

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

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

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

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

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

The motion was agreed to; and at 5:32 p.m. the Senate adjourned until Monday, June 12, 1972, at 11 a.m.

#### NOMINATIONS

Executive nominations received by the Senate June 8, 1972:

##### DIPLOMATIC AND FOREIGN SERVICE

W. Beverly Carter, Jr., of Pennsylvania, a Foreign Service information officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Republic of Tanzania.

C. Robert Moore, of Washington, a Foreign Service Officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Cameroon.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 8, 1972:

##### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

William A. Carey, of Illinois, to be General Counsel of the Equal Employment Opportunity Commission for a term of 4 years.

##### DEPARTMENT OF JUSTICE

Richard G. Kleindienst of Arizona to be Attorney General.

##### DEPARTMENT OF THE TREASURY

George P. Shultz, of Illinois, to be Secretary of the Treasury.

Charles E. Walker, of Connecticut, to be Deputy Secretary of the Treasury.

Edwin S. Cohen, of Virginia, to be Under Secretary of the Treasury.

John Michael Hennessey, of Massachusetts, to be an Assistant Secretary of the Treasury.

Lee H. Henkel, Jr., of Georgia, to be an Assistant General Counsel in the Department of the Treasury (Chief Counsel for the Internal Revenue Service).

##### U.S. DISTRICT COURTS

Charles W. Joiner, of Michigan, to be a U.S. district judge for the eastern district of Michigan.

Albert W. Coffrin, of Vermont, to be a U.S. district judge for the district of Vermont.

## HOUSE OF REPRESENTATIVES—Thursday, June 8, 1972

The House met at 12 o'clock noon.

Rev. John E. Howell, First Baptist Church, Washington, D.C., offered the following prayer:

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

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

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

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

#### THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1736) entitled "An act to amend the Public Buildings Act of 1959, as amended, to provide for financing the acquisition, construction, alteration, maintenance, operation, and protection

of public buildings, and for other purposes."

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

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

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

S. 1198. An act to authorize the Secretary of Agriculture to review as to its suitability for preservation as wilderness the area commonly known as the Indian Peaks Area in the State of Colorado;

S. 3442. An act to amend the Public Health Service Act to extend the authorization for grants for communicable disease control and vaccination assistance and for other purposes; and

S.J. Res. 206. Joint resolution relating to sudden infant death syndrome.

#### PERMISSION TO FILE REPORT ON INTERIOR AND RELATED AGEN- CIES APPROPRIATIONS, 1973

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the bill making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending June 30, 1973, and for other purposes.

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

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

#### PERMISSION TO FILE REPORT ON DEPARTMENT OF LABOR, HEW AND RELATED AGENCIES APPROPRIATIONS, 1973

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

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

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

There was no objection.

#### PERSONAL ANNOUNCEMENT

Mr. DULSKI. Mr. Speaker, being necessarily absent on official business, June 5, 1972, I missed rollcalls Nos. 185, 186, 187, 188, and 189. Had I been present and voting, I would have voted "yea" on each of the rollcalls.

#### THE EDUCATION AMENDMENTS CONFERENCE REPORT

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

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

The intent of the Broomfield amendment is clear. It is designed to halt 14th amendment school desegregation enforcement for up to 18 months—6 months longer even than President Nixon's proposed moratorium.

It is not enough to say the amendment is probably unconstitutional and will be struck down by the Court. We cannot take that chance. We are being asked to sacrifice a basic right of American schoolchildren for the financial aid authorized by this bill.

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

#### CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. 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. 194]

Abernethy	Dwyer	Mitchell
Abourezk	Eshleman	Moorhead
Anderson,	Ford,	Moss
Tenn.	William D.	Passman
Barrett	Gallagher	Patman
Blatnik	Gray	Pelly
Burton	Griffiths	Poff
Cabell	Gude	Price, Tex.
Carney	Halpern	Pryor, Ark.
Chappell	Holifield	Rees
Chisholm	Howard	Robinson, Va.
Clark	Kee	Rooney, N.Y.
Clawson, Del	Kyros	Rosenthal
Colmer	Lujan	Rousselot
Conyers	McClory	Scheuer
Curlin	McEwen	Springer
Danielson	McMillan	Teague, Calif.
Davis, Ga.	Macdonald,	Teague, Tex.
Denholm	Mass.	Terry
Derwinski	Martin	Wilson, Bob
Diggs	Metcalfe	Yatron
Dowdy	Miller, Calif.	

The SPEAKER. On this rollcall 370 Members have answered to their names, a quorum.

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

#### APPOINTMENT OF CONFEREES ON H.R. 2, UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2), to establish a Uniformed Services University of the Health Sciences and to provide scholarships to selected persons for education in medicine, dentistry, and other health professions, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana? The Chair hears none, and appoints the following conferees: Messrs. HÉBERT, PRICE of Illinois, FISHER, BENNETT, ARENDS, BRAY, and HALL.

#### CONFERENCE REPORT ON S. 659, EDUCATION AMENDMENTS OF 1972

Mr. PERKINS. Mr. Speaker, I call up the conference report on the bill (S.

659) to amend the Higher Education Act of 1965, the Vocational Education Act of 1963, the General Education Provisions Act (creating a National Foundation for Postsecondary Education and a National Institute of Education), the Elementary and Secondary Education Act of 1965, Public Law 874, Eighty-first Congress, and related acts, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

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

The SPEAKER. The Clerk will read the report.

Mr. PERKINS. Mr. Speaker, let me first state that the gentleman can make these points of order, and without reading the entire report.

Mr. GROSS. Mr. Speaker, I insist upon the regular order.

The SPEAKER. Regular order is demanded.

The Clerk will read the conference report.

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

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

Mr. CLAY. Mr. Speaker, reserving the right to object, I represent 30 Members of this House who are opposed to the legislation. I think we have a unique position that perhaps might differ from the position of others who are opposed. For that reason, I would like to ascertain or seek from the chairman a statement as to whether he might amend his unanimous-consent request to allow that our positions be adequately articulated on the floor of this House, and I am asking him to amend his unanimous-consent agreement to allow us 30 minutes of the time which I will control.

Mr. PERKINS. Let me say to my distinguished colleague that will be impossible. We already have nine requests for time. We have four members of the committee that are on this conference who have requested time, and we have not been able to give any of them time.

Mr. CLAY. I object, Mr. Speaker.

The SPEAKER. Objection is heard.

#### PARLIAMENTARY INQUIRY

Mr. PUCINSKI. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PUCINSKI. Mr. Speaker, is it in order under the rules of the House to move that an additional hour be afforded for this discussion?

The SPEAKER. It requires unanimous consent.

Mr. PERKINS. Mr. Speaker, let me make another unanimous-consent request. I ask unanimous consent that we try, in order to accommodate many

members on the committee and give people representation, that the time be extended for at least an additional 30 minutes to be controlled by myself and the ranking minority Member. If we only get a half hour's time, I do not see where anyone—and toward accommodating the committee—and I have committed myself to the gentleman from Louisiana (Mr. WAGGONER)—could be recognized for more than 5 minutes, even with an hour and a half.

If we do not get an hour and a half, I do not see how we are going to be able to recognize Members.

The SPEAKER. Is the gentleman making a unanimous-consent request?

Mr. PERKINS. Mr. Speaker, I am making a unanimous-consent request that we have at least one hour and a half.

The SPEAKER. One hour and a half, the time to be equally divided.

Is there objection to the request of the gentleman from Kentucky?

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

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

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

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

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

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

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

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

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

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

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

Mr. GROSS. I understood there were 30 Members of this group. I thought we were all one group in the House, but I am advised by the request that there is another and special group among us.



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

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

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

Mr. GROSS. Yes.

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

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

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

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

Mr. GROSS. Yes; if the gentleman can explain what the good guys in the white hats may mean.

Mr. GERALD R. FORD. I should like to say at the outset, I favor a 2-hour period. I do not understand how we help to alleviate the problem by cutting back to an hour and a half. It seems to me that 2 hours would give more Members an opportunity to explain their views.

I would strongly urge the gentleman from Missouri to withhold his objection. That obviously will give us more time for more people to explain their position on this important occasion.

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

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

Mr. GROSS. I happen to believe that, as a Member of the minority of the minority of the House, that minority of the minority should have equal consideration if there is to be additional time. We are not necessarily good guys in white hats, green hats, or any other kind of hats. If there is to be distribution of time in this fashion I would like to make an application on the part of the minority of the minority.

Mr. Speaker, I withdraw my reservation.

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

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

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

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

Mr. SAYLOR. I realize that, but, in

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

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

Mr. SAYLOR. I yield to the gentleman.

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

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

Mr. PUCINSKI. Will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman.

The SPEAKER. There is nothing pending under which anyone can yield to anyone.

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

Mr. THOMPSON of Georgia. Mr. Speaker, reserving the right to object, I object to a one and a half hour time limit for the simple reason that, if we are going to discuss an issue that is one of the most pressing and critical in this Nation, we need at least 3 hours, but I would not object to anything over 2 hours. However, I object to one and a half hours.

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

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

Mr. WAGGONER. To whom does the gentleman yield?

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

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

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

Mr. WAGGONER. Will the gentleman yield further?

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

Mr. WAGGONER. Will the gentleman yield further?

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

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

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

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

#### PARLIAMENTARY INQUIRY

Mr. WAGGONER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WAGGONER. Is the Clerk now to read the conference report or is he to read the statement of the managers?

The SPEAKER. The Clerk is reading the conference report.

Objection was made to the reading of the statement.

Mr. WAGGONER. Then I am protected to offer my two points of order at the completion of the reading or dispensing of the reading of the conference report before any consideration or reading of the statement of the managers. Is that correct?

The SPEAKER. The gentleman is correct.

Is the gentleman from Kentucky seeking further recognition?

Mr. PERKINS. Nothing except to oppose a point of order.

I ask unanimous consent that the reading of the statement of the managers be dispensed with.

Mr. WAGGONER. I object, Mr. Speaker.

The SPEAKER. The gentleman can ask unanimous consent that the reading of the report be dispensed with. Does the gentleman desire to make a unanimous-consent request to that effect?

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the statement of the managers be read in lieu of the conference report.

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

Mr. WAGGONER. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

The Chair will state to the gentleman from Kentucky that the gentleman could ask unanimous consent to dispense with the further reading of the conference report.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that further reading of the conference report be dispensed with.

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

There was no objection.

#### POINTS OF ORDER

Mr. WAGGONER. Mr. Speaker, I have two points of order against consideration of the conference report which I make and insist upon prior to the reading of the statement of the managers.

The SPEAKER. The gentleman will state his point of order but prior to the gentleman doing so the Chair would ask if the gentleman is going to take up the points of order one at a time or is he going to have them both considered at once.

Mr. WAGGONER. Mr. Speaker, I can state them one at a time or state both of them but I would prefer to state them one at a time.

The SPEAKER. The Chair would state to the gentleman from Louisiana that the Chair would prefer the gentleman would make both points of order at this time.

#### PARLIAMENTARY INQUIRIES

Mr. WAGGONER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WAGGONER. Mr. Speaker, my parliamentary inquiry is this, if the gen-

tleman from Louisiana states both points of order simultaneously, for consideration simultaneously, is the gentleman hindered in any way if one point of order should have merit and the other not have merit?

The SPEAKER. The Chair will state that the gentleman from Louisiana would not lose his right to have the Chair pass on both points of order.

Mr. WAGGONER. A further parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

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

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

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

The SPEAKER. The gentleman will state his parliamentary inquiry.

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

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

Mr. WAGGONER. Mr. Speaker, I prefer to make the points of order separately.

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

Mr. WAGGONER. Mr. Speaker, I make the point of order that the conference report on S. 659 does not comply with the rules and precedents of the House. House Resolution 661, the rule which governed the debate on H.R. 7248 provided in part that a point of order would lie against provisions in that bill that were properly under the jurisdiction of other committees.

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

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

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

The conferees have agreed to most of the Senate amendment.

The statement of the managers is as follows:

The conference agreement retains the House provision with respect to endowment grants and the Senate conforming amendments relating to land grant status for such institutions. The Senate amendments are

modified so as to provide an annual authorization in the Act equivalent with that provided under the Senate amendments.

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

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

No part of order lies against a Senate amendment. And the rule has no application in that respect. The only effect of the rule in reference to Senate amendments is that the House conferees unless authorized by the House cannot agree in conference to Senate amendments which would have been subject to points of order in the House.

This is, of course, Mr. Speaker, the clear mandate of rule XXI, clauses 2 and 3.

It is also the clear philosophy of VII, 1571 which held that the Managers on the part of the House may not agree in conference to amendments in violation of clause 2 of rule XXI or to Senate amendments to legislative bills carrying appropriations unless authorized by a vote of the House.

Certainly, Mr. Speaker, to permit the House conferees to agree in conference to a Senate amendment, the language of which has or has been subject to a point of order, does violence to the orderly procedure in the House and I, therefore, make a point of order against section 506 of the conference report on the grounds that it includes specific language against which a point of order by the Chair and acting under the authority of House Resolution 61, the rule governing the original House debate on this legislation.

Mr. Speaker, I submit the point of order should prevail and the only way this conference report coming within the construction of these provisions of the House rules can be brought to this floor is to go to the Committee on Rules and get a rule from the Rules Committee waiving points of order.

Mr. Speaker, I insist upon the point of order.

The SPEAKER. Does the gentleman from Kentucky (Mr. PERKINS) desire to be heard on the point of order?

Mr. PERKINS. Yes, I do, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. PERKINS. Mr. Speaker, the precedent to which the distinguished gentleman from Louisiana referred was with reference to a peculiar situation. If the bill to which he had referred had been brought to the floor of the House under an ordinary rule, the point of order would not have been well taken. But it was brought to the House under a unique rule at that time.

Mr. Speaker, a point of order has been raised against section 506 of the conference report, conferring land-grant status on the College of the Virgin Islands and the University of Guam, as being in violation of the rules of the House of Representatives. This point of order should not be sustained.

The House amendment authorized a lump sum appropriation of \$3 million for

each institution, plus an annual appropriation of \$450,000 for each for general operating expenses in lieu of land-grant status for the institution.

The Senate amendment provided for endowments and payment of operating expenses, but in slightly different form. Land-grant status was conferred on the two institutions, with a cash endowment in lieu of the receipts from the sale of land scrip, plus conforming amendments to other related legislation which is related to land-grant status.

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

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

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

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

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

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

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

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

And further, all titles, parts, or sections of the said substitute, the subject matter of which is properly within the jurisdiction of any other standing committee of the House of Representatives, shall be subject to a point of order for such reason if such point of order is properly raised during the consideration of H.R. 7248.

We have gone by that position. We have S. 659 before us, which has been agreed to in the conference report. We had in the bill H.R. 7248, when we sent it to the other body, the \$3 million for the institutions of higher education, but we did not make them land-grant colleges. Since they were already set up in



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

Mr. WAGGONER. Mr. Speaker, the gentleman from Minnesota says that the point of order should have been made during the consideration, and properly stated, of H.R. 7248. The point I make is exactly this: A point of order was made and was sustained during the consideration of H.R. 7248. The question is not whether or not there is an appropriation. The question still is whether or not this committee, having already been ruled against on a point of order during consideration of H.R. 7248, can now, by another device, bring back in this conference report legislation which designates these two institutions in Guam and the Virgin Islands as land-grant institutions. I submit that they cannot, except to follow the rules of the House, and that is now, inasmuch as the Senate amendment is not germane and the point of order has already been ruled on here in the House of Representatives, to obtain a rule from the House Committee on Rules waiving points of order.

The SPEAKER. The Chair is ready to rule. The gentleman from Louisiana makes a point of order that the conference report violates the rules and precedents of the House. Since the conference report on the bill S. 659 was filed some 2 weeks ago, the Chair has carefully scrutinized the agreements that were reached in conference to be sure that the managers have not violated the rules of the House with respect to conference reports. Obviously where, as here, the House amendment in the nature of a substitute and a Senate substitute therefor are both extensive and comprehensive legislative proposals, the task of writing a conference compromise is a difficult and painstaking task.

Several of the managers on the part of the House conferred with the Chair during the conference deliberations and stressed to the Chair that at every stage of their negotiations particular attention was being given to the rules governing conference procedure and the authority of the conferees.

Whenever a possible compromise infringed or even raised a question of the infringement of the rules of the House, the Chair was informed that the managers on the part of the House resolved that matter so there was no conflict with the provisions of rules XX or XXVIII.

The matter to which the gentleman from Louisiana referred was contained in title XI of the House amendment to the Senate bill. The Chair has examined the parts of the conference report to which the point of order is directed and the relevant portions of the statement of the managers. The Chair is satisfied that the managers have conformed to the rules of the House, and therefore overrules the point of order.

#### POINT OF ORDER

Mr. WAGGONER. Mr. Speaker, I have another point of order.

CXVIII—1278—Part 16

The SPEAKER. The gentleman will state it.

Mr. WAGGONER. Mr. Speaker, I make a point of order against section 704(a), the appropriation section of the emergency school-aid title of the conference report, report No. 92-1085.

I respectfully make the point of order, Mr. Speaker, that the conference committee has exceeded its authority. Section 1803(a) of the House-passed bill dealing with appropriations for emergency school aid authorized \$1,500,000,000 for the next 2 fiscal years. In the Senate bill, in section 704(a) the Senate proposed the same amount of money, \$1,500,000,000 for the first 2 fiscal years for emergency school aid.

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

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

Each House, Mr. Speaker, dealing with this very specific subject, came to a very clear dollar figure for this authorization, \$1,500,000,000. It is apparent, Mr. Speaker, that the conferees disregarded this. The conferees proposed an authorization for the first 2 years for emergency school aid of \$2 billion, a half-billion dollars higher than proposed by either House of the Congress.

Notwithstanding the latitude allowed by general amendments, Mr. Speaker, I trust that no reasonable mind would carry that to encompass so clear an expression of the will of the two Houses as this specific dollar amount, and I trust that the Chair will agree that the conferees have in this instance exceeded the authority confided to them and will sustain the point of order.

The SPEAKER. Does the gentleman from Kentucky desire to be heard on the point of order?

Mr. PERKINS. Yes, Mr. Speaker.

The House amendment authorized the appropriations for the emergency school aid provisions of \$500 million for fiscal year 1972, and \$1 billion for the fiscal year 1973.

In contrast, the Senate amendment authorized \$500 million for fiscal year 1973, and \$1 billion for the fiscal year 1974.

The conference report authorizes the House amount for the fiscal year 1973, and the Senate amount for the fiscal year 1974.

The Precedents of the House are clear. The test is the total authorized amount in any single year, not the cumulative total. Therefore, the conference report does not violate the House Rules, and the point of order should be overruled.

Mr. WAGGONER. Mr. Speaker, I desire to speak further to the point of order.

Mr. Speaker, section 3263, volume 8 of the Precedents of the House states again—and I want Members to listen—clearly:

Conferees may not go beyond the limits of the disagreements confided to them, and where the differences involve numbers, conferees are limited to the range—

Mr. Speaker, "to the range"—

between the highest figure proposed by one House and the lowest proposed by the other.

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

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

The SPEAKER. The Chair is prepared to rule.

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

The House amendment authorized appropriations of \$500 million for fiscal year 1972 and \$1 billion for fiscal year 1973.

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

The conference substitute contains the House provision for fiscal year 1973 and the Senate provisions for fiscal year 1974.

The Chair will point out that neither the House nor the Senate provisions dealing with emergency school aid set an overall limit on authorizations. Both dealt with specific fiscal years. The conference in this situation had the authority to consider the differences between the two Houses with respect to each of the fiscal years 1972, 1973, and 1974, and to compromise their differences on a year-by-year basis. This they have done.

The Chair holds that the conferees have not exceeded their authority, and overrules the point of order.

#### PARLIAMENTARY INQUIRY

Mr. WAGGONER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WAGGONER. Mr. Speaker, do I understand correctly the Chair rules that the conferees have not exceeded the limitations on authorizations contained in either the House or the Senate bills?

Mr. Speaker, I hold here in my hand the House-passed bill and the Senate-passed bill.

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

There are authorized to be appropriated for carrying out this title not in excess of \$500,000,000 for the fiscal year ending June 30, 1972, and not in excess of \$1,000,000,000 for the succeeding fiscal year.

I submit that is a very severe and precise limitation.

And on page 288 of the Senate-passed bill, section 704 (a):

The Commission shall, in accordance with the provisions of this title, carry out a program designed to achieve the purposes set forth in section 73(b). There are authorized to be appropriated to the Com-

missioner, for the purpose of carrying out this title, \$500,000,000 for the period beginning with the enactment of this title and ending June 30, 1973, and \$1,000,000,000 for the fiscal year ending June 30, 1974.

Mr. Speaker, I submit they are very precise and exactly duplicating authorization limitations.

The SPEAKER. The Chair passed upon the specific question the gentleman has raised in his parliamentary inquiry, and overruled the point of order; and the Chair reaffirms his previous ruling.

The Clerk will read the statement.

#### POINT OF ORDER

Mr. WAGGONER. Mr. Speaker, I have another point of order.

The SPEAKER. The gentleman will state it.

Mr. WAGGONER. Mr. Speaker, this point of order is quite simple. On two occasions the House of Representatives has by overwhelming votes instructed and given a mandate to the conferees from the House of Representatives on this particular legislation. I submit without any further explanation that they have violated the instructions of the House of Representatives, and therefore have violated, Mr. Speaker, the rules of the House of Representatives.

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

Mr. WAGGONER. I am happy to yield to the gentleman from Missouri.

Mr. HALL. Is it not the fact that it is stated in Jefferson's Manual when the rules of instructions are exceeded by the managers on the part of this body that the remedy lies in returning to the body for instruction, and thus another violation, as clearly set forth in the report, has been approved?

Mr. WAGGONER. The gentleman is exactly right.

The SPEAKER. The Chair is ready to rule.

The gentleman from Louisiana (Mr. WAGGONER) makes a point of order against the conference report on the bill S. 659 on the ground that the managers on the part of the House have not adhered to the instructions imposed upon them by the House on March 8, 1972, and again on May 11, 1972.

The Chair has examined the precedents on this question and they consistently indicate, although conferees disregard the instructions of the House, the Speaker cannot for that reason rule the conference report out of order. The Chair would suggest that the gentleman examine Hinds Precedents, volume V, 6395 and Cannons Precedents volume VIII, 3246.

For this reason, the Chair overrules the point of order.

Mr. WAGGONER. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WAGGONER. Do not the rules of the House of Representatives provide that when the House has given instructions to its conferees on any legislative proposal, if they cannot comply with those instructions, they are required to come back to the House of Representatives for further instruction?

The SPEAKER. The Chair knows of no rule that makes such provision.

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

The SPEAKER. The Chair has read the rule.

The Clerk will read the statement.

The Clerk read the statement of the managers.

(For statement see proceedings of the House of May 23, 1972.)

Mr. PERKINS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

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

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

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

Mr. CLAY. Mr. Speaker, I object.

Mr. PERKINS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Oregon (Mrs. GREEN), the chairman of the subcommittee.

Mrs. GREEN of Oregon. Mr. Speaker, I regret very much that the chairman will only allow the opposition 4 minutes to state the reasons for opposition to many of the varied, complex, and detailed parts of this legislation, so I hope my colleagues will forgive me if I seem to be using shorthand in my speech. I will ask to include telegrams and other materials—but will try to summarize now in the allotted 4 minutes to discuss a \$20 billion bill affecting the lives of millions of people in the next several years.

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

As you know, I was the author of the higher education legislation and I now find myself in the most regrettable position of opposing the legislation I originally cosponsored with several others of my colleagues. This House on November 4 voted 332 to 38 in favor of the higher education bill. In the conference drastic changes were made in several respects. The debate should not center exclusively around the busing issue.

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

Literally hundreds of college and uni-

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

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

Glen Olds, the president of Kent State University, in supporting the legislation, even wrote:

The serious limitations of the bill are: Absurd provisions regarding veterans; failure to respond to middle income group; there is presumption of empty promises reminiscent of International Ed Act of ignoble fame; false formula for interpreting institutional support.

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

I am opposed as a matter of principle to expediency, to taking what is offered by Congress simply because it is better than nothing. We react too easily to the dollar sign.

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

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

We state that every student who has been accepted for enrollment shall be entitled to \$1,400 a year minus the family contribution. With the 18-year-old vote and new court decisions on residency requirements, and with the trend toward emancipation of more and more 18-, 19-, and 20-year-olds, we invite youngsters to set up separate residences because parents will be willing and anxious to cooperate if by the new emancipation of their children they are relieved of the financial responsibility of helping to pay for higher education. This is accented, if by our action today the Federal Government says it will pick up the tab.

It is estimated that the so-called Pell grants or this "entitlement theory" may cost close to \$1 billion the first year if we fully fund the promises we have made today. The sum may be astronomical later. But, Mr. Speaker, this is just the beginning. Before Congress could appropriate any funds for the so-called Pell



grants, Congress would have to appropriate under the conference report language \$653 million for educational opportunity grants, work-study, and NDEA loans. Only then could Congress appropriate funds under the so-called entitlement formula.

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

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

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

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

In the dozens of letters and telegrams which I placed in the RECORD yesterday, over and over we find education leaders saying that there are too many students already in college. In a GAO audit made 2 years ago, the level of academic achievement for the special class of students at one college was fifth grade. I am advised that at CUNY, compensatory education is provided at the fourth- and fifth-grade level. Is this the role of the

university—to provide classes at the elementary and secondary level in order to prepare the youngsters to go to the university? I do not happen to believe that we serve the individuals or the Nation by following a policy that has as its purpose to try to persuade colleges to take students unprepared for college.

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

To keep young people off the job market our society has made the college or university a holding operation for some of our students—a kind of advanced baby sitting enterprise. Higher education should be available to all qualified aspirants who can profit therefrom; but they who do not want higher education should not be coerced to enter—we all believe that society has over sold itself on the value of college education for all youth and undersold the importance and dignity of socially productive and useful work of other forms.

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

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

Mr. Speaker, in the original legislation I would never have argued for Federal funds for institutional support had I not been persuaded that many of our private colleges and universities are really facing a financial crisis of major proportions. The bill which the House passed was designed to give across-the-board support to all institutions of higher education with a weighted factor for the small college. As a compromise we accepted a provision that one-third of the institutional aid would be a cost-of-education allowance tied to the dollar volume amount of EOG, work-study, and NDEA funds at that institution. The conference report changed the 33 1/3 percent to 90 percent so that no undergraduate 4-year institution will receive any institutional aid except that which is tied directly to the funds for needy students. Forty-five percent on EOG, work-study and NDEA and 45 percent on Pell grants. In my judgment, Mr. Speaker, this misses the point because higher education is for all students enrolled and not just for needy students. Institutional aid should never be based on a particular socioeconomic class. As Terry Sanford, the president of Duke University, wrote: "The 4-year college, the most in need, gets very little from this bill unless it changes its function and starts recruiting a special class of student."

The proponents have sent out notices that the private colleges with 26 percent of the students would receive 30 percent

of the funds. Where they get these figures is a mystery but at a minimum they must be depending on the 45 percent of the distribution formula of institutional aid based on the Pell grants which, in my judgment, will never be appropriated. As I said previously, no Pell grants can be funded until \$653 million is appropriated for EOG, work-study and NDEA. And then, the 45 percent of the institutional aid cannot be funded until \$450 million is appropriated for the so-called Pell grants based on the entitlement theory.

So the proponents in promising institutional aid are again holding out false hopes. This money will not be forthcoming for institutional aid because Congress will not be appropriating well over a billion dollars for student aid. It also seems wrong to me to say to the private colleges whose financial crisis is the greatest that you will only get help as you are willing to fit into the mold that the conference committee designed—aid based on the number of disadvantaged students you are willing to take. The National Association of Jesuit Colleges has opposed this conference report. The letter follows:

ASSOCIATION OF JESUIT COLLEGES  
AND UNIVERSITIES,  
Washington, D.C., May 31, 1972.

DEAR COLLEAGUE,

The Association of Jesuit Colleges and Universities has reluctantly decided that it cannot endorse the Conference Report on the proposed higher education bill, S. 659. The members of this Association feel strongly that the anti-busing provisions added to the original bill have no place in legislation affecting the future of our colleges and universities.

In addition, the Association is grieved that many needs and wishes of our institutions and associations were ignored and deleted in the Conference, particularly in the matter of direct institutional aid. The small and middle-sized private college receives small comfort from this particular program as offered in the Conference Report. It hopes that such actions do not augur a trend for future legislation.

Further, the Association remains convinced that there is little promise of equity in the future for students from middle-income America. It is also clear that there is no guarantee in S. 659 that the "national entitlement" promised to students from low-income families will soon be sufficiently funded to provide all eligible students with support.

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

REV. JOHN A. FITTERER, S.J.  
MR. JOSEPH KANE.

As I said previously, the president of every private college in my State of Oregon opposes the conference bill. Today I received a telegram from Don Patterson, executive director in the State of Washington for the Friends of Higher Education. Their telegram reads as follows:

KENT, WASH., June 7, 1972.

HON. EDITH GREEN,  
Washington, D.C.:

We want there to be no misunderstanding about the position of the private higher institutions who are members of Washington Friends of Higher Education. That we

are absolutely in opposition and you can be assured that we are on record as opposing S. 659. By all means we urge its defeat. We assure you that we are supporting you 100 percent and that we are using Dr. Terry Sanford's statement of principle.

**DON S. PATTERSON,**  
*Executive Director, Washington Friends of Higher Education.*

Father Reinert in Missouri and the author of the book "To Stem the Tide" is opposed to this legislation. Also, I place at this point in the RECORD the telegrams from the executive director of Independent Colleges in Missouri and Texas. Also, the telegram from Sister Margaret Claydon, president of Trinity College in Washington; Landrum R. Bolling, president of Earlham College in Indiana; Bernard L. Boutin, president of St. Michael College in Vermont; and Michael P. Walsh, president of Fordham University in New York. These people together with Terry Sanford of Duke and Jim Sullivan of Oregon all serve on the national board of the Independent Colleges. They are all opposed to the legislation. Also, Mr. Speaker, today I received a telegram from the chairman of the board of trustees of Urbana College and a telegram from the dean of faculty affairs at Urbana. They add their names to the long list of college presidents opposed to this legislation:

ST. LOUIS, MO., June 8, 1972.  
**HON. EDITH GREEN,**  
*Washington, D.C.:*

Am not expressing a consensus of membership attitudes confusion however general agreement a member college presidents seems to be that a compromise bill does not accomplish what the original House bill was designed to do. My personal feeling is that support for S. 659 is a disastrous step in the wrong direction.

**CHARLES V. GALLAGHER,**  
*Executive, Independent Colleges.*

SHERMAN, TEX., June 7, 1972.  
**HON. EDITH GREEN,**  
*Washington, D.C.:*

Apart from the busing issue, I personally do not think the conference report on the higher education bill is on balance desirable legislation.

**JOHN D. MOSLEY,**  
*President, Austin College.*

BRONX, N.Y., June 7, 1972.  
**Representative EDITH GREEN,**  
*Chairman, Higher Education Subcommittee, Washington, D.C.:*

I am strongly opposed to the conference bill. I endorse your views.

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

URBANA, OHIO, June 7, 1972.  
**HON. EDITH GREEN,**  
*Washington, D.C.:*

Re higher education bill pending floor vote on June 8, 1972. Bill not realistic. Has not really given thought to the effect on small private colleges. Better to rewrite next year. Will effect the mix of students at Urbana College. Continuing resolution better for next 12 months after election. Less emotionalism.

**CHARLES F. JOHNSON,**  
*Chairman, Executive Committee, Urbana College, Board of Trustees, President, Johnson Manufacturing Co.*

URBANA, OHIO.

**HON. EDITH GREEN,**  
*Washington, D.C.:*  
Copy of telegram sent to Clarence J. Brown: after careful examination of the present education bill, which is up for vote by the House, June 8th, 1972, we at Urbana College strongly urge that you, as our representative, cast a no vote. Among other important consideration, this bill, if passed, will first; drastically affect the balance now existing between our lower and middle income students, and, secondly; due to the plethora of appended provisions, if not funded fully (which is likely), our institution, as well as others, stands the real risk of losing a good share of our present aid again, in the name of president Zenner, who is now on vacation, and the institution at large, please vote no to the Pell bill. Thank you.

**THOMAS E. BELLAVANCE,**  
*Dean of Faculty Affairs, Urbana College.*

WASHINGTON, D.C., June 7, 1972.  
**Representative EDITH GREEN,**  
*Washington, D.C.:*

I support your position in opposition to the pending higher education bill. Does not help small private colleges. Thank you for whatever you can do.

**SISTER MARGARET CLAYDON,**  
*President, Trinity College.*

RICHMOND, IND., June 8, 1972.  
**HON. EDITH GREEN,**  
*Washington, D.C.:*

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

**LANDRUM R. BOLLING,**  
*President, Earlham College.*

WINOOSKI, VT., June 7, 1972.  
**HON. EDITH GREEN,**  
*Washington, D.C.:*

I am very disappointed with S. 659, particularly with provisions for institutional aid for higher education. I hope you will vote no.

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

Mr. Speaker, this conference bill will help private colleges very little if at all. In the House-passed bill last November, 66% percent of the institutional aid would go to all institutions on a per capita basis. The conference report comes back providing that only 10 percent of the funds will be distributed on a per capita basis and all of that 10 percent will go to graduate schools and none of it to undergraduate 4-year institutions. Mr. Speaker, fewer than 100 universities, making up only 5 percent of the total, now receive 69 percent of all Federal funds. MIT and Harvard are Nos. 1 and 2 on that list with MIT receiving \$97.6 million and Harvard \$69.6 million, according to the latest figures available published in 1969. The University of Michigan is next with \$61.4 million. In the name of equity and fairness why should we now reserve 10 percent of the unrestricted institutional aid for only graduate schools? Studies show that in

the 4-year undergraduate private colleges over 350 will probably close their doors by 1980 because of the financial crisis. I do not think it is in the national interest to let this happen. The strength of higher education is in the dual system, the public colleges and the private colleges, and especially in these days we find certain moral values present in private colleges that are too often absent in public universities.

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

The conference committee introduced in section 802 the Ashbrook amendment the proviso "except on the express written voluntary authority of the appropriate local school officials" which takes all meaning out of the prohibition of the use of funds for busing.

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

The conference committee introduced into section 803 the limitation:

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

The fact is that imposes a time limitation on the term of relief. It converts a congressional recognition of the general difficulties that school districts face in accommodating to court orders into a short-term relief measure. Under unanimous consent, I include at this point a very careful analysis done by the legal counsel of the subcommittee. I ask also to include at this point another analysis done by a lawyer who also has the respect of his colleagues:

**ANALYSIS OF S. 659 IN REGARD TO BUSING**  
(By Harry J. Hogan, legal counsel, Special Subcommittee on Education)

S. 659 is a pro-busing Bill. Title VIII provides only the illusion of relief. Not only does it not provide the substance, but it will have two negative effects: (1) To provide increased occasion for litigation of school issues; and (2) in specific instances to provide federal support for busing. Section 802(a) (Ashbrook Amendment) prohibits use of funds for racial imbalance busing and racial desegregation busing, except on the "voluntary" request of local school officials. The request for federal funds of a school official under a court order to bus students, would qualify as a "voluntary request." The net effect is to authorize federal money for busing—a real result which is not only new law but is also precisely opposite to that apparently intended.

Section 802(b) adds two provisions apparently prohibiting busing: one prohibits use of funds for busing where time or distance risks health of the children or significantly impinges on the educational process. This provision merely expresses standards laid down by the Supreme Court in the *Swann* case. It appears to add something and in reality does not.



The other provision prohibits use of funds for busing "where educational opportunities available at the school to which it is proposed that any such student be transported will be substantially inferior to those opportunities offered at the school to which such student would otherwise be assigned under a nondiscriminatory system of school assignments based on geographic zones established without discrimination on account of race, religion, color, or national origin." The provision is apparently designed to prevent use of funds for busing students, now in good schools, to poorer schools. Actually, successful defense under this provision against a busing order must prove one school to be inferior and in doing so will probably prove discrimination, thereby introducing the Constitutional issue on which the busing to the inferior school can then be ordered. In addition, to the extent that the funds are used to bus students to their present school, the provision will provide students a new Congressionally enacted statutory ground, in addition to the Constitutional one, for requesting transfer to a better school to which they might be assigned under any non-discriminatory system. Certainly this provision can provide grounds for endless court interference in the drawing and redrawing of school boundaries.

Section 802(b) is nullified by the introduction of the proviso "unless Constitutionally required." The decision regarding Constitutionality can be made administratively as well as judicially. Once made, the prohibitory language is meaningless.

It can also be argued that the proviso does more than make the subsection meaningless. It may provide a negative inference that, upon finding that a purpose is Constitutionally required, the federal agent must provide federal funds to accomplish it and must require the local or state agency to do the same. The net effect would be to accomplish in reality the precise opposite to the result apparently intended.

Section 803, (Broomfield Amendment) staying court busing orders pending appeal, offers only illusory help. Appeal times are typically short. The addition of the sentence terminating the section on January 1, 1974 gives the provision itself only a short life. In addition, Section 803 may be interpreted to have effects now hardly realized. The use of the word "balance" instead of "desegregation" may be interpreted to imply a Congressional intent to provide statutory authority, now lacking, for treatment of racial imbalance situations. Similarly the use of the words "socio-economic status" may be interpreted to imply Congressional approval of court orders of busing which treat "socio-economic status" as offering the same possibilities of discrimination as exist in regard to race, sex, and religion. So interpreted section 803 would fortify court efforts to cross school district lines in order to reach suburban schools.

Title VIII, (Emergency School Aid) among other things, would be affirmatively a busing program except for the anti-busing provisions of Title VIII.

Section 709(a) (2) authorizes HEW grants to local educational agencies to develop plans "to reduce and eliminate minority group isolation, to the maximum extent possible, in the public elementary and secondary schools in the Standard Metropolitan Statistical Area, which shall, as a minimum, provide that by a date certain, but in no event later than July 1, 1983, the percentage of minority group children enrolled in each school in the Standard Metropolitan Statistical Area shall be at least 50 percentum of the percentage of minority group children enrolled in all the schools in the Standard Metropolitan Statistical Area."

Section 708(a) (2) authorizes HEW to make grants "for the purpose of conducting special

programs and projects carrying out activities otherwise authorized by this title . . ."

Section 702 states the purpose of the Title to be the elimination of minority group segregation and discrimination. Section 720 (6) defines an "integrated" school as one "with an enrollment in which a substantial proportion of the children is from educationally advantaged background, and in which the Assistant Secretary determines that the number of nonminority group children constitutes that proportion of the enrollment which will achieve stability, in no event more than 65 per centum thereof . . ."

Under section 709(a) (2) no grant may be made unless  $\frac{2}{3}$  of the local educational agencies in the Area have approved the application, and the number of students in the agencies which approve the application constitutes  $\frac{2}{3}$  of the students in the schools of all the agencies in the Area. The fact that this provision allows local option (except for the outvoted one-third) does not detract from the Congressional endorsement of plans "to reduce and eliminate minority group isolation." Such plans must involve transportation of students. If transportation is made difficult or impossible by Title VIII provisions, then achieving the purpose of Title VII is correspondingly made difficult or impossible. To the extent that Title VIII provisions are meaningless, then the purpose of Title VII can be achieved by transportation of students, i.e., "busing."

Mr. Speaker, the second analysis follows:

The antibusing amendments adopted by the higher education conference are illusory; that is, they sound like they provide relief and set national standards but an analysis of their application and effect clearly indicates that they do not.

Section 802(a), where the conference adopted the substance of the Scott-Mansfield version of the Ashbrook amendment—the only significant exception is the adding of the word "voluntary" between the words "written" and "request"—appears to set a new standard, but in fact does not—it just creates a new mess in school desegregation cases. The Congress provides two exceptions for transportation money; namely, the time, distance, and health limitations set forth in the Swann case, and second, an "inferior school" exception. Thus, Congress has made the first standard no more clear than it is today, but has gone on and muddled the waters considerably by putting local school districts and the Government in the impossible position of trying to compare educational opportunities in the context of hypothetical assignments for a student "who would otherwise be assigned under a nondiscriminatory system of school assignments based on geographic zones established without discrimination on account of race, religion, color, or national origin." There is no helpful legislative history whatsoever as to the meaning of this provision.

Section 802(b) is again illusory. Because of the proviso "unless constitutionally required," it would not appear that section 802(b) will in any way affect current HEW Title VI enforcement standards except to the extent that the Office of Civil Rights will be involved in the same "inferior school" morass that exists in 802(a).

Section 803—the Broomfield amendment—appears to do a great deal, but in fact its practical application in the courts will result in little, if any, relief. Although the record is clouded, it seems perfectly clear that the Broomfield amendment is intended to apply to cases like Nashville, which is currently on appeal, having already implemented a plan. The biggest fallacy with the Broomfield amendment is that, aside from the few consolidation cases, standard pupil assignment school desegregation cases are handled on an expedited basis and appeals are exhausted

very quickly. Therefore, once the lower district court orders a massive school busing plan, staying the implementation of that plan until all appeals are exhausted sounds like it will take considerable time—in fact, however, in most cases it does not. A further complication arises over the "balance" issue in that it seems clear that the Senate understanding of that word was that it was used as a code word for desegregation, despite the obvious difficulty in having the Broomfield language bear that freight. If the "balance" language were only thought applicable to de facto situations, the entire debate and controversy in the Congress over the Broomfield amendment would have to be regarded as without practical substance or meaning, an exercise in much ado about nothing.

On balance, it would appear that the Congress has reached the worst of both possible worlds. It has tried to give the appearance of setting new standards as called for by the President in his substantive legislation proposals, but it has failed. Second, it has attempted to create the pretense of establishing a moratorium on busing, and it clearly has not.

The SPEAKER. The time of the gentlewoman from Oregon has expired.

Mrs. GREEN of Oregon. Mr. Speaker, I would ask for 3 additional minutes.

Mr. PERKINS. Mr. Speaker, I regret to say that the time is not available but I understand the gentleman from Louisiana wishes to yield his time to the gentlewoman and I yield for the time of the gentleman from Louisiana which we previously agreed on of 3½ minutes.

Mr. WAGGONER. Mr. Speaker, let me say simply this, that we are not trying to do away with the higher education proposals if we vote this conference report down, we will have a preferential motion to insure that we do have an education bill.

I now yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Speaker, that is correct, if the conference report is voted down a preferential motion will be immediately offered which would provide, first, the continuation of all existing higher educational programs at the 1972 level of funding; and, second, it would add title X of the conference report which is the vocational and technical education and the community college section of the bill. It is my judgment we ought to be putting more emphasis on vocational and technical education, not just trying to offer financial incentives so more and more students would enroll in 4 years institutions; the third item would include the three busing amendments as originally passed in this House last November and which were reported by almost a 2-to-1 majority, and twice again approved on motions to instructions by a 2-to-1 majority.

Mr. Speaker, one part of this bill that would be eliminated if the conference report is voted down is the \$100 million set aside for the Commissioner of Education to draw up a plan for a metropolitan school district.

Let me repeat, in the preferential motion, we would not have the metropolitan school district which is in the conference report.

If you read the conference report carefully on pages 135-136 there is a provision for 5 percent of \$2 billion—\$100 million—for the Commissioner of Educa-

tion to draw up this plan for a metropolitan school district. Grants will also be made for educational parks.

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

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

Do we want to give a few judges the right and the authority to establish metropolitan school districts. The Fourth Circuit Court of Appeals reversed the lower court judge on the basis he exceeded his authority in establishing a metropolitan school district. Does Congress now want to bestow that authority by congressional action? If so, what impact will it have on future decisions on future appeals that are made?

A vote for this bill is a vote for the metropolitan school districts and a vote for this bill is a vote for busing—busing that we have never had in any other education bill.

Furthermore, a vote for this conference report is a vote to give the Office of Education \$685 million more for educational research, educational reform, educational innovation. At the present time the Office of Education has 50,000 live contracts and grants that require some degree of monitoring? The General Accounting Office has said the Research Department is absolute chaos and confusion.

Do we want to vote \$685 million more for additional contracts and grants that cannot—that will not be adequately monitored. There is no attempt to evaluate the results of the 50,000 contracts and grants now in effect. Hundreds of millions of dollars have been wasted in OEO and HEW contracting procedures. Why now provide \$685 million more?

Would it not be better to let the research, reform, and innovation come from the institutions of higher education and from the States?

To summarize, Mr. Speaker, I cannot vote for this conference report because it is class legislation—with almost exclusive emphasis on the disadvantaged student—to the neglect of sons and daughters of middle-income families.

I cannot vote for this conference report because it abandons the House position of across-the-board institutional aid and the result, as I see it, will be to accelerate the pace at which private colleges will have to close their doors.

I cannot vote for this conference report because it promises 45 percent of the institutional aid tied to the Pell grants; this is a false promise because I do not believe Congress will appropriate over \$1 billion in student aid—a prerequisite for this 45 percent of the institutional aid.

I cannot vote for this conference re-

port because we use economic persuasion to try to force universities and colleges to change their function—to try to force a college into a mold which would be detrimental to other students who are just as worthy of a college education as the more needy. I cannot vote for the conference report because I do not think it wise for Congress to appropriate \$100 million for a metropolitan school district. In desegregation plans—are we so sure this is good sound educational policy? Will your constituents endorse this approach with its inevitable busing across school district lines?

And finally, Mr. Speaker, I cannot vote for the conference report because the instructions of the House were not followed. This is a probusing bill.

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

Mr. QUIE. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DELLENBACK).

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

You realize that we have here a bill that has had four subcommittees of the House Committee on Education and Labor involved with it. This matter has gone on for more than 3 years, with 84 days of hearings, and there are more than 6,900 pages of testimony.

There have been literally thousands of hours of effort by dozens of Members of this House and there have been 9 weeks of conference. The House bill consists of 282 pages and the Senate bill consists of 247 pages.

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

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

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

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

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

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

We have here significant changes in some 19 other programs besides the nine that are involved in new programs.

We have community service and continuing education, college library programs, aid to developing institutions, student assistance, insured student loans, college work study, cooperative education, education professions development, academic facilities, networks for knowledge, graduate programs and fellowships, aid to community colleges,

occupational education, law school clinical experience programs, postsecondary education commission, and comprehensive planning, vocational education, Indian education, prohibition of sex discrimination, consumer education, and on and on and on.

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

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

Mr. QUIE. Mr. Speaker, many people can take pride in the fact that this conference report is finally reaching a vote on the House floor. Since the Senate has overwhelmingly approved it already, we can send this landmark education bill to the President tonight. I doubt if we will see for a long time a bill as complex and controversial as this bill has been. We started hearings on the basic higher education legislation December 16, 1969. That is almost 2½ years ago.

Actually the higher education legislation expired last June 30 but because of the complicated issues it was allowed to be extended automatically under one of the provisions of the General Education Provisions Act. But that provision will not apply this year and the higher education and vocational education laws are due to expire 22 days from now.

Since December of 1969 our committee has held over 80 days of hearings on this legislation. While most of it got its start in the higher education subcommittee, three other subcommittees have held hearings on provisions in the bill. Here on the desk are the several volumes of hearings which have gone into this legislation. They are over 9 inches high of small print taking up over 6,900 pages.

That type of effort, Mr. Speaker, can not be replicated in a short time. This is perhaps, for all of its remaining doubts and controversy, one of the most thoroughly researched and discussed bills to come from our committee.

I am extremely enthused over most of the provisions in the conference report. I am less enthused about others but no Member can expect in a bill of this size to have his own wishes and desires manifested throughout the bill.

Rather than going through a lengthy discussion of the many provisions in the conference report—all of which have been discussed at considerable length on the floor of the House and in the Senate—I will comment only on a few provisions.

#### STUDENT GRANTS

I believe the basic education opportunity grant will be looked upon in years ahead as one of the great achievements in Federal higher education legislation.



It represents an idea which I have studied and developed for well over a year. I commend Senator PELL and Senator JAVITS and Members of the other body who also introduced and pressed for this program.

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

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

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

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

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

#### GUARANTEED LOANS

Mr. Speaker, in terms of students and dollars the guaranteed student loan program is our largest program. Last year over 1 million students borrowed over \$1 billion.

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

Another concern of the committee has been the needs of middle and upper middle income students. Under present law all loans made to students with adjusted family incomes of \$15,000 or less have the interest paid by the Government while they are in school and during a

grace period. All students above \$15,000 get no interest subsidy.

I believe the conference report provides a much more equitable rule than the habitually \$15,000 rule. Why should the Government pay the interest on a student loan, all of which is not needed to meet educational costs? Especially when we do not provide an interest subsidy to students above \$15,000 who are truly in need of a loan in order to attend their college or university.

The conference report provides for an institutional determination of the amount a student needs in order to attend that institution. The need is on top of whatever other assistance from family, the State, the institution, other Federal programs or anyone else provide. This amount is made as a recommendation to the lending agency. We continue to leave to the banks of the final determination of the amount of the loan. But I certainly would not expect any lending institution to exceed the institutional recommendation unless there is just cause. And I would expect the guaranty agencies, including the Federal Government, to disapprove the guaranty of such subsidized loans which exceed the institution's recommendation by any substantial amount without proper justification.

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

#### OCCUPATIONAL EDUCATION

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

#### NATIONAL INSTITUTE ON EDUCATION

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

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

So it is my hope that NIE would foster good relationships with State departments of education, encouraging them to provide ideas and feedback as one source of input to the NIE planning process. The task of dissemination is a very broad responsibility. Many channels must be used to get good ideas understood at the local level. Here again, the

State department of education can make major contributions in assisting NIE in carrying out its functions of dissemination and demonstration of the products of NIE research.

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

#### INNOVATION

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

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

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

Although most of the conferees would have preferred that this legislation not be saddled with the issue of busing, we had no choice.

I think that the conference report on S. 659 is a victory for the House of Representatives with respect to the so-called antibusing amendments. The House conferees were under instructions to adhere to the House version of the amendments. They voted time after time to refuse to recede on any part of the language. But in the end, as in all free conferences, some compromises were required. The compromise reached I hope is acceptable to every Member who voted for the antibusing amendments and to instruct the House conferees.

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

stantive constitutional right, any particular degree of racial balance or mixing" in the schools.

So in previous legislation the Congress has been tilting at legal windmills. But the Ashbrook-Green amendment addressed itself to the use of funds not only to effect some scheme of racial balancing, but for "transportation of students or teachers—in order to carry out a plan of racial desegregation of any school or school system." The Senate retained this language, as does the conference report, and thus for the first time since the Civil Rights Act of 1964 the Congress is addressing itself directly to plans of desegregation, and this time in terms of limitations on methods of carrying out such plans.

The Senate in its version of the Ashbrook-Green amendment did something more than to limit the scope of the amendment—it also added absolute prohibitions against the use of Federal funds for transportation, or against a Federal officer ordering the use of State or local funds for such purposes—

When the time or distance of travel is so great as to risk the health of the children or significantly impinge on the educational process of such children, or where the educational opportunities available at the school to which it is proposed that any such student be transported will be substantially inferior to those opportunities offered at the school to which such student would otherwise be assigned under a nondiscriminatory system of school assignments based on geographic zones established without discrimination on account of race, religion, color, or national origin.

The prohibition relating to too great a "time or distance of travel" comes directly from Chief Justice Burger's opinion in the Swann case, but the prohibition against assignment to an inferior school is a new concept, and together these distinctly strengthen the original House language.

Let us, therefore, at this point examine the House amendment offered by Mr. ASHBROOK and the amendment to it offered by Mrs. GREEN—and most important of all, the Broomfield amendment—so that we may understand the action of the conference.

Unlike the Broomfield amendment, the Ashbrook-Green amendment was not a limitation on the Federal courts, but only upon the executive branch. The Ashbrook amendment simply prohibited the use of any Federal funds administered by the U.S. Commissioner of Education to be used "for the transportation of students or teachers—or for the purchase of equipment for such transportation" in order to overcome racial imbalance or to carry out a plan of desegregation in any school or school system. Actually, relatively small amounts of Federal funds would be affected, because the expenditure of these funds is controlled by the acts which authorized them, and aside from aid to federally impacted school districts under Public Law 874—which is for general school purposes—and the new emergency school aid authorization which will be specifically targeted for school desegregation, I am not aware of any act which authorizes the expenditure

of funds for the purposes prohibited by the amendment.

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

Now let us examine the conference action. First, with respect to both the Ashbrook and Green portions of the amendment the new prohibition I have described were applied. Second, the Ashbrook amendment was changed to permit the use of Federal funds—keeping in mind that the act which authorized the funds would also have to permit such use—for the purposes prohibited by the amendment, but only upon "the express written voluntary request of appropriate local school officials." That puts the matter squarely up to local officials, which means it is controlled by school boards which are elected by the local voters in virtually all cases. I find it difficult to follow the argument that this really weakens the Ashbrook portion of the amendment.

The effect of the sentence added by the amendment of Mrs. GREEN—and I think in all fairness we have to admit this—was significantly altered. The prohibition of the amendment still applies, but not to situations where the transportation of students is "constitutionally required." Even under instructions from the House, it was obvious that there would have to be some compromise worked out with the Senate in order to get this bill, which has provisions benefiting millions of Americans and significantly strengthening education in this Nation. This was the critical compromise. It simply permits Federal officials charged with such responsibilities under the Civil Rights Act of 1964 to take action to reach results which are required under the Constitution of the United States.

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

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

Although the Broomfield amendment is addressed to orders which require the transfer or transportation of students "for the purposes of achieving a balance among students," it is clear from the debate on the House floor last Novem-

ber that its author and the House understood and intended that it would cover all desegregation orders involving the transfer or transportation of students "from any school attendance area prescribed by competent State or local authority."

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

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

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

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

Finally, Mr. Speaker, I would be remiss if I did not mention briefly those individuals who have played such a large role over the last couple of years in the development of this bill. Throughout, Chairman PERKINS has done his best to expedite this legislation and to be fair to all sides. As a member of the minority, I thank him and respect him for that. The chairman has carried an especially heavy burden in the last 3 months as chairman of the conference committee.

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

Mr. Speaker, I am most proud of the diligence and hard work displayed by my own colleagues on the minority. Con-



gressman DELLENBACK, as ranking member of the higher education subcommittee has followed carefully and provided leadership on many aspects of the bill. Representatives BELL, ERLBORN, ESCH, STEIGER, and HANSEN all played major roles in the development of various provisions of the conference report as House conferees. I thank them for the long hours they have spent on this legislation.

Comparable diligence has been displayed by Representative RUTH who is a member of the higher education subcommittee, but was not a conferee.

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

Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. ASHBROOK).

Mr. ASHBROOK. Mr. Speaker, we are all hard-pressed in several minutes to accomplish our objectives. First of all, we want to counter the arguments that have been presented by the other side. We want to explain what is in the bill. We also want to explain what the situation will be if we vote down the conference report.

First, as to the arguments that have been pressed, basically they are twofold: First, that there will be no bill if we vote down the conference report which it is said would result in dire consequences for colleges throughout the country. As has already been explained, this is not the case. We are not leaving the colleges high and dry. There is adequate opportunity for providing continuation of existing programs, as the gentlewoman from Oregon has presented.

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

So, in effect, we have gone from a position where we have prohibited Federal funds to a position where we now allow Federal funds and, indeed, in my opinion, encourage the use of Federal funds. So we do not see the busing amendment in the same major form as when we voted

last November and, indeed, two times since in instructing the conferees. Let me remind the overwhelming majority of this body that our vote was 233 to 124 on the original amendment; 272 to 139 on the first motion to instruct; and 275 to 124 on the second motion to instruct. A substantial majority of this body is clearly on record as opposing Federal funds for busing, for forced busing to achieve racial balance.

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

The heart of the court of appeal decision in the Richmond case this Monday in reversing Judge Merhige's decision was that the district court exceeded its authority in endeavoring to set up a metropolitan school district combining a city school district and adjoining districts. Here we are legitimizing the metro school district concept, the very concept that the court of appeals said there is no such authority to establish such a district. What a peg for a court to hang a decision on in the future.

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

A court would have said this Congress is endeavoring to set up such a school district. Therefore, the metro concept is not proper. A vote for this conference report will encourage court-enforced metropolitan school districts. The heart of every metropolitan school district is a forced busing scheme. There is no way to walk from the suburbs to downtown or from downtown to the suburbs.

Our U.S. Commissioner of Education has stated busing should avoid what he calls grotesque distances, whatever that means, but that busing would be the heart of a metropolitan school district concept.

I believe the Richmond decision by the court of appeals would have been different had Congress been on record as voting what we are about to vote for if we adopt this conference report.

There is one additional fact. We have already gone from crosstown busing to the Merhige decision which would unite districts outside the city. This setup would encourage the next step—merging across State lines. If we legitimize standard metropolitan statistical areas, we will just open up another can of worms, to where we can attach Camden, N.J., to Philadelphia, Covington, Ky., to Cincinnati, and so forth.

Mr. Speaker, I urge defeat of this conference report.

Mr. PERKINS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from New Jersey (Mr. THOMPSON).

Mr. THOMPSON of New Jersey. Mr.

Speaker, I share the disappointment of many that we were unable to get more time.

I would like to address myself to a couple of matters especially relating to the preferential motion which was discussed by our colleague, from Oregon (Mrs. GREEN). In the first place, it is, in my judgment, questionable under the rules. This preferential motion would eliminate all institutional aid. Each of the Members knows what the institutional aid can bring to the colleges and universities in his district under the conference report.

It would eliminate the basic grants. No reference is made in it to Indian education or work study help for the veterans of the Vietnam war. It will chop out completely any aid to them. We have sent those men there, and they need educational help on their return. We are being asked now to defeat a conference report which would include aid for them and aid for every institution, plus work opportunity grants, and innumerable other things, all on the specious ground of the so-called busing argument.

This conference report does not confer on any court any jurisdiction with respect to any metropolitan school districts. It confers the right, the entirely voluntary right to the municipalities to embark on such a project if, indeed, they want to. Members know in their districts which municipalities would or would not embark on metropolitan school districts. This issue is a total bugaboo. Three years of effort have gone into this enormous and important piece of legislation, and yet it seems to me we are reduced to emotional grounds of very dubious quality, in terms of accuracy, to defeat it.

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

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

Mr. REID. Mr. Speaker, is it not true that the Carnegie Commission study last year documented that 60 percent of the 2,340 institutions of higher education in our Nation are in serious difficulty, some in grave financial straits, and that absent this legislation, we will place the fate of higher education in jeopardy in this country?

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

In one instance we are told that a group of institutions operated by the Jesuits are opposed to it, and on that stationery is St. Peter's College in my State of New Jersey. Father Ryan, the executive vice president of that college, today talked with me in support of this legislation, as have all 16 of the private institutions in the State of New Jersey.

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

Mr. QUIE. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. GERALD R. FORD), the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, although I have some reservations about the higher education portion of this conference report, if it were standing alone I would vote for it.

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

No. 1: The House conferees, even though instructed twice by overwhelming majorities on a bipartisan basis, did not live up to the integrity of their instructions. In effect, the House conferees junked most of the specific language of the House instructions on the busing issue. The integrity of the instruction of House conferee process is at stake. If a majority of the House conferees are permitted to violate their instructions in this instance, from now on we might as well abandon the process of instructing House conferees.

No. 2: The antibusing provisions are inadequate. The only meaningful part of the conference report in the busing field is the Broomfield amendment. But even there we are getting a part of a loaf, not all of the original amendment passed by the House.

In addition I must say that there are some legal authorities who question the effectiveness of the Broomfield amendment. They allege that it appears to give relief but in effect it will not achieve that result. Only time will tell. I hope it is effective.

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

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

There has been some controversy on the floor of the House about the Metropolitan School District and its impact on Federal judicial decisions. No one could deny that if we approve this conference report we are legitimizing a Metropolitan School District in law. It is perfectly conceivable, once this becomes law, that a Federal judge, like Judge Roth in Detroit, can say in his decision that the action of the Congress strengthens his justification for a decree merging school districts.

He can utilize in his decision our action in Congress in his decision. I do not think we want to give him that hook on which to hang his decision.

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

Mr. WILLIAM D. FORD. Mr. Speaker, I rise in support of the conference report on S. 659, the Higher Education Amendments of 1972. I would like to outline the important provisions of this legislation

and the reasons why it is so desperately needed at this time, as well as raising and answering questions as to what it should do and what it will do.

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

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

Section 803 is the most important provision of this entire act to the people of my district, to the State of Michigan, and, perhaps, to the country, particularly now, as we wait day by day for a final decision from the Federal court which is at this very moment considering a plan of metropolitan school districts or cross-district assignment of pupils in the Detroit metropolitan area.

The specific language of section 803 was originally introduced on October 19, 1971, by me and six other Members of Congress representing the suburbs surrounding the city of Detroit. Because Congressman WILLIAM BROOMFIELD's name was listed first among the cosponsors, it has come to be known as the Broomfield amendment.

That particular piece of legislation was assigned to the House Judiciary Committee and although hearings have been held, no action on the legislation has been taken. On November 4, 1971, when the higher education bill which is the subject of this conference report was before the House, Congressman BROOMFIELD, with the concurrence of all of us were the cosponsors from both political parties, offered this proposed bill as a section to be added to the education bill.

#### SECTION 803 READS AS FOLLOWS:

PROVISION RELATING TO COURT APPEALS  
SEC. 803. Notwithstanding any other law or provision of law, in the case of any order on the part of any United States district court which requires the transfer or transportation of any student or students from any school attendance area prescribed by competent State or local authority for the purposes of achieving a balance among students with respect to race, sex, religion, or socioeconomic status, the effectiveness of such order shall be postponed until all appeals in connection with such order have been exhausted or, in the event no appeals are taken, until the time for such appeals has expired. This section shall expire at midnight on January 1, 1974.

The intent of this section is clearly evidenced by the legislative history which has developed since we originally introduced it in October 1971; during its consideration on the floor of the House in November 1971, and in the statement of the managers of the conference report indicating discussion during the conference, as well as the legislative history established here today by Congressman O'HARA of Michigan, Congressman

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

The intent is to prevent any Federal district court from putting into effect any plan requiring the transfer or transportation of students from any school attendance area for the purpose of achieving a balance among students with respect to race, religion, or socioeconomic status.

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

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

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

The important decision rendered on June 5, earlier this week, in the Richmond case, I believe vindicates the course of action which we have taken in offering this legislative proposal and supporting it through its tortuous path to today when we now have an opportunity to adopt it.

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

When we introduced this legislation in October, 1971, all of us who cosponsored the legislation immediately joined in an urgent request to Gov. William Milliken, Attorney General Frank Kelley, and the State Board of Education, all parties to the Detroit lawsuit, asking them to proceed forthwith to appeal Judge Roth's order so that the matter could be reviewed by the Supreme Court.

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

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

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

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

##### PROHIBITION AGAINST ASSIGNMENT OR TRANSPORTATION OF STUDENTS TO OVERCOME RACIAL IMBALANCE

SEC. 801. No provision of this Act shall be construed to require the assignment or



transportation of students or teachers in order to overcome racial imbalance.

**PROHIBITION AGAINST USE OF APPROPRIATED FUNDS FOR BUSING**

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

(b) No officer, agent, or employee of the Department of Health, Education, and Welfare (including the Office of Education), the Department of Justice, or any other Federal agency shall, by rule, regulation, order, guideline, or otherwise, (1) urge, persuade, induce, or require any local education agency, or any private nonprofit agency, institution, or organization to use any funds derived from any State or local sources for any purpose, unless constitutionally required, for which Federal funds appropriated to carry out any applicable program may not be used, as provided in this section, or (2) condition the receipt of Federal funds under any Federal program upon any action by any State or local public officer or employee which would be prohibited by clause (1) on the part of a Federal officer or employee. No officer, agent, or employee of the Department of Health, Education, and Welfare (including the Office of Education) or any other Federal agency shall urge, persuade, induce, or require any local education agency to undertake transportation of any student where the time or distance of travel is so great as to risk the health of the child or significantly impinge on his or her educational process; or where the educational opportunities available at the school to which it is proposed that such student be transported will be substantially inferior to those offered at the school to which such student would otherwise be assigned under a nondiscriminatory system of school assignments based on geographic zones established without discrimination on account of race, religion, color, or national origin.

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

**PROVISION RELATING TO COURT APPEALS**

Sec. 803. Notwithstanding any other law or provision of law, in the case of any order on the part of any United States district court which requires the transfer or transportation of any student or students from any school attendance area prescribed by competent State or local authority for the purposes of achieving a balance among students with respect to race, sex, religion, or socioeconomic status, the effectiveness of such order shall be postponed until all appeals in connection with such order have been exhausted or, in the event no appeals are taken, until the time for such appeals has expired. This section shall expire at midnight on January 1, 1974.

**PROVISION AUTHORIZING INTERVENTION IN COURT ORDERS**

Sec. 804. A parent or guardian of a child, or parents or guardians of children similarly situated, transported to a public school in accordance with a court order, may seek to reopen or intervene in the further implementation of such court order, currently in effect, if the time or distance of travel is so great as to risk the health of the student or significantly impinge on his or her educational process.

**PROVISION REQUIRING THAT RULES OF EVIDENCE BE UNIFORM**

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

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

Sec. 806. The proviso of section 407(a) of the Civil Rights Act of 1964 providing in substance that no court or official of the United States shall be empowered to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance or otherwise enlarge the existing power of the court to insure compliance with constitutional standards shall apply to all public school pupils and to every public school system, public school and public school board, as defined by title IV, under all circumstances and conditions and at all times in every State, district, territory, Commonwealth, or possession of the United States, regardless of whether the residence of such public school pupils or the principal offices of such public school system, public school or public school board is situated in the northern, eastern, western, or southern part of the United States.

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

At this point I would like to continue, if I may, and outline some of these very significant features of the education amendments of 1972.

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

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

Highlights of the legislation are:

First. Existing Federal higher education student assistance programs are strengthened and expanded with a new program being authorized to assist States in establishing State student grants pro-

gram and a new Federal student assistance program covering all students with a grant of up to \$1,400 to defer college expenses.

Second. For the first time, meaningful support for community and junior colleges is given through an authorization of \$275 million and in addition \$500 million annually is authorized in grants to States to assist in formulating, establishing, and operating programs of post-secondary occupational education.

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

Fourth. A National Institute of Education is established with a \$550 million authorization over 3 years to support, conduct, and disseminate research at all levels of education.

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

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

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

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

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

(1) Forty-five percent of the funds will be distributed according to the number of Basic Educational Opportunity Grant recipients enrolled at each institution;

(2) Forty-five percent of the funds will be distributed according to the amount of Supplemental Educational Opportunity Grant, College Work-Study and National Defense Student Loan funds paid to students enrolled at each institution; and

(3) Ten percent will be distributed according to the number of graduate students enrolled at each institution.

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

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

Yes. Private colleges and universities in the United States enroll 28.4% of students who attend institutions of higher education. Under the formula contained in the Conference Report, however, it is estimated that 37% of the institutional aid funds will go to private institutions which, according to all the evidence received by the Committee, are in greater financial difficulty than most public institutions.

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

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

(4) *How does the size of the institutional aid program contained in the conference report compare with the program contained in the House-passed bill?*

Both formulas would require approximately the same amount—\$1 billion annual-

ly—to pay each institution the full amount to which it is entitled.

(5) *Does the institutional aid formula in the conference report contain any of the provisions of the institutional aid formula approved by the House last fall?*

Yes. Under the Conference Report 55% of the money will be distributed in accordance with provisions contained in the House-passed bill. The other 45% will follow provisions contained in the original Senate-passed bill.

(6) *How will the so-called "basic grant" program for students work?*

Each student enrolled at an accredited institution of higher education, or an accredited post-secondary proprietary school, will be entitled to receive an annual grant of \$1400, minus the amount which his or her family could reasonably be expected to contribute for education purposes. However, no grant could exceed the amount necessary to attend the institution at which the student is enrolled, nor could a grant exceed 60% of the amount a student needs beyond his expected family contribution to attend an institution.

(7) *Who will decide what a student's expected "family contribution" is?*

As in present practice, the financial aid officer at the institution which the student attends will make this decision in accordance with generally established principles for making student aid awards. The Conference Report requires that the financial aid officer consider, among other factors, the amount of the family's income, the number of dependents in the family, the number of children in the family attending college and any unusual expenses of the family such as unusual medical expenses.

(8) *Will basic grants be available only to low-income students?*

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

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

The Conference Report provides that Basic Grants may not be paid until the National Defense Student Loan and College Work-Study programs are funded at a level equal to FY 1972 appropriation, and the Education Opportunity Grants program is funded at a level equal to 75% of FY 1972 original appropriations. This provision was included at the unanimous insistence of the House conferees.

(10) *What about existing students aid programs?*

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

The Conference Report also contains a new National Student Loan Marketing Association for the purpose of providing greater liquidity for student loan paper, thus enabling banks and other lending institutions to substantially enlarge their student loan programs. The \$15,000 annual family income limitation on the Federally subsidized loan program is deleted—all students, regardless of family income, will be able to receive a Federally subsidized loan through a bank or other lending institution so long as a student can show that he or she is in need of the loan.

#### CONFERENCE REPORT HIGHLIGHTS—HIGHER EDUCATION AMENDMENTS OF 1972

##### STUDENT ASSISTANCE

All existing programs, including College Work-Study, National Defense Student Loans, Educational Opportunity Grants, and Guaranteed Student Loans, continued for three years.

New program of Basic Educational Opportunity Grants, under which each student would be entitled to \$1,400 per year, less expected family contribution. No grant could exceed 60% of what a student needed to attend a particular institution for any year.

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

##### INSTITUTIONAL AID

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

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

Veterans Cost-of-Instruction Grants to institutions in the amount of \$300 for each veteran enrolled, and an additional \$150 for each veteran who is in a special or remedial program.

##### COMMUNITY COLLEGES

Start-up and expansion grants for community colleges. Authorization: \$275 million over three years.

##### OCCUPATIONAL EDUCATION

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

##### NATIONAL INSTITUTE OF EDUCATION

New agency established within HEW to support, conduct, and disseminate the products of, research at all levels of education. Authorization: \$550 million over three years.

##### HIGHER EDUCATION INNOVATION

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

##### EXISTING HIGHER EDUCATION PROGRAMS

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

##### INDIAN EDUCATION

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

Mr. Speaker, there have been many confusing and misleading statements made concerning the conference report and what it actually contains. Extension of existing programs and the new programs authorized are the product of lengthy and serious consideration by the Congress over a long period of time. In many instances, the conference report contains provisions which are not precisely as anyone of us individually would have written. But the overall impact of the bill is constructive and forward moving. Higher education opportunities and the ability of our junior colleges, 4-year colleges and universities to provide high quality education programs will be critically impaired unless S. 659 as reported by the conference is adopted. Consequently, I urge my colleagues to vote "Yes" on the conference report.

Mr. PERKINS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Indiana (Mr. BRADEMAS).

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

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

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

I would also like to pay tribute to the other members of our committee who helped make possible the conference report today, in particular to our distinguished colleagues, the gentleman from New Jersey (Mr. THOMPSON); the gentleman from Illinois (Mr. PUCINSKI); the gentleman from Illinois (Mr. ERLBORN); the gentleman from Oregon (Mr. DELLENBACK); the gentleman from Washington (Mr. MEEDS); the gentleman from Wisconsin (Mr. STEIGER); the gentleman from New York (Mr. REID); and the gentleman from Idaho (Mr. HANSEN). Without their fine work, we would not have this outstanding bill before us.

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

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

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

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

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

Second. A new program of direct aid to colleges and universities, under which each institution of higher education in the United States, public as well as private, will receive a Federal payment based on, first, the number of basic grant recipients enrolled at each institution; second, the amount of other Federal student assistance provided to students enrolled at each institution; and third, the number of graduate students enrolled at each institution.

Mr. Speaker, this legislation, as I have indicated, will establish a landmark in



Federal support for higher education, and as might be expected with any measure of such great magnitude, its specific provisions are quite complex.

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

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

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

It is emphatically not true that the basic grant program will be limited to "needy students" in the sense that we use the term to describe students from low-income families.

On the contrary, the basic grant program is intended by the conferees to provide assistance to any student who is in need of help, whether he or she comes from a middle-income or a low-income family. A reading of the statutory provisions contained in the conference report makes clear that we have designed this program so as to prevent middle-income students from being "traded-off" in favor of low-income students, or vice versa, by the Commissioner of Education or anybody else.

And Mr. Speaker, lest there be any misapprehension on the part of my colleagues, let me make it quite clear that the basic educational opportunity grant program in the conference report was agreed to on a unanimous rollcall vote with every one of the House conferees voting for it.

While on this subject, I should also note that the other student aid provisions of the conference report are also designed to make available assistance to students from middle-income as well as low-income families. For example, the House amendment deleting the low-income preference from the college work-study program was adopted by the conferees with the express intent of opening up this program to greater middle-income participation.

In addition, the conference report creates a new National Student Loan Marketing Association to buy, sell, and warehouse guaranteed student loans, and thereby stimulate new capital for such loans. This new entity should vastly expand the amount of loan money available to students from banks and other lending institutions.

Finally, we followed the House bill in deleting the \$15,000 family income limitation for participation in the subsidy feature of the guaranteed student loan program, thereby opening yet another avenue of access for students from middle-income families.

So any suggestion that the student aid provisions of the conference report dis-

criminate against middle-income America is simply not accurate.

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

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

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

Thus the charge that the conference report discriminates against private colleges and universities is simply contrary to the facts. I might add that as a Member of Congress who is proud to represent the University of Notre Dame, Goshen College, Bethel College, Saint Mary's College, and Holy Cross Junior College, I would certainly not favor an institutional aid program that would operate against private institutions getting a fair share of Federal assistance.

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

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

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

Our subcommittee heard from some of the leading figures in American education on the need to increase the paltry one-third of 1 percent which we are currently spending, at all levels, on research and development in education.

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

The proposed National Institute of Education was accepted by both Houses of Congress, and the conferees agreed to House language insuring that the institute would be a strong, viable research

and development agency on a par with the Office of Education.

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

#### NATIONAL INSTITUTE OF EDUCATION PURPOSES

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

#### FUNCTIONS

To accomplish these aims, the Institute will:

Conduct educational research;  
Collect and disseminate the findings of educational research;

Assist and foster such research, collection, dissemination, or training through grants, or technical assistance to public or private organizations, institutions, agencies, or individuals;

Promote the coordination of educational research support within the Federal Government;

And construct or provide for such facilities as are necessary for these purposes.

An essential element in the achievement of the purposes of the Institute is the strengthening of the links between research and development and educational practice. The whole complex set of dissemination/utilization functions—including National Center for Educational Communication activities such as ERIC PREP, Publishers Alert—will, therefore, be responsibilities of the National Institute of Education.

#### STRUCTURE

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

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

#### FUNDS AUTHORIZATION

\$550 million is authorized for the Institute over a three-year period. At least 90% of the funds appropriated for any fiscal year, must be expended through grants and contracts with public or private organizations, institutions, agencies, or individuals.

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

If the purposes of the Institute are to be attained, clearly it is essential that the linkages between these two functions of research and practice be strengthened.

These linkages can be achieved in two principal ways.

First, the whole complex set of existing dissemination/utilization functions

relating to education—including the National Center for Educational Communication activities such as ERIC, PREP, Publishers Alert—will be responsibilities of the National Institute of Education.

Second, Mr. Speaker, the conferees intend that the State education agencies play a part in the dissemination functions of the Institute.

Although as a Federal agency, the Institute must have specific links to existing State and local education agencies, the problems of communicating directly with thousands of local education agencies and coordinating product distribution to them could unnecessarily sap the resources of the Institute.

State education agencies are in an advantageous position to carry out the essential dissemination of Institute supported research. There are several reasons they can be helpful in this respect.

First, State education agencies are the existing State mechanisms for administering certain Federal programs such as title III of the Elementary and Secondary Education Act, as well as State-funded developmental programs in many States. State education agencies therefore already have experience as channels to local districts for program improvement.

Moreover, Mr. Speaker, the development of State intermediate offices has accelerated in many States—frequently under increasingly vigorous State leadership—and these regional offices provide additional administrative channels for the dissemination of Institute products.

I should say, Mr. Speaker, that the conferees' intention that State education agencies be utilized in the dissemination activities of the Institute is not based solely on the practical fact that these agencies have the capacity to carry out this essential function.

The intent is also based on the fact that such utilization is increasingly important, because the States are being held increasingly accountable for equalizing classroom opportunity and fiscal support for schools.

The Federal Government must clearly be helpful in making available the results of the new national educational research effort represented by the National Institute of Education—and this will mean in part working with the State education agencies.

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

It is intended that this participation, Mr. Speaker, be accomplished through such means as participation in the National Council on Educational Research, joint research design development, and joint staff development programs.

Mr. Speaker, the conferees' decision to assign dissemination and utilization functions to the Institute, and the provision that State and local educational agencies play a large part in these crucial areas, will help insure that the results of research in education do not gather dust on musty shelves, but, instead, make a real difference in the

quality and accessibility of education at all levels.

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

In addition, the conference report does justice to the philosophy that every American young man and woman, regardless of his or her family's financial status, may aspire to the best education this country can provide and of which he or she is capable.

For this measure to fail now on the basis of an unreal promise of a preferential motion that would destroy the principal new programs in this legislation would be a tragedy we cannot afford to see happen.

I strongly urge adoption of this conference report.

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

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

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

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

The Senate committee report found, for example, that a student from a family with an income over \$15,000 is almost five times more likely to attend college than a student from a family with an income under \$3,000. Responding to this gap in our higher education system, the higher education amendments provide that in addition to present student aid programs, there will be created a program of basic educational opportunity grants, an entitlement to every college age youth of \$1,400 minus the amount

of money that his family can reasonably be expected to contribute to the cost of his education. These grants are available to students as a matter of right, regardless of where he or she lives or goes to college, and they are not limited to low-income students. Middle income students as well will be able to receive basic grants. For the first time the Federal Government has made a commitment to the principle that every qualified high school graduate is entitled to further his education—at a community college, vocational institution, or a 2- or 4-year college or university.

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

And with this increase in cost has come a decrease in revenue available from State, private, and Federal sources. Perhaps hardest hit have been the small private institutions, dependent on tuitions and donations. But public institutions have suffered too as revenues declined. The Carnegie Commission Study last year documented that 60 percent of the 2,340 institutions of higher education in our Nation were in or headed for financial difficulties. With enrollments up 60 percent from 1965, Federal support is at its lowest since 1966.

The conferees have responded with realistic and substantial direct college operating subsidies. \$1 billion will be directed annually to both private and public institutions not only to help schools meet their present financial crisis, but also to provide assistance to higher education institutions to meet the demands which will be made on them in the future. Money will be allocated with 45 percent of the funds based on the number of basic grant recipients at each institution, 45 percent based on the aggregate amount of Federal student aid funds paid to students enrolled at each institution, and 10 percent based on the number of graduate students enrolled at each institution. Payments are weighted to take note of the special problems faced by the small liberal arts colleges which have been the hardest hit by this financial crisis. In fact, it has been estimated that under the formula contained in the conference report, 39 percent of the institutional aid funds will go to private institutions which presently enroll 26.4 percent of the students who attend institutions of higher education. Funds paid to these colleges and universities must be used for instructional expenses incurred in academically related programs. No other restrictions aside from a prohibition against use of the funds for sectarian activities are imposed and thus colleges and universities are free to use these funds in any way they see fit.



Additional institutional aid is provided for by a \$40 million emergency assistance program designed to assist the Nation's schools facing the severest crises.

These two new programs—entitlement grants and direct cost-of-education allowances—are the two main provisions of a concept of Federal assistance which I endorsed in 1969. At that time, Congressman JOHN BRADEMAs and I introduced the Higher Education Bill of Rights, incorporating the recommendations of the Carnegie Commission on Higher Education. Today, 3 years later, these ideas have been refined and incorporated into the higher education amendments which we vote on today.

Combined with these two major new programs, several other student aid and categorical institutional aid programs have been revised and extended, thus reversing the trend of decreasing Federal assistance to the institutions of higher education.

The philosophical basis for the Federal student assistance programs, and particularly the new basic educational opportunity grant is that students from lower-income families have less access to financial aid, less opportunity to obtain guaranteed loans, and are less likely to receive help from relatives and private organizations. And institutions serving a high proportion of disadvantaged students have less money with which to help their student populations.

Along with the basic grant program, all existing programs, including college work study, national defense student loans, educational opportunity grants have been continued for 3 years, with expanded eligibility requirements, thus providing much greater access to these programs for students from middle income families. This will be of particular benefit for those attending private colleges and universities where costs are normally higher than at public institutions. The guaranteed student loan program was retained with a new National Student Loan Marketing Association established to expand the availability of credit.

One additional feature of particular benefit to New York State is the creation of a State student incentive grant program, authorizing \$50 million annually for grants to States on an even-matching basis to assist them in providing grants to students of substantial financial need. The conference felt that the States have long preceded the Federal Government in this area of student aid and, that they ought to be assisted in continuing to do so. New York State, with the largest student aid program in the Nation, of over \$72 million annually, will derive substantial benefit from this provision.

In the last decade there has been a growing demand to provide diversity in postsecondary education. Both students and educators alike, have recognized that the needs of all students are not served by the traditional 4-year liberal arts college education. Thus there has been a dramatic expansion of community colleges and vocational institutions. Enrollment in community colleges has increased 400 percent in the last 10 years. Responding to this important trend, and

realizing its significance for the future of higher education, the conference report contains a program of startup and expansion grants for community colleges and a new program to help States design, establish, and operate postsecondary occupational education programs.

As a member of the House Education and Labor Committee for 8 years, I have constantly been dismayed by the lack of knowledge that we have about how children learn and about the best ways to educate the children in our society—and particularly the millions of deprived children. To date our efforts to learn more have been scattered and uncoordinated. In higher education as well, there is a need for reform and innovation—yet research in this field has continually been relegated to a very low priority. Since 1960 only \$1 billion has been spent on research in education, while \$7 billion has been spent on agriculture research and \$14 billion on health research. For every dollar we spend on education, less than a third of a penny goes for research. For this reason, in 1970, Congressman BRADEMAs and I introduced legislation creating a National Institute of Education. I am most pleased, Mr. Speaker, to see the inclusion of the Institute in the present higher education amendments. This center modeled on the National Institutes for Health will provide for the first time coordinated educational research to stimulate reform and innovation at every level of education. Specifically included in the Institute is the concept of the proposed National Foundation for Postsecondary Education to promote innovation in postsecondary education.

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

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

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

Mr. RUTH. Mr. Speaker, one of the Members has just suggested that we need better order and I thank him. However, I will say that if I cannot command the attention of this group then they can go ahead and talk, it is all right.

My usefulness on the Education and Labor Committee seems to be relegated today to digging out certain things that happen in the committee and some of

the things that happen in conference and in interpreting them for my colleagues.

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

Members of the House know that I supported the House bill, as most of you did, when it was considered last year. Earlier this year when the bill went to conference and was referred back to the House, I offered the motion which was carried to instruct the House conferees to insist on the House language regarding busing.

My opposition to this conference report should not be interpreted by anyone as an intention to kill the higher education bill. The plan is to offer a privileged motion which will include the educational programs, the House busing amendment and to include the titles of the bill which will continue community and vocational education. In the meantime, we can all hope and work for a better prepared higher education bill which will benefit all members of our society.

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

I began thinking about this first when I started getting letters from 4-year institutional presidents who were against this bill. Now, when you start getting presidents of institutions who stand to gain starting to tell you to vote against the conference report then, I think it is about time we start examining it.

And I will admit that I have gotten all kinds of telegrams in support saying they want this. However, when the likes of Terry Sanford, the president of Duke University, and he is also president of the National Council of Independent Colleges which oppose the report—and I might also add that I have other colleges that are quite substantial in my area against it. It is time to thoroughly examine the legislation. It reminds me of the case of the Boy Scouts who wanted to get merit badges so they went downtown and stood at the corner and started leading old ladies across the street, and this was fine, but when they got through they had lead a gang of old ladies across the street who did not want to go there.

Now, if you will let me follow my outline that tells you why I oppose the conference report, the first thing is that the conferees did not follow the instructions on busing. And I think we have beaten that horse pretty well to death. And I think you know that they did not follow the instructions. Our distinguished Speaker in his recent ruling said that he could not make the conferees follow the instructions, but that we have to do it, and he said it about as plain as one man can.

Then, there is the inclusion of the metropolitan school district. That is absurd. We have just gotten a reversal in the Richmond case and it was reversed

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

Then the next thing is the inclusion of veterans' benefits. And the gentleman from New Jersey should know that the veterans' benefits are for the colleges and not for the veterans. And you should remember that along with TIGER TEAGUE, the gentleman from Texas, and other members of our entire Veterans' Committee, we feel our committee should consider this item.

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

If you look at item 4 you will see that if you include the Pell grants with all the other grants a student in college can get \$7,900. The Pell program would make it possible for every student in the United States to be eligible for \$1,400 to go to college. And it also says less the amount that the family can provide. We have already started people on welfare to have the daddies leave home so that the family can get the money and we are now going to start the students leaving home so that they can get Federal money by saying, "I am not depending on my daddy to get this money." And we have got a lot of smart kids in this country and I expect they will do it.

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

I guess my strongest reason to oppose the report, it is arguing or asking how any fiscally responsible person in the Congress can want to give institutional aid based on the amount of Federal aid to students.

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

Under permission to revise and extend my remarks I include detailed information supporting my opposition to the adoption of the conference report:

#### BUSING

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

The Green Amendment prohibited Federal employees encouraging local government or local agencies to use their money for busing. The Conference added "unless constitutionally required." This language modifies the intent of the amendment and opens a loophole for debate in interpretation.

The Ashbrook Amendment prohibits the use of funds for busing of students or teachers to overcome racial imbalance, or for the purchase of equipment for such transportation and forbids any office or employee of HEW or the Office of Education, or any other Federal agency to force States to expend State and local funds for purposes for which Federal funds cannot be expended. The Senate added the language "unless instructed in writing by local school officials." This wording was included in the Conference Report and makes the amendment meaningless and completely disregards the House instructions to the conferees.

Also it should be noted that in the state-

ment on policy the House Amendment stated that *guidelines and criteria established pursuant to this title shall be applied uniformly in all regions of the United States in dealing with conditions of segregation by race in the schools of the local educational agencies of any State without regard to the origin or cause of such segregation. The Senate amended the policy and stated the criteria used would be pursuant to Title VI of the Civil Rights Act.* An investigation of this shows it to be different from the House version inasmuch as it reads as follows: "Such uniformity refers to one policy applied uniformly to de jure segregation wherever found and such other policy as may be provided pursuant to law applied uniformly to de facto segregation wherever found."

Here we have a nullifying effect that might go completely unnoticed.

#### METROPOLITAN SCHOOL DISTRICT

The Conference Report authorizes the Commissioner of Education to set aside 5% of a \$2 billion authorization (\$100,000,000) to draw up plans for the metropolitan school district. The backbone of this plan is busing. It is only logical that this supports the Richmond and Detroit decisions. Congress is thus giving its stamp of approval to these busing decisions and is inviting more. Although the House instructions to the conferees did not deal with this particular section, it violates the will of the House on busing.

#### INCLUSION OF VETERANS BENEFITS

As a member of the House Committee on Veterans Affairs, I have supported legislation to assist our veterans.

However, the provisions of this Conference Report include a new feature and impose requirements on the institutions which are costly and questionable. I quote the following from the Report: "The Senate bill would provide cost-of-instruction payments to institutions of higher education on behalf of veterans in attendance at such institutions. In order to be eligible, an institution must increase the number of veterans in attendance at such institution by 10 per centum the first year. If an institution is eligible for payment, the amount of that payment shall be (1) \$300 for each veteran and (2) in addition, \$150 for each veteran who has participated in one of the special remedial veterans programs. In case of payments in this latter category, no payment would be made on behalf of a veteran if the institution receives a payment in excess of \$150 on behalf of that veteran under the cost of instruction allowances section.

When appropriations are not sufficient to meet such institutional entitlements, the Commissioner of Education shall use funds from the National Service Life Insurance Fund and give such Fund noninterest bearing notes that the Secretary of the Treasury is authorized and directed to purchase. There are no similar House provisions."

Traditionally legislation of this type has come from the Veterans Affairs Committee which I feel is highly qualified to consider and will do a better job coordinating such a program, if needed, with existing V.A. programs.

#### INCLUSION OF PELL GRANTS—BASIC EDUCATIONAL OPPORTUNITY GRANTS (BOG)

We now have: E.O.G. Education Opportunities Grant; N.D.E.A. National Defense Education Act; G.S.L. Guaranteed Student Loans; C.W.S. College Work Study Program.

If these programs are funded, we don't need the Pell Grants (B.O.G.) Basic Opportunity Grants.

I am afraid of the wording "everyone eligible for post secondary education being entitled to \$1,400."

Someone seemed to realize this is super-

fluous as it states the B.O.G. can be used for only 1/2 the aid a student receives.

Also, anything that can be done will be done. Under all these programs a student could get the following:

BOG	\$1,400
EOG	1,500
NDEA	1,500
GSL	2,500
CWS	1,000

Total 7,900

In the welfare program we are now trying to get away from the father leaving home so the family can get welfare aid. Are we going to start a new practice—college students leaving home to become eligible for B.O.G.? This will be happening even in wealthy families.

#### METHOD OF DISTRIBUTING MONEY TO INSTITUTIONS

I'm not sure we are prepared to begin institutional aid. However, if we are—it needs to be cleared up and simplified. I know it is a mistake to grant institutional aid on a formula that is based on the amount of Federal aid used by students. While colleges in the past have looked first to other sources for student aid—economics will dictate that they now encourage all federal aid possible. The formula states that whatever is appropriated:

45% is based on all federal money such as E.O.G., N.D.E.A., C.W.S. and G.S.L. Each college adds its total dollars used and receives a pro-rated amount.

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

The House Bill allotted 2% of the money appropriated to institution based on enrollment.

This is a conglomeration aimed at satisfying the conferees. No thought was given to make this a simple or equitable process. This kind of hurried legislation only leads to confusion and criticism of the Federal government.

#### POSTSECONDARY EDUCATION IS FOR EVERYONE

It is not the prerogative of the Federal Government to insist that post secondary education is for everyone and use the dollar to encourage institutions to lower their standards. It also destroys the incentive of the student to earn his education—both in meeting his financial obligation and preparedness.

Educators in my state are confused about this bill as are many throughout the nation. Some support and some oppose. Many admit they do not fully understand this bill. Following are some statements from some of these leaders.

#### EXCERPT FROM LETTERS

TERRY SANFORD, PRESIDENT, DUKE UNIVERSITY

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

I am opposed, as a matter of principle, to expediency, to taking what is offered by Congress simply because it is better than nothing. We react too easily to the dollar sign.

I am not tremendously impressed with the concept of BOG. If EOG had been fully funded, we would not need this "new" approach.

Higher education is for all students, not just needy students.

I am an original champion of removing all financial barriers to higher education, but I



cannot stretch this to a policy that suggests removing financial barriers is the purpose of higher education.

Institutional aid should be based on students, not on just a class of students.

S. DAVID FRAZIER, PRESIDENT, PEACE COLLEGE

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

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

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

DONALD J. HART, PRESIDENT, ST. ANDREWS  
PRESBYTERIAN COLLEGE

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

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

JOHN E. WEEMS, PRESIDENT OF  
MEREDITH COLLEGE

After reviewing the Higher Education Bill, I believe that a number of unwise decisions were made and it is legislation that should not be supported. I highly recommend that the existing higher education programs be given a one-year extension, with the hope that the additional length of time would allow the many problems to be better resolved. It is my opinion that we need the right legislation instead of just some legislation.

The SPEAKER. The time of the gentleman has expired.

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

Mr. PUCINSKI. Mr. Speaker, if I may have the attention of the House for one observation, the minority leader has tried to create the impression here that if this conference report is not adopted, there will be a preferential motion to do all those things that have to be done.

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

The higher education bill expires in 3 weeks.

The vocational education bill expires in 3 weeks.

You are going to have in this nation unprecedented chaos if we do not address ourselves to the problem today.

This bill has a lot of good things in it. It gives the middle-income family a break on sending their children to college. For the first time we extend student grants to a family that may have a middle income but finds itself hard pressed if it is helping finance the education of two or three children in the family.

I would like you to look at that program.

On the question of busing—I yield to no one in my opposition to busing in this Chamber. I was against busing long be-

fore anybody else in this House; when they thought it was an isolated problem and long before it became a national issue.

This conference report bars busing specifically and unequivocally. If the local community voluntarily asks for such funds, we put two limitations on them.

First of all, they cannot bus children from a good school to an inferior school.

Second, they cannot impair the child's health or safety.

This is the toughest anti busing amendment ever passed by Congress because it puts a freeze on all orders until a final appeal has been exhausted.

On the question of metropolitan planning, I moved in conference to drop this whole program out of the bill.

The gentleman from Oregon offered an amendment to the metropolitan planning program which requires that two-thirds of the schools having two-thirds of the students must agree to seek such planning funds before application can be made. This additional requirement made the metropolitan planning section acceptable to the conferees.

If you are really opposed to metropolitan planning, you will vote for this conference report because we put in here that you have two-thirds support of the schools and two-thirds support of the students before any planning can be adopted.

This bill will rank among the greatest education bills ever considered by Congress. This bill will do more for our college and university students than even the landmark Higher Education Act of 1965. And it will do more for our colleges and universities than even the Higher Education Facilities Act of 1963 or for that matter any bill since the Morrill Land-Grant Act of 1862.

That is not to say that this bill stands before us in what I would consider the most perfect form possible. If I had had my way, I would have written many of these provisions differently. But, as we all know, the essence of the legislative process is compromise. And I can honestly say that the bill before us is the best compromise which we were able to arrive at in conference.

#### STUDENT ASSISTANCE

The centerpiece of the bill is the creation of an entitlement for every student to Federal student assistance, the amount limited only by the anticipated contribution of his family. This entitlement will be a matter of right, that is to say, once the Secretary of Health, Education, and Welfare has issued the schedule of anticipated contributions of families according to their incomes and numbers of children and if appropriations are sufficient, all students whose families' contributions are not sufficient to pay for their education will be entitled as a matter of right to a certain amount of Federal assistance.

This entitlement will allow a youngster to choose to attend whatever college or university, or community college or technical school, he wants to attend and which will accept him for enrollment. No longer will a student have to shop around for the school which offers him the most money.

But this conference report, in recognition of the fact that it may take several years to achieve sufficient appropriations to put this new program into full operation, also contains extensions for the present student aid programs. And in fact it improves these programs by increasing the maximum amounts for the educational opportunity grants and the guaranteed student loans. The conference report also contains the National Student Loan Marketing Association—Sally Mae—which will buy, sell, and warehouse guaranteed student loans and thereby stimulate new capital for these loans.

I am extremely pleased that the conference report contains my amendment to open eligibility for all the student assistance programs to half-time students. I would have preferred also including part-time students, but this amendment is at least a beginning in having the Federal Government recognize that a large number of our college students work part or full time and attend school whenever they can. These students should be commended and assisted for their tremendous efforts, instead of being penalized as they are now for not having enough money to be able to attend school full time.

#### INSTITUTIONAL AID

The next major innovation in the conference report is the new institutional aid program. This program will provide unrestricted Federal funds to colleges and universities for the first time. Illinois colleges and universities will receive a total of \$43,518,224 when this program is fully operative. The Central YMCA Community College in Chicago will receive \$1.6 million; the Kennedy-King branch of the City College of Chicago will receive \$1.1 million; Illinois State University will receive \$1.4 million; Loyola University will receive \$1.1 million; and the University of Illinois at Urbana will receive \$3 million.

#### VETERANS' COST OF INSTITUTION GRANTS

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

Many of us were only able to attend college because of the World War II GI bill. Many of today's veterans are receiving the same opportunity under the new GI bill. Yet Defense Department studies indicate that men with a high school education or less are far less likely to use the present GI bill to attend college or junior college than are men of equal ability with preservice college attendance. In fact in Illinois while 45 percent of our veterans who have been to college before service used the GI bill

only 13 percent of the far greater number of veterans with no preservice college used their once-in-a-lifetime GI bill assistance.

Part of the reason lies in the fact that we as a nation have failed to respond to veterans as we did after World War II. At that time, a veteran received full tuition plus \$75 a month. Today, the veteran receives \$175 a month, out of which he must pay his tuition. This amount falls miserably in paying for the true cost of an education.

In order to begin to right this wrong and to give educational institutions the incentive to serve many who have returned from war, I authored with Senator ALAN CRANSTON the veteran's cost of instruction amendment. This amendment will pay schools for part of the cost of educating veterans, and should go a long way in encouraging the educational community to meet the needs of our veterans, particularly those who have never enrolled before in college. These funds can be used to staff veterans' counseling offices on campus, pay veterans to run outreach programs, and enable the colleges to undertake to offer veterans remedial programs and other services needed to enable them to enter and complete college.

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

#### VOCATIONAL EDUCATION AND OCCUPATIONAL EDUCATION

The conference report extends the expiring provisions of the Vocational Education Act for 3 more years. These provisions authorize the new, innovative programs which were added under my sponsorship in 1968 and which have done so much to rejuvenate the field of vocational education.

The conference report also authorizes a new Occupational Education Act which I am pleased to have cosponsored at a level of \$850 million for three fiscal years. These funds will be used for postsecondary occupational programs of high quality and for career education in elementary and secondary schools. It is expected that the Commissioner will approve grants in equal amounts for each of these two purposes within each State although he has the discretion to vary these amounts according to each State's individual needs.

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

The conference report also creates a

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

#### ETHNIC STUDIES

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

The purpose of this new program is to give students the opportunity to learn about the contributions of their own ethnic groups to American life and also to learn of the contributions of the other ethnic groups. I am hopeful that this program will lead to a growth in self-respect among students and also to the development of tolerance and respect for other groups.

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

#### EMERGENCY SCHOOL AID

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

*Estimated distribution of funds under Emergency School Aid Act, S. 659, title VII: Fiscal year 1973—Estimated State amounts<sup>1</sup>*

Alabama	\$24,725,537
Alaska	2,009,664
Arizona	11,842,580
Arkansas	9,911,345
California	108,777,092
Colorado	8,663,067
Connecticut	6,591,501
Delaware	2,247,874
Florida	33,763,493
Georgia	31,580,741
Hawaii	100,000
Idaho	774,611
Illinois	45,102,327
Indiana	11,039,620
Iowa	1,317,645
Kansas	3,841,142
Kentucky	5,838,583
Louisiana	30,206,745

<sup>1</sup> Estimated distribution of \$1,000,000 with 5 percent (\$50,000,000) reserved for sec. 709, and 13 percent (\$130,000,000) reserved for secs. 708 (a) and (c), 711, and 713 and the remainder (\$820,000,000) distributed with a basic amount of \$75,000 to each State and District of Columbia and the balance distributed on the basis of the total of the 5-17 population, Negro and other races, April 1, 1970 and estimated enrollment of Spanish-surnamed Americans, fall 1970, with a minimum amount of \$100,000.

Maine	238,106
Maryland	18,816,726
Massachusetts	6,074,344
Michigan	27,841,457
Minnesota	2,162,648
Mississippi	23,715,224
Missouri	12,913,629
Montana	1,170,295
Nebraska	1,757,984
Nevada	1,452,180
New Hampshire	180,717
New Jersey	24,941,380
New Mexico	11,965,604
New York	80,504,907
North Carolina	31,350,286
North Dakota	664,240
Ohio	26,400,684
Oklahoma	7,759,451
Oregon	1,934,315
Pennsylvania	26,289,089
Rhode Island	847,102
South Carolina	22,467,844
South Dakota	1,172,009
Tennessee	16,380,824
Texas	83,344,574
Utah	1,726,963
Vermont	111,409
Virginia	22,647,686
Washington	4,996,764
West Virginia	1,785,413
Wisconsin	5,215,219
Wyoming	737,059
District of Columbia	12,100,301

Total 50 States and District of Columbia..... 820,000,000

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

The conference report sets forth with considerable care the criteria which the Assistant Secretary is to use in approving applications under ESAA. Those criteria are the only criteria which he can use in approving applications. If the Assistant Secretary believes that those criteria are too restrictive, then the administration can submit a bill to Congress to modify section 710(c). That provision and the Cranston amendment ought to make crystal clear that Congress insists on knowing what is going on in these programs and will no longer tolerate any administration—regardless of the party in power—issuing guidelines which frustrate the congressional intent.

Let me say another word about busing. You all know my position on busing. I voted twice this year to instruct the House conferees even though I myself was one of the conferees and last year I voted for all the antibusing amendments.

But I am here today to tell you that this bill contains prohibitions stronger against busing than any Congress has ever passed before.

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

This is 6 months longer than he requested and it bars far more than just busing—it also bars any transfer of a



child away from his neighborhood school regardless of whether that requires busing or not.

This conference report also limits the use of Federal funds and restricts the activities of Federal officials to bar any busing which risks the health or safety of the children or impinges on their education. And, very importantly, it bars any busing when as a result children are bused to an educationally inferior school.

Lastly, this conference report contains a congressional statement for the first time on the neighborhood school. We provide that a school system which assign students to schools closest to their home—neighborhood schools—meets all requirements of law of such school district's school boundaries are drawn in a racially nondiscriminatory basis. It is my hope this new directive by Congress will eliminate busing orders in the future.

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

Mr. ERLBORN. Mr. Speaker, I wish I had more time, as do the other speakers I am sure wish they had more time. But let me talk for just a few minutes about the students assistance portion of this conference report.

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

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

There is no way under this bill that any student can get \$7,900. So let me put that to rest.

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

There were two overriding concerns in our committee regarding student assistance which are incorporated in several provisions of the report: First, concern for the middle-income student; and second, concern for increasing the options a student has in making use of student assistance, especially the choice of attending a vocational or technical school.

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

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

Basic education opportunity grants: This is a new program which would move the Federal Government much closer to its long-standing objective of removing financial barriers for any student with ability and motivation to pursue postsecondary education.

The facts are that students of high achievement levels but limited resources do not attend college at nearly the rate of similar students with high incomes.

The program is based on the accumulated experience of over a dozen years of Federal student assistance.

The basic formula—called an entitlement, even though the program is dependent on annual appropriations—would provide a grant of \$1,400 minus the student's "expected family contribution."

The use of "expected family contribution" has been part of higher education for a long time. It is already computed by our colleges for those students receiving benefits under current programs.

This program will reach up to family incomes of approximately \$12,000 for families of two children, one in college. Higher incomes would qualify if there were more kids, unusual medical problems in the family, and so forth.

Of course, the higher the income, the smaller the basic education opportunity grant. The idea is to provide all students with a comparable base upon which to fund their education.

A grant could not exceed half of what the student has to have to meet all his expenses. Additional aid from other sources would have to be found—including the work-study program, direct loans, and so forth.

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

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

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

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

Guaranteed student loans: Perhaps the program which middle-income students have depended upon the most is the guaranteed student loan program. Last year over 1 million students borrowed from banks and other lending institutions over \$1 billion.

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

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

Presently, students whose adjusted family incomes are over \$15,000 cannot get a subsidized guaranteed loan. And every loan to students below \$15,000 is subsidized. The \$15,000 ceiling is somewhat arbitrary.

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

So we will not be making subsidized loans to those who use them for purposes other than meeting educational costs. And we will be making subsidized loans to middle- and upper-middle-income students who definitely have a need.

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

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

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

Mr. HAWKINS. Mr. Speaker, it is with regrets and a profound respect for the majority views that I must oppose this conference report.

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

The 14th amendment—basic to this report—protects both the right and left; both corporate wealth and individual rights.

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

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

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

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

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

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

Likewise, despite the fact that 66 percent of American schoolchildren ride buses to school and only 3 percent for purposes of school desegregation, these amendments touch only the 3 percent. Never before have we seen so much emo-

tion and political flak generated for so small a kill.

Furthermore, I find it inconsistent for an education bill to affirm a universal agreement that children should not be transferred to bad schools, but in the same legislation recognize the legal continuation of bad schools. Why should any children be left in bad schools? Why not first bring all schools up to a standard of quality?

Despite logical reasoning, however, I am fully aware that this issue today will be settled in an atmosphere beclouded with emotion and political expediency. Acting in such manner constitutes a threat to all Americans whose interest during such a similar hysteria may need protection against restrictive legislation interfering with the Federal courts' obligations to protect constitutional rights. Today it may be blacks but often it is others: Religious and political minorities, women's rights, and dissidents.

In the many communications I have received from educational institutions and associations supporting this report, I am impressed by the number that also expressed opposition to antibusing amendments being attached. This convinced me that we can obtain a good education bill without destroying the moral and legal base which is fundamental to our preservation as a free and viable society. We should request this report thereby serving notice on Congress that it should do—not the court's work but its own.

The danger in this report is not that we weaken education but that we weaken the moral and legal basis on which our Nation is founded. This price we cannot afford to pay.

Mr. QUIE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BELL).

Mr. BELL. Mr. Speaker, I rise in support of the conference report accompanying the bill S. 659, the Education Amendments of 1972.

There has been a great deal of controversy surrounding this bill.

But most of the controversy has been directed at only two pages of a 228-page conference report.

There have been some allegations that the House conferees "sold out" to the Senate on those portions of the bill dealing with the desegregation of schools. This allegation is simply without any foundation whatsoever.

When we went into conference, we were confronted by Senate emergency school aid language which consistently, at every turn, encouraged the busing of students for the purpose of achieving racial balance.

The Senate bill required, as a condition for the receipt of any funds under the emergency school aid program, that every school board in the Nation adopt a comprehensive integration plan—one that would provide integration to the maximum extent possible.

As we all know, many things are possible.

It is possible, though certainly not practicable or wise, to bus every child from every city into a distant suburb to school every day.

That is what the Senate bill could have required.

Your conferees were successful in eliminating that provision from the bill.

The Senate bill would have required the establishment of a model, integrated school in every school district of the Nation.

There are probably very sound reasons for encouraging this step—but it would have been contrary to the expressed wishes of this House to require it of every school district, since in many districts this action could not be taken without busing.

The House conferees insisted successfully on the elimination of this provision.

There was also the issue of the Senate's 15-percent earmarking for metropolitan area programs.

Two-thirds of this earmarking was thrown out altogether.

And the remaining one-third may be spent only on the voluntary application of school officials, just as under the original House bill.

I do not underestimate the importance of those two pages.

I would point out one thing:

First, focusing on busing language to the exclusion of the 18-point \$5 billion of critically needed education assistance constitutes a tragic disservice to the more than 3 years of work which has gone into this bill.

I support the conference report with respect to the emergency school aid bill and to metropolitan area planning money that the gentleman mentioned, Mr. Speaker, one point must be made absolutely clear: The fact that two-thirds of the districts in the area must participate in a voluntary planning application before funds can be granted absolutely does not mean that a plan would be binding on the remaining one-third. Nor would it in any way establish a metropolitan school district. Contrary to the statement of the gentleman from North Carolina it did not establish a metropolitan school area.

Not only would it not be binding, the plan could not even encompass non-participating school districts.

No school district will be affected in any way by any planning unless it voluntarily requests to participate in such planning, and note that this provision relates only to planning.

Mr. Speaker, the conference report emergency school aid language differs very little from the bill which passed this House last November.

If the House conferees had indeed sold out to the other body, then why did the three major Senate supporters of busing, vote against this conference report? And did not sign it.

I have great respect for the integrity of my colleagues on both sides of this issue whose positions reflect deeply felt principle on the question of busing.

I would say to both sides, however, that the very fact of their alliance in opposition to the bill is proof that the bill does not do what they think it does.

The whole bill represented by this conference report should be considered today—not just a few pages of it.

Vitally needed new programs are in this

bill, programs that cannot be saved by any continuing resolution.

Regardless of one's point of view on the controversy, Mr. Speaker, the advantages of this bill so far outweigh any perceived disadvantages that it deserves the support of every Member present.

I strongly urge my colleagues to weigh these factors, and join with me in supporting the conference report.

Mr. PERKINS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. O'HARA).

Mr. O'HARA. Mr. Speaker, I am particularly interested in the provisions of section 803 of the conference report.

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

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

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

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

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

The joint explanatory statement of the committee of conference says:

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

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

Mr. PERKINS. The gentleman from Michigan is correct. Section 803 will apply to such orders whether entered before or after July 1, 1972, as long as appeals of such orders have not been exhausted or, in the event no appeal of such order was taken, until the time for such appeal has expired.



Mr. O'HARA. I thank the gentleman from Michigan and the gentleman from Kentucky for their explanations and I urge adoption of the conference report with the very important provisions contained in section 803.

Mr. QUIE. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. ESCH).

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

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

The applicable history is as follows:

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

Mr. Chairman, I am not alone in stating this view. Only last September, *Chief Justice Warren Burger said some Federal judges were misreading the Court's April decision on busing by ordering more than the law requires.*

*Given these conflicting judicial statements on just what the law says in regard to busing, it is easy to understand the confusion and emotion that surrounds the busing issue.*

*We can expect that many of these decisions ordering busing will be appealed and that on appeal they may be overturned. However, the appeals process is a long and difficult one. It may take 2 or 3 years. Thus, before the courts can completely decide this question, before the law is crystallized once and for all, busing will have become an accomplished fact.*

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

My amendment would only delay a lower court's busing order until all those parties have had a chance to plead their case at their court of last resort.

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

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

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

Mr. Chairman, to the best of my knowledge this is the first time that this has occurred, and I know that it is quite a task to dispose of all 20 titles contained in this bill. But in many ways it is best for us to have some knowledge of what we are asked to do in the whole area of higher education

at the Federal level than to come in as we have in the past with piecemeal legislation. And the fact is that many of us do now have a firm grasp of the full picture in the field of higher education. I am sorry that my good friend from Illinois plans to offer an amendment dealing with the legislation that was considered here and rejected on Monday last.

I say that not because I am in opposition to aid to elementary education. I say it because I think it is an entirely different subject; that it is not related to higher education; that the problems of elementary and secondary education are quite different generally throughout our country from those of higher education and to try to tie them together in this bill is an illogical marriage of two disparate subjects: That amendment and this amendment are not germane to higher education. But, it is coming and we will face it.

In that amendment I am informed that the whole question of busing will be debated.

Now, the gentleman who has offered this amendment seeks, I presume, to come to that discussion prior to the gentleman from Illinois. I would hope that his amendment would be defeated and I would hope that an amendment to strike the subject from the proposal of the gentleman from Illinois would prevail.

Mr. Chairman, I know that in polls conducted throughout the country when you go ask parents, "How do you stand on busing," the answer comes back almost invariably, "I am against it." Yet I also know that if you went and asked the same parent, "How do you stand on public education," the answer would come back invariably, "I am for it." But this does not stop busing. This is a vain and useless thing.

But, Mr. Chairman, our function here today, as it is in all legislative questions, is trying to see to it that we do what we consider best for our country.

In this particular case what is best for our country is to provide the best education we can have in this particular bill in the area of higher education and in the other bill in the area of elementary and secondary education.

Now, you know and I know that busing comes about from a whole variety of reasons. We had it for years merely as a transportation device to get people where they were going. Then we had it for years to preserve segregation. Everyone knows that. Now we have it because the courts have handed it down and said this is what must happen in certain areas of the country. This bill is not going to change that and let's not fool the people.

The CHAIRMAN pro tempore. The time of the gentleman from Louisiana has expired.

(By unanimous consent, Mr. Boggs was allowed to proceed for 5 additional minutes.)

Mr. Boggs. Mr. Chairman, if we adopt this amendment that the gentleman proposes—and he is a very sincere Member, I am very fond of him, and we have served together for many years—I ask you sincerely, with all of the earnestness that I can command, do you really help this bill by adopting this amendment?

Is there any higher educational institution in this country that has any busing problems? I do not know of one. There may be. This is a higher education bill. But what about in secondary and elementary education, where we have all these problems, and have all the emotionalism—and I know about it. I have lived through it for years. I do not have to tell you about it, I know. It has been part of my political life for 20 years. Does this help any school kid anywhere in the United States?

The court hands down the decree, and says you have to bus. If you write this provision into this bill it does not say, well, you do not bus, it simply says that you impose more, you impose more on the local tax-

payers, most of whom, particularly in the areas where this problem is most acute, in the big cities, have already exhausted their remedies and their revenues. You say to them, oh, yes, we will give you some money to help in desegregation, but we are not going to let you use one penny to go out and buy buses, or pay school bus drivers, or all the other incidentals that result from a court decree.

You are not stopping the buses, you are not doing a thing about the busing, it is still going on, you are simply requiring that the local people will pay the cost and bear the burden.

It seems to me that every iota of logic commands us, if we are to legislate in this area, if we are to let the Federal Government assume, as it must, its proportionate share of the cost of educating our people, then the idea of trying by these indirect methods to overcome the decisions of the U.S. Supreme Court have no place in this type of legislation.

Whether I agree or disagree, I would say that the honest approach is in the approach of the gentleman from Georgia and the gentleman from Oklahoma who have put here on the desk petitions calling for constitutional amendments in this area. Do not take this legislation that this committee has struggled so long and so hard to report, and to perfect, and to pass, and use it as a vehicle that really will not accomplish what you seek to accomplish, but which would tie every school board and every school district in the United States into a hopeless situation on the expenditure of these funds that we make available.

That is my plea to you.

I hope the amendment of the gentleman from Michigan will be voted down, and I hope the other amendments that seek to bring about this result which cannot come to pass will also be voted down.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike out the last word.

(Mr. GERALD R. FORD asked and was given permission to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Chairman, we have a very simple amendment before us at the present time. The amendment, in effect, says that no order on the part of any U.S. district court which requires the transfer or transportation of any student or students shall go into effect until such court order has been appealed to the highest court or until the time for such appeal has expired.

If this amendment is approved—if it is enacted into law, it simply means that no district court order forcing busing for the purpose of obtaining racial balance shall go into effect until the U.S. Supreme Court has made the final determination.

I think that is fair. It is a bipartisan amendment. I am told that five Members on the Democratic side of the aisle from the State of Michigan, Mr. WILLIAM D. FORD, Mrs. GRIFFITHS, Mr. O'HARA, Mr. NEDZI, and Mr. DINGELL have cosponsored this amendment in legislative form and they have been joined by the gentleman from Michigan (Mr. BROOMFIELD) and the gentleman from Michigan (Mr. McDONALD).

This is legislation that would, in effect, put a stop order on Federal court action until there has been a final appeal to the U.S. Supreme Court. I think it is fair. I think it makes sense. I applaud the bipartisan authorship of this legislation and I hope the committee approves it.

Let me talk a minute, if I might, about the other legislation that my friend, the gentleman from Louisiana mentioned.

I think we have to differentiate between this amendment and the emergency school aid amendment which will be offered by the gentleman from Illinois (Mr. PUCINSKI).

The emergency school aid bill is aimed at helping those school districts primarily that are under court order to bus for the attain-

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

It is equity and justice on the part of the Federal Government to provide that financial assistance. I am interested in the best education that we can get at the elementary and secondary level. The best way in this emergency to obtain that best education is to provide Federal financial assistance rather than to force busing. Forced busing to attain racial balance is not the best way to get good education.

Let me illustrate. In my hometown of Grand Rapids, Mich., we have, for example, a pupil-teacher ratio of 25 students to one teacher. In my judgment, it would be far wiser to spend the money that we might spend for busing, to reduce the pupil-teacher ratio. It should be 8 to 1 or 7 to 1. It is a far wiser expenditure to use that money for the lowering of the pupil-teacher ratio. The emergency school aid bill will accomplish that objective; \$1.5 billion will accomplish that.

I happen to think it is far wiser timewise for kids to be in their neighborhood schools rather than to spend a lot of time traveling from their home to a school which may be 3, 4, 5 or 10 miles away.

For that reason I am strongly in support of the emergency school aid bill. It is a case of equity. It is a case of helping to improve education. It is a better way to do it than by the method used or proposed under the current circumstances.

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

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

Mr. RANGEL. I thank the gentleman for yielding.

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

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

Mr. RANGEL. In your history as a Congressman has it ever occurred before when Members politically did not like a court decision that we legislated new ones?

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

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

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

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

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

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

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

The CHAIRMAN pro tempore. Is there objection to the request that the gentleman

from Michigan be given 2 additional minutes?

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

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

There was no objection.

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

"On page 277 after line 20, insert:

"Sec. 2001. Notwithstanding any other law or provision of law, in the case of any order on the part of any United States district court which requires the transfer or transportation of any student or students from any school attendance area prescribed by competent State or local authority for the purposes of achieving a balance among students with respect to race, sex, religion, or socioeconomic status, the effectiveness of such order shall be postponed until all appeals in connection with such order have been exhausted or, in the event no appeals are taken, until the time for such appeals has expired."

"And renumber the remaining sections of title XX accordingly."

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

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

Mr. PUCINSKI. I know it is late. I know many of us would like to get through the amendment to title XXI, so we can dispose of the question up or down.

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

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

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

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

Mr. GERALD R. FORD. I yield to the gentleman from North Carolina.

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

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

When we vote for this conference report it will be the only opportunity that we have this year to give indication to the courts that we wish to stop court ordered busing for 18 months until either the courts can make a clarification as to busing to achieve racial balance or until this body takes other action by other

means on this matter of court-ordered busing.

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

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

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

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

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

Mr. BROOMFIELD. I wish to compliment the gentleman from Michigan and to say that I share in his explanation of the bill today, and indicate to the House that as a sponsor of the Broomfield amendment I am going to support the conference report.

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

Fine legal minds, respected scholars and working educators have analyzed it from all sides and presented arguments both for and against my proposal.

I have heard some more of this analysis today.

I cannot claim that sort of expertise.

I would only ask each of you to ask yourselves one very simple and direct question before you vote today.

Are you for or are you against forced busing?

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

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

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

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

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

"Isn't it true," they will ask, "that Congress had before it the means to halt this senseless busing at least while we appealed our case all the way to the U.S. Supreme Court?"



The answer is: Of course it would have. And, it will, if we pass this legislation today.

In the 18 months that this amendment will be effective there is no telling how many more school districts will be ordered to bus. Illinois, Maryland, and Ohio are just three States that come to mind.

We have the means here today to halt those buses before they ever roll. We cannot let this chance slip through our hands.

Make no mistake about it, I am not telling you that we have the final answer to the busing problem before us.

I am prepared to continue working tomorrow for even stronger language and, if necessary, a constitutional amendment which will once-and-for-all make court-ordered busing a thing of the past.

But we have to be realistic. Forced busing is not yet a thing of the past. It is a very real and persistent problem of the present. It will, unfortunately, continue until we do something about it here in Congress.

This amendment bridges the gap between the present crisis for which we have no legislative remedy and that day in the future when we can eradicate forced busing for good.

Let us not delude ourselves—nor the people who are depending on us—that this can be accomplished overnight.

My amendment was added to the higher education bill last November along with the Green and Ashbrook amendments. But it has taken us nearly 7 months to come this far and we have lost most of the language of the Green and Ashbrook proposals—very fine proposals which I wholeheartedly support.

Does anyone of us who is sincerely opposed to forced busing seriously suggest that we vote down this antibusing legislation today and begin all over again tomorrow with absolutely no assurance that we can do better?

We can fill the air with all of the highest sounding rhetoric in the world about the need for strong legislation.

But if children are bused next week or next month or next fall because we were not satisfied with half-a-loaf then we have failed to help the people who are counting on us.

If this body were to pass a constitutional amendment against forced busing today, and, if by some major miracle the Senate were to do likewise tomorrow, which you and I know is as unlikely as a July snowfall, it still would be years before it could be ratified by the necessary State legislatures and be put into effect.

So, I say let us pass this language today. Let us take half-a-loaf today and begin working tomorrow for the rest.

This amendment will buy us the time we need to get the rest.

Without this antibusing amendment, parents in many places throughout the country will read in tomorrow's papers that Congress rejected help in the fight against forced busing while their children ride 10, 20, or 30 miles to school under court decree.

With this antibusing amendment, they will read that Congress is making progress in the fight against forced busing

while their children continue to walk to their neighborhood school.

I can think of no better way to illustrate the importance and the fairness of the Broomfield antibusing amendment than by reminding you that only 2 days ago the Fourth Circuit Court of Appeals reversed a lower Federal court's cross-district busing order in Richmond.

Fortunately, Richmond had been granted a stay of that order pending appeal. Otherwise they would have been forced to spend the time and money to plan busing only to learn on appeal that the lower court was wrong.

If the appeals court had not ruled till next fall, children would have been bused only to find that it was not necessary under the law.

There is a very real possibility that without my antibusing amendment that hypothetical could become a reality in Metropolitan Detroit and other parts of the Nation.

I want to avoid that. My antibusing amendment will avoid that. It provides that the defendant school district will have his day in court before he has to buy buses, uproot children from their neighborhood schools and implement forced busing.

Mr. Speaker, it seems only fair to me that if those who would have us spend millions of dollars and thousands of hours, educational dollars and hours, for busing are so sure that it is constitutional, why not give those of us who are equally sure that it is not constitutional the opportunity to appeal before we have to bus.

It seems clear to me that the true solution to the busing problem lies in upgrading the quality of all of our schools across the country.

As one of the original signers of the discharge petition to the constitutional amendment to ban busing, I testified before the House Judiciary Committee last month on this very point. I feel that busing is hardly a remedy to the problem of unequal education.

There are remedies, real remedies, which we can and should explore. We need increased financial aid to local schools. We need improved teacher training programs designed to develop the unique and special skills to reach disadvantaged children. We need teaching aides and assistants to relieve professional teachers from the daily burdens and duties which rob them of precious time they can devote to their students.

These and other ideas are not new. They have been suggested in the past. They are viable. Yet, we have never really implemented them.

Mr. Speaker, I would like to address one final point. There has been some confusion, some misunderstanding about the operation of my antibusing amendment. I have read with a great deal of surprise that my amendment only applies to busing for purposes of arriving at a racial balance.

I have seen my amendment quoted out of context so as to imply that it will not be effective in preventing the vast majority of busing which is or will be ordered.

I suggest that a complete reading of the language reads, "for the purpose of achieving a balance among students with respect to race, sex, religion or socioeconomic status."

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

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

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

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

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

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

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

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

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

There was no objection.

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

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

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

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

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

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

The common good will not be served by condoning or promoting a policy of racial isolation. No one can seriously—at least, openly—contend that continued separation of the races is the path to racial harmony and one America. Nor can anyone seriously contend that the separate facilities made available to minority groups have been, or ever can be, equal in

quality to those facilities enjoyed by the majority of Americans.

A policy of integration is thus an absolute necessity for two distinct, independent reasons—national survival and simple justice.

Education does not escape this necessity. It is utter silliness to pursue a policy of racial harmony by educating the races separately. An education in a state of racial isolation is, at best, an incomplete education. Although a complete education includes the three R's, it is not limited to them. There are so many other things to learn—not the least of which is learning how to live and live together in our present society.

The law relating to this problem is quite clear. It says that wherever government has caused the races to be educated separately, it must correct this wrong. After having separated the races through its policies in the past, it is no answer for government to cease doing anything. If a car is veering off the road, it is no answer for the driver to take his hands off the steering wheel. In both cases the answer is affirmative action to put us back where we should have always been. The law reflects this commonsense approach to the problem.

Thus the Federal courts have ruled that a school board that racially discriminates must do more than merely stop discriminating; rather, it must return to where it should always have been.

There are some who argue—to continue our analogy—that the proper policy for the car is to drive straight, that if the car angles off the road that is wrong but that it is just as wrong to compensate by angling the car back toward the center of the road, that two wrongs do not make a right, and that even if the car is off the road it should pursue the correct policy of driving straight.

The courts have not been fooled by such an argument. Where school boards have assigned students by race to separate them, the courts have required that they unassign students by race in order to integrate them. Sometimes this can be done with little or no inconvenience. Sometimes it cannot.

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

Busing is an inconvenience, but it is an utterly necessary inconvenience. In some cases, it is simply not possible to desegregate without busing. In some cases, one has only two choices—bus-

ing or segregation. To say in such a context that one is for desegregation but against busing is to ignore the hard realities of the problem. To delude the American people by professing that they can have it both ways—integration without, in some instance, the inconveniences of busing—is to play politics with the future of our society. I have listened to more than 130 witnesses during the last 3 months of hearings before the Judiciary Committee. I repeatedly asked witnesses of all persuasions if there was any practical alternative to busing. If there is one, I am still waiting to hear it.

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

Busing has been an educational fact of life for decades. The fact that busing was used in the South to promote segregation, of course, does not make it right for desegregation today. Nor does it make it wrong. Busing is only a means, a neutral means. It is the purpose of the busing that makes it good or bad. We all really know that. There appears to be no objection to busing children long distances for a better education. Experience has indicated that where special programs of good quality have been offered at some distance from the home, parents fight to have their children bused to that special program. There is no objection, either, to busing handicapped children unusually long distances for their special training. The inconvenience in these cases is thought worth the benefit. What disappoints me is that the same acceptance is not accorded to busing which is intended to bring the races together, equalize educational opportunities, and breathe life into the promise of our constitution.

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

Many witnesses against busing listed the inconveniences allegedly resulting therefrom. But what was never explained was why the inconveniences did not matter for the 40 percent of the total number of students who are bused for traditional reasons whereas they counted heavily for the eight-tenths of 1 percent who are bused to remedy desegregation. Why is it that busing is unsafe for the second group but not for the first? Why is it that busing precludes participation in extracurricular activities for the second group but not the first? Why is it that busing diminishes parental participation in school affairs in the second case but not in the first?

The evidence makes clear that these inconveniences either were invented out of fear or were inflicted by State agencies upon the children for political reasons. In Nashville, for example, the children are made to suffer by a local legislature that refuses to provide the buses needed to make the desegregation plan

workable. Thus these children attend school in shifts from dawn to dusk—not because a Federal judge has ordered them to be punished as some spokesmen would have us believe, but because local agencies of government have chosen to use the children as pawns in an attack on the Federal courts because they have ordered compliance with the Constitution. I suppose it should be no surprise that town councils and school boards that have historically opposed desegregation are not converted to constitutional principles when a Federal court pronounces the law. That being so, we would do well, whenever there are allegations that children are made to suffer by busing, to look with scrutiny to determine exactly who is responsible for such inconveniences—those who declared the law or those who obstruct its implementation.

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

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

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

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

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

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

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

The various studies that have been made on higher education, it seems to me, prove absolutely that the institutions are facing



the greatest financial crisis they have ever seen in the United States.

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

In the Oshkosh Northwestern of May 31, 1972, the headline about a story on Father Reinert's study said "Many independent colleges may be closing down." That is the substance of this conference report.

There are three parts to institutional assistance which I believe the House ought to consider before it decides to vote down the conference report and attempts to take what is being offered in the form of a preferential motion.

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

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

Mr. Speaker, one of the big issues throughout his legislation has been institutional aid.

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

Many witnesses before our committee said the exact formula for institutional aid was not that crucial. Any number of formulas we explored had good points and bad. I believe the conference report includes a very reasonable formula.

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

#### 1. GENERAL ASSISTANCE

According to Office of Education estimates, the main conference report provision for general assistance costs about \$890 million at a full funding.

I have heard it said that private institutions would not get any general assistance until over \$1 billion is appropriated for student aid.

That is absolutely false.

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

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

That particular part of the total \$890 million—or about \$490 million—is not tied to the appropriation for the basic opportunity grants. It could be distributed immediately. And about \$189 million of this \$490 million would go to private institutions—45 percent of this general aid is distributed according to a formula related to the number of recipients of basic education opportunity grants on a campus. That includes both low- and middle-income students.

This 45 percent of any appropriation, however, could not be disbursed to the colleges unless the Congress funds the Basic Education Opportunity Grant pro-

gram at least at the 50-percent level. If not, this part of institutional aid would revert back to the Treasury.

Let us be candid about the reason for this provision. It is to encourage the higher education community to help lobby for lower and middle income students at the same time they lobby for Federal aid for themselves.

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

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

And it does to justice to private institutions, many of which are small and cannot realize the same economies of scale which larger institutions can. Although private institutions enroll about 27 percent of the students, they stand to receive about 37 percent of this general aid.

#### 2. EMERGENCY AID FOR INSTITUTIONS OF HIGHER EDUCATION

A second provision in the report authorizes \$40 million over the next 2 years to provide emergency assistance to those institutions which might otherwise not survive without it.

The Senate bill provided \$150 million for this purpose. The conference reduced that to \$40 million.

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

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

This emergency assistance takes a rifle approach. It targets money only where it is needed for an institution to survive.

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

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

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

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

#### 3. COST-OF-INSTRUCTION BENEFITS FOR VETERANS

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

Our veterans have not been taking advantage of their GI educational benefits as much as was the case following World War II and Korea, even though their ability makes them highly eligible for further education. One of the reasons is that colleges tend to concentrate their recruiting efforts on high school students.

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

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

Once veterans do find the right educational opportunity for them, they have always proven themselves as serious, highly motivated students who do better than those of similar ability who go straight from high school to college.

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

The problem of the returning Vietnam veteran concerns us all. About a million GI's are expected to be released from the service this year. What are they coming home to, and what will they do? We have a 1970 GI bill with increased benefits—we have a Jobs for Veterans program—but we also have statistics that show that these GI's are suffering from high rates of unemployment—350,000 veterans are unemployed. Those veterans who have never been to college before are far less likely to use the GI bill to go to college or junior college than previous college attenders. Obviously, a veteran enrolled in college or junior college is one less veteran looking for a full-time job, and one man who will have skills he previously lacked to get a job when he completes his courses.

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

The problem is that these veterans must be sought out and convinced that the key to their future is higher education and that they can succeed at it. The colleges and the universities can do this job the way it must be done, using student veterans from like backgrounds. Except for some few demonstration efforts, there is no process now available which systematically serves to put the veteran—without prior college experience—in touch with institutions of higher education in a manner that overcomes

institutional barriers to enrollment of men without a college orientation.

The veterans cost of instruction amendment encourages colleges to recruit and enroll veterans by having each veteran bring with him up to \$300 and in the case of veterans using remedial and PREP courses authorized by the GI bill up to an additional \$150. Only 15 percent of the high school graduate veterans—who comprise 60 percent of the 1 million men discharged last year—used the GI bill to attend college or junior college. Cost incentives to the colleges should activate them to enroll additional veterans, and at the same time help them with costs imposed by the \$2.2 billion GI bill. The veterans cost of instruction provision is subject to the same safeguards as are the other institutional aid provisions. However, colleges receiving veterans cost of instruction benefits must meet specific requirements to get grants:

The veterans' cost of instruction provision is subject to the same safeguards as are the other institutional aid provisions. However, colleges receiving veterans' cost of instruction benefits must meet specific requirements to get grants:

First, they must have a 10-percent increase in veterans' enrollment;

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

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

Fourth, they must offer prep and remedial programs. Perfecting amendments that were added in conference release smaller colleges from having to meet the requirement of offering a full-time veterans' counseling office by allowing them to participate in a consortium doing counseling.

Fifty percent of the moneys made available for veterans must be spent on the costs of offering educational and related services to veterans which will enable them to stay in school and successfully complete their courses. A final requirement is that colleges must offer prep and remedial programs authorized by the GI bill.

Unlike World War's GI bill, today's GI bill gives the colleges no financial incentives to recruit veterans. Colleges lose money on each student enrolled, including veterans. The World War II GI bill covered the total cost of college for a veteran and for the college, because many colleges charged—some say, overcharged—in-State GI's out-of-State tuition rates. Therefore, the real cost of education was covered.

In my own State of Wisconsin, only 29.7 percent of the State's Vietnam-era veterans have used the GI bill. This is well below the national average of 38.1 percent. Only 16.1, or about 20,000 Wisconsin veterans, have used their GI bill benefits to attend college or junior college. Based on the Defense Department study, 9.9 percent of Wisconsin veterans, who were high school graduates before they entered the service, used the GI bill to attend college or junior college while 42.1 percent of the veterans who had preservice college used the GI bill for that purpose.

More money to the veterans through

the GI bill would fail to solve the problem of the colleges. A president of a leading junior college system has said that student aid is only one leg of a three-legged stool. If veterans fail to bring institutional aid with them, no additional veterans could be taken into his institution because the State legislature was reducing the operating funds available to the college. Veterans' tuition payments would not provide those missing funds to undertake a greater effort in order to aid veterans, we must give the colleges the same incentives we give them to educate other federally aided students.

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

In some areas, veterans find that colleges, particularly State colleges and some junior colleges, are turning them away because they have no places. These schools have been hard hit by State legislatures reacting against college students and cutting back on legislative appropriations. Veterans, therefore, are excluded often, because their high school records were not all that good, or because they were released from the services and applied at time of the year which are different than the colleges' normal schedules. For example, many veterans being discharged on programs to cut back the Armed Forces are rejected because their applications are made in May or June, and admissions have closed effectively in April. The moneys these men bring with them may help the colleges to do what many consider to be their duty to men who have served their country.

Just because national public opinion polls show that the country wants to forget about Vietnam, let us insure now that it not forget about its veterans. These young men, above all, should have the chance to receive higher education and we can bridge the gap that now serves to separate them from it.

Further, Mr. Speaker, the requirement that 50 percent of veterans' cost-of-instruction payments be used to provide special resources for veterans' education should be liberally construed to assist veterans in the ways needed to enable them to enroll in and complete college. For example, although emphasis is placed on using GI bill provisions for remedial courses, a number of colleges are undertaking "Upward Bound" for veterans programs. Non-Federal expenditures for such concentrated, remedial, motivational courses would be included in counting the 50 percent. This would be particularly important to encourage colleges to offer remedial courses which provide credit.

Colleges are to be encouraged to work together particularly in consortium arrangements to aid veterans. Thus, there

will be limited duplication of effort and effective contact with the veterans.

An adequate counseling program would necessarily involve financial aid counseling. Veterans need a package of loans, part-time jobs and additional scholarships. Because they have been excluded from work-study programs, because of inclusion of GI bill payments, resources, job development is particularly important. Veterans hired to work on this and other questions should count toward the 50-percent requirement.

Another key need is for veteran peer counselors to assist veterans in adjusting to academic training.

It is not intended that the 50-percent requirement for use of veterans' cost-of-instruction payments be applied against financial aid made available to veterans. The exception to this is for veterans hired to implement the colleges' veterans program.

Mr. Speaker, I urge adoption of the conference report.

Mr. PERKINS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this debate culminates more than 2 years of intensive activity on the higher education bill. When the House convened the 92d Congress in January 1971, I called the subcommittee chairmen together to indicate that we were going to give higher education special attention. All other committee business was to stand aside, so that there would be no conflicts.

Higher education programs were due to expire on June 30, 1971. For a variety of reasons—all of them valid—the bill was not reported until the late fall. I went to the subcommittee and sat with Mrs. GREEN and the members of the subcommittee for many days. We worked out an excellent bill. My colleagues will recall that on November 5, it passed with a great majority.

Now there is one thing clear to me as I review this legislative history. This is the best possible conference report that could possibly be obtained. It is clear to me also—and it should be clear to every Member present—that the action we take here today will be final.

Now there have been various rumors circulating that there are alternatives which we can turn to if the conference report is defeated. Granted there may be motions available if the conference report should not be accepted, but in my judgment, these would be doomed to failure.

The conference report before us represents the only compromise possible between the divergent views of this House and the Senate on any number of issues. Such compromises were reached only after hours and hours of debate and discussion.

Mr. Speaker, the first meeting of the conference committee took place on March 15, more than 12 weeks ago. During the intervening period of time, the conference committee met 21 times. Most of our meetings lasted from early afternoon well into the evening hours. There were more than 100 hours of hard and tedious deliberation devoted to the work of resolving the differences in this legislation.



The conference committee had before it two massive versions—the House amendment numbered 423 pages and the Senate amendment numbered 754 pages. These versions in many respects were as dissimilar in their approaches as they were similar in the very controversial issues they each contained.

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

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

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

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

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

For my part, it was indeed an honor and a privilege to serve as chairman of a conference committee which I believe will be recognized as a diligent, persevering, dedicated body ever mindful of its authority and responsibility to the purpose of improving American education. The conference report before us today is the product of the labors of that conference committee. It is a good product—the best possible product—a negotiated product in which is evident the hard, tenuous give and take compromise agreements which were finally arrived at during the course of deliberation lasting close to 3 months.

This conference experience has convinced me—and I daresay the majority of the House conferees—that this higher education bill, and only this higher education bill, stands any chance of final enactment this year. Any attempts to further change or revise or add to what is before us at this very moment will fail. Turning to an analysis of the bill, title I covers higher education; title II vocational education; title III a recognition of the Office of Education; title IV Indian education; title V miscellaneous subjects; title VI Youth Camp Safety; titles VII and VIII emergency school aid and transportation of schoolchildren; title IX sex discrimination; and title X, direct aid to institutions of higher education.

I shall not in this statement touch upon every matter contained in the bill. Each element is fully explained in the joint statement of the managers. Suffice it to say, the conferees have brought to you a 3-year bill which extends certain of the present programs and authorizes new programs through fiscal year 1975.

Mr. Speaker, I have referred to the compromises. I do not wish to be misinterpreted in utilizing this term to indicate that the conference report compromises the House positions on the most important issues. It does not.

Paramount in the House bill was the authorization of a program of direct general assistance to institutions of higher education. That concept has been preserved. The conference report does not, as did the Senate bill, give secondary emphasis to institutional aid. General purpose moneys can begin to flow almost immediately to institutions of higher education, if the conference report is adopted.

Keep in mind there would be no general assistance if we simply have a continuing resolution.

Yes, the formula for distributing the funds is different from the House version. The mechanism—but not the concept—was compromised. What does the compromise mean? It does not, as some have suggested, slight private education. To the contrary, based on the studies we have, private education will benefit from this formula allocation as much as, if not more than, the original House bill.

Mr. Speaker, I wish to repeat that this conference report represents with respect to institutional aid a great victory for the House of Representatives—and for higher education—for the concept of direct institutional aid will become a reality.

Turning to another area of the con-

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

A new program of basic educational opportunity grants is authorized. And for the first time I believe we have authorized a program which will result in a realization of the often-stated congressional intent that no student be denied an opportunity for higher education, because of financial difficulties.

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

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

Another thing, Mr. Speaker, the conference report has been challenged on the basis that it does nothing for middle-income America. I have just mentioned the balanced approach in the House bill and the balanced approach in the Senate bill. Let us consider also that the report contains the Student Loan Marketing Association, which will greatly strengthen and expand the volume of lending under the insured loan program—that program which we have specifically designed for students from middle-income families. Again a continuing resolution will not address this problem. The volume of lending under the insured loan program will continue to be hindered, because of the liquidity problems if we only have a continuing resolution.

The conference report also retains the proposal in the House bill to liberalize the interest subsidy benefits under the insured loan program. Under current law and in the Senate bill, no student from an adjusted family income of \$15,000 or more could receive an interest subsidy payment. Under the conference report, this will now be possible provided the student can demonstrate need.

In the third major area of controversy, I wish to stress that the conference

agreement lived up to the letter of the House instruction with regard to the busing agreements. The conference report speaks for itself:

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

A slightly modified version of the Ashbrook amendment which prohibits the use of Federal funds for busing is contained in the conference report. As modified, Federal funds could be used only "on the express written voluntary request of appropriate local school officials." But even this permission is limited by further amendments which absolutely prohibit the use of Federal funds when the busing involves travel over distances which risk health or safety of children or impinge on the educational process. Still another limitation is provided under which there is an absolute prohibition on the use of Federal funds for busing when the educational opportunities provided would be inferior at the school to which the child would be transferred.

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

Bear in mind also, however, that in addition, the conference report contains the following related Senate provisions:

First. A provision granting a parent or guardian the right to reopen or intervene in court ordered busing if the time or distance of travel is so great as to risk the health of the child or significantly impinge on his or her educational process.

Second. A provision barring courts or officials of the United States from issuing any order seeking to achieve a racial balance in any school by requiring transportation of pupils or students from one school district to another. This provision applies to all schools and systems under all circumstances throughout the United States.

Third. A Senate provision reading "No provision of this act shall be construed to require the assignment or transportation of students or teachers in order to overcome racial imbalance."

There are other aspects of the conference report I should like to refer to. I believe an excellent decision was made in retaining those Senate provisions re-

lative to the higher education title II program of assistance for college and university libraries for creating an entitlement for institutions of higher education for basic grants. This carries out, in my judgment, the original intent of the Congress. Likewise, I am pleased that the conference report contains certain House provisions regarding the eligibility requirements for participation in the title II program.

A question has arisen as to whether it is the intent of the committee and the Congress that independent research libraries such as the Henry E. Huntington Library of San Marino, Calif., the Newberry Library of Chicago, the American Antiquarian Society of Worcester, Mass., or the Historical Society of Pennsylvania in Philadelphia will be eligible for assistance under title II. The collections of the independent research libraries such as those listed above are of national importance, and their readers come from across the Nation. In that these research libraries serve colleges and universities in a cooperative fashion, it is my judgment that they will be eligible for assistance.

Other provisions of the conference report extend the expiring provisions of the Vocational Education Act of 1963. The report contains a number of new initiatives including the Senate proposal for a new program of grants to establish and expand community colleges, but it retains also the House provision of assistance to States to plan and develop postsecondary occupational education.

With approval of the conference report the National Institute of Education will be established and there will be authorized a national study of the financing of postsecondary education. Many changes are provided with respect to the Federal involvement in graduate education. A whole new title on graduate education which contains the best elements of both the House and Senate provisions in this matter is contained in the conference report. The new title would consolidate many of the graduate and fellowship programs; it would extend without change in the new title the program of education for public service, and the improvement of graduate programs; and it would extend NDEA title IV teaching fellowships. The report also extends as separate programs title VI NDEA fellowships with emphasis on undergraduate language programs. Under this title, the International Education Act is extended without change, and a new program of fellowships for mineral resources and for persons from disadvantaged backgrounds is created.

The conference report also allows the Department of Health, Education, and Welfare to assure responsibility for the highly successful CLEO program which has been administered as a research and demonstration project by the Office of Economic Opportunity. In 3 years, this program has assisted approximately 1,000 students from disadvantaged backgrounds in gaining admission to law school. The proposed transfer is consistent with the desires of the administration and has the support of the American Bar Association and the As-

sociation of American Law Schools, both of which serve as cosponsors of the Council on Legal Education Opportunity.

Finally, an important and very necessary new program in support of Indian education is in the conference report. Support for consumer education, ethnic heritage studies, for the University of Guam and the College of the Virgin Islands, a study of youth camp safety, and the basis of sex are still other important aspects of the conference report.

Mr. Speaker, for the purpose of legislative history on this bill, I would like to comment briefly on a few items which might otherwise leave some confused about the intent of the conferees. Let me say that I have checked with Mr. QUIE, the ranking minority member, on each of these items and he agrees with me on the interpretation of these provisions.

The conference report creates an education division within the Department of Health, Education, and Welfare, headed by an assistant secretary to whom the Commissioner of Education and the Director of the National Institute of Education would report. This assistant secretary should be the chief spokesman for education at the Federal level. This bill makes him a line officer in HEW, rather than merely a staff person to the Secretary. The heads of both the Office of Education and the NIE will report to him.

The assistant secretary would have administrative responsibility under this bill for the Emergency School Aid Act. I would assume that he would be free to administer the program within his own office or delegate that authority to the Commissioner of Education. Similarly, the assistant secretary could administer other educational programs delegated to him by the Secretary.

Mr. Speaker, we want to make clear, however, that the conferees did not intend to create a vast bureaucratic superstructure. Rather, the assistant secretary should require only the staff necessary to enable him to fulfill his responsibilities. I would assume that much of the supporting staff of the Office of the Secretary could be of assistance to him. And, of course, the Office of Education and the NIE will have staffs able to carry out some of the policy decisions made by the assistant secretary.

Section 402(a) of the General Education Provisions Act creates the position of assistant secretary at a level IV. It is the intention of the conferees that this is to be a new position, in addition to the other level IV's the Department has now.

Mr. Speaker, another clarification for legislative history has to do with the funds paid to institutions under section 464(b) to make up for direct student loans canceled for service as a teacher or member of the Armed Forces. It is the intention of the conferees that any funds paid to institutions under this section be required to be deposited in the student loan fund established at the institution under part E of title IV. This money is to be used to make additional loans to students.

Some have asked about the meaning of the word "entitlement" as it is used in the basic education opportunity grant program. Section 411(b)(3)(B) spells out the payment provisions that are opera-



tive when not enough money is appropriated to pay all entitlements. A student's entitlement, for the purpose of that section, is to be determined solely by subtracting from \$1,400 his expected family contribution.

Another item which needs clarification relates to the veterans' cost-of-instruction payments under section 420. It is our hope, of course, that the appropriations committees would appropriate the amount to which these institutions are entitled for educating veterans. But if there is not sufficient funds, those institutions would have to be satisfied with their pro rata share of the amount that was appropriated. The conference never intended, in the way this provision was finally agreed upon, that any institution would have any legal right against the Government for the full amount of its entitlement. There should be no question about that.

Finally, Mr. Speaker, I would like to point out one drafting error in part J of title I of the bill—which deals with community colleges and occupational education. In that part which deals with the establishment of a Bureau of Occupational and Adult Education, specifically in section 1071(a) which describes the responsibilities of the new bureau in the Office of Education, one word should be changed. On page 91 of the conference report, it says that the new bureau "shall be responsible for the administration of this title." The reference to "this title" is incorrect, as that would include administration of the new program for establishment and expansion of community colleges, which is not intended. The correct reference would be to "administration of part B of this title," which is the part dealing with occupational education.

The administration of part A of the title, dealing with the establishment and expansion of community colleges, is not intended to be a responsibility of the new Bureau of Occupational and Adult Education.

And Mr. Speaker, in providing general assistance grants it is understood that law students are to be included with graduate students under the definition of "pursuing a program of postbaccalaureate study."

My remarks covered the main thrust of the conference report. Other members of the conference committee will wish to take note of specific portions. The House should accept this conference report because the House conferees have brought back a report which carries out the will of the House. This is the most significant piece of higher education legislation ever presented to the Congress.

The conference report has the strong support of the most prestigious national associations—American Council on Education, American Association of Junior Colleges, American Association of State Colleges and Universities, Association of American Colleges, Association of American Universities, National Association of State Universities and Land Grant Colleges, National Council of Independent Colleges and Universities, and College Entrance Examination Board.

Numerous other organizations and associations have notified me of their sup-

port. In addition, I have received hundreds of letters and telegrams from colleges and universities endorsing the conference report. I should like to insert at this point selected excerpts from a number of these communications:

We want you to know that as associations whose memberships encompass virtually all accredited institutions of higher education in the United States, we support the conference report and urge its adoption by the Congress.

We take this opportunity to commend you and all of your colleagues on the Conference Committee on S. 659 for the time, effort, and thought you have devoted to resolving the many difficult issues that were before you. Rarely, in our experience, have so many dilemmas faced a group of conferees who, without exception, are devoted to the cause of education. You have our deepest thanks.

Sincerely yours,

Roger W. Heyns, American Council on Education; Allen W. Ostar, American Association of State Colleges and Universities; Charles V. Kidd, Association of American Universities; Ariand F. Christ-Janer, College Entrance Examination Board; Richard E. Wilson, American Association of Junior Colleges; Ralph K. Hutt, National Association of State Universities and Land Grant Colleges; Frederic W. Ness, Association of American Colleges; Howard E. Holcomb, National Council of Independent Colleges and Universities.

On behalf of the 46 universities, which are members of the Association of American Universities, I want to thank you for your efforts toward producing a higher education bill which would provide substantial programs of much-needed aid to higher education.

On the basis of the fact that a majority of this association's individual members have expressed support for the bill, the Association of American Universities endorses passage of the Education Amendments of 1972 as reported out by your conference committee. While many members have serious reservations about the stringent anti-busing provisions included in the bill, most are actively and publicly supporting the compromise education proposals. The attached letters and telegrams provide a fair sample of their views. In the judgment of these presidents the proposed programs of student aid and the initial steps toward general federal institutional support represent significant advances. They also support the wide range of other higher education provisions embodied in the bill, while recognizing that the scope and complexity of the measure will necessitate amendments as experience is accumulated.

WILLIAM C. FRIDAY,

President, Association of American Universities, President, University of North Carolina.

ALABAMA

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

M. C. CLEVELAND, JR.,

President, Selma University.

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

WILLIAM H. MCWHORTER,

President, Lurleen B. Wallace State Junior College.

ARIZONA

I have read over with great care highlights of the Conference Report on the Higher Education Amendments of 1972. While, of course, it is not all I would like, especially concerning institutional aid, I do think the Bill will be a great asset to the Thunderbird Graduate School of International Management and to higher education in general and to the students in higher education in the United States. . . . It is a milestone in the history of education and of the relationships of Congress to education in the history of the United States.

WILLIAM FORIS,

President, Thunderbird Graduate School of International Management.

Your affirmative vote on this conference committee's recommendation will help to obtain the funds that are so desperately needed in the community colleges in the nation today. As you may know the community colleges attract large numbers of disadvantaged and minority students who are of low socio-economic needs. If we are to provide the advantages of a general education or special vocational education for these students, we must have some way of motivating their attendance in school. The financial aids programs made possible by this bill will do just that. The community colleges are also attracting thousands of veterans, most of whom are in dire need of financial assistance to resume their education. . . . In view of the great needs that exist in our community colleges, I urge your affirmative vote on this bill—S. 659.

JOHN D. RIGGS,

Executive Dean, Mesa Community College.

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

JOHN W. SCHWADA,

President, Arizona State University.

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

GEORGE L. HALL,

President, Arizona Western College.

ARKANSAS

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

M. OLIN COOK,

Director, Department of Higher Education.

CALIFORNIA

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

HOMER H. GRANT,

President, Northrop Institute of Technology.

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

JOHN R. HUBBARD,

President, University of Southern California.

Due to provisions concerning community colleges the Associated Student Body Cabinet of Cypress College unanimously endorses and supports Senate bill 659. Will await reply on status of bill.

STEVE CIFELLI,

Student Body President, Cypress College.

Just finished reviewing the Conference Report on the Higher Education Amendments of 1972. These are vital to higher education. I urge your continued support.

OMAR H. SCHEIDT,  
President, Cypress College.

Reviewed communication on Conference Report. Urge your strong support. Approve sections on support for low income community college students. General student aid essential. Formula good. Must have loans, grants, work study financing. Urge your strong support.

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

We urge your support for the Conference Report on the higher education bill, S. 659. SISTER MARY AMBROSE DEBEREUX,  
President, Holy Name College.

We urge passage of Higher Education Amendments of 1972—as incorporated in SB 659 as essential to continuing services in community college.

WILLIAM P. NILAND,  
President, Diablo Valley College.

The Purpose of this communication is to express my views, speaking for Cal-Tech, on the educational provisions of S. 659 as reported out by the conference committee. I believe that the higher education features of this bill are a very substantial step forward. These provisions support the national purpose of equality of educational opportunity and help institutions on the basis of how they serve this and other specific national purposes. Thus these higher education features of the bill are beneficial both to students and to institutions. Though I have a personal opinion about the busing provisions of the bill as reported by the conference committee, neither I nor my institution can speak with special expertise on this matter. Unfortunately it has not been possible to handle those features in separate legislation on its own merits. However, I want in any event to make known my view that the higher education provisions are clearly in the national interest.

Would you please VOTE YES ON this bill. San Joaquin Delta College—a community college, greatly needs the support which this bill provides in order to continue to help the hundreds of veterans and disadvantaged minorities. VOTE YES ON S659.

DR. NAOMI E. FITCH,  
Registrar, San Joaquin Delta College.

I would like to commend the Committee and you for your long endeavors and ask for continued support and, hopefully, passage of the amendments.

GIBB R. MADSEN,  
Superintendent-President,  
Hartnell College.

It is unfortunate that the busing amendments were attached to the bill as they certainly cloud the basic issue of Higher Education. However, the over-all recommendations on the Higher Education amendments are very good.

HARRY X. FORD,  
President,  
California College of Arts and Crafts.

We appreciate the opportunity to comment on the Higher Education Act. The provisions will help many students to take advantage of the community college programs. The extension of eligibility to part-time students reaches a particularly deserving group since many of these students must work and cannot attend full time. The institutional aid which accompanies grants and work study will be a godsend to colleges which are in

serious financial distress. We would prefer the general aid provisions originally in the bill, but at least it's a step in the right direction. In a period when unemployment is particularly acute among the 17-25 year age bracket, Congress has shown real statesmanship in providing viable options for the young person who is cut off from the employment market. I applaud your continued leadership in behalf of education.

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

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

GLENN G. GOODER,  
Superintendent-President, Santa  
Barbara Community College District.

#### COLORADO

I have just read the Conference Report on the Higher Education of 1972 and have discussed it with other members of our administration. We believe that in general it is very good and would urge its adoption. The amounts given for the minimum levels of support for E.O.G., Work Study, and Direct Loans appear to us to be absolute minimums for meeting the national needs of students in higher education. Again, we strongly support the Conference Report and stress the necessity of these concepts.

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

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

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

#### CONNECTICUT

I am very enthusiastic about the higher education provisions of the bill. The busing rider bothers me, but I am not qualified to judge how it appears in the light of alternatives. However I did want you to know my view that the provisions relating to student and institutional support would go a long way toward helping all universities without imposing a heavy hand of uniformity on higher education. Best of all, the bill will mean real help to the students—and their parents—who need it most, while still allowing them to choose the institutions they most want to attend. The conferees had a most difficult task. I think they have done it remarkably well.

KINGMAN BREWSTER, JR.,  
Yale University.

Your letter of May 19 carries with it some great news for institutions like Post Junior College. We, as a small and struggling private junior college, need all the support that we can receive from the United States Government. We are urging our own senators and congressmen to vote in favor of the Higher Education bill, S. 659.

DAVID J. LONERGAN,  
Financial Aid Officer,  
Post Junior College.

#### DELAWARE

As President of a new and developing community college system, I urge support of the

Higher Education Amendments of 1972 as described in the Conference Report.

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

#### FLORIDA

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

HUGH ADAMS,  
President,  
Broward Community College.

The University of Miami, an institution private and independent in character and international in scope, endorses with reservations the final conference committee version of the higher education bill of 1972. We are both troubled and disappointed that the irrelevant issue of busing is attended in this bill, for we are convinced that singular attention to the needs of both college students and institutions of higher education is mandated in this time of financial crisis. But we underscore our support for the continuance and expansion of federal commitments to needy students toward the end of equal access through higher education for all those who can benefit from it. Further, we endorse the establishment of the principle of direct federal aid to institutions as a dimension critical to the fiscal salvation of many. We regret that full funding of all programs is not now assured, for the attainment of no less a goal than this is required if higher education is to continue to realize its full potential for leadership in meeting the needs of society. We offer both our gratitude and our compliments to the members of the conference committee for their devoted efforts in behalf of the needs of higher education.

HENRY KING STANFORD,  
President, University of Miami.

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

DR. AMBROSE GARNER,  
Vice President,  
Miami Dade Junior College.

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

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

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

JACK B. CRITCHFIELD,  
President, Rollins College.

I have received the highlights you so kindly sent me of the Conference Report on the Higher Education Amendments of 1972. This extremely important legislation will be of im-



mense benefit to all higher education in this country, including Florida's 28 community colleges. I have, today, wired the entire Florida House delegation urging their support for this bill.

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

To better serve our community and its students we need quick, positive action on the Higher Education Act. S-659 would help meet the needs of our college as our student population increases at 16% per year.

DONALD E. RUTLEDGE,  
Financial Aids Advisor,  
Valencia Community College.

Upon examining the highlights of the Conference Report on the Higher Education Act of 1972, I find it very favorable toward the community college. Even though the community college is the least expensive form of higher education more than 50% of our students need some type of financial aid to complete college. I emphasize this high need percentage with the fact that one of the main purposes of the community colleges is to help educate underprivileged, economically deprived, and vocational-technical program oriented students. S-659 helps in all of these areas. Having some 900 veterans enrolled in our college we also appreciate S-659's \$300 payment to the college per full time veteran. I also support the supplemental EOG funds, the Basic Grant Program, and the matching community college grants for expanding and building. To better serve our community and its students we need quick positive action on the Higher Education Act. S-659 would help meet the needs of our college as our student population increases at 16% per year."

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

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

MYRON R. BLEE,  
Executive Director,  
Associated Consultants in Education.

The administrative staff of Daytona Beach Community College has followed the progress of the Higher Education Amendments of 1972 with great interest. We are most pleased with the Conference Report and the recent action of the Senate. We urge you, members of your committee, and members of the House of Representatives to support the Conference Report.

ROY F. BERGENGREN, JR.,  
President,  
Daytona Beach Community College.

GEORGIA

Delighted Conference Report Higher Education Amendment 1972. Urge immediate passage.

J. R. BURGESS, JR.,  
President, Rhinehardt College.

As an experienced financial aid officer, my reaction to the amendments is that these should make the final bill, even with the inevitable compromises, a landmark in the history of Federal Support for Higher Education and our students. I particularly want to commend the Committee for the amendment requiring the educational institutions

to recommend the amount of a subsidized loan to the lender. The creation of a Student Loan Marketing Association should also have a beneficial impact on the availability of such loans. May I take this opportunity to thank the Committee members; not only as a student financial aid administrator, but also as a citizen and taxpayer; for their labors in this field. It appears that the final bill should be a long step down the road to our mutual goal of removing economic barriers to the opportunity for post secondary education so that every qualified young person will have the education he wants and can absorb."

C. DEAN DALTON,  
Director of Student Financial Aid,  
Georgia State University.

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

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

IDAHO

Deeply concerned regarding passage of Higher Education Compromise bill. Want you to know we appreciate past support and request your continued efforts toward passage of compromise.

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

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

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

Urge passage of S569. Vital that student be funded thru 1975. Your help very much appreciated.

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

ILLINOIS

Our college and students will profit greatly from passage of S659, the Higher Education Act. We are asking our congressmen to support it. Your leadership in this area is appreciated.

ELTISS HENSON.

Springfield College in Illinois and its students greatly need the support which the Higher Education Act, S. 659, provides. We urge you to do all that you can to see that this is passed.

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

We urge your support of the Conference version of S659.

FORREST D. ETHEREDGE,  
President,  
Waubesa Community College.

Kennedy King College completely agrees with Senate Bill 659 and we urge your support for this measure. Our faculty and students all ask for your help in passing this important bill.

MACEO T. BOWIE,  
President, Kennedy King College.

The community colleges in the state of Illinois would greatly benefit from the passage of Senate bill 659. Every facet of the bill would accommodate Spoon River College in meeting a large number of student needs. The recipients either work or repay these monies at a later date. I personally like this aspect of the bill. I trust that you will support Senate bill 659 without hesitation. It will help us.

HEARL C. BISHOP,  
President, Spoon River College.

Overall I am encouraged by this finalized version. Emphasis on occupational development programs, veterans, institutional development and facilities is needed.

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

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

VIRGIL H. JUDGE,  
President, Lake Land College.

My immediate response is one of strong support for the principles exemplified by this report. I would like to see you continue with your diligent efforts to get a compromise bill passed and signed by the President. I fully recognized that any bill will be considered deficient in some way by the various sectors affected. However, at this time you do have in hand proposed legislation which is deserving of passage. Future refinements can be instituted as experience dictates. You and the other conference committee members are to be congratulated for your major accomplishment in this extremely difficult task.

JOHN T. BERNHARD,  
President, Western Illinois University.

I support the conference report. However, I am disappointed that the conference committee rejected the broad principle that the Federal Government should provide general support to all institutions on the basis of the number of students educated. I am, also, troubled by the fact that the anti-busing provisions were a part of the consideration. They should have been a separate issue. Nevertheless I would not want the Higher Education Amendments of 1972 lost because of these issues, so I reluctantly accept these provisions in the amendments.

IVAN E. FRICK,  
President Elmhurst College.

I recommend support for the compromise higher education bill S659 as reported by the conference committee. I do not agree with all provisions of this bill but recognize that it represents a compromise which on balance will provide needed assistance for higher education.

ROLF A. WEIL.

We respectfully urge your support of Senate bill 659, as amended by the conference committees. This legislation will mean that Joliet Junior College can provide educational service to many disadvantaged and veteran students that otherwise simply will not be served. As you are well aware, colleges are facing a financial crisis in this nation. We face this crisis, knowing full well we have to expand our services to serve that disadvantaged element of our youth. It is an investment in human potential that must be realized for our future survival. Without your help and this bill, that investment will never be realized. We thank you for your support of this legislation.

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

The educational community is pleased with this legislation. We feel that this bill deserves

our support, because it affirmatively has responded to virtually all the points that educational leaders brought to the attention of the House and Senate Conference on Higher Education earlier this year. We sincerely urge your continued support in the passage of this legislation so vital to the well being of American Education.

J. RICHARD STOLTZ,  
*President, Lincoln College.*

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

DWIGHT E. DAVIS,  
*Associate Dean Curriculum,  
Development, Joliet Junior College.*

#### INDIANA

The House should pass it as an initial step in an improved Higher Education Act.

LOUIS C. GATTO,  
*President, Marion College.*

We have examined the provisions of the conference committee version of S. 659 which was passed by the Senate on May 17. The bill in its present form is a bipartisan product and would provide substantial support for the Indiana institutions we represent, particularly in student financial assistance and in institutional grants. We urge you to vote for this measure. We know that the bill has undergone many changes in the months of consideration by both houses of Congress and the Conference Committee. Nevertheless, we believe the result—present Conference Committee Report—will provide essential support of the higher education needs of Indiana and the nation.

PRESIDENT ISAAC K. BECKES,  
*Vincennes University,*  
PRESIDENT ARTHUR HANSEN,  
*Purdue University,*  
PRESIDENT JOHN PRUIS,  
*Ball State University,*  
PRESIDENT ALAN RANKIN,  
*Indiana State University,*  
PRESIDENT JOHN RYAN,  
*Indiana University.*

#### IOWA

I am not totally satisfied with the bill but it certainly seems to me to be an essentially good bill for higher education. I am confident that it will be very helpful to us as a small private college. We desperately need help and we need it now.

PAUL D. MORK,  
*President, Waldorf College.*

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

DEAN F. TRAVIS,  
*Dean of the College,  
Clinton Community College.*

#### KANSAS

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

DR. JAMES H. TANGEMAN,  
*President, Colby Community College.*

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

therefore, I strongly support an early adoption of the report.

JOHN E. VISSER,  
*President,  
Kansas State Teachers College,*

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

Continuation and expansion of Community Service and Continuing Education programs, and Titles II, III, and VI of the Higher Education Act are also of direct interest to us.

I feel that the transference of the Higher Educational Facilities Act to become Title VII of Higher Education Act will be of some help administratively as well as the strengthening and expansion of its various programs. We have been beneficiaries of its provisions in our new campus construction which we are beginning to occupy this week.

JACK M. FLINT

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

VERNON V. MAI,  
*Dean of Student Services,  
Dodge City Community College.*

#### KENTUCKY

Urgently request your support of Legislation related to S. 659.

DR. WILLIAM JAMES,  
*President, Kentucky Wesleyan College.*

All 15 staff members and all 250 adult students at Ashland Kentucky Business College urge you to support strongly the Conference Report on Higher Education which has just been reported out of committee. This is a fair bill for all America.

PRESIDENT LEO BLACKBURN,  
*Ashland Kentucky Business Coll.,*  
MICHAEL HIGHER,  
*Student Council President.*

We heartily commend the efforts you and your colleagues have made to come up with a workable and liveable bill. It contains provisions that will benefit us at Bellarmine and our sister private institutions of higher education.

REV. MSGR. RAYMOND J. TREECE,  
*Acting President, Bellarmine College.*

I do hope that this legislation can be successfully passed through both chambers of the Congress this year. It has the possibility of stimulating new emphasis in higher education finance which can ultimately save money to the tax payers while perpetuating the strength of a strong mixed system of public-independent higher education.

THOMAS A. SPRAGENS,  
*President, Centre College of Kentucky.*

My response to these highlights is quite favorable. I feel that the community colleges for the Commonwealth of Kentucky and the students that attend them will benefit greatly.

ROSCOE D. KELLEY,  
*Director, Somerset Community College.*

Please be assured of full support from the education community in your efforts to push this bill through to successful passage.

TROY R. ESLLINGER,  
*President, Lees Junior College.*

We would be grateful for anything you can do to accelerate the passage of the Bill.

H. M. SPARKS,  
*President, Murray State University.*

The Higher Education Bill S. 659 which you have brought through the Subcommittees, full Committees, and now the Joint Conference—is a splendid Bill, with great promise for the American people who are served by higher education including the independent and public two year colleges.

WILLIAM S. HAYES,  
*President, Alice Lloyd College*

I am writing in support of your strong and long standing position on important educational legislation and trust this letter to serve as part of the substantiation needed to urge the House of Representatives to support and pass the Higher Education Bill. This legislation is very important to the community college movement in this country and I am sure you are aware of its value to the Community College System in Kentucky. I am sure of your support and have confidence in our leadership in bringing this bill to a successful passage. Thank you for your continued efforts and be assured of the vital and critical importance to community colleges which hinges on its success.

MARSHALL ARNOLD,  
*Director,  
Henderson Community College.*

#### LOUISIANA

The Conference Committee ironed out the questions at issue to a considerable degree and, in our judgment, this legislation now authorizes both the continuation of proven programs and the establishment of promising new approaches to the support of both individuals and institutions.

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

HERBERT E. LONGENECKER,  
*President, Tulane University.*

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

ROBERT L. MCNEESE,  
*Supervisor of Student Financial Aid,  
Louisiana State University in Shreveport.*

On behalf of the President of St. Mary's Dominican College, we wish to congratulate the Committee on the difficult task they have just completed and urge that the bill be passed. The future of higher education, more especially of private higher education, is critical and believe that a great contribution to our country would be lost if such institutions would cease to exist. We believe that the Committee has made a step in the right direction.

SISTER MARY JUDENE, O.P.,  
*Treasurer,  
St. Mary's Dominican College.*

#### MAINE

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

DONALD R. MCNEIL,  
*Chancellor, University of Maine.*



## MARYLAND

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

WILLIAM G. COLMAN,  
President,

Montgomery County Board of Education.

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

LUTHER G. SHAW,  
President, Garret Community College.

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

EDMUND H. SCHWANKE,  
President, Harford Community College.

## MASSACHUSETTS

Form of Higher Education Bill is excellent.

F. ROY CARLSON,  
President, Mount Ida Junior College.

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

VERY REV. W. J. DUFAULT, A.A.,  
Acting President, Assumption College.

We support the Higher Education Act.

WILBERT E. LOCKLIN,  
President, Springfield College.

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

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

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

MARJORIE HENSLEY, Ed. D.,  
Educational Manager, Essex  
Agriculture and Technical Institute.

## MICHIGAN

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

HAROLD E. SPONBERG,  
President,  
Eastern Michigan University.

Urge your support for S. 659. Our community and students need support this bill provides. As a new community college these priorities conform to ours.

JUSTICE D. SUNDERMANN,  
President,  
Glenn Oaks Community College.

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

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

CXVIII—1280—Part 16

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

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

Understand the House-Senate Conferees have completed their work on S. 659, the Higher Education Act. This bill provides support for our college and its students including many returning Vietnam Veterans. I would urge your support and passage of this important piece of legislation.

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

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

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

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

EDWIN E. WUEHLE,  
President,  
Bay de Noc Community College.

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

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

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

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

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

## MINNESOTA

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

DAVID SWEET,  
President,  
Minnesota Metropolitan State College.

I support immediate passage of the Higher Education bill. Delay will serve to cause addi-

tional jeopardy to the welfare of the students of the Nation.

HOWARD BELLOWES,  
President,  
Southwest Minnesota State College.

Colleges throughout nation in urgent need of provisions asked in Higher Education bill currently before your committee. I respectfully urge your support of this bill.

R. D. DECKER,  
President, Bemidji State College.

I urge your support for passage of Conference Report on Higher Education Act S. 659. The urgent need and general merit of the bill for our colleges and universities offset the anti-busing provisions and warrant your favorable vote.

JAMES F. NICKERSON,  
President, Mankato State College.

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

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

CHARLES J. GRAHAM,  
President, Saint Cloud State College.

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

BERNT C. OPSAL,  
President.

We at St. Thomas—like all of higher education—are pleased with the news in today's paper, that the Senate has passed the Higher Education Bill. The conference committee has kept provisions for EOG, Work-Study, and NDSL in its report and this may rescue an otherwise gloomy current aid picture in those areas. Other parts of the Bill, when and if passed, will provide valuable aid to higher education at this crucial point in history. . . . While such a compromise, omnibus bill has departed from some provisions I would have preferred, the Bill in general deserves our support and therefore I willingly give it, and I urge you to do the same. The Nation cannot afford not to have this Bill passed. Whatever may be the deficiencies of this Bill, including matters of busing, it is infinitely better than no bill this year. The present situation, if not remedied, will be disastrous for this and other colleges.

REV. MSGR. TERRENCE J. MURPHY,  
President, College of St. Thomas.

I join my colleagues in urging your strong support for adoption of the conference report.

R. A. DUFRESNE,  
President, Winona State College.

## MISSISSIPPI

The entire Mary Holmes College community urges your support of S. 659, the Higher Education Act. As a community oriented, two-year college, those served by Mary Holmes since 1892 badly need the support and assistance promised by the adoption of S. 659.

JOHN W. WALTON,  
President, Mary Holmes College.

## MISSOURI

It is essential to the future maintenance and growth of the junior colleges of Missouri that you support passage of the Higher Edu-

cation Act, S. 659. Your help is desperately needed and we would sincerely appreciate any aid that you can give.

**RALPH H. LEE,**  
*President,*  
*Forest Park Community College.*

Passage of Senate Bill 659, in my judgment, essential to the continued development of higher education in America. I have wired all members of the Missouri delegation to urge their support respectively.

**JOSEPH W. FORDYCE,**  
*St. Louis Junior College District.*

Please support the Higher Education Bill.  
**RAYMOND J. STITH,**  
*President,*  
*Florissant Valley Community College.*

Respectfully request your support of Senate Bill 659, Higher Education Act of 1972 when voted on in the House. Benefits derived are of great importance to the students, the college, and the community."

**R. S. WALKER,**  
*Acting President,*  
*Meramec Community College.*

I commend the conference committee on the creative results of its efforts and as a private college President concur in the various aspects of this report. I trust that it will be approved by the two houses of Congress and will be made operative in the near future.

The emphasis on assisting students and then helping colleges that provided an education for these students seems to be the appropriate way of meeting both the needs of the youth of our country and of the colleges which are faced with many problems in meeting the cost of this education."

**FRED HELSABECK,**  
*President, Culver-Stockton College.*

Thank you for forwarding the summary highlights of the Conference Report on Higher Education Amendments of 1972. The action taken by the Senate on these amendments represents a major step toward financing the education of our nation's low income students. The same action by the House is crucial if higher education, and particularly the community college, is to meet the pressing needs of our urban society. I therefore urge you and your fellow representatives to give even stronger support for these amendments than has been indicated in the past by your fine legislative record.

**LESLIE KOLTAL,**  
*Chancellor,*  
*Metropolitan Junior College District.*

I have read the highlights of the Conference Report on the Higher Education Amendments of 1972 and I am in general agreement with the provisions of the Conference Report.

There are some items that I would have preferred other provisions for, however, as a compromise, I feel the Conference Report is quite satisfactory.

**RICHARD CASTER,**  
*President, Mineral Area College.*

This Report conveys a giant step forward for financing the education of American youth.

Although I do not fully understand the minute detail of all the provisions, I do discern that there is significant provision for student aid and institutional aid so desperately needed by so many colleges including Crowder College.

**DELL REED,**  
*President, Crowder College.*

The House-Senate conference committee on S. 659 is to be commended for its far-sighted provisions for the two-year college. The recognition of the service of community

and junior colleges to the achievement of national goals has been conspicuous by its absence at the federal level.

The provisions of the conference version of S. 659 will provide much needed assistance to two-year institutions which have begun their development in the last five years; to complete the development will require funds from as many sources as possible.

I strongly urge you to support S. 659 which will assist Maple Woods Community College in completing its development and which will assist many students in participating in post-secondary education.

**DR. JOHN M. GADZA,**  
*President,*  
*Maple Woods Community College.*

Speaking for the total college community, your support is urgently requested for the conference report on Senate Bill 659, the Higher Education Act.

This college and the residents of the junior college district will be unable to meet the education needs in the areas of occupational programs, student financial aids, and veterans education if this bill is not approved and made law of the land.

**DONALD D. SHOOK,**  
*President,*  
*East Central Junior College.*

#### NEBRASKA

I have followed this with a great deal of interest and concern, and even though there are specific provisions which I wish could be changed, nonetheless, the general tenor of the proposed legislation is such that I hope it will be enacted by the Congress.

Specifically, we are anxious that this step be taken and that you give the necessary leadership and influence in the House of Representatives, hopefully anticipating that it will be passed. We support the Report for adoption.

**VANCE D. ROGERS,**  
*President, Nebraska Wesleyan University.*

#### NEVADA

The provisions and programs contained within the Higher Education Amendments of 1972 are needed now by Western Nevada Community College. Our students, faculty, and administration give you and your committee our full support in finalizing this desperately needed legislation.

**LEON H. VAN DOREN,**  
*Executive Vice President,*  
*Western Nevada Community College.*

We strongly support the amendments and if they are passed by the Congress they would provide much needed assistance for the community colleges in Nevada. We have three community colleges in the state, two of which are in their initial year of operation and the Higher Education Bill would aid all of them immensely in providing occupational programs for students in Nevada currently not being served.

The student aid provisions will be especially helpful in assisting students in starting a college education. We feel that the apportionment formula could make the difference between the success and the failure in our colleges.

**DR. CHARLES DONNELLY,**  
*President, Community College Division, University of Nevada System.*

#### NEW HAMPSHIRE

Dartmouth College supports conference version of Higher Education Amendments of 1972. Believe general recognition of institutional aid principle and value of other programs outweigh some unfortunate features of aid formula and regrettable anti-busing provisions which should never have been included in this bill.

**DR. JOHN G. KEMENY,**  
*President, Dartmouth College.*

We at White Pines College wish to express our complete agreement with the report forwarded to us regarding the Conference Report on the Higher Education Amendments of 1972.

**MARY ANN POWERS,**  
*Financial Officer, White Pines College.*

#### NEW JERSEY

I urge you to support the joint Conference Report on Senate Bill 659, the Omnibus Higher Education Bill. It is imperative that the Nation's two and four year colleges receive the institutional and programmed support included in this bill. The student aid formulas provided for in this legislation are urgently needed. All of the citizens of New Jersey will greatly benefit from the passage of S. 659.

**DR. N. DEAN EVANS,**  
*Chairman, Association of County Community College Presidents of New Jersey.*

I favor passage of the Conference Report on the Higher Education Amendments of 1972. Conferees did an excellent job. I had problems with the Anti-busing amendments and the formula for institutional aid. The bill is too important to go down in defeat on these two points. As president of St. Peters College in Jersey City, I favor adoption by the House and the Senate of your Conference Report.

**REVEREND VICTOR R. YANITELLI, S.J.,**  
*President, St. Peters College.*

We are pleased that the Conference Committee has supported the principles of basic grants to students and institutional aid as well as continuation of the three major student aid programs. We urge continued Congressional effort to pass this bill, and to support the appropriations that must be approved to make it effective. The combination of rising college costs and inadequate aid funds, especially in the initial EOG program, will make next year and subsequent years very difficult without increasing funding. The bill has raised the hopes of students that increased aid will become available to them. Please continue to do all you can to see that these hopes are realized.

**CLARE DAVIES,**  
*Director of Financial Aid,*  
*Newark State College.*

I urge the adoption and implementation of the Conference Report of the Higher Education Amendments of 1972.

**J. P. WORTHINGTON,**  
*President, Luther College.*

I find the main thrust of the Amendments to be in the interests of higher education and, therefore, urge the passage of the Higher Education Bill as revised by the Joint Conference Committee.

**RICHARD K. GREENFIELD,**

Now that the House-Senate conferees have completed their work, I feel that moment of truth has arrived. As in the past, I am steadfast in my assurance that the community college movement, a movement that has made remarkable strides in recent years, is in serious need of the financial support provided under S. 659. Therefore, I reaffirm my resolute support of S. 659 and urge your continued support and direction for its speedy passage into law.

**FRANK M. CHAMBERS,**  
*President, Middlesex County College.*

As you know, I favor across the board increases for colleges as advanced to the pattern outlined in the House. However, I believe that the financial crisis plight of private colleges, as well as public higher education, is serious enough to warrant passage of the Higher Education Bill.



Again, I appreciate all of the help that you have given to higher education. The passage of this Bill will be of great help to Trenton State College.

CLAYTON R. BROWER,  
President, Trenton State College.

#### NORTH CAROLINA

We further encourage your continued support on Senate Bill 659. Our Technical Institute and students greatly need the support which this bill provides for veteran education.

JOHN A. PRICE,  
President, McDowell Technical Institute.

Your support of the Higher Education bill currently in conference is urgently requested. Those sections dealing with student aid, veterans, the occupational education and continuing education programs, and Titles II, III, and VI are especially vital to the successful operation of small post-secondary technical institutes such as ours in the economically depressed Appalachia region.

DONALD N. IRWIN,  
Dean of Instruction,  
Southwestern Technical Institute.

I would like to say that our school finds this bill a most important bill and agree in principle with all of its parts. We feel it is not necessary for part-time students to be eligible for student assistance programs.

It is very important that this bill be passed immediately so that we will be able to notify our new students of the possibility of receiving a National Defense Student Loan for the school year 1972-73. We also ask your strong support to raising the authorization for college work study and initial EOG funds for the year 1972-73.

ELIZABETH BOULUS,  
Financial Aid Director,  
Sacred Heart College.

We appreciate your giving us this opportunity to respond, and we want to assure you that this University administration is wholeheartedly supporting the legislation. We understand that the Senate has acted favorably. We urge the House to do likewise without delay. We very much regret that the busing issue has become entangled in this bill.

BANKS C. TALLEY, Jr.,  
Dean, North Carolina State University.

I want to urge every member of the House Committee on Education and Labor to give their wholehearted support to the Conference Committee Report on Senate Bill 659, the Higher Education Act, because I sincerely believe this bill will enhance the course of higher education in this country.

I sincerely urge support of this report and its passage.

AUBREY R. FLYNT, Jr.,  
Director of Student Personnel Services,  
Bladen Technical Institute.

In reference to S. 659, the Higher Education Act, the support which the bill provides is greatly needed by our students. I am sure the same applies to students at other institutions.

R. BRUCE FREEMAN,  
Financial Aid Director,  
Randolph Technical Institute.

#### NEW YORK

Urge support and favorable vote on 1972 omnibus Higher Education Bill as presented in Senate 659 Conference Report. Legislation vital to higher education in city and state.

LEON M. GOLDSTEIN,  
President, Kingsboro Community College.

Urban Colleges desperately need the support written into S. 659. I urge you and your

colleagues to support the higher education act as submitted by House/Senate Conferees.

DR. JAMES A. COLSTON,  
President, Bronx Community College.

As a parent of 2 college students, I urge your support of S. 659 Higher Education Amendment. Funds are vital to educational programs in Western New York.

MYLES N. FOX.

Students, Faculty and Administration of State University Agricultural and Technical College, Alfred, New York, enthusiastically support Conference Report on Higher Education Amendment of 1972. We urge full adoption by the Congress.

DAVID HUNTINGTON,  
President, State University Agricultural and Technical College.

My analysis of the higher education bill indicates it deserves support which I earnestly solicit.

DR. NEAL ROBBINS,  
President, Genesee Community College.

Disappointed in some aspects of the higher education bill but recognize problems faced by the Committee and therefore on balance urge its passage.

JOHN F. WHITE,  
President, Cooper Union College.

Although disappointed over extraneous busing issues and somewhat complicated institutional aid provisions, I do endorse the omnibus Higher Education Bill S. 659, and ask for support of Conference Report. Many thanks for your thoughtful consideration.

BROTHER GREGORY NUGENT,  
President, Manhattan College.

I believe it is good legislation, and I hope that the Conference Report will be approved by both houses promptly and then funded at the highest level.

MELVIN A. EGGERS,  
Chancellor, Syracuse University.

I have received a summary of the Conference Report on the Higher Education Amendments of 1972 and I wish to indicate my support for the passage of such a Bill.

ROBERT D. LARSSON,  
President, Schenectady County Community College.

I have reservations about the Bill because the Congress has seen fit to tie the future of higher education to the busing issue. But the Bill does make reasonable provision for student aid and embodies the principle of institutional aid. Thus I feel obligated to endorse the Bill and urge you to vote for it.

JOHN W. GRAHAM, Jr.,  
Chancellor,  
Clarkson College of Technology.

North Country Community College in Saranac Lake, New York, is 100 per cent behind the Conference Report.

LAWRENCE H. POOLE,  
Associate Dean of the College,  
North Country Community College.

I should like to express my support of the Conference Report and urge that the Senators and Congressmen pass the resulting legislation.

SISTER MARIE GENEVIEVE LOVE, Ed. E.  
Provost, Mount Saint Mary College.

As we reviewed our programs during the past four months, we realize that Rensselaer faces, for the first time, a deficit in its operations during the 1972-73 academic year. The provision for institutional aid as we understand S. 659, in its present form, would enable us to continue and improve our quality educational offerings. We estimate our total annual institutional grant, according to the

complex formula, could initially be in the \$500,000 for Rensselaer, depending on funds actually appropriated. This would go a long way towards balancing our budget.

We urge you to vote in favor of passage of S. 659 reported out by the Senate-House Conference.

RICHARD J. GROSH,  
President, Rensselaer Polytechnic Institute.

As an educator and administrator of a small but needed community college in a very economically and culturally deprived area of Northeastern New York State, I urge your favorable support of the Conference Report S. 659.

ALFRED B. LIGHT,  
President, Clinton Community College.

The compromises worked out by the Conference Committee of the House of Representatives and Senate appear in the best public interest, and we urge positive action toward moving these to final legislative action as rapidly as possible.

S. V. MARTORANA,  
Vice Chancellor, State University of New York.

From my point of view the basic principle which you and your colleagues have helped to establish in this legislation is more crucial than the details. By making initial provisions for direct grants to academic institutions and by increasing the availability of funds to students, you are recognizing the fact that Higher Education is a national resource which crosses some of our traditional political boundaries and which is serving an ever larger percentage of our population.

The positive advantages the bill holds nonetheless compel me to support it. Not only disadvantaged students but nearly every other facet of higher education also stands to benefit, including community colleges, occupational education, and graduate education.

DALE R. CORSON,  
President, Cornell University.

#### OHIO

Wright State University supports the Conference Report on the Higher Education Amendments of 1972. Please work hard to insure House passage. Thank you.

JOEL R. COHAN,  
Director of Financial Aid,  
Wright State University.

This is valuable legislation for higher education in America and Ohio. We hope for its success in the House.

L. A. TOEPFER,  
President, Case Western Reserve University.

Urge passage of conference version of higher education amendments for 1972.

EVERETT CATTELL,  
President, Malone College.

The hopes of many Ohio young people will be riding on the House vote on S. 659. The hopes of all Ohio higher education institutions for significant financial assistance are also at stake. And for some of our smaller private colleges in Ohio, the passage of S. 659 may well mean survival.

NOVICE G. FAWCETT,  
President, Ohio State University.

Though I regret the inclusion of matters extraneous to higher education, I join what I'm sure will be the great majority of my brother presidents in both the private and public sectors in the fervent hope that S. 659 will be enacted by the Congress and approved by the President.

FRANK E. DUDDY, Jr.,  
President, Marietta College.

It seems to me that the Conference Committee is to be congratulated in maintaining many of the vital elements of the original bills, and I am particularly pleased to see that financial assistance will be available to part-time students, even though they must be "half-time." It is particularly important to community colleges to have the Federal government taking first steps in institutional support because the real estate tax, on which most of us must rely substantially, does not increase automatically with increasing enrollments and voted increases are most difficult to achieve each passing year.

Ms. THOMAS H. HAM,  
Member, Board of Trustees,  
Cuyahoga Community College.

#### OKLAHOMA

As President of a new community college which will open its doors to some 2,000 students in the Fall of 1972, the passage of this legislation is of tremendous interest. For your information, I am sending a copy of the Educational Master Plan which sets forth some of the approaches we are taking in an effort to maximize the effectiveness of our educational programs.

JOHN E. CLEEK,  
President,  
South Oklahoma City Junior College.

We at Murray State College are pleased with the results of your Committee on Higher Education and Labor in regard to the assistance given institutions of higher learning for the purpose of making education available to the youth of our nation. It is our hope that you may use your influence to see that this is enacted by Congress and funded to become available as scheduled by your conference report.

CLYDE R. KINDELL,  
President, Murray State College.

#### PENNSYLVANIA

We support the Conference Report on the Higher Education Amendments and trust you will also.

RAY HOSTETER,  
President, Messiah College.

As a member of the American Association of State Colleges and Universities I want to express my appreciation to you for the support you are giving to the Higher Education bill.

CHESTER T. MCNERNEY,  
President, Edinboro State College.

Be assured of my pleasure in the improvements which are shown in these proposed amendments.

FREDERICK P. SAMPLE,  
President, Lebanon Valley College.

I write to indicate my support of the Conference Report on the Higher Education Amendments of 1972. While certain provisions are of course less than ideal from the colleges' point of view, I recognize the overall benefit we shall gain—which in these critical times will be welcome indeed.

SISTER MARY SCHMIDT,  
President, Seton Hill College.

My immediate reaction to the highlights of the Conference Report on Higher Education Amendments of 1972 was one of complete accord in regard to all of the provisions for Higher Education as contained in these amendments.

KENNETH E. CARL,  
President, The Williamsport Area  
Community College.

It is our earnest hope that the House will act on this legislation promptly. In some way or another, it affects every college student in the nation. Its implications are far-reaching and will improve the life prospects of college-

age young people indefinitely into the future, and consequently the course of our nation. Only through education will men and women realize their full potential, and the occupational programs offered by the community colleges are particularly urgent for a sizable segment of our population. For these reasons, as well as others, we hope that you would urge Congress to pass this legislation, and to do so as soon as possible so that programs can be developed and students enrolled in them.

JAMES L. EVANKO, Acting President;  
JAMES R. SPENCE, Dean of Students;  
Allegheny Campus, Community College  
of Allegheny County.

#### SOUTH CAROLINA

We hope you will support the Higher Education Act S. 659. Our institution and students greatly need the support which this bill provides.

#### ORANGEBURG CALHOUN TECH.

Higher Education urgently needs the programs and funding to be provided under S. 659 as finalized by House-Senate conferees. Any action you can take to secure passage of this vital legislation will be deeply appreciated.

LEX D. WALTERS,  
Piedmont Tech.

Conference Report acceptable—but I deplore anti-busing provisions. Transportation working well in South Carolina—my own children included!

PAUL HARDIN,  
President, Wofford College.

Conference Report on the Higher Education Amendment of 1972 was most encouraging. Early passage of the amendments and adequate appropriations will enable more students, capable and desirous of further training, to enroll in institutions best suited to their needs.

MARC C. WEERSING,  
President, Presbyterian College.

Overall, I would say that this seems to be a very excellent report with much thought being given to it with true concern for our fellow Americans."

R. L. GRISBY,  
Executive Director,  
Midlands Technical Education Center.

Considering the tremendous task before the Conference Committee, I think an outstanding job has been done in bringing about acceptable compromises and agreements in so many areas."

ALAN S. KRECH,  
Planning Officer, South Carolina  
Commission on Higher Education.

#### SOUTH DAKOTA

I feel that these amendments are improvements on the original bill and I do trust that Congress sees fit to accept and vote favorably on the conference report.

H. M. BRIGGS,  
President,  
South Dakota State University.

#### TENNESSEE

Bill S.659, the Higher Education Act, should certainly be passed for the welfare of vocational and technical education.

LEON G. HARDISON,  
Head, Division of Related Studies,  
State Technical Institute at Memphis.

While the Bill in several aspects, particularly that portion having to do with institutional support which is based on the level of Federal expenditures at institutions for federally aided students, is not my first choice, I do heartily recommend the approval by the

House of Representatives of the Conference Committee Report. There are a number of substantial improvements in the Federal program which are authorized by this Report. For that reason I do recommend its approval. I am a great believer in the truism that democracy is the art of the possible. It seems to me that the Bill which resulted from the long weeks of deliberations by the Conference Committee represents the best possible Bill which can be adopted during the current fiscal year."

J. JEFFERSON BENNETT,  
Office of the Vice-Chancellor and President,  
The University of the South.

We have reviewed each of the areas discussed in the Highlights of the Conference Report and wish to commend you and the other committee members for the manner with which you have treated Higher Education.

D. F. ADKISSON,  
President,  
Cleveland State Community College.

This will assure you that you have our endorsement of the recommendations of this Committee and to express our sincere gratitude to those who have worked so faithfully in support of these programs.

B. D. BENTON,  
Executive Director  
of Development, Hiwassee College.

My immediate reaction is very favorable. I am certainly relieved to see that past programs in Student Aid have been continued and that funding has been extended. Without them, students' ability to attend college would have been very limited.

JOHN J. BRANNON,  
Department Head of Student Aid and Veterans, State Technical Institute at Memphis.

We at Tennessee State University believe that Student Aid section of the Conference Report on the Higher Education Amendments of 1972 will be very helpful to our nation's commitment to full opportunity of higher education.

A. P. TORRENCE,  
President, Tennessee State University.

#### TEXAS

In my opinion, if the amendments stated in your report become law and are fully funded, a bright new day will come in higher education. It will allow no student to be turned away for lack of financial resources. It will give the institutions which handle the task of higher education a broad financial base and will sustain a dual system of education within our country. It will also give the financial support needed to raise the academic standards required by a maturing nation which must advance or decay. This is a bill which recognizes the needs of higher education and applies the greatest amount of funds to the area of the greatest need. The alternative to such a bill is very bleak indeed. Private schools are closing while state supported schools take up the slack in some measure at a much higher ratio of cost to the taxpayer. The broad base of academic flexibility afforded by private institutions is the very foundation of our democracy. Our way of life would be in jeopardy if we were to continue the present erosion of private education because of lack of adequate financing. I believe that your conference committee has taken the best of the House and Senate bills and reduced them to a very workable bill which can be justifiably funded.

I support the conference version of the bill and hope that my colleagues in higher



education generally will give you the same response.

JACK K. WILLIAMS,  
President, Texas A & M University.

I think this is a great bill in many ways.

AL G. LANGFORD,  
President, Midland College.

In response to your request for immediate reaction to The Conference Report on the Higher Education Amendments of 1972, I am pleased to offer the following comments, some of which might be amended after the full text is studied. The bill is indeed of landmark quality.—P.S. I am President of the private college organization in Texas, and I believe I am speaking to some extent for them.

J. M. MOUDY,  
Chancellor,  
Texas Christian University.

I am in favor of and impressed by the Conference Report on the Higher Education Amendments for 1972. Although I perhaps do not know as much as I should on some of the specific amounts, all that I can find indicates that these will be generally adequate to continue the very necessary programs that are now in operation. I am particularly pleased with the Student Loan Marketing Association as I think it will eliminate some very severe problems that have been found in some areas. In addition, I think that the increase in maximum amounts might be valuable to some of our students as they transfer to distant senior colleges. I feel that the section on community colleges is good, particularly the grants for planning, developing, etc. new colleges. In Texas at least, we find that perhaps new colleges could be started if there were a little "seed money" to get them off the ground.

PHILIP T. SPERGLE,  
President, Odessa College.

We should like to express to you and the members of the Committee on Education and Labor our sincere appreciation for the excellent work which has been done on the Higher Education Act, S. 659. We feel that provisions of this bill which greatly increase the range of federal aid to higher education are excellent.

JACK W. HUDGINS,  
President, Angelina College.

We, the educators, administrators and students of the El Paso Community College, are very strongly in favor of this bill.

BEN BOTELLO, JR.,  
Veterans Affairs Coordinator,  
El Paso Community College.

My general reaction to the program is favorable. The general provisions are certainly ones which we would be happy to accept.

JOHNNY S. PAYNE,  
Vice-President,  
Temple Junior College.

#### UTAH

You are to be complimented on the leadership you have given Vocational Education and the monies provided for community colleges in the amendments. We hope that this bill passes.

WILSON W. SORENSON,  
President, Utah Technical College.

#### VERMONT

We urge your support of S659 Higher Education Act. Austerity Vermont appropriations forced increased charges to students each of last four years. 68% of our students are on financial aid. S659 mandatory to keep our occupational education alive.

PIERRE KIEFFER,  
President, Vermont Technical College.

As immediate past president of the National Council of Independent Junior Colleges and a former member of the Commission on Legislation of the American Association of Junior Colleges I urge you to support the Higher Education Act, S659 as recommended by the House-Senate conferees and approved by the Senate 63 to 15 on May 24, 1972.

WILLIAM L. IRVINE,  
President, Vermont College.

#### VIRGINIA

Responding to Higher Education Amendments of 1972—urge passing on omnibus higher education bill. Student aid portions particularly significant to us for students from lower income group.

ROY E. MCTARNAGHAN,  
Director, State Council  
of Higher Education for Virginia.

I am writing to ask your support for S. 659, the Higher Education Act, which I understand will be presented for House action next week. An administrator at Northern Virginia Community College, I am properly concerned that the educational opportunities which are offered to the citizens of Northern Virginia are not only maintained but increased. These opportunities, which are available not only to the recent high school graduate but to the more mature citizen whose education has been interrupted or requires additional education for a career advancement, are dependent to a significant degree on the support afforded by such acts as the Higher Education Act.

DONALD L. BISOERF,  
Provost, Eastern Campus,  
Northern Virginia Community College.

I encourage support of S. 659, the Higher Education Act, and the Cranston Veterans' amendment to provide additional assistance for veterans.

EDWIN L. WALKER,  
Coordinator, Admissions and Records,  
Northern Virginia Community College.

As a newly developing institution, it is most urgent for us that the Amendments be enacted in order that appropriations action be initiated prior to Fall term of this academic year.

HAROLD J. MCGEE,  
President,  
Piedmont Virginia Community College.

I write to say how much I hope that you will vote for the Omnibus Education Bill of 1972, which is scheduled to come to the floor of the House next week and has passed the Senate with the support of both of Virginia's Senators. This bill is of signal importance to the future vitality and strength of higher education upon which the economic, social and cultural capacity of the nation depends to such a large extent. The educational provisions of the bill are so essential at this time that I trust their merits will not be subordinated to the amendments concerning school busing, which is a matter extraneous to the activities and goals of higher education.

EDGAR F. SHANNON, JR.,  
President, University of Virginia.

#### WASHINGTON

On behalf of Yakima Valley College I urge your support of Higher Education Bill S659.

DR. THOMAS DEEM,  
President, Yakima Valley College.

We urge your support of the passage of the Higher Education Student Assistance Bill, S. 659, on June 5th. We have reviewed both the Senate and House bills prior to conference and have studied the compromise

bill reported out of conference May 16. We feel that this is a good bill having long term ramifications of benefits to students who otherwise would not have access to higher education. This is a bill which assists not only the disadvantaged low income students but also the middle income sector whose income hasn't kept pace with rising educational costs.

SUZANNE C. FEENEY,  
Director of Financial Aid,  
University of Washington.

I understand that conference work has been completed on S. 659, the Higher Education Act, and I wish to urge the adoption of this act.

DAVID B. STORY,  
President,  
Lower Columbia College.

In sum, we regard the passage of the Amendments as desirable, and commend the conference members for their hard work. The Amendments reflect attention to concerns in the field.

BOYD C. MILLS,  
Director, Community College Program,  
Eastern Washington State College.

I would like to make one point. S. 659 not only affords the opportunity for all in higher education (academic and vocational), but offers direct aid to institutions to support these students. Both students from low-income and middle class families will be aided. On behalf of our students and future students, I am urging you to vote affirmatively on this measure.

MARION O. OPPELT,  
President,  
DONALD N. NOBLE,  
Financial Aid and Placement Officer,  
Fort Steilacoom Community College.

#### WASHINGTON, D.C.

Mount Vernon College of Washington, D.C., urges your favorable action on S. 659. The passage of S. 659 is of vital importance to two year college students throughout the nation and we need your support and endorsement. We will gratefully appreciate your vote of "yes."

PETER D. PELHAM,  
President, Mount Vernon College.

I hope you will continue to use your powerful influence with other members of the House to accept the bill as reported out of Conference, recognizing it for the steps it does take in the right direction.

GEORGE H. WILLIAMS,  
President, The American University.

#### WEST VIRGINIA

This correspondence is sent to register my strong support of the conference report developed by members of the Senate and House of Representatives on the Higher Education Amendments of 1972. I trust Congress will respond quickly and favorably to the report.

JAMES L. CHAPMAN,  
President,

#### WISCONSIN

I urge your ardent support of the conference report, and I pray for swift action so that the universities will have time to make award adjustments prior to the beginning of the fall semester.

PHILIP C. GEORGE,  
Director of Student Financial Aids,  
Wisconsin State University.

Higher education compromise bill not ideal but urgency of our financial crisis demands passage of this bill with hope of formula changes later. Private colleges must

survive for their value to education and for economy of all taxpayers. Urge support of you and your colleagues.

ROBERT CHRISTIN,  
President, Saint Norbert College.

Mount Senario College, along with all of higher education, has a vital interest in the passage of the higher educational bill as it has come from the Joint Committee of the House and Senate.

BRUCE A. HARRISON,  
Mount Senario College.

In my view the committee has done an outstanding piece of work in arriving at reasonable solutions to the current problems of student and institutional aid.

T. N. SAVIDES,  
Dean, The University of Wisconsin.

I would lend my hearty endorsement of all provisions, particularly those that affect student assistance programs in the form of direct loans and college work-study. I also feel that the proposed payments for Veterans cost of instruction to institutions and the Community Service and Continuing Education programs would be of particular benefit to the communities served by our institution. I therefore strongly urge support of these proposals.

HARRY J. MAXWELL,  
Dean, The University of Wisconsin.

At a conference on legislation convened here in Washington June 6, 1972, by the National Federation of Licensed Practical Nurses, nearly 150 delegates from 35 states adopted the following resolution unanimously: Be it resolved that the delegates to this conference go on record in support of the report on the Education Amendments of 1972. The Delegates to NFLPN Conference are Presidents, Executive Directors, and Legislation Chairmen in their respective states.

Mrs. MARY B. RUNNELS,  
President, National Federation  
of Licensed Practical Nurses.

The SPEAKER. The time of the gentleman from Kentucky has expired.

#### POINT OF ORDER

Mr. TEAGUE of Texas. Mr. Speaker, I desire to make a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TEAGUE of Texas. Mr. Speaker, the rules of the House limit the number of staff members who are allowed on the floor in a situation like this and I make the point of order that this committee has violated that rule of the House.

Mr. Speaker, the reason I make this point of order is to point up the fact that if the debate concerning this conference report requires 10 or 15 staff members to be on the floor to tell them what to say or what to do, then for sure they must not know what is in the bill.

The SPEAKER. The gentleman has made a point of order that the committee has violated the rules of the House in bringing an excessive number of committee staff members to the floor. The rule which governs situations of this kind is rule 32 which lists those who do have the privileges of the floor, and contains the clause: "and clerks of committees when business from their committee is under consideration; and it shall not be in order for the Speaker to entertain a request for the suspension of this rule."

This rule was adopted before the Reorganization Act of 1947 which provided

for four professional staff members for each committee. The Chair must hold under the rule that no committee is entitled under the rules of the House—because the Chair cannot waive the rule—to more than four professional staff members and the clerk, a total of five.

Mr. TEAGUE of Texas. Mr. Speaker, would the Speaker request the staff beyond that number to leave the floor?

Mr. PERKINS. Mr. Speaker, let me say something, I certainly want to comply with the rules of the House, but the ranking members of the subcommittee requested the staff and that has always been the custom. And I certainly hope in the future that all committees will abide by the rules of the House, because it would be the purpose of the Committee on Education and Labor to abide by the rules of the House in the future.

I regret that the gentleman from Texas who opposes the bill has made the point of order of this kind, because it certainly would never have been done by the gentleman from Kentucky.

The SPEAKER. The Chair would like to add further that the rule explicitly prohibits the Chair from making an exception to the rules. If however procedures have changed to the point where every subcommittee wishes to be represented, then the rules of the House should be changed so that the Chair can keep within the rules of the House and to permit other members of the staff to come on the floor in excess of this present number.

For what purpose does the gentleman from Texas (Mr. TEAGUE) rise?

Mr. TEAGUE of Texas. Mr. Speaker, the gentleman from Texas was merely trying to make the point that nobody on this floor knows what is in this bill—and it took six pages to explain the conference report.

The SPEAKER. For what purpose does the gentleman from Louisiana (Mr. WAGGONER) rise?

Mr. WAGGONER. Mr. Speaker, has all time expired?

The SPEAKER. No, it has not. Let the Chair state that the gentleman from Minnesota has 4 minutes remaining and the gentleman from Kentucky has 3½ minutes remaining.

Mr. PERKINS. Mr. Speaker, I yield 3 minutes to the distinguished majority leader, the gentleman from Louisiana (Mr. BOGGS).

Mr. BOGGS. Mr. Speaker, I know that on both sides of this issue this afternoon there are many Members who are greatly troubled. They find Members with irreconcilable views coming to the same conclusion. That would indicate that probably the easy vote here today would be a "no" vote because if one voted "no," one could say that he was pleasing both sides on this highly emotional and difficult issue.

I wonder though if that is the reasonable and logical thing to do here this afternoon.

This bill extends the five vital existing higher education programs for an additional 3 years.

In addition to that, it creates at least

five new programs which are the result of many years of study and effort. They are:

The so-called new basic educational opportunity grants.

The program of direct general assistance to the colleges.

The basic grants to the students.

A new program designed to help the States design postsecondary education programs.

The new program for community colleges.

The new National Institute of Education.

These are vital to the continuation of higher education in this country.

But the vote here today comes not on the basic issue but on the hope of rejecting the conference report and passing a preferential motion to extend the existing programs and substitute different language for the busing provision.

Mr. Speaker, I just do not think that that can come to pass. To begin with, the other body by a lopsided vote—I think there were only 13 votes in the negative—the other body has already adopted this conference report.

I cannot believe at this late stage that the Senate would go back to another conference. That would mean that our only recourse would be new legislation.

Mr. Speaker, the education conference report on which the House will vote today is one of the most significant pieces of legislation to come before this Congress.

The report extends, for an additional 3 years, programs that have proven their worth in helping to build the American system of higher education, including:

The national defense education loan program, under which over 5 million students have obtained low-interest loans over the past 13 years.

The Higher Education Facilities Act, which since its inception has played a major role in the great expansion of college and university facilities over the past decade.

The educational opportunity grant and college work-study programs, which provide financial assistance to needy students for whom a college education would otherwise be out of reach.

The guaranteed student loan program, under which last year alone, 1,080,739 million students obtained more than \$1 billion in loans from banks and other lending institutions under the auspices of a Federal guarantee of the principal and interest; and

The so-called categorical aid programs, under which Federal funds are made available to colleges and universities for specific purpose activities, including library support, teacher training, and facilities renovation, as well as language and area studies and other specific categories of academic pursuit.

Mr. Speaker, these programs have served our Nation well and deserve to be continued.

But there are other, new programs that will be established under the provisions of the conference report, which will make it a landmark in Federal support for higher education.



Two of these programs are particularly significant:

A new system of "Basic Educational Opportunity Grants," will be established, under which every American college student, from middle-income as well as low-income families, will be entitled to receive an annual grant of \$1,400, less that amount his or her family can reasonably be expected to contribute to his or her education.

The new program of direct, general assistance to colleges and universities will be inaugurated, under which each institution will receive a payment based on the number of federally assisted undergraduate students it enrolls, the amount of aid they receive, and the number of graduate students it enrolls. These payments may be used by each college and university as it sees fit—no Federal "strings," other than a requirement that the money not be used for sectarian purposes, are attached.

These two innovations—basic grants and direct assistance to colleges and universities—constitute the major new programs established under the conference report, but there are several other innovations agreed to by the conferees that also deserve mention:

A new program to help the States design, establish, and operate postsecondary occupational education programs is created that will answer a long neglected need in our system of postsecondary education—the vocational training of the young man and woman who does not desire to pursue an academic degree;

A new program of startup and expansion grants for community colleges, the fastest growing segment of our higher education system, in terms of both size and popularity; and

The establishment of a National Institute of Education, patterned after the National Institutes of Health, which will conduct, support, and disseminate the products of research at all levels of education, from preschool through the graduate school.

In the list of programs I have mentioned there may be found proposals of this administration as well as the previous one, of the House as well as the Senate, of Republican as well as the Democratic Party.

The measure before us thus constitutes not only a rational and comprehensive response to the needs of American higher education, but a bipartisan one as well.

Mr. Speaker, this legislation should command the support of every Member of the House.

It is the product of 2 years work in this as well as the other body.

Our 6 million college students and the institutions they attend can wait no longer for Congress to take action in this important area.

Let us examine that question of new legislation for a moment. Here we are in the second week of June. We are a month away from the first great national political convention and 2 months away from the second great political convention. We have about 6 active legislative weeks between now and that second national convention.

And then the fall campaign will be here—therefore, I say to you—I say to all of you—if you want an education bill, I hope you will think a long time before you vote "No" on this conference report.

The SPEAKER. The time of the gentleman has expired.

Mr. QUIE. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, as we come to the end of this debate, I imagine that most of you now know what is in the legislation. It has been around for a long time. The House passed its version last November 4, 1971, and it has been out of conference now for 3 weeks.

Mr. Speaker, I am extremely proud of this bill. I do not think the Congress has ever passed a better piece of postsecondary education legislation. I think it is one of the most thoroughly researched and discussed education bills that our committee has reported out. We have put 2½ years into its development.

All of our colleges—let me repeat—all of our colleges and millions of our constituents will benefit directly from this legislation.

A simple extension or preferential motion, which was spoken of, just will not do the job. Going that route would not provide several provisions now in this legislation:

First. We would not provide relief for hundreds of thousands of middle-income and needier students.

Second. We would not have a secondary market for guaranteed loans.

Third. We would not have the long-sought-after general assistance to institutions of higher education.

Fourth. We would not have this great general assistance for institutions of higher education. It is the best formula, providing the most money for private colleges of any formula that has been considered so far.

Fifth. We would not have the National Institute for Education to launch new research in teaching and learning.

Sixth. No new authority for innovation grants in postsecondary education.

Seventh. And if the preferential motion were to be enacted into law—and I am certain it would not because the Senate would never approve it—we would not have this major new advancement in support of vocational and occupational education, which is desperately needed.

These probably are not the issues for most of you. The issue undoubtedly is busing. That seems to be on most people's minds. Many have talked about the excesses of the courts on the question of busing. This bill provides an opportunity for the Congress to act in a meaningful way. And let me remind you of the adage that "A bird in hand is worth two in the bush."

I believe this 18-month moratorium on the implementation of court orders and the limitations on the use of Federal funds for busing spells "results." For those who have exhausted their appeals and others who face massive financial hurdles to carry out the process of desegregation this bill authorizes \$2 billion. And that spells "results."

I intend to push for further legislation in this regard in our Committee on Education and Labor. But I do not think

anyone can have confidence that legislation to put limits on the courts is going to be enacted into law in this Congress. If this bill does not pass, you lose the opportunity to put some limit on the courts.

I talk to those of you who, 2 to 1, voted to instruct the conferees. This is your last opportunity to enact these busing limitations. You can limit the Federal agencies all you want to on appropriation bills, but here you have something that is excellent for higher education, the best we could produce, and you can make some headway on a limitation on the courts. What more can you ask now?

I urge you to support the conference report and pass and enact this landmark piece of legislation.

Mr. CELLER. Mr. Speaker, I cannot in all good conscience vote for this conference report. Unquestionably, the educational provisions of the higher education bill are desirable and merit support and I would do so without hesitation were it not coupled with provisions inimicable to civil rights. To vote for this conference report would, for me, spell the abandonment of my lifelong held commitment to constitutionally secured civil rights and an equal abhorrence of unwarranted interference with judicial process.

The educational goals of the conference report are admittedly of high benefit. But to have coupled desirable goals with undesirable ones places me in the position of having to say not that I loved Rome less but that I loved honor more.

A defeat of the conference report will not mean that the educational provisions will be lost. They can and should be separated from the segregationist provisions and Congress has the machinery to do so.

Let the choices be clear and clean cut. I, for one, cannot steer a boat between Scylla and Charybdis.

Mr. ANDERSON of Illinois. Mr. Speaker, it is in my judgment highly unfortunate that under the parliamentary procedures that prevail today it is not possible to divide the question in such a manner that separate votes can be had on the portions of this bill which deal with higher education, and those which have the effect of plunging us still further into the troubled waters of the highly emotional and divisive subject of school busing for primary and secondary school students. However, as is frequently the case, Members of the House will be required by their vote here today to accept or reject a far-reaching and multifaceted piece of legislation, and in doing so to make a determination whether on balance there is more good than bad contained in this omnibus bill. As one who voted against instructing House conferees on the subject of busing on both of the occasions when that question was before the House, I have the most serious reservations both with respect to the constitutionality and the wisdom of injecting the nongermane question of busing into a bill which deals primarily with the significant problems of higher education.

I should like in the brief time that I have to direct myself to the question of the so-called Broomfield amendment that would delay for up to 19 months, pending all appeals, any Federal court orders requiring the transfer of transportation

of students for the purposes of achieving a balance with respect to race, sex, religion, or socioeconomic status.

I have carefully read the decision in the Swann case which clearly states that there is no constitutional requirement to achieve racial balance in the classroom. As I understand that decision, the court did not feel that the affirmative duty to desegregate dual school systems that was imposed upon local educational agencies by the court in the Brown case could be so extended. I take, therefore, the view that since the Supreme Court has already ruled in that fashion that the amendment that comes back to us as a part of the conference report is actually quite meaningless because although it contains provisions for mandatory stay on district court orders which would prescribe racial balance, it does not pretend to go so far as to decree a stay with respect to court orders that mandate desegregation. The latter would clearly be impermissible from a constitutional point of view.

I also believe that the conferees have altered the Ashbrook amendment which would have completely prohibited the use of Federal funds for busing to overcome racial imbalance in a very fundamental way with the incorporation of the proviso "except on the express written voluntary request of appropriate local school officials." Likewise the conferees have significantly altered the legal import of the so-called Green amendment which would have prohibited Federal officials from requiring or urging schools to use their own funds for busing when the words "unless constitutionally required" were added.

Having said all this, I recognize that there is still significant opposition to the inclusion of even the modified language of the Green, Ashbrook, and Broomfield amendments on the basis that it represents a step backward in the effort to promote desegregation and equality of educational opportunity in our country. In the case of Alexander against Holmes County which was decided in 1969, the Supreme Court indicated clearly that as a matter of constitutional principle it would brook no delay in the elimination of de jure segregation. However, in reliance upon my belief that the wording of the Broomfield amendment as it finally was incorporated in the conference report does not attempt to interfere with desegregation, but only with those situations where a court has erroneously mandated racial balance, I believe that this provision might pass the test of constitutionality.

I also believe that some of those who are adamant in opposition to the conference report because of the language that I have discussed above should bear in mind that this bill will make it possible over the next 2 fiscal years to distribute \$2 billion in Federal funds for the purpose of promoting and assisting desegregation efforts in our Nation's schools. The defeat of this conference report would mean that for a further indefinite period these funds would not be made available.

I think we must also realize that one consequence of the defeat of this conference report would be to possibly doom

for some years to come the enactment of some extremely worthwhile programs in the field of student financial aid and assistance that are designed expressly to help the disadvantaged student, many of whom are also members of minority groups. We must also be cognizant of the fact that the Carnegie Commission Report on Higher Education which to my knowledge has never been seriously challenged with respect to the accuracy of its conclusion, indicates very clearly that prompt Federal enactment of some form of institutional aid is the only thing that stands between many smaller colleges and universities and complete financial disaster.

I have frankly some great reservations about other portions of this bill than those that deal with the question of civil rights. The formula that has been enacted for dispensing institutional aid is almost unbelievably complex. I find it very difficult to see how colleges and universities can do the intelligent forward-planning required for a wise and judicious use of these funds when the amount of aid that they will be receiving is subject to so many contingencies with regard to the level of funding by Congress of the various student aid programs.

However, the plight of many of these institutions has become so desperate that I fear that at this point it is almost a question of something being better than nothing. However, I would take this opportunity to express the hope and, indeed, the convictions that it will be both desirable and necessary for the Education and Labor Committee to go back to the drawing boards and come up with a more workable formula. Having been critical of various aspects of this legislation I want to make it clear that I think that in many respects it richly deserves the distinction of being truly historic and landmark legislation. The establishment of a national institute of education, the funding of community colleges, the development of new programs of postsecondary vocational training and education, and the development of a mechanism for the secondary financing of student loans are all excellent provisions.

Therefore, I have after a great deal of thought decided that on balance this conference report should have my support. Finally, I would express the hope that in the weeks ahead Congress can act responsibly on the nettlesome question of providing proper guidelines for the judiciary which will have the effect of settling the question of school desegregation in a constitutional and responsible manner so that in the future we do not find it necessary to encumber otherwise worthwhile legislation with non-germane provisions of the type that were attached to this bill.

Mr. GOODLING. Mr. Speaker, I am strongly opposed to S. 659, the higher education bill, because I firmly believe that this legislation will not obtain the end product of the dynamic higher educational system it purports to achieve.

For one thing, this bill is clouded by having in its content antibusing provisions that have no place in educational legislation, either from a practical standpoint or from a recognition of appropriateness. Antibusing legislation, as recom-

mended to the Congress by President Nixon, should be acted upon separately and expeditiously by this legislative body.

For another thing, the institutional aid formula of this legislation is highly complicated in nature, and it is inequitable in nature, both for many educational institutions and many students.

It should not be the role of Congress to use economic coercion, as is provided through this bill, to persuade colleges and universities to provide compensatory education. To me it is wrong for the Federal Government to try to force educational institutions into a mold on selecting students.

In addition to this, an institution of education, in order to be eligible for institutional aid, would have to increase its veteran enrollment by 10 percent each year. From a practical standpoint, if private 2- and 4-year colleges were to receive money under this program, they would be forced to duplicate many of the services now being performed by the Veterans Administration.

I would like to say here that I stand in strong support of educational programs for veterans. Perhaps there is a need for some reform in our educational benefits for veterans law, but if there is, this legislation should not be the place to effect such reform.

It should be noted that the institutional aid of this legislation is tied not to the need, worth, or contributions of educational establishments but to federal assistance to needy students. In our society, however, education should be made available for all qualified individuals and not for a select group. The bill before us appears to focus completely on needy students who are receiving Federal assistance. It ignores needy students who, on their own initiative, are providing aid for themselves by such means as working their way through college and obtaining scholarships from sources other than Government money.

This legislation has, because of the diversity of views expressed on it, divided the higher educational community. I feel we should seek some legislation that promotes harmony in this community, for after all, that's the subject of the legislation.

Mr. CONTE. Mr. Speaker, I rise in support of the conference report on the Education Amendment of 1972, the 92d Congress most significant achievement in the field of education. Indeed, it is no exaggeration to call it the most important legislation affecting higher education since the Congress approved aid to land-grant colleges over 100 years ago.

The conferees labored hard and long on this bill and I applaud them for their dedication and their stamina. With the more than 250 differences that had to be resolved in the House and Senate versions, there were bound to be some dissatisfactions with the agreements that were reached. I need remind no one here, however, that compromise and accommodation are an important and often necessary part of the legislative process.

It was just 15 years ago that the launching of sputnik signaled a new era of competition in education and weaponry. Hopefully the historic accords reached last month between the United



States and the Soviet Union will halt the frenzied arms buildup which has plagued us over the past decade. However our struggle on the educational front must continue and be intensified.

Human history has aptly been described as a race between education and catastrophe. Unfortunately education has been falling behind in that race. It is imperative that we seize the opportunity afforded by the arms accord to direct a greater amount of resources to the country's educational system—certainly the largest and most important activity that this Nation is engaged in. This education bill provides us with a worthy vehicle for that goal.

Throughout my 22 years in public life, I have been deeply committed to improving educational opportunities for our Nation's young people. I know that my colleagues here share that same sense of commitment.

As a member of the Labor-HEW Appropriations Subcommittee, I pledge my continuing support in this crucial effort and I urge my colleagues to approve this conference report.

Thank you, Mr. Speaker.

Mr. MIZELL. Mr. Speaker, when the House of Representatives first considered the higher education bill some time ago, I was happy to support it, because I believed the bill included some responsible provisions for improving the Nation's higher education system.

An additional incentive for supporting the original bill was the strong language of three amendments which placed effective restrictions on court-ordered busing for racial balance.

One of those amendments forbade the use of Federal funds for forced busing; another prohibited Federal agencies from encouraging local officials to use local funds for busing; and the third would have stayed all busing orders until all appeals were made through the courts.

As my colleagues know, I have been seeking a legislative remedy to the busing situation ever since coming to Congress 3½ years ago. I introduced my own nondiscriminatory education act in 1969, which would have preserved the neighborhood school concept, and in 1971, I was the first Member of Congress to propose a constitutional amendment prohibiting the assignment of students to schools on the basis of race.

I supported the antibusing amendments to the House higher education bill, believing them to be important initial steps toward the goal of prohibiting busing solely for the purpose of achieving some arbitrarily contrived quota of racial balance in our schools.

I joined the overwhelming majority of my colleagues in voting to instruct our conferees not to compromise these amendments when they met with the Senate conferees to resolve differences between the House and Senate versions of the higher education bill.

This instructing motion was passed not just once, but twice, and both times by sizable majorities. The intent of the House as far as busing was concerned could not have been made more plain, nor more forcefully demonstrated.

But despite all this, the Ashbrook, Green, and Broomfield amendments were

all bargained away in the conference committee, and we are left today with a mere shadow of the substantive measures we had originally approved.

The moratorium proposed in this legislation today is not a solution to anything. Its only real effect will be to thwart the will of the American people, to make a mockery of previous House actions, and to remove the pressure for a solution which the people have rightly brought to bear on the Congress.

This moratorium offers no relief to the busing situation in my district. It is at best a temporary holding action and at worst a deliberate effort to spare Northern school districts the heavy financial and social burdens which busing has forced on school districts in the South.

It has been my personal feeling all along that higher education and busing are two matters of such great importance that they should have been considered separately.

Still, I was enthusiastic about the original House bill, with its generous provisions for higher education and its meaningful restrictions on busing.

My enthusiasm for that bill, though, cannot be extended to the legislation before us today. While it contains some much needed assistance to our beleaguered colleges and universities, it dooms several hundred primary and secondary schools to more chaos and more wasted resources as a result of unreasonable busing plans already in effect and not subject to appeal.

I am committed to the principle that every American child, no matter what his race, no matter what his age, deserves the best possible education he can receive, in elementary school, in junior high and high school, in vocational training centers, and in our colleges.

That commitment will not allow me to sacrifice a young child's opportunity for a quality education on the busing altar for the sake of his college-bound brother or sister. Quality education in America need not be an "either or" situation.

I want to see this Congress enact the best higher education legislation possible, with the most generous assistance we can responsibly provide. America's colleges and universities, the students who attend them, and the parents who pay most of the bills, deserve nothing less.

But there is no good reason why we should pay the cost of continued forced busing as the price for higher education legislation.

I call upon my colleagues to join me in voting down this conference report, and make new legislation on higher education and more effective prohibitions against busing our highest and most immediate priorities.

Mr. MINSHALL. Mr. Speaker, I congratulate and thank conferees for retaining the ethnic heritage studies provision in the higher education conference report.

I strongly believe in this program. The Senate has written its provision carefully and well, providing for substantial but not extravagant funding. It dispels for me the misgivings many of us felt last

fall when we defeated the House version in a 200-159 recorded teller vote.

My own vote was cast most reluctantly last November 4, for I recognized the inherent value of ethnic heritage studies. But I also realized that the very ethnic groups I have the privilege of representing are solid, frugal, hard-working citizens, the last people I know who would want this sort of costly adventuring into unknown territory with their tax money.

The House version called for an initial \$50 million for ethnic heritage studies, and I found no one, including proponents who came to Washington to lobby for this money, able to give a satisfactory outline of a program justifying expenditure of such an enormous sum of money. To the thinking of a majority of us in the House, there was a lack of substance in the request. The Senate version calls for an initial outlay of \$15 million, a reduction of \$35 million, and details the activities much more satisfactorily.

Very briefly, the Senate version, which I support, gives to the Office of Education the responsibility for making grants or contracts and promulgating regulations and guidelines for the ethnic heritage programs. Applicants must be non-profit, public and private educational agencies, institutions and organizations, from grade school through college level.

Programs receiving aid under this legislation will develop and distribute curriculum materials for use in these schools relating to the history, geography, society, economy, literature, art, music, drama, language, and general culture of the group or groups with which the program is concerned, and the contributions of that ethnic group or groups to the American heritage. At the same time, these programs will provide training for persons using or preparing to use these curriculum materials.

Each ethnic heritage program will cooperate with persons and organizations with a special interest in ethnic groups with which the program is concerned to help them in promoting, developing, and producing programs or other activities relating to the history, culture, and traditions of the nationality or nationalities involved.

An application can be approved only after it has been determined that the program has been planned and will be carried out in consultation with an advisory council representative of the group concerned, and when it has been established that there is cooperation and coordination of efforts among the programs to include the exchange of materials or information and joint programs where applicable.

In order to facilitate these programs, the Commissioner of Education will arrange to use the research facilities of our colleges and universities, the special knowledge of ethnic groups in local communities and of foreign students attending schools in this country, the expertise of teachers at all grade levels, and the talents of other groups such as foundations, civic groups and fraternal organizations.

The legislation also establishes a National Advisory Council on Ethnic Herit-

age Studies consisting of 15 members appointed by the Secretary of Health, Education, and Labor.

This seems a very clear-cut proposal, a firm foundation for a program which can be of inestimable value and enrichment to all Americans.

My own life and the community life of Greater Cleveland have been inestimably enriched by our many and varied nationalities. Cleveland ranks among the top 10 of all cities in this country in citizens of foreign birth and foreign stock. We are fortunate in having an exceptionally large number of major nationality groups, nine of which contain more than 30,000 persons each and 19 others with more than 10,000 each. What is so unique is that no single group has a dominant number. We are not an Irish city like Boston, a German city like Cincinnati, nor a Mexican city like San Antonio. Cleveland is truly cosmopolitan.

We boast Poles, Hungarians, Germans, Italians, Slovaks, Czechs, Slovenes, Jews, Irish, Ukrainians, Russians, Croats, Greeks, Lebanese and Syrian, Lithuanian, Romanians, Puerto Ricans, Serbs, Cubans, Byelorussians, Mexicans, Chinese, Filipinos, Egyptians, Albanians, Estonian, Latvian—a marvelous assortment of wonderful Americans, each of whom has a precious heritage from the Old World which must be preserved for the pride and knowledge of future generations. The ethnic heritage studies program will help inculcate that pride, knowledge and self-awareness. It will also, I am certain, lead to greater understanding and rapport among all Americans as they learn the fascinating differences and strong bonds of similarity, existing in our varied heritages.

I owe a great debt of gratitude to the counseling of my many friends who are members of nationality groups. Their understanding of my position on the House version of ethnic heritage studies was, indeed, heartwarming, and I was gratified that so many of them agreed with me that we must be cautious about plunging headlong into vast expenditures for new programs that are still in the experimental stage. I am proud to have their backing. They know of my lifelong record of complete support of their goals and aspirations for a free world, and of my efforts in behalf of captive nations. They are aware that I have never and shall never let them down.

One of the finest statements I have heard recently on the subject of national heritages was an address given on May 13 by my good friend, the Hon. Anthony J. Celebrezze, speaking at the National Conference on Ethnicity at Cleveland State University. I submit it now to the RECORD, joining with Tony Celebrezze in the sentiments he expressed so eloquently in his closing remarks:

Our pride in our heritage can and should enable us to make sacrifices for what we know to be the common good without the fear of weakness which would give pause to those who do not understand their own worth. . . . It is my prayer that such activities, as they recognize and value our differences, can also bring us closer together to form a common bond, to perpetuate this

nation, dedicated to the proposition that all men are created equal.

The address follows:

ADDRESS BY THE HON. ANTHONY J. CELEBREZZE AT THE NATIONAL CONFERENCE ON ETHNICITY

Ours is a nation which must be uniquely aware of that quality which has come to be called ethnicity.

Ours is not a land populated by people who have lived and worked and played together for many centuries. Some of the American people have indeed been here for thousands of years, but they have been joined by other, more recent immigrants to the North American shores.

The passage of time has brought to our shores people whose roots can be traced to every corner of the Earth.

Northern Europeans came in great numbers in the sixteenth, seventeenth and eighteenth centuries in the wake of the great explorers' voyages to the new world.

Blacks were carried to our shores during that same period to fulfill the needs of an underpopulated expanse.

The Nineteenth and early Twentieth Centuries saw wave upon wave of central and southern Europeans reach this Nation.

And at various times throughout these centuries groups of Asians added their numbers to the growing population of America.

For many years it was fashionable to speak of a melting pot—in which the individual cultures immigrants brought with them would be boiled—and presumably sanitized thereby—and from which could be distilled a new American culture.

In the last few years it has been recognized by many Americans—frequently the children and grandchildren of immigrants—that the melting pot metaphor is an unfortunate one.

It suggests a belief that the proper way to treat ethnic cultures is to destroy them; this is not acceptable. It has been recognized too that the image of the melting pot never comported with reality in any event. Whatever emphasis was placed on homogeneity and adoption of a common outlook and culture, persistent elements of individual ethnic cultures remained with groups of Americans. Now most Americans have come to recognize that the cultural heritages which make each ethnic group unique are not properly sources of embarrassment, but should be sources of intense pride.

Ethnic pride is necessary. It allows a man or woman to give his or her best effort, to surmount by accomplishment and diligence the barriers presented by discrimination and prejudice. It allows a person to face any other as an equal secure in the conviction that no accident of birth makes him inferior, knowing that any man who willingly gives in to the weakness of bigotry and prejudice acts not from strength and knowledge but from weakness and ignorance.

Ethnic pride allows men and women to exert themselves to their fullest capacities, to strive and to achieve, convinced that they need apologize to no man for their forbears.

Ethnic pride has its potential dangers, as well, of course. If narrowly understood such pride can be a source of further fragmentation in a country which can ill afford additional division.

Today America bleeds from wounds inflicted by both those who condemn her and those who would defend her.

She suffers as black is frequently pitted against white. She groans as violent demonstrations protesting government policy course through her streets and she groans when others reply to such violence with violence of their own.

America is wounded when liberals and conservatives refuse to listen to one another, but believe that each has a monopoly on

truth. She suffers when one seer announces the cure for all America's problems is a return to the lawless state from which we emerged centuries ago, while another urges that the answer to the national problems can be found in the police state tactics adopted by nations against whom we fought World War II.

Conceivably ethnic pride can magnify these problems, add new dimensions to the divisions which plague our nation.

Ethnic pride can open new wounds in the body of American unity.

It can encourage bigotry and discrimination, it can pit man against man simply because the roots of each can be traced to different corners of the earth.

Or—the ethnic's interest in his own origins, his love for the culture of his ancestors, can help us bind up our national wounds and can aid in the struggle to attain the long sought after goal of national unity and understanding.

Properly understood, I believe the new found interest in ethnicity has such potential.

Anyone who has come to love a culture must, if he is at all sensitive come to understand that others may have a similar feeling for the heritage which they call their own. As an individual compares the culture of his ancestors with the culture of his neighbors he must begin to realize that for all the substantial differences which set those cultures apart the needs and drives which men seek to deal with in their stay upon this earth are remarkably similar.

Any honest examination of our ethnic heritages must convince us that there is much we have contributed to America—and much that is good about our country that has been given to it by others.

It would seem that such understanding is the first step toward a solution of the diversity which plagues us.

From such understanding can result a breakdown of alienation, and ultimately the maintenance of a pluralistic society with a diversity of attitude but with some consensus about basic values and common national goals.

With these insights into our fellow man—and perhaps more importantly into ourselves and those who are most like us—we can begin anew the task of bringing unity to our nation.

The challenge which faces us all is to ensure that the values of ethnicity are not perverted by those who misunderstand its importance. We must not allow the pride which allows each of us to stand up as an equal to any other become confused with the arrogance which makes us believe that an accident of birth can make us superior to another.

Our pride in our heritage can and should enable us to make sacrifices for what we know to be the common good without the fear of weakness which would give pause to those who do not understand their own worth.

This conference on ethnicity and meetings like it can serve a great cause. They can enable us to better understand and appreciate ourselves, our ethnic group and hopefully, the common good to which we must all dedicate ourselves. It is my prayer that such activities, as they recognize and value our differences, can also bring us closer together to form a common bond, to perpetuate this nation, dedicated to the proposition that all men are created equal.

Mr. ANNUNZIO. Mr. Speaker, I rise today to join in the position expressed by the gentlewoman from Oregon, Mrs. EDITH GREEN, who is the chairman of the Special Subcommittee on Education and the principle author of H.R. 7248, the House version of the Higher Education



Act. During the deliberations on H.R. 7248 last November in the House of Representatives, I supported the gentleman from Oregon and voted for the Higher Education Act.

During my 8-year record in the Congress, I have consistently voted in support of legislation to provide better educational programs and facilities for America's schoolchildren, and especially, to improve the quality of education for all our children. Among the bills I have supported are the Elementary and Secondary Education Act of 1965, the National Vocational Student Loan Insurance Act of 1965, the Health Professions Education Assistance Amendments of 1965, the Higher Education Act of 1965, the Veterans Readjustment Benefits Act of 1966, the Library Services and Construction Act Amendments of 1966, the International Education Act of 1966, the Adult Education Act of 1966, the National Foundation on the Arts and Humanities Act, the Education Professions Development Act of 1967, the Public Broadcasting Act of 1967, the Elementary and Secondary Education Act Amendments of 1967, the National Foundation on the Arts and Humanities Amendments of 1968, the Handicapped Children's Early Education Assistance Act of 1968, the Higher Education Act Amendments of 1968, the Vocational Education Amendments of 1968, the National Center on Educational Media and Materials for the Handicapped Act of 1969, the Emergency Insured Student Loan Act of 1969, the Elementary and Secondary Education Act Amendments of 1970, the Environmental Quality Education Act of 1970, the Drug Abuse Education Act of 1970, and the Health Manpower Act.

As I have stated, I supported H.R. 7248, and at the time that votes were being taken on amendments to this bill, I supported the Pucinski amendment—not now included in the House conference report—which added title 21 to the higher education bill and contained an antibusing amendment and a definition of neighborhood schools.

Then, on March 8, 1972, I voted to instruct the House conferees to insist on the House antibusing amendments. These amendments, as originally adopted by the House of Representatives, would have stayed all court busing orders until all appeals were exhausted, would have forbidden the use of Federal funds for busing on account of race, and would have prohibited Federal agencies from ordering busing as a condition of receiving Federal aid.

On May 11, when another vote was taken on the busing issue, I again voted to instruct the House conferees on the higher education bill not to forego the House position on busing in the bill. This was an unprecedented action on the part of the House of Representatives, yet the majority of the House Members felt it was necessary—indeed imperative—to reinstruct their conferees to hold their position on this vital issue.

I am sadly disappointed that the House conferees, despite the mandate of the House of Representatives, compromised the House position on this issue. Because the position of the House has been com-

promised, I have no choice but to vote against the conference report.

Specifically, the conference committee added a termination date, January 1, 1974, to the Broomfield amendment—section 803—thus curtailing its effectiveness. The Broomfield amendment, as originally passed by the House, would have postponed forced busing until all appeals have been exhausted and the Supreme Court had acted.

On the Green amendment, which forbids Federal employees from encouraging local governments or local agencies to use their money for busing, the conference committee added "unless constitutionally required," thus nullifying the Green amendment—section 802(b). The Ashbrook amendment section 802 (a), which basically prohibited the use of funds for busing of students or teachers to overcome racial imbalance, was altered when the Senate added the exception, "on the express written voluntary request" of local school officials. Since a request for Federal funds of a school official under a court order to bus students would qualify as a "voluntary request"—the net effect would be to authorize money for busing.

Furthermore, title VII of the Higher Education Act—emergency school aid—would expend \$2 billion over a 2-year period, would establish standard metropolitan statistical areas, and would permit, among other things, expenditure of funds for "establishing and maintaining integrated schools." This essentially would result in a busing program—with the exception of the antibusing provisions of title VIII—and the will of the House has been expressed over and over against forced busing.

We must put a stop to this large-scale forced busing once and for all before it destroys our public school system and makes higher education legislation superfluous. And forced busing is going to destroy our public school system.

For the last year or so there has been an ever-swelling number of parents rejecting this method of desegregation. The results at the polls in the last month make it crystal clear that the mothers and fathers of this Nation, both black and white, do not want their children bused all over the countryside in an attempt to balance the races in each school.

And they will not allow their children to be used as pawns. They will find other means and places to educate them and withdraw their support from the public schools. This would be tragic and have a cumulative effect of undermining the whole system.

These desegregation plans which involve such massive busing are intended to insure equality of educational opportunity and equal protection of the law but how can there be any educational opportunity if the schools are allowed to deteriorate from lack of support.

In 1962, 1963, 1964, 1965, and 1966 the percentage of elections approving school bonds was about 72 percent; this percentage dropped to the sixties in 1967 and 1968; and to 53 percent in 1970. These are funds needed for schools but the local communities are less and less

willing or able to produce the money. Add to this the desertion by those who feel their child's education suffers under long-range, forced busing and you have a threatened total breakdown of our educational system. Everyone will suffer if that should occur.

But beyond the very real possibilities that as a result of massive forced busing we are threatened with a breakdown in our educational system and a total deterioration in the high quality of education all of us want for our children, and beyond the fact that the House conferees have compromised the House position on busing, there are other issues to consider.

I want to point out that the inclusion of veterans' benefits in the Higher Education Act duplicates the work of the Veterans' Administration and increases the operating costs of the colleges by requiring the establishment of a veterans' office, the hiring of a veterans' officer, and the spending of half of the funds allocated for veterans' benefits for counseling, recruiting, and operation of such an office. Not only is this a duplication of currently existing education benefits programs for veterans administered by the Veterans' Administration, but it is quite apparently wasting tax dollars when money is spent to operate an office rather than to educate the individual.

I also want to point out that although we now have the educational opportunity grant program, the National Defense Education Act program, the guaranteed student loan program, and the college-work-study program, the Higher Education Act as approved by the conferees, establishes a totally new program—the basic educational opportunity grant program. Yet, if sufficient funds are provided for the EOG, the NDEA, the GSL, and the CWS, it is not necessary to begin the new program provided by this act—the BOG program.

The duplication of Federal programs already in existence is causing a tremendous waste of the taxpayers' money. The time has come for Congress to more closely oversee the programs it authorizes, to cut the fat out of these programs, and if necessary, to eliminate altogether the programs that are not working and that are not contributing to the general good of our people and our country.

Almost everybody will agree that disadvantaged people clearly need help—and I have supported help for them—but higher education is for all students, and not just needy students. It is not reasonable, therefore, to base allocation of aid on a formula that tends to ignore and perhaps destroy institutions which do not already have a substantial number of students on Federal aid programs.

Again, I must emphasize that we are wasting taxpayers' dollars at a time when the taxpayers of America are already overburdened and are demanding relief. This bill sets no dollar figure on the amount of institutional aid, but authorizes such sums as may be necessary. Since no one knows exactly how much will be spent for institutional aid, no one can accurately gage the total cost of the Higher Education Act. Estimates have varied from \$18.5 billion to as high as \$24 billion.

This can only be regarded as fiscal irresponsibility, particularly when it is viewed in light of the fact that during the last 4 years we have spent \$100 billion more than we have collected in taxes, and the taxpayers will simply not stand for their elected representatives to write a blank check—regardless of the worthiness of the cause. Evidently some of those serving in this Congress are not hearing the cries of the American people—stop spending, stop duplicating, stop wasting—and the bill before us today is full of duplication and waste of the taxpayers' dollars.

As my voting record indicates, I am no Johnny-come-lately to the cause of better education. As a former school-teacher in the Chicago public schools—at the Carl Shurz High School on Milwaukee Avenue and other neighborhood schools in Chicago—I cannot stand idly by and watch one of the most outstanding systems of free education in existence in the world today being completely destroyed in order to serve the philosophical idiosyncrasies of a few who are so far removed from the people that they cannot see the forest because of the trees.

If the conference report is defeated today, it will not mean an end to the higher education bill. Within the next year, the House will once again have an opportunity to pass a higher education bill hopefully more responsive to the needs of the people, and I will support such a bill wholeheartedly at that time.

In the meantime, for the reasons I have cited, I am opposing the conference report on higher education and urge its defeat.

Mr. HORTON. Mr. Speaker, I rise in support of the conference report on S. 659, the higher education bill. I will vote for this measure, though my decision to do so was one of the most difficult I have ever made and I am sure this is the case for a great many of my colleagues. We have before us a good bill for higher education, in fact a landmark piece of legislation. But the bill also includes antibusing provisions which go beyond those I have supported in the past and beyond what I had hoped our conferees would present us for a final vote. Some of the antibusing language has even gone beyond the strong antibusing amendments which were adopted with my support last November.

Standing out among the proposals of this omnibus bill are the provisions establishing basic educational opportunity grants, a new program to provide postsecondary education to students who would otherwise be denied such opportunity because they lacked the funds. Under the grant system, any student admitted to an accredited institution of higher education would be entitled to a Federal grant based solely on need. The grant would be equal to \$1,400, less the expected family contribution but not to exceed 60 percent of what the student needed to meet his educational costs for any one year. The far-reaching effect of this program was best summarized in a Washington Post editorial of May 21:

For the first time the Federal Government would be saying loud and clear to all young people: "If you can meet the academic qualifications for education beyond high school

you will not be denied the opportunity because your family is poor."

In addition, the bill provides colleges with flexible support by offering general financial aid without strict limitations on its use, a welcome departure from Federal assistance programs of the past. The bill offers special help to smaller institutions and community colleges and emergency grants to institutions facing severe fiscal problems. Student loan programs, which have helped so many middle-income families, are continued; a new system of veterans cost-of-instruction grants is established; and Federal assistance to students in vocational schools is provided.

Mr. Speaker, I deeply regret that the issue of busing primary, elementary, and secondary school children became attached to and, in fact, threatened the survival of the higher education bill. Busing has become an issue because both the Congress and the executive branch have consistently failed to put our money where our mouth is where educating poor children is concerned. In the absence of congressional and Presidential direction, the Federal courts were left the sole responsibility of providing equal educational opportunity for poor children of all races. The most controversial tool of the courts has been forced busing, an artificial means of achieving racial integration which leaves untouched the root problems of segregated housing patterns and deplorably inadequate urban schools.

The provisions of the House-Senate compromise on the higher education bill would stay court-ordered busing until all appeal rights are exhausted. While I am gratified that the final bill sets an expiration date of January 1, 1974, for this provision, I regret this period extends beyond the President's proposed moratorium by 6 months. Moreover, the President's plan dealt only with court-ordered student transportation while the bill under consideration applies to both the transportation of students and the transfer of students where no busing is involved.

I have serious reservations about these aspects of the busing provisions, though I am also mindful that many of my colleagues do not feel they are strong enough. The fact that everyone is not completely satisfied with the bill is being interpreted as a sign of genuine compromise. But as I have said today and on many other occasions, busing is an artificial solution that does not really get at the heart of the education problem in America. Likewise, the busing provisions of this bill in no way solve the problem, for we have not faced the hard questions of open housing and other alternatives to busing as a desegregation method, nor have we provided adequate Federal funds to upgrade the education of disadvantaged youngsters.

Mr. Speaker, if this bill passes, and I am confident it will, we will have achieved an historic advance in Federal support for higher education. If, at the same time, we step in to relieve temporarily the understandable dissatisfaction with inconsistent court busing rulings, then we have a duty to follow through by providing the alternatives and the moneys

which will realistically replace busing as a solution to unequal educational opportunity and racial isolation. In this regard, I call on each of my colleagues to support legislation I have introduced to provide an immediate supplemental appropriation of \$2.5 billion for title I of the Elementary and Secondary Education Act, our prime vehicle for improving educational opportunity for the disadvantaged.

Mr. MITCHELL. Mr. Speaker, the conference report on the higher education bill that is before the House today contains several provisions which would significantly increase the opportunities for disadvantaged Americans to receive a college education. The bill would also enhance the quality of learning for all students at the postsecondary level.

In reversing the trend of decreasing Federal assistance for higher education, this legislation strongly commits the National Government to the principle that every qualified high school graduate is entitled to further education and that such additional schooling should not be denied him for financial reasons. Complementing the assistance provided to individual students, \$1 billion would also be extended annually in direct aid to colleges and universities, both public and private. Educational opportunity centers would be established under the bill to provide guidance to low-income students on the type of postsecondary education they should pursue. The newly created National Institute of Education would provide a vital initiative for greatly needed innovation and creativity in higher education. These admirable and far-reaching provisions make this bill a landmark piece of legislation in the area of higher education. The future of postsecondary education in this country is, indeed, made brighter by these provisions.

But the colleges and universities assisted by this bill represent only the pinnacle of our educational system. While helping to assure that no one will be denied a college education due to a lack of financial resources, this higher education bill guarantees that countless American children will be deprived of the educational resources they need to qualify for admission to college. Although this legislation is forward looking in its approach to postsecondary education, the antibusing amendment that remains in this conference report marks a patently unconstitutional attempt to turn back the clock to the era of separate and unequal. It is for this reason that I must speak against the adoption of this conference report.

In its momentous decision in the case of Brown against the Board of Education in 1954, the Supreme Court declared—

It is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the State has undertaken to provide it, is a right which must be made available to all on equal terms.

When the Court ordered the desegregation of schools to proceed "with all deliberate speed," it was departing from the normal standard which holds the deprivation of constitutional rights should be remedied immediately and



totally. Eight years ago, the Supreme Court first stated that the time for mere "deliberate speed" had run out; the Court has repeated that assertion on several subsequent occasions. The Brookfield amendment contained in this legislation would prohibit the implementation of district court orders involving the busing or transfer of students until the appeals process has been exhausted, or until July 1, 1974—over 20 years after segregated schooling was struck down in the Brown case. This amendment is far more than an effort to sanction the continued maintenance of segregation for an additional 24 months.

The constitutional rights of black children and of all disadvantaged American youth will not simply be suspended over this period, they will be forgotten. We cannot look upon this amendment as a palliative that will satisfy the desires of those who remain opposed to equal educational opportunities for all our citizens. They will not be satisfied by this amendment alone, but will seek additional legislation to curtail the rights of blacks and others. We cannot justify support of this amendment on the grounds that it may later be ruled unconstitutional by the courts. Our obligation to uphold the Constitution is as great as that of the judicial branch and cannot be sacrificed on the altar of political expediency. Any freeze on school desegregation would run counter to a 57-year string of Supreme Court decisions and would also constitute the first congressional retreat from the outlawing of discrimination in public education embodied in the Civil Rights Act of 1964.

In its statement on the conference report on the higher education bill, the Congressional Black Caucus termed busing "a necessary tool which, in part, accomplishes our aims of providing quality education for black children and abolishing inferior school programs for the poor and the black." The proposed moratorium on busing, the Caucus went on, "legitimizes inferior schools for the black and the poor." We are not merely dealing in this instance with a question of accepting one offensive provision in a bill so that we can also obtain the benefits of the praiseworthy aspects of the legislation. Rather we are confronted with an attempt to subvert the Constitution itself. If we allow the principles upon which this Nation and Government are based to be disregarded in this instance, it will become that much easier to follow a similar course of expediency in the future.

Mr. VEYSEY. Mr. Speaker, if Congressmen were permitted to vote "yes but" on bills before the House we would never be faced with the necessity of voting against good parts of a bill in order to prevent the enactment of other parts. Since we are denied that luxury, I want to explain why I have made the difficult decision to oppose this conference report.

I agree with the objectives of Federal participation in the support of higher education, and especially with the objective of a program that will make it possible for every qualified student to get a college education, regardless of financial

disability. I also firmly support aid to community colleges and vocational training. However, my concern over a number of other aspects of this bill forces me to vote no.

First, I do not think the provisions in this bill provide nearly enough assurance that the massive funding will be spent effectively. The only way to be sure that our efforts to upgrade the availability of a quality education will succeed is to require rigorous evaluation of all programs as they proceed. Otherwise the money authorized here may as well be spent paving the ocean for all the good it will do.

The bill recommended by the conference contains some ineffectual sops to the principle of accountability and evaluation in education, but it provides no guidelines and no funds at all to carry them out. The GAO is only authorized to evaluate programs on a piecemeal basis at the request of committees or, if manpower is available, at the request of individual Members.

There is a justified feeling of frustration in this country over the meager results we have to show for our massive investment in education. Only a systematic program of testing all programs for effectiveness and the modeling of new ones after the ones that have succeeded will end this. Today's bill fails to make that possible.

Second, I am also concerned over the little-noticed precedent that this bill establishes by creating a separate Bureau and Deputy Commissioner of Education for one particular ethnic group. After extensive field hearings all across the country it was clear that Indians and their organizations are not very enthusiastic over the prospect of having to deal with a whole new department for their education. But even more important is the likelihood of other ethnic groups immediately wanting their own legitimate and special problems recognized by a separate bureau and deputy commissioner as the Indians will have here. The Department of Health, Education, and Welfare is vigorously opposed to this precedent and I think it bodes ill for the future of the Office of Education as an effective or even credible organization.

But Mr. Speaker, my principal objection, like that of a large number of my colleagues, is to the substance of the bill's provisions relating to busing. What we see here is a breakdown of the legislative branch of Government. The Congress as a whole is refusing to face the necessity of pounding out the guidelines necessary to resolve the busing dilemma.

There is a broad national consensus on the desirability of becoming a single, integrated society and of providing a quality education to all our people regardless of race. But in a democracy there is no way to avoid the necessity of the elected representatives of the people sitting down and working out some plan acceptable to the voters to carry this out. No one can force unpopular solutions to tough social issues like busing down the throats of voters in a democracy. They just will not stand for it. If they have to they will punch an amendment into our Constitution to prevent it.

When the House-passed antibusing language was qualified by the expression "unless constitutionally required" the legislative branch was shirking its responsibility and shifting the job of finding constitutional solutions to the courts. The people will be forced to bring suits to find out what is or is not "constitutionally required," and those who decide will not be responsible to the voters. This mocks the whole theory of representative government and will not work.

The bill also defies the House's express instruction to its conferees on the question of requesting assistance for the costs of a busing program. The bill allows "local school officials" to ask for such funds, but does not say which officials. It may mean elected schools boards. Past history indicates it more likely will be tenure-protected school administrators who reflect the views of the education establishment rather than the community. Will they be able to initiate busing programs under this provision? A new spate of litigation will inevitably follow. This is another ruse to avoid the necessity of getting the consent of the people. It will not work either.

Mr. Speaker, if this body goes along with the Senate's insistence on delegating issues like these to the courts, we will have only ourselves to thank when the judiciary is no longer a respected and useful institution and when the voters go over our heads to clutter the Constitution with short-term, tactical amendments.

I cannot support this abandonment of our responsibility.

Mr. DRINAN. Mr. Speaker, the vote I cast today against the higher education conference report is the most difficult and personally painful vote I have ever cast in Congress.

I have spent most of my working life as an educator. I know the financial needs of our universities and colleges and their students. I know how acutely the \$18.5 billion in funds provided by this bill are needed—funds to extend student aid programs, funds to establish a new program of substantial grants of assistance directly to institutions of higher learning, and funds to stimulate the granting of student loans.

But this bill as reported by the conference committee also contains provisions which would frustrate and in many cases make impossible the integration of our school systems as required by the Constitution and laws of the United States. These provisions if enacted would make a sham of 18 years of Supreme Court cases—from Brown against Board of Education onward—and would insure that thousands of black and other minority children in the United States never get an equal educational opportunity.

This bill not only prohibits court-ordered transportation of students, but also any "transfer" of students for purposes of desegregation. Not only is busing prohibited, but also outlawed are many other proven and accepted means of integration, including pairing of schools, for example.

Apart from the abridgments of the civil rights of student in this bill, I believe that the suspension by Congress of the

effectiveness of Federal court orders under these circumstances is unconstitutional.

Thus, while this vote is a painful one for me, it is one as to which I am free from doubt. We cannot pass this bill consistent with the mandates of the 14th amendment and the constitutional doctrine of separation of powers.

On March 8 and March 22, 1972, in House debate, I set out at length my views on the constitutional and policy implications of the busing issue. I continue to believe that the antibusing provisions of this bill which suspend court orders and sanction separate education for blacks and whites are unconstitutional. I will not repeat here the analyses I made in March, but I affirm them again today.

When I came to Congress the oath of office I took required my "true faith and allegiance" to the Constitution. I am persuaded that to vote for this bill would not be consistent with allegiance to the Constitution.

I wish to insert in the RECORD at this point, Mr. Speaker, three of the many letters I have received in opposition to this bill. They are from the AFL-CIO, the American Civil Liberties Union, and the National Council of the Churches of Christ. I agree with their views:

AMERICAN FEDERATION OF LABOR AND  
CONGRESS OF INDUSTRIAL ORGANIZATIONS

Washington, D.C., June 6, 1972.

HON. ROBERT F. DRINAN,  
U.S. House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN DRINAN: Since the start of the American trade union movement, organized labor consistently has supported legislative efforts to improve our country's educational system. We are proud of this role. The AFL-CIO, therefore, does not take lightly its decision to oppose the Higher Education Conference Report.

The AFL-CIO takes this position, not because of the proposals dealing with higher education, but because of the inclusion of the Broomfield Amendment in the conference report.

Members of the House should understand clearly that this is not simply an anti-busing amendment. According to the author of the amendment (Congressional Record, March 8, 1972, p. 7555), it applies equally to desegregation cases generally as well as to busing cases. As such, the amendment would bring a halt to court-ordered desegregation.

The Broomfield amendment prohibits both the transportation and the transfer of students. Thus, even when busing is not allowed as a tool for desegregation, other tools also are prohibited—such as: school consolidation, closing of inadequate schools, redrawing of attendance zones (within walking distance), school pairing, new school construction, etc. Put bluntly, there is no way a court can order effective desegregation without some transfer of students.

Eighteen years ago, organized labor hailed the Supreme Court's *Brown* decision as historic. The AFL-CIO never has veered from its view that "separate but equal" is inherently unequal and a denial of constitutional rights. In 1969, in *Alexander vs Holmes County*, the Supreme Court declared that dual school systems must be terminated "at once."

The Broomfield Amendment clearly violates the constitutional principles established by the Supreme Court. While some have suggested that—for these reasons—the Broomfield Amendment will be found unconstitutional, no House member should vote for the conference report hoping that the Court will reject this amendment. The

oath taken by House members to preserve the integrity of the Constitution gives them the same responsibility as federal judges.

Regardless of the merits of the remainder of the Higher Education Conference Report, Congress must not endorse a halt in the desegregation of our schools. Such an endorsement would be a cruel blow to millions of Americans who still seek quality education and equality of educational opportunity.

Since the House must act—up or down—on the conference report, the AFL-CIO urges you to vote "No," and thereby voice your opposition to an amendment that seeks to turn back the clock on court-ordered desegregation.

Sincerely,

ANDREW J. BIEMILLER,  
Director, Department of Legislation.

WASHINGTON OFFICE,  
AMERICAN CIVIL LIBERTIES UNION,  
Washington, D.C., June 2, 1972.

DEAR CONGRESSMAN: Sometime within the next few days you will be voting on the Conference Report on the Higher Education Act.

As you know, amendments have been added to the Act which allegedly deal with school busing. The truth is, the amendments reported out by the Conference Committee deal only peripherally with busing.

The amendments in question forbid not only court-ordered transportation, but any transfer of students for purposes of desegregation. This would eliminate solutions such as redistricting, rezoning, pairing, educational parks, magnet schools and all other means of overcoming unequal educational opportunity.

The plain fact is this: If the Higher Education Act passes, it will mark the first time in some 20 years that the Congress of the United States has chosen to enact legislation that is effectively anti-civil rights.

In view of the agony this nation has already suffered due to segregation, it is hard to believe the Congress may now be about to turn away from its commitment to equal opportunity, and from its obligation to say "no" to segregation in any guise.

Some say the Act must be passed because of the important aid it would offer our colleges and universities. But the overriding fact is that the damage from the so-called busing amendments will be irreparable, while any harm to higher education can surely be quickly remedied by a concerned Congress.

Unfortunately, we cannot keep the good in this bill and eliminate the bad. As Senator Lowell Weicker so aptly stated, we are faced with an indivisible package of excellence and muck.

This legislation would sacrifice the rights of minority children with what amounts to a bribe—the bribe being urgently needed funds for higher education.

Yet some Congressmen seek to justify the bill by saying the so-called busing amendment will be declared unconstitutional. This is an amazing rationale. Every Congressman takes a sworn oath to support the constitution. If you believe the "busing" amendment is unconstitutional, it is your obligation to vote no.

Furthermore, even if you should somehow overcome the constitutional question, it is no excuse to say the courts will remedy the wrong. By the time any court action could be completed, one or two full school years will have been lost. Thousands more children will have been cheated of their rights.

It has long since been acknowledged that separate schools are not equal. All-white schools have a marvelous way of finding themselves with the best facilities.

How ironic, then, that in the name of "higher education," this legislation would freeze underprivileged children into separate and inferior facilities. What good will better colleges be for those who need them

most, if their early schooling does not equip them for any college at all?

The contradictions in this legislation are so great that they amount to trying to build a skyscraper on a foundation of sand. A skyscraper can't be built on sand. Nor can a decent nation be built on the sand of segregation.

Again, the salient fact of this legislation is that it is not "anti-busing." It is anti-transfer, and thus pro-segregation. Its passage would mark a tragic about-face in America's quest for equal opportunity for all citizens.

I hope this will not be the Congress to abandon that quest. I urge you to be guided by your conscience.

When you vote on the Conference Report on the Higher Education Act, I urge you to vote no.

With best regards,

ARLIE SCHARDT,  
National Legislative Director.

THE WASHINGTON OFFICE, NATIONAL  
COUNCIL OF THE CHURCHES OF  
CHRIST IN THE U.S.A.

Washington, D.C., June 6, 1972.

DEAR CONGRESSMAN DRINAN: I write to urge you to reject the Conference Report on the Higher Education Bill. I do so with sorrow because the legislation authorizes badly needed assistance for colleges and universities. I do so understanding the dilemma which this legislation poses for many members of Congress, and the fact that compromise and accommodation are an important and often necessary part of the legislative process.

However, in this instance, in our opinion, the price is too high. The Conference Report represents the greatest threat to orderly school desegregation since that process began with the 1954 Supreme Court decision. It is not just anti-busing but anti-integration. By blocking both the transportation and transfer of students, it could bring court-ordered desegregation to a halt for 18 months.

The Conference Report represents compromise of a kind we hope you will not accept. Our society cannot afford to compromise the constitutional rights of any of its citizens, the independence of its judiciary, nor our goal of becoming one nation, indivisible.

Sincerely yours,

CYNTHIA C. WEDEL,  
Mrs. THEODORE O. WEDEL.

Mr. EDWARDS of California. Mr. Speaker, today on the floor of the House is the conference report on an historic higher education bill, an \$18.5 billion bill, which not only extends existing programs but creates exciting and long-needed new ones.

For the first time, the bill commits the Federal Government to the principle that every qualified high school student graduate, regardless of his family income, is entitled to higher education, whether in community colleges, vocational institutes or the traditional 4-year college or university. This is a concept I heartily endorse.

Another commendable concept is contained in the legislation. That is, that there should be direct assistance to institutions of postsecondary education based in part on the number of students receiving the basic grant provided for in the bill, the amount of Federal student assistance at each school and graduate education. Again, this is a concept which I endorse.

Additionally, a new student loan marketing association is established which



would expand the availability of credit and thereby expand the number of student loans. Again, this is a program with which I have no quarrel.

Yet despite all of these fine and innovative features and despite the general thrust of the entire bill in terms of higher education, I must sadly vote against it. Not because I have not been a vigorous supporter of federal aid to education, not because I want to deny to students from low-income families the opportunity to further their education, not because I do not recognize the desperate financial straits our higher education institutions find themselves in today, but because my commitment to the United States Constitution must exceed my commitment to any particular piece of legislation that would endanger or encroach on the constitutional rights of any citizens of the United States.

And the latter is what I believe this bill, encumbered as it is with antibusing amendments, will do if it is enacted into law.

Voting for the conference report would signal to minority groups in this country—too long the most powerless people in this Nation—that despite the 1954 Supreme Court decision, that despite the numerous civil rights bills enacted by the Congress over the last 12 years, that despite this country's verbal commitment to equal rights for everyone, the Congress of the United States is willing to sacrifice 14th amendment guarantees of equal educational opportunity for the sake of pacifying some groups in this country that have more power and more visibility.

The President of the United States has already opted for expediency over moral leadership in this whole area of equal educational opportunity. Is the Congress of the United States going to uphold the President's position and reaffirm his stand that the long-sought goal of equal education is not attainable in America or at the least cannot be espoused by those seeking public office? If this is the case, to whom do these millions of Americans look for redress when public officials, sworn to uphold the Constitution, wink at their oath on an occasion like today?

Those of us who have long supported civil rights goals in this country must not be tempted to slough them off today when the vote comes. We must be willing to unequivocally stand up today and tomorrow and whenever the occasion arises to continue to reaffirm our belief in the Constitution and in equal opportunities for everyone in this country.

Only by taking a public stand of firmness in these troubled times can we ever hope to rally millions of decent Americans—honestly confused and bewildered by the emotional atmosphere whipped up by so many public figures in this country—to the continuing struggle for equal rights and the hopefully temporary need for business to help achieve this goal.

The price we must pay today for refusing to equivocate on civil rights is regrettably the \$18.5 billion higher education bill. While it is a large price to pay, it is certainly far less than the invaluable cost of sacrificing constitutional

guarantees. Surely it is easier to legislate higher education programs than to attempt to restore constitutional rights.

Should this conference report be re-committed, it seems to me that there is every reason to believe that a massive lobbying effort could be launched by every college and university president, professors, students, and everyone else vitally concerned about the status of higher education in this country to see that a higher education bill, free of any attempts to erode constitutional rights, comes back before the Congress. Lobbying attempts like that have been made in the past and have proved highly successful. That is the American way and there is no reason to think it would not succeed.

On the other hand, how does a group of citizens lobby for a restoration of constitutional rights if both the executive and legislative branches in this country lead the way to an erosion of those rights and the Congress, at the urging of the President, seeks to prevent the third branch of Government from reaffirming those rights? Then the question we must all ask ourselves is, where does one go from there?

Mr. KOCH. Mr. Speaker, I regret that I must vote against final passage of the higher education bill before the House this afternoon. It is an important piece of legislation for our colleges and universities and there are many such institutions in my Congressional District. However, I cannot in good conscience vote for a bill which would, in effect, halt all desegregation of our public schools. Important as the higher education provisions are, they cannot justify the suspension of the historic 1954 Brown decision. Voting on most bills involves the weighing of equities, few votes are matters of conscience, but this one is.

Furthermore, I believe the Broomfield amendment is unconstitutional on its face and I have the obligation, believing as I do in the separation of powers on which our form of government rests, to vote against a measure that undermines that separation and our Constitution.

Since coming to Congress I have voted against every appropriation bill containing funds for the further prosecution of the Vietnam war. I have done this knowing full well that my total opposition to the war required me to vote against bills containing legitimate defense expenditures. Today I can do no less in supporting our Constitution and the courts of this country from this blatant denial of the rights of all children in our country to a decent education. The higher education provisions are not only legitimate but praiseworthy measures. But, I have no other recourse under these most unfortunate circumstances confronting me today.

I sincerely hope that a straight 1-year extension of existing education programs or a continuing resolution for 1 year at the 1972 level of funding can be passed soon as a temporary measure.

Mr. SCHWENGEL. Mr. Speaker, the importance of the conference report on the Higher Education Act cannot be overemphasized. This bill establishes the principle of institutional aid to our colleges and universities. In view of the

financial crisis faced by the higher education community, the legislation has a sense of urgency.

One segment of the higher education community which has been particularly hard-hit is the community college. Iowa Community College enrollment ranks seventh nationwide. I have found that students in our community colleges have different characteristics from those in typical 4-year institutions. They tend to be older—50 percent of the vocational-technical students are over the age of 20; and more frequently hold some type of part-time job while attending college; 49.6 percent of the students at Kirkwood Community College in Iowa, receive financial aid. The high percentage of veterans attending our community colleges is an especially important factor. We need to provide educational opportunities to those individuals who have served their country and would appreciate some help in return. In the seven-county area served by Kirkwood Community College, veterans are returning at the rate of 200 each 6 weeks.

All of this emphasizes that the community college is serving that huge segment of our area population which was not previously served by our traditional 4-year institutions. Consequently, there is a great need for funding which would permit additional planning and expansion of opportunities provided by our community colleges.

In Iowa, Kirkwood Community College offers an example of the type and extent of aid that our community colleges have been receiving. In the initial year of the educational opportunity grant program, Kirkwood was approved by the regional panel for \$90,000 in Federal moneys. They received \$9,480. In college work-study, they were approved by the regional panel for \$132,400. They received \$34,561. In the NDSL program, panel action approved \$123,174. If the program is extended, estimated receipts will reach \$64,953. This situation has forced the institution into a position of accepting no new applications for financial aid for the coming academic year. In turn, many prospective enrollees have no alternative but to forgo enrollment.

My further support for this bill is based on the following national statistics: Currently, U.S. community colleges enroll 33 percent of all students in higher education and enroll 62 percent of all handicapped students who are enrolled in higher education, but receive only 9 percent of Federal funds expended for higher education. We cannot neglect people who have too long been denied opportunities in our scheme of higher education.

A particularly significant provision of this bill results from an amendment I proposed, was adopted on the House floor and agreed to by the conferees. It authorizes the waiver of maintenance of effort requirements for student assistance programs in certain cases. This could be applied to a situation where an institution's income was decreased, for example, by a decline in enrollment. This provision would allow the Commissioner of Education to waive minimum require-

ments for continuance of the program based upon higher enrollment figures. This type of situation is faced by many of our private schools at the present time.

I cannot overstate the importance of higher education in our society. This bill helps supply the needs of our higher educational system; for these reasons, it is receiving my support. The formula for basing institutional aid upon the number of federally aided students enrolled at any individual school is a sound one. The extension of student aid programs is vital to the maintenance of equal educational opportunities for all.

Mr. RANGEL. Mr. Speaker, I am straining to find something good in the advice given me by those of my liberal colleagues concerning their support of the higher education conference report which includes the antibusing provisions.

But I am driven to the conclusion that my friends are deserting me and the black community in what could mark the beginning of one of the saddest chapters in American history. Today could begin a concentrated effort, unintentionally supported by liberals, to reinforce well-entrenched patterns of housing segregation by locking in children to certain schools. For the first time since the famous Brown against Board of Education decision some 18 years ago, Congress is about to overtly array itself on the side of bigotry.

There is not really anything extremist about busing. It is merely an interim method for eliminating from our public schools some of the vestiges of deliberately fostered racial discrimination. When I observe my otherwise progressive friends compromising away the meager step that busing represents toward eliminating the inexcusable injustices on our people that have festered for generations, I begin to wonder whether my liberal colleagues are really only sunshine patriots.

To my conservative colleagues, I would say that you may believe that the Supreme Court will go along meekly with whatever Congress orders, but I have hopes that even Mr. Nixon's most conservative appointees will see through this meat-cleaver attack on the judicial branch.

Many of you say you are really for equality but are concerned about the safety of the children and the costs of busing. If you are really so motivated, where were you during the decades and decades that black children were bused past white schools in apartheid fashion. Justice delayed has been justice forever denied to millions of children who finished their entire public schooling without getting one scintilla of judicial relief. Now when it comes to busing white children, suddenly you find it essential to legislate away a so-called crisis. It is not the distance nor the safety that's the crisis but it is what happens after you get off the bus. As you know, every day over 18 million schoolchildren—40 percent of all schoolchildren—go to and from school by bus and their parents do not complain about inconvenience. The uproar is about desegregation not busing.

History will show that the only busing that was halted by enactment of this leg-

islation today was that carrying black children toward a reasonable chance to secure what is really their birthright.

Let me now turn to the specific provisions in the legislation itself. Even if we give the sponsors of these amendments the most egalitarian of intentions, there are overwhelming flaws in their proposals.

The Broomfield amendment, section 803 of the bill, prohibits the implementation of district court orders involving either busing or the transfer of students for the purposes of achieving a balance among students with respect to race—until the appeals process has been exhausted or until January 1, 1974.

It seeks to hinder the capacity of the courts to provide speedy relief to those children whose constitutional right to a desegregated education has been violated.

It seeks to legislate away the rulings in *Alexander v. Holmes County*, 269 U.S. 19 (1969) and *Carter v. West Feliciana School Parish*, 396 U.S. 226 (1970) where the court ordered school boards to integrate now and litigate later, to implement the court ordered plans immediately pending appeal instead of waiting until they had exhausted their frivolous or foot-dragging appeals.

Further, this amendment affects not only transportation of pupils but transfer of pupils as well. Unless Federal district court judges can figure out some way to get around this product of sloppy drafting—perhaps by interpreting the term racial balance—even the traditional tools for desegregation other than busing will be affected. Other means such as school consolidation, zoning, pairing, construction of new schools and other measures all involving the transfer of students would be delayed. Put bluntly, there is simply no way a court can begin doing its constitutional duty to desegregate the schools unless it orders the transfer of pupils.

The Ashbrook amendment, section 802(a) of the bill, prohibits the use of Federal education funds for transportation of pupils or teachers to overcome racial imbalance or to achieve desegregation, except on the express written consent of local school officials. No such funds could be made available for transportation if the time or distance of travel is so great as to risk the health of the children or significantly impinge on the educational process, or would result in children being assigned to a school substantially inferior to the one he or she would be attending under a nondiscriminatory geographic zone assignment.

When courts continue to order the desegregation of schools by transporting pupils, there can be no rational basis for putting the entire financing on State and local funds rather than Federal.

This represents a half-hearted futile legislative effort to undermine the courts and the school boards and to roll back the clock in hopes that the problem will disappear rather than become aggravated.

The Green amendment, section 802(b) of the bill, prohibits Federal officials from urging, persuading, inducing or requiring the use of non-Federal funds for transportation to correct racial

imbalance or achieve desegregation, or to condition a grant of Federal funds on such transportation "unless constitutionally required."

Fortunately, the agreement reached by the conference included the words constitutionally required. Thus, HEW's officers are still allowed to make such suggestions where constitutionally required. Hopefully, then, this limitation on HEW will be interpreted to be a meaningless one since HEW has not generally in the past suggested or required the use of non-Federal funds for transportation to correct racial imbalance or achieve desegregation unless constitutionally required.

Taking the higher education bill as a whole, my colleagues today are asking me to sacrifice the constitutional rights of black children for a bag of goodies that everyone agrees is the most significant advance in Federal support for higher education since the passage of the Land Grant College Act over a century ago. This is something I cannot in good conscience do. Our children should not be required to continue to wait for their rights nor should their chances for an equal opportunity be burdened by further recalcitrance such as that openly displayed in the proposals on the floor today. I call now for strong moral leadership rather than defiance and backtracking.

For if today's legislation passes with the support of my liberal colleagues, the black community will be forced to bitterly conclude that the laws and court decisions that had begun—just begun—to generate hope and faith in this Nation's commitment to justice and equality were never a really true commitment but only a scheme devised to still the voices of frustration and discontent.

Mr. HARRINGTON. Mr. Speaker, I think that the vote I am going to cast today is one of the most difficult I have made since I came to the House in late 1969.

On the one hand the bill before us contains \$18.5 billion for the extension of present higher education programs and the creation of new ones. The new programs include one to provide about \$1 billion annually in general aid to colleges and universities, and another one providing basic grants to needy students.

The Basic Educational Opportunity Grants program, established by this act, is a new program under which students at colleges and universities would be entitled to basic grants of assistance up to \$1,400 per year, minus what the family could be expected to contribute. No grant can exceed 60 percent of what a student needs to attend a particular institution for 1 year. These grants will help to alleviate the shortage of funds to needy students and allow them to plan on higher education free of the fear.

The bill also authorizes \$40 million in emergency grants to institutions in severe financial distress, authorizes grants to institutions for \$300 per veteran enrolled, and an additional \$150 for each veteran participating in a special remedial veterans program.

In addition, it prohibits discrimination on the basis of sex in all federally assisted education programs, exempting



only undergraduate admissions to private institutions, public institutions with a traditional policy of admitting only students of one sex and military academies.

The Higher Education Act is a good bill. It has taken 2 years to work out these provisions and the result is its much needed provisions of assistance to American students and universities.

Yet, attached to the legislation is an amendment which I find abhorrent. This amendment prohibits the implementation of district court orders involving either busing or the transfer of students for the purposes of achieving a balance among students with respect to race—until the appeals process has been exhausted or until January 1, 1974, which ever is earlier. The bill also prohibits the use of Federal education funds for transportation of students or teachers to overcome racial imbalance or to achieve desegregation, except on the express written consent of local school officials.

No such funds could be made available for transportation if the time or distance of travel is so great as to risk the health of the children or significantly impinge on the educational process, or would result in children being assigned to a school substantially inferior to the one he or she would be attending under a nondiscriminatory geographic zone assignment plan.

The amendment also prohibits Federal officials from urging, persuading, or requiring the use of non-Federal funds for transportation to correct racial imbalance or achieve desegregation, or to condition a grant of Federal funds on such transportation unless constitutionally required.

Mr. Speaker, I realize that this conference is going to pass the House. But I must vote against it. The amendment is totally wrong, and since the rules of the House require me to vote yes or no on the entire conference report rather than for the Higher Education Act and against the amendment, as I would like to do, I am forced with regret to vote "no."

This amendment will effectively prohibit not only the transportation of students but also the transfer of students. As a result no tools may be used for desegregation including school consolidation, closing of inadequate schools, redrawing of attendance zones within walking distance, school pairing, new school construction, et cetera. By stopping the transfer through this amendment, we effectively preclude the courts from ordering any effective desegregation.

This policy will continue the hatred and disharmony which exists between blacks and whites. No amount of money can repair the future social damage which will result from separating our children for the arbitrary reason of color. By passing this amendment we will continue to perpetuate a segregated life-style which is stifling to all concerned and is certainly abhorrent to any sense of social justice.

Busing is not the total answer to racial problems. But it is a step—a step ordered by our courts and a step which

is logical and necessary at this time. The Supreme Court has made a very limited ruling on busing. The Court specifically said that busing was not required to create racial balance where residential patterns had produced imbalance. What the Court did say was that in those cases where a schoolboard or other Government agency has previously taken official action which resulted in segregated schools, a reasonable amount of busing could be used to correct this past segregation.

Even in this limited class of cases, however, the Supreme Court did not say that busing was the primary, or even the most desirable tool in correcting past government errors. The Court cited a long list of measures that could be taken and busing was only one of these.

It is true that tens of millions of schoolchildren ride buses daily to school. But only a tiny fraction of these children ride buses because of integration orders. In fact, it is probably still true today that more pupils are being bused in ways that perpetuate segregation than in ways that end it. In Massachusetts, for instance, a witness before the State legislature on the racial imbalance bill said that the State currently spends about \$400 million annually on pupil transportation, of which only \$300,000 is for race-related purposes.

These amendments lead one to believe that vast amounts of massive cross-busing schemes were being promulgated by courts across the country. There may be individual instances where particular lower federal court judges have exceeded the Supreme Court's guidelines. But if there are, they can be remedied easily by appeal to the Supreme Court itself.

Important as the Higher Education provisions are, they cannot justify suspension of the historic 1954 Brown decision. To quote the Brown decision:

Separate educational facilities are inherently unequal.

History has shown that concessions to anti-civil rights forces merely increase their appetites for more.

Mr. MEEDS. Mr. Speaker, I rise in support of the conference report on S. 659. It was difficult to resolve all the issues contained in both bills and thus satisfy the desires of all Members in the House and Senate. But I feel this conference report and legislation embodies the most significant advances made since the passage of the Morrill Act of 1862. This is not only a significant bill; it is a bill embracing many aspects of education. While we tend to get caught up in the issues of busing, institutional aid, and student aid, there are far-reaching contributions to education contained in this bill. I should like to direct my remarks to just three of them: First, community and junior colleges; second, vocational and occupational education; and third, Indian education.

Mr. Speaker, the community, junior, and 2-year colleges of this Nation are important to the post-secondary educational experience in a far greater degree than is shown in the funding which we presently make available to them. These institutions are serving one-fourth of the post-secondary students in this Nation.

They are providing terminal post-secondary academic education, initial post-secondary academic education, and vocational, technical, and occupational education.

This legislation would provide \$50 million in fiscal 1973, \$75 million in fiscal 1974, and \$150 million in fiscal 1975 for planning statewide community college systems, for developing new community colleges, and for expansion of existing community and junior college facilities.

For years the role of these institutions has been consistently underfinanced, undervalued, and misunderstood. This legislation recognizes their importance and provides the funds and impetus to correct years of neglect.

Mr. Speaker, despite the strides achieved under the 1963 Vocational Education Act and the 1968 amendments thereto, vocational education is still the poor cousin of our educational family. By providing \$850 million over a 3-year period for preparation for post-secondary occupational education and for improving the quality of post-secondary occupational education, this legislation recognizes the role and responsibility of vocational and occupational education more realistically.

One of the major reasons for the lack of attention and failure to give vocational education its proper place lies within the academically oriented U.S. Office of Education. For years some of us have been attempting to induce the Office of Education to upgrade the status of vocational and occupational education. Under this legislation we have, by creating a Bureau of Occupational and Adult Education, made clear our intent that this shall be done. An Assistant Commissioner for Occupational and Adult Education will have the responsibility for all vocational, occupational, and adult education. This should create within the Office of Education the visibility for vocational and occupational education which is essential to move it from its poor cousin status.

Mr. Speaker, without doubt the most disadvantaged youngsters are the first Americans—the American Indian. Lack of adequate education is one of the major reasons. They begin school late and leave early. The dropout rate of Indian youth across this Nation is twice the national average. During our subcommittee hearings on this legislation, I visited areas in New Mexico, Arizona, and Alaska where the dropout rate ran as high as 85 percent. We know many of the reasons for failure of our educational system to retain Indian children. In many instances they have language barriers. In almost all instances there are substantial cultural barriers. Perhaps most importantly, Indians have not been involved in their own and their children's educational process.

We have not only the responsibility but the capability to drastically improve educational opportunities for Indian children. This legislation will authorize \$300 million over a 3-year period for special education programs serving Indian children.

Additionally, it provides \$25 million in fiscal 1973, \$30 million in fiscal 1974, and \$30 million in fiscal 1975 for pilot dem-

onstration and evaluation of special Indian education programs. Also, \$5 million is authorized in fiscal 1973, \$8 million in fiscal 1974, and \$8 million in fiscal 1974 for Adult Indian Education programs.

And perhaps most importantly, Mr. Speaker, it provides for the creation of a Bureau of Indian Education within the Office of Education and a Deputy Commissioner. This, combined with the National Advisory Council on Indian Education, will begin the extremely important task of involvement of Indian people in their own and their children's education.

These are just three of the many benefits to be derived by education from this legislation. It is landmark legislation. Higher education in this country is in deep financial difficulty. If we are to attain the advantage of highly educated citizenry we must act now to relieve those difficulties.

Mr. SIKES. Mr. Speaker, I recognize the need for a higher education assistance bill. I had hoped the conference report now pending would provide a proper vehicle for this objective but it does not. It brings to the House as a result of conference action a new bill—far different from the House bill—a bill which has in it serious weaknesses and a number of objectionable features.

I believe the proposal now before us is damaging to educational processes; that it will actually perpetuate forced busing and that it will result in lowered standards of education at institutions of higher learning. If I read the bill correctly, it will set up a new welfare program for education patterned after the aid to dependent children program. In that program if the man of the house leaves home, the family gets welfare and food stamps. In the new college welfare program, if the student abandons his home ties, he gets \$1,400 per year plus food stamps. This can provide a hippie haven of boundless proportions.

A matter of principal concern to the House has been those sections of the higher education bill dealing with the forced busing of students. Although the conference report purports to carry out the will of the people as expressed in the House bill by halting forced busing until all appeals have been taken, the fact is that this legislation actually guarantees forced busing in some circumstances.

It allows Federal employees—workers for HEW and other agencies—to do whatever they can to encourage or initiate local school officials to engage in forced busing plans if such busing plans are "constitutionally required."

I do not know who is to place the interpretation on that awesome phrase. There has been no Supreme Court decision on this matter. Are we to assume the HEW guideline drafters are to be entrusted to make such an interpretation? Farfetched as this may seem, they have been doing it for a long time and it clearly was the original intent of this legislation to stop that practice. But the conference report now gives HEW carte blanche to resume the practices on forced busing which have been so objectionable throughout our Nation.

The confusing conference report seems

to envision the establishment of two sets of rules for the country. The Senate has inserted language in the bill which specifically excludes some States from certain guidelines and criteria established by Federal agencies. Once again we find that the vague and, in this modern society, nonexistent differences between de facto and de jure actions being used as a tool to force a handful of States to do that which the majority of States apparently are exempted from doing.

The truth of the matter seems to be that forced busing very definitely is not prohibited under this bill and that the efforts of the House to stop this abominable practice have become a farce. As a matter of fact, this bill authorizes \$100 million which can be used by Federal agencies as a slush fund to establish local atmosphere or conditions conducive to the purposes of forced busing. This fund could be used to prevent court decisions such as that just rendered to overrule the infamous Richmond ruling.

There are other serious weaknesses. I have mentioned the welfare feature of the bill.

In my part of the country, we hold to the idea that colleges and universities should be open to anyone, of any economic bracket, just so long as the student has the desire and the ability to accomplish the work required. We tried to help provide the financial means where this is necessary. We strive to continually increase the standards of college entrance and graduation.

Those who can afford to pay their own way do so. Deserving students who cannot afford to foot the bill are helped, if help is available, through work programs or scholarships. Active efforts are made to assist any student, of any economic station, if that student has the ability and desire to meet the standards for obtaining a college education.

If I interpret the conference report correctly, it places stress on only one standard which is to be met if a college or university is to benefit from Federal dollars. That standard is; how many people are enrolled. The program of benefits starting at \$1,400 per pupil per year would establish something resembling an educational welfare program.

This is not the way to run a higher educational system, Mr. Speaker. This proposal would result in a mad scramble by colleges to seek out—not brilliant students and deserving students—but economically deprived students. Academic standards would go out the window. Entrance requirements would rest largely on whether or not bodies are available. Certainly there would be no premium on ability of the student or on high standards for the institution.

This is wrong, and it must not be enacted into law.

This bill gets into the question of veterans benefits in a completely unrealistic manner, setting up a new veterans aid program for schools. It, too, is based on the school's ability to recruit not on its ability to educate.

The Nation's leading educators have clearly expressed their mistrust to the bill. In my State only one person has contacted me in support of the con-

ference report. He represents a community college, but this category of schools gets special benefits under the bill and he was frank in stating that is his interest. He did not know that the bill contains dangerous and objectionable features.

There is a need for a higher education bill but this is not the kind of bill which those interested in sound educational standards can reasonably support. Surely the Congress can design sound legislation with which to meet today's needs in higher education. The conference report should be rejected. The House should insist that the House conferees at long last respect the mandate of the House by rejecting the conference report forthwith and by insisting on sound language along the lines of the House-passed bill.

Mr. FRASER. Mr. Speaker, I wish that it would have been possible for me to support the conference report before us today. If this legislation had been only what its title implies—a bill to support higher education—there would have been no question about my vote.

But S. 659 is more than economic opportunity grants and institutional aid for colleges. It also represents a major congressional retreat from a commitment to the elimination of racial segregation in public education. It is not an overstatement to say that this bill moves us toward repeal of Brown against Board of Education.

The most objectionable feature of the bill, as far as I am concerned, is the House provision originally identified as the Broomfield amendment and later modified somewhat by the conferees. The intent of this amendment is to postpone implementation of all court orders in all cases involving either transfer or transportation of schoolchildren to achieve desegregation.

Many people see in Broomfield only a ban on busing but they are misreading the amendment. All desegregation—even the redrawing of attendance zones—involve the transfer of students from one school to another. It is quite possible that a student can find that he lives closer to his new school after the desegregation order than he did to his old school. But under the revised Broomfield amendment, these transfers as well as more extensive transportation plans are suspended for 18 months, pending appeal.

We have made great progress as a nation since 1954 in ridding our public education systems of the last vestiges of legally sanctioned racial segregation. Many courageous school boards in the South as well as the North have gone farther than the courts required and have attempted to bring about genuine integration on the local level.

If we adopt S. 659 today, we will seriously undercut these efforts to break down the barriers of racial separation. And we will be telling the American people that the U.S. Congress lacks faith in our Federal court system to enforce the 14th amendment thoughtfully and fairly.

I cast my vote against the higher education amendment with great sadness knowing that I am also voting against a measure which strengthens Indian education, combats sex discrimination, and



provides needed financial aid for many colleges and universities dangerously close to the edge of bankruptcy.

But I cannot turn away while efforts are being made to undo so many years of progress in the field of civil rights. I urge, therefore, that S. 659 be defeated.

Mr. CULVER. Mr. Speaker, the vote today on the adoption of the conference report on the Higher Education Act of 1972 places many of us in a painful dilemma. Unquestionably in its basic content, this is one of the most significant and far-reaching proposals on which we have acted during my 8 years in this House. Moreover, it is the product of the most genuine and painstaking legislative craftsmanship and effort. Its potential benefit, not only for our many colleges and institutions of higher learning, but also for neglected areas such as Indian education, is immense. By any reckoning this bill deserves support.

However, we cannot be oblivious to the one major defect in the bill before us—the insertion of an extraneous amendment which dilutes or at least calls into question our resolve to achieve nondiscrimination in public education. The antibusing amendment may be unconstitutional; it may turn out to have only slight legal effect; it may sink in its own ambiguities. But the fact that the amendment may ultimately be of small consequence does not justify our trivializing it or neglecting the change of attitude and commitment which it conveys to both members of minority groups and the country as a whole. It is a large blemish which the Nation, hopefully, will soon have the capacity and compassion to erase.

I have carefully pondered my vote, and on balance, I shall support the conference report. There is too much basic worth in the legislation, which has been the culmination of years of effort to bring our Federal programs into line with the contemporary need in post-secondary education as well as in specialized training and research. This is not a bill which can quickly be reconstructed and brought back to the floor. The busing issue cannot be stamped out by defeating this conference report. I have been persuaded that defeating the Higher Education Act of 1972 would neither advance the cause of education nor subsequently prevent even more lacerating blows to the cause of equal rights.

Mr. Speaker, I vote for this bill with the hope that it will bring new vigor to American higher education, that it will expand the horizons of opportunity for many young Americans, that it will alleviate the heavy economic pressures on many students, parents, as well as institutions, that it will help to maintain a proper balance and diversity among our institutions of public and private education. We can, I think, be confident that this bill at its true core embodies an act of legislative statesmanship and creative achievement.

Mr. BADILLO. Mr. Speaker, it has become almost a cliché to describe as "historic" the education amendments before the House today. Unfortunately, this is

so in both the positive sense and the negative sense.

Without doubt, the higher education assistance provisions represent a major achievement and deserve our enthusiastic support. They include a new program of basic educational opportunity grants to assure that no qualified student will be denied the resources necessary to attend a college or university.

This legislation also includes a desperately needed program of aid to institutions of higher education, to help them meet soaring costs which cannot be met through tuition alone. Particularly significant is the formula under which this aid is to be allocated, which emphasize assistance to institutions with high proportions of disadvantaged students. Having had a hand in working out this formula when the higher education bill was still in committee. I want to point out that this allocation was necessary to assure a fair apportionment of funds to developing institutions and those with high percentages of minority and disadvantaged students. These institutions are perhaps the most in need and without this formula, would have been among the lowest in funding priorities.

These amendments also include the Emergency School Aid Act, a \$2 billion program to assist school districts desegregating as a matter of local choice or under court order, in providing quality, integrated education to all students. This bill was before the General Subcommittee on Education, on which I serve, for many months and I am gratified that the final version includes the special set-aside for bilingual education programs which I succeeded in having incorporated in the House version of this bill.

Another very significant provision establishes the National Institute of Education, modeled on the National Institutes of Health, to provide the coordinated educational research and development so long absent from our national education effort. It is heartbreaking to see millions of American children still receiving inadequate educations, despite the tremendous increase in expenditures at every level and despite the many new techniques and procedures which have been developed in recent years. It is to be hoped that the National Institute of Education will undertake the broad research and demonstration program needed to assure that our education dollars are being spent effectively and that those who still are denied the benefits of our progress will be guaranteed the quality education so essential to a decent life.

Other highly significant provisions of this conference report include expansion of existing aid programs for postsecondary education, bars to discrimination on the basis of sex in education programs, establishment of a National Student Loan Marketing Association to support the guaranteed student loan program and creation for the first time of an ethnic heritage studies program.

It is fair to say this is the single most important education measure ever before the Congress. And it is tragic that it comes to us mortally encumbered with

three amendments designed to cripple the capacity of the Federal courts and agencies to remedy racially discriminatory school segregation. These amendments, and primarily the Broomfield amendment, make it impossible for me to support the conference report for they represent a retreat from the national commitment to nondiscrimination embodied in the Civil Rights Act of 1964 and a serious threat to the authority of the courts.

The intent of the Broomfield amendment seems quite clear. It is designed to postpone all orders, in all cases involving transportation of children to achieve school desegregation. If this intent is given effect, the amendment will halt 14th amendment enforcement for up to 18 months—6 months longer than President Nixon's proposed moratorium.

It is a tragic irony that we are taking this legislation up just after the 18th anniversary of the historic Brown against Board of Education decision which ruled that "separate but equal" is not at all equal. The Broomfield amendment attacks the principles behind that decision and the mandate established in the 1969 Alexander against Holmes County, in which the Supreme Court declared that dual school systems must be terminated at once.

It has been suggested repeatedly that the Broomfield amendment is so poorly drafted and so clearly in opposition to the trend of court rulings that it will be found unconstitutional, and that, therefore, we should vote for the conference report to salvage all that is good in the bill. I think it would be dangerous and mistaken for any Member to vote for this conference report hoping that the Court will bail us out. In the first place, it would be foolhardy to attempt to anticipate the Supreme Court, particularly in view of recent changes in membership and the ideological shift which apparently has taken place. And in the second place, we all have taken an oath of office to preserve the integrity of the Constitution.

I think the distinguished Senator from Minnesota (Mr. MONDALE) put the issue in its proper perspective during Senate debate on this conference report when he said:

I think most of us would agree that if someone offered us a bargain—to reduce our freedom of speech, our right to assemble, or our right to practice our religion in exchange for another 10 miles of super highways—we would all say, "we cannot exchange our freedoms for such considerations." The freedoms found in the Constitution, the freedoms fundamental to American life, are in a real sense noncompromisable. They are on a different level, a different plateau, and bear a different value from other disputes.

Mr. Speaker, I urge rejection of the conference report. There is still time to provide assistance to higher education, but we should not do so under the blackmail threat which attacks so basic a principle of our society and our system of laws.

Mr. DONOHUE. Mr. Speaker, from the continued debate here, it is rather obvious that practically every Member of this House is approaching the legislative

determination of this conference report on S. 659, the Education Amendments of 1972, with mixed and troubled emotions.

It is equally clear, whatever misgivings many of us may have about any particular section of the report, that the educational benefit essence of the bill has been hailed and endorsed by an impressive array of professional organizations and authorities as comprising perhaps the most important single educational advance ever placed before the Congress.

In summary, among many other projections, the measure contains an urgently needed program of aid to institutions of higher education to help overcome the accelerating costs of post secondary education that cannot be met by tuition payments alone; it establishes a new program of basic educational opportunity grants in order to try and insure that no qualified student shall be deprived of his ambition to attend a higher education institution; it provides the Emergency School Aid Act, a \$2 billion program to assist school districts, desegregating as a matter of local choice or under legal requirement, in offering high quality integrated education to all students; and, it creates a National Institute of Education, modeled after the National Institutes for Health, to initiate the coordinated educational research and development activity that is so urgently needed to stimulate creativity in modern higher education.

There are also, within the bill, provisions to expand existing programs of assistance to post secondary education, to establish protection against discrimination in education programs on the basis of sex, to set up a National Student Loan Marketing Association to strengthen the guaranteed student loan program and to initiate, for the first time, ethnic heritage study centers in local communities.

Mr. Speaker, all of the educational improvements and benefits embodied in and projected by this bill, involving some \$18.5 billion in authorizations, truly represent the most impressive and most promising higher educational progress ever considered by the Congress. Undoubtedly our higher education structure is in nearly desperate need for the timely and sustaining support that is contained in this bill. While there are some aspects, as in most every other measure, that many of us might wish were not included in it, that may well have no legal effect whatsoever, but which we can not, under the procedure being followed, separate from the bill, I am impelled, on overall balance, to accept the unique educational substance of this proposal, in the national interest.

Mr. DERWINSKI. Mr. Speaker, it is unfortunate that this higher education bill was subject to the further complications inherent in the question of court-ordered busing. My position is based on the failure of the conferees to produce language which, in my judgment, would effectively terminate court-ordered busing for racial quota purposes. Of special concern to me is the fact that a number of school districts in my congressional district, who are affected by either court-ordered or administrative busing plans,

would not have their problems alleviated by the language presented to us today.

This is a classic case of a major legislative proposal encountering unnecessary problems with the injection of a dominant issue. I believe that we should, as legislators, avoid situations like this where a bill becomes hostage to or, unfortunately, complicated by what should be a separate issue.

Mrs. ABZUG. Mr. Speaker, today the House is in a most regrettable position, we have before us the feast of the higher education conference report (S. 659) and the feast has been laced with poison. We are asked to alleviate the financial plight of our colleges and universities and to take the initial step in eradicating the rampant discrimination against women in higher education at the expense of quality integrated education. The price is too high. I will vote against the conference report because it would be neither moral or, in the long run, beneficial to barter the future of our children and our commitment to equal rights for all for the benefits which the higher education bill would provide.

The legislation before us today is known as the "higher education bill." To the extent that it relates to higher education, it is a good bill and a bill worthy of our approval. But there are aspects of this bill which do not deal with higher education, rather they deal with the denial of the right of small children to quality integrated education. The provisions known as the "antibusing provisions" demean and besmirch the high purpose of providing financial assistance for students and colleges and universities and the initial legislation precluding sex discrimination in higher education, which as you know, has been rampant. While this bill would not assure women full equality in admission to higher educational institutions, in that it does not apply to the admissions policies of private undergraduate institutions, it does represent a substantial advance for women. But I cannot believe that the women in higher education would seek to gain their rights at the expense of the public schoolchildren of this country.

The antibusing provisions in this bill represent an effort to turn back the clock to the time when racial segregation in the public school was accepted in this country and an effort to deny to black children their constitutional right to an equal education. It is incredible to me that nearly two decades after the Supreme Court held that separate facilities for different races were inherently unequal and therefore a violation of the equal protection clause of the 14th amendment to the Constitution, the Congress of the United States is still fighting to prevent the enforcement of that decision.

In addition, it is interesting to note how readily a Congress which lacks the courage to carry out its constitutional responsibilities in the fields of military and foreign policy by cutting off funds for the war in Indochina and setting a date for total American withdrawal is prepared to interfere with the constitutional responsibilities of the courts in an effort to deny the constitutional rights of black citizens.

Let us make no mistake about it. Opposition to "forced busing" is opposition to quality integrated education and defiance of the Constitution. Busing is not the only means for achieving quality integrated education, but is an acceptable means and should be used where necessary. The antibusing provisions in this bill are contrary to the principles on which this country is built, and I cannot support them no matter how attractive a higher education assistance package goes with them. I urge the rejection of the conference report.

Mr. BINGHAM. Mr. Speaker, I rise in support of S. 659, the higher education conference report. Few bills have had as stormy a journey through the 92d Congress and few offer so difficult a voting choice for Members concerned about the future of American education. Clearly, on their own merits, the substantive Higher Education proposals offer a progressive vision for American education. The extension of student aid programs and creation of new forms of financial assistance promises to expand educational opportunities for all Americans.

Further, the revolutionary institutional aid programs, which I wholeheartedly support, would greatly diminish the pressure on our financially hard-pressed colleges. I am particularly pleased that a new program to aid our communities colleges is incorporated in S. 659. I have sought such assistance for many years and am also happy to note that James A. Colston, president of Bronx Community College, is one of many of our leading educators who has urged adoption of S. 659. It is evident that the conferees did a remarkable job in balancing the varied interests in educational programs and while the conference report may not give all institutions what they sought, it does make the single greatest leap forward for higher education reform in this century. Thus, it deservedly has the support of most of the major college and university organizations.

It is against this background that I confront the busing amendment. Many persons and groups whose judgment I continuously solicit and rely upon urge defeat of the entire education bill because of the antibusing provisions. However, I do not believe the provision is a fatal flaw in the bill. In this regard, I was impressed by the following New York Times editorial of May 19, 1972:

#### THE BUSING SIDESHOW

The agreement reached by Senate-House conferees on the so-called public school antibusing amendment should remove the most serious obstacle to enactment of the historic higher education aid bill. It is a compromise that has already drawn fire from Southern segregationists, who wanted to ram an anti-integration rider down the conference committee's throat, and from some civil rights groups, who consider any restriction on busing unacceptable.

Unquestionably any amendment that attempts to use the higher education bill as a means of interfering with the totally unrelated issue of public school integration has an element of shoddiness about it. But given the hysteria that surrounds the busing issue, the conferees are entitled to credit for producing a compromise that extracts the segre-



gationist teeth from the dreadful provision presented to them by the House.

The amendment would delay for up to nineteen months, pending all appeals, any Federal court orders requiring busing to achieve racial balance. On that basis, it does not prohibit busing necessary for school desegregation. It merely adheres to the Supreme Court's ruling that it is proper for the lower courts to order busing to achieve integration but not to create racial balance.

Far from bowing to the House order to prohibit the use of Federal desegregation aid to pay for busing, the amendment allows the expenditure of such funds for busing if local communities request them. It does not prevent Federal civil rights enforcement agencies from ordering such expenditure provided they are "constitutionally required."

The anti-busing debate is a red herring politically magnified by Governor Wallace and given bogus respectability by President Nixon. The conference compromise, which closely resembles the earlier Scott-Mansfield amendment, is designed to do as little harm as possible. Its liberal authors would undoubtedly agree that it serves no constructive purpose in its own right; rather it is a shield for saving the college campuses without actively sabotaging school integration.

It should also be noted that the most vociferous opponents of school busing are all urging a "no" vote on the conference report.

On balance, I believe the importance of the bill for higher education is overriding.

Mr. FUQUA. Mr. Speaker, I cannot remember a legislative proposal that has elicited from me more ambivalent feelings than has the Higher Educational Act of 1972. Even the higher education community is unable to take more than an ambiguous stand on this legislation as there are a number of unsatisfactory provisions in this sweeping measure.

One of the more odious provisions of the measure sent to us from conference is the formula tying institutional aid to the amount of Federal dollars going to needy students. I feel strongly that all qualified students should be able to obtain a postsecondary education through Federal assistance if otherwise unable to do so. But where does the student from the middle income group fit into the broad picture of higher education? We are confronted once again with a situation where the poor and the rich benefit at the expense of the middle and lower income taxpayer. The funding formula developed under the able leadership of Mrs. GREEN rejected the concept of institutional aid based on a particular class of students and this concept has my support. The provision for general assistance to institutions of higher education as contained in the conference report gives me much concern.

Another area of great concern to me is that of school busing. The House was most explicit in its version of the Higher Education Act about prohibiting the forced busing of our schoolchildren. I reject the inference that antibusing language is superfluous to higher education legislation. Forced busing is one of the most pressing social concerns of this day and I feel strongly that the question should be addressed with strong proscriptions against compulsory busing. In this regard, I supported and still support the language as contained in the House ver-

sion. I voted for the Broomfield amendment because I felt that all appeals should be heard before court-ordered busing plans are enforced. Yet, and contrary to House instructions, the conference added a termination date for these appeals. I reject the inclusion of this termination date as the congested state of our courts will often require judicial action after the January 1, 1974, date.

Similarly, I voted in favor of the Green amendment because I feel strongly that Federal employers must be prohibited from encouraging local governments or local agencies to use their money for busing. Unfortunately, the conference added "unless constitutionally required." Any layman can recognize that the inclusion of this phrase effectively diminishes the impact of the Green amendment and renders the language meaningless.

The House version also stated that no funds will be appropriated for the purpose of carrying out any applicable program used for the transportation of students or teachers or for the purchase of equipment for such transportation in order to carry out a plan of racial desegregation. Yet the conferees send us a provision which would prohibit such appropriations unless instructed in writing by local school officials. This is poppycock in light of the fact that the House said these funds would not be expended to carry out busing plans.

Finally, the House was steadfast in requiring that all guidelines and criteria established regarding the transportation of schoolchildren shall be applied uniformly in all regions of the United States in dealing with conditions of segregation by race in the schools without regard to the origin or cause of such segregation. Once again the conference lessened the strong and sound purpose of this provision.

If we are to address the question of school busing we must meet it headon. I see little to be gained by this one step forward, two steps backward approach to busing proscriptions. Time and time again the House expresses its distaste of forced busing only to have the language watered down. Regardless whether the conference report meets with success or failure the Congress must face up to the fact that forced busing is patently unpopular, unsuccessful in bringing about quality education, and is socially divisive.

However, even though the language of the conference report is not as strong as I would like for it to be, I do not feel that we can afford to sacrifice what is essentially a sound education bill. The House Education and Labor Committee is considering legislation that would provide funds for alternative means of school desegregation without the burden of forced busing. In addition, the House Judiciary Committee is considering legislation calling for a moratorium on all forced busing of schoolchildren. Finally, the House Judiciary Committee is considering a constitutional amendment prohibiting forced busing and I have signed the discharge petition to bring this amendment to the House floor. These measures as well as next year's elementary and secondary education bill

will provide useful opportunities to eliminate the social ills concomitant with forced busing. I must repeat, however, that I strongly reject the watering down of the House language and several other provisions of the conference report.

But what are our alternatives? Higher education has had to wait over two years for an omnibus bill. Here we are at the 11th hour and still we are unable to present legislation that will remedy some serious shortcomings in programs of Federal assistance to higher education. We are now, however, out of options and I feel that I must support the conference report in spite of the objections I have just mentioned.

No legislation is going to be perfectly satisfactory to all concerned. I wish that the conference report could have been closer to the measure which was passed by the House and which received my support. In considering this measure I have attempted to balance the objectionable provisions against those which will assist our educational system. In addition, the long delay in getting an omnibus bill to the floor is a factor to consider in voting for or against the conference report. After a careful analysis of the measure, I feel that I must support the conference report although I have strong reservations about the measure. Certainly, this bill cannot be considered as if in a vacuum. The appropriations process will play an important role in determining whether the ultimate programs will provide the kind of assistance needed by our higher education institutions.

The new basic education opportunity grants appear excessive and I would prefer greater support of existing programs which have met the test of time. Fortunately, or unfortunately, the conference report requires that funding of present programs must reach a high level of funding each year before any appropriations may be made for the new basic education opportunity grant program. Supplemental education opportunity grants must receive over \$130 million; the college work study program must be funded at over \$237 million; NDEA direct loan program must be funded at over \$286 million before funds are appropriated for the basic education opportunity grant program. I am most hopeful that these programs can be funded at a higher level and much less emphasis being given to the new program.

Notwithstanding the provisions to which I have just expressed my concern, this higher education bill will provide new and innovative answers to complex educational problems. One of the most exciting provisions of this measure is the creation of a Student Loan Marketing Association to help insure adequate funds for guaranteed student loans. The association would sell stock and buy up student loan notes from private lenders. I was the author of a very similar provision which would have, like the SMLA, created a secondary market for student loan notes. Consistent with the establishment of SMLA the legislation extends the current guaranteed student loan program, increasing the amount a student may borrow each year from \$1,500 to \$2,500. The bill places a limit of \$7,500

on the total amount undergraduates can borrow and a total of \$10,000 on the amount graduate students can borrow, including their undergraduate loans.

Another essential provision of the bill extends the national defense student loan program and authorizes annual appropriations of \$400 million through fiscal 1975 and limits to \$2,500 the total a student may receive during his first 2 years in college. The bill allows an undergraduate to receive a total of \$5,000 in such loans and a graduate student \$10,000, including his undergraduate loans.

One of the most essential provisions of the bill authorizes \$275 million through fiscal 1975 for a program of matching grants to assist in planning, establishing and expanding community colleges. Many community college educators, their professional State associations, the American Association of Junior Colleges, and the Carnegie Commission on Higher Education have advocated the expansion of the very successful community college programs.

Graduate education receives increased assistance and the conference report recognizes the scientific and technological offshoots of graduate education and the prominent role it plays in maintaining our leadership in world technology and trade. The bill establishes a new section consolidating graduate aid. It authorizes a program for improvement of graduate facilities and programs with authorizations of \$30 million for fiscal 1973, \$40 million for fiscal 1974, and \$50 million for fiscal 1975. The bill authorizes a program of graduate fellowships, similar to the current national defense graduate fellowships, for persons teaching in institutions of higher education. In addition, it authorizes a program of public service fellowships and extends the current program of language and area studies.

A total of \$80 million through 1975 is authorized to develop curriculums for consumers' education and provides training for teachers and public service personnel. Another important provision authorizes funds for college library programs.

For these and other beneficial programs I do not feel that we can afford to defeat the conference report. Higher education contributes greatly to maintaining our position as a world leader. This is not to say that it is desirable to encourage every young person to obtain formal education beyond the high school level. Certainly there are young people who prefer for one reason or another to enter the trades and they can benefit greatly by vocational and occupational training. This bill provides incentives and opportunities for training of this nature and the development of sound vocational education programs must be encouraged.

It comes then, to a matter of balancing the merits and demerits of the bill. While I have outlined my objections to certain provisions of this measure, I do not feel that we can discard over 2 years of concentrated committee work and long hours of hearings by defeating the conference report. For this reason, I will

vote in favor of the conference report, though reluctantly, so that we can move ahead with much needed educational programs. It is important to realize that the authorization of virtually all of the higher education programs will otherwise expire on June 30, 1972. If the House rejects the conference report we are confronted with a possibility of throwing the baby out with the bathwater. I encourage my colleagues to join me in support of this legislation.

Mr. PICKLE. Mr. Speaker, although I support this bill for passage I have some definite reservations on the merits and substance of the provisions on institutional aid to higher education.

This bill has recently been called by the Washington Post what "may be the most far-reaching legislation to come to a final vote in this Congress" and a bill which the New York Times states "can affect the fate of American higher education for generations to come." I agree in general with these descriptions and that is why I want the record to show several concerns I have about the bill.

The bill as reported out by a conference committee and accepted by the Senate contains many very fine provisions, including the extension of many excellent Federal aid programs, the addition of new student assistance programs, and new authorization levels for funding. However, the provisions for aid to institutions under title X, it seems to me, focus almost exclusively upon aid to needy students. Such institutional aid as may become available under title X of the bill is almost exclusively dependent upon the extent to which recipient institutions are obtaining and providing Federal aid to economically needy students. The provisions of title X ignore first the many purposes of higher education other than aid to the needy students which need to be supported, and second the efforts of the States, institutions, and private donors to provide assistance to needy students.

This is not to say that in any way I oppose more aid to needy students. I would point out that in my State of Texas, higher education has always been made more readily available to the economically disadvantaged students through low tuition charges. For example, a Texas student may complete a year's work of 30 credit hours for a tuition charge of \$120. The voters of Texas in two separate elections approved bonds of \$285 million for loans to students, a program which has provided to date 245,900 loans to 79,200 students for \$91.6 million. Texas institutions have combined millions of dollars with millions in Federal aid to construct facilities to accommodate more students. New schools have been authorized and funded to provide more convenient geographic accessibility and increased educational opportunity for students. And our Texas institutions have availed themselves of the excellent and beneficial Federal aid programs for students.

However, Texas has pursued other objectives in higher education such as diversity of programs and purposes, and admissions standards within and among our colleges and universities. Our insti-

tutions have also sought to attain and protect quality in our offerings and performance. In addition, our State has attempted to maintain institutional autonomy from outside control or from bowing to financial inducements which may compromise these and other goals and objectives. Further, our institutions have sought to maintain financial stability and to carry out long-range planning based on the budgeting of predictable sources of income.

Title X provides a Federal system of reward for those institutions which make the greatest efforts to obtain Federal aid for economically disadvantaged students while ignoring the needs of the institutions for support for other programs and functions. I am concerned that this may provide a strong incentive for institutions to become more alike and will threaten their autonomy as they seek institutional aid in the only form in which they can receive it. In order to obtain the money we promise, they may do what we, the Congress, believe they should do rather than what it is best that they should do. In addition, the bill provides this incentive program in a form that could make the income under the program highly unpredictable and, therefore, could place all recipient institutions in the position of heavy reliance upon Federal support. I will come back to this point in a moment since it is of major importance.

My point here is that the need for increased assistance for students cannot be denied, but institutions have major social purposes to fulfill other than admitting federally aided students. To carry out these other functions, colleges and universities throughout the country are in great need of general institutional aid from the Federal Government, but title X may not provide general aid. It seems to me it provides funds to institutions only if they choose to emphasize what Congress by this bill would define as a worthy objective exclusive of all others.

I am encouraged by the statements of the gentleman from Indiana (Mr. BRADEMAS) that it is not the intent to penalize institutions by appropriations only for, or primarily for, needy students. If the committee does indeed intend to give more general institutional aid, it should make that known. Moreover, we should make plans to change that part of the bill at an early date. Meanwhile, I am pleased to hear from the committee members that the present limitations will not deprive our schools from receiving considerable institutional aid.

However, it is conceivable that institutions may be assisted to some extent under this bill as submitted, and consequently I believe it is worth trying out. But we should all be aware of what I call trap door clauses in this bill that can make a major portion of the institutional aid provisions totally inoperative. In total, these trap door clauses require that a minimum of \$900,000,000 must be appropriated before a portion of the institutional aid program will become effective.

If we are promising the institutions direct aid with one hand, I do not believe we should be planning with the other



to withhold it. Specifically, these trap door clauses provide:

First. That no basic opportunity grants to students may be made until annual appropriations are made at the following minimum levels in each of the three programs:

BOG .....	\$130,000,000
Work-Study .....	237,400,000
Student Loans .....	286,000,000
Total .....	653,400,000

Second. That no institutional aid based on the basic opportunity grants to students will be made until the BOG program receives appropriations for at least 50 percent of such student grant entitlements, that is, until an appropriation of an estimated \$250,000,000 is appropriated for the BOG program.

Third. That after appropriations reach the minimum of 50 percent, the funds to meet the institutional grant entitlements related to the BOG grants may not exceed the percentage equal to the level at which the BOG program needs are funded; that is, for example, if the BOG needs are met at 65 percent, the institutional grants may not exceed 65 percent of the entitlement.

I have addressed these topics concerning this bill for several reasons. First, I believe we should all be aware that we are probably not providing an adequate general aid program for higher education in this bill. Second, we should be aware that to trip the lever that would place the proposed institutional aid program in full operation, we are committing ourselves to appropriations for student aid and institutional aid in excess of \$1 billion. And third, if we put this program into full effect in 1 year, we cannot easily withdraw from it in a subsequent year since institutions will immediately become dependent upon the continued income under the institutional aid program.

On the matter of busing, the bill postpones the effectiveness of orders issued by a U.S. district court—or on appeal—when such order requires “the transfer or transportation of any student or students to achieve a balance among students.” Such orders are postponed until all appeals have been exhausted. In effect, the bill attempts to postpone all court decisions until all appeals have been exhausted—or until January 1, 1974—a period of some 18 months. It also keeps the so-called Ashbrook amendment in the bill that prohibits the use of any Federal funds for transportation of students or teachers in order to carry out a plan of racial desegregation—except on the express written voluntary request of appropriate local school officials.

I make mention of one other item in the bill—youth camp safety. I am glad the conferees agreed to proceed with provisions requiring a full survey of all youth camps in the country by the Secretary of HEW, and to present to Congress within a year such recommendations as the Secretary thinks best to carry out requirement for safe camps throughout the United States.

Mr. Speaker, good education should come first in our consideration. Although

many of us are troubled by some sections of the bill, I believe the general advancement of higher education is better achieved by passage of the bill than by voting our doubts. Also, I think the provisions of the bill that will help further develop our technical and vocational programs both on the secondary and post-secondary level lend substantial weight to the need to approve this conference report.

Mr. STOKES. Mr. Speaker, I rise to declare my opposition to the conference report on the Higher Education Act. My decision is based upon a total commitment to equality in education.

For much too long the Congress and the Nation has been engaged in an emotional, irrational argument over school busing. Other far more vital issues have been obscured and ignored. I have opposed antibusing measures each time they have arisen. It has always been clear to me that attempts to eliminate busing as a means of desegregating schools would be followed by other, more direct attacks on the desegregation process. This is best illustrated by the administration's so-called busing proposals. That legislation goes far beyond busing to restrict other desegregation methods. It would also open long settled desegregation plans to new court tests. Busing has been used because, in many cases, it is the most immediate and effective method of accomplishing desegregation. Its elimination will be the first in a series of attempts to roll back the progress which has been made.

Some people say that the antibusing provision in this conference report is moderate. I cannot accept that view. The principles it represents are radical, not moderate. It interferes with the judicial process by declaring a busing moratorium pending appeal. Even more important, it represents a retreat from the Federal Government's commitment to equality in education.

I firmly believe in the critical importance of meaningful education for our young people. I cannot, however forsake the necessity for desegregation of elementary and secondary education in exchange for improved funding and other benefits for higher education.

Provisions of this bill such as expanded aid to college and college students, aid to vocational and Indian education, elimination of sex discrimination in higher education, and financial aid to desegregating school districts are vitally needed. Let us defeat this bill and halt the erosion of civil rights. We can then get on with the business of making real improvements in education at all levels.

Mr. RAILSBACK. Mr. Speaker, Clark Kerr, the noted educator who is now chairman of the Carnegie Commission on Higher Education, has referred to the Education Amendments of 1972 as the most important piece of legislation for higher education since the Morrill Act of 1862—the law which created land-grant State colleges such as the University of Illinois. More than 2 years of bipartisan effort have been devoted to the evolution of this bill, which will provide authorization for \$18.5 billion in aid to higher education.

Unfortunately, the focus of public at-

tention in regard to this legislation has not been on the aid to higher education—which was its original and still primary intention—but rather on the various amendments attached to it concerning the peripheral, yet highly emotional, issue of busing. It is ironic that this should happen, and it will become tragic if the controversy over these amendments result in the bill's rejection.

Passage of the Education Amendments of 1972 will be of significant benefit to the State of Illinois. Illinois ranks fifth among the 50 States in terms of Federal funds received under current programs. In fiscal year 1970, Illinois institutions of higher education received a total of \$151,674,000 in Federal funds.

Numerous college educators have contacted me, explaining it now is necessary to provide increased assistance to the institutions of higher education in view of increased costs. The following chart will show how instructional costs have jumped over the past few years:

INSTRUCTIONAL COST PER FULL-TIME EQUIVALENT STUDENT (ACTUAL EXPENDITURES)

School	1966-67	1967-68	1968-69	1969-70
Chicago State .....	\$1,136	\$1,287	\$1,511	\$1,554
Eastern Illinois .....	1,256	1,239	1,362	1,531
Illinois State .....	1,201	1,325	1,348	1,465
Northern Illinois .....	1,195	1,307	1,434	1,550
Northeastern Illinois .....	1,020	1,111	1,217	1,462
SIU—Carbondale .....	1,486	1,587	1,547	1,701
SIU—Edwardsville .....	1,709	1,465	1,583	1,545
U. of Illinois at Chicago Circle .....	1,672	1,736	1,860	1,982
U. of Illinois at Urbana .....	1,777	1,857	1,874	2,064
Western Illinois .....	1,084	1,197	1,350	1,389
Averages .....	1,460	1,523	1,585	1,706

I am convinced the legislation we are considering today will dramatically help our institutions of higher learning.

It is estimated that approximately 200 independent colleges in the United States will close out their final year because of money problems. The Education Amendments of 1972 will direct the Commissioner of Education to distribute \$40 million to institutions in such severe financial distress.

The legislation will also authorize a new program of aid distribution to colleges, and a new program of basic educational opportunity grants for students. In addition, there are important provisions regarding education for the handicapped, community services, ethnic studies, and consumers' education. Sex bias is banned in all graduate admissions and in undergraduate admissions to coeducational public colleges. Further, an education division is created in the Department of Health, Education, and Welfare to include the Office of Education and a newly-created National Institute of Education.

The Education Amendments of 1972 is of broad and enormous importance to the future of our higher education system. I urge the House to pass the conference report on this legislation without delay.

Mr. SMITH of Iowa. Mr. Speaker, I find the reasons for voting for and against this bill to be rather overwhelming on both sides. I do not recall a bill in recent times where I have had as much difficulty making up my mind whether the arguments on one side outweigh the arguments on the other.

I do not like the bill among other things for the following reasons:

First. It holds out several false promises which are subject to conditions precedent or practical appropriation limitations which are not readily apparent to people reading the summary of the bill. Institutions will not receive the amount of institutional aid they think they will get in many cases and most students will not receive a basic grant as many had been led to believe.

Second. Institutional aid is tied to Federal student aid and I think this represents an unnecessary interference in the operation of the institutions and, in effect, penalizes those which do not, through increasing tuition rates and other methods, find ways to increase the number and amount of federally assisted student aid.

Third. The emergency school aid portion of the bill contains provisions that leave something to be desired. They overlap considerably with the objectives of title I of the Elementary and Secondary Education Act but are not tied as closely to a formula which is based upon the number of children from needy families and therefore upon the ability to secure funds from local taxes or the ability of a local school district to support itself in overcoming school aid problems.

Fourth. One of the general provisions of the bill interferes with the operation of the courts and assures opponents of court orders that they can secure substantial relief merely by filing an appeal no matter how nonmeritorious it may be. In meritorious cases, there are legal ways of getting relief in a hurry by showing that irreparable harm will result from a delay, but in this case, substantial delays would be available even without such a showing and some delay would be guaranteed by just waiting to see if appeals are filed.

On the other hand, there are some provisions in this bill which are badly needed. For the past year, we have been appropriating money under a simple 1-year extension of previously enacted programs and without any updating of these programs. I serve on the subcommittee which recommends appropriations and we have been unable to include any recommendation in the bill which will come before the House next week for higher education because a new extension and guidelines have not been passed or authorized. The institutions of higher education need to know soon how much money they will have available for the semester starting in September and they need some time to plan for it. Some of the institutions are in very dire need of some of the new program provisions in the bill.

I realize that it is almost impossible in this Congress to secure the passage of legislation which would have overwhelming support. This is only partially because a busing argument has developed but it is also because there is a substantial difference of opinion as to the emphasis to be placed upon various kinds of student aid and institutional aid.

There are those who say that defeat

of this bill will result in the adoption of better legislation. If I were sure of this, I would have no hesitation in voting against the bill and immediately support bringing forth some new legislation but I am having difficulty believing that this can be assured in this Congress. Perhaps we can correct some of the deficiencies that I mentioned above through the appropriations process during the coming year and I hope that the next Congress will be able to pass some amendments clearing up other negative aspects to this bill.

I regret that we will not have the opportunity to vote today on a bill which I could more enthusiastically support; but, as in the case with all bills, we eventually have to vote either "yes" or "no." But both those who vote "yes" and those who vote "no" should resolve to take further action to try to improve the provisions of this bill and remove some of the objections that I have referred to in this statement.

Mr. SATTERFIELD. Mr. Speaker, I rise in opposition to the conference report. Although I am opposed to it for several reasons, I will confine my remarks to title 7 of the bill.

I do so because I am deeply concerned about the effect this title will have in areas like Richmond, Va., which I represent, where the question of merger of school districts for the purpose of achieving a given racial balance in public schools has been very much in the news.

I am concerned about how the passage of this title might affect the recent decision in the Richmond case by the United States Court of Appeals for the Fourth Circuit when it is considered in the U.S. Supreme Court.

I am concerned about how it will affect other areas which are now or will in the future be confronted with similar problems and cases growing out of those problems.

Let me invite your attention to section 709 of the measure we are considering.

One hundred million dollars are available for three things under section 709. First, for grants and contracts with local educational agencies to assist them in establishing and maintaining integrated schools; second, grants to local educational agencies to pay all or a part of the cost of planning and constructing integrated education parks; and last, what I consider most offensive, is a provision to provide grants to groups of local educational agencies located in standard metropolitan statistical areas for the joint development of a plan to reduce or eliminate minority group isolation to the maximum extent possible.

The plan in question must provide that by a date certain before July 1, 1983, the percentage of minority group children in each school shall be equal to at least 50 percent of the overall percentage of all such minority children in the standard metropolitan statistical area involved.

There is a further requirement that before the grant can be made, two-thirds of the local educational agencies must approve the grant application and that

the educational agencies so approving that application represent two-thirds of the total number of students in the local standard metropolitan statistical area.

One thing which every Member of this body will want to know is to whom will the provisions of this section apply. For the answer to that question, I refer you to the definition of a standard metropolitan statistical area as contained in section 720 of this title. It defines a standard metropolitan statistical area as an area in and around a city of 50,000 inhabitants or more, the boundaries of which are defined by the Office of Management and Budget and I am sure that this is intended to include redefinition of such areas from time to time by the Office of Management and Budget.

I find these provisions deeply disturbing for several reasons.

I have reviewed this measure and fail to find any prohibition which will preclude the Director of the Office of Management and Budget from including within a standard metropolitan statistical area land or school districts or political subdivisions which lie in more than one State. It is more than obvious that any city of 50,000 inhabitants or more located close to a State boundary could find itself at some time in the future confronted with a merger of an area including a portion of the adjacent State. This could clearly be the case in cities like Detroit, Mich.; Memphis, Tenn.; and the District of Columbia, to mention a few.

Every Member of this House should be concerned about the fact that if this measure is passed Congress will say, for the first time, that it endorses the concept of merging public schools of separate political entities in metropolitan areas for the purpose of reordering the racial balance of the pupils in each elementary and secondary school in such area. So long as the Supreme Court insists upon its decision that busing is a legitimate tool to help establish a unitary school system, Congress, if it passes this measure, will be approving the use of busing to achieve the required integration in the schools in these standard metropolitan statistical areas.

By approving this section, the House of Representatives will also be saying that it endorses the principle that a merger of such school districts may be involuntarily imposed upon school districts controlled and administered by local school agencies in the area involved. Clearly under the language of section 709, two local school boards in a standard metropolitan statistical area can combine to force a third to participate in such a plan against its will.

By approving this section, the House will be saying also that such a merger may occur in the absence of any action by the local electorate involved. In my home State of Virginia, for example, this is precisely what will happen because school boards are appointed and not elected. I am certain that a similar situation exists in many of our sister States.

I represent the city of Richmond and the adjacent counties of Henrico and Chesterfield in the State of Virginia. This area is not unlike many other areas



across our land. The city of Richmond has been under a forced busing order for 2 school years. The district court ordered a merger of the public schools in two separate adjacent political subdivisions with that of Richmond to establish one master school district to accommodate a master busing plan. Earlier this week, the United States Circuit Court of Appeals for the Fourth Circuit ruled that the Federal judge in this case had exceeded his authority and reversed his decision. This decision has been discussed at length by the Members of this body. However, let me remind you that the decision in question applies only to the facts as they existed in Virginia and does not affect any other area.

Let me remind you also that if we approve this measure today, we will establish through title VII a basis upon which another court might very well determine has created and conferred the authority which the Fourth Circuit Court found lacking in the Richmond case.

If we vote for this bill we will be directing the Federal Government to exert its weight and to expend its funds to achieve in any standard metropolitan statistical area, including Richmond, to achieve the kind of merger which was the subject of the Fourth Circuit Court's ruling.

And let me remind you further that by passing this bill we may very well establish a condition where these mergers can be forced to occur. I use the word forced advisedly because I know and you know from bitter experience how the threatened use or nonuse of Federal funds, whether such use or nonuse is right or wrong, has been employed in the past to bring a local school agency to its knees and to agree to things which it would not otherwise have accepted.

Mr. Speaker, the provisions of title VII alone establish ample justification for a vote against this conference report. I urge my colleagues who are interested in further information with respect to this title to read the editorial from the Richmond Times-Dispatch, which I inserted in the CONGRESSIONAL RECORD on Tuesday, June 6, at page 19875.

This conference report should be defeated and I urge my colleagues to vote against it.

Mr. HOGAN. Mr. Speaker, today I must decide on a vote which is one of the hardest decisions I have had to make since my election to Congress. In fact, I can remember only once or twice before in the 3½ years that I have served in this body that a legislative vote has been as difficult as my decision today to vote against this higher education bill.

Before coming to Congress I served on the faculty of the University of Maryland and since I have been in Congress I have been a staunch supporter of education, but this bill before us today does not deserve my support.

I am sure many of my colleagues who have previously supported education bills are in a similar position, and I am sure there will be criticism whichever way we vote. Because of the complexities of this mammoth piece of legislation, we have been placed into a "damned-if-you-do, damned-if-you-don't" situation. De-

pending on your point of view, either the higher education provisions or the busing provisions color your perspective.

As the Representative of Maryland's Fifth Congressional District, which includes Prince Georges County which has been the target of HEW-conceived busing schemes, obviously my primary view of this bill is influenced by the busing provisions which the conferees' compromise have rendered meaningless. After a review of titles VII and VIII of this legislation, I am convinced that a vote for this bill is a vote for busing.

As so many newspaper headlines pointed out on the morning that the conference was concluded, the conferees did yield on the all-important antibusing provisions so as to render them worthless.

What makes this compromise all the more appalling, however, is the number of times that the House has gone on record in opposition precisely to the compromise language included in this conference report. On this bill alone, the House voted for three different antibusing amendments last November:

The Ashbrook amendment—which stated that no funds appropriated for the purpose of carrying out any applicable program can be used for the transportation of students or teachers or for the purchase of equipment for such transportation in order to carry out a plan of racial desegregation of any school or school system.

The Green amendment—which forbade Federal employees from encouraging local governments or local agencies to use their money for busing.

And the Broomfield amendment—which required that all appeals must be heard before court orders are enforced.

But perhaps even more important than these three votes was the unprecedented step taken by the House to twice instruct House conferees to insist on our recorded House position. The conferees completely ignored the House instructions and sold us out on busing. It is not often that we have five votes on a single issue in a single piece of legislation, with an overwhelming vote margin in each instance. The House's view left no room for doubt as to where we stand on busing.

Of course, even before those five votes for the antibusing provisions in the House bill, this body had gone on record numerous times in the past on this issue.

I have only served in the Congress since the start of the 91st Congress in January 1969. In that time, I cast my vote against busing on at least five occasions prior to the five votes I just mentioned. Those five votes were as follows:

First. On December 18, 1969, I voted against the Senate amendments to the Labor-HEW appropriations measure which added the words "except as required by the Constitution" to language in the bill prohibiting funds from being used to force busing of students, abolishment of any school, or assignment of any elementary or secondary school student against the student's or parent's choice, and forbidding busing of

students to a particular school as a condition precedent to obtaining Federal funds.

Second. On February 19, 1970, this body passed the Labor-HEW appropriations—a new bill reported after the President vetoed the December 18 measure—by a vote of 315 to 81. This bill included the same antibusing provision as the earlier bill without the Senate amendments. It also included a freedom of choice provision to the effect that no funds contained in the act be used to provide, carry out, or implement any plan that would deny any student the right of attending any public school of his choice as selected by parent or guardian.

Third. On March 3, 1970, two votes were taken on the conference report on the Labor-HEW appropriations. The first vote on a motion to table the motion to accept the watered-down Senate antibusing and freedom of choice amendment was defeated 164 to 222. The second vote to agree to the Senate language to modify the antibusing provisions "except as required by the Constitution" passed by a vote of 231 to 152.

Fourth. On June 30, 1970, this body clearly voted to table a motion to instruct conferees on the Office of Education appropriations to agree to Senate amendments to strike out provisions prohibiting use of funds appropriated under the bill for forced busing and designed to protect freedom of choice school plans.

Fifth. On November 4, 1971, this body failed to suspend the rules and pass H.R. 2266, the Emergency School Aid Act by a vote of 135 to 222, thereby expressing disapproval of Federal funding of massive busing programs.

Furthermore, I think it must be pointed out that in this conference report which we have before us, the House conferees agreed to the Senate provision to set aside 5 percent of the title VII funds—5 percent of \$2 billion—for the Commissioner of Education to draw up a plan for a metropolitan school district.

The Senate conferees argued it is voluntary because two-thirds of the school districts—involving two-thirds of the children—would have to approve of such a plan. What about one-third of the school boards and parents who might oppose such a cross-school-lines desegregation plan?

I can envision the District of Columbia School Board and the Prince Georges County School Board getting together and agreeing to a plan to bus students in and out of the District of Columbia.

Does Congress have sufficient information to put its congressional stamp of approval on a \$100 million authorization for the Commissioner to plan a metropolitan school district?

This cannot be defended as sound educational policy and certainly a metropolitan school district—such as the court ordered in Detroit or Richmond, Va.—cannot operate without transporting children from one school district to another.

Furthermore—if Congress were to approve this \$100 million plan for a metropolitan school district, I believe we would invite further court orders similar to

those handed down in Detroit and Richmond. Some judges might well conclude that the legislative branch has indeed given its approval to a desegregation plan involving city and suburban school districts with cross-jurisdictional busing.

It would seem that my opposition to the busing compromise would be reason enough to vote against this bill and, therefore, a decision would be relatively easy. But such is not the case because, despite the reprehensible provisions of titles VII and VIII, there are eight other titles providing approximately \$18 billion in various forms of financial assistance to postsecondary students and educational institutions.

I have always been a firm supporter of increased assistance for the education of our young people and I am a firm believer in the long-range benefits to a nation derived from a well-educated citizenry. I have been a particularly enthusiastic supporter of community colleges.

Educational appropriations measures have always received a high priority with me. It always seems possible to justify the need for increased funds to aid in education. I have consistently voted for provisions to increase educational opportunities for all Americans. Among those votes:

A 2-year extension of aid to elementary and secondary education programs at \$5.3 billion per year.

An amendment adding \$894.5 million to the fiscal year 1970 education appropriation.

For incentive payments up to 3 percent to lenders making guaranteed student loans at 7 percent.

For a \$5.146 billion appropriations bill for the Office of Education and related agencies.

But despite the hard work of our colleagues on the Education and Labor Committee and the especially grueling work of the members of the conference committee, I have come to the conclusion that this time the members have just not done enough homework. The committee is offering us a piece of legislation which essentially continues many existing funding programs for postsecondary education, and the cost to the Federal Government is astronomical.

Obviously, at this time of year when commencement speeches occupy a good deal of our time, we are impressed with the thousands and thousands of bright young minds that have been enriched with 4, 5, and 6 years of higher education and who, in future months, hopefully will be enriching our society.

But, as we propound truths about the blessings of a liberal arts education, are we also giving any thought to those same young people a few months from now. Then their outlook and their attitudes would not be quite so promising or hopeful. Many of them will have found that their lofty job goals would not be realized anytime soon. What do we tell the young woman with a B.A., M.A., or Ph. D. in English or philosophy who is discouraged because potential employers are only interested in her typing and shorthand speed? And what do we tell the Ph. D. in engineering or the sciences when he is told over and over again that technolog-

ical jobs have dried up? The only answer we have is that the market for the highly educated is glutted while the market for less lofty and more practical types of employment is plentiful with no one qualified or willing to fill these jobs.

What the answer to this dilemma is should have been the preoccupation of the Education and Labor Committee rather than the blanket extension of existing programs which S. 659 offers us. Obviously, higher education is big business and dependence on Federal aid is making it more so. In conjunction with this effort to make higher education available to everyone, most colleges and universities have been forced to lower their standards in order to admit greater numbers. This practice results in a great disservice to those young people who are underqualified for college work. Peer pressure causes them to make the valiant attempt to complete their course work and graduate, only to find that they end up on the bottom of the employment ladder.

While this bill takes note of the need for vocational and occupational institutions for these young people whose skills lie in areas other than strict academic learning, the funding for these programs is minuscule compared with the multimillion dollar expenditures for liberal arts colleges. The bill also will result in colleges scrambling to recruit as many low-income students as possible to garner more Federal dollars.

Further, the bill completely bypasses the needs of middle-income students and could well spell the destruction of small private colleges, as so many educators from these institutions have warned us. The distribution formula works almost entirely to the advantage of large and prestigious institutions which can actively recruit disadvantaged students, creating a situation where the rich schools would get richer and the poor schools would get poorer. Further, 90 percent of the funds provided in the bill will go to only 100 colleges.

While concentrating on funds to aid disadvantaged students, whom we all agree must be helped, the bill ignores the plight of middle-class, moderate-income families who are finding it increasingly difficult to finance college educations for their children.

The vast amounts of money this bill would make available for disadvantaged students and remedial instruction offer active encouragement for our 4-year colleges to lower their standards of excellence, cheapen their system of instruction and enroll students who are not equipped to meet the demands of higher education. That is a disservice to the student, the university, higher education and this Nation.

The bill further seeks to thrust upon our 4-year colleges a role of remedial education which appropriately should be handled in other educational institutions, not our colleges.

Finally, Mr. Speaker, while I certainly sympathize with the conferees on the endless hours of negotiation they have undergone to produce this mammoth legislation and I recognize the need for the orderly continuance of some of the programs, such as college work-study

and educational opportunity grants, I cannot help but feel that the committee has overlooked some less costly alternative measures which are just languishing on the committee docket. I refer specifically to such measures as H.R. 14595, a bill which I have cosponsored to give a tax credit for the costs of higher education. Since this bill, and numerous other similar measures, have not been given any committee consideration we have no way of judging whether S. 659 is really the best solution to this country's higher education problems. My feeling is that it is not and I feel obliged, therefore, to cast my vote reluctantly in opposition to this conference report on the higher education amendments.

Mr. RANDALL. Mr. Speaker, I support the conference report on the higher education bill, which comes back to the House identified as S. 659.

It should be clear at the outset that the easy vote on this conference report would be a "no" vote, because there are so many organized groups opposing this, all the way from certain Catholic organizations to the Leadership Conference on Civil Rights, which seems to be an umbrella organization of several different civil rights groups. By voting "no" on this conference report, I suppose a Member could please and satisfy such diverse groups ranging all the way from the League of Women Voters, to the AFL-CIO, Common Cause, the Auto Workers, and even the Americans for Democratic Action. Is a "no" vote in the interest of the future of higher education in America?

To a non-Member or anyone who has not literally lived with the course of this report and studied every line of every paragraph, the debate this afternoon must have been difficult to understand and even rather confusing as to why some Members who would be expected to support an education bill were against it, and even other Members who in the past have been cool toward Federal aid to education were today in support of this conference report. I can never recall such strange coalitions on the floor of the House as happened during the discussion of this conference report.

After listening to the debate, an observer would be justified to wonder whether or not this was really a conference report on a higher education bill, as all of the titles describe it to be, or a protracted debate over the issue of busing.

Some opponents of the report have argued that title VII will prevent integration of such public facilities as parks and recreation areas, and would constitute a throwback of as much as 35 years in interracial relationships. Equally as convinced are those who contend that this same section would allow unlimited or unrestricted busing of students. The rest of us should remember that this is debate over interpretation of exactly the same language in the very same section of the same conference report by men who should be equally well informed, and all fair-minded men who are presumed to be making their interpretations in a spirit of good faith.

One way to describe the alignment of opposition to this report would be to say that all of the opponents are out on each



edge of the spectrum, so to speak. Opponents consist of extreme liberals who believe that all civil rights will hereafter somehow be impaired or infringed, and on the other end of the spectrum there are those who are so conservative as to believe that this measure goes so far in terms of social legislation in the removal of lingering racial imbalance in the schools, that the legislation exceeds the mandate of any of the court decisions.

That leaves the proponents of the bill, I suppose, as being the true moderates or in this instance, occupying the high ground in the middle of the road. Let us do more work on busing in another bill after we pass this education bill.

I support the conference report on S. 659 because it extends several existing and very vital higher education programs, and also because it creates several new programs which seem to many to be meritorious and acceptable. The important point, as I see it, is that this may be our last chance for a bill on higher education this session.

The other body has already adopted this conference report and it is doubtful that they would easily return to another conference. Perhaps the only recourse would be new legislation. If we are to be practical, we have only a limited amount of legislative time left in this session after we take out the times for the two conventions, and if we expect to adjourn some time in the latter part of September or early October of this year.

I am inclined to agree that this may be one of the better post-secondary education bills that we have ever had in one package. All colleges, even those who may be opposing this bill, will benefit from it, and millions and millions of our young constituents will benefit from this bill. The vocational and occupational sections of this conference report are badly needed.

The true issue is education, not busing. There is an 18-month moratorium on busing, and that allows time for interim action both by those who believe that this bill has not gone far enough, and those who may be inclined to think it has gone too far in the prohibition of busing.

On the issue of busing, I have signed the discharge petition for a constitutional amendment against forcing attendance of any students at other than their neighborhood schools. There is nothing to stop a vigorous push for further busing limitations in other legislation, but if we do not act on this bill now there very likely will not be another higher education bill this year.

We can restrict the Federal agencies in their zeal to continue busing. We can reach these zealous bureaucrats by putting limitations on their Federal agencies in appropriations bills, but I repeat again, we may not have another chance to pass such landmark legislation on higher education.

There has been more than one conference on this higher education bill. Our body of the Congress cannot expect to succeed in getting everything that it wants. We must keep in mind that there were only 13 votes in the other body against this conference report. How can we expect that they would budge much away from their previous position when it was so pronounced?

The important thing to remember is that school will start in about 10 or 11 weeks, and there is not time enough to start all over again on a new bill. We need this legislation. We need it now.

Finally, Mr. Speaker, I suppose the real issue for those who support this bill is the recognition of what this conference report is all about. The question proponents must decide is whether they are for or against the help this report will provide to our institutions of higher learning, all the way from the small private colleges to the smaller State-supported colleges, and on down to the newer category of community colleges.

Proponents have a lighter burden to bear because they have only to reach the conclusion that they are for some assistance to these institutions of higher learning, and for some assistance to students who could not otherwise attend these institutions of learning, except for the provisions of this bill. Mr. Speaker, I support this conference report because it is a great step forward for higher education. I recognize that it is not perfect, but let us all remember that it is an education bill, and we cannot cure all the social ills of this country in a higher education bill.

Mr. THOMPSON of New Jersey. Mr. Speaker, I would like to say a word about the community college unit which is created by the higher education bill, S. 659.

It is certainly my understanding of the intent of the Senate committee, as well as of the House and Senate conferees, that this office should develop for the community colleges the clout and involvement in HEW and USOE programs consistent with their tremendous contribution and potential in education.

We have mandated for this office a Director at the level of GS-17, or the equivalent of an Associate Commissioner of Education, with the intent that the Director shall have support staff necessary to give the community colleges a strong advocate and watchdog in the affairs of the Department and USOE.

I expect this unit to play a strong role in both the planning and programing of both the Bureau of Higher Education and the new Bureau of Adult and Occupational Programs, also established in this legislation. The community college unit should also encourage and cultivate community college participation in programs outside the Office of Education, such as the programs dealing with allied health, nursing, delinquency prevention, and the aging, and also in programs even outside HEW such as small business training, law enforcement education, and various Federal services for which the community colleges are a very promising delivery system.

We did not attach the unit to the Bureau of Higher Education, or to the Division of Adult, Vocational, and Technical Programs—or its successor—since neither of these sections of USOE has been nearly as responsive to community college development as they should have been. Community colleges have been consistently shortchanged in both the staffing and support distributions of both the Bureau of Higher Education

and the Division of Adult, Vocational, and Technical Programs.

It was very much my intent that the community college office should work closely with the Commissioner himself. If he chooses to structure it into the Bureau of Higher Education, then he should provide strong assurances to the Congress that the unit has the strength and mobility to have an impact on resources and programs outside the Bureau itself, and that it will not be subverted and manipulated by senior institution influences which dominate the Bureau's leadership. The fastest growing segment of higher education, which now serves some 3 million full-time and part-time students, should and must command this level and scope of the Commissioner's attention.

This section of the bill, whose importance is further underscored by the rare action of the Congress in actually specifying the grade level at which it will function, is in part a reaction to the glaring fact that the Bureau of Higher Education has been so slow to respond to community college needs and contributions. Hopefully, that response is about to change sharply.

If the Commissioner needs a mandate to work for the fair and balanced participation of community colleges in the Bureau of Higher Education, the new Bureau of Adult and Occupational Programs, and for a strong community college unit, then this legislation certainly is, in my view, that mandate.

#### GENERAL LEAVE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. PERKINS. Mr. Speaker, I do want to point out that we have most important provisions affecting the Vocational Educational Act of 1963. Certain of those programs will expire unless the conference report is adopted.

Mr. Speaker, I move the previous question.

#### PARLIAMENTARY INQUIRY

Mr. WAGGONER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman's parliamentary inquiry relate to the previous question?

Mr. WAGGONER. Mr. Speaker, it does not relate to the vote on the previous question.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

#### PARLIAMENTARY INQUIRIES

Mr. WAGGONER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WAGGONER. Is it correct to assume that if the House rejected the conference report on S. 659, the bill would then be restored to the status it occupied when the House asked for a conference on March 8, 1972?

The SPEAKER. The last amendment of the Senate would then be pending.

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

The SPEAKER. The gentleman will state it.

Mr. WAGGONNER. Am I correct, then, that in the event the House votes its disagreement with the conference report, the status of the bill would be that it would then be restored to the position it occupied before a conference was requested?

The SPEAKER. The Senate amendment to the House amendment would be before the House for further consideration.

Mr. WAGGONNER. Would the Speaker please clarify that? Is it the Senate amendment which would be before the House, or the House amendment?

The SPEAKER. The last action would be before the House, which is the Senate amendment.

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

The SPEAKER. The gentleman will state it.

Mr. WAGGONNER. Under the circumstance, a motion would then be immediately in order, would it not, to send it to conference with or without instructions?

The SPEAKER. The Chair will pass on that when the situation arises.

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

The SPEAKER. The gentleman will state it.

Mr. WAGGONNER. Mr. Speaker, in the event the conference report is rejected, would it then be in order to offer a preferential motion to further amend the Senate amendment in the nature of a substitute to the House amendment in the nature of a substitute to S. 659?

The SPEAKER. The Chair will pass on that matter when it is before the House.

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

SEVERAL MEMBERS. Regular order.

The SPEAKER. Regular order has been demanded.

The question is on the conference report.

Mr. WAGGONNER. Mr. Speaker, this is regular order.

The SPEAKER. That is completely within the discretion of the Chair.

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

The SPEAKER. The gentleman will state it.

Mr. WAGGONNER. Mr. Speaker, in the event that a preferential motion does become in order, who would the Chair recognize to offer that preferential motion?

The SPEAKER. That is a matter completely within the discretion of the Chair, and the Chair will pass on that matter when it is before the Chair.

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

The SPEAKER. The gentleman will state it, and this will be the last parliamentary inquiry the Chair will recognize.

Mr. WAGGONNER. Mr. Speaker, does

not a preferential motion, if we reach that point in time, supersede other instructions?

The SPEAKER. The Chair cannot pass on that, because the Chair at this time cannot anticipate what motions may be made.

Mr. PUCINSKI. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair will not recognize for further parliamentary inquiries.

The question is on the conference report.

Mr. ASHBROOK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 218, nays 180, not voting 34, as follows:

[Roll No. 195]

YEAS—218

Abourezk	Hanley	Pettis
Adams	Hanna	Peyster
Addabbo	Hansen, Idaho	Pickle
Anderson	Hansen, Wash.	Pike
Anderson, Calif.	Harsha	Podell
Anderson, Ill.	Harvey	Preyer, N.C.
Andrews	Hastings	Pucinski
N. Dak.	Hathaway	Quile
Ashley	Hechler, W. Va.	Quillen
Aspin	Heckler, Mass.	Rallsback
Aspinall	Heinz	Randall
Barrett	Helstoski	Rees
Bagich	Hicks, Mass.	Reld
Bell	Hicks, Wash.	Riegle
Bergland	Horton	Robison, N.Y.
Blaggi	Hosmer	Rodino
Blester	Howard	Roe
Bingham	Hungate	Roncalio
Blatnik	Hutchinson	Rooney, Pa.
Boggs	Ichord	Rostenkowski
Boland	Jacobs	Roush
Brademas	Johnson, Calif.	Roy
Brasco	Johnson, Pa.	Roybal
Brooks	Jones, Ala.	Ruppe
Broomfield	Karh	St Germain
Brotzman	Kazen	Sarbanes
Brown, Mich.	Keating	Scherle
Brown, Ohio	Kee	Scheuer
Buchanan	Keith	Schneebeli
Burke, Mass.	Kemp	Schwengel
Burlison, Mo.	Kluczynski	Sebelius
Byrne, Pa.	Kuykendall	Seiberling
Carey, N.Y.	Kyl	Shoup
Carter	Kyros	Shriver
Cederberg	Latta	Skubitz
Chamberlain	Leggett	Smith, Iowa
Clausen	Lent	Smith, N.Y.
Don H.	Link	Staggers
Conover	Lloyd	Stanton
Conte	Long, Md.	J. William
Cotter	McCloskey	Stanton
Coughlin	McClure	James V.
Culver	McCormack	Steed
Curlin	McFall	Steele
Daniels, N.J.	McKay	Steiger, Wis.
de la Garza	McKinney	Stephens
Dellenback	Macdonald,	Stratton
Dent	Mass.	Symington
Dingell	Mailliard	Talcott
Donohue	Mallary	Teague, Calif.
Dorn	Matsunaga	Thompson, N.J.
du Pont	Mazzoli	Thomson, Wis.
Dwyer	Meeds	Thone
Edmondson	Meicher	Tiernan
Ellberg	Miller, Ohio	Udall
Erlenborn	Minish	Van Deerlin
Esch	Mink	Vanik
Evans, Colo.	Minshall	Vigorito
Fascell	Mollohan	Ware
Fish	Monagan	White
Flood	Moorhead	Widnall
Foley	Morgan	Wiggins
Ford	Mosher	Williams
William D.	Murphy, Ill.	Winn
Forsythe	Murphy, N.Y.	Wolf
Frelinghuysen	Myers	Wright
Frenzel	Nedzi	Wyllie
Fuqua	Nelsen	Yates
Gaydos	Nix	Young, Fla.
Gonzalez	Obey	Zablocki
Grasso	O'Hara	Zion
Gray	O'Konski	Zwach
Green, Pa.	O'Neill	
Gubser	Patten	
Hamilton	Pelly	
Hammer-	Pepper	
schmidt	Perkins	

NAYS—180

Abbott	Eckhardt	Mills, Md.
Abzug	Edwards, Ala.	Mitchell
Alexander	Edwards, Calif.	Mizell
Anderson	Evins, Tenn.	Montgomery
Tenn.	Findley	Notcher
Andrews, Ala.	Fisher	Nichols
Annuozio	Flowers	Patman
Archer	Flynt	Pirnie
Arends	Ford, Gerald R.	Poage
Ashbrook	Fountain	Poff
Badillo	Fraser	Powell
Baker	Frey	Price, Ill.
Baring	Fulton	Purcell
Belcher	Galifianakis	Rangel
Bennett	Garmatz	Rarick
Betts	Gettys	Reuss
Bevill	Gialmo	Rhodes
Blackburn	Gibbons	Roberts
Blanton	Goldwater	Robinson, Va.
Bolling	Goodling	Rogers
Bow	Green, Oreg.	Rosenthal
Bray	Griffin	Roussellot
Brinkley	Gross	Runnels
Broyhill, N.C.	Grover	Ruth
Broyhill, Va.	Hagan	Ryan
Burke, Fla.	Haley	Sandman
Burleson, Tex.	Hall	Satterfield
Byrnes, Wis.	Harrington	Saylor
Byron	Hawkins	Schmitz
Cabell	Hays	Scott
Caffery	Hébert	Shibley
Camp	Henderson	Sikes
Carlson	Hillis	Slak
Casey, Tex.	Hogan	Slack
Celler	Hull	Smith, Calif.
Chisholm	Hunt	Snyder
Clancy	Jarman	Spence
Clay	Jonas	Steiger, Ariz.
Cleveland	Jones, N.C.	Stokes
Collier	Jones, Tenn.	Stubblefield
Collins, Ill.	Kastenmeier	Stuckey
Collins, Tex.	King	Sullivan
Colmer	Koch	Taylor
Conable	Landgrebe	Teague, Tex.
Conyers	Landrum	Thompson, Ga.
Corman	Lennon	Ullman
Crane	Long, La.	Vander Jagt
Daniel, Va.	McCollister	Veysey
Davis, Ga.	McCulloch	Waggonner
Davis, S.C.	McDade	Waldie
Davis, Wis.	McDonald,	Wampler
Delaney	Mich.	Whalen
Dellums	McKevitt	Whalley
Dennis	Madden	Whitehurst
Devine	Mahon	Whitten
Dickinson	Mann	Wilson
Dow	Mathias, Calif.	Charles H.
Downing	Mathis, Ga.	Wyatt
Drinan	Mayne	Wydler
Dulski	Michel	Wyman
Duncan	Mills, Ark.	Young, Tex.

NOT VOTING—34

Abernethy	Gallagher	Miller, Calif.
Burton	Griffiths	Moss
Carney	Gude	Passman
Chappell	Halpern	Price, Tex.
Clark	Holifield	Pryor, Ark.
Clawson, Del.	Lujan	Rooney, N.Y.
Danielson	McClory	Springer
Denholm	McEwen	Terry
Derwinski	McMillan	Wilson, Bob
Diggs	Martin	Yatron
Dowdy	Metcalfe	
Eshleman	Mikva	

So the conference report was agreed to. The clerk announced the following pairs:

On this vote:

Mr. Yatron for, with Mr. Abernethy against.  
 Mr. Denholm for, with Mr. Diggs against.  
 Mr. Holifield for, with Mr. Passman against.  
 Mr. Clark for, with Mr. Rooney of New York against.  
 Mr. Pryor or Arkansas for, with Mr. Price of Texas against.  
 Mrs. Griffiths for, with Mr. Derwinski against.  
 Mr. Gude for, with Mr. Martin against.  
 Mr. McClory for, with Mr. McEwen against.  
 Mr. Eshleman for, with Mr. Halpern against.  
 Mr. Gallagher for, with Mr. Mikva against.  
 Mr. Carney for, with Mr. Metcalfe against.  
 Mr. Danielson for, with Mr. Chappell against.  
 Mr. Moss for, with Mr. Terry against.  
 Mr. Miller of California for, with Mr. Dowdy against.



Until further notice:

Mr. Burton with Mr. Bob Wilson.

Mr. McMillan with Mr. Springer.

Mr. Lujan with Mr. Del Clawson.

Messrs. KYL, SMITH of Iowa, SCHERLE, and BIAGGI changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PROVIDING FUNDS FOR COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. THOMPSON of New Jersey. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 798 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 798

*Resolved*, That effective January 3, 1972, the further expenses of the studies and investigations to be conducted pursuant to H. Res. 27 by the Committee on the District of Columbia, acting as a whole or by subcommittee, not to exceed \$30,000 including expenditures for the employment of investigators, attorneys, and experts, and clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized and signed by the chairman of such committee and approved by the Committee on House Administration.

SEC. 2. The chairman, with the consent of the head of the department or agency concerned, is authorized and empowered to utilize the reimbursable services, information, facilities, and personnel of any other departments or agencies of the Government.

SEC. 3. The official committee reporters may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

SEC. 4. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on the District of Columbia shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

SEC. 5. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. THOMPSON of New Jersey (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the resolution be dispensed with and that it be printed in the RECORD.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I should like to inquire as to whether or not this resolution has met the requirements of having been printed and in the hands of Members for the requisite number of days?

I am happy to yield to the gentleman from New Jersey for a reply.

Mr. THOMPSON of New Jersey. Mr. Speaker, this particular resolution was

printed in the RECORD approximately 2 weeks ago.

Mr. HALL. Mr. Speaker, my inquiry does not go to whether or not it was printed in the RECORD, but whether the resolution was printed, filed, and available for the Members for the requisite 3 days.

Mr. THOMPSON of New Jersey. Yes, sir.

Mr. HALL. May I ask the distinguished gentleman further if this represents a reduction in the funding of the committee work for this year?

Mr. THOMPSON of New Jersey. I did not hear the gentleman's question.

Mr. HALL. Mr. Speaker, to rephrase my question, Is the \$30,000 allowed here the total amount that was requested by the committee?

Mr. THOMPSON of New Jersey. Yes. May I respond to the earlier question?

Mr. HALL. Yes.

Mr. THOMPSON of New Jersey. This represents for this Congress approximately \$42,000 less than this committee had in the preceding Congress.

Mr. HALL. Mr. Speaker, I thank the gentleman, and I withdraw my reservation.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### PROVIDING FUNDS FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. THOMPSON of New Jersey. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 839 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 839

*Resolved*, That the further expenses of the investigations and studies to be conducted pursuant to H. Res. 21 by the Committee on Merchant Marine and Fisheries, acting as a whole or by subcommittee, not to exceed \$277,500, including expenditures for the employment of investigators, attorneys, individual consultants, or organizations thereof, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration. However, not to exceed \$10,000 of the amount provided by this resolution may be used to procure the temporary or intermittent services of individual consultants or organizations thereof pursuant to section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)); but this monetary limitation on the procurement of such services shall not prevent the use of such funds for any other authorized purpose.

SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Merchant Marine and Fisheries shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

SEC. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. THOMPSON of New Jersey (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the resolution be dispensed with and that it be printed in the RECORD.

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

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask the distinguished gentleman from New Jersey if all of these resolutions for funding of committees have been cleared with the minority?

Mr. THOMPSON of New Jersey. Every one of them.

Mr. HALL. Did they come out of the committee by unanimous consent?

Mr. THOMPSON of New Jersey. All by unanimous votes.

Mr. HALL. May I ask again, since this particular resolution was discussed yesterday, whether or not there has been a reduction in the total request for funding?

Mr. THOMPSON of New Jersey. I might say to the gentleman that there was a reduction from \$277,500 to \$227,500.

Mr. HALL. In other words, a reduction of \$50,000?

Mr. THOMPSON of New Jersey. Yes, a reduction of \$50,000.

Mr. HALL. I notice this is not carried forward in the report. May I inquire of the gentleman as to whether or not there was an error in printing or whether the reduction as stated on the floor yesterday and now repeated today is verified?

Mr. THOMPSON of New Jersey. It is verified. There was an error in printing.

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

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

There was no objection.

#### COMMITTEE AMENDMENT

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 4, strike out "\$277,500" and insert in lieu thereof "\$227,500".

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### PROVIDING FUNDS FOR SELECT COMMITTEE ON THE HOUSE RESTAURANT

Mr. THOMPSON of New Jersey. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 948 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 948

*Resolved*, That effective January 3, 1972, expenses incurred by the Select Committee

on the House Restaurant, pursuant to H. Res. 317 not to exceed \$29,500 including expenditures for the employment of clerical, stenographic, and other assistants, and for the procurement of services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1964 (2 U.S.C. 72a(1)), shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

SEC. 2. The chairman of the Select Committee on the House Restaurant shall furnish the Committee on House Administration information with respect to the activities of the select committee intended to be financed from the funds authorized by this resolution.

SEC. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with existing law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### PROVIDING FUNDS FOR COMMITTEE ON PUBLIC WORKS

Mr. THOMPSON of New Jersey. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 1000 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1000

*Resolved*, That, effective from January 3, 1972, the expenses of the investigations and studies to be conducted pursuant to H. Res. 142, by the Committee on Public Works acting as a whole or by subcommittee, not to exceed \$798,890, including expenditures for the employment of investigators, attorneys, and clerical, stenographic, and other assistants, and for the procurement of services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(1)) shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration. Not to exceed \$75,000 of the total amount provided by this resolution may be used to procure the temporary or intermittent services of individual consultants or organizations thereof pursuant to section 202(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(1)); but this monetary limitation on the procurement of such services shall not prevent the use of such funds for any other authorized purpose.

SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Public Works shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

SEC. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with existing law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### PEACE CORPS ACT AMENDMENTS OF 1972

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1011 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1011

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14149) authorizing continuing appropriations for Peace Corps, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, I yield myself such time as I may use, and at the conclusion of my remarks I yield 30 minutes to the gentleman from California (Mr. SMITH).

Mr. Speaker, House Resolution 1011 provides an open rule with 1 hour of general debate for consideration of H.R. 14149, Peace Corps Act Amendments of 1972.

The main purpose of H.R. 14149 is to authorize appropriations for the Peace Corps for fiscal year 1973.

The bill authorizes \$88,027,000 for fiscal year 1973—\$72.2 million for international programs, \$14,828,000 for support programs, and an adjustment of \$999,000 because of the pay raise effective January 1 of this year.

Not more than \$350,000 of the authorized funds may be used in any fiscal year for the encouragement of voluntary service programs. These funds may be contributed to educational institutions, private voluntary organizations, and so forth, to pay a proportionate share of costs to encourage the development of and participation in international voluntary programs.

The Peace Corps National Advisory Council is abolished effective 90 days after enactment of legislation establishing a National Advisory Council for ACTION, or enactment of this legislation, whichever is later.

There is expected to be a high turnover in personnel this year because of the "5-year rule," which was enacted in 1965 limiting service to 5 years unless the Director approves a 1-year extension under special circumstances.

At the end of last year there were 6,985 volunteers and 720 programs in 57 foreign countries.

Mr. Speaker, I urge the adoption of the rule in order that the legislation may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my understanding of

House Resolution 1011 permitting the consideration of H.R. 14149 is in accordance with the statement made by the gentleman from Massachusetts (Mr. O'NEILL) and I urge the adoption of the resolution.

Mr. O'NEILL. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14149) authorizing continuing appropriations for Peace Corps, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MORGAN).

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 consideration of the bill H.R. 14149, with Mr. BURKE of Massachusetts in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania (Mr. MORGAN) will be recognized for 30 minutes, and the gentleman from California (Mr. MAILLIARD) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. MORGAN).

Mr. MORGAN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in support of H.R. 14149, the Peace Corps Act Amendments of 1972.

H.R. 14149 is a short bill and a simple bill. Its primary purpose is to authorize an appropriation of \$88,027,000 to finance the operations of the Peace Corps for fiscal year 1973. This is the full amount sought by the administration for international operations of Action, that is, the Peace Corps. The breakdown is as follows:

International programs.....	\$72,200,000
Support programs.....	14,828,000
Adjustment to reflect Federal pay raise, effective January 1972 .....	999,000
Total .....	88,027,000

It should be noted that the executive request was for a continuing authorization of appropriations for the Peace Corps, which did not actually specify a dollar amount or time limitation. Our committee disapproved that request in the belief that an annual review of Peace Corps programs and activities via the regular authorization process is essential, particularly during this period when the Agency is undergoing major organizational changes and a redirection of many of its overseas programs. Instead, we authorized the amount the administration indicated was needed for one year—that is fiscal year 1973.

Additionally, the Committee on Foreign Affairs disallowed the administration's request for authority to shift up to



10 percent of appropriated funds within Action—that is from domestic to international operations and vice versa—to meet emergency situations. It was felt that the grant of such broad authority would constitute an unwarranted impairment of the committee's legitimate oversight responsibilities.

H.R. 14149 also provides an authorization of not more than \$350,000 in any fiscal year in support of international voluntary service programs and activities. Lastly, the bill before us contains the requested authority to abolish the Peace Corps National Advisory Council, effective 90 days after the enactment of legislation establishing a National Advisory Council for Action—or enactment of this bill, whichever is later.

I might point out, Mr. Chairman, that almost \$3.5 million of the current Peace Corps budget for fiscal year 1973 represents expenses which should have been incurred in fiscal year 1972, but for which sufficient funds were not available. This includes about \$3.2 million in training costs and an additional \$300,000 in deferred separation travel for volunteers completing their normal 2-year tours. Another almost \$1 million—\$999,000 to be exact—represents increased costs directly attributable to a Federal pay raise, effective in January of this year.

As many Members are aware, the Peace Corps has undergone a financial crisis during the last 6 months of the current fiscal year and a word or two of explanation may be in order: From July 1, 1971, until last December, the Peace Corps had been operating on a continuing resolution, approved on a month-to-month basis—pending definitive action on its appropriation request by the Congress. This meant that until December 1971 they were spending at the rate of, first, \$82 million and subsequently, \$77 million per year. Beginning in December, however, the Peace Corps was cut back to a rate of \$72 million per year.

In February 1972, when House-Senate conferees finally agreed to an appropriation of \$72 million, it became clear that a drastic reduction in current operating expenses would have to be made for the balance of this fiscal year. At one point, in fact, cables were prepared for transmission to the field which would have called for the immediate return of some 2,313 volunteers before their contractual 2-year assignments had been completed. The necessity for such a move was eventually obviated by the transfer of \$2.6 million to the Action agency from the Agency for International Development. I should add that this emergency action was taken in consultation with and with the full approval of the distinguished chairman of the Appropriations Subcommittee on Foreign Operations (Mr. PASSMAN.) Although the premature return of volunteers from overseas was thus avoided, much of the savings took the form of deferred expenditures—that is, by delaying volunteer travel past July 1, 1972, and by deferring payments for training of volunteers. Since these are fixed costs—the bill must be paid eventually. Hence the inclusion of these

amounts in the current Peace Corps budget.

As a result of these cuts in appropriated funds, Action officials have instituted rather drastic economies in the agency's international operations. These include the elimination of 60 overseas staff positions—from 330 to 270—and the termination of 130 administrative and program staff, both in Washington and abroad.

Although from the standpoint of legislative review, certain jurisdictional problems have inevitably arisen as a consequence of the year-old merger of the Peace Corps with a number of domestic voluntary action programs into a single agency called Action, it appears that certain economies in administrative and program support costs have been achieved through this consolidation. At the same time, I want to emphasize—as I did last year—that this reorganization made absolutely no change in the Peace Corps Act. The Peace Corps is still governed by the same provisions of law that were in effect before the administration's Reorganization Plan No. 1 of 1971 went into effect. Except for the minor modifications contained in H.R. 14149, as amended by our committee, these provisions will continue to apply in the forthcoming fiscal year.

Mr. Chairman, although the basic legislation is not changed by this bill, the Peace Corps itself has undergone a considerable qualitative transformation during the past several years. The Peace Corps is now recruiting people with technical skills which are needed in the less developed countries, such as mechanics, farmers, and specialists in watershed management and soil conservation. Even in the field of education, the emphasis has shifted away from direct classroom teaching in the primary and secondary schools to vocational and teacher training and the development of curriculum. Under this redirection of the program, the Peace Corps is sending overseas fewer liberal arts graduates just out of college.

By the end of 1971, 6,985 Peace Corps volunteers were participating in 720 distinct programs abroad in 57 countries. This represents a modest reversal of the steady decline in overall Peace Corps strength from 12,313 in calendar year 1966 to 6,900 in calendar year 1970. Last July, I might add, the Peace Corps predicted a total strength of only 6,200 in calendar year 1971 and 6,690 in calendar year 1972. This increase in the number of new recruits during 1971 is based, at least in part on the willingness of the Peace Corps to send an increasing number of volunteer families abroad and a simultaneous lessening of the earlier emphasis on youth. Obviously, the new volunteers are both more experienced and more mature.

Perhaps as a partial consequence of this fact, the Peace Corps has experienced no major disciplinary problems over the past year—involving either the volunteers or the staff. To the best of my knowledge, there have been no instances of volunteers becoming involved in political activity or demonstrations of any kind. And the Peace Corps has not been kicked out of any country since I last

stood before this body in defense of the Peace Corps authorization bill of last year. I mention this point because I know it has traditionally been of considerable interest to a number of my distinguished colleagues.

I might add that the new programs over the past couple of years—in such countries as Zaire—formerly the Congo—Morocco and Mauritius—have been welcomed by the host governments concerned. In fact, during the recent budget crisis, two governments even volunteered to increase their contributions—either in cash or in kind—to insure the continuation of Peace Corps operations in their respective countries.

Mr. Chairman, the Peace Corps has rendered an important service to the people of the less-developed countries. Moreover, the volunteers are providing a variety of skills and increasingly important services for a fraction of their real value—that is, at bargain rates for the U.S. taxpayer. We should not forget, however, that the Peace Corps has also rendered a great service to the people of the United States. I believe that the vast majority of returned volunteers—and there are presently 51,000 in this category—have benefited from their foreign assignments and that most of them are better citizens because of this experience. I also believe that all of us benefit from their presence among us.

Mr. Chairman, it is important that the Peace Corps continue to operate and operate effectively. H.R. 14149, as amended, will fulfill this objective and I urge its adoption.

Mr. CHARLES H. WILSON. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I am glad to yield to the gentleman from California.

Mr. CHARLES H. WILSON. I have been a supporter of this program since its inception and I have felt it has been a worthwhile program. However, I have talked to the parents of young people who have returned from serving in the program in recent years and have found a great disenchantment with it. They have reported that their offsprings have come back drug addicts. They have become misfits. They have been unable to situate themselves in society upon their return.

The gentleman has mentioned certain areas in which the program is working and they sound worthwhile, but I am wondering if the gentleman can tell us how it is really helping our country and whether we are making a contribution which is worthwhile to the United States of America.

Mr. MORGAN. As the gentleman knows, the program has been in effect since 1961. There are now about 51,000 returned volunteers who have returned to private life in this country. I am sure there is a small minority of that number, the same as we have returning from Vietnam and other places, who have become addicted to drugs. But I think the number of such individual is very few and constitutes a small minority of the 51,000. Most of the volunteers who have returned to this country are engaged in productive work such as education, com-

munity activities, as well as private industry. They are doing an excellent job.

I feel the service that they have rendered overseas in the Peace Corps has been very valuable. I realize that some young men, the same as in our military in Vietnam, have gotten into serious trouble overseas.

Mr. CHARLES H. WILSON. As the gentleman is aware, once a program is started, it is very difficult to discontinue it, and that is why I asked the gentleman whether he could assure me that the program is actually making a contribution toward our Nation's efforts to get along in the world and is a worthwhile contribution, and not merely a continuation of an old program that we feel we must continue just to keep it going. If so, perhaps I will support it, but I am inclined right now to feel that we have no further need for it.

Mr. MORGAN. I might point out to the gentleman, as an example, that a new medical center called the John Kennedy Center has been built, which our highly skilled medical people are operating with physicians, nurses, and technicians. They are training many specialists and technicians. The Peace Corps has come a long way from the first days the gentleman from California and myself first supported it.

Mr. CHARLES H. WILSON. I thank the gentleman very much.

Mr. MAILLIARD. Mr. Chairman, I yield myself such time as I may consume.

The CHAIRMAN. The gentleman from California is recognized.

Mr. MAILLIARD. Mr. Chairman, I rise in strong support of this bill, which would authorize funds for the operation of the Peace Corps in fiscal year 1973.

Our distinguished chairman has reviewed in some detail the current status of the Peace Corps, and has described what is contained in the recommendation of the committee as an authorization of \$88,027,000, asking that it be approved by the House. I certainly do not want to go over the same ground, and I have only a few comments I would like to make.

I would like to emphasize today that the funds recommended for authorization are needed both for a slightly expanded program in the year ahead and to pick up certain training and other expenses which were deferred because of the financial crunch that the Chairman described that the Peace Corps faced last year. This situation came about because of the drastically reduced appropriation, finally agreed to in February of this year, after the Peace Corps had been spending under a continuing resolution at a higher rate for the previous part of the fiscal year. The delay on the part of Congress made it extremely difficult for the Peace Corps to conduct its operation in an efficient manner.

Nevertheless, I believe that the leadership of the Corps deserves our commendation for a very effective operation. Administrative overhead has been cut to the bone.

In addition to a reduction in administrative staff of over 12 percent from fis-

cal year 1969 to fiscal year 1971, 60 overseas staff positions were eliminated, and 130 administrative and program staff personnel were terminated for economy reasons during fiscal year 1972.

I think they also deserve credit from us for their efforts to redirect the program so that it effectively meets the needs of the host countries for more volunteers with practical experience and technical skills. In addition, the pilot program for sending families abroad has been highly successful. These new directions in Peace Corps programming have stimulated much interest and in 1971 reversed a 4-year downward trend in applications to participate in the program. This renewed interest is now being sustained, and I am advised that this year applications to date already equal the number for the entire year of 1970.

It is worth noting, I believe, that the caliber of the applicants is at a very high level, which is enabling the Peace Corps to be very selective in those it chooses for overseas service. The great experience and maturity of the volunteers being selected appears to have had beneficial effects overseas. In the past year in the Peace Corps, as the chairman explained, there have been none of the problems that did plague the Peace Corps in prior years, and I, for one, feel that the program is going very well and deserves the full support of the House.

Mr. Chairman, I yield 5 minutes to the gentleman from Alabama (Mr. BUCHANAN).

Mr. BUCHANAN. Mr. Chairman, I join the chairman and the distinguished ranking minority member and other members of our committee in strong support of this legislation. I would call to the attention of the committee the supplemental views submitted with the report by our colleague, the gentleman from Illinois (Mr. DERWINSKI) in which he says:

The Peace Corps represents an important national asset, which merits the full support of the Congress.

Joseph Blatchford deserves the congratulations of the Congress and the people for the significant changes which have been made in recent years in the Peace Corps. The higher level and broader range of skill and the greater degree of maturity and experience represented in Peace Corps Volunteers have made a good idea in foreign policy even better. It is ironic that last year the Peace Corps should have had funding difficulties created by the Congress when it continued to enjoy a very high level of public support. In recent polls 80 percent of the American people reflected their support of the Peace Corps. I believe it employs that support on the part of the Congress as well. Our failure to authorize and appropriate sufficient funds for last fiscal year, however, created a crisis for the Peace Corps at the very time when host country requests for Peace Corps volunteers were at an all-time high and many more high-caliber people were volunteering for service than the Peace Corps could employ and support even if its full request had been honored by the Congress.

This same situation prevails in an even more marked degree at present concerning host country requests and a surplus of high-quality applicants. It is therefore, my profound hope that the Congress will both authorize and appropriate the full amount requested to carry on this vital aspect of our Nation's foreign policy.

The entire Peace Corps request is but a tiny drop in the ocean of Federal expenditures. Yet it sustains what has proven itself to be an important national asset which does much good for our country and in the world.

Mr. Chairman, this legislation deserves our full support. I urge my colleagues to both authorize and appropriate these needed funds for the Peace Corps operations.

Mr. MORGAN. Mr. Chairman, I have no further requests for time.

Mr. MAILLIARD. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Peace Corps Act Amendments of 1972".*

Sec. 2. The first phrase of section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)), ending with a colon, is amended to read:

"(b) There are authorized to be appropriated to the President such sums as may be necessary to carry out the purposes of this Act:"

#### COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On the first page, strike out line 5 and all that follows down through page 2, line 2, and insert in lieu thereof the following:

Sec. 2. Section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)) is amended by striking out "1972" and "\$77,200,000" and inserting in lieu thereof "1973" and "\$88,027,000", respectively.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Sec. 3. Section 3 of the Peace Corps Act (22 U.S.C. 2502) is amended by adding at the end thereof the following new subsection:

"(c) Notwithstanding any other provision of law, not to exceed 10 per centum of the sums appropriated or otherwise fixed by law to Action for a fiscal year to carry out any activity or function vested in that agency may be transferred and used by the Director for the purpose of carrying out any other such activity or function."

#### COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 4, strike out all of section 3.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Sec. 4. Paragraph 2 of subsection (b) of section 301 of the Peace Corps Act (22 U.S.C. 2501a), which relates to encouragement of voluntary service programs, is amended by



deleting "\$300,000" and substituting therefor "\$350,000" and deleting "1971" and inserting before the word "fiscal" the word "any".

#### COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 13, strike out "Sec. 4" and insert "Sec. 3".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Sec. 5. Section 12 of the Peace Corps Act (22 U.S.C. 2511) is repealed, and the Peace Corps National Advisory Council is abolished, effective ninety days after the enactment of legislation establishing a National Advisory Council for Action, or the enactment of this bill, whichever is later.

#### COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 19, strike out "Sec. 5" and insert "Sec. 4".

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BURKE of Massachusetts, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 14149) authorizing continuing appropriations for Peace Corps, and for other purposes, pursuant to House Resolution 1011, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to authorize appropriations for the Peace Corps, and for other purposes."

A motion to reconsider was laid on the table.

#### APPOINTMENT OF CONFEREES ON H.R. 14734, AUTHORIZING APPROPRIATIONS FOR DEPARTMENT OF STATE AND FOR U.S. INFORMATION AGENCY

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 14734) to authorize appropriations for the Department of State and for the U.S. Information Agency, with Senate amendments thereto, disagree to the Senate

amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? The Chair hears none, and appoints the following conferees: Messrs. MORGAN, ZABLOCKI, HAYS, FOUNTAIN, FASCELL, MAILLIARD, FRELINGHUYSEN, BROOMFIELD, and THOMSON of Wisconsin.

#### EXEMPTING THE MANAGERS ON THE PART OF THE HOUSE ON H.R. 14734 FROM CERTAIN RESTRICTIONS

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House appointed on the bill H.R. 14734 not be bound by the restrictions of clause 3, rule XX.

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

Mr. HALL. Mr. Speaker, reserving the right to object, may we have an explanation of what this exemption is, please?

Mr. MORGAN. Will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. MORGAN. Mr. Speaker, the Senate has combined in a single bill three authorizations which passed the House as separate bills:

H.R. 13336, the authorization for the Arms Control and Disarmament Agency, passed the House April 12, 1972;

H.R. 14734, the authorizations for the Department of State and the United States Information Agency, passed the House May 17, 1972; and

The House this afternoon has passed H.R. 14149, the Peace Corps authorization.

All of these authorizations are included in the bill passed by the Senate May 31.

The Senate took H.R. 14734, the State Department and U.S. Information Agency authorizations, struck out all after the enacting clause and inserted the text of their omnibus bill, including the authorizations for the Arms Control and Disarmament Agency and the Peace Corps, and asked for a conference.

Technically, these two authorizations might be considered nongermane to the House bill which authorizes funds only for the Department of State and the U.S. Information Agency. I have requested that the House conferees not be bound by the rule on germaneness.

The problem is getting all three of the authorizations which have passed the House and passed the Senate to conference.

The purpose of my unanimous-consent request is merely to make it possible for us to take the three House bills to conference so that we can consider them and the omnibus Senate bill at the same time.

I believe this will conserve the time of the House and expedite the completion of our work.

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

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

There was no objection.

#### LEGISLATIVE PROGRAM FOR WEEK OF JUNE 12

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority leader as the program for the remainder of this week, if any, and the schedule for next week.

Mr. BOGGS. Will the gentleman yield?

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

Mr. BOGGS. In response to the request of the distinguished minority leader, we have completed the legislative business for this week, and I intend to ask to go over to Monday.

Monday is District day, but there are no bills from the District Committee. We have scheduled H.R. 10792, the SBA loan ceiling, which will be called up under an open rule with 1 hour of debate.

Also H.R. 12846, the Armed Forces drug treatment program, with an open rule and 1 hour of debate.

On Tuesday and the balance of the week H.R. 14370, State and Local Fiscal Assistance Act, with a closed rule and 8 hours of debate. That is the revenue-sharing bill.

Also the Labor-HEW appropriation for fiscal year 1973 and the Interior appropriation for fiscal year 1973.

On Wednesday we will observe Flag Day, which is customary, and on Thursday the President of Mexico will address a joint meeting of the House and Senate here.

Of course, conference reports may be brought up at any time, and any further program will be announced later.

Mr. GERALD R. FORD. Would the gentleman from Louisiana tell the House, is there a distinct possibility or not for a session next Friday?

Mr. BOGGS. Well, I would say there is a possibility. I do not want to rule out a session next Friday. If both appropriation bills are not considered, there would not be a session next Friday, but the plan is to call up both of them so at this time I just do not know.

Mr. GERALD R. FORD. Next Friday is a third Friday.

Mr. BOGGS. That is correct. It is an eligible Friday.

#### ADJOURNMENT OVER TO MONDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent the business in order on Calendar Wednesday next week may be dispensed with.

The SPEAKER. Is there objection to

the request of the gentleman from Louisiana?

There was no objection.

#### SUGGESTED USE OF POW'S AS SHIELDS IS REPREHENSIBLE AND MISCHIEVOUS

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. TALCOTT) is recognized for 10 minutes.

Mr. TALCOTT. Mr. Speaker, in a post-California primary interview over NBC, one of our colleagues suggested that General Giap of the Government of North Vietnam take 700 of our POW's and place one each in 700 city squares throughout North Vietnam—and that this tactic would certainly force us to stop our bombing of North Vietnam.

Because the gentleman from California (Mr. McCloskey) is a personal friend and once served in a military capacity, I do not want to believe what I have heard and seen.

This is a horrendous suggestion by a public official of the United States or of any civilized nation. The rationale is specious as well as mischievous.

Our military personnel now incarcerated by the North Vietnamese Government have never been considered or treated as prisoners of war under any international treaty, agreement, or understanding. They have been treated simply as hostages. At best, their treatment has been wretched and nefarious.

No nation has ever waged a more vicious war of terror and aggression against another people than North Vietnam is waging against the people of South Vietnam, Laos, and Cambodia. No military authority has ever treated captured military personnel more inhumanely. The Nazis baked political prisoners in ovens and made lampshades from human skins, but they complied with international rules of warfare respecting captured military personnel. They never suggested using POW's as hostages or shields.

The commanding general of the North Vietnamese military needs no suggestion from a Member of the Congress on how to mistreat captured military personnel or cause agony and worry to their families and loved ones at home.

I strongly wish that a mutual ceasefire could be adopted, that the fighting, bombing, shooting, and killing could stop, the war ended, and peace prevail. This will require the initiative, resolve and action of both sides. Perhaps it can be achieved soon; but in the meantime the suggestion that POW's be used as shields is barbarous.

Actually our POW's would be safer in the city squares than in camps or prisons near military targets. Placing POW's near military facilities would be an heinous and explicit violation of the Geneva conventions.

We as Members of the Congress and human beings interested in the humanitarian treatment of other human beings should be urging compliance rather

than violations of the Geneva conventions.

The wives and families of our POW's and our MIA's have every reason to be shocked and angered by this suggestion. I trust the gentleman will retract his suggestion. I am confident he never intended the barbarous implication of his remarks.

Let us urge both sides to mutually cease fire and negotiate a peace so that all killing, terror, apprehension, and agony of servicemen, civilians, and their families can be ended so that all peoples can live in true peace with freedom.

The President's proposal for peace seems to be the best and most generous proposal yet offered.

Using prisoners of war in such a diabolic way would violate every rule of law and international agreement. This use of prisoners would violate every tenet of humanitarian treatment of human beings.

His premise is a mischievous misrepresentation of the purpose, policy, and practice of our present bombing in North Vietnam. The targets are military, not city squares. Cities are not being bombed. Although accidents and mistakes can and do occur, especially during war, we are scrupulously avoiding strictly civilian structures and civilian personnel.

Our targets have military value—surface-to-air missile sites; ammunition and fuel storage dumps; transportation and logistics systems; powerplants; marshaling yards for tanks, weapons, and trucks; and concentrations of troops and fuel supplies.

We have taken extraordinary precautions to warn their government, their people, and their suppliers of our objectives and targets. We have been extraordinarily successful. We all know that if our bombing was hitting civilian structures or injuring civilian personnel that the North Vietnamese Government would supply the world media with plenty of documentary photographs and I am confident they would find some newspaper or television network to publish the photos for all of America and the world to see. But this has not happened. And although I wish that the bombing, mining, shooting, and killing were not occurring, I am grateful that our objectives are military and not civilian. I wish also that the objectives, policies, and practices of the North Vietnamese were the same.

#### HIGHER EDUCATION ACT

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. McDONALD) is recognized for 10 minutes.

Mr. McDONALD of Michigan. Mr. Speaker, I am taking this special order today, because there was not sufficient time allotted during the debate on the Higher Education Act conference report.

If time had been allotted to me today to make my remarks they would have been basically in agreement with those made by our distinguished minority leader, GERALD FORD.

I voted against the conference report

because the so-called antibusing amendment would have no positive effect on the busing problem within my congressional district, and as was pointed out by Congressman FORD, experts have suggested that it may have no effect on busing whatsoever.

Mr. Speaker, at this time I quote an article and editorial of May 18 and 19 of the New York Times:

The Amendment (Broomfield) would delay for up to nineteen months, pending all appeals, any Federal Court orders requiring busing to achieve racial balance. On that basis, it does not prohibit busing necessary for school desegregation. It merely adheres to the Supreme Court's ruling that it is proper for the Lower Courts to order busing to achieve integration but not to create racial balance.

The Broomfield amendment was also changed in conference so that it applies only through 1973.

The full impact of conference committee changes in the House antibusing amendments is described in the article in the May 18 New York Times:

The compromise would also permit Federal money to be used for busing if this was sought by local officials, and it would allow Federal officials to encourage busing under the Civil Rights Act of 1964.

The conferees basically accepted the Senate language outlawing busing only if it endangered the health of pupils or required them to be sent to inferior schools.

The liberal New York Times editorial described the conference action as follows:

The Conference compromise, which closely resembles the earlier Scott-Mansfield Amendment, is designed to do as little harm as possible. Its liberal authors would undoubtedly agree that it serves no constructive purpose in its own right; rather, it is a shield for saving the college campuses without actively sabotaging school integration.

For all of the above reasons stated, I opposed the conference report.

#### PART III—CHILDREN'S ALLOWANCES

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, I insert the third and final excerpt of the study on the various children's allowances proposals all over the world. The charge that these programs spur the birth rate is one which I believe to be groundless, based on Canada's experiences. I submit your special attention to the section entitled "Impact on Birth Rates" in this study:

#### IMPACT OF BIRTH RATES OTHER MEASURES

Table 3 provides a comparison of the expenditures for children's allowances in terms of both total social security expenditures and the GNP in each of the five countries under consideration. The definitions set forth in a 1967 study<sup>15</sup> by the International Labor Organization (ILO) were used to update the expenditures for 1966, 1967, and 1968 as far as possible.

Footnotes at end of article.



TABLE 3.—EXPENDITURES FOR CHILDREN'S ALLOWANCES AS A PERCENT OF TOTAL SOCIAL SECURITY EXPENDITURES AND OF GROSS NATIONAL PRODUCT. FIVE COUNTRIES, 1966-68

Country	Expenditures for children's allowances					
	As percent of total social security expenditures <sup>1</sup>			As percent of gross national product		
	1966	1967	1968	1966	1967	1968
Canada <sup>2</sup>	12.7	11.2	9.3	1.0	1.0	0.9
France	25.3	24.5	24.5	3.7	3.6	3.6
Sweden <sup>3</sup>	9.2	8.2	6.8	1.3	1.3	1.2
United Kingdom	3.7	3.6	5.9	4	4	7
West Germany	4.3	3.5	3.2	7	6	6

<sup>1</sup> Social security expenditures include administrative expenditures but generally exclude those for government employee programs, industrial occupational pension plans, and benefits under private medical care insurance plans. The data used here, except as otherwise noted, are defined as in "The Cost of Social Security" (International Labor Organization), 1967.

<sup>2</sup> Children's allowances include family allowances and youth allowances but exclude the schooling allowances of the Province of Quebec. Social security expenditures exclude housing, education, and agricultural price support programs.

<sup>3</sup> Children's allowances for 1967 estimated.

Source: Data for children's allowances: Canada—Department of National Health and Welfare, Annual Report, Fiscal Year Ending March 31, 1968, pp. 127-128; France—Ministère de l'Economie et des Finances, Statistiques et Etudes Financières, pp. 406-417; Sweden—1966 from Social Security in the Nordic Countries, 1966 (Statistical Reports of the Nordic Countries, No. 16, Copenhagen, 1969), and 1968 from the Swedish Embassy, Washington, D.C.; United Kingdom—Annual Abstract of Statistics, 1969; West Germany—Der Bundesminister für Arbeit und Sozialordnung, Arbeits und Sozialstatistische Mitteilungen, July 1969, pp. 209-211. Data for social security expenditures: Canada—Department of National Health and Welfare, Social Security in Canada, 1969, p. 77; France—same as children's allowances; Sweden—1966 and 1967 from Social-Nytt, No. 5, 1969, p. 17, and 1968 from the Swedish Embassy in Washington, D.C.; United Kingdom—Annual Abstract of Statistics, 1969; West Germany—same as children's allowances. Data for gross national product: International Monetary Fund, International Financial Statistics, March 1970.

In 1968, the results relate favorably to the data in table 2. France is well ahead of the other countries with about one-fourth of all social security outlays going to children's allowances. Except for Canada, the other countries rank in the same order as they did in relation to average earnings: Sweden, the United Kingdom, and West Germany.

For Canada, the proportion of total social security expenditures directed toward children's allowances—9.3 percent—indicates relatively low total expenditures rather than high children's allowances. This point is borne out by the GNP figure, which is considerably lower for Canada than for the other countries. Still, expenditures have risen substantially with the maturing of the Canada and Quebec pension plans and the lowering of the retirement age year by year.

Except for the United Kingdom, national outlays for children's allowances account for a declining proportion of total social security expenditures as defined and calculated by the ILO. These allowances have been increasing at a slower rate than other social security expenditures. With the ad hoc method of adjustment, the allowances have tended to remain at a given benefit level longer than other social security benefits, which are often tied to a consumer price index or an earnings ratio.<sup>16</sup> And rapid expansion in other social security programs may have adversely affected the availability of funds for children's allowances. In recent years, the United Kingdom's renewed interest in child welfare caused a notable reversal in its spending share for children's allowances. In 1968, payments of children's allowances as a percentage of total social security expenditures rose markedly, reflecting the first benefit increase in such allowances since 1956.

As table 4 shows, the consumer price index outpaced the benefit rate index throughout the entire period in both Canada and France,

before 1964 in West Germany, and before 1967 in the United Kingdom. Only in Sweden has the rate index been well ahead of the consumer price index since the early days of the program.

If the trend for this group of countries is indicative of developments in other countries with children's allowances, benefit levels in most programs have trailed the consumer price index despite periodic adjustments. Relating children's allowances to earnings would reveal an even more unfavorable picture, since in most of the advanced countries wages have increased more rapidly than prices.

TABLE 4.—CHANGES IN CHILDREN'S ALLOWANCES RATES AND THE CONSUMER PRICE INDEX, 5 COUNTRIES, BY YEAR OF CHANGE

Country and coverage	Year of allowance change	Index of allowance rates	Consumer price index <sup>1</sup>
Canada:			
All children	1945	100	100
Children under age 6	1957	120	163
Children aged 6-9	1957	100	163
Children aged 10-12	1957	114	163
Children aged 13-17	1957	100	163
	1970	(?)	223
	1946	100	100
	1948	214	239
	1951	308	361
	1957	321	404
	1958	339	484
France: All covered children	1961	418	550
	1962	434	576
	1963	494	604
	1967	560	675
	1968	645	706
	1969	674	751
	1970	674	781
	1949	100	100
	1952	212	126
Sweden: All covered children	1964	269	181
	1966	346	202
	1971	462	251
United Kingdom:			
	1946	100	100
	1952	160	136
	1956	160	206
	1967	300	284
	1970	360	334
	1946	100	100
	1952	100	136
	1956	200	206
	1967	340	284
	1970	400	334
West Germany:			
All covered children	1954	100	100
2d child	1964	100	124
3d child	1964	125	124
4th child	1964	150	124
5th and additional children	1964	175	124
	1970	(?)	145

<sup>1</sup> Indexes have been recomputed to conform to base years.

<sup>2</sup> No change for any children.

#### FINANCING AND TAX POLICIES

##### Financing

As a rule, children's allowances programs encompassing the entire population are financed by the national government—that is, they are noncontributory.<sup>17</sup> Programs covering specific groups of the population, on the other hand, are commonly contributory. France provides a third method of financing—that is, in some instances, contributions from one group finance the coverage of another (the agricultural fund is subsidized by the general fund). No country has a contributory children's allowances program that covers the entire population. Where these programs exist, they cover only certain groups and tend to be fragmented with respect to both financing and administration. One advantage of general revenue financing is simplified administration. Furthermore, the cost of the program is more easily predictable through demographic projections. These considerations undoubtedly contributed to the adoption of general revenue financing by many Western countries since World War II.

These patterns are evident for the countries under consideration. Children's allow-

ances programs in Canada, Sweden, and the United Kingdom are universal and financed through the national budget. West Germany has separate programs for public employees and for all other residents, but both programs are similarly financed through general revenue.<sup>18</sup>

In France, programs covering the employed and the self-employed are separate. Benefits for wage earners derive from employer contributions exclusively. Contributions by the self-employed are applied only toward the benefits to which this group is entitled. In 1968, employer contributions amounted to 13.5 percent of payroll. The self-employed contribute approximately 4 percent of income, according to an occupational scale. Maximum earnings for contribution purposes were 1,2000F a month. By comparison, average earnings in manufacturing amounted to approximately 855F a month.<sup>19</sup>

France has, in addition, separate occupational programs that cover the agricultural sector, public utilities, and civil servants. Under the law, the State and public authorities are considered as employers and bear the cost of family benefits for their employees.<sup>20</sup> The agricultural sector, usually associated with low incomes and large families, has historically been unable to provide sufficient funds to support its family allowances program and has relied on subsidies by the national government.

##### Tax deductions

Tax exemptions for children are sometimes considered a form of children's allowances because they either add to available income for rearing a family by reducing the income tax or, for low earners with large families, eliminate any tax liability. This factor perhaps influenced the Swedish decision to eliminate tax exemptions for children when children's allowances were introduced in 1948. In the other four countries studied here children's allowances and tax exemptions exist side by side.

France uses a somewhat indirect method of tax deduction. The taxable income may be divided between all members of the family (with two children counted as one adult). The tax is then computed for each individual share and added in computing the total tax liability of the family. Since tax rates are progressive, taxes presumably become smaller as the individual share diminishes, and the result is smaller total tax payments for the family.

The Canadian law provides for a deduction of \$300 for each child.<sup>21</sup> For a family with three children this would be equivalent to pay of an average worker in manufacturing for 7½ weeks.

The West German tax schedule has a deduction of 1,200DM for the first child, 1,680 DM for the second, and 1,800DM for the third and each subsequent child, subject to the age limits for granting children's allowances.<sup>22</sup> The deduction for three children would represent the pay of the average worker in manufacturing for about 18 weeks.

In the United Kingdom, the tax deduction varies with the child's age: £115 for each child under 11, £140 from 11 through 16, and £165 for a child undergoing full-time education. This deduction can be claimed even when the student receives a full-cost maintenance grant from the government.<sup>23</sup> The deduction for a family with three children would equal about 15 weeks' pay for the average worker in manufacturing. Thus, for the average middle-class family, the value of tax deductions is considerably higher than the value of the children's allowances. In the United Kingdom alone, among the four countries studied, children's allowances are treated as taxable income. A part of the allowance is thereby recovered through the tax system.

## IMPACT ON BIRTH RATES

There is no agreement among social scientists or policymakers as to whether children's allowances programs have any effect on birth rates. The available evidence shows no clear relationship.

Chart 1 traces birth rates during 1948-69 in the five countries studied and the United States. Two general characteristics may be noted. One is the similarity in the development of birth rates in Canada and the United States despite the absence of children's allowances in the latter country. The other is the contrast between these two countries as a group and the European countries considered collectively.

In both Canada and the United States, increased birth rates in the late 1940's and early 1950's were followed by slight declines during the next 5 years and by sharper declines during the 1960 decade. A three-point spread maintained through the 1950's started to narrow after 1960 as the Canadian rate decreased more rapidly. By 1960 the two rates had converged.

In the European countries, all rates were falling during the early 1950's. Between 1955 and 1960, however, this trend reversed itself in West Germany and the United Kingdom. The upward movement continued into the early 1960's. Then the Swedish rate also turned up, and the French rate leveled off. Since 1965, rates for all four countries have been declining.

In analyzing the data for the individual countries, one is struck by a steep increase in the Canadian birth rate during 1945-47 that might easily be attributed to the introduction of children's allowances in 1945. Closer examination reveals that the rate had been increasing since the late 1930's. A more satisfactory explanation is that the 1945-47 increases were the continuation of a prevailing trend, buoyed by the military demobilization and high postwar expectations.

Similarly, an increase in the allowance rates in 1957 had no apparent effect on a gentle downturn at the time.

As noted earlier, children's allowances were introduced in Sweden in 1948 and increased in 1952. During this period, as chart 1 (not reproduced) indicates, the birth rate was falling continuously. When the allowances were again increased in 1964, the birth rate had already shown an uptrend for 4 years. Still another increase in the late 1960's did not visibly influence an already declining birth rate.

A similar pattern is found in the United Kingdom. The advent of children's allowances in 1946, followed by rate increases in 1952 and 1967, had no measurable effect on a declining birth rate.

The introduction of children's allowances in West Germany in 1954 had no identifiable and immediate effect on the birth rate; it held steady the following year and increased gently during the next 5 years. During the 1960's a peak was reached in 1963 and the rate then declined slowly year by year. The 1964 increase in the rate of allowances apparently did not affect this process.

In France, there is little statistical support to link children's allowances and the birth rate. A steady decline was evident throughout the 1930's—interrupted neither by the introduction of compulsory children's allowances for wage earners in industry in 1932 nor by the generalization of allowances through the Family Code in 1939. The bottom was reached in 1941 during World War II with a rate of 13.1 per 1,000.<sup>24</sup> A subsequent postwar high of 21.3 was reached in 1947 (as it was in Canada). Since then, the decline has been slow but steady. After higher allowances were established in 1953, the birth rate held firm the following year but later resumed its downtrend. It is still too early to assess the effect of the 1969 increase in allowances.

## CONCLUSION

In retrospect, perhaps the most striking development in children's allowances has been the recent acceptance of general revenue financing in the Western World—and thus implicit support of the theory that the responsibility for bringing up children must be shared by all.

Among the 60-odd national programs currently in existence, about one-fourth are government financed, chiefly in Western Europe.

## FOOTNOTES

<sup>15</sup> International Labor Organization, *The Cost of Social Security*, Geneva, 1967.

<sup>16</sup> In Canada, Sweden, the United Kingdom, and West Germany, the rates of children's allowances are determined by legislation.

<sup>17</sup> The programs of Finland, Luxembourg, and the Netherlands are among the exceptions to this rule. The employer also contributes to the allowances in these countries. See *Social Security Programs Throughout the World*, 1971, Research Report No. 40, Office of Research and Statistics, Social Security Administration, 1972.

<sup>18</sup> The public employee program provides for 50DM per child a month when other income in support of one or more children does not exceed 125DM per month. See footnote 9 for rates under the regular children's allowances program, where a special provision allows 25DM a month for the second child when monthly family earnings are below 650DM.

<sup>19</sup> In early 1971, employers contributed 10.5 percent of payroll up to 1,500F a month per employee.

<sup>20</sup> ILO, *Legislative Series*, France 10 (Part I, section 4, and Part IV, section 29).

<sup>21</sup> *The Department of National Health and Welfare in Relation to Poverty*, Ottawa, 1970, pages 31-32.

<sup>22</sup> These data were provided by the Embassy of the Federal Republic of Germany, Washington, D.C.

<sup>23</sup> Tony Lynes, "Family Allowances in Great Britain," in *Children's Allowances and the Economic Welfare of Children*, Citizen's Committee for Children of New York, Inc., 1968, pages 94-95.

<sup>24</sup> *Annuaire Statistique de la France*, 1966, p. 73.

## FEDERAL TAX RELIEF FOR EDUCATIONAL LOAN REPAYMENT EXPENSES

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, today, I am introducing a proposal which would permit a new Federal income tax deduction for the entire amount of educational loan repayments.

Presently, taxpayers repaying loans may deduct only the amount paid out as interest. Under my proposal, the entire amount of the debt repayment—the principal as well as the interest—would be considered "as interest" and therefore would be deductible. The proposal would aid, in particular, low- and middle-income students and their families by reducing the crushing burden of loan repayments. Also, the proposal would help our financially hard-pressed parochial and private schools and public and private colleges by encouraging greater utilization of loan opportunities which would bring more funds into the schools.

Furthermore, recent HEW figures disclose that 85 percent of the students in the federally guaranteed student loan

program come from families earning less than \$15,000 a year, and 50 percent of those receiving national defense student loans come from families with income under \$6,000 a year. These figures reveal the heavy reliance of families of moderate means on educational loans. Most frequently, these students and their families must begin to repay the loan shortly after graduation. For many this is a heavy financial burden. I believe the Federal Government should continue to help these families by reducing the repayment cost.

Additionally, it has been known for some time that low-income families are underrepresented in our institutions of higher learning, despite existing loan opportunities. The poorer a child's family, the less likely he or she will enroll in college. I believe the Congress must act now to provide additional economic incentives, such as a new income tax deduction, to help these families and expand educational opportunities for all.

## PERSONAL ANNOUNCEMENT

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, during the past several weeks I was absent from the House due to pressing matters in my congressional district. Had I been present, I would have voted "aye" on the following rollcall numbers: 115, 116, 121, 124, 127, 129, 130-133, 139-142, 151, 152, 162-164, 167, 169-171, 182, 183; and "no" on the following rollcall numbers: 114, 119, 128, 138, 166, 173, 177-181.

## PRESIDENTIAL ELECTIONS ACT

(Mr. BLANTON asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BLANTON. Mr. Speaker, today I am introducing the Presidential Elections Act. I feel that this legislation corrects many of the existing flaws in the circus that now exists in what we call an elections system.

In the first place this bill provides for the direct election of the President and Vice President, a step which should have been taken long ago.

Second, the bill establishes a system for national primaries to select the party candidates for President and Vice President. In addition, there is adequate protection for the establishment of third or Independent Party candidates.

To guard against someone winning either the nomination of the general election with only a small portion of the vote I have inserted a section making a 40 percent plurality mandatory for victory in either race with a provision for a runoff if no one receives the necessary plurality.

Finally, in what I consider to be one of the strongest and most needed aspects of the legislation, the bill places a restriction on candidate advertising before 30 days prior to the primary and 45 days prior to the general election. I feel that



this is more than enough time for the candidates to put their views before the public.

I feel that this bill in conjunction with the recently enacted campaign spending legislation will assure the American people of true electoral reform. The type of reform which is badly needed and, until now, which very little has been done about.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SHoup) and to revise and extend their remarks and include extraneous matter:)

Mr. TALCOTT, for 10 minutes, today.

Mr. McDONALD of Michigan, for 10 minutes, today.

(The following Members (at the request of Mr. McKAY) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. MURPHY of New York, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. ASPINALL.

Mr. BROOMFIELD to revise and extend his remarks on the higher educational bill today.

Mr. QUIE to revise and extend his remarks immediately after the remarks of Mr. DELLENBACK during general debate on the higher education conference report today.

(The following Members (at the request of Mr. SHoup) and to include extraneous matter:)

Mr. HALL.

Mr. HUTCHINSON.

Mr. ANDERSON of Illinois in two instances.

Mr. WYMAN in two instances.

Mr. WHALEN.

Mr. DELLENBACK.

Mr. MICHEL in two instances.

Mr. RIEGLE.

Mr. RAILSBACK in two instances.

Mr. MINSHALL.

Mr. COLLIER in five instances.

Mr. HEINZ.

(The following Members (at the request of Mr. McKAY) and to include extraneous matter:)

Mr. FRASER in five instances.

Mr. ST GERMAIN.

Mr. BADILLO.

Mr. GONZALEZ in three instances.

Mr. HAGAN in three instances.

Mr. RARICK in five instances.

Mr. ROGERS in five instances.

Mr. HUNGATE in three instances.

Mr. PUCINSKI in six instances.

Mr. MACDONALD of Massachusetts.

Mr. STOKES in two instances.

Mr. BRINKLEY.

Mr. MOORHEAD in five instances.

Mr. JACOBS.

Mr. ADDABBO.

Mr. RANGEL in two instances.

Mr. MURPHY of Illinois.

Mr. BINGHAM in four instances.

Mr. RONCALIO in two instances.

Mr. DINGELL.

#### SENATE BILLS AND A JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1198. An act to authorize the Secretary of Agriculture to review as to its suitability for preservation as wilderness the area commonly known as the Indian Peaks Area in the State of Colorado; to the Committee on Interior and Insular Affairs.

S. 3442. An act to amend the Public Health Service Act to extend the authorization for grants for communicable disease control and vaccination assistance and for other purposes; to the Committee on Interstate and Foreign Commerce.

S.J. Res. 206. Joint resolution relating to sudden infant death syndrome; to the Committee on Interstate and Foreign Commerce.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1736. An act to amend the Public Buildings Act of 1959, as amended, to provide for financing the acquisition, construction, alteration, maintenance, operation, and protection of public buildings, and for other purposes.

#### ADJOURNMENT

Mr. McKAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until Monday, June 12, 1972, at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. H.R. 13853. A bill to amend title VII of the Housing and Urban Development Act of 1965; with amendments (Rept. No. 92-1117). Referred to the Committee of the Whole House on the State of the Union.

Mr. FLOOD: Committee on Appropriations. H.R. 15417. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes (Rept. No. 92-1118). Referred to the Committee of the Whole House on the State of the Union.

Mrs. HANSEN of Washington: Committee on Appropriations. H.R. 15418. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes (Rept. No. 92-1119). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. ABZUG (for herself, Mr. BADILLO, Mr. COLLINS of Illinois, Mr. FRASER, Mrs. GRASSO, Mr. HALPERN, Mr. HARRINGTON, Mr. HATHAWAY, Mr. KOCH, Mr. LENT, Mr. MITCHELL, Mr. O'HARA, and Mr. RIEGLE):

H.R. 15389. A bill to prohibit discrimination by financial institutions or any other persons on the basis of sex or marital status in connection with federally related mortgage transactions, and to require all parties to any such transaction to submit appropriate reports thereon (containing specified information) for public inspection; to the Committee on Banking and Currency.

By Mr. MILLS of Arkansas (for himself and Mr. BYRNES of Wisconsin):

H.R. 15390. A bill to provide for a 4-month extension of the present temporary level in the public debt limitation; to the Committee on Ways and Means.

By Mrs. ABZUG (for herself, Mr. BADILLO, Mr. COLLINS of Illinois, Mr. FRASER, Mrs. GRASSO, Mr. HALPERN, Mr. HARRINGTON, Mr. HATHAWAY, Mr. KOCH, Mr. LENT, Mr. MITCHELL, Mr. O'HARA, and Mr. RIEGLE):

H.R. 15391. A bill to prohibit discrimination by any federally insured bank, savings and loan association, or credit union against any individual on the basis of sex or marital status in credit transactions and in connection with applications for credit, and for other purposes; to the Committee on Banking and Currency.

H.R. 15392. A bill to amend the Truth in Lending Act, to prohibit discrimination by creditors against individuals on the basis of sex or marital status with respect to the extension of credit; to the Committee on Banking and Currency.

By Mr. ANDERSON of Illinois:

H.R. 15393. A bill to prohibit flight in interstate or foreign commerce to avoid prosecution for the killing of a policeman or fireman; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 15394. A bill to amend the Internal Revenue Code of 1954 to provide that principal repayments on educational loans shall be allowed as a deduction in the same manner as interest; to the Committee on Ways and Means.

By Mr. BLANTON:

H.R. 15395. A bill to provide for the selection of candidates for President of the United States in a national presidential primary election, and for the election of a President and a Vice President by direct vote of the people, and for other purposes; to the Committee on House Administration.

By Mr. CONTE (for himself and Mr. BERGLAND, Mr. BOLAND, Mr. BURKE of Massachusetts, Mr. CLEVELAND, Mr. DONOHUE, Mr. DRINAN, Mr. GAIMO, Mrs. GRASSO, Mr. HARRINGTON, Mr. HATHAWAY, Mrs. HICKS of Massachusetts, Mr. KEITH, Mr. KYROS, Mr. MACDONALD of Massachusetts, Mr. MALLARY, Mr. OBEY, Mr. O'NEILL, Mr. REUSS, Mr. ST GERMAIN, Mr. STEIGER of Wisconsin, Mr. TIERNAN, Mr. WALDIE, Mr. MCKINNEY, and Mr. O'KONSKI):

H.R. 15396. A bill to provide for the prompt resolution of certain disputes relating to Government contracts, and for other purposes; to the Committee on the Judiciary.

By Mr. DEVINE (for himself and Mr. CLANCY):

H.R. 15397. A bill to amend title 10 of the United States Code, to provide that personal delivery of notification of death of servicemen to the next-of-kin may only be made by officers; to the Committee on Armed Services.

By Mr. EDMONDSON:

H.R. 15398. A bill to amend title 38 of the United States Code in order to provide more efficient job counseling and employment services for veterans; to the Committee on Veterans' Affairs.

By Mr. FISH:

H.R. 15399. A bill to amend the Occupational Safety and Health Act of 1970 to provide that where violations are corrected within the prescribed abatement period no penalty shall be assessed; to the Committee on Education and Labor.

By Mrs. GRASSO:

H.R. 15400. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification, reform, and relief for small business; to the Committee on Ways and Means.

H.R. 15401. A bill to amend title II of the Social Security Act to provide minimum monthly benefits thereunder at age 72 for all uninsured individuals, without regard to the time at which such age is attained; to the Committee on Ways and Means.

H.R. 15402. A bill to amend title XVIII of the Social Security Act to increase from 60 to 120 the number of "lifetime reserve" days for which inpatient hospital benefits may be paid under the medicare program, to reduce the coinsurance payment required of the beneficiary with respect to those days, and to provide a similar 60-day lifetime reserve for posthospital extended care benefits; to the Committee on Ways and Means.

H.R. 15403. A bill to amend title II of the Social Security Act to permit the computation of the benefits payable to a married couple (or to the surviving widow or widower) to be made on the basis of their combined earnings; to the Committee on Ways and Means.

By Mr. McCLURE (for himself and Mr. HANSEN of Idaho):

H.R. 15404. A bill to provide for a comprehensive analysis of the means for providing public use and enjoyment of the outstanding recreation and scenic values of the public lands adjacent to the Middle Snake River to assure the preservation of these values until analyses are completed, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. MINK:

H.R. 15405. A bill to provide that time spent by all American civilians in enemy prisoner-of-war camps shall be creditable (as though it were military service) toward pensions, annuities, or similar benefits under various Federal retirement programs; to the Committee on the Judiciary.

H.R. 15406. A bill to amend title II of the Social Security Act to provide that where a person in good faith went through a marriage ceremony with an insured individual, but (because of a legal impediment) such marriage was invalid, such person (if living with

such individual at the time of his death or of application for benefits) shall be considered the wife, husband, widow, or widower of such insured individual for benefit purposes notwithstanding the existence of another person who is the legal wife, husband, widow, or widower of such individual; to the Committee on Ways and Means.

H.R. 15407. A bill to amend title II of the Social Security Act to provide that any individual age 55 or over shall be considered disabled for purposes of entitlement to disability insurance benefits and the disability freeze if he meets the more liberal definition of "disability" presently applicable only to blind individuals at that age; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 15408. A bill to amend the Communications Act of 1934 in order to provide for the regulation of networks; to the Committee on Interstate and Foreign Commerce.

H.R. 15409. A bill to amend the Communications Act of 1934 in order to provide for the regulation of networks; to the Committee on Interstate and Foreign Commerce.

By Mr. NEDZI:

H.R. 15410. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. REID:

H.R. 15411. A bill to amend the Economic Stabilization Act to prevent excessive rent increases; to the Committee on Banking and Currency.

By Mr. WAMPLER:

H.R. 15412. A bill to amend chapter 15 of title 38, United States Code, to provide for the payment of pensions to World War I veterans and their widows, subject to \$3,000 and \$4,200 annual income limitations; to provide for such veterans a certain priority in entitlement to hospitalization and medical care; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WOLFF:

H.R. 15413. A bill to prohibit the use of any nuclear weapon in Southeast Asia unless Congress first approves such use; to the Committee on Armed Services.

By Mr. FLOOD:

H.R. 15417. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes.

By Mrs. HANSEN of Washington:

H.R. 15418. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes.

By Mr. BADILLO (for himself, Mr. BLANTON, Mr. HALPERN, Mrs. ABZUG, Mr. ROSENTHAL, Mr. RYAN, Mr. BURTON, Mr. PEPPER, Mrs. CHISHOLM, Mr. SYMINGTON, Mr. WOLFF, Mr. HANLEY, Mr. EDWARDS of California, Mr. MITCHELL, Mr. DOW, Mr. SCHEUER,

Mr. RIEGLE, Mr. KOCH, Mr. KYROS, and Mr. BOLAND):

H.J. Res. 1222. Joint resolution directing the President to seek international agreements establishing uniform standards for the protection of persons utilizing aircraft and airport facilities; to the Committee on Foreign Affairs.

By Mr. BADILLO (for himself, Mr. RANGEL, Mr. METCALFE, Mr. BINGHAM, Mr. ADDABBO, Mrs. HICKS of Massachusetts, Mr. HELSTOSKI, Mr. REID, Mr. CELLER, Mr. PODELL, Mrs. MINK, Mr. NIX, Mr. HATHAWAY, Mr. SEIBERLING, Mr. WINN, Mr. PETTIS, and Mr. RODINO):

H.J. Res. 1223. Joint resolution directing the President to seek international agreements establishing uniform standards for the protection of persons utilizing aircraft and airport facilities; to the Committee on Foreign Affairs.

By Mr. DUNCAN:

H.J. Res. 1224. Joint resolution to mandate consideration of comprehensive legislation reforming and recodifying the Federal income, estate, and gift tax laws; to the Committee on Rules.

By Mr. BADILLO (for himself, Mr. BLANTON, Mr. HALPERN, Mrs. ABZUG, Mr. RANGEL, Mr. ROSENTHAL, Mr. RYAN, Mr. BURTON, Mr. PEPPER, Mrs. CHISHOLM, Mr. SYMINGTON, Mr. WOLFF, Mr. HANLEY, Mr. EDWARDS of California, Mr. MITCHELL, Mr. DOW, Mr. SCHEUER, Mr. METCALFE, Mr. BINGHAM, and Mr. ADDABBO):

H. Con. Res. 629. Concurrent resolution to protect airline passengers; to the Committee on Foreign Affairs.

By Mr. BADILLO (for himself, Mrs. HICKS of Massachusetts, Mr. HELSTOSKI, Mr. REID, Mr. PODELL, Mrs. MINK, Mr. NIX, and Mr. RODINO):

H. Con. Res. 630. Concurrent resolution to protect airline passengers; to the Committee on Foreign Affairs.

By Mr. GRAY:

H. Res. 1013. Resolution relative to a transnational lunar expedition; to the Committee on Science and Astronautics.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DUNCAN:

H.R. 15414. A bill for the relief of Raymond L. Wells; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 15415. A bill for the relief of Johnson S. Jordiniano; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 15416. A bill for the relief of Anastacia Romero Cabansag; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### EVERYONE INVITED TO PITTSBURGH FOR JAZZ WEEK

#### HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1972

Mr. MOORHEAD. Mr. Speaker, Governor Shapp has proclaimed June 12-18, Jazz Week in Pennsylvania.

Several very industrious Pittsburghers have put their civic zeal and pride together to bring back to our town some

of the famous jazz musicians who were born in Pittsburgh.

Pittsburghers and their friends will, at various times and places during the week, be entertained by such Pittsburgh-born greats as Errol Garner, Billy Eckstein, Roy Eldredge, Ahmad Jamal, and many others.

Several more of the biggest names in the jazz world will visit and perform in Pittsburgh on June 17-18, when the festival committee sponsors two jazz concerts at the Pittsburgh Civic Arena.

Performing those nights will be such stars as: the Buddy Rich Orchestra,

Cannonball Adderley, Carmen McRae, Herbie Mann, Dizzy Gillespie, and many more.

Local jazz star Walt Harper and Roy Kohler, of Gulf Oil's Community Relations division, have made immeasurable contributions to our city's jazz extravaganza. I hope that my colleagues and their families will travel to Pittsburgh for some great music and good fun, when Pittsburgh celebrates Jazz Week, June 12-18.

I insert into the RECORD at this time an article from the New Pittsburgh