

1714 ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS

I therefore argue this matter in that light—to say that the primary function of the Department of Education is to bring about integration (against the wishes of the people of both or all races) would be to abdicate its whole purpose; yet that is what is being done.

The Department of Education is requiring a pledge *not* to abide by the Civil Rights Act, but by guidelines; which in turn go beyond the Civil Rights Act, by calling for "voluntary" action to propose plans by the local school district and finding fault with each, the Department of Education is forcing or attempting to force assignment to maintain Negro-White ratios—which is prohibited by the Civil Rights Act.

Title 4, Section 401(b), of the Civil Rights Act of 1964, reads as follows:

"Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or National origin, but "*desegregation*" shall not mean the assignment of students to public schools in order to overcome racial "imbalance."

Even the revised guidelines prohibit what is being forced, by threat, on a "voluntary" basis:

"Sec. 181.52. Officials Not to Influence Choice

No official, teacher, or employee of the school system may require or request any student or prospective student to submit a choice form during the choice period other than by the prescribed letter, notice, and choice form. After the choice period, the school system must make all reasonable efforts to obtain a completed choice form from any student who has not exercised a choice. *However, at no time may any official, teacher, or employee of the school system, either directly or indirectly, seek to influence any parent, student, or any other person involved, in the exercise of a choice, or favor or penalize any person because of a choice made. Information concerning choices made by individual students or schools to which they are assigned may not be made public.*"

Abolishing schools or other actions to create racial balance against the wishes of students and parents in the South is the same as requiring *bussing* in the cities of the North.

What the Department of Education seeks to force, "racial balance," must not be one thing in the South and another in the North, merely because the actions to bring it about are different. The use of force is common to both, the end result is the same, and the use of force was prohibited by the Congress.

We must prohibit use of Educational funds to pressure, to interfere with, or otherwise attempt to control or change the operation of local public schools where there is freedom of choice of attendance extended to all students to attend any school in such district.

Should you wish me to, I will be glad to appear in support of our position.

Thanking you for your consideration, I am.

Cordially yours,

JAMIE L. WHITTEN,
Member of Congress.

OMAHA TRIBAL COUNCIL,
Macy, Nebr., March 8, 1967.

HON. CARL D. PERKINS,
House of Representatives,
Congress of the United States, Washington, D.C.

DEAR CONGRESSMAN PERKINS: Enclosed herewith is copy of letter forwarded to Senator Hruska requesting his support in the retention of the National Teachers Corps.

Request that your Committee exert every effort in continuing educational opportunities under this program. Your assistance in this matter is appreciated.

Sincerely yours,

ALFRED W. GILPIN, *Chairman.*

MARCH 8, 1967.

HON. ROMAN L. HRUSKA,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SENATOR HRUSKA: I take this opportunity to express to you the thoughts of the Omaha Tribal Council regarding the National Teachers Corps. The University of Omaha is sponsoring and educating twenty corps members under the expert leadership of Dr. Floyd T. Waterman, Project Director of the National Teachers Corps in Omaha and Macy. There is emphasis for the first time on