

Mr. SCHERLE. In Illinois do you have a bill which allows the transportation of all children, parochial as well as public?

Mr. LIBASSI. I am sorry I do not know the Illinois law on school transportation.

Mr. SCHERLE. What is your home state?

Mr. LIBASSI. I am with the Department of Health, Education, and Welfare. I am a resident of the District although I formerly resided in New York State.

I don't know the busing laws in New York State. I might say 40 percent of the children in the United States are transported on school buses to schools so that school busing is certainly not anything that has come up as a result of the integration issue.

Forty percent of the children in the United States ride public school buses and an untold number ride public transportation.

Mr. SCHERLE. In Iowa we allow no parochial schoolchildren on public school buses. Whether this law will be changed I do not know.

Would you bring up to date why \$30 million was withheld in Chicago because they thought there was a segregation in the public schools?

Mr. LIBASSI. Back in 1965 which was prior to my joining the staff of HEW, there were complaints that were received alleging school segregation in the city of Chicago, and the Office of Education requested the school officials in the city to provide them with information on the operation of the schools and the racial composition of the schools.

The school officials did not make that information available and on the basis of the information that the Office of Education had and on the basis of the school officials' refusal to provide additional information, the Office of Education asked the State school superintendent to defer making additional payments to the city.

Mr. SCHERLE. In other words as long as the money comes from the Federal Government whether they say there are strings or no strings attached to it, the Federal Government will hold the reins of funding over and above all State or local control: will they not?

Mr. LIBASSI. The Constitution requires that the Federal funds be used only in schools operating in compliance, and the Congress—

Mr. SCHERLE. Why did they not wait for proof rather than supposition? Why do this at the expense of the children or the students?

Mr. LIBASSI. My recollection is that the deferral of funds was rescinded when the school officials agreed to provide the information that was requested and the deferral lasted for a very short period of time.

Mr. SCHERLE. In other words the Government convicts them before trial at the expenses of the students?

Mr. LIBASSI. The Government asked the schools to provide information so we could make a judgment and they refused to provide us with the information.

Mr. SCHERLE. Do you think this is fair?

Mr. LIBASSI. I think it is uncooperative of the school system.

Mr. SCHERLE. You mean it is unfair to the students?

Mr. LIBASSI. Yes; I think segregation is unfair to the students and I think withholding Federal funds is unfair to the students. I think it is a shame when the school districts will not desegregate and deprive its students of funds.