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President Van Arsdale expressed appreciation to them and to Chairman Sampson who had assumed responsibility for the program. He also gave credit to Administrator Mary Switzer of HEW Social Rehabilitation Service who encouraged the city AFL-CIO to undertake the project.

FUTURE PLANS

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NEW YORK LOCALS PLAN TO KEEP UP WORKER REHABILITATION PROGRAM

The New York City Central Labor Council's "Project Rehab" has reached the stage of its "final report" on a five-year program of worker rehabilitation counseling aided by government grants.

But the project has proved so successful, Council Pres. Harry Van Arsdale, Jr., notes in a foreword to the report, that the 500 unions affiliated with the central body are determined to carry it on through voluntary contributions.

First copy of the report was presented to AFL-CIO Pres. George Meany by Michael Sampson, chairman of the project and of the labor council's Community Services Committee.

It analyzes the cases of 3,261 workers or members of workers' families who were guided to rehabilitative services for physical, emotional or vocational impairments. In many of the cases, the counseling and treatment meant the difference between holding a job or being unemployed.

Actually, Sampson pointed out, for purposes of the report the analysis was limited to cases referred prior to Nov. 15, 1967. In the past year, he noted, additional hundreds of workers were helped, bringing the total to nearly 4,000.

The project was initiated in 1963 as a demonstration of what labor could do in liaison and counseling services to help its own members in need of rehabilitation.

At the start, it received a three-year grant of \$270,000 from the U.S. Dept. of Health, Education & Welfare's Social Rehabilitation Service with the labor council to supply matching funds over the period. It was the first such grant ever given to a central labor body. Six months before the grant expired, the project had proved so productive that the government provided funds for two more years.

In all, some \$580,000 in federal funds have gone into the demonstration project, with the city AFL-CIO supplying an additional \$280,000.

The funds enabled the Community Services Committee to launch the project with a professional staff and to recruit and train hundreds of volunteer counselors in local unions throughout the city.

First director of "Project Rehab" was Louis L. Levine, who continues as a consultant. His successor and current director is Gerald R. Waters, Sr. Margaret Barry is assistant director and John J. Gehan associate director.

Medical advisers to the project are Dr. Guy F. Robbins and Dr. Howard A. Rusk.

Van Arsdale paid tribute to all of them, and to Sampson who had assumed overall responsibility for the program. He also gave special credit to Administrator Mary Switzer of HEW's Social Rehabilitation Service who encouraged the city AFL-CIO to undertake the project and carry it through.

But the key to the project's success, the report makes clear, have been the local union volunteers.

"The union representative became an im-

portant member of the team," the report observes.

"For all practical purposes he was an effective vocational counselor to the professionals involved in treatment. He knew the job duties on which job recommendations could be based. He could negotiate with an employer in a way that no professional counselor could approximate.

"Because of his special relationship to the patient and coworkers, he could make the member's return to work a relatively smooth process. The project made a beginning in developing this particular aspect of vocational rehabilitation. It is worth further consideration."

Sampson noted that throughout the five-year period, the project had the strong support and cooperation of voluntary and government agencies, the medical profession, medical centers and schools.

As for the future, he reported that 180 local and international unions already have contributed some \$30,000 to continue the program. But the real answer, he suggested, may lie in efforts now being explored to establish it as a tax-exempt, non-profit organization that will be able to attract large contributions and establish working relationships with labor-management health and welfare funds.

THE NIXON RESPONSIBILITY FOR DESEGREGATION

Mr. MONDALE. Mr. President, we are at an important junction in the battle to insure that all Americans enjoy equal opportunity and equal justice under law. The issue, quite simply, is whether and when basic civil rights will be extended to, and enforced for, all the citizens of our country. Unprecedented and important civil rights laws have been passed during the past decade, and the Nixon administration is now faced with the responsibility of implementing them fully and effectively.

An article in last Sunday's Washington Post indicated that the Nixon administration was confronting its first test in civil rights enforcement. This article, which I ask unanimous consent to insert at this point in my remarks, suggested that Robert H. Finch, Secretary of the Department of Health, Education, and Welfare, might grant 60-day extensions to five southern school districts for which funds were scheduled to be terminated on January 29, 1969, for failure to comply with provisions of the Civil Rights Act of 1964.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEED FOR REVIEW HALTS SCHOOL FUNDS CUTOFFS

In its first move on the ticklish topic of school desegregation, the Nixon Administration has decided to keep Federal funds flowing, at least temporarily to several embattled Southern school districts.

Health, Education and Welfare Secretary Robert H. Finch has concluded that reprieves should be granted to districts where fund cutoffs had been imminent.

The extra time will be used to permit Finch and his staff to conduct the case-by-case reviews they have promised in dealing with districts whose desegregation pace has been challenged by HEW.

Finch's decision represents at least a small victory for Southern Republicans, including Sen. Strom Thurmond of South Carolina, who have been urging a fresh look at pending desegregation disputes.

One White House source said that the new

HEW Secretary felt the impending cutoff deadlines had been set by departing Democrats "just to embarrass the new Administration."

At least six Southern school systems, and perhaps more, are believed included in Finch's decision to defer final cutoffs.

Rep. Charles Raper Jonas (R.-N.C.) reported on Friday that the White House congressional liaison office had informed him Thursday that Martin County, N.C., would be granted a 60-day stay. The cutoff of funds was scheduled next Wednesday.

The Martin County case has taken on considerable symbolic significance, because despite four years of noisy controversy, not a single school district in North Carolina has yet had its Federal funds terminated for insufficient desegregation.

In the cases of five other Southern districts, notification of final funds cutoffs has been sent to the House Education and Labor Committee and the Senate Labor and Public Welfare Committee. The cutoffs take effect 30 days after notification of the Committees.

Finch aides were busy Friday checking out the details on Martin County and the five others. They are Abbeville County School District No. 60, Anderson County District No. 4 and Barnwell County District No. 45, all in South Carolina, and the Water Valley and South Panola Districts in Mississippi.

Mr. MONDALE. Mr. President, I was deeply concerned to read this article. I was deeply concerned to learn of the possibility that fair and firm enforcement of the law of the land might be unduly delayed or postponed, and I wrote Secretary Finch urging him to permit these termination orders to take place as scheduled.

I ask unanimous consent that my letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 29, 1969.

HON. ROBERT H. FINCH,
Secretary of Health, Education, and Welfare,
Department of Health, Education, and
Welfare, Washington, D.C.

DEAR SECRETARY FINCH: Since the passage of the Civil Rights Act of 1964 an important beginning has been made toward the elimination of the dual racially segregated school system. Recently the Office for Civil Rights in your Department reported a significant increase during the past year in the desegregation of formerly dual school systems in eleven Southern states. This progress must continue.

I was very concerned, therefore, to read the enclosed article indicating that you may grant 60-day extensions to the five Southern school districts for which federal funds are scheduled to be terminated today under the provisions of Title VI of the Civil Rights Act of 1964. I sincerely hope that you will permit these termination actions to take place as scheduled, and that the Department will continue its practice of enforcing Title VI fairly and firmly.

I am deeply committed to the intent and the implementation of the Civil Rights Act passed in this last decade, and to the goals of equal justice and equal opportunity.

I would appreciate being informed of your decision in these cases.

With best regards,

Sincerely,

WALTER F. MONDALE.

Mr. MONDALE. Mr. President, Secretary Finch has now acted. Although he has permitted the termination of funds to take place on the day originally scheduled, he added a potentially dangerous new amendment to the termination or-

der. I ask unanimous consent to insert the Secretary's statement at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF THE SECRETARY,

Washington, D.C.

STATEMENT BY ROBERT H. FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

(Regarding Disposition of the Following Title VI Compliance Cases: *Martin County Board of Education, North Carolina; Abbeville School District No. 60, South Carolina; Barnwell School District No. 45, South Carolina; Water Valley Consolidated School District, Mississippi; and South Panola Consolidated School District, Mississippi.*)

One of my sensitive responsibilities as Secretary of Health, Education, and Welfare concerns the enforcement of Title VI of the 1964 Civil Rights Act. The President set forth on several occasions during the campaign what I believe is the proper construction of this provision of the law. It is my intention to adopt procedures which are consistent with that interpretation in my enforcement of the law.

The spirit and even the life of a community and the short and long term well-being of its citizens, both black and white, are at stake in every decision in this area. Misunderstandings respecting the law, confusion as to its enforcement and the encouragement of false hopes can pit man against man, student against student, and government against government. The total effort in this area must be such as will reopen lines of communication that have been closed by past controversy; to develop new incentives to encourage a continuing dialogue between all the parties concerned; and provide as much flexibility and as many options as possible to ensure that the law is objectively enforced with understanding, compassion and fairness to every American.

It was my initial hope that sufficient time would be available to my Department to develop a broad policy encouraging negotiation. I am, however, today faced with an immediate decision in this area affecting five school districts which well before my tenure were adjudged to be in violation of Title VI of the Civil Rights Act of 1964. In each of these difficult cases, the administrative procedures provided under the law have been exhausted. On December 29, 1968, the former Secretary of HEW, Wilbur Cohen, before he left office, transmitted the findings of the Reviewing Authority withholding federal assistance to these districts to the appropriate Committee Chairmen in the Congress. Thirty days having now elapsed, that decision becomes effective today.

When all of the alternatives have been exhausted as they have been in these instances, the law must in the end be enforced.

However, because of the urgency of this immediate situation and also because of my hope that federal funds can be restored as soon as possible, I am immediately dispatching forthwith negotiation teams from Washington to each of those five districts involved in order for them to sit down with the local school officials, fairly and fully establish the facts, and develop workable and effective alternatives within the law. In addition I am amending the termination order for each of the five districts to allow for the retroactive restoration of federal funds within 60 days once the teams and local officials agree on an acceptable plan. Also I am requesting the several state school authorities involved to hold the federal funds in trust during the period of negotiation.

I want to make it clear that because of the urgency of this situation, the use of these negotiation teams and the possible retroactive restoration of funds will apply only to

these five districts and should not be interpreted as establishing a permanent policy approach in this area. This emergency action is being taken because obviously I have not had an opportunity to carefully establish and review the facts in these particular cases and because I believe every avenue must be explored to reopen lines of communication to these school districts and re-instate federal funding as soon as possible. It is not an enjoyable responsibility to withhold funds from any school district, particularly when dire consequences will ensue for all students involved.

In the future, it is my intent to reassess all of the Department's procedures to develop policies which will encourage negotiations, provide flexibility and fairness, and assure enforcement of the law consistent with the interpretation the President repeatedly expressed in the campaign and in these ways assist in providing just and equal educational opportunity for every school child in the country.

Mr. MONDALE. Mr. President, in essence, this termination order, as amended, represents a serious procedural departure from the established method for implementing title VI of the Civil Rights Act of 1964. It establishes a virtual trust fund—of Federal funds—for these school districts which have failed to comply with the law. And it provides an additional 60-day period for these districts to submit acceptable desegregation plans and thereby qualify for their trust fund money.

Mr. President, I seriously doubt whether this additional 60-day extension, and this trust fund arrangement, are justified in these cases. None of these districts has made significant progress toward the elimination of their dual, racially segregated school systems since the Supreme Court ruled them unconstitutional back in 1954. Mr. Roy Wilkins, executive director of the National Association for the Advancement of Colored People stated:

The districts in question do not need another 60 days since they have been dodging compliance with the law for more than 14 years.

Furthermore, the Department of Health, Education, and Welfare has been negotiating with each of these districts for over a year. Each one has failed to even submit alternative desegregation plans to replace the "freedom of choice" plans which have not resulted in progress.

The implications of this decision to the Nation in general, and to southern school superintendents in particular, were clearly stated in an editorial that appeared in the Atlanta Journal, January 30, 1969, which I submit for insertion in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A COSTLY NIXON RETREAT

President Nixon has done law enforcement and Constitutional process a great disservice in beginning his Administration with encouragement of those who defy the law on school desegregation in the South.

This was exactly what was done Wednesday when Mr. Nixon's Secretary of HEW, Robert H. Finch announced the Administration's decision to grant a 60-day reprieve to five Southern school districts scheduled to lose Federal funds for refusal to abolish segregation.

Mr. Finch, a Californian unacquainted with

the ramifications of such actions, thus slaps the face of every Southern school board and every Southern school superintendent who has moved with great difficulty to obey the law. He strengthens the forces of defiance, threatens the political futures of those who have tried to do the right thing and offers subtle promise that the law really is not the law.

No official words about careful review or finding "effective alternatives" can remedy the damage done by an act of this kind, at this moment, on the part of a Federal agency charged with enforcement of the law. Already there have been long delays for reviews and finding alternatives. A school system does not reach the fund cut-off point until it has persistently evaded the law.

Officials of 700 to 800 Southern school districts are in various stages of negotiations with the Federal government over how or whether they will comply with the law. We believe most of these officials are conscientious men trying to respect the Constitution and the law their civics classes teach children about. But they are human. They need support in doing a difficult job, not discouragement to skip out on it and to yield to forces of lawlessness which have been powerful throughout the South.

A firm hand at HEW and in the White House is needed. Mr. Nixon has begun his Administration with a very shaky hand, indeed, on this matter. To him and to Mr. Finch this may seem to be merely a matter of being cautious but anyone who really knows the South is aware of the damage that that can be done by such hesitation and evidence of vacillation. It plays into the hands of hoodlums on one end of the spectrum of "respectability" and of the Strom Thurmond's on the other. The law is the loser in either case.

There can be no doubt today what the law is. Some Southern politicians who now look hopefully to the Nixon Administration for facilitation, were arguing heretofore that HEW guidelines were illegal, going beyond the law. The Fifth Circuit Court of Appeals composed of Southern Federal judges resoundingly repudiated that notion and affirmed the validity of the guidelines and the way in which they were being applied as a means of enforcing the law. The U.S. Supreme Court later affirmed this position by the court that has handled these matters in this region.

There is no doubt about the law but there is doubt now about the law's enforcement—just enough doubt to subtly undermine the best elements in the South. Hope springs anew in the hearts of those high and low who are essentially contemptuous of Constitutional process; and those who have tried to do their duty, have good cause for discouragement. In this field of supreme importance to the South, its stability and its continued orderly progress, the Nixon Administration is off to the worst possible start. Shortly we shall see if this is to be the pattern.

Mr. MONDALE. Mr. President, I remain seriously concerned about the recent decision in these cases, and I intend to follow very closely the future actions in this area. I am deeply committed to the intent and the implementation of the Civil Rights Act of 1964, and I believe the ultimate decisions rendered in these five cases will have far-reaching effects on civil rights and educational progress in this country.

PROPOSED DISAPPROVAL OF EXECUTIVE, LEGISLATIVE, AND JUDICIAL PAY RATES

Mr. WILLIAMS of Delaware. Mr. President, under the rules, if there is