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UD 016 258

TITLE A Bill to Establish Procedures and Standards for the Framing of Relief in Suits to Desegregate the Nation's Elementary and Secondary Public Schools...School Desegregation Standards and Assistance Act of 1976. S.3618. 94th Congress, Second Session.

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ABSTRACT

This document is the text of a Senate bill to establish procedures and standards for the framing of relief in suits to desegregate the Nation's elementary and secondary public schools, to provide for assistance to voluntary desegregation efforts, to establish a National Community and Education Committee to provide assistance to encourage and facilitate constructive and comprehensive community involvement and planning in the desegregation of schools, and for other purposes. If it is enacted, this Act may be cited as the School Desegregation Standards and Assistance Act of 1976. It is organized in two titles. The purpose of Title I, Standards and Procedures in School Desegregation Suits, is to prescribe standards and procedures to govern the award of injunctive and other equitable relief in school desegregation cases brought under Federal law. The purpose of Title II, National Community and Education Committee, is to create a nonpartisan national committee composed of citizens from various occupations and backgrounds, particularly individuals who have had experience in school desegregation activities from within a community, in order to provide assistance to communities that are engaged or preparing to engage in the desegregation of their schools. (Author/JM)

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91TH CONGRESS
2^D SESSION

S. 3618

IN THE SENATE OF THE UNITED STATES

JUNE 24 (legislative day, JUNE 18), 1976

Mr. EASTLAND (for himself and Mr. HRUSKA) (by request) introduced the following bill; which was read twice and referred to the Committees on the Judiciary and Labor and Public Welfare jointly by unanimous consent; the Committee on the Judiciary to consider title I, and the Committee on Labor and Public Welfare to consider title II

A BILL

To establish procedures and standards for the framing of relief in suits to desegregate the Nation's elementary and secondary public schools, to provide for assistance to voluntary desegregation efforts, to establish a National Community and Education Committee to provide assistance to encourage and facilitate constructive and comprehensive community involvement and planning in the desegregation of schools, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That this Act may be cited as the "School Desegregation
- 4 Standards and Assistance Act of 1976".

II

UD 016258

1 STATEMENT OF FINDINGS

2 The Congress finds that:

3 (a) Discrimination against students, because of their
4 race, color, or national origin, in the operation of the
5 Nation's public schools violates the Constitution and laws
6 of the United States, denies such students equal educational
7 opportunities, and is contrary to the Nation's highest
8 principles and goals.

9 (b) The Constitution and the national interest man-
10 date that the courts of the United States provide
11 appropriate relief to prevent such unlawful discrimination
12 and to remove the continuing deprivations, including the
13 separation of students, because of their race, color, or na-
14 tional origin, within or among schools, that such discrimi-
15 nation has caused.

16 (c) Individuals may, in normal course, choose to reside
17 in certain areas for many reasons and, as the courts have
18 recognized, patterns of concentration, by race, color, or na-
19 tional origin, in the schools that reflect such voluntary,
20 individual choices, rather than the results of unlawful dis-
21 crimination, neither necessarily render such schools inferior
22 in the quality of education they provide nor in themselves
23 deprive any person of equal protection of the laws.

24 (d) The purpose of relief directed to the effects of
25 unlawful discrimination in the operation of the schools is

1 not to compel a uniform balance by race, color, or national
2 origin that would not have existed in normal course from
3 individual voluntary acts, but is, rather, to restore the victims
4 of discriminatory conduct to the position they would have
5 occupied in the absence of such conduct, and so to free
6 society and our citizens from the conditions created by un-
7 lawful acts.

8 (c) Although it has been found necessary in some cases,
9 in order to remedy the effects attributable to unlawful dis-
10 crimination, to require the assignment and transportation
11 of students to schools distant from their homes, and although
12 such a requirement may be appropriate, as a last resort, to
13 eliminate the effects of unlawful acts that were intended to
14 foster segregation in the schools, such a requirement can, if
15 unduly extensive in scope and duration, impose serious bur-
16 dens on the children affected and on the resources of school
17 systems and impair the quality of education for all students
18 that is essential to overcome past discrimination, to achieve
19 true equality of opportunity and equal protection of the laws,
20 and to maintain a free and open society.

21 (1) Because of its detrimental effects, judicially required
22 student assignment and transportation should be employed
23 only when necessary as an interim and transitional remedy,
24 and not as a permanent, judicially mandated feature of any
25 school system.

1 (g) . In view of these conflicting values and conse-
2 quences, Congress, being responsible for defining by law the
3 jurisdiction of the inferior Federal courts and the remedies
4 they may award in the exercise of the jurisdiction thus con-
5 ferred and for enacting appropriate legislation to enforce the
6 commands of the fourteenth amendment, may prescribe
7 standards and procedures for accommodating the competing
8 human interests involved.

9 (h) Throughout the history of our Nation, the educa-
10 tion of our children, especially at the elementary and
11 secondary level, has been a community endeavor. The
12 concept of public education began in the community and
13 continuous support for public schools has been provided by
14 the community.

15 (i) Although the States, and to some extent the Federal
16 Government, have been providing increased financial assist-
17 ance for education, it has become clear that the solution to
18 many of the most pressing problems facing our schools lies
19 within the community which supports those schools.

20 (j) Too often required changes in the assignment of
21 students to schools has been accomplished without the in-
22 volvement of the community or with its involvement only
23 after confrontations have occurred and community positions
24 have been hardened.

1 (k) In other cases individuals from within the com-
2 munity⁶ have anticipated the problems associated with de-
3 segregation and have organized to face and resolve those
4 problems. Rather than reacting negatively to the circum-
5 stances in which the community found itself, these indi-
6 viduals have found constructive means to contribute to
7 improving strained community relations, to adjust to chang-
8 ing conditions, and in other ways to assure the continued
9 successful operation of the public schools.

10 (l) These individuals, who have experienced the trials
11 a community may face when the schools must be desegre-
12 gated and who have found ways to overcome those problems,
13 are a unique national resource that can be of assistance to
14 other communities that are now facing or have yet to face
15 these trials.

16 TITLE I—STANDARDS AND PROCEDURES IN
17 SCHOOL DESEGREGATION SUITS

18 PURPOSE: APPLICATION

19 SEC. 101. (a) The purpose of this title is to prescribe
20 standards and procedures to govern the award of injunctive
21 and other equitable relief in school desegregation cases
22 brought under Federal law, in order (1) to prevent the con-
23 tinuation or future commission of any acts of unlawful
24 discrimination in public schools, and (2) to remedy the

1 effects of past acts of such unlawful discrimination, including,
 2 by such means as are appropriate for the purpose, the present
 3 degree of concentration by race, color, or national origin in
 4 the student population of the schools attributable to such
 5 acts.

6 (b) The provisions of this title shall govern all proceed-
 7 ings for the award or modification of injunctive and other
 8 equitable relief, after the date of its enactment, seeking the
 9 desegregation of public schools under Federal law, but shall
 10 not govern proceedings seeking a reduction of such relief
 11 awarded prior to the date of its enactment except for pro-
 12 ceedings brought under section 107.

13 DEFINITION

14 SEC. 102. For purposes of this title—

15 (a) "local education agency" means a local board of
 16 public education or any other government agency or
 17 officer of a political subdivision of a State responsible for,
 18 or exercising control over, the operations of one or more
 19 public elementary or secondary schools;

20 (b) "State education agency" means a State board
 21 of public education or any other State agency or officer
 22 responsible for, or exercising control over, the opera-
 23 tions of one or more public elementary or secondary
 24 schools;

25 (c) "school system" means the schools and other

1 institutions of public education within the jurisdiction
2 of a local or State education agency;

3 (d) "desegregation" means the prohibition of un-
4 lawful discrimination and the elimination of the effects
5 of such discrimination in the operation of the schools;

6 (e) "unlawful discrimination" means action by a
7 local or State education agency or by any other govern-
8 mental body, agency, or officer which, in violation of
9 Federal law, discriminates against students on the basis
10 of race, color, or national origin in the operation of the
11 schools;

12 (f) "State" means any of the States of the Union,
13 the District of Columbia, the Commonwealth of Puerto
14 Rico, Guam, American Samoa, the Virgin Islands, and
15 the Panama Canal Zone; and

16 (g) "transportation of students" means the assign-
17 ment of students to public schools in such a manner as
18 to require, directly or indirectly, the transportation of
19 students, in order to alter the distribution of students,
20 by race, color, or national origin, among the schools,
21 but does not include the assignment of any student to
22 the school nearest or next nearest his or her residence
23 and serving the grade he or she is attending, even if
24 the local or State education agency provides transpor-
25 tation to enable the student to reach that school.

LIABILITY

1
2 SEC. 103. A local or State education agency shall be
3 held subject—

4 (a) to relief under section 104 of this title if the
5 court finds that such local or State education agency has
6 engaged or is engaging in an act or acts of unlawful
7 discrimination; and

8 (b) to relief under section 105 of this title if the
9 court finds that an act or acts of unlawful discrimination
10 have caused a greater present degree of concentration,
11 by race, color, or national origin, in the student popula-
12 tion of any school within the jurisdiction of the local
13 or State education agency than would have existed in
14 normal course had no such act occurred: *Provided,*

15 (i) that no order under section 105 of this title
16 shall be based in whole or in part on an act or acts
17 by a local, State, or Federal agency or officer other
18 than the local or State education agency with juris-
19 diction over such schools unless the court further
20 finds, on the basis of evidence other than the effects
21 of such acts alone, that the act or acts were com-
22 mitted for the specific purpose of maintaining, in-
23 creasing, or controlling the degree of concentration,
24 by race, color, or national origin, in the student
25 population of the schools; and

(ii) that nothing in this title shall be construed as establishing a basis for relief against a local or State education agency not available under existing law.

RELIEF—ORDERS PROHIBITING UNLAWFUL ACTS AND
ELIMINATING EFFECTS GENERALLY

SEC. 104. In all cases in which, pursuant to section 103 (a) of this title, the court finds that a local or State education agency has engaged or is engaging in an act or acts of unlawful discrimination, the court may enter an order enjoining the continuation or future commission of any such act or acts and providing any other relief against such local or State education agency as may be necessary and appropriate to prevent such act or acts from occurring or to eliminate the effects of such act or acts: *Provided*, That any remedy directed to eliminating the effects of such act or acts on the present degree of concentration, by race, color, or national origin, in the student population of any school shall be ordered in conformity with section 105 of this title.

RELIEF—ORDERS ELIMINATING THE PRESENT EFFECTS OF
UNLAWFUL ACTS ON CONCENTRATIONS OF STUDENTS

SEC. 105. (a) In all cases in which, pursuant to section 103 (b) of this title the court finds that an act or acts of unlawful discrimination have caused a greater present degree

1 of concentration, by race, color, or national origin, than
2 would otherwise have existed in normal course in the student
3 population of any schools within the jurisdiction of a local
4 or State education agency, the court may order against such
5 agency any appropriate relief to remedy the effects, reason-
6 ably attributable to such acts: accordingly such relief shall
7 be no more extensive than that reasonably necessary to
8 adjust the composition by race, color, or national origin of
9 the particular schools so affected or, if that is not feasible,
10 the overall pattern of student concentration by race, color,
11 or national origin in the school system so affected substan-
12 tially to what it would have been in normal course, as
13 determined pursuant to this section, had no such act or acts
14 occurred.

15 (b) Before entering an order under this section the
16 court shall conduct a hearing and, on the basis of such
17 hearing, shall make specific findings concerning the degree
18 to which the concentration, by race, color, or national origin,
19 in the student population of particular schools affected by
20 unlawful acts of discrimination presently varies from what
21 it would have been in normal course had no such acts
22 occurred. If such findings as to particular schools are not
23 feasible, or if for some other reason relief cannot feasibly
24 be fashioned to apply only to the particular schools that
25 were affected, the court shall make specific findings con-

1 concerning the degree to which the overall pattern of student
2 concentration, by race, color, or national origin, in the school
3 system affected by such acts of unlawful discrimination pres-
4 ently varies from what it would have been in normal course
5 had no such acts occurred.

6 (c) In any hearing conducted pursuant to subsection
7 (b) of this section the local or State education agency shall
8 have the burden of going forward, by the introduction of
9 evidence concerning the degree to which the concentration,
10 by race, color, or national origin, in the student population
11 of particular schools, or the overall pattern of student con-
12 centration by race, color, or national origin in the school
13 system, is reasonably attributable to factors other than the
14 act or acts of unlawful discrimination found pursuant to
15 section 103 (b) of this title. If such evidence is introduced,
16 the findings required by subsection (b) of this section shall
17 be based on conclusions and reasonable inferences from all
18 of the evidence before the court, and shall not be based on
19 a presumption drawn from the finding of liability made pur-
20 suant to section 103 (b) of this title or otherwise, that the
21 concentration, by race, color, or national origin, in the student
22 population of any particular school or the overall pattern of
23 concentration in the school system as a whole is the result of
24 acts of unlawful discrimination.

25 (d) If any order entered under this section against a

1 discrimination by such agency or to eliminate the present
2 effects of acts of unlawful discrimination.

3 REVIEW OF ORDERS

4 SEC. 107. (a) In all cases in which a court-imposed
5 requirement for transportation of students has remained in
6 effect for a period of three years from the date of entry of
7 the order containing such requirement or, in the case of all
8 final orders entered prior to enactment of this title, from
9 the effective date of this title, the court shall, on motion of
10 any party, terminate the requirement unless—

11 (i) the court finds that the local or State education
12 agency has failed to comply with the requirement and
13 other provisions of the court's order substantially and in
14 good faith throughout the three preceding years, in
15 which case the court may extend the requirement until
16 there have been three consecutive years of such com-
17 pliance; or

18 (ii) the court finds, at the expiration of such period
19 and of any extension under (i) above, that the other
20 provisions of its order and other remedies are not ade-
21 quate to correct the effects of unlawful discrimination,
22 determined in accordance with section 105 of this title,
23 and that the requirement remains necessary for that pur-
24 pose, in which case the court may continue the require-

1 ment in effect, with or without modification, until the
2 local or State education agency has complied with the
3 requirement substantially and in good faith for two con-
4 secutive additional years; and thereafter, in extraordi-
5 nary circumstances resulting from failure or delay of
6 other remedial efforts or involving unusually severe
7 residual effects of unlawful acts, the court may continue
8 the requirement in effect, as a transitional means of last
9 resort, to such extent and for such limited periods as the
10 court finds essential to allow other remedies to become
11 effective.

12 (b) If a court-imposed requirement for transportation of
13 students has terminated and thereafter the court finds—

14 (i) that the local or State education agency, subse-
15 quent to the termination, has failed to comply substan-
16 tially and in good faith with other provisions of the
17 court's order; or

18 (ii) that an act or acts of unlawful discrimination,
19 as defined in section 103 (b), have occurred since the
20 termination and have caused a greater present degree
21 of concentration, by race, color, or national origin, than
22 would otherwise have existed in normal course;

23 the court may, if no other remedy is sufficient, require trans-
24 portation of students to such extent and for such limited
25 period as may be necessary to remedy the effects found, pur-

1 suant to section 105 of this title, to be reasonably attribut-
2 able to such failure or to such act or acts, and any such
3 requirement shall be reviewed and subject to termination as
4 provided in subsection (a) of this section.

5 EFFECT OF SUBSEQUENT SHIFTS IN POPULATION

6 SEC. 108. Whenever any order governed by section 105
7 of this title has been entered, and thereafter residential shifts
8 in population occur which result in changes in student dis-
9 tribution, by race, color, or national origin, in any school
10 affected by such order, the court shall not require modifica-
11 tion of student assignment plans then in effect in order to
12 reflect such changes, unless the court finds, pursuant to sec-
13 tion 105 that such changes result from an act or acts of
14 unlawful discrimination.

15 INTERVENTION

16 SEC. 109. (a) The court shall notify the Attorney
17 General of any proceeding to which the United States is
18 not a party in which the relief sought includes that covered
19 by section 105 of this title, and shall in addition advise the
20 Attorney General whenever it believes that an order or
21 an extension of an order requiring transportation of students
22 may be necessary.

23 (b) The Attorney General may, in his discretion, inter-
24 vene as a party in such proceeding on behalf of the United
25 States, or appear in such proceeding for such special purpose

1 as he may deem necessary and appropriate to facilitate
2 enforcement of this title, including the submission of recom-
3 mendations (1) for the appointment of a mediator to assist
4 the court, the parties, and the affected community, and
5 (2) for the formation of a committee of community leaders
6 to develop, for the court's consideration in framing any
7 order under section 105 of this title, a five-year desegrega-
8 tion plan, including such elements as relocation of schools,
9 with specific dates and goals, which would enable required
10 transportation of students to be avoided or minimized during
11 such five-year period and to be terminated at the end
12 thereof.

13 SEC. 110. If any provision of this title, or the applica-
14 tion of any such provision to any person or circumstance, is
15 held invalid, the remainder of the provisions of this title
16 and the application of such provision to any other person
17 or circumstances shall not be affected thereby.

18 TITLE II.—NATIONAL COMMUNITY AND
19 EDUCATION COMMITTEE

20 PURPOSE

21 SEC. 201. It is the purpose of this title to create a
22 nonpartisan national committee composed of citizens from
23 various occupations and backgrounds, particularly individ-
24 uals who have had experience in school desegregation activi-
25 ties from within a community, in order to provide assistance

1 to communities that are engaged in or preparing to engage
2 in the desegregation of their schools. With such assistance,
3 it is expected that effective local leadership can be developed
4 at an early stage of the desegregation process in order to
5 facilitate that process, to assure that the educational advan-
6 tages of desegregated education are fully realized, and to
7 reduce or avoid public misunderstanding and disorder. The
8 committee will be a resource available to assist communities
9 in anticipating and resolving difficulties encountered prior
10 to and during desegregation. It is the intent of Congress
11 that the committee be composed of individuals who have
12 demonstrated their concern for avoiding conflict and disrup-
13 tion in their communities during the desegregation of schools
14 and who, without regard for their personal opinion with
15 respect to such desegregation, have been involved in efforts
16 within their communities to adjust to changing circum-
17 stances while insuring the continued successful operation of
18 the public schools.

19 ESTABLISHMENT OF THE COMMITTEE

20 SEC. 202. (a) ESTABLISHMENT.—There is established
21 in the executive branch of the Federal Government a Na-
22 tional Community and Education Committee (hereinafter
23 referred to as the "Committee").

24 (b) MEMBERS.—The Committee shall be composed of
25 not fewer than fifty nor more than one hundred members,

1 ten of whom shall be appointed by the President and shall
2 comprise the executive council of the Committee, and the
3 remainder of whom shall be appointed by the executive
4 council. All the members of the Committee shall be selected
5 from among individuals of various occupations and back-
6 grounds, including individuals previously involved within a
7 community in activities related to the desegregation of
8 schools. Members of the Committee shall be selected on the
9 basis of their knowledge and experience in community
10 matters, their ability to provide constructive assistance in
11 preparing a community for the desegregation of its schools,
12 and their ability to contribute in other ways to carrying out
13 the functions of the Committee. Selection of members of the
14 Committee shall be on a nonpartisan basis, and no more than
15 one half of the members of the Committee at any one time
16 shall be members of the same political party.

17 (c) **CHAIRMAN AND VICE CHAIRMAN.**—The Presi-
18 dent shall designate one of the members of the executive
19 council as Chairman of the Committee and one member as
20 Vice Chairman. The Vice Chairman shall act as Chairman
21 in the absence or disability of the Chairman, or in the event
22 of a vacancy, in that office, and shall carry out such other
23 duties as the Chairman or the executive council may direct.
24 The terms of office of the Chairman and the Vice Chairman
25 shall not exceed three years.

1 (d) EXECUTIVE COUNCIL.—The executive council of
2 the Committee shall (1) establish general operating policies
3 for the Committee, (2) approve all grants made pursuant to
4 section 204 of this title, (3) appoint, for terms of from one
5 to three years, not fewer than forty nor more than ninety
6 individuals to be members of the Committee, and (4) carry
7 out such other duties as the Chairman may direct. The term
8 of office of members of the executive council shall be three
9 years, except that of the members first appointed to the
10 executive council (other than the Chairman and Vice Chair-
11 man) three shall serve for a term of one year, three for a
12 term of two years, and two for a term of three years.

13 (e) COMPENSATION OF MEMBERS.—Each member of
14 the Committee shall be compensated in an amount not to
15 exceed that paid at level IV of the Federal Executive Salary
16 Schedule, pursuant to section 5313 of title 5, United States
17 Code, prorated on a daily basis for each day spent on the
18 work of the Committee, including traveltime. In addition,
19 each member shall be allowed travel expenses, including per
20 diem in lieu of subsistence, as authorized by section 5703
21 of title 5, United States Code, for persons employed inter-
22 mittently in the Government service.

23 (f) OPERATION OF THE COMMITTEE; STAFF.—The
24 functions of the Committee shall, to the greatest extent
25 possible, be carried out by the members of the Committee.

1 The Chairman of the Committee is authorized to appoint,
2 without regard to the provisions of title 5, United States
3 Code, governing appointments in the competitive service,
4 or otherwise obtain the services of such professional, tech-
5 nical, and clerical personnel, including consultants, as may
6 be necessary to—

7 (i) identify, document, and disseminate informa-
8 tion concerning successful community efforts relating
9 to desegregation;

10 (ii) coordinate and expedite the availability of
11 Federal assistance in support of community efforts
12 relating to desegregation; and

13 (iii) otherwise enable the Committee to carry out
14 its functions.

15 Such personnel shall be compensated at rates not to exceed
16 that specified at the time such service is performed for grade
17 GS-18 in section 5332 of title 5, United States Code. The
18 full-time staff of the Committee shall not exceed thirty indi-
19 viduals at any time.

20 FUNCTIONS OF THE COMMITTEE

21 Sec. 203. The functions of the Committee shall include,
22 but shall not be limited to—

23 (1) consulting with leaders in the community and
24 local groups in determining means by which such
25 leaders and groups can, through early involvement in

1 the development of, and preparation for, school deseg-
2regation plans, contribute to the desegregation process
3 in such a way as to avoid conflicts and recourse to
4 judicial procedures;

5 (2) encouraging the formation of broadly based
6 local community organizations to develop programs de-
7signed to encourage comprehensive community planning
8 for the desegregation of schools;

9 (3) providing advice and technical assistance to
10 communities in preparing for and carrying out compre-
11hensive plans to desegregate the schools;

12 (4) consulting with the Community Relations Serv-
13ice of the Department of Justice (established under
14title X of the Civil Rights Act of 1964), the Office for
15Civil Rights in the Department of Health, Education,
16and Welfare, the National Institute of Education, Office
17of Education, General Assistance Centers (funded under
18title IV of the Civil Rights Act of 1964), the Civil
19Rights Commission, and State and local human relations
20agencies to determine how those organizations can con-
21tribute to the resolution of problems arising in the de-
22segregation of schools within a community; and

23 (5) providing informal conciliation services for in-
24dividuals, groups, and agencies within a community in
25 order to resolve conflicts, reduce tensions, and develop

1 acceptable means of desegregating schools without resort
2 to administrative and judicial processes.

3 COMMUNITY GRANTS

4 SEC. 204. (a) The Chairman of the Committee is au-
5 thorized, upon receipt of an application in such form as he
6 may prescribe and upon the approval of the executive council
7 of the Committee, to make grants to private nonprofit com-
8 munity organizations in order to assist them in the initial
9 stages of carrying out activities designed to accomplish the
10 purposes of this title.

11 (b) Grants made pursuant to this section shall be in
12 such amounts, not to exceed \$30,000, as the executive
13 council of the Committee deems necessary to assist in the
14 establishment and early development of eligible community
15 organizations. No organization may receive a grant under
16 this section for more than one year of operation.

17 (c) In determining whether to approve a grant to a
18 community organization under this title, the executive coun-
19 cil of the Committee shall require an applicant to demon-
20 strate that the organization has reasonable promise of
21 making substantial progress toward achieving the purposes
22 of this title. Such demonstration shall include a showing
23 of adequate financial or other support from the community.

24 (d) The executive council of the Committee shall not
25 make a grant to two or more organizations within a com-

1 munity unless it determines that the activities of such
 2 organizations are sufficiently coordinated to ensure that their
 3 activities are not duplicative or inconsistent.

4 LIMITATIONS ON ACTIVITIES OF THE COMMITTEE

5 SEC. 205. It shall not be the function of the Committee—

6 (1) to prepare desegregation plans;

7 (2) to provide mediation services under the order
 8 of a court of the United States or of a State;

9 (3) to investigate or take any action with respect
 10 to allegations of violation of law; or

11 (4) to participate in any capacity, or to assist any
 12 party, in administrative or judicial proceedings under
 13 Federal or State law seeking desegregation of schools.

14 COOPERATION BY OTHER DEPARTMENTS AND AGENCIES

15 SEC. 206. (a) All executive departments and agencies
 16 of the United States are directed to cooperate with the Com-
 17 mittee and furnish to it such information, personnel, and
 18 other assistance as may be appropriate to assist the Com-
 19 mittee in the performance of its functions and as may be
 20 authorized by law.

21 (b) In administering programs designed to assist local
 22 educational agencies and communities in planning for and
 23 carrying out the desegregation of schools, the Attorney Gen-
 24 eral, the Secretary of Health, Education, and Welfare, and
 25 the heads of the agencies within that Department shall

1 administer such programs, to the extent permitted by law,
2 in a manner that will further the activities of the Committee.

3 CONFIDENTIALITY

4 SEC. 207. The activities of the members and employees
5 of the Committee in carrying out the purposes of this Act
6 may be conducted in confidence; and the Committee shall
7 not disclose or be compelled to disclose, pursuant to judicial
8 process or otherwise, any information acquired in the regular
9 performance of its duties if such information was provided to
10 the Committee upon an assurance by a member or employee
11 of the Committee that it would be so held.

12 AUTHORIZATION OF APPROPRIATIONS

13 SEC. 208. (a) There are authorized to be appropriated
14 \$2,000,000 for salaries and expenses of the Committee for
15 the fiscal year ending September 30, 1977, and for each of
16 the two succeeding fiscal years.

17 (b) For the purpose of making grants under section
18 204, there are authorized to be appropriated to the Com-
19 mittee \$2,000,000 for the fiscal year ending September 30,
20 1977, and for each of the two succeeding fiscal years.

21 FEDERAL COMMUNITY ASSISTANCE COORDINATING COUNCIL

22 SEC. 209. (a) There is created in the Federal Govern-
23 ment a Federal Community Assistance Coordinating Council
24 (hereinafter the "Council") which shall be composed of a

1 representative or representatives of each of the following
2 departments or agencies:

3 (1) the Community Services Administration;

4 (2) the Department of Health, Education, and Wel-
5 fare;

6 (3) the Department of Housing and Urban De-
7 velopment;

8 (4) the Department of the Interior;

9 (5) the Department of Justice; and

10 (6) the Department of Labor.

11 The President may designate such other departments or
12 agencies to be represented on the Council as he deems
13 appropriate to carry out the functions of the Council. The
14 representative or representatives of each such department
15 or agency shall be appointed by the head of the department
16 or agency from among individuals employed by that depart-
17 ment or agency who are familiar with, and experienced in
18 the operation of, the programs and activities of that depart-
19 ment or agency which are available to provide assistance
20 for community relations projects, educational programs, and
21 other community-based efforts which would help to reduce
22 or eliminate the misunderstanding and disorder that could
23 be associated with school desegregation. The head of each
24 such department or agency shall appoint sufficient repre-

1 representatives to the Council to insure that an individual with
2 a working knowledge of each such program or activity in
3 that department or agency is on the Council.

4 (b) It shall be the function of the Council to meet or
5 consult with representatives of communities who are seeking
6 Federal support for community relations projects, educa-
7 tional programs, and other community-based efforts to facil-
8 itate desegregation, in order to assist such communities in
9 (1) designing projects or activities that demonstrate prom-
10 ise of assisting in those efforts, (2) determining which
11 Federal programs are available for such activities, and (3)
12 completing the necessary applications and other prerequisites
13 for appropriate Federal assistance.

14 (c) To the extent consistent with the law authorizing
15 any such Federal assistance program, each department or
16 agency listed in subsection (a) of this section shall admin-
17 ister such program in a manner which will support the
18 activities of the Council. Each such department or agency
19 shall from time to time provide to the Council such additional
20 personnel or other assistance as may be necessary to carry
21 out the functions of the Council.

22 (d) There are authorized to be appropriated for the
23 purpose of carrying out the duties and functions of the Coun-
24 cil under this section \$250,000 for the fiscal year ending
25 September 30, 1977 and for each of the two succeeding
26 fiscal years.

A BILL

To establish procedures and standards for the framing of relief in suits to desegregate the Nation's elementary and secondary public schools, to provide for assistance to voluntarily desegregation efforts, to establish a National Community and Education Committee to provide assistance to encourage and facilitate constructive and comprehensive community involvement and planning in the desegregation of schools, and for other purposes.

By Mr. EASTLAND and Mr. HENRY

JUNE 24 (legislative day, JUNE 15), 1976

Read twice and referred to the Committees on the Judiciary and Labor and Public Welfare jointly by unanimous consent; the Committee on the Judiciary to consider title I, and the Committee on Labor and Public Welfare to consider title II