible benefits will accrue to vendors and industry.

Mr. Snyder has made a significant contribution by simplifying and improving paperwork practices in the Columbus, Ohio Defense Construction Supply Center.

FRANK X. THORNTON, DEPUTY CHIEF, PUBLISHING DIVISION, DIRECTORATE OF ADMINISTRATIVE SERVICES, DEPARTMENT OF THE AIR FORCE, WASHINGTON, D.C.

Mr. Thornton joined the Publishing Division of the U.S. Air Force in 1942 to help organize its expanding activity. He has been responsible for Air Force printing and publishing programs since that date. Exercising professional competence, Mr. Thornton has consistently improved the Air Force's written management communication program. In establishing the post of Director of Administrative Services, Publishing Division, Mr. Thornton developed a central organization to handle the major portion of Air Force paperwork management. This Division exercises economical management over the creation, design, production, distribution, and use of USAF printed materials.

Mr. Thornton was one of the prime movers in the planning, organizing, and budgeting of a revolutionary printing system, termed Lexical-Graphical Composer-Printer. It is scheduled to be operational in July, 1967 at Wright-Patterson Air Force Base, Ohio.

This management improvement program will reduce the number of printed pages by an estimated one billion—and a resultant savings of approximately $2-million annually. Mr. Thornton has also directed a massive reduction of expenditures within the Publishing Division which has achieved a reduction in savings of $1.1 million and a cost avoidance of $.5 million.

Mr. Thornton's contribution to Paperwork Management, governmentwide in impact and nationally significant in scope, can truly be held up as an example to inspire and encourage the efforts of others toward additional improvements and progress in paperwork management.

CHARLES E. WYLIE, CHIEF, PAPERWORK MANAGEMENT DIVISION, OFFICE OF THE SECRETARY, U.S. DEPARTMENT OF AGRICULTURE, WASHINGTON, D.C.

Mr. Wylie, Management Officer for the Department of Agriculture, has provided Department-wide leadership in the broad field of paperwork management, as well as Department liaison with the National Archives and Records Service and other Federal Agencies. This is a challenging management responsibility. The department generates nearly a million cubic feet of current records, approximately 60,000 forms and 3,600 different reports and is a decentralized field organization employing more than 100,000 people with over 10,000 individual offices located in 3,000 counties in all 50 States.

Under Mr. Wylie's leadership, the Department has made significant progress in professionalizing and systematizing its approach to paperwork management. His guidance has provided standards and guidelines for each of the principal paperwork specialties. His effective leadership has brought measurable results from the programs Mr. Wylie has developed.

Through the issuance of a Handbook of policy and guidelines for the sound management of the Department's more than 3,600 reports and periodic review of these reports, an estimated $630,000 has been saved. The Department's first forms survey was undertaken under his direction. A comprehensive long-term correspondence improvement program, coupled with the development of a writer's handbook and a program of personnel training workshops, have produced gratifying results. Mr. Wylie also developed a cost reducing plan for improving mail operations which resulted in a reduction of mailrooms from 55 to 19 and other improvements which saved over $100,000.

Mr. Wylie has made a great number of major contributions to Paperwork Management in the Department of Agriculture, all characterized by resourcefulness and understanding of department needs, as well as thoroughness and technical excellence. As the Department Agencies put into practice the improved paperwork management practices sponsored by Mr. Wylie, the Department will realize a long-term saving.

WILLIAM F. ZIMMERMAN, SR., RECORDS MANAGEMENT OFFICER, EXECUTIVE OFFICE, GOVERNMENT OF THE DISTRICT OF COLUMBIA, WASHINGTON, D.C.

In his present position, Mr. Zimmerman, developed broad program objectives and plans for a new records management program bringing intangible and tangible benefits to the District. A permanent member of the Management Office Staff, Mr. Zimmerman surveyed and implemented the Records Management Program in the District of Columbia. Potential savings of over a half million dollars and documented savings of over a quarter million dollars during a year and a half period have been realized. The program envisioned by Mr. Zimmerman has potential savings of many times the initial economies achieved in record storage and disposition.

Under his outstanding leadership, retention and disposal standards were developed for over 300,000 cubic feet of records the District Government had in custody. An estimated 8,000 cubic feet of records were disposed of through his efforts. Individual departments and agencies in the district also received Mr. Zimmerman's attention. A completely new and comprehensive filing classification system was developed and installed in the Department of Vocational Rehabilitation. New forms were developed for the Public Service Commission Licensing function. The largest comprehensive records disposal schedule was developed for the Metropolitan Police Department where procedures were revised and more than 75 forms eliminated in the process.

Mr. Zimmerman's accomplishments have resulted in an on-going paperwork Management Program in the District Government. The program which he spearheaded has resulted in cost reductions and improved services to the public.

Mr. Speaker, I also include in the RECORD at this point the speech by the Honorable Elmer B. Staats, Comptroller General of the United States, entitled "Paperwork Management—Its Importance to Business and Government," which was delivered at the second annual Federal Government Paperwork Management Awards banquet:

PAPERWORK MANAGEMENT—ITS IMPORTANCE TO BUSINESS AND GOVERNMENT

(Address by Elmer B. Staats, Comptroller General of the United States, at the second annual Federal Government Paperwork Management Awards Banquet, sponsored by the Administrative Management Society, Sept. 27, 1966)

"Excellence is nowhere more necessary today than among those charged with the management of public affairs, and excellence cannot be sustained indefinitely without public recognition." This is a quotation from the report of the Canadian Royal Commission on Government Organization in 1962, but it aptly sets the theme for this occasion.

The Administrative Management Society is rendering an important public service in making this program possible. This contribution is particularly important because it serves a twofold objective. On this occasion the Society is recognizing the outstanding contribution of 21 career Federal employees. Equally important, it represents a significant and concrete demonstration of the interest of the business community in working with the Government in its important and continuing "war on waste"—a war in which all taxpayers, in and out of Government, have an obvious interest in winning. It is particularly apropos since President Johnson, only last week issued a new directive designed to dispose of unneeded records and which points to the very substantial savings resulting from the program initiated 2 years ago—graphically highlighted by a moratorium on the purchase of file cabinets.

Tonight we are focusing attention on the contribution which an effective paperwork management program can contribute to the orderly and efficient conduct of business and Government operations.

And that is why we are meeting—to recognize outstanding contributions and contributors to this objective. In presenting these awards, we are recognizing the efforts of many. Thereby we will increase the motivation and encourage initiative in hundreds of others.

Defined simply, paperwork is the recording and processing of information and the making of information available for use. Accurate and complete information, effectively communicated, is the lifeblood of any organization—the basis on which management decisions must be made. Conversely, too much information, inaccurate information, or poorly presented information confuses, or even paralyzes, an organization.

The importance of paperwork management to both business and Government has increased tremendously in recent years because of an expanding need for information and because of a tremendous growth in the volume of information already available. High on the list of contributing factors are:

The expanded use of automatic data processing equipment.

An increase in the size and complexity of business organizations and of governments at all levels.

Advances in science and technology creating new products, new knowledge, and new methods of production and communication.

An increase in research and development activities.

An increase in governmental responsibilities and programs.

It has been said that the Federal Government is the greatest paperwork mill in the world. I do not mean to be derogatory when I use the term "paperwork mill." The problem is not unique to the Federal Government. Surveys—not made or audited by the General Accounting Office—indicate that business produces even more pieces of paper per employee than the Federal Government. In round figures, the Federal Government created 4.8 million cubic feet of records during the past fiscal year. This quantity is equivalent to 10.5 billion sheets of paper, almost all of which passed through several hands.

The Federal Government owns or leases about 2,600 computers, 50,000 quick-copy machines, and almost a quarter of a million electric typewriters. We use about 3 million filing cabinets and almost 2,000 miles of shelving to hold the accumulation of 34 billion pieces of paper.

Figures on the size and complexity of our paperwork effort could be cited almost endlessly. We could deal with it from a point of view of reciting the 100,000 Government offices with which the public must communicate. We could deal with it from the point of view of the top 10 percent, or 250,000 employees, who must review the reports to make their managerial decisions. We could even deal with it from the standpoint of the 300,000 stenographers, typists, card-punch operators and teletypists, who actually punch the keys to write the documents, or the equally large number of clerks who compile and summarize data.

The sheer magnitude of the problem involved in handling such volumes presents problems to both business and Government. This has led to many innovations such as the application of microfilming and the development of accelerated records disposal programs. It has contributed to a search for ways and means to automate source data and to reduce or eliminate the creation of intermediate records. This has required us to become acquainted with such unfamiliar terms as "optical scanners" and "direct input methods."

And even more fantastic developments are predicted for the future.

Paperwork managers in business and Government must be alert to the present possibilities and to the continuing developments in this area.

My attention was recently drawn to a new type of paper that disintegrates and disappears when dropped into water. It is said to be good for enclosing various materials for measured use in water. Perhaps we can solve our records disposal problems by having the scientists develop a similar type of paper for use in preparing correspondence and forms which would automatically disintegrate and disappear upon expiration of the designated retention period.

Not only must we be concerned with the increase in the physical volume of paperwork, but we must be concerned also with the attendant increase in the number of clerical workers who must handle the paperwork. During the past 50 years, the ratio of clerical to nonclerical workers in the total labor force has risen from 1 out of 40 workers to 1 out of 6. It follows that we must increase productivity in order that costs and employment do not rise proportionately to the increase in data to be processed.

I have a special interest in the subject we are discussing this evening. An important part of the job of the General Accounting Office is to recommend to the Congress and Government agencies ways of achieving greater economy and efficiency. While we take pride in the improvements and savings that result from our own recommendations, we recognize that the primary responsibility and the principal contributions result from actions initiated within the agencies themselves.

The Federal Government has an impressive record in meeting this challenge. Working together, managers, management analysts, scientists, and engineers—both in and out of Government—have demonstrated what can be done. Let me cite just a few examples.

1. The Veterans Administration, through automation:

Performs accounting operations on 4½ million accounts annually at a unit cost of about $1.24 compared with preautomation costs of $3.34.

Converted 6 million insurance policies to an automated system with major economies.

Processes dividend payments at a lower cost and in a fraction of the time required by previous methods.

Supplies this data on magnetic tape for use by the Treasury Department which in turn uses checkwriting computers, not only speeding up the preparation of checks but also eliminating the need for maintaining voluminous files.

2. The Post Office Department, through the installation of print-punch machines, captures data in the form of punched holes in money orders; thereby it eliminates the need for separate key punching in later operations.

3. The Treasury Department, through the automation of checkwriting operations, has reduced the cost of preparing each check from 8.8 cents to 3.5 cents.

I could mention many other new applications being developed—for example, the control of dangerous drugs, abatement of malaria and tuberculosis, management of forest reserves, and analysis of American-flag shipping in the world trade routes. Some of the analysts studying the problem in the National Archives and Records Service of the General Services Administration estimate that between 80 and 90 percent of the work of Federal program activities is capable of being quantified and therefore automated.

The Government is not alone in applying what is known as "source data automation." The banking industry, for example, is capturing data in machine processable form at the earliest possible point in its check-processing procedures on the check which you and I use. The peculiar looking numbers on these checks represent a standard agreed upon by the banking industry. Magnetic ink is used for machine reading.

Other industries, such as the petroleum industry, have similarly turned to source data automation as a means of automatically identifying transactions at gasoline service stations. The plastic gasoline credit card is the well-known manifestation of this program.

I mention these achievements because they are illustrative of what can be accomplished in large-scale systems involving millions, hundreds of millions, or even billions of transactions. Profitable, but possibly less spectacular, techniques are available for application to situations of lesser scale.

Let us consider the growing scope and complexity of Government operations. In the last 2 years the Congress enacted legislation initiating many major programs. This legislation included such important new programs as the Public Works and Economic Development Act, the Economic Opportunity Act, the House and Urban Development Act, Medicare, the Elementary and Secondary Education Act, and the Higher Education Act. Vastly expanded research and development programs have extended the scope and complexity of Federal activities—weather observation, aviation, and space exploration are but a few. Not the least of our problems is the fact that many of our programs today require the coordinated efforts of two or more agencies.

To cope with increasing scope and complexity, we are learning to project into the future, to analyze and choose optimum courses of action, to make rational allocations of resources, to schedule work, and, finally, to compare actual performance with that planned so as to be able to take appropriate action.

There is one essential ingredient for the successful carrying out of any program—adequate information. We cannot make decisions in a vacuum. We need information to plan, information to analyze and to make choices, information to allocate resources and schedule, and information to compare actual with intended performance.

Information must be relevant, timely, and accurate. An official may be deluged with information but may not have nearly enough of the right kind. The electronic computers, we must admit, contribute in some cases to the executive's being flooded with irrelevant information.

In many areas savings to the Government also extend to the private citizen as well. For example, contractors with negotiated contracts are now required to maintain records for 3 years after final payment, which represents a cost to both the Government and the contractor. The General Accounting Office, in cooperation with the Department of Defense and the General Services Administration, is now studying the possibility of reducing this period.

Another instance relates to the requirements formerly imposed on dealers in tobacco materials. Some 2,300 dealers were required to file bonds and to maintain and make available to Government representatives detailed records of the receipt and disposition of tobacco materials, inventories, and statements of shipments or deliveries. Our review convinced us that these requirements were no longer necessary. We proposed, and the Congress enacted in 1965, legislation to eliminate these requirements.

It sometimes works the other way. In one study we found that excessive pension payments were made because the prescribed form which claimants had to submit did not require sufficient information.

In the passenger transportation field we have approved a test in one Government agency to simplify the purchasing, billing, and paying functions in its travel office. If successful, this system will reduce the number of purchase orders and carriers' bills handled by the agency and by the industry to one a month for each participating airline. The system involves issuing tickets through a teleticketing machine located in the Government office. We are also exploring with key Government agencies the feasibility of having Government travelers pay cash for authorized excess baggage on domestic airline trips, for which they will be reimbursed along with other expenses on their travel vouchers instead of separate billing which requires a substantial amount of paperwork processing for both parties.

We have heard much about the significance of the electronic computer in many aspects of American life and will undoubtedly hear much more. It would be difficult to disagree with the prediction that the computer revolution of the 20th century will be a more important development than the industrial revolution of the 19th century. We are made dramatically aware of its implications when we witness a 22-year-old sergeant responsible for operating a missile costing $25 million and having tremendous destructive power. We can see its implications as the Internal Revenue Service moves to rely on the computer more and more for taxpayer compliance.

But there are dangers in the use of the computer to the uninitiated and the uninformed. Those of us who grew up in an earlier period may well become overimpressed with the new magic that lights up and solves all sorts of problems quicker than you can repeat the subject of my speech. We must not become so overimpressed that we fail to seek the answers to key questions, such as "What do we seek to accomplish?" and "How will the computer solve the need that cannot be solved more cheaply?" In short, the computer must be the servant, not the master, in the management process.

Those dealing with the problems of paperwork management may well ask "What does the future hold for me?" "In what way will I be affected by the increase in volume of paperwork that can be expected, by the new forms of data transmission and processing already under way or envisioned, and by the growing need for the right type of information on which to base management decisions?" "What is the answer to the problems that are and will continue to confront us in increasing measure?"

One answer is to develop new skills and to increase capability. This applies to paperwork managers as well as to accountants, economists, budget officers, and others. Greater knowledge of the total picture will be required. The interrelationship of different kinds of knowledge and skills will assume increased importance. The need for additional training is apparent.

In his recent remarks at Princeton University's Woodrow Wilson School of Public and International Affairs, the President made a statement which is very apropos: "The public servant today moves along paths of adventure where he is helpless without the tools of advanced learning." I might add that this applies equally in the field of business.

If we wish to maintain our leadership in improved management and administrative concepts and methods, we must all be concerned with continuing education and training.

The Civil Service Commission recently established an Automatic Data Processing Management Training Center which conducts programs in such subjects as the management sciences, operations research, statistical science for management, management information theory, management reporting systems, and automatic data processing techniques. The Commission conducts many other programs for Federal employees ranging from those at entrance levels to middle- and executive-level managers. Training programs are conducted directly by many agencies. Many universities are employed to conduct specialized courses and advanced and middle management training programs which Government employees may attend.

The Congress recognized the need for training in authorizing payment for this purpose. The opportunities to improve ourselves are available. The challenge for equipping ourselves, however, has to be faced and met primarily by each of us as individuals. I think those who are being honored here tonight can well attest to that.

We must also make greater investments in research and development, and we must

be prepared to take the risk that these investments will not yield immediate benefits. The Congress has given encouraging support for increased research and development in carrying out important programs such as those in the Post Office Department and the Internal Revenue Service.

But we must do more. It is estimated that 10 percent of the total Federal budget goes for gathering information, maintaining this information, and translating it into the form of reports, memoranda, and letters. Of the $15 billion being devoted to research and development by the Government, only $135 million is applied to the computer science and two thirds of this is in connection with weapon systems, space systems, and other computers requiring special design. Why can we not build into the National Bureau of Standards a great center of research for the development and application of the computer science to governmental use, to ensure maximum compatibility, and to enable private industries to cooperate more effectively with the Government?

And we must not be afraid to take risks. Every manager in business or Government must recognize that the time span between investment and realization upon that investment may be long and uncertain.

In 1888 or thereabouts, an old and perhaps apocryphal story goes, the great Thomas Edison, already a world figure, went to one of the big banks in New York for a loan on something he was working on. He had plenty of collateral and he was a great man; so all the vice presidents bowed and said "Certainly, Mr. Edison, how much do you need?" But one of them, out of idle curiosity, asked, "Tell me, Mr. Edison, how long will it be before you have this new product?" Edison looked him in the eye and said, "Son, judging from past experience, it will be about eighteen months before I even know whether I'll have a product or not." Whereupon the vice presidents collapsed in a body and, despite the collateral, turned down the loan application.

Above all, we must remain optimistic that we can find ways to manage an economy with a rapidly growing and more urban population, expanding governmental programs, and increasing complexities brought by research and development and technological changes. Recently a nuclear physicist with a wry sense of humor attempted to sum up the American state of mind by defining an optimist as someone who still believes the future is uncertain! While the future is undoubtedly uncertain, we must recognize that several generations before us have all faced an uncertain, if not impossible, outlook.

Our hope for the future will be affected in part by the quality of the career people who are encouraged to join and remain in the public service. If they are to do so, we must give them the respect to which they are entitled.

If we are to stimulate people who are educated and experienced in the sciences, the professions—accounting—and other basic fields to offer their services, we must provide fair inducements.

We must recognize the contribution of the public servant by providing him with adequate compensation. No one expects a Government career to offer wealth. It has its other valued compensations. It is a dedicated service. It can offer satisfaction in personal accomplishment and fulfillment for many of us for which there is no substitute.

A distinguished Philadelphian, in the earlier period of our life, made a statement which is appropriate for the occasion this evening in these words:

"We must not in the course of public life expect immediate approbation and immediate acknowledgment of our service. But let us persevere this abuse and even injury. The internal satisfaction of a good conscience is always present, and time will do us justice in the minds of the people, even of those at present, the most prejudiced against us."

The speaker on that occasion was Benjamin Franklin, patron saint of Philadelphia and, indeed, a fervent public servant of his time. He left his mark on his native city, on a new nation, and on the entire world. Yet he was, as one biographer described him, "the essence of practicality, the embodiment of common sense." These qualities of public service, idealism and practical good sense, are fitting qualities which an occasion of this kind so well symbolizes.

REPORT ON THE 89TH CONGRESS

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes and to revise and extend my remarks.

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

There was no objection.

Mr. MADDEN. Mr. Speaker, it has been my policy during the closing days of Congress to make a factual report to my constituents in the First Congressional District of Indiana concerning the major legislation enacted during the session. The 89th has been the most outstanding Congress in legislative accomplishments in the history of our Government.

The vast majority of our citizens are familiar with the recommendations I made on legislation pertaining to education, labor, health, agriculture, industry, social security, immigration, urban problems, employment, and numerous other issues. I have kept my promises to the people on these important problems.

EDUCATION

The 89th Congress will be known to future generations as the session that launched the long-neglected recognition of educational expansion on a course which will give unbounded opportunity to our American youth. Legislation enacted during this session extends to American youth an opportunity to complete a top-bracket school curriculum through kindergarten, grade, high school, and university, regardless of the financial condition of his or her parents. The 89th Congress legislated in behalf of college and university expansion in order to accommodate thousands of additional students.

The local taxes bear heaviest on the low-income brackets. It is no more than right for the Federal Government to lend a helping hand on educational cost through the use of its more progressive methods of taxation which are based on ability to pay.

MEDICARE AND HEALTH

As your Representative in Congress, I have sponsored and supported legislation for expanding the capacity and quality of medical schools for the education of doctors and nurses. In the late 1940's, many parents and returning veterans of World War II corresponded and contacted me complaining about the impossibility of getting favorable action on their applications to enter various medical schools in Indiana and throughout the Nation. I was astounded to learn from one of the trustees of Indiana University at that time that around 3,000 applications had been received in 1 year from potential medical students, and less than 200 were accepted because of limited instructors and building space or the necessary schooling apparatus to accommodate more medical students.

The 89th Congress has taken the first major steps in solving this inexcusable barrier to provide medical and hospital care for millions throughout our Nation. We also extended legislation up to June 30, 1968, for Federal assistance for mass immunization of preschool children against polio, diphtheria, whooping cough, tetanus, and measles. For the first time in history all our elderly population can enjoy medical and hospital care.

SOCIAL SECURITY

Leading the list of the progressive and humanitarian legislation passed during this session is the social security expansion legislation. Our First Congressional District, which has so successfully fought the unemployment problem, will greatly benefit as a result of the improved social security program. The residents of our district will receive an increase in benefits amounting to many millions of dollars on account of these expansions in social security. Increased benefits are needed to aid our older citizens in meeting higher living costs. I have advocated requirements for full benefits payable at age 60 years. Disabled workers should be eligible for benefits after 4 quarters of coverage rather than the present requirement of 16 quarters. Totally disabled workers and their families should receive the full benefit of both programs. Catastrophic illness also places a heavy burden on many families, and in that event provisions should be made for ample relief.

WATER AND AIR POLLUTION

During the last 15 years, I have sponsored, supported, and voted for water and air pollution control legislation. The 89th Congress has made successful steps to conquer the water and air pollution health menace. This session of Congress has appropriated money and outlined programs which will eventually result in curbing the inexcusable polluting of our lakes, rivers, and streams throughout the Nation.

Our Government has made fantastic strides in solving the pollution menace. Local communities cannot by themselves solve this modern-day problem. In a few years, water and air pollution will be as extinct as the kerosene lamp. Unfortunately, in some localities industry has been backward in cooperating with the Federal and local governments on this great modern protection for human health.

MENTAL HEALTH

President Kennedy and President Johnson have called for legislation to aid in conquering mental illness and retardation. Congress acted to meet this problem by passing our first mental health bill providing grants for mental health centers, emphasizing care and treatment for patients in their home communities. The 89th Congress has

expanded and improved mental health by providing Federal grants to local health centers to pay the professional staffs and purchase equipment.

IMMIGRATION

This Congress passed the most modernized and progressive immigration law in the history of our Nation. It eliminated the 41-year-old national-origins provision of the immigration law. Back in the early 1920's, the Congress enacted immigration laws which were known primarily for special preference to certain nations and nationalities throughout the globe. Some nations were more favored for entry and citizenship than other nations with unreasonable restrictions and limited quotas. This legislation does not increase our migrant population. We provided for a fair and equitable distribution of quota allotments to all nations.

It places a limit on annual immigration of 170,000, exclusive of 10,000 refugees. A maximum of 20,000 can be allotted to any one country. To this number may be added the wives, children, and parents of a U.S. citizen. This bill will terminate the arbitrary separation and division of families. During the past 41 years, there have been hundreds of cases wherein families have remained divided for indefinite periods and occasionally during a lifetime. The State, Labor, and Justice Departments are authorized to exercise rigid control over immigration applications under this new bill. It restricts any adverse effect on working conditions or American labor in general.

CIVIL AND VOTING RIGHTS

Last year we enacted a bill aimed at enforcing civil, educational, and voting rights for all qualified American citizens. This legislation enabled all segments of our people to enjoy rights and privileges provided for in the Constitution of our United States. Millions of our American citizens have been arbitrarily denied all the rights of citizenship for generations by excluding them from exercising their voting franchise.

ONE MAN, ONE VOTE

I am opposed to legislation in Congress or State legislatures that will give political bosses and special-interest groups the right to overturn the one-man, one-vote rule of legislative apportionment. Fortunately, many of our States, including Indiana, have already taken steps to correct this injustice to American citizens. This practice has completely ignored population or people as the yardstick to determine legislative districts.

The Revolutionary War and the Civil War were fought for constitutional liberty and to preserve the Bill of Rights. These liberties were being threatened by those who would legislate inequality in the Congress and State legislative halls. The yardstick to determine a county, district or community's representation in our legislatures should not be measured by acres, geography, or livestock.

PUBLIC WORKS

The 89th Congress and its predecessor, the 88th, have accomplished the greatest public works road and highway construction program in the Nation's history. This program is in its infancy, but already freeways, toll roads, and modern arteries for traffic have been constructed and are serving our traveling public. Numerous other highways are under construction and many more interstate thoroughfares are in the blueprint stage. We have succeeded in actively installing mammoth public works projects that should have been taken up by our Nation years ago.

MINIMUM WAGE

This Congress has succeeded in passing effective minimum wage legislation for the benefit of millions of underpaid employees in various lines of work. Thirty years ago, the minimum wage in our Nation was as low as 35 cents per hour. Over the years, it has been raised in successive increases and the 89th Congress enacted legislation to elevate the minimum wage of the underpaid worker of the Nation until it reaches $1.60 per hour in 1968. This legislation will not only provide millions an opportunity to partake in more of this Nation's prosperity and abundance, but it will also add multimillions in buying power and indirectly benefit industry and prosperity throughout the land.

POVERTY

The 89th Congress, in order to rehabilitate and prepare millions for employment, enacted legislation to aid this great segment of our population to prepare for the task of full employment. Many will be taken from the relief rolls in various localities throughout the Nation. In the last 2 years, the war on poverty has passed the blueprint and drawing board stage and is gradually becoming effective in urban and rural slums from coast to coast. It has required great organization and detail of preparation for the Office of Economic Opportunity to become effective in the mammoth task of curtailing and conquering the poverty scourge.

The poverty program has already reached and aided more than 3 million impoverished American families with jobs, training, educational programs, and an amazing variety of other services. It has:

Contributed vitally to the emergence of 2.2 million Americans from poverty in 1965;

Created over three-quarters of a million part-time and full-time jobs filled exclusively by poor people;

Enrolled over a million and a half preschool—kindergarten—children in Headstart projects. This training has helped these children to improve their intellectual capacity, their average IQ, as well as vastly improving their health and personality development;

Provided useful jobs and earnings for more than one-half million disadvantaged teenagers through the Neighborhood Youth Corps;

Established over 150 Job Corps centers where approximately 30,000 of our most terribly disadvantaged teenagers are currently receiving remedial education, job training, counseling, and preparation for useful and productive lives;

Approved over 285 VISTA—volunteers—or Domestic Peace Corps projects in 47 States, in which almost 3,000 VISTA volunteers from 18 to 80 are serving and more are at present in training;

Brought forth an absolutely unprecedented outpouring of volunteer effort, including 250,000 Headstart volunteers, approximately 30,000 members of community action boards, 10,000 women members in community service, and countless doctors, dentists, lawyers, businessmen, religious leaders, and local government officials who are freely and enthusiastically devoting their efforts and skills to the success of the war on poverty, crime, and juvenile delinquency.

ELDER AND JUVENILE PEOPLE

All across the Nation, exciting and imaginative new programs to aid impoverished Americans to help themselves have taken hold and are already bearing fruit. This summer, 20,000 promising but economically disadvantaged high school students participated in Project Upward Bound on the campuses of 200 colleges and universities. The program provides a full year of intensive tutoring and special counseling which will enable them to break the cycle of poverty by qualifying for college. Thirty-five foster grandparents projects, which serve the economic needs of low-income elderly persons together with the emotional and psychological needs of the most unfortunate little children in public and private institutions, have won wide acclaim. One hundred and five legal services projects are, for the first time, bringing the majesty of the law into battle on the side of the poor. Sixty-three antipoverty projects for migrant agricultural workers are providing the first avenues of opportunity from the migratory labor streams to the mainstream of American life.

In addition, illiterate adults in 45 States are participating in adult basic education programs; work-experience projects are bringing jobs and income to over 100,000 family heads previously on relief; nearly 16,500 antipoverty loans have gone to combat poverty in rural areas. Small business development centers in 46 urban and rural communities have approved approximately $15,650,000 in economic incentive loans to struggling small businesses in poverty neighborhoods.

All this and more has been accomplished in a little over 2 years under a program that accounts for less than 1 cent in each tax dollar.

SECTION 14(b)

I congratulate the Indiana Legislature in the last session for repealing section 14(b) of the Taft-Hartley Act. That bill included the fine-print section known as 14(b) which permits antilabor States to nullify the Wagner National Labor Act and outlaw collective-bargaining and labor-management agreements.

Section 14(b) has made it possible for thousands of factories and industries to close their business operations in States requiring living wages and good working conditions, and move into so-called low-wage right-to-work or 14(b) States.

By reason of these runaway and newly established industries into 14(b) States, antilabor areas, millions of factory workers are underpaid and, in most cases, are

submitting to the same working conditions as existed in the early part of this century. These workers today are not in the market for $3,000 to $4,000 automobiles or $200 to $300 refrigerators, or thousands of other products which are manufactured in living-wage States. Economists agree that the big depression in the early thirties was brought about by reason of lack of buying power for millions of workers and farmers in America.

In our platform I promised 2 years ago to cooperate in repealing section 14(b) during this session of Congress. As a member of the Rules Committee, I led the fight to get favorable action on this legislation, and it was reported to the floor of the House. I handled the rule and opened the 2-day debate on this bill. It passed the House by a majority of 19 votes. When it reached the other body, Senator EVERETT DIRKSEN, the Republican minority leader, led a filibuster over a number of days that eventually resulted in preventing a vote of this legislation. Had it not been for the filibuster, no doubt the other body would have enacted the repeal legislation and it would have been signed by the President. The defeat of 14(b) repeal cast a dark shadow over our future prosperity. In a few years thousands of additional industries will locate in cheap-wage States.

ECONOMY

When politicians criticize the Kennedy-Johnson administration during the last 5 years, they fail to mention the great increase in production, employment, and prosperity throughout our land. About a month ago, I requested from the U.S. Treasury a breakdown of our national debt as compared with our economy during the last 20 years. Our national production—economy—has increased over the rise in our national debt at a percentage of almost 9 to 1 in the last 20 years. As an example:

[In billions of dollars]

Gross national production: [1]	
1966	714
1946	202
Gross national debt: [1]	
1966	324
1946	270

[1] Approximately.

If the same rate of prosperity continues, economists have predicted our gross national product will be approximately $900 billion by 1970.

I mention these facts so when your neighbor talks about our national fiscal policy "going to the dogs" you might quote the above figures from our U.S. Treasury on the solid financial status of our Government.

SOUTH VIETNAM

Our commitment to South Vietnam began during President Eisenhower's administration with the Southeast Asia Treaty which was negotiated and signed after the Geneva agreements in 1954. Under this treaty the United States and other member nations not only undertook to guarantee their own security but also to come to the aid of certain treaty states and territories if they so requested. South Vietnam was included in this treaty. Following the Southeast Asia Treaty, President Eisenhower and Secretary of State John Foster Dulles offered to continue military and economic assistance to South Vietnam. The policy behind this assistance was stated in a letter from President Eisenhower to the President of Vietnam on October 1, 1954:

> The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong state, capable of resisting attempted Communist subversion or aggression through military means.

The need for this assistance was obvious.

When the Indo-China war ended in 1954, Vietnam seemed to have little chance of resisting Communist enslavement. During the next 6 years, from 1954 through 1960, the United States made available $1.5 billion in economic assistance and $500 million in military assistance to South Vietnam. By 1960 the United States was able to begin planning substantial reductions in its aid. Unfortunately, however, Hanoi and the Chinese Communists had other plans.

In September 1960 the Communists began to step up their campaign of subversion by assassinating and kidnaping local civilian government officials of South Vietnam. These terroristic efforts on the part of the Communists increased in intensity and changed in character from internal subversion to the movement of organized troops of North Vietnamese armed forces into South Vietnam. Because of the intensified Communist efforts during these years, the United States has been forced to escalate its own efforts in support of South Vietnam which, under the Southeast Asia Treaty, requested our help.

In reviewing the history of events since 1954, I do not believe that any administration—Republican or Democratic—can be identified as responsible for the present U.S. involvement in Vietnam. When the Communists find, as they must, that they cannot win, there will be peace.

Because of the struggle in Vietnam, there is a decrease of Communist pressure elsewhere around the globe. Red China ceased to aggress in other areas of the world such as Latin America and Africa. In a House report published in the 89th Congress, 1st session, on communism in Latin America, it was found that there was a definite decrease in militant Communist activities in that area. The threat of Communist subversion and aggression in Latin America is not as great today as it was 2 years ago.

Due in large part to Hanoi's aggression in South Vietnam, the newly emerging nations are becoming increasingly aware of the threat that communism offers to their own freedom and self-government. Since 1960, 20 new nations have been born and not one has succumbed to the enslavement of communism. Quite the opposite effect has taken place. In Indonesia, Chinese Communist influence has all but been obliterated. In Africa, Chinese Communist representatives have been thrown out of Burundi and Ghana and several other emerging African states have outlawed Communist subversive activities.

Lenin, in his original Communist dogma a half century ago, outlined the strategy of world domination and enslavement by recommending slow systematic aggression of smaller nations. This Communist policy has been curbed by the United States as leader of the free world.

As your Congressman, I received numerous letters after World War II criticizing the heavy expenditures of aid to "bombed out" nations through President Truman's policy of aid to Greece, Turkey, Italy, and other nations in their battle to rebuild from wartime destruction.

General Eisenhower in 1951, 1 year before he became our President, testified before the House Foreign Affairs Committee and stated:

> Had it not been for the aid and leadership of the United States, all Europe would be under Communist enslavement today.

Many other leaders have made the same statement only in different words.

During the Korean war, much opposition, through letters and otherwise, came to my office opposing this conflict but in later years world statesmen agreed that if it had not been for President Truman's leadership the Philippine Islands, Japan, Australia, and all of Asia would today be under Communist domination. We all know of the Communist infiltration and agitation in South America a few years back, when experts predicted all South America would capitulate to communistic rule. Future generations will thank the great world leadership of our four Presidents since World War II—Truman, Eisenhower, Kennedy, and Johnson—for their global statesmanship in curbing and turning back communism.

History will record the international Communist conspiracy as the greatest threat to human liberty in the annals of civilization.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS, 1966

Mr. VIVIAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. VIVIAN. Mr. Speaker, during the debate just concluded on H.R. 13161, the Elementary and Secondary Education Amendments of 1966, a motion was offered by the minority to recommit the bill for the purpose, in part, of reducing the funds authorized for expenditure, by several hundred million dollars.

Now several members of the minority claimed that any vote against that motion could be interpreted only as a vote against the President's budget, and that anyone who voted against it was voting for an extra increase in taxes. Apparently these same individuals conveniently have forgotten that several months ago they voted, with very few exceptions, to exceed his budget by a

comparable amount when they rejected his request to reduce the unnecessarily high appropriations for the so-called federally impacted area school assistance program.

The education funds we authorized today are to be expended in very large part in school districts having large numbers of children of the poor. By comparison, the impacted area funds, in instance after instance, go to districts populated by families having very adequate financial resources.

Mr. Speaker, had the motion offered by the minority reduced the authorization for the impacted areas program, I would have supported it. But the reduction proposed in my opinion was not the appropriate one.

RICHARD C. PATTERSON, JR.

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include extraneous matter in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York.

There was no objection.

Mr. RYAN. Mr. Speaker, last Friday New York City lost one of the city's most distinguished citizens. For 12 years, under Mayor Wagner, Richard Cunningham Patterson, Jr., was the city's official greeter of distinguished visitors. As commissioner of public events, he represented the people of New York to all of the nations of the world.

Former Ambassador to Yugoslavia, Guatemala, and Switzerland, he was one of our Nation's most able diplomats. He was a public spirited businessman who often responded to the call of public service, whether as New York City Commissioner of Correction, Under Secretary of Commerce, or U.S. Ambassador.

I came to know Richard C. Patterson, Jr., when I was president of the New York Young Democratic Club, Inc., for he was deeply concerned with the involvement of young people in politics. As a matter of fact, he had been one of the founders of the New York Young Democratic Club in the early years of its existence. He was always ready to offer advice and assistance to the club for which he had great personal attachment.

Mr. Speaker, I want to take this opportunity to extend my deepest sympathy to Mrs. Patterson, to his daughter, Mrs. Jarvis J. Slade, and three grandchildren.

Mr. Speaker, I include at this point in the RECORD the obituary which appeared in the New York Times of October 1, 1966:

RICHARD PATTERSON, JR., 80, DIES—EX-PUBLIC EVENTS COMMISSIONER—FORMER AMBASSADOR WAS THE CITY'S PROTOCOL CHIEF IN WAGNER YEARS

Richard Cunningham Patterson, Jr., former Commissioner of Public Events and chief of protocol of New York City and for 12 years its official greeter of distinguished visitors, died last night at New York Hospital. He was 80 years old and lived at the Waldorf Towers.

Mr. Patterson was a businessman who several times in his career left high positions in private enterprise to take administrative public offices.

In June, 1933, W. Kingsland Macy, then chairman of the Republican State Committee, offered Mr. Patterson the nomination as Fusion candidate for Mayor of New York. However, Mr. Patterson declined the offer. Subsequently, former Gov. Charles S. Whitman asserted that if Mr. Patterson had accepted the endorsement he would have been elected Mayor.

In 1944 President Franklin D. Roosevelt appointed him Ambassador to Yugoslavia and in the next two years he figured in the strained relations between the United States and the Yugoslav Government of Marshal Tito.

AIDE TO O'CONNOR

Mr. Patterson, who had also served as Ambassador to Guatemala and Switzerland, was appointed by Mayor Robert F. Wagner in 1954 to be chairman of the Mayor's Reception Committee. Subsequently, he became Commissioner of Public Events and chief of protocol for the city. He held those posts for 12 years.

Early this year, it was announced that Mr. Patterson would become a nonsalaried liaison and consultant on the business community of the city to City Council President Frank D. O'Connor, who is now campaigning as the Democratic party's candidate for Governor.

Mr. Patterson was born in Omaha on Jan. 31, 1886. He attended the University of Nebraska and received an engineering degree from Columbia University's School of Mines in 1912.

At Columbia, he was a member of the university's swimming team and, in 1909–10, was president of the Intercollegiate Swimming Association. As a young man he worked as a day laborer in the gold mines of South Dakota and for many years maintained his membership in the Western Federation of Miners Union.

In 1916, Mr. Patterson joined Gen. John J. Pershing's punitive expedition to Mexico as a cavalry private. Later, before the outbreak of World War I, he was secretary of the New York City Fire Department.

COMMISSIONER OF CORRECTION

In World War I he served with the American Expeditionary Force in Europe for 13 months as a captain and then as a major in the engineers. He later was promoted to colonel in the reserve. Before he returned home he helped to organize the American Legion in Paris.

After the war, Mr. Patterson became assistant to the president of the J. G. White Engineering Corporation. He then joined E. I. du Pont de Nemours & Co. as an engineer representing the company in China.

His first appointment in the public service was as Commissioner of Correction for New York City, an office he held from 1927 until 1932. During that time he also was Commissioner of the City Parole Board.

Mr. Patterson was executive vice president and a director of the National Broadcasting Company from 1932 to 1936. He was Assistant Secretary and Under Secretary of the Department of Commerce in 1938–39 and chairman of the board of Radio-Keith-Orpheum from 1940 to 1944 prior to his appointment as Ambassador to Yugoslavia.

Three years later, he was appointed Ambassador to Guatemala and in 1951 he became minister to Switzerland with the rank of Ambassador.

In the nineteen-thirties, Mr. Patterson had also served as board chairman of the Citizens Budget Commission here and as a trustee of the Export-Import Bank in Washington. From 1941 to 1943 he was New York State chairman of the War Savings Staff for the sale of war bonds by the Treasury Department. He also had been president of the Travelers Aid Society.

CITED BY 38 NATIONS

He was a director of the Salvation Army, director and first president of the Far East American Council of Commerce and Industry, a trustee of the University of Nebraska Foundation and the American University in Washington, and a director of the Prison Association of New York.

Mr. Patterson had been decorated by 38 nations. He was awarded the medal for "distinguished public service" by Columbia University in 1932 and by the University of Nebraska in 1940. In 1958 Wagner College awarded him an honorary degree of Doctor of Laws. The following year Pace College granted him the honorary degree of Doctor of Civil Law. In 1962 Dickinson College also awarded him an honorary degree.

Mr. Patterson's clubs included the University, the Downtown Association, the Recess, the Metropolitan, the Overseas Press and the Piping Rock.

Surviving are his widow, the former Shelley McCutchen Rodes; a daughter, Mrs. Jarvis James Slade, and three grandchildren.

CONSERVE FUR SEALS AND WILDLIFE ON PRIBILOF ISLANDS

Mr. LENNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2102) to protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas, with amendments of the House thereto, insist on the House amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none, and appoints the following conferees: Messrs. LENNON, HAGEN of California, DOWNING, PELLY, and KEITH.

FISH PROTEIN CONCENTRATE

Mr. LENNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate, with amendments of the House thereto, insist on the House amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none, and appoints the following conferees: Messrs. LENNON, HAGEN of California, DOWNING, PELLY, and KEITH.

CONSERVATION AND PROTECTION OF ENDANGERED SPECIES OF FISH AND WILDLIFE

Mr. LENNON submitted a conference report and statement on the bill (H.R. 9424) to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened

with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge system; and for other purposes.

ACTION ON RECOMMENDATIONS OF THE JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS URGED

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. RUMSFELD. Mr. Speaker, on numerous occasions during the 89th Congress I have expressed my strong support for the Joint Committee on the Organization of Congress and for its work. In 1965, I introduced a resolution in the House to establish the committee, and on June 2, 1965, I testified before the committee at length. I have carefully followed the committee's progress and I believe its final report—Senate Report No. 1414, House Report No. 1781—filed with the Congress on July 28, 1966, is a document worthy of the support of all Members of Congress, even though—to be sure—it does not deal with every major problem facing the Congress.

In compiling its report, the committee held 41 public hearings and received the views of 199 witnesses. This testimony is contained in 16 printed volumes which total 2,435 pages. Among the witnesses were 106 Members of Congress who either testified in person or submitted statements for the record. The committee and its staff met in over 50 executive sessions to consider the congressional reforms suggested, and subsequently the committee prepared an omnibus bill incorporating the recommendations contained in the final report.

Mr. Speaker, it is now time to act. If the recommendations of the Joint Committee on the Organization of Congress are to be implemented in the 90th Congress, we must act at once. The 89th Congress ought not to adjourn sine die without taking action on congressional reform, for a delay now will mean that any reforms to be adopted will have to wait until the 91st Congress to become truly effective. The need for reform was affirmed by both the Senate and the House in March of 1965 when both bodies voted unanimously to establish the committee. It does not seem to me to be right to ignore this strong expression of support. Further, it does not seem to me to be right to organize the 90th Congress under old forms and practices which a great majority of Members of Congress believe to be inadequate and outdated.

I urge the immediate consideration by the House of the omnibus bill on the organization of Congress. A delay in acting at this time will surely mean a setback for meaningful congressional reform.

SECURITY OF THIS NATION

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. MARTIN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, I take the floor of the House at this time because I am deeply concerned with the security of this Nation. The safeguard of our freedoms for 190 glorious years has been the Constitution of the United States, a document described as "the greatest instrument of freedom ever produced by man." Our Founding Fathers, divinely inspired, brought forth an instrument which changed the course of history and established upon this earth a new concept of man's relationship to government. In their farseeing wisdom the framers of the Constitution adopted the basic principles of the separation of powers to make it impossible for a monarch, a dictator, or any small band of power-mad zealots to seize control of the Government established of, for, and by the people.

There have been contests during these 190 years between the executive branch and the Congress to upset this balance of power, but heretofore neither executive, nor Congress, nor the judiciary has been able to force its will upon the other bodies. Now this is not true.

Over the past several years the responsibilities and powers of Congress have been steadily eroded by a Supreme Court which far exceeded its constitutional functions, and by an executive branch which seems to hold in disdain both the Constitution and the Congress. This steady encroachment upon the powers of the Congress has reached a climax under the present administration through the manipulation of the Department of Health, Education, and Welfare and more particularly by Harold Howe II, the Commissioner of Education. Making no pretense that it is his determination to use the power of his office and the support of the President to force his social philosophy upon the people of this country, Harold Howe has pressed down upon the brow of the South a crown of thorns as cruel and as torturous as that pressed upon the head of the Prince of Peace when they crucified Him on the cross.

The school guidelines engineered and put into action by Harold Howe are wreaking havoc among the schools of my beloved State of Alabama and other States of the South. While we are his victims today, I warn my colleagues that should he succeed in his effort, the long dreaded federalization of schools in America will be consummated in every State in the Union. Harold Howe seeks to assume authority over every local school board in this country. It is a recognized fact that the high standard of education attained in America for more children of every race, color, and economic condition than in any other place has been the result of local control of the schools. Who knows better what is the best education for their children than the mothers, fathers, neighbors, and local officials of every city, town, and hamlet across the land? There is no more dedicated group of public officials at any level of government than members of local school boards. They serve in most instances without compensation, often at great personal sacrifices, with long hours of toil to raise money to build schools, hire the best teachers available, and approve curriculums which will best prepare the children of their community to go into the world.

I say, Mr. Speaker, I would rather trust the destiny of my children—and I have three, the oldest just starting in the first grade—to the dedicated service of local school board officials than to the social philosophy of Harold Howe.

You who do not live in the South and have not yet experienced his heavy-handed autocracy cannot appreciate the damage he is doing to education. In Alabama, our local school boards and our good people have been bending every possible effort to improve the standard of education for every boy and girl in our State. We have been endeavoring to build schools, to add new classrooms, to increase our teaching staffs, and although we are not as wealthy as some of our sister States, we have been making progress. Now comes Harold Howe with orders to realine our school boundaries, reassign students upon the basis of race even if it means closing badly needed schools and firing highly qualified teachers.

I say that is wrong, Mr. Speaker. I say that anything that hurts the education of a single boy or girl in Alabama or in any other State is a criminal act against the youth of the Nation.

Harold Howe was never given this authority by Congress. In fact, he has far exceeded the intent of Congress as expressed in the Civil Rights Act of 1964. In his ruthlessness to impose his will upon the States and the local school boards he has arrogantly ignored the will of Congress and instituted his own will over the people of the United States. By these acts he has forfeited the right to hold public office. He is a constant danger to the orderly process of government under the Constitution and a serious threat to the freedoms of the people.

Mr. Speaker, I have been trying to arouse the Congress and the Nation to the danger of Harold Howe's guidelines for many months. On April 5 of this year I wired to the superintendents of local school systems in my State through Alabama State Superintendent of Education, Dr. Austin Meadows, the following telegram:

This is to offer my assistance to Alabama Superintendents of Education in their opposition to the Federal Guidelines. I would appreciate your sending me such information relative to the present school situation and how these guidelines will affect our system. This will be most helpful in our opposition to these unjust proposals. I think that the entire Alabama delegation should request a meeting with the Commissioner of Education and your presence at such a meeting

would add support to our cause. Please let me hear from you if you can be with us and let us know what date will fit in with your schedule.

Subsequent to sending this wire, I wrote to the President of the United States asking him to rescind these guidelines "because they are illegal and will destroy the sincere and orderly efforts which are being made by the officials and people of Alabama to comply with the law. The enforcement of such unreasonable and unfair demands threatens the education of all Alabama schoolchildren including the children of the poor."

At the same time my fellow Republican Members of Congress from Alabama and I met with Commissioner of Education Harold Howe II in an effort to reach a reasonable and fair compromise on the guidelines. We spent 2 hours with the Commissioner of Education and we were unable to shake his determination to demand unquestionable obedience to his edicts by Alabama State officials and local school boards. He threatened to withhold all school money from any Alabama school district which would not comply with the demands of his guidelines. In the entire 2 hours I spent in his office I saw nothing in the Office of Education which dealt with education. Even when I requested some evidence of activities in behalf of improved education, the Commissioner would not produce it. The entire effort of the Office of Education seemed to me at that time to be to enforce its own ideas of social reform.

I pointed out to the Commissioner of Education in April that the people of our State were making every reasonable and fair effort to comply with the law, and all we asked was that we be allowed to meet the requirements so as not to hurt our schools or result in a lowering of educational standards for our children, especially our poor children. His only reply seemed to be that total compliance with the guidelines must be brought about immediately even if it meant closing good schools and overcrowding existing facilities.

Through April, May, and June I urged this Congress to stop this power grab and disregard of Congress intent by the Commissioner of Education. In company with other Members of Congress from all the Southern States we met again with the Commissioner of Education to point out the recklessness of his actions. All to no avail. Harold Howe has set himself above Congress. He has assumed the position that he and he alone is the law, and that he and he alone is the sole interpreter of legislation passed by Congress.

Mr. Speaker, if this Republic is to be secure we dare not allow a hireling to exert such autocratic disdain for the elected representatives of the people of the United States. We must take action now to rescind these vicious, illegal, and unconstitutional school guidelines as well as the other guidelines imposed on the schools and hospitals of our country.

I have introduced a bill in conjunction with other Members of this body to prevent any agency or division of the executive from exceeding its authority. I urge every Member of this House who is concerned with the education of the children of America and with proper responsibilities of the Congress of the United States to pass this bill, H.R. 17764. This should and must be done before this Congress adjourns or we face the complete destruction of our public school system.

In the meantime this Congress should demand that the President remove from office immediately the present Commissioner of Education, Harold Howe II. To do less reflects upon the strength and determination of this legislative body. I hope I will have your full support of these vital moves in this critical hour for this Nation.

ELECTION CAMPAIGN EXPENSE REPORTING PROCEDURES

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GOODELL. Mr. Speaker, I am pleased to be able to report to the House that the Subcommittee on Elections of the House Administration Committee has taken significant steps toward accomplishing the first major overhaul of the election campaign expense reporting procedures in more than two decades.

It is especially important since this move is a solid bipartisan one. Bills embodying the proposals we recommend have been introduced by our subcommittee chairman, the gentleman from South Carolina, Representative ASHMORE—H.R. 18162—and by myself as the ranking minority member of the subcommittee—H.R. 18167. These proposals represent a consensus of what is needed in an area that has long cried out for reform.

I believe that the bill, as it now stands. is much stronger than any of those previously offered and contains important and necessary improvements over the ideas recommended by the President in his message on this subject.

We recognize that final action on this proposal is unlikely this session. However, introduction of the proposal now will open the door for speedy action in the 90th Congress.

The bill would strengthen existing Federal laws requiring candidates and political committees to report information regarding amounts and sources of political funds and items of expenditures. The measure would require periodic reports for both prenomination campaigns and campaigns for general election. Reports on primary election or convention spending for candidates for President, Vice President, Senators, and Congressmen are not now required by law, but would be under the bill reported. Moreover, committees raising or spending as much as $1,000 within a single State on behalf of Federal candidates would be required to report. At present, only committees operating in two or more States are so required.

In the bill, political committees would be responsible to register when formed to support Federal candidates, and to declare the candidates they will support. This is one of the many features in this bipartisan bill that go beyond the proposal of the President.

Another is that debts would have to be reported in meaningful ways at regular intervals and before and after elections, as would loans and the names of cosigners of loans.

Reports would be filed with a bipartisan Federal Elections Commission, having broad powers to receive, check, analyze, publicize, and preserve them and make them available to the public. The Commission could require compliance if the candidates or committees fail to report. The five-member Commission would have no more than three members from the same political party. It would have powers to audit reports, carry on investigations, issue subpenas and injunctions, and to act promptly upon complaints brought by a candidate for Federal office. At present, reports are filed with the Clerk of the House of Representatives and the Secretary of the Senate.

President Johnson's proposals would have continued the practice of reporting with the Clerk and the Secretary.

Duplicate copies of reports would be filed with the clerk of the Federal district court in the State of origin of the candidate and the political committee, thus insuring the availability of filed information to opposing candidates, the local media, and the public. This plan to keep the public better informed was not considered in President Johnson's message.

The Federal Elections Commission would be empowered to encourage State election authorities to develop uniform procedures that would help eliminate unnecessary duplication when State laws also require the filing of campaign fund data.

Reports and statements filed with both the Federal Elections Commission and with the clerk of the U.S. district court would be available for public inspection. Copying by duplicating machine at the expense of any person making a request would be permitted at both the offices of the Commission and the clerk.

The proposed measure abolishes limitations on amounts candidates for Congress can spend on campaigns, and on amounts political committees can spend. The present limitation on committee spending is $3 million. The bill retains the present $5,000 limitation on amounts that can be contributed by an individual to a candidate or committee. As at present, individuals can give to as many candidates or committees as they want, but the establishment of a Federal Elections Commission would insure that amounts contributed would be reported and the information disseminated to the media and the public in an expeditious manner.

Unlike present law, the new legislation would require reporting of financial data

regarding national nominating conventions. Corporations would continue to be able to contribute to the support of conventions, and could buy advertising space in convention program books. However, in accordance with the so-called Williams amendment to the tax laws passed last March, corporations can no longer deduct as a business expense amounts spent on advertising in political publications. In connection with all other political activities, controls on corporations and labor unions and trade associations would be tightened. Corporations and labor unions would still be prohibited from contributing, as in present law, but the new bill adds a section forbidding corporations, labor unions, and trade associations with corporate funds or compulsory dues or assessments from financially supporting by direct or indirect contributions or expenditures any organizations that participate in political activities. Affiliated organizations could continue to operate but only with funds raised voluntarily from among members and supporters. Also, the bill would tighten a provision in existing law forbidding corporations or others from contributing if holding or negotiating contracts with the Federal Government. This improvement also goes beyond the President's recommendations.

In addition to campaign fund reporting, the bill requires disclosure by Senators, Congressmen, and candidates for Congress of gifts and honorariums. Members of Congress would file reports of gifts and honorariums of $100 or more each year, whether or not running for election.

The proposed law would permit the sale of political souvenirs if costing $25 or less, but would not permit the sale of advertising in political program books or journals. In a proposal that goes beyond the administration bill, contributions in the name of another person would be prohibited. The language of existing law was tightened with respect to the prohibition of a promise of a contract, appointment, or other employment or special consideration in return for a contribution.

The subcommittee action resulted from 4 days of hearings and many weeks of committee discussion. One of the witnesses at the hearings was Ramsey Clark, now Acting Attorney General, who testified in behalf of the administration recommendations, which were proposed by President Johnson on May 26. The Johnson proposals included a tax deduction for political contributions, but the House Administration Committee does not have jurisdiction over tax aspects of the President's recommendations.

Mr. Speaker, I invite the attention and the comments of the membership on this measure that affects all of us.

ADDRESS BY HIS EXCELLENCY AUGUST ZALESKI

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. DERWINSKI. Mr. Speaker, on October 1, 1966 at the Caxton Hall in London, the President of the Polish Republic in Exile, His Excellency August Zaleski, addressed the latest session of the Council of the Republic of Poland, a body which functions as a parliament in exile. I insert into the RECORD as part of my remarks, the speech he delivered.

[From the Polish Government-in-Exile, Ministry of Foreign Affairs, London, Oct. 1, 1966]

ADDRESS OF THE PRESIDENT OF THE POLISH REPUBLIC IN EXILE

News received from Poland still reports there has been absolutely no change for the better in the situation of the country since I last addressed this assembly. Poland remains under the dominant influence of Russia both in the political and the economic sense. The so-called "government of the Polish People's Republic" stays in power solely thanks to the Russian occupation, which stretches as far as the frontier of the German Federal Republic, leaves the Polish nation no possibility of declaring itself and forces it grimly to endure the onerous situation into which it has been plunged.

For, the situation of Poland is worse and more difficult than that of any of the countries which lost their independence after the last war as her territory lies across the way between Russia and western Europe whilst the westward expansion of Russia's power is still one of the principal aims of her policy.

In these circumstances, the Warsaw regime has sought to direct its attention towards the free Poles, who reveal Poland's deplorable political and economic situation to the public opinion of the free world and ceaselessly warn against the placing of excessive confidence in the autocratic rulers of Russia. With this in mind, the Warsaw regime resolved to use the so-called Union of Fighters for Freedom and Democracy /ZBoWiD/ whose task is to lull the vigilance of the free Poles by propagating the fraternity in arms of all the Polish ex-servicemen, disregarding the great difference between those who fought for the independence of the Polish Republic and those whose aim was to put Poland under the domination of Communist Russia.

For, present Russia is just as imperialistic as she was in Tsarist time. We cannot forget, after all, that in 1939 it was Communist Russia who first proposed and then carried out another partition of Poland in connivance with Nazi Germany.

Not only Poland fell victim to Russian imperialism, however. Eight Central European countries lost their independence, and part of Germany still remains under Russian occupation. Although this status has no legal basis in the absence of a peace treaty, it has already lasted more than twenty years. This is because Russia wishes to perpetuate the status in question on the strength of accomplished facts, not of international law. Moreover, she knows that a peace treaty concluded with a "Polish government" imposed by herself will not be accepted as valid by the Polish nation. On the other hand, the Western Powers fear to evoke a new war and are always ready to grant concessions to Russia particularly if these are at the cost of other people.

This state of affairs produces a situation which resembles that before the first World War, when only might and not the ideals of justice framed foreign policies. The simultaneous enfeeblement of Germany and Russia after the war enabled the United States under the leadership of Woodrow Wilson, that great American president, to apply her influence during the Versailles Conference to base peace on the most equitable principles possible.

Today, regrettably, we see no tendencies among Powers to base their policies upon these principles. Hence, it is with joy that we greet the encyclical of Pope Paul VI calling upon mankind to base foreign policies on justice and liberty. I am certain that, thanking the Successor of St. Peter with all my heart for this appeal of his, I am fulfilling the desire of the whole Polish nation.

The Holy Father's appeal was made during the period when the Polish nation, at home and abroad, is celebrating the great anniversary of Poland's Christian Millennium. Unfortunately, with the homeland under the sway of an atheistic Communist regime, this great anniversary cannot be celebrated as desired by the Polish nation—a nation which has through ten centuries earned the appellation of *Semper Fidelis*, always faithful, But, during the course of this great year, the Poles in the free world should enhance their efforts to secure justice and liberty for Poland as soon as possible.

I trust that all the free Poles will successfully unite in effort for the realization of these ideals, bearing in mind that whatsoever divides us is as nothing compared with the possibility of attaining the aims prescribed for mankind by the Holy Father.

I therefore reaffirm that for unity amongst the free Poles nothing more is necessary than due respect for the principles of the Constitution of 23rd April 1935 brought out from Poland in 1939 when our country was invaded by enemies.

Mr. Speaker, at a time when Communist aggression in Vietnam is increasing in intensity, it is absolutely essential that the administration drop its policy of coexistence with the Communist governments of Eastern Europe, and instead develop the cooperation of free world forces in a rejuvenated and coordinated program against world communism.

IRONY OF IRONIES

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, while thousands of American soldiers have lost their lives in Vietnam, and the number increases from day to day, recent headlines indicate that the Soviet Union has been more than just an innocent bystander in the conflict.

The New York Times of September 26, carried this headline: "Soviet's Exports to North Vietnam Up Sharply in 1965." Excerpts from the account stated:

Most of the exports to North Vietnam besides military equipment, consisted of industrial machinery, power-generating equipment and road-building machines. * * * Details on Soviet military aid to Hanoi have not been made public but it is known that

such aid includes antiaircraft weapons, some jet planes and transportation equipment.

On September 27, of this year the Washington Post ran this headline: "Russia Doubles Mig Planes for North Vietnam Air Arm." An extract from the story detailed Soviet air aid to North Vietnam:

According to the reports, Soviet aid has doubled North Vietnam's supply of Mig-21 supersonic jet fighters. This has been accompanied by the formation of an 800-man Soviet aid and training mission, whose job is to improve Hanoi's air defenses, the reports said.

On October 3, 1966, a caption on page 7 of the Washington Daily News read: "Soviet Troops Are in Vietnam." The lead paragraph explained:

Russia has admitted for the first time that Soviet army rocket specialists have been sent to Hanoi to train North Vietnamese missile crews.

How does the United States respond to the Russian policy of actively helping to kill more American boys? Threaten severance of diplomatic relations with the U.S.S.R.? Cease cultural exchanges? Stop all trade with the U.S.S.R.? Heavens, no. To show that we really want peace and that we truly want to be friends we are going to help the Soviets develop their automobile industry by shipping either directly or indirectly U.S.-made machine tools.

Forbes magazine of October 1, 1966, outlined the proposed plan in which the Fiat Automobile Co., of Turin, Italy, agreed to construct an automobile plant in Russia with three-fourths of the machinery that Fiat installs for the Russians coming from the United States. In an article entitled, "To Russia—Without Love," Forbes commented in the subheading:

Not many people want to talk about it, but the fact is that U.S. industry has a major role in the Soviet Union's plans for a vast new automobile industry.

The article concludes:

A bad trend? Perhaps. But will the U.S. really gain by refusing to deal with the Russians in something that they are going to accomplish even without us?

There will, of course, be honest differences of opinion among sincere citizens regarding the advisability—and morality—of this policy. But of this I am certain: I would loathe to try to justify this policy to a mother and father who had received home from Vietnam their lifeless son in a cold, military coffin.

I include the extract from the New York Times article of May 5, 1966, and the article, "To Russia—Without Love," in the RECORD at this point:

[From the New York Times, May 5, 1966]

FIAT TO BUILD PLANT IN SOVIET TO PRODUCE 2,000 AUTOS A DAY

TURIN, ITALY, May 4.—The Fiat Automobile Company signed an agreement tonight for the construction of an automobile factory in the Soviet Union with a daily capacity of 2,000 vehicles.

The signing of the accord by Fiat's honorary chairman, Prof. Vittorio Valletta, and the Soviet Minister for Automotive Production, Aleksandr M. Tarasov, came after 17 days of negotiations here.

* * * * *

[From Forbes Magazine, Oct. 1, 1966]

TO RUSSIA—WITHOUT LOVE: NOT MANY PEOPLE WANT TO TALK ABOUT IT, BUT THE FACT IS THAT U.S. INDUSTRY HAS A MAJOR ROLE IN THE SOVIET UNION'S PLANS FOR A VAST NEW AUTOMOBILE INDUSTRY

This is the story behind the story that appeared in the New York Times of May 5.

It's true, as the Times and other newspapers reported, that Italy's Fiat automobile company has made a deal with Aleksandr M. Tarasov, the Soviet Minister for Automotive Production, to help the Soviet Union build a modern automobile plant with a capacity of about 600,000 small and medium-sized cars a year.

What they didn't report was that Fiat will be serving as a middleman for the U.S. machine-tool industry.

Three-quarters of the machinery that Fiat installs for the Russians will come from the U.S., either directly or indirectly through European subsidiaries and licensees of American firms. It will really be the U.S. that puts the Russians on wheels.

Until now, the U.S. Government has refused to permit the export of U.S. machine tool technology to Iron Curtain countries on the grounds that it would help them build up their armed forces. However, this arrangement has the approval of both the State Department and the Department of Commerce. Prof. Dr. Vittorio Valletta, Fiat's 83-year-old former chairman and managing director, cleared the political roadblocks in advance in conferences with Secretary of State Dean Rusk and Secretary of Commerce John T. Connor in Washington early this year. The Office of Export Control stands ready to issue export licenses to U.S. machine-tool manufacturers who participate in the deal. About 30 are expected to eventually.

MILLIONS INVOLVED

The bait is tempting: big money, really big money. The plant is expected to cost $887 million. Of this, Fiat's share will be $322 million. How much of the $322 million the American manufacturers get cannot yet be estimated. It will depend on how much of the machinery Fiat buys directly from the U.S. and how much it buys indirectly. The only certainty is that it will run to a substantial amount.

Some U.S. machine-tool makers already have agreed to supply Fiat with machinery for Russia. Among them is Cleveland's TRW, Inc., which makes steering linkages and sodium-cooled valves. Says John Corson, TRW's sales director for international automotive equipment: "We're supplying them with steering linkages but I'm not sure about the sodium valves." Corson cleared TRW's participation in the deal with State and Commerce "even before we talked with Fiat." He says TRW's motive in supplying equipment for the Soviet plant is not so much the money it will make but fear that, unless it did go into the deal, it might lose Fiat's future business.

Another U.S. company already participating in the deal is U.S. Industries, Inc. Its Clearing division automated stamping machine presses are sold around the world under license by such companies as Innocenti of Italy and Vickers-Armstrong of England. Says Chairman Clarence J. Plisky: "We'll be supplying the major portion of the presses for the Soviet plant, but it's not clear yet whether it will be through Innocenti or some other licensee of ours in Europe."

Gleason Works of Rochester, N.Y., will supply gear cutting and heat treating equipment for the plant through Fiat. "This is just a pure business deal as far as we're concerned," says Irving W. Peachey, vice president in charge of sales. "It's just a straightforward business deal, that's all. We have competitors overseas. If we don't supply the Russians, they will."

New Britain Machine Co. will contribute automatic lathes. Says Chairman Julian C. Pease: "Most of the automotive machine tools, not only at Fiat but throughout Europe, are from this country either directly or indirectly through European subsidiaries. Fiat is heavily U.S.-tooled because U.S. equipment is just more productive. Now the USSR wants American machine-tool technology, too."

Says J. C. Danly, president of Chicago's Danly Machine Specialties, Inc., the nation's largest manufacturer of automotive presses: "We haven't yet been approached by Fiat to supply presses for the USSR facility, but we sure would—as long as the Office of Export Control said it was O.K." He added: "As far as presses are concerned, regardless of where they might actually be manufactured, I'm sure that at least 75% would have originated in this country. We have the technology."

DISSENTING OPINION

Not all U.S. machine-tool makers are this eager to get into the deal. Says John F. Herkenhoff, president and chairman of Minster Machine Co., of Minster, O.: "There's just too much intrigue in this deal for us. It's for the big boys in this business that have been after [the Soviet] market for years."

Russell A. Hedden, president and general manager of Sheffield Corp., which manufactures automotive gauging equipment, thinks that business is business and the subterfuge sheer stupidity. "I think we should be in this Fiat deal directly," he says. "If not, then it's just a case of letting our European subsidiaries have the business, using our technology. In other words, we'll let them pick our brains and then sell to the Russians, agreeing to settle for less for our technology. That's ridiculous."

State and Commerce Department officials have kept the U.S. role in the Fiat deal as hush-hush as possible. They were shocked when they heard FORBES had learned of Valletta's conversations with Rusk and Connor. They are frankly scared that, as the real story of the deal emerges, a clamor will arise to prevent U.S. firms from participating. The Department of Defense still could block the export of machine tools by declaring it against the national interest.

The Russians, in contrast, are quite talkative. Sergey A. Shevchenko, chief commercial counselor of the Soviet Embassy in Washington, frankly told FORBES that his government was perfectly aware of the fact that a great percentage of the machine tools would come "from sources other than Fiat."

STATE'S RATIONALE

In off-the-record conversations, State Department officials defend the decision to let the Soviet Union get the machine tools by saying that it will help make the Russians more consumer goods-minded. They reason in this fashion:

In years past, the Soviet Union has been able to devote an extraordinary amount of its gross national product to defense production by keeping consumer production to a minimum. Steel that might have gone into autos, for example, went into tanks and guns. The Soviets have been turning out a mere 201,000 cars a year at two antiquated plants in Moscow and Gorky. Only one Russian in every 250 owns a car. The figure in the U.S. is nearly one in every two.

By not producing automobiles, the government has been able to cut down on many other expenditures, diverting the money to

defense. There are less miles of paved highway in the Soviet Union than in California and Illinois. Along one 1,000-mile stretch of road, there are only six motels. In Moscow, a city of nearly 7 million people, there are only eight garages. While the armed forces burn up gasoline, a Russian citizen has to stand in line at his city hall for a coupon book.

The State Department officials believe the Soviet Union is due for an "automobile explosion." It's clear the Kremlin, in a sharp reversal of policy, now wants its citizens to have cars, they say. Not only has it made the deal with Fiat, it also has asked Renault to help it expand and modernize the Moscow plant. By 1970, that plant will be turning out 600,000 cars a year, too. And there is reason to believe the Russians want the Ford Motor Co. to expand the Gorky plant, which was built by Ford in the Thirties. President Arjay R. Miller recently visited the Soviet Union. The company denies that he talked business there, but a Soviet source told FORBES that he spent a good deal of time with the Soviet Minister of Foreign Trade.

As the Soviet newspaper Izvestia editorialized recently. "The desire of the people for automobiles is as irresistible as technical progress." So the people are going to get them.

A State Department official said: "The psychological and economic impact of the decision to mass-produce automobiles is hard to overestimate. Look at what has happened in this country."

MORE TO COME?

The psychological and economic impact of the U.S. Government's decision to permit the export of machine tools to Russia is also hard to overestimate, for it could set a precedent that would throw wide open the gates to East-West trade. If U.S. machine-tool manufacturers can export to Russia through Fiat, why couldn't General Electric, for example, do the same with its computer technology, using Olivetti as its middleman? Olivetti has a joint-venture agreement with GE for European computer sales.

Commented one machine-tool manufacturer: "Throw the gates wide open? Hell, this might tear them off their hinges." A bad trend? Perhaps. But will the U.S. really gain by refusing to deal with the Russians in something that they are going to accomplish even without us?

FEDERAL AID

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. COLLIER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. COLLIER. Mr. Speaker, it has always been interesting to me, frequently in a rather sad way, that those who seek to get the Federal Government farther and farther into every area of our national life merely to get their hands on Federal money have not only indulged in deception, but have also had the gall to deny the contention of those whose judgments have proven to be correct. This statement is made in direct reference to the proponents of Federal aid to education, and it is apropos that I remind every Member of this legislative body of the fact for whatever good it will do at this time.

During the first 6 years I was a Member of Congress, the proponents of Federal aid to education at the primary and secondary school levels insisted that the local school systems needed help because of inadequate and overcrowded school buildings and a shortage of qualified teachers in many areas. That this was factual, I did not doubt.

Yes, and I recall the first year a Federal aid to education bill was brought before this House, before it became tangled in a web of religion and politics, the proponents displayed pictures of dilapidated schools around the country. "This is why we need Federal money." they claimed. And then they went on to say that those of us who expressed a concern that the Federal aid could not be administered without Federal controls were creating a "straw man" to support our opposition.

I recall one teacher taking exception to my statement regarding Federal controls in primary and secondary school education at a meeting and how she insisted that this would not be the situation. I recall Members of this House saying, "Why, we have written provisions in the bill which would specifically ban Federal controls."

At this point and with our previous experience with Federal meddling in the field of both public and private education, I charge that anyone who would dare to make this statement at this time is just oblivious to the facts of life. The bill which is being considered here today is punctuated with Federal controls. No meaningless verbiage can alter the facts, and let me assure you that as this program is expanded, more and more control, including regulations and requirements of every nature, is inevitable.

Compliance with the requirements of the bureaucrats in Washington will be accomplished by the simple bludgeon of Federal dollars, which will be held over the head of each applicant seeking Federal funds.

Lest anyone believe that I am wrong, I shall quote from a letter I received from an educator on my district. I suggest others heed well, and I would hope that some of my colleagues would take inventory of his remarks. His letter in part follows:

If the press reports have been accurate, it now appears that Commissioner Howe feels he is to be the designer rather than the executor of Federal laws in the field of education.

Perhaps Mr. Howe should study more carefully the recent study that indicated how poor people in the inner city really feel about their neighborhood schools. From my own experience I could enlighten Mr. Howe as to what happened in my school community when the pupils were offered permissive transfers to outlying schools. Not one of the children left but a few of the parents of the children went out of their way to tell me that they wished the school authorities would stop trying to make their children go to schools away from their homes.

Rather than concern himself with utopian ideas that the Congress did not enact, the Commissioner might better concern himself with the progress of the programs thus far enacted and with a review of the guidelines that he and his bureaucrats have inflicted upon us. Does he know, for instance, that the teacher shortage this year is more acute than ever because of the larger number of classroom teachers who have left the classrooms to become cogs in the growing machinery needed to administer these vast programs? Does he know that vast amounts of equipment are pouring into the schools before any provision is made to store and protect this equipment? Does he know that some individuals with very limited backgrounds are now employed as "authorities" in federal projects at salaries far greater than they were able to earn as teachers? Has he been asked to explain the justice or rationale of having television sets in the number of one for each 200 pupils in a school that qualifies under the guidelines while a school that does not qualify must struggle along with perhaps one set for 1,000 pupils?

I am writing to you, not only as a member of your constituency, but as an educator apprehensive about the increasing shadow of federal control. If there must be federal control, you as a Congressman can help see that the law is clear and well defined as to its intent and distribution of powers.

FEDERAL AID TO EDUCATION

Mr. MORTON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] may extend her remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mrs. MAY. Mr. Speaker, when our Nation, last year, went for the first time into a program of general aid to education through the Elementary and Secondary Education Act of 1965, I supported alternatives which I believed would prevent what has now become a real problem: Federal control over education. These efforts, as we all know, were not successful. And the Elementary and Secondary Education Act of 1965 is now the law of the land.

I might say, parenthetically, that I met with a great many school officials in my district last fall and many of them expressed to me their own very great concern over the problem of Federal control that immediately made itself apparent to them on enactment of the legislation and the promulgation of regulations by the Office of Education.

Nevertheless, Mr. Speaker, it must be recognized that the Congress made its decision in 1965, and this decision is now past history. The program is underway, and the primary and secondary schools of our Nation have programed for it and are now totally dependent upon this means of Federal funding.

In my State of Washington, as elsewhere in the Nation, our teachers and our school districts have budgeted for the coming year on the basis of funds expected to be received under this program. They have gone to considerable trouble to find and hire personnel to set up and run special programs in hundreds of schools. It is now October, many programs are already operating; and they still are waiting on the decision from Congress whether or not this legislation will be passed. Obviously, if it is not, then the financial burden will fall back to the local districts where it just cannot be met. I cannot in good conscience, or practical reality, vote not to

continue these programs that the Federal Government encouraged our schools to undertake with the promise of Federal funds to run them.

Therefore, Mr. Speaker, I feel my strongest obligation is to the Nation's schools and the Nation's young people, who, without these funds at this time, will be the real losers, because the funding loss could do irreparable harm to basic programs as well as special programs.

It is also my intention to support deletion from the bill of the totally unacceptable provision allowing the Commissioner of Education broad, arbitrary, and unwarranted powers to force his decisions on local educational entities through withholding of funds. This has always been my main reason for being unwilling to support Federal aid to education to our secondary schools, and, it is most discouraging to see many of my fears realized as the program goes into operation for a second year. In the bill before us, the O'Hara amendment under title III gives the Commissioner authority to impose certain of his decisions on local community school districts concerning plans to correct racial imbalance, what is reasonable tax effort, what is overcrowded, and so forth.

This change in title III also might give the Commissioner of Education the authority to decide whether or not a school district qualifies at all to apply for title III funds. I know I would not be properly representing the convictions of the people of my district, the viewpoints of my school educators and administrators if I did not object to the creation of a Federal czar who had the power to completely bypass local community and school district decisions in this area. I have no quarrel with the ability, sincerity, or patriotism of the present Commissioner of Education, Mr. Howe. I do disagree with some of his educational philosophy as expressed in current hearings before the Committee on Rules. But that has nothing to do with the question that will be before us as we attempt to delete the objectionable language in title III that is under discussion. I object to any Commissioner of Education, whoever he may be, having placed in his hands the sole power of determining what constitutes educational need and desirable educational practices in thousands of communities throughout our Nation.

In summation, I will support this legislation for the reasons originally stated. But as long as I am a Member of this body, I pledge to continue my efforts to improve and change the program so that it goes in the right direction, provides intelligent priorities, and safeguards our schools from power direction from the Federal Government on matters where the local schools have obviously far more competence as well as legal responsibility.

A TRIBUTE TO A DEDICATED PUBLIC SERVANT—HENRY J. HOLTZCLAW

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. CONTE], is recognized for 15 minutes.

Mr. CONTE. Mr. Speaker, I am sure all of us in this Chamber share the desire that our Government will continue to be able to attract some of the most capable and dedicated young people in our society to careers in the Federal service. In spite of the criticisms that must be made from time to time over the seemingly clumsy, duplicative procedures that are an inherent part, it seems, of any bureaucratic establishment, we cannot deny that the present stature and greatness of this country is due in no small measure to the selfless, gifted activities of our civil servants.

These are the men and women through the decades who have maintained the pace of expansion within the confines of an organized code of law, who have seen to the Nation's needs in every aspect of our society and our economy, from agriculture to the national defense; from our health to our commerce; and from our natural resources to our monetary resources.

Their record of service is second to none anywhere in the world and anywhere in history. It is because of this tradition that a career in the Federal civil service enjoys more prestige, more stature, and more status in the United States than similar service in any other government in the world.

Those of us in this body who are privileged to serve on some of the committees whose job it is to associate with the Treasury Department have had occasion in recent years to come to know a man who, as much as any in our time, symbolizes the self-effacing dedication and the quiet skills of the career civil servant, the career public officer.

I speak of Mr. Henry J. Holtzclaw, Director of the Bureau of Engraving and Printing.

This agency constitutes our Nation's sole source of currency, and if its responsibilities were confined to that single operation, it would fulfill a function vital to our national interest. The Bureau, however, does a great deal more.

For the Post Office Department, the Bureau prints the single and multicolored postage stamps which are a source of great national pride.

For the Department of Agriculture, the Bureau prints food coupons, and for the Department of Defense, it prints military debentures.

In addition to these responsibilities, the Bureau manufactures Federal Reserve notes, savings bonds, and various other instruments of public debt.

Clearly, the Director of the Bureau of Printing and Engraving must preside over a wide range of activity, and in doing so, he must continually pursue quality of craftsmanship in all his products. As Director, however, his responsibilities go far beyond simply quality control. He must devote much of his energies and attention to the problems of the work force and staff relations. As a public servant, he must continually be conscious of deriving the maximum possible utility from the public's finances.

In sum, then, the Director of the Bureau must be quality conscious, cost conscious, and conscious of the problems and needs of the work force. This constitutes a formidable burden for any man, but Director Holtzclaw has performed his duties with distinction, and, in fact, has pioneered new methods in administration.

Director Holtzclaw began his distinguished career in the Bureau of Engraving and Printing on October 8, 1917. Originally a machinist's helper, he rose to become an engineering draftsman, an associate mechanical engineer, and a mechanical expert and designer. In 1938, he became the first chief of the office of research and development, where he remained until 1949, when he was promoted to the position of Assistant Director of the Bureau. He remained Assistant Director until 1951, when he was promoted to Associate Director. On December 3, 1954, Mr. Holtzclaw was appointed Director of the Bureau, and has rendered outstanding service in that position ever since.

Since Mr. Holtzclaw became Director of the Bureau, the United States has earned the reputation of having the most difficult currency in the world to counterfeit. According to Treasury Department figures, the yearly per capita loss to the general public from counterfeiting is only one quarter of 1 percent, or less than $50,000. This excellent record is certainly a reflection of the efforts of our law-enforcement agencies, but, more importantly, it is a reflection of the quality of craftsmanship at the Bureau of Engraving and Printing.

In addition to demanding high quality craftsmanship in the production of our currency, Director Holtzclaw has also consistently opposed any efforts to place our currency on a multicolored basis. His reason for doing so is the already established quality of our currency. The paper is distinctive, and the engravings are neither ostentatious nor trivial, but, rather, they suitably express the national heritage in which we take so much pride. Furthermore, since they have become familiar to the public, the change to a currency of different sizes and colors would only result in confusion and make counterfeiting much less difficult.

Mr. Holtzclaw's concentration is also apparent in the postage stamps printed by the Bureau, specifically the new multicolored stamp program which has drawn wide acclaim. An example of the characteristic quality of this program is the 4-cent Winslow Homer stamp which was first put on sale on December 15, 1962. This stamp is a reproduction of the original painting "Breezing Up" that hangs in the National Gallery.

A further example of quality in Bureau craftsmanship is the 4-cent Christmas stamp for 1963. This stamp was so popular that 862 million were sold, and the volume would certainly have exceeded 1 billion had the Bureau been able to meet the demand for that particular stamp.

One final example displays not only the quality of craftsmanship effected at the Bureau, but also the efficient administration practiced under Director Holtzclaw's guidance. I speak of the stamp

put on sale throughout the country on February 20, 1962, in celebration of the first U.S. manned-orbital space flight. This stamp, which, incidentally, was placed on sale barely minutes after Colonel Glenn had successfully completed his flight, was designed and printed under maximum security conditions with only a dozen of the 150 employees involved knowing the full circumstances of the operation.

In conjunction with his emphasis on quality, Director Holtzclaw is installing in the bureau a nine-color, web-fed, intaglio printing press. It will be the only one of its kind anywhere in the world, and promises to further enhance the quality of our multicolored postage stamps.

As an administrator, Director Holtzclaw should be considered a pioneer in the field of labor relations. Modernization is a necessity for any industry or operation concerned with efficient production, but in many instances members of the work force have suffered as a result. Men too old to be retrained for other gainful employment becoming to their former skills and seniority are caught in the jaws of a society eager to modernize, yet reluctant to provide for the displaced.

Recognizing this unfortunate reality of modern society, as early as 1957 Director Holtzclaw extended to all employees of the Bureau his personal guarantee that none would be separated involuntarily, and that modernization would be geared to manpower availability and work force attrition. In 1951, the Bureau employed 6,528 persons. The estimated employed for fiscal year 1967 is 3,213, a difference of 3,315 employees. This remarkable reduction of the work force was accomplished without a single involuntary separation and was accompanied by a 370-percent increase in unit productivity. The far-sightedness of this guarantee of job security is a lesson from which all employers should benefit.

The guarantee of job security to all employees, however, is not the only wise and equitable labor policy practiced in Director Holtzclaw's administration. In 1951, Mr. Holtzclaw issued a policy statement which set forth the fact that the hiring and promotion of employees would be based solely on merit and would be without regard to race, color, or national origin. This policy preceded by 6 years any formal policy enunciated by the Civil Service Commission. Taken on his own initiative and completely without pressure, this policy represents only what Mr. Holtzclaw considered fair and equitable. That 66 percent of the Bureau's work force are Negroes bears witness to the fact that his policy has been adhered to.

Mr. Holtzclaw's nondiscrimination policy and his determination to gear modernization to manpower availability and work force attrition expresses a deep recognition and concern for human values. Most important of all, however, has been his ability to adhere to these policies, while attaining a high degree of modernization in production techniques.

Through modernization and progressive management, Director Holtzclaw has been consistently able to reduce unit costs in the face of ever-growing costs of labor and materials and increasing demands for production. From July 1, 1951, through the estimates for fiscal year 1967, the average annual salaries and wages of all Bureau positions will increase from $3,461 to $6,439, an increase of 86 percent. The average cost of materials during this same time period will increase 22 percent. These increased costs, coupled with additional responsibilities, have forced the Bureau to assume additional annual costs of $5,520,000.

During this same time period, however, the average cost of currency and Federal Reserve notes has decreased from $9.91 to $8.41 a thousand. The cost would actually have increased to $19 a thousand had it not been for an annual recurring savings of $17,875,000 realized through management and technological improvements implemented during this period.

This savings is largely the result of the addition of 12 new currency presses, 8 in 1957 and 4 in 1965. These high-speed presses allow printing by the dry intaglio process from 32-subject plates, instead of the old wet intaglio process from 18-subject plates. Not only has this meant savings from increased efficiency, but also implementation of the dry intaglio process has increased the average life of a dollar bill by 30 percent, thus realizing an annual savings of $1.2 million. These savings, coupled with products of the highest quality and progressive labor policies, constitute a remarkable contribution by Director Holtzclaw to the American public.

In recognition of his distinguished service, Director Holtzclaw received the National Civil Service League's Career Service Award in 1957. In July of 1964, the Secretary of the Treasury nominated Director Holtzclaw for the President's Award for Distinguished Federal Civilian Service, and in September of 1964, the Secretary presented to Mr. Holtzclaw the Treasury's highest award, the Exceptional Service Award, in recognition of his "unparalleled example of dedication to economy in Government and effective accomplishment of mission."

Mr. Speaker, Director Holtzclaw has accumulated an exceptional record in public service. He has been a pioneer in technological improvement and industrial relations. His Department's products are of unparalleled quality. He has achieved unprecedented savings in Government operations. He deserves our recognition and the recognition of the American public, for we are extremely fortunate to have as dedicated, capable, and resourceful a public servant as Mr. Henry J. Holtzclaw.

A CALL TO SANITY

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BURTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURTON of California. Mr. Speaker, on October 4, 1965, His Holiness Pope Paul VI visited this continent and, in the spirit of his venerable predecessor, Pope John XXIII who had inspired the world with his "Pacem in Terris," called upon the community of nations at the United Nations to heed his plea "no more war."

The first anniversary of that plea at the United Nations has now just passed, and Pope Paul has once again renewed his urgent appeal for peace. The Pope's appeal is a call to prayer but contains in it much which the secular world must contemplate. For that reason, I am placing in the RECORD excerpts of that encyclical:

We are threatened by a more extensive and more disastrous calamity that endangers the human family, even as a bloody and difficult war is raging, particularly in areas of East Asia. So, we are urged to continue working even more intensely, to the extent of our power, for peace.

Similarly, the souls of men are deeply disturbed by things which all know are taking place in other parts of the world. For instance there are the increasing race for nuclear weapons, the unscrupulous efforts for the expansion of one's nation, the excessive glorification of one's race, the obsession for revolution, the segregations enforced on citizens, the iniquitous plotting, the murder of the innocent. All of these are potential material for the greatest possible tragedy.

It seems to us, as it seemed to our more recent predecessors, that a very provident God has committed to us a special task, namely that we labor with patient and persevering effort for the preservation and the strengthening of the peace. This task, as is evident, arises from the fact that we have been entrusted with the governing of the whole Church, which as a "sign raised to the nations" (Cfr. Is. 11:12) does not serve political ends but should convey to the human race the truth and grace of Jesus Christ, its divine author.

Actually, from the very beginning of our apostolic ministry, we have neglected no opportunity to use our prayers, entreaties and exhortations for the cause of world peace. In fact, as you well remember, last year we flew to North America in order to speak about the need for peace in the presence of the General Assembly of the United Nations, before that selected body of representatives of almost all the nations. We then counselled all peoples that they should not tolerate some to remain inferior to others, that no one should attack others, but rather that all should unite their zeal and their efforts towards establishing peace.

And after this, moved by a deep, apostolic concern for men, we did not cease to urge those who had the responsibility for such a momentous task to ward off from men the monstrous catastrophe which perhaps was about to overwhelm them.

Now again, therefore, we lift up our voice "with piercing cry and with tears" (Heb. 5:7), very earnestly beseeching those who have charge of the public welfare to strive with every means available to prevent the further spread of the conflagration and even to extinguish it entirely. For we do not doubt that all men who sincerely seek what is right and what is just—no matter what their race, color, religion or social status may be—feel the same way we do.

Therefore, let all those responsible strive to bring about those necessary conditions

which will lead men to lay down their arms at last, before it becomes too late to do so owing to the mounting pressure of events. Those in whose hands rests the safety of the human family should realize that at this critical moment their consciences are bound by the gravest obligation. With their own country, with the world, God and history before their minds, they should carefully examine their moral record and obligations, remembering that men will esteem their memory if they will have followed this exhortation with wisdom.

We cry to them in God's name to stop.

Men must come together and work out concrete plans and terms in all sincerity. A settlement should be reached now, even at the expense of some inconveniences or loss; for it may have to be made later in the train of bitter slaughter and involve great loss.

But this peace must rest on justice and the liberty of mankind, and take into account the rights of individuals and communities. Otherwise it will be shifting and unstable.

At the same time as we are moved to make this anxious declaration, our high responsibility as a pastor indicates to us that we must ask help from on high, since peace, whose "benefits are so great that even in earthly mortal affairs no more pleasing name is heard, nothing is desired with greater longing, nothing better can be found" (St. Aug., *De Civ. Dei*, 19, 11: P.L. 41, 637), must be asked from Him who is the Prince of Peace.

NOTHING TO FEAR BUT FEAR

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WOLFF. Mr. Speaker, I should like to call to the attention of the House an editorial that appeared in the October 5 issue of the Long Island Press. It should give pause to those who would mislead.

It is an excellent analysis of our current situation and I would hope that those guilty of resurrecting the philosophy of "gloom and doom" recant so that their political motivation does not cause serious harm to our Nation, its economy or the progress of peace.

NOTHING TO FEAR BUT FEAR

Many Americans do not see the war in Viet Nam in its true perspective because emotion overrules judgment.

Very definitely, we are not referring to the understandable reactions of families who have men in the service. The emotionalism we are discussing today is of another kind. It is a by-product of the congressional campaign. Its purpose is to spread fear among the American people.

This political exploitation is the work of two types. One is the avowed opponent of President Johnson who makes a career of saying that whatever the President is doing is wrong. Escalation will take us to World War III, he argues; peace offers, on the other hand, are simply signs that the administration is ready to sell out to the Reds.

The second type of fear-monger loudly insists that he backs the President every inch of the way because the situation is so terribly grave. Inflation and economic ruin are inevitable if the war goes on; recession and ruin are inevitable if the war stops. Either way, we are headed for the poor house!

This last falsehood is easily nailed down. Here are some facts:

Federal spending for goods and services of all types, including national defense, was about $63 billion in 1962 and climbed slowly to $67 billion by 1965. In the current year, however, it points towards $74 billion and is expected to reach $82 billion in 1967.

This does sound like rushing to the poor house, but it is only part of the story.

The gross national product (GNP) is the sum of all goods and services produced in a year. Federal spending from 1955 up to very recently fluctuated between 10 and 12 per cent of the GNP. For some of those years GNP was fairly static. Now it is forging higher and higher. The projected figure for 1967 is $781 billion.

How do the expected federal expenditures for the coming year, national defense included, compare with the expected GNP for the same period? They will be 10.8 per cent, which is no higher than they were 10 years ago. And what were they in the Korean War? Fifteen per cent!

No, we are not on the road to financial ruin. But political scare-mongering, based on distorted records and contrived estimates, can be more harmful to us than the Viet Cong.

REX WHITTON NAMED MAN OF THE YEAR BY INTERNATIONAL ROAD FEDERATION AT FIFTH WORLD MEETING IN LONDON

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. KLUCZYNSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, it was the honor and privilege of my good friend and colleague, the Honorable KENNETH J. GRAY, and myself, to represent the Congress of the United States at the fifth world meeting of the International Road Federation in London September 18 through 24, 1966.

Through the years I have watched, with pleasure, as the Federation has grown from its original 20 participating countries to its present worldwide representation of 30 nations. This 1966 IRF meeting continued the high standards of the Federation in providing a forum through which all countries, including the United States, advance our knowledge by the exchange of ideas and techniques in the development of highways.

There were many excellent discussions and seminars, and our U.S. representatives made outstanding contributions, but the highlight of the meeting, for me, came on the first day when, for the first time in the Federation's history, an American was named the IRF Man of the Year. That American, Federal Highway Administrator Rex M. Whitton, is truly an outstanding public servant, and it was a source of genuine pride, in him and in the achievements of our U.S. highway programs, to be present when Mr. Whitton was accorded this international recognition, perhaps the highest professional award made in the highway field.

The presentation on behalf of the Federation was made by the Right Honorable Barbara Castle, a very charming and capable Member of Parliament who is also Minister of Transport in the Labor Government. Mrs. Castle's presentation included the following comment:

Mrs. CASTLE. When I was called upon to help choose the Man of the Year I did not know what to do. Then it was explained to me that the choice was to result in an award to one who has contributed in an outstanding manner to the development of better and more efficient roadways.

This is the first time in 16 years that an American has won this award, and it is indeed a great honor and privilege to present this silver tray as a symbol to Mr. Rex M. Whitton, Federal Highway Administrator of the United States of America.

STATEMENT ON NEW TECHNIQUE OF AIR-DROPPING SUPPLIES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HAMILTON. Mr. Speaker, last weekend I was briefed on a new method of air-dropping supplies to ground troops, a system with an efficiency and accuracy never before achieved by an Air Force system.

This new technique, called the slingshot power aerial delivery system—SPADS—was developed and tested by the 434th Troop Carrier Wing, Air Force Reserve, which is stationed at Bakalar Air Force Base, Columbus, Ind.

This unit, the Hoosier Wing, has distinguished itself with a number of achievements in its history. But despite such contributions to the national defense, the 434th is to be deactivated in October 1967.

Therefore, I think it is all the more significant that this unit has developed this new assault air drop technique under this demoralizing condition.

Brig. Gen. John W. Hoff, the unit commander, and the officers and the men of the 434th are to be commended highly for continuing to work for the greatest proficiency possible, knowing that the unit is to be deactivated.

The SPADS system has been developed to the point where one C–119 "Flying Boxcar"—considered obsolete by the Defense Department—can carry out in one flight over a drop zone a resupply mission which now requires several aircraft. As many as 52 containers of small arms, ammunition, food, and medical supplies can be dropped on a single flight over a drop zone with a predictable accuracy of less than 20 yards and in linear ground pattern, from first container to the last, of less than 250 yards.

Present Air Force paradrop methods would require at least two passes over a drop zone, stringing the cargo out over a 1,000-yard area.

As the name implies, the slingshot system ejects cargo in a single "shot" as compared to piece-by-piece ejection of

cargo over a drop zone. The SPADS system utilizes existing power equipment in the C–119's by rigging the plane's cargo compartment with a cable and belt sling, powered by a monorail winch.

The system provides instantaneous cargo release of full or partial loads in just under 5 seconds. Conventional cargo-release methods have variables of from 2 to 8 seconds before cargo ejection causing errors up to 400 yards on the ground.

This system, which provides drop-zone accuracy needed in jungle warfare similar to the requirements in Vietnam, also can be utilized on forward landing areas. On landing on an unimproved airstrip, the full load of a C–119 can be ejected while the plane is taxiing on the ground.

Modifications also have been developed by the 434th to parachute riggings for quicker and more positive openings which make it possible to reduce the drop altitude by as much as 50 percent.

In summary, the SPADS system provides full use of the aircraft cargo space, a positive release-and-ejection mechanism, and a means of quicker parachute employment, all of which results in predictable accuracy and the smallest possible ground pattern of the supplies.

I have questioned the Defense Department's wisdom in the planned deactivation of this highly proficient troop carrier wing. It seems to me that to win any conflict it is advisable to have enough of everything that is needed to win.

The men of the 434th have demonstrated—and continue to demonstrate—their worth to our national defense. I believe it is essential that this outstanding unit and capability be retained in our defense inventory.

UNCLE SAM'S HIRING HALL

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOLLAND. Mr. Speaker, yesterday, my friend, the gentleman from Florida [Mr. GURNEY], a member of the subcommittee which I chair, inserted in the RECORD an editorial from the Wall Street Journal, commenting on the Manpower Services Act of 1966. That editorial, and the introductory remarks of my friend from Florida, both reiterated the contention advanced by the private employment agencies that the public employment service was only set up to help the unemployed.

To complete the record, I feel that the letter which I wrote the Wall Street Journal, and which they printed, should also be inserted at this point:

[From the Wall Street Journal, Aug. 31, 1966]

AUGUST 24, 1966.

The EDITOR,
The Wall Street Journal,
New York, N.Y.

To the EDITOR:

Your editorial of August 18th, entitled "Uncle Sam's Hiring Hall," painted a very dismal picture of "a centralized Federal hiring hall" which "ought to be equally repugnant to employees, union and nonunion alike." I am sure it is repugnant to employees. It is also repugnant to employers, and to most Members of the Congress, including the sponsors of this legislation. The fact is that the bills before Congress to improve the Wagner-Peyser Act have no provisions which could result in such an institution. "If the USES is empowered to move people about from one job to another," you ask rhetorically, "what is to prevent it from keeping them where they are if it so chooses?" Your question is logical but based on a false premise. There is nothing in these bills which empowers anyone to move anyone involuntarily from or to any job anywhere.

These bills list the functions which the Federal-State employment service now performs. The legitimacy of the "recruiting" function stems squarely from the 33-year-old language of the Wagner-Peyser Act, which makes the services of the public employment system available to all persons "legally qualified to engage in gainful employment." The legitimacy of this function has been reaffirmed as recently as 1964, in direct answer to a lobbying campaign staged by the private employment agencies in the same terms they are using today, by the Senate Appropriations Committee. That Committee pointed out that under the law, as it is now, the public employment service "cannot deny service to a certain portion of the public, such as employed workers, or those in professional and technical occupations."

The private agencies are lobbying to have the word "recruitment" stricken from the bill. I am surprised that the Journal has not recognized the basic impact this would have on all other businesses: that they, while still supporting the public employment service with their taxes, would be unable to call upon it to furnish needed workers. In short, the major group denied access to the public employment service by the private employment agency amendment would be the rest of the business community. As it stands now, as it would stand under these bills, the business community can call upon the public employment service or not, as it pleases. No one supports legislation to limit hiring to the public service, and it is, I think, a disservice to the business community for the private employment agencies to demand that hiring be carried on only through private firms.

Sincerely yours,

ELMER J. HOLLAND,
Member of Congress, Chairman, Select Subcommittee on Labor, Committee on Education and Labor, U.S. House of Representatives.

THE ROLE OF COMMUNITY COLLEGES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, in the August 1966 issue of Michigan Challenge, the magazine published by the Michigan State Chamber of Commerce, there was a very interesting article entitled "The Role of Community Colleges." The author is Dr. Robert E. Turner, president of the Macomb County Community College, located in Warren, Mich.

In this fine article, Dr. Turner traces the growth of Macomb County Community College from its beginning as a veteran's institute established shortly after World War II to its present status of a community college serving the half million residents of Macomb County.

Dr. Turner is proud of the growth and accomplishments of Macomb County Community College—as indeed he should be. Macomb College serves its community well. It offers a vast variety of courses—from accounting to welding—to its 9,000 students. The college strives to keep abreast of the needs of Macomb County and adjusts its curriculum to meet those needs.

In summing up the role of community colleges, Dr. Turner states:

The community colleges of Michigan are attempting to meet the needs of the local communities. They are doing it through the cooperation of lay advisory groups, dedicated staffs, understanding governing boards, informed administrators and adequate studies of the area needs. Money and imagination always are necessary, and, although there is never enough money, community colleges are revolutionizing higher education through imagination and innovation.

Mr. Speaker, under unanimous consent I insert the article "The Role of Community Colleges," at this point in the RECORD:

THE ROLE OF COMMUNITY COLLEGES

(By Robert E. Turner)

Community Colleges in Michigan have continued to expand their role in vocational, technical and semi-professional education. For a number of years, the junior college provided education which was primarily transfer in nature and which was designed to provide the first two years of a baccalaureate degree. As the community college concept began to evolve, the junior college became more comprehensive in nature and began to devote a greater portion of time to meeting the specific needs of the community.

Macomb County Community College is not unlike many of the community colleges in Michigan. Its actual beginnings can be traced to a Veteran's Institute which was established shortly after World War II by the Van Dyke Public School System in Warren. This was primarily vocational in nature and was designed to assist the returning veterans in skill development and job upgrading.

As a result of the success of the Veteran's Institute and a felt need for post-secondary education at the college level, the Van Dyke Public School System was granted permission by the Michigan State Department of Public Instruction to establish the South Macomb Community College. In the fall of 1954 the college started with 84 students, operating in the Lincoln High School after 4 p.m.

In 1962 the voters of the County of Macomb voted to establish a community college district, elected a six-member board of trustees and established a one-mill tax to provide local support for the college. An agreement was made with the Board of Education of the Van Dyke System and the Board of Trustees of the community college district to take over the operation of South Macomb Community College, and the college became known as the Macomb County Community College. July 1, 1963, the college began its operation under the new Board of Trustees, and the district was expanded to include the entire county.

From its early beginning with 84 students the college has grown to 7,183 in the fall of 1965, with 9,000 projected in the fall of 1966. Projections through 1985 indicate between 25,000 and 30,000 students with at least three campuses located strategically throughout the county.

Until the fall of 1965 the college operated primarily in the evening, using facilities wherever they could be obtained. Local high schools, industrial plants, Selfridge Air Force Base, churches and converted stores are among facilities which have been used.

Some facilities became available on the South Campus in the fall of 1965, and classes were conducted on a schedule running from 7 a.m. until 11 p.m. The college has continued to use leased facilities because the building program has not been able to keep up with the growth of the institution. The first phase of construction for the Center Campus will begin in the fall of 1966 while development of additional facilities is continued on the South Campus.

In July, ground was broken for the initial construction of a technical complex which will house the industrial technology offerings.

This complex will contain classrooms and laboratory facilities for instruction in auto body styling, climate control and metal fabrication, civil technology, commercial art and technical illustration, construction and pattern making, electronics, electricity, fluid power and pneumatics, industrial graphics, metals testing and metallurgy, metals machining, metrology, numerical control, plastics, welding and foundry and various drafting and design technologies.

At the present time, with the limitations of facilities, the college offers numerous programs which are occupationally oriented. Two-year programs which lead to the associate degree are: Accounting, Airline Hostess-Clerical, Auto Body Design, Electrical Technology, Executive Secretarial, Fluid Power, General Business, Marketing, Medical Secretarial, Metals Processing, Nursing, Secretarial-Clerical, Special Machine Design, Technical Illustration and Tool Fixture and Die Design.

One-year certificated programs are: Business Data Processing Clerical, Clerical, General Receptionist, Medical Assistant-Receptionist and Stenographic.

With the industrial technologies the college serves the industries of the area in providing related instruction for apprentices in numerous trades. Among the trades served are: Brick Laying, Core Making, Die Cast Diemaking, Die Designing. Die Making, Hardware Sample Making, Industrial Electricity, Industrial Hydraulics, Jig & Fixture Building, Machine Building, Machine Repairing, Machining, Mechanical Design, Metal Body Building, Metal Patternmaking, Millwright, Plastic Modelmaking, Plumber Pipefitting, Product Drafting, Tool & Die Making, Welding, Wood Modelmaking and Wood Patternmaking.

Programs which are being planned and which will be established as facilities and staff become available are: Advertising Art and Design, Business Data Processing, Food Preparation and Management, General Maintenance, Horticulture, Landscape Architecture, Merchandising, Motel-Hotel Management, Numerous programs in para-Medical and para-Dental Sciences, Nursery and Garden Center Operation, Police Science, Recreation Leadership and Retailing.

In addition to the regular occupational programs which provide a full curriculum of general education, supporting courses and specialized courses, Macomb, as other community colleges, provides adult and continuing education courses designed to meet specific needs. These courses are provided for any length of time required and do not fit into any regular semester or term schedule. Such courses may be taken for credit but are designed to provide the recipient with the required skill and/or knowledge which may be requested or ascertained through prior investigation.

The college has become deeply involved in programs funded through the Manpower Development Training Act and works closely with the Michigan Employment Security Commission and local industries.

There are many occasions in which local industries request specific training programs to be conducted by the college. In these cases the industry establishes its requirements in consultation with the college staff. An agreement is established between the college and the industry, and instructional personnel employed by the college conducts classes within the plant. This has proven very successful and provides a convenience to the industry and the employees of the firm.

Much developmental work is continually under way. With occupations changing as rapidly as they are, there must be constant up-dating of instructional materials, in-service training of staff and re-evaluation of facilities. The community colleges of Michigan are attemtping to meet the needs of the local communities. They are doing it through the cooperation of lay advisory groups, dedicated staffs, understanding governing boards, informed administrators and adequate studies of the area needs. Money and imagination always are necessary, and, although there is never enough money, community colleges are revolutionizing higher education through imagination and innovation.

We continue to use whatever resources are available and, as many of our Michigan community colleges, Macomb continues to use the community as its campus.

TRIBUTE TO THE LATE AUSTIN E. ANSON

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DE LA GARZA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, permit me at this moment to pay final tribute to a gentleman who has been a good friend to the 15th District of Texas and to his country. I refer to Mr. Austin E. Anson who passed away last Sunday in the Harlingen, Tex., Valley Baptist Hospital.

Mr. Anson, for 18 years executive vice president of the Texas Citrus & Vegetable Growers & Shippers Association, was almost as well known during this time in the corridors of the Senate and the House Office Buildings as he was to those of us in south Texas who knew and loved him. In this capacity he appeared countless times in support of funds for agricultural research, for irrigation and reclamation projects, and for other goals aimed toward the progress and development of the Rio Grande Valley.

Many of you who have been here much longer than I will remember the south Texas onions which he presented the former Speaker Rayburn on the steps of the House Office Building and to all the Members of Congress. Many of you are familiar with the delicious Ruby red grapefruit and our south Texas oranges which his association likewise distributed numerous times throughout the House and Senate. Research on and improvement of these and other products of south Texas were matters near and dear to him.

Mr. Anson was a knowledgeable, courageous man, a fighter, one who worked tirelessly for what he thought was right. For the past 3 years he fought his last fight, with Parkinson's disease, and battled it with the same indomitable spirit with which he appeared before the Members of the House of Representatives and the Senate in support of those steps into the future he promoted for the area he loved and served so well.

Following his retirement Austin Anson, despite failing health, devoted much time to civic activities, particularly with the American Association of Retired Persons, and was an ardent proponent of legislative programs for our senior citizens.

In recognition of this outstanding American's many endeavors for the betterment of his fellowman and of his personal courage at that time every man must one time face, I stand before you today to pay him tribute.

Thank you.

TO RESCUE THE CITIES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BARRETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARRETT. Mr. Speaker, under unanimous consent I put into the RECORD an excellent editorial in support of the demonstration cities bill which appeared in today's New York Times. It is appropriately entitled "To Rescue the Cities." The Demonstration Cities and Metropolitan Development Act of 1966 will be before the House in a matter of days and in my judgment Mr. Speaker this great bill offers a wonderful ray of hope to our cities of all sizes in helping them cope with their oppressive problems of crime, poverty, and of slums and blight. I am most grateful for the splendid endorsement of our bill by this great newspaper:

[From the New York Times, Oct. 6, 1966]

TO RESCUE THE CITIES

The House of Representatives is soon to act upon the Administration's "demonstration cities" housing plan approved two months ago by the Senate. It is one of the ironies of the Congressional scene that the House vote on this bill promises to be another cliffhanger, with ten or fifteen doubtful members likely to decide the outcome.

A considered assessment of this proposal can only lead to the conclusion that it is long overdue, too small, and that in its essentials it amounts to little more than common-sense management. Yet most conservative members of the House seem determined to oppose it. They want to call off the struggle against slums in the name of fighting inflation. Representative PAUL FINO, New York Republican, has added his own special touch of irresponsibility by contending, quite without factual foundation, that the bill's incentives for metropolitan planning are actually a plot to enforce racial balance in city schools.

It is imperative that the nation's cities, large and small, reverse their present downward spiral into blight and disorder. The urban-renewal program started by the Housing Act of 1949 was designed to help them do

that. In the first seventeen years, Congress appropriated a total of $6.1 billion for urban renewal which averages out to roughly $350 million a year—or less than the Federal Government spends every month on the space program. Is it any wonder that the spread of slums and marginal neighborhoods has outstripped the effort to prevent them?

Under urban renewal the Federal Government pays up to two-thirds of a project's cost (and somewhat more in smaller communities). The pending bill simply provides that the Federal Government will also pay up to 80 per cent of the local government's one-third share, but only if the local community draws up a satisfactory comprehensive plan for the renewal of an entire section or neighborhood. The theory is that the additional Federal cash will enable the financially harassed cities—at least sixty or seventy of them around the country—to demonstrate what a concentrated attack can accomplish in a blighted neighborhood.

Urban renewal programs have for some time been subject to the justifiable criticism that in order to attract private developers and to widen the city's tax base projects have been concentrated in the more easily salvaged "gray areas." The demonstration cities program is in line with the judgment of Mayor Lindsay's housing task force because it would concentrate instead upon the hard-core urban slums such as Bedford-Stuyvesant.

Social welfare and antipoverty programs are to be part of each comprehensive plan, since experience has shown that urban renewal succeeds in reviving in area only if human as well as physical problems are solved. New bricks and fresh mortar cannot by themselves create a viable neighborhood.

Spent over two years, $900 million will not resolve the urban crisis, but this sum—which is the amount the bill authorizes—will at least get the cities moving a little faster in the right direction. Federal incentive money cannot save cities which have lethargic or incompetent leadership in city hall, but Congress has an obligation to help those cities that are willing to help themselves.

A BILL TO PERMIT SUMMER EMPLOYMENT OF SONS AND DAUGHTERS OF EMPLOYEES OF THE POSTAL FIELD SERVICE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HANLEY. Mr. Speaker, I have introduced a bill today to permit the son or daughter of a postal field service employee to be employed during the summer by the local post office.

The restriction on summer employment of sons and daughters of employees was established in 1964, in response to a growing number of complaints against the practice of nepotism, based on the fact that these children were being given preferential consideration because one of their parents was in some position of influence in the same agency.

The restriction was imposed by the Civil Service Commission largely as a result of information disclosed by the House Post Office and Civil Service Committee, to the effect that there actually was a widespread practice of summer jobs being treated as a private preserve for the children of agency employees. At that time it was not the practice for written competitive tests to be given for the summer jobs.

The restriction was renewed for the 1965 and 1966 summer hiring periods. However, for the 1966 summer jobs a written competitive test was given for each local post office. Similar written competitive tests are being planned for the 1967 summer positions in the local post offices.

The sole purpose prompting the criticism by our committee was to eliminate the nepotism and patronage factors insofar as any of the summer jobs were concerned.

Each of our young citizens in a community now has an equal opportunity to compete by written test for the summer jobs in his particular local post office. Consequently, the practice of nepotism and the patronage factors have been completely eliminated.

The restrictions, if permitted to continue, place an unjustified and inequitable discrimination on these sons and daughters who are fully qualified and successfully pass the written examination.

My bill will remove this restriction against the summer employment of the sons and daughters of postal field service employees. I am very optimistic that action can be taken by our committee in sufficient time to remove this restriction before the 1967 hiring season begins.

DADDARIO SPEECH AT TEHERAN

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MONAGAN. Mr. Speaker, during the recent Conference of the Interparliamentary Union in Teheran our colleague, Representative EMILIO Q. DADDARIO, of Connecticut, delivered one of the principal speeches.

This speech covered the subject of cooperation between regional economic groups and systems and it was received with great interest and enthusiasm by the delegates to the Conference. In this speech Representative DADDARIO defined with precision the means of achieving the necessary collaboration between regional groups and in my judgment his remarks deserve broad circulation.

I therefore take this opportunity to compliment our colleague on this outstanding speech and to include it with these remarks for the information of my colleagues and of all who read the CONGRESSIONAL RECORD:

I am privileged to speak today on the subject of cooperation between regional economic groups and systems. One of the great lessons we can learn from the rapidly developing technological age in which we live is that mankind remains interdependent. Men must work together to control their destiny.

Supersonic aircraft are ready to spring from the drawing board—to further shorten the time of travel between nations. Communications, weather and navigation satellites compel us to set up cooperative systems—to the almost instantaneous advantage of us all. But science, having allowed the opportunity to use these forces for the benefit of us all, has also placed in the hands of man the ability to destroy himself. The nuclear Sword of Damocles hovers dangerously above us. Therefore, instability which induces dissatisfactions (for whatever reasons), among the masses of humanity as they struggle for a better economic and social life, does breed tensions, unrest, rivalry—all ingredients of conflict. Yet, to overcome these problems so that people may achieve their aspirations is such a gigantic task that no one nation can meet the challenge successfully alone. International cooperation then, becomes both a necessity and a virtue.

The United States, as a result of its experience, welcomes efforts by various regional groups to meet common needs by common effort. We vigorously participate, as a result, in a number of regional groupings—economic, political, and military. In many instances, the various objectives of these efforts overlap. NATO, for example, is not only a military alliance committed to a common defense, but it is also a political association within which its members discuss, as an example, ways and means to improve relations with members of the Warsaw Pact. Building bridges from West to East has become then, an important and immediate objective of what started off to be a defensive military organization.

We have only to look at the European Common Market or to the European Coal and Steel Community to note successful efforts in meeting common economic problems. The United States applauds this even though it recognizes that the economic production of this combination can equal its own, for we are of the belief that such competition can only be helpful in achieving world peace. We welcome and support such movements because we sincerely believe that healthy economies in all places throughout the world do contribute to universal well-being and to the common good. In our own hemisphere we are committed in a most intimate way to the Organization of American States. Here, recognizing that we have been endowed by nature more generously than most of the Americas, we have embarked on economic programs that will cost us billions of dollars. I do not say this with a spirit of self-satisfaction or pridefully for we know that all we do is by itself not enough—that there is more to be done, and that others must help. After all, our resources are great but they are not boundless and there are many demands on them.

One such comes from our obligation under the SEATO treaty. We have already had enough talk here about one aspect of that. But, it should be understood that we are also committed to a vast development in the Mekong from which benefits will come to many countries in that area and to the work of the Economic Commission for the Far East operating under the Economic and Social Committee of the U.N. This is work we would like to see developed in a peaceful atmosphere, where men's efforts are turned to constructive work for which there is so much need.

In some instances, we are not fully members of organizations and still are anxious to see them succeed. A good example is the Organization of African Unity. Here, interested in developing better roads, communications, and productive facilities, we have sent a team of top economists and fiscal experts to give a hand to that regional group. A preliminary report gives great hope for the future.

All these efforts are underscored by one outstanding declaration—that the state

exists to serve man, not man to serve the state; and all efforts of governments should be directed toward the elevation of the dignity of man as the fundamental objective. We welcome, support, and encourage the further development of regional systems because they further that purpose. We can give sustenance to that through the draft resolution before us. Perhaps nothing sums up all our feelings about these objectives better than a quotation of Hafiz from the neighboring city of Shiraz, "Oh cup bearer, fill the goblet and hand it around to us all."

WHAT 4–H MEANS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SISK. Mr. Speaker, during 4–H Week, which was held September 24 to October 1, there were six outstanding 4–H reporters to the Nation in Washington. One of these young people, Morten Lee Johnson of Fowler, Calif., is a resident of my congressional district. I was extremely impressed with this young man, who is 17 years old, and the fine work he is doing. The following is an article entitled "What 4–H Means to Me," which he presented to me during his visit to my office. This article points out the wonderful work the 4–H clubs do and what effect it can have on the members. It is my feeling that this article might be an inspiration to some of our young people throughout the Nation.

The article follows:

WHAT 4–H MEANS TO ME

(By Morten Johnson, Fowler, Calif.)

To me 4–H is a way of life with opportunities unlimited! It has opened the door to a life that is full of challenges. It has given me a purpose. It has let me try my wings—succeed and fail—analyze and question—plan and do! It has been my "action" program filled with challenges to think, to plan, to make decisions, and to know what I believe and to know why these values and courses are important! 4–H project work has taught me to observe, to compare, and to experiment. It is a challenging learning experience in ownership and management of property, responsibility for upkeep, record-keeping, and a useful work experience. The judging and grading of all my projects has helped me to appreciate and realize the importance of high standards of performance. I have learned the value and dignity of work while doing my best—and also the hard facts of competition and the rewards for success.

4–H has helped me to open my eyes to my citizenship responsibilities. It has taught me to understand and appreciate people with different values and to respect them—looking for their good qualities. I had less difficulty adjusting as an exchange student in Germany and Brazil as my 4–H project work helped me to be useful in their way of life.

Junior leadership has been invaluable training. It has made me more tolerant and has given me an opportunity to assume responsibility in a very enjoyable way. The junior members are a bundle of energy—learning, doing, testing, expressing and making decisions that affect their tomorrow. Working with these ten year old boys is a challenge! They almost bring down the rafters at times, but my mother assures me I did the same thing, so I say to myself, "Patience, this was once you."

Before I became a junior leader, I took the back seat. But demonstrations, 4–H camp counseling and fairs have helped me overcome this. From conferences and workshops, we learn to live, work and play harmoniously with the group.

4–H has helped me to set my life's goals. Success does not depend upon how much money I earn or how many projects I complete. Instead it is the development of moral standards, understanding and helping others, and striving for world peace through creative living which clubwork has taught me.

Many of the old-fashioned and time-honored concepts such as honesty, loyalty, patriotism, courage, and thrift are considered by some to be outmoded and those who practice them are looked upon as "squares." 4–H has taught me a different way of life. It has provided me with a sense of values—mentally, physically, morally and spiritually that I can live a rich, full life and make my contribution to society.

What would I have done if there were not projects to keep me busy, activities to challenge me, conferences and workshops to meet new friends? What kind of person would I be if I was unaware and uninterested in better citizenship, community improvement and the growth of young people? Because of 4–H I won't have to answer these questions. 4–H has geared me to "Make my Best Better" and to "learn by doing" and thus make America and the World a better place to live.

As the saying goes, "We're not proud of what we've done—but we're awfully proud of what we've just begun!"

COLD WAR BILL OF RIGHTS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. RANDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RANDALL. Mr. Speaker, the supply of the blue sheet summaries of the cold war bill of rights printed by the Veterans' Affairs Committee is exhausted. For this reason, I asked the committee staff to approve a summary of the provisions of that bill which could be included in the RECORD as a guide for possible use by all Members in a reprint for distribution to constituents.

The major provisions of this legislation in which cold war veterans may benefit are:

EDUCATION

The bill provides a permanent program of educational assistance for individuals honorably discharged with more than 180 days of active service in the Armed Forces after January 31, 1955. One month of full-time education is granted for each month of active service for the veteran, not to exceed 36 months. This may be on college level including graduate and postgraduate or below college level and includes education in trades, vocational, and technical schools as well as through correspondence courses. Internships and residencies are considered educational programs and are permitted under the provision of the bill. The allowances provided for those taking advantage of the program are: $100 per month to a serviceman with no dependent; $125 to one with a single dependent, and $150 a month to veterans with two or more dependents.

GUARANTEED AND DIRECT HOME LOANS

Guaranteed and direct home loan programs as well as farm loan programs are extended to veterans, honorably discharged, after January 31, 1955, with 180 days active duty. The guarantee or a mortgage by a private lender in the amount of $7,500 is extended to the individuals who qualify and in direct-loan areas where guaranteed financing has not generally been available, a maximum direct loan of $17,500 is authorized. The benefit expires 10 years from the last active duty period. This benefit is also made available to active duty personnel after they have served continuously for at least 2 years.

NON-SERVICE-CONNECTED MEDICAL CARE

Prior to this law, veterans serving after January 31, 1955, were eligible for medical care in VA facilities only if they had a service-connected disability. Now, with this measure, all of our veterans are made eligible for treatment of non-service-connected disabilities on the same basis as for veterans of other periods of war. The treatment is contingent upon the availability of beds and making a statement of inability to pay for treatment elsewhere.

FEDERAL EMPLOYMENT PREFERENCE

Preference in employment in Federal service is extended to the group of veterans honorably discharged or released after January 31, 1955.

JOB COUNSELING AND JOB PLACEMENT ASSISTANCE

This act places cold war veterans on the same basis as now provided for veterans of other wars to obtain job counseling and placement through the Department of Labor.

THE SOLDIERS AND SAILORS CIVIL RELIEF

This is amended to enlarge the protection given individuals called to active duty as to rental premises on premises with a monthly rental rate of $80 to $150 per month. This provision took effect March 3, 1966, the date of final enactment.

THE NEED FOR ADDITIONAL RADIO FREQUENCIES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DINGELL. Mr. Speaker, on September 28, 1966, I addressed the House on the subject of the need for additional radio frequencies. I referred to a letter dated July 28, 1966, from Rosel H. Hyde, Chairman of the Federal Communications Commission. I then obtained unanimous consent for it to appear, together with other material, at the end of my remarks. Chairman Hyde's letter was inadvertently omitted from the RECORD at that time, and I now have

unanimous consent that it appear at this point in the RECORD:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., July 28, 1966.

Hon. JOHN D. DINGELL,
Chairman, Subcommittee on Regulatory Agencies, Select Committee on Small Business, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN DINGELL: I refer first to your letter of May 31, 1966 and the request of Subcommittee No. 6 on Activities of Regulatory and Enforcement Agencies for a specific program for allocation of additional spectrum space for the land mobile radio users. In my letter of June 7 I advised you that a report would be prepared as promptly as possible.

I also have your June 16 letter asking that testimony concerning the mobile communication problems of small business be given attention, and your letter of July 15 pointing out the Police and Public Safety communication problem as referred to by Inspector Soldan of the Detroit Police Department. Since all of these items are directly and specifically concerned with the same basic problem, I trust that this report will be sufficiently responsive to them all.

First, I would like to assure the Subcommittee that the Commission is fully aware of, and concerned about, the growing problem of congestion and the resulting interference in the various services in the land mobile category. I must agree that the problem outlined for your committee by the Business and Educational Radio Association is representative of a situation that exists in some degree in essentially all of them and, as has been suggested, the benefits which customers of the small businessmen receive from the business use of two-way radio is likewise representative of those which accrue to the general public by reason of a host of public safety and industrial uses of two-way radio. There is essentially no area of commerce and industry that is not passing on to the public, benefits derived from the use of two-way radio in their operations.

It is unfortunate that the extent of usage and the growth of the land mobile services were not fully envisaged at the time the present allocation of spectrum space took place. It is now much more difficult to make the dislocations required if additional space is to be allocated, than it would have been to make somewhat more liberal allowance for growth initially. I do not, however, cite this unfortunate circumstance as a reason for not taking corrective action.

Before proceeding with a discussion of some of the measures for relief that are under consideration, a brief review of some of the background of the problem may be helpful. It first should be noted that the greater port of of the frequency band 25 to 890 Mc/s, generally accepted as best suited for land mobile communications, is allocated to several other radio services for which this portion of the spectrum is also very desirable. The problem then is one of either reallocating space, which entails displacing established services, or of seeking more efficient use of existing land mobile service allocations, or both. The present allocation of frequencies among the various services stems from one of the most comprehensive and complicated proceedings ever held by the Commission. That proceeding, Docket No. 6651, began in early 1945 and involved extensive public hearings, during which the communication requirements of the nation were reviewed in detail. The resulting decisions were released beginning in August, 1946. They were a resolution and a compromise of many diverse and conflicting views and requirements. There have been a number of additional docket proceedings in more recent years, but the basic allocation structure in the part of the spectrum under discussion has been maintained since 1946 without substantial modification. Our experience to date does not support the statement sometimes made that the problem of reallocation is one to be solved by a simple pronouncement of the Commission making available the desired additional frequency space.

Although there were a few who felt that the frequency space allocated to the land mobile services as a result of the 1945 proceeding was insufficient to meet long-range requirements, the preponderance of expert opinion was to the contrary. In fact, it is only within the past few years that serious questions as to the sufficiency have been raised. The Commission's current concern with respect to these questions has been stated repeatedly and several measures have been instituted to explore publicly various possibilities for relief. Other possibilities are under study. To date, however, these do not, with the exception of an investigation into the feasibility of sharing television frequencies, include a publicly announced plan or program for the allocation of additional frequency space. The primary purpose of this letter is to explain why this is so and why, even now, the Commission feels that outright reallocation action must be approached cautiously.

First, the Commission agrees with the representations made before your committee by the National Association of Business and Educational Radio, Inc., regarding the value of the land mobile radio services and the extremely crowded conditions that exist in many of the areas where they are most needed. On the other hand, the association's apparent assumption that the allocation of additional frequency space is the only solution places the matter in a context which precludes consideration of other possible areas for relief. This may not be the most constructive approach. Admittedly, the assignment of additional space sufficient to meet all requirements is a desirable solution. This would have the added benefit of being the simplest of all possible solutions if it were not for the fact that any additional frequency space allocated to the land mobile services must be taken from another service or services. The two major occupants of the 25 to 890 Mc/s portion of the spectrum are government and broadcasting, and any substantial contribution would have to come principally, if not exclusively, from these two areas. For example, between 25 and 890 Mc/s, a total of 512 Mc/s is allocated for FM and TV broadcasting, and approximately 300 Mc/s is allocated for government use.

Access to government bands, either on a shared or exclusive basis sufficient to afford any substantial degree of relief, seems to us a most unlikely prospect until it can be shown that bands presently available for non-government use are being used fully. Certainly it is one which would require both consideration and action outside the jurisdiction of the Commission. This then leaves the other major occupant, broadcasting, as the principal target. You are aware, of course, of the concern which both the Commission and Congress have had with the development of TV broadcasting. Both have been in agreement that a fully competitive nationwide system with provision for both commercial and non-commercial educational facilities requires utilization of the ultra high frequencies. Congress enacted legislation in 1963 prohibiting shipment in interstate commerce of TV receivers not capable of receiving all TV channels. Unquestionably this action has, as was intended, stimulated development of both commercial and educational broadcasting facilities and a critical stage in this development is now being reached. An adverse action now could have serious repercussions and might defeat the whole program. As for the portion of the VHF spectrum allocated to television, it is now essentially saturated, with 40 to 50 stations on each of the 12 channels. I think you will agree that we cannot seriously consider making the displacements that would be required to make even one 6 Mc/s VHF TV channel available to the land mobile service on an exclusive basis.

The Committee may well ask at this point where this leaves us. I have already mentioned that the possibility of sharing TV channels is under active investigation. A status report on that matter is given below. First, however, I would like to mention a few points concerning certain other measures for relief which are being discounted to a great extent by the land mobile service proponents for additional spectrum. The House Committee has heard mentioned the Advisory Committee for the Land Mobile Radio Services. This is a concerted nationwide effort on the part of the land mobile users, instituted by and operating under the aegis of the Commission. Its purpose is to explore fully every possible avenue for improving operating efficiency and other aspects of frequency utilization. The Advisory Committee expects to complete its work and report to the Commission by March 1967, the close of its third year of existence. While it is recognized improved frequency utilization and increased efficiency of use cannot provide a complete solution to the problem, there are several areas where these techniques promise a significant contribution toward a solution. There has previously been much resistance to interservice sharing of frequencies and to reduction of channel widths in the 450 Mc/s range. Both of these possibilities are being investigated and their feasibility is being recognized largely by reason of the greater objectivity engendered by the Advisory Committee type of approach. Additionally, a number of peripheral benefits already have accrued, not the least of which is a previously absent recognition of common problems and of the necessity for cooperation among the various groups. Finally, the report of this committee will provide a better reference than is now available for a comparison of the needs and present resources of the land mobile service with those of the other services it must displace if there is to be a reallocation of spectrum space.

As mentioned above, the possibility of sharing television channels is being explored now in a proceeding which has evoked widely divergent views (Docket 15398). Land mobile service and broadcasting industry spokesmen respectively have presented cases for and against sharing. Test operations to supply detailed technical information to aid in resolution of these conflicting views have been recommended and the Commission is establishing a Committee which will prepare plans and oversee the tests. If sharing without any material adverse effect on television service proves feasible, a very substantial amount of additional frequency space will become available for assignment to stations in the land mobile service.

Summarizing, let me assure you and the Committee that all of the Commissioners are fully aware of the vital importance of the land mobile service and of the congestion that threatens its effectiveness in a number of areas. A substantial segment of the staff is occupied with the problem and is actively engaged in the work of the Advisory Committee, in investigating the practicability of sharing VHF TV channels and in a variety of other studies and projects designed to improve the status of the land mobile service. Efforts toward a solution will be continued along the lines of the program described above.

I will be glad to keep the Committee advised of our progress and to furnish any additional information you may require.

Sincerely yours,

ROSEL H. HYDE, *Chairman.*

THE HALF DOLLAR ENIGMA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. FASCELL] is recognized for 5 minutes.

Mr. FASCELL. Mr. Speaker, the mystery of why half dollars fail to circulate apparently has not yet been solved.

In the work that the Legal and Monetary Affairs Subcommittee of the Committee on Government Operations, of which I am chairman, has done with respect to assuring the country of a constantly adequate supply of all coin for all commercial needs, one fact was noteworthy—the U.S. half dollar does not flow in trade and commerce as do the penny, nickel, dime, and quarter; and this, regardless of the tremendous volume of halves that are outstanding and that are being produced.

Ever since the Kennedy half dollar was first minted, that coin has been treated as a memento of the martyred President. While the Kennedy half dollar was issued in honor of the late President, it is not a commemorative coin. It was fully intended to circulate just as any other U.S. coin circulates. Although more than one-half billion have been produced, instead of circulating as coin, they are worked into various decorative objects, or are held in large or small hoards by those lucky enough to come into their possession.

As the subcommittee found in its study of the situation, the shortage of half dollars is enigmatic. So many have been made that they have no real numismatic value, and their intrinsic value is no greater than that of any other coin of the same value.

Half dollars are not needed except for rather limited purposes, for relatively few devices require their use. For most purposes the quarter is the key coin of commerce, and, of course, two quarters can replace a half dollar. The law does not require half dollars to be minted, and the minting of half dollars consumes large quantities of the Treasury's silver supply, which is already considerably depleted.

Because of these facts, the report which resulted from the subcommittee's latest study on coin and coinage, "House Report No. 1468, 89th Congress, 2d Session," recommended to the Treasury that it should:

Determine whether it is necessary to continue minting half dollars as essential coins of commerce, and if so, whether the silver content of the half dollar should be maintained at its present level, in the light of the Treasury's diminishing silver stock.

The Wall Street Journal for October 5, 1966, contains an interesting article, entitled "Who's Got the Halves?" which bears further on the enigma of the half dollar shortage in the face of huge output. I believe the Members of Congress and the businessmen and other people who rarely—if ever—see a half dollar will find the article informative. I should like to read it to my colleagues:

WHO'S GOT THE HALVES?—50-CENT PIECES VANISH DESPITE HUGE OUTPUT—HOARDERS, COLLECTORS GRAB UP SOME; MANY ARE KEEPSAKES; A LEAK IN THE COIN PIPELINE?

(By Philip Hawkins)

Check your pockets. Got a half-dollar on you?

Probably not, and therein hangs a mystery.

The mints are making more half dollars than ever before, yet it's all but impossible to obtain one. Rarely, if ever, are they given as change. Even more rarely are they used for purchases.

"I used to get 15 to 20 half-dollars a day," says Anthony Risolo, owner of Tony's Barber Shop in New York. "But I haven't gotten hardly any for the past year." One big bank says it used to take in more than 20,000 halves a week in transactions with its customers. Now, it gets about 400.

The shortage is so acute that some persons are willing to pay premiums. Coin dealers regularly get $1,125 to $1,250 for $1,000 worth of uncirculated halves bearing the likeness of President Kennedy and minted in Denver. Persons are asking as much as 10% premium for the halves they sell to Las Vegas gambling casinos; some houses say they are paying 5% premiums.

"I know the mint is minting half dollars, but something is happening to them. They are very, very short—just none available," says an owner of Las Vegas' Four Queens Hotel.

SPEWING THEM OUT

Indeed, the mint is minting them, and at a record clip. Since March 24, 1964, the day the mint began putting the Kennedy likeness on the coins, more than 525 million of them have been struck. That's nearly a third of the 1.8 billion struck between 1794, when 50-cent pieces first were issued, and the end of August. The mint is spewing the halves out at the rate of 20 million a month, more than the annual production in most years before 1964.

But what happens to them? Nobody can say for sure. One theory is that somebody in the pipeline between the mint and the consumer is diverting many of them to coin dealers, who will pay a premium. Many of the ones that reach the consumers, it also is theorized are stashed away in bureau drawers as mementos of President Kennedy.

That could account for the Kennedy halves, but what of the older ones? "Most of the older half-dollars had started to disappear by the time we got into full production on the Kennedy type," says Robert A. Wallace, Assistant Secretary of the Treasury. Some coin authorities claim these halves are in the hands of hoarders and collectors. The hoarders are gambling on a rise in the price of silver, which would make the coins worth more melted down than in coin form. The collectors want the pieces for their numismatic value; some 1920 halves, for instance, are worth up to $400.

A commodities broker in New York says he has stashed away nearly 2,000 halves in the hope of a rise in silver's price. For the past four months, though, he hasn't been able to add to his collection. "It looks as though everybody is getting into the act," he says. (Hoarding repulses Mr. Risolo, the barber. "A guy would have to be plain unpatriotic to take advantage of his own country's money troubles," he says.)

HOARDING THE WRONG HALVES

The price of silver would have to rise to slightly above $1.38 an ounce—nine cents above the present price—before the metal content of the half-dollars would equal the monetary value. Whether it ever will rise that much is questionable. "We intend to keep the price" at $1.229 a troy ounce at least for two or three years, says the Treasury's Mr. Wallace. The Government controls the price of silver.

Some hoarders would do well to check their hoards, however. A coin expert at one big bank says many new halves are being hoarded by people who don't realize they contain only 40% silver—far less than the 90% used in all halves dated 1964 and earlier. The date is the only quick way to tell a new half from an old one; unlike the new silverless quarters and dimes, the new halves still have silver edges.

The shortage is causing a lot of headaches. The paymaster of a major insurance company, which pays its part-time workers in cash, says he is "plenty inconvenienced" by the lack of halves. "I make do with quarters, dimes and nickels, the same as everybody else these days," he says.

John Oakes, credit manager of the Sahara Hotel in Las Vegas, says that because of the shortage "we control the sale of half dollars and see that people who buy them use them solely for playing slot machines."

Most people say the shortage is bound to end—sometime. The half-dollar will "come back in fairly plentiful supply" by early 1967, predicts Mr. Wallace of the Treasury. "We expect to catch up once we get through the peak demand period around Christmas."

He may be right. E. Strauss, a New York coin dealer, heard of a similar situation. "You had a devil of a time getting your hands" on a new Philadelphia-minted Lincoln penny when they were introduced in 1909, he says. "But after two or three years, when the mint finally satisfied that initial surge of demand, why, they were just another one-cent piece."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MATSUNAGA, indefinitely, on account of business.

Mr. FOLEY, for indefinite period, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CONTE, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. FASCELL (at the request of Mr. GONZALEZ), for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. VANIK (at the request of Mr. GONZALEZ), for 30 minutes, October 7, 1966; to revise and extend his remarks and to include extraneous matter.

Mr. SIKES (at the request of Mr. GONZALEZ), for 60 minutes, October 12, 1966; to revise and extend his remarks and to include extraneous matter.

Mr. HALPERN (at the request of Mr. MORTON), for 30 minutes, October 7, 1966; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. KREBS.

Mr. CABELL.

Mr. HALL.

Mr. COLMER.

Mr. MACGREGOR to revise and extend his remarks made in Committee of the Whole today and to include certain tables, one contained in the report of the Committee on Education and Labor and one prepared from data collected by himself.

(The following Members (at the request of Mr. MORTON) and to include extraneous matter:)

Mr. UTT.

Mr. GUBSER.

Mr. CUNNINGHAM in three instances.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. O'NEILL of Massachusetts in two instances.

Mr. DULSKI.

Mr. ST. ONGE.

Mr. RESNICK.

Mr. CAREY.

Mr. BANDSTRA.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3247. An act to provide certain increases in annuities payable from the Foreign Service retirement and disability fund, and for other purposes; to the Committee on Foreign Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 8034. A act authorizing the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wis., and for other purposes;

H.R. 8126. An act to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement; and

H.R. 10860. An act to amend the Connally Hot Oil Act by exempting States from certain provisions thereof.

SENATE ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolutions of the Senate of the following titles:

S. 2218. An act to establish a contiguous fishery zone beyond the territorial sea of the United States;

S.J. Res. 108. Joint resolution to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor; and

S.J. Res. 197. Joint resolution to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding thirty years, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following titles:

On October 5, 1966:

H.R. 16559. An act to amend the Marine Resources and Engineering Development Act of 1966 to authorize the establishment and operation of sea grant colleges and programs by initiating and supporting programs of education and research in the various fields relating to the development of marine resources, and for other purposes.

On October 6, 1966:

H.R. 5912. An act for the relief of the estates of certain former members of the U.S. Navy Band; and

H.R. 9916. An act to amend title 10, United States Code, with respect to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies, and for other purposes.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 34 minutes p.m.), the House adjourned until tomorrow, Friday, October 7, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

2790. Under clause 2 of rule XXIV, a letter from the Administrator, Federal Aviation Agency, transmitting a report of claims paid during the fiscal year 1966, pursuant to the provisions of section 404 of the Federal Tort Claims Act (28 U.S.C. 2673), was taken from the Speaker's table and referred to the Committee on the Judiciary.

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. FRIEDEL: Committee on Interstate and Foreign Commerce. H.R. 11089. A bill to amend the act approved March 18, 1950, providing for the construction of airports in or in close proximity to national parks, national monuments, and national recreation areas, and for other purposes; without amendment (Rept. No. 2195). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACDONALD: Committee on Interstate and Foreign Commerce. Report on world newsprint supply-demand (Rept. No. 2196). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY: Committee on Post Office and Civil Service. Report entitled "How To Cut Paperwork" (Rept. No. 2197). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY: Committee on Post Office and Civil Service. Report entitled "Postal Systems of the U.S. Armed Forces—Vietnam and Thailand" (Rept. 2198). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on House Administration. H.R. 17239. A bill to limit contests of elections of Members of the House of Representatives to contests brought by duly qualified candidates whose names appear on the official ballots; with amendments (Rept. No. 2199). Referred to the Committee of the Whole House on the State of the Union.

Mr. BECKWORTH: Committee on Post Office and Civil Service. H.R. 18217. A bill to provide home leave for Federal seafaring personnel, and for other purposes; without amendment (Rept. No. 2200). Referred to the Committee of the Whole House on the State of the Union.

Mr. DANIELS: Committee on Post Office and Civil Service. S. 699. An act to amend the Civil Service Retirement Act so as to provide for inclusion of certain periods of reemployment of annuitants for the purpose of computing annuities of their surviving spouses; with amendments (Rept. No. 2201). Referred to the Committee of the Whole House on the State of the Union.

Mr. BECKWORTH: Committee on Post Office and Civil Service. S. 1496. An act to repeal the provisions of law codified in title 5, section 39, United States Code, and for other purposes; with amendments (Rept. No. 2202). Referred to the Committee of the Whole House on the State of the Union.

Mr. PASSMAN: Committee of conference. H.R. 17788. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 2203). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. S. 3230. An act to authorize the Board of Regents of the Smithsonian Institution to negotiate cooperative agreements granting concessions at the National Zoological Park to certain nonprofit organizations and to accept voluntary services of such organizations or of individuals, and for other purposes; without amendment (Rept. No. 2204). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee of conference. H.R. 9424. An act to provide for the conservation, protection, and propagation of Native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge System; and for other purposes (Rept. No. 2205). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HALL:

H.R. 18224. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 18225. A bill to amend title XIX of the Social Security Act; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 18226. A bill to authorize the merger of two or more professional football leagues, and to protect football contests between secondary schools from professional football telecasts; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 18227. A bill to amend title 38 of the United States Code so as to increase to $25,000 the amount of servicemen's group life insurance which may be carried by members of the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. ROGERS of Florida:

H.R. 18228. A bill to authorize a program of research, development, and demonstration of electrically powered vehicles; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H.R. 18229. A bill to amend the Public Health Service Act to authorize the provision of medical services to Federal employees on a reimbursable basis at remote locations where other medical treatment and care is not available; to the Committee on Interstate and Foreign Commerce.

By Mr. WATTS:

H.R. 18230. A bill to amend the Internal Revenue Code of 1954 to provide that the term "purchase" for purposes of section 334 (b) (2) is to include certain indirect purchases of stock through the purchase of the stock of another corporation; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 18231. A bill to amend section 314 of the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Florida:

H.R. 18232. A bill to amend section 314 of the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FALLON:

H.R. 18233. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

By Mr. BROYHILL of Virginia:

H.R. 18234. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. CALLAWAY:

H.R. 18235. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. ELLSWORTH:

H.R. 18236. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 18237. A bill to modify the regulatory requirement that the son or daughter of an employees of the postal field service may be appointed to summer employment in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HUNGATE:

H.R. 18238. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, to bring within the purview thereof certain temporary and substitute employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. MINISH:

H.R. 18239. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. ST GERMAIN:

H.R. 18240. A bill to declare portions of Newport Harbor, R.I., nonnavigable waters of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. SISK:

H.R. 18241. A bill to amend the Consolidated Farmers Home Administration Act to provide an alternate method of making loans for the acquisition and improvement of farms, and for other purposes; to the Committee on Agriculture.

By Mr. WHALLEY:

H.R. 18242. A bill to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate, and administer programs for the reclamation, acquisition, and conservation of lands and water adversely affected by mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOW:

H.R. 18243. A bill for the relief of Saidi Parseghian de Malumian; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 18244. A bill to require the Foreign Claims Settlement Commission to determine the amount and validity of the claim of Ike Ignac Klein against the Government of Hungary, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 18245. A bill for the relief of Angelo Fullone; to the Committee on the Judiciary.

H.R. 18246. A bill for the relief of Pasquale Sansone; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 18247. A bill for the relief of Maria Silberman Gardos; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 18248. A bill for the relief of Young Hoon Park, his wife, Eurnhi Park, their minor daughters, Myong Ok Park and Nam Ok Park, and their minor son, Soo Jin Park; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 18249. A bill for the relief of Dr. Rafael F. Suarez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

435. The SPEAKER presented a petition of Congress of Micronesia, Trust Territory of the Pacific Island, relative to changing the designation of the government of the islands, which was referred to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

A Tribute to the Ukrainian Congress Committee of America, on the Occasion of Their 25th Anniversary

EXTENSION OF REMARKS

OF

HON. PAUL J. KREBS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. KREBS. Mr. Speaker, I would like at this time to praise the remarkable accomplishments of the Ukrainian Congress Committee of America, on the occasion of their 25th anniversary. As a leading force in the field of anti-Communist activity, the UCCA is entitled to the admiration of freedom-loving people everywhere.

Primarily concerned with American security, the UCCA is dedicated, in all its activities, to the decisive defeat of Soviet Russian imperio-colonialism. Of the several captive peoples in the Soviet empire, the Ukrainians must be regarded among the most unfortunate, having so recently experienced freedom with the blessings of Woodrow Wilson and the policy of "self-determination."

And yet there is nothing disconsolate about the people of the Ukraine. Weighed down by tyranny, for years, they nonetheless retain the optimistic spirit for which they are so well known. In keeping with this, the Ukrainian Congress Committee pursues a policy devoted to dismembering the Soviet Empire and setting free the captive nations.

Devoted also to the dream of establishing a kind of free world unity, the UCCA recommends the gradual federation of Europe and Asia. The formula presented satisfies the driving necessities of history and could create a framework preserving the national identities and diversities of each people. Disseminating information, on a worldwide scale, the UCCA has clearly established itself as a major force in the anti-Communist crusade. Soviet propaganda cannot withstand the pressure of the truth when forcefully presented. By setting forth the facts, for all the world to see, concerning the needs and the realities of life in the Ukraine, and the people of the region, the UCCA has performed a highly laudable service to all the people of the world.

Congratulations, UCCA, on this your 25th anniversary.

Ukrainian Congress Committee of America

EXTENSION OF REMARKS

OF

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1966

Mr. CUNNINGHAM. Mr. Speaker, the important role of the innumerable private organizations interested in international affairs is sometimes not well understood, nor is it always properly appreciated. Nevertheless, they play an important part in our communities at all levels and in many different fields of activity. The Ukrainian Congress Committee of America, as the coordinating body of some 100 Ukrainian-American organizations throughout the country, is