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THE WHITE HOUSE

ACTION

WASHINGTON

Last Day - October 29

October 25, 1974

MEMORANDUM FOR:

THE PRESIDENT

FROM:

KEN COLE

SUBJECT:

Enrolled Bill H.R. 15643
District of Columbia Public
Post-secondary Education
Reorganization

Attached for your consideration is House bill, H.R. 15643, sponsored by Representative Diggs, which establishes a University of the District of Columbia which would consolidate in one land-grant institution, Federal City College, Washington Technical Institute, and D.C. Teachers College.

Roy Ash recommends approval and provides you with additional background information in his enrolled bill report (Tab A).

The Counsel's office (Chapman), Bill Timmons, and Domestic Council all recommend approval.

RECOMMENDATION

That you sign House bill, H.R. 15643 (Tab B).

APPROVED
OCT 26 1974

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

OCT 24 1974

MEMORANDUM FOR THE PRESIDENT

*Posted
10/28
To Archives
10/29*

Subject: Enrolled Bill H.R. 15643 - District of Columbia
Public Post-secondary Education Reorganization
Sponsor - Rep. Diggs (D) Michigan

Last Day for Action

October 29, 1974 - Tuesday

Purpose

To establish a University of the District of Columbia which would consolidate in one land-grant institution, Federal City College, Washington Technical Institute, and D.C. Teachers College.

Agency Recommendations

Office of Management and Budget	Approval
District of Columbia Government	Approval
Department of Agriculture	Approval

Discussion

Federal land-grant colleges were established under the Morrill Acts and subsequent statutes. These laws originally gave the States land-grants and Federal funds for research in agriculture, but eventually expanded to cooperative extension programs between the university and the Federal government designed to promote education generally. At least one land-grant college was established in each State.

The District of Columbia had been excluded from the land-grant system until 1968 when legislation was passed establishing, under the Second Morrill Act, the Federal City College (FCC). FCC receives a specific annual grant of \$50,000 for instruction in agriculture, mechanic arts, home economics, and youth and



community development. It also received \$7.2 million in lieu of a land-grant provided under the Morrill Act and receives \$170,000 annually under the Bankhead-Jones Act (1935) for agricultural research and extension work. Washington Technical Institute (WTI) was also established as a Federal land-grant school.

The enrolled bill would establish under the First Morrill Act a public land-grant university called the University of the District of Columbia. It would be a synthesis of existing public post-secondary education in D.C. -- FCC, WTI, and D.C. Teachers College (DCTC).

The consolidation of the higher educational institutions in the District is designed to eliminate duplication of administration and curriculum and to strengthen and increase program offerings to local residents. Presently, FCC has several courses in education and technical arts which are duplicated at the other two schools. Presidents, Vice Presidents, Deans, Admissions Officers, Comptrollers, and other staff could also be consolidated for economies. Furthermore, the number of campuses offering courses in various parts of the District area could be more efficiently organized under a single administration.

Congressional action was considered necessary, according to the House report, for the following reasons:

- congressional endorsement would commit the University to high quality
- citizens and residents of D.C. urged congressional action
- since Congress originally granted land-grant status to FCC and WTI, it should redesignate the new land-grant system in the District
- it was questionable whether the District Council could abolish the Vocational Board which is Presidentially appointed.

The University would be administered by a 15-member Board of Trustees chosen as follows: (1) one by each of the Boards of Trustees of FCC, WTI and DCTC; and (2) 12 by the Mayor, one of whom would be a full-time student at one of the three schools involved.

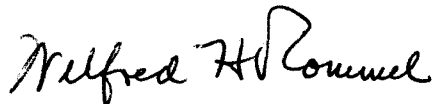
A Chairman and Vice Chairman would be chosen annually by the trustees from among those members who are D.C. residents. The trustees would serve as volunteers, but would be given per diem and compensated for expenses.

The trustees would be responsible for, among other things, establishing admissions procedures and curriculums, preparing and submitting to the Mayor a budget for the fiscal year beginning July 1, 1977, fixing tuition fees, establishing a personnel system for all employees, selecting and fixing compensation for the President and other key officers of the University, and reporting annually on November 1 to the Congress, Mayor, and the D.C. Council.

On the day the trustees announce the final consolidation, but no later than June 30, 1976, the Board of Higher Education and the Vocational Board would be abolished. All employees, property, appropriations and authorities of these Boards would be transferred to the trustees.

The bill would become effective July 1, 1975, unless the Council of the District of Columbia repeals the Act prior to that date. The Council would also have the authority to amend any portion of this Act.

The bill would authorize appropriation of such sums as may be necessary to carry out the provisions of the bill. Establishment of this University would result in no cost to the Federal government and should result in some economies to the D.C. Government.



Assistant Director for
Legislative Reference

Enclosures

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

ACTION

Last Day - October 29

MEMORANDUM FOR: THE PRESIDENT

FROM: KEN COLE

SUBJECT: Enrolled Bill H.R. 15643
District of Columbia Public
Post-secondary Education
Reorganization

Attached for your consideration is House bill, H.R. 15643, sponsored by Representative Diggs, which establishes a University of the District of Columbia which would consolidate in one land-grant institution, Federal City College, Washington Technical Institute, and D.C. Teachers College.

Roy Ash etc.

The Counsel's office (Chapman), Bill Timmons and Domestic Council all recommend approval.

RECOMMENDATION

That you sign House bill, H.R. 15643 (Tab B).



THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

WALTER E. WASHINGTON
Mayor-Commissioner

October 22, 1974

Mr. Wilfred H. Rommel
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Rommel:

This is in reference to a facsimile of an enrolled enactment of Congress entitled:

H.R. 15643 - To reorganize public postsecondary education in the District of Columbia, establish a Board of Trustees, authorize and direct the Board of Trustees to consolidate the existing local institutions of public postsecondary education into a single Land-Grant University of the District of Columbia, direct the Board of Trustees to administer the University of the District of Columbia and for other purposes.

The enrolled bill, which may be cited as the "District of Columbia Public Postsecondary Education Reorganization Act", would authorize the establishment of a University of the District of Columbia through the reorganization and consolidation of the existing public institutions of higher learning in the District. The University, which shall be an independent agency of the District Government, would be created as a land-grant university for purposes of administering the various Acts of Congress relating to such institutions.

The bill would create a fifteen-member Board of Trustees with authority to consolidate the District of Columbia Teachers College, the Federal City College, and the Washington Technical Institute, and to govern the University thereby formed. The Board of Trustees would be composed of twelve members nominated by the Mayor, including a student member, and three nominated by alumni associations of the respective institutions. Except for the student and alumni members, the nominations would be subject to confirmation by the Council of the District of Columbia. Not more than four nonresidents could be nominated for the Board, and employees of the Federal and District Governments could serve unless they hold positions in clear conflict of interest. The Trustees, except for the initial terms and except for the student member, shall serve a term of five years. They shall serve without compensation but may be reimbursed for travel and per diem in lieu of expenses at a rate equal to the daily equivalent of a GS-18.

The initial nominations for the Board of Trustees are to be made no later than August 2, 1975, and the consolidation of the three existing public institutions effected by June 30, 1976. Upon such consolidation, the Board of Higher Education and the Board of Vocational Education are to be abolished and their functions, duties and powers, employees, property, and the unexpended balances of appropriations and other funds, assets and liabilities, transferred to the Trustees, except the functions of licensing institutions to confer degrees as authorized by Public Law 89-791 (D.C. Code, sec. 29-415). While this latter function will continue to be performed by the Board of Higher Education, this provision of the bill (section 207) may lead to a temporary hiatus when the proposed University is established, since the function is not otherwise vested in any other agency. Amendatory language or action by the Council of the District of Columbia obviously will be necessary at such time.

The enrolled bill would also authorize the Board of Trustees to—

1. Determine priorities within budget allowances. The Mayor and Council may set maximum budget amounts but may not specify the purposes for which such funds may be expended;

2. Contract, pursuant to Council regulation, with the Federal and District Governments and other public and private agencies to render and receive services, and perform organized research, training, and demonstrations on a reimbursable contract basis;

3. Appoint legal counsel;

4. Reprogram appropriated funds in an amount not to exceed \$50,000;

5. Develop a personnel system for employees of the University, which will provide pay, contract terms, leave, residence, insurance, retirement, and death benefits, at least equal to those provided such employees by Congress in prior legislation. The bill also authorizes the Trustees to adopt collective bargaining procedures pursuant to the Mayor's Executive Order on the subject, or develop similar policies to assure the employees of the University the right to collective bargaining; and

6. Establish a higher education fund in the U.S. Treasury, in which gifts and endowments received for the benefit of the University are to be deposited.

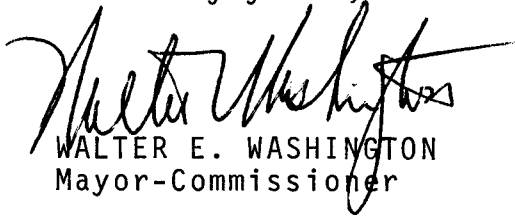
In deference to the District of Columbia Self-Government and Governmental Reorganization Act, the bill authorizes the Council of the District of Columbia, after January 1, 1975, to amend or modify the provisions of the enrolled bill, including the effective date of July 1, 1975, or to repeal the legislation.

It is anticipated that as the bill calls for a University to be composed of the existing public institutions of higher education, its approval should not result in significant additional costs beyond the total present operating funds appropriation of approximately \$33.9 million.

The establishment of a University of the District of Columbia would provide for the citizens and residents of the District a wide range of publicly supported postsecondary educational opportunities available to citizens in every State in the Union, every major city in the Nation, and in the Trust Territories of Guam and Puerto Rico. It would strengthen existing program offerings available to the local residents, eliminate duplication, administrative inefficiency, and inequitable funding, and provide a coordinated structure whereby District citizens can have the opportunity to obtain quality postsecondary education.

The District Government recommends the approval of H.R. 15463.

Sincerely yours,



WALTER E. WASHINGTON
Mayor-Commissioner



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

October 21, 1974

Honorable Roy Ash
Director
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Ash:

In reply to the request of your office, the following report is submitted on the enrolled enactment HR 15643, "To reorganize public postsecondary education in the District of Columbia, establish a Board of Trustees, authorize and direct the Board of Trustees to consolidate the existing local institutions of public postsecondary education into a single Land-Grant University of the District of Columbia, direct the Board of Trustees to administer the University of the District of Columbia and for other purposes."

This Department recommends that the President approve the bill.

The two programs of the Department specifically involved in the enactment of HR 15643 are (1) Extension work carried on in cooperation with Land-Grant Institutions under the basic authority of the Smith-Lever Act (7USC 341-349) and (2) research work carried on with Land-Grant Institutions under authority of the Hatch Act of 1887 (7USC 361a-361i).

Currently the Department carries on an Extension program in the District of Columbia in cooperation with Federal City College and Washington Technical Institute. The bill authorizes the Department to continue the Extension program in the District of Columbia through a newly-designated University of the District of Columbia. The Department believes that an effective Extension program for benefit of citizens of the District of Columbia can be achieved effectively when administered by a single institution.

The bill makes the District of Columbia eligible for the allocation of funds for research work under the provisions of the Hatch Act. The Department believes that the University of the District of Columbia should be entitled to the same kind of assistance available to other designated Land-Grant colleges and universities.

It should be borne in mind, however, that under the provisions of the Hatch Act, research programs in agriculture and related subjects may have limited application to residents of the District of Columbia. For example, it would seem that the District of Columbia could not share in formula funds distributed under Section 3(c)2 which provides that 52 percent of the sums provided by the Congress shall be made available on the basis of its farm and rural populations as a proportion of the national total of such populations.

We believe the District of Columbia could share in the 20 percent of Hatch funds which are distributed equally among the "States" -- but have to be matched. The District would also receive \$90,000 which does not require matching with non-Federal funds.

No additional funding is involved in HR 15643. However, funding under the Hatch Act authorization would need to be reallocated among the States in order to provide for the University of the District of Columbia its formula share of the Hatch Act appropriation.

Sincerely,

A handwritten signature in cursive script that reads "J. Phil Campbell". The signature is written in black ink and is positioned above the typed name and title.


J. Phil Campbell
Under Secretary

THE WHITE HOUSE

WASHINGTON

October 25, 1974

MEMORANDUM FOR: MR. WARREN HENDRIKS

FROM: WILLIAM E. TIMMONS 

SUBJECT: Action Memorandum - Log No. 707
Enrolled Bill H. R. 15643 - D. C.
Public Post-secondary Education Reorganization

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 707

Date: October 24, 1974

Time: 12:00 Noon

FOR ACTION: Michael Duval
Andre Buckles
Phil Buchen
Bill Timmons

cc (for information): Warren Hendriks
Jerry Jones
Paul Theis

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 25, 1974

Time: 2:00 p.m.

SUBJECT: Enrolled Bill H.R. 15643 - District of Columbia
Public Post-secondary Education Reorganization

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

OCT 24 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 15643 - District of Columbia
Public Post-secondary Education Reorganization
Sponsor - Rep. Diggs (D) Michigan

Last Day for Action

October 29, 1974 - Tuesday

Purpose

To establish a University of the District of Columbia which would consolidate in one land-grant institution, Federal City College, Washington Technical Institute, and D.C. Teachers College.

Agency Recommendations

Office of Management and Budget	Approval
District of Columbia Government	Approval
Department of Agriculture	Approval

Discussion

Federal land-grant colleges were established under the Morrill Acts and subsequent statutes. These laws originally gave the States land-grants and Federal funds for research in agriculture, but eventually expanded to cooperative extension programs between the university and the Federal government designed to promote education generally. At least one land-grant college was established in each State.

The District of Columbia had been excluded from the land-grant system until 1968 when legislation was passed establishing, under the Second Morrill Act, the Federal City College (FCC). FCC receives a specific annual grant of \$50,000 for instruction in agriculture, mechanic arts, home economics, and youth and

To
James Heckler
10-24-74
11:50 a.m.

Last Day - October 29

October 25, 1974

MEMORANDUM FOR: THE PRESIDENT
FROM: KEN COLE
SUBJECT: Enrolled Bill H.R. 15643
District of Columbia Public
Post-secondary Education
Reorganization

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Roy Ash recommends approval and provides you with additional background information in his enrolled bill report (Tab A).

The Counsel's office (Chapman), Bill Timmons, and Domestic Council all recommend approval.

RECOMMENDATION

That you sign House bill, H.R. 15643 (Tab B).

Last Day - October 29

October 25, 1974

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October 25, 1974

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THE PRESIDENT

FROM:

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That you sign House bill, H.R. 15643 (Tab B).

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 707

Date: October 24, 1974

Time: 12:00 Noon

FOR ACTION: Michael Duval
 Andre Buckles
 Phil Buchen
 Bill Timmons

cc (for information): Warren Hendriks
 Jerry Jones
 Paul Theis

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 25 1974

Time: 2:00 p.m.

SUBJECT: Enrolled Bill H.R. 15643 - District of Columbia
 Public Post-secondary Education Reorganization

ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

 K. R. COLE, JR.
 For the President

Date: October 24, 1974

Time: 12:00 Noon

FOR ACTION: Michael Duval
 Andre Buckles
 Phil Buchen
 Bill Timmons

cc (for information): Warren Hendriks
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Paul Theis

FROM THE STAFF SECRETARY

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Public Post-secondary Education Reorganization

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

No Objection - AHUB

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Warren K. Hendriks
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

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DUE: Date: Friday, October 25, 1974

Time: 2:00 p.m.

SUBJECT: Enrolled Bill H.R. 15643 - District of Columbia
 Public Post-secondary Education Reorganization

ACTION REQUESTED:

_____ For Necessary Action

_____ ^{XX} For Your Recommendations

_____ Prepare Agenda and Brief

_____ Draft Reply

_____ For Your Comments

_____ Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

*No objection
 D.C.*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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Warren K. Hendriks
 For the President

THE WHITE HOUSE

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For Your Recommendations

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Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

I Approve
Toyall
10/25/74

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President

93D CONGRESS }
2d Session

HOUSE OF REPRESENTATIVES

{ REPORT
No. 93-1202

DISTRICT OF COLUMBIA PUBLIC
POST-SECONDARY EDUCATION ACT

REPORT

BY THE

COMMITTEE ON THE
DISTRICT OF COLUMBIA
TOGETHER WITH ADDITIONAL AND
DISSENTING VIEWS

[To accompany H.R. 15643]



JULY 17, 1974.—Committed to the Committee of the Whole House
on the State of the Union and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1974

DISTRICT OF COLUMBIA PUBLIC POSTSECONDARY
 EDUCATION REORGANIZATION ACT

JULY 17, 1974.—Committed to the Committee of the Whole House on the
 State of the Union and ordered to be printed

Mr. Diggs, from the Committee on the District of Columbia,
 submitted the following

REPORT

together with

ADDITIONAL AND DISSENTING VIEWS

[To accompany H.R. 15643]

The Committee on the District of Columbia, to whom was referred the bill (H.R. 15643) to reorganize public higher education in the District of Columbia, establish a Board of Trustees, authorize and direct the Board of Trustees to consolidate the existing local institutions of public higher education into a single Land-Grant University of the District of Columbia, direct the Board of Trustees to administer the University of the District of Columbia, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

The amendment to the text of the bill strikes out all after the enacting clause and inserts in lieu thereof a substitute text which appears in italic type in the reported bill.

Amend the title so as to read:

A bill to reorganize public postsecondary education in the District of Columbia, establish a Board of Trustees, authorize and direct the Board of Trustees to consolidate the existing local institutions of public postsecondary education into a single Land-Grant University of the District of Columbia, direct the Board of Trustees to administer the University of the District of Columbia, and for other purposes.

PURPOSE OF THE BILL

The purpose of H.R. 15643, as amended, is to authorize a public land-grant university in the District of Columbia through a reorganization of the existing local public institutions of post-secondary education in the District.

(1)

COMMITTEE ON THE DISTRICT OF COLUMBIA

CHARLES C. DIGGS, Jr., Michigan, *Chairman*

DONALD M. FRASER, Minnesota	ANCHER NELSEN, Minnesota
W. S. (BILL) STUCKEY, Jr., Georgia	WILLIAM H. HARSHA, Ohio
RONALD V. DELLUMS, California	JOEL T. BROYHILL, Virginia
THOMAS M. REES, California	GILBERT GUDE, Maryland
BROCK ADAMS, Washington	HENRY P. SMITH III, New York
WALTER E. FAUNTROY, District of Columbia	EARL F. LANDGREBE, Indiana
JAMES J. HOWARD, New Jersey	STEWART B. MCKINNEY, Connecticut
JAMES R. MANN, South Carolina	E. G. SHUSTER, Pennsylvania
ROMANO L. MAZZOLI, Kentucky	ROBIN L. BEARD, Tennessee
LES ASPIN, Wisconsin	CLAIR W. BURGNER, California
CHARLES B. RANGEL, New York	
JOHN BRECKINRIDGE, Kentucky	
FORTNEY H. (PETE) STARK, California	

ROBERT B. WASHINGTON, Jr., *Chief Counsel*

JAMES T. CLARK, <i>Legislative Counsel</i>	DOROTHY E. QUARKER, <i>Senior Consultant</i>
RUBY G. MARTIN, <i>Associate Counsel</i>	DR. ALVIN D. LOVING, Sr., <i>Special Consultant</i>
DALE MACIVER, <i>Assistant Counsel</i>	
DANIEL M. FREEMAN, <i>Assistant Counsel</i>	
YVONNE CHAPPELL, <i>Professional Staff</i>	
WILBUR HUGHES, <i>Professional Staff</i>	
LINDA L. SMITH, <i>Professional Staff</i>	JOHN E. HOGAN, <i>Minority Counsel</i>
JACQUELINE WELLS, <i>Professional Staff</i>	LEONARD O. HILDER, <i>Professional Staff</i>
MARIA L. OTERO, <i>Office Administrator</i>	RALPH E. ULMER, <i>Professional Staff</i>

SUBCOMMITTEE ON EDUCATION

RONALD V. DELLUMS, California, *Chairman*

JAMES J. HOWARD, New York	STEWART B. MCKINNEY, Connecticut
JOHN BRECKINRIDGE, Kentucky	EARL F. LANDGREBE, Indiana
FORTNEY H. (PETE) STARK, California	
JOSEPH CLAIR, <i>Subcommittee Staff Counsel</i>	

(II)

BACKGROUND

In 1966, Congress authorized the establishment of two publicly-supported institutions of post-secondary education, the Federal City College and the Washington Technical Institute (Public Law 89-791, 80 Stat. 1426; D.C. Code, Title 31, Sec. 1601). The Act created the Board of Vocational Education as the governing body of the Washington Technical Institute, and the Board of Higher Education as the governing body of the Federal City College. The Act also directed the Board of Higher Education to assume control of the District of Columbia Teachers College established pursuant to the Act approved February 25, 1929 (D.C. Code, Title 31, Sec. 31-118), from the Board of Education.

Prior to the 1966 enactment the only publicly-supported post-secondary educational institution in the District of Columbia was the District of Columbia Teachers College. The stated purpose of the 1966 enactment was to "... remedy a major flaw in the educational resources of the Nation's Capital" by authorizing the establishment of the following:

1. A 4-year program in the liberal arts and sciences acceptable toward a bachelor of arts degree, including courses in teacher education;
2. Educational programs of study acceptable for a master's degree;
3. A 2-year program acceptable for full credit toward a bachelor's degree or for a degree of associate in arts. The curriculum in the 2-year program is designed to include courses in business education and secretarial training, as well as courses preparing the students to work as technicians and at a semiprofessional level in engineering, sciences, or other technical fields;
4. A technical institute designed to provide post-high school vocational students a public facility wherein they could receive the necessary technical upgrading in their chosen field; and
5. Courses on an individual, noncredit basis to those desiring to further their education without seeking a degree.

The institutions established pursuant to the 1966 legislation have done much to "remedy the major flaw" in the post-secondary educational opportunities available to citizens of the Nation's Capital at publicly-supported facilities. However, the District of Columbia continues to fall far short of all the States and cities of comparable size in providing publicly-supported high quality post-secondary educational opportunities for its citizens and residents.

NEED FOR CONGRESSIONAL ACTION

This Committee seriously considered whether in view of the Self-Government and Governmental Reorganization Act this Committee should be legislating in this area. It was determined that Congressional action to authorize the establishment of a university was both necessary and desirable for the following reasons:

1. The Committee felt that if the Congress authorized the establishment of a University for the District of Columbia, it would be a Congressional endorsement and commitment to high quality, post-secondary education in this, our Nation's Capital.

2. The citizens and residents of this community urged the Congress to establish the University.

3. The Congress conferred land-grant status on the Federal City College in 1968 and Washington Technical Institute in 1971. It was the feeling of the Committee that Congress should redesignate a new land-grant institution in the District.

4. The Board of Vocational Education is a Presidentially-appointed board, and there is a serious question as to whether the District Council can abolish a Presidentially-appointed board, which it would be required to do to effect the consolidation. Even assuming the authority to do so, the Committee felt that there would be great reluctance on the part of the Council to take such action, which would come under close Congressional scrutiny.

MAYOR'S AUTHORITY OVER BUDGET

Recognizing the need for the District government to develop a balanced budget, the District of Columbia Self-Government and Governmental Reorganization Act (P.L. 93,198; 87 Stat. 776) authorized the Mayor and Council to establish the maximum amount of funds to be allocated to the Board of Education. However, the Act clearly indicated that the Mayor could not specify the purposes for which such funds could be expended or the amount of such funds which may be expended for the various programs of the Board of Education. It was the view of the Committee that the Board of Trustees should operate under this same procedure.

PROVISIONS OF THE BILL

TITLE I—SHORT TITLE, PURPOSES, AND DEFINITIONS

Title I of the bill contains the short title, purposes and definitions of the principal terms used in the bill.

TITLE II—BOARD OF TRUSTEES

Title II establishes a 15-member Board of Trustees and authorizes the Trustees to consolidate the existing local public institutions of post-secondary education into a single Land-Grant University of the District of Columbia. This title establishes the university as an independent agency of the District of Columbia government and as such not subject to the day-to-day policy directives of the Mayor.

BOARD OF TRUSTEES

MEMBERSHIP

The bill establishes a 15-member Board of Trustees to be selected in the following manner:

- (1) Twelve nominated by the Mayor, one of whom shall be a full-time student at the District of Columbia Teachers College, or the Federal City College, or the Washington Technical Institute. After the consolidation has been effectuated, the student Board member shall be a full-time student of the University.

(2) One each appointed by the Alumni Associations of the District of Columbia Teachers College, the Federal City College and the Washington Technical Institute.

After the consolidation of the local public institutions of post-secondary education has been effectuated, the three alumni members shall be appointed by the Alumni Association of the University of the District of Columbia. If any Alumni Association fails to make an appointment, the Mayor shall make the appointment.

All 15 members of the Board of Trustees shall be subject to District Council confirmation, except the student member and the three alumni members.

Trustees shall have been domiciled in and residents of the District of Columbia for the 12 consecutive months preceding their selection, except the Mayor may nominate and the Council may confirm not more than two non-resident Trustees, if in their judgment their appointments would enhance the Board of Trustees.

Employees of the Federal and District governments may be selected to serve on the Board of Trustees, unless they hold positions in clear conflict of interest, such as District government department heads, and Federal employees with grant-making authority.

The terms of the members of the Board of Vocational Education (the governing board of Washington Technical Institute) and of the Board of Higher Education (the governing board of Federal City College and the District of Columbia Teachers College) shall terminate on the day the Board of Trustees announce that the consolidation has been effectuated to establish the University of the District of Columbia. The functions, assets, and liabilities of the existing boards shall be transferred to the Board of Trustees on the day the consolidation has been effectuated and announced, except the responsibility for licensing degree granting institutions, which shall not be transferred to the Trustees.

TERM OF MEMBERSHIP ON BOARD OF TRUSTEES

Except for the student member, who shall serve a one-year term, all members of the Board of Trustees shall serve a five-year term of office and may be re-selected to serve one successive term. However, in order to stagger the initial terms of the non-student members of the Board of Trustees, lots shall be drawn at the first meeting to determine terms of the following duration:

- three terms of two years;
- three terms of three years;
- three terms of four years; and
- five terms of five years.

Vacancies on the Board of Trustees shall be filled in the same manner as the original selection, and selectees shall serve only for the remainder of the term for which his or her predecessor was originally selected.

The Trustees shall elect a chairman and vice-chairman from among their District of Columbia resident members, at their first meeting, who shall serve a one-year term of office, but may be reelected to successive terms. However, no Trustee shall serve as chairman or vice-chairman beyond their term of office.

All nominations by the Mayor and appointments by the Alumni Associations shall be made no later than March 2, 1975, 60 days after the effective date of this bill.

SUSPENSION AND REMOVAL

Any Trustee found guilty of a felony by a court of competent jurisdiction shall be automatically suspended from serving on the Board of Trustees. Upon a final determination of guilt or innocence the term of such Trustee shall be automatically terminated or reinstated, whatever the case may be.

COMPENSATION

Trustees shall serve without compensation. However, they shall be reimbursed for travel and a per diem in lieu of expenses, at a rate equal to the daily equivalent of a GS-18. However, in no event shall a Trustee receive more than \$4,000 per year for travel and expenses.

UNIVERSITY OF THE DISTRICT OF COLUMBIA

GENERAL DUTIES OF THE BOARD OF TRUSTEES

The Trustees are authorized to consolidate, by June 30, 1976, the three existing local public institutions of post-secondary education into a single Federally chartered, land-grant University of the District of Columbia. It is expected that the Board of Trustees will be fully constituted in early 1975 and shall have over a year to do the planning necessary to effectuate the consolidation and cause the University to come into being. Until the consolidation is effectuated and announced, the existing institutions shall remain in existence and continue to be governed by the existing governing boards. The boards and the institutions shall cease to exist after the consolidation has been effectuated and announced.

Utilizing the strengths of the existing institutions with respect to (1) accreditation, (2) present programs and functions, and (3) actual and potential capabilities, the Trustees shall:

1. Establish a university which shall offer a comprehensive program of post-secondary and higher education. Such program shall include but not be limited to science and technology (including environmental sciences), liberal and fine arts, vocational and technical, education and professional studies, including graduate programs and post-graduate programs. It is the firm belief of the Committee that the Washington Technical Institute is well-established with proven strengths both in terms of its program offerings and administrative leadership. For this reason the Committee determined the Washington Technical Institute to be an institution whose programs are sound and valid; and urges the Trustees to assure that the programs of the Institute be used as the basis for a major unit of the University committed to furthering job-oriented courses of study for residents of the District. It is the expectation of the Committee that the Trustees will allocate land-grant funds among the units of the University in line with the goals of the land-grant legislation, and so as to assure

that no less than 50 percent of such funds are utilized for vocational and technical educational programs.

2. Establish policies and standards governing admissions, curriculums, programs, graduation, the awarding of degrees, and general policymaking for the units of the University.

3. Prepare and submit to the Mayor, on a date fixed by the Mayor, an annual budget for the fiscal year beginning July 1, 1977. Such budget shall include a proposed financial operating plan for such fiscal year, and a capital and educational improvements plan for such fiscal year and the succeeding four fiscal years for the University. The Mayor and Council shall set the maximum amount to be allocated for post-secondary education. However, in reviewing the annual budget, the Mayor and Council may not specify the purposes for which such funds may be expended or the amount of such funds which may be expended for various education programs.

4. Enter into negotiations and binding contracts pursuant to Council regulations regarding contracting with the governments of the United States and District of Columbia and other public and private agencies to render and receive services.

5. Enter into negotiations and binding contracts pursuant to Council regulations to perform organized research, training, and demonstrations on a reimbursable basis for the United States and the government of the District of Columbia and other public and private agencies.

6. Fix tuition for students attending the University with tuition charges to nonresidents being fixed as far as is feasible in amounts comparable to non-resident charges made by similar institutions.

7. Fix fees, in addition to tuition, to be paid by resident and nonresident students attending the University. Receipts from these fees shall be deposited in a revolving fund in one or more financial institutions in the District of Columbia, and shall be available for such purposes as the Trustees shall approve, without fiscal year limitation.

8. Accept services, gifts, or endowments for the use of the University. Such money shall be deposited to the credit of the particular unit in the District of Columbia Higher Education Fund established pursuant to section 403 of this Act and shall be disbursed in such amounts and in such manner as the Trustees may determine consistent with the intent of the gift or endowment.

9. Select, appoint, and fix the compensation for a President of the University and Provosts of the colleges in the University, and approve the appointments and compensation of such other officers as it deems necessary, including legal counsel.

10. Procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at daily rate for GS-18 of the General Schedule under section 5332 of such title.

11. Transfer, during the fiscal year, any appropriation balance available for one item of appropriation to another item of ap-

propriation or to a new program, in an amount not to exceed \$200,000.

12. Performing such other duties as may be necessary to carry out the purposes of this Act.

The bill authorizes the Trustees to develop policies and standards for enforcing academic freedom.

DUTIES OF TRUSTEES WITH RESPECT TO PERSONNEL MATTERS

The District of Columbia Self-Government and Governmental Reorganization Act authorized the establishment of a unified personnel system or systems. Because personnel policies and standards governing universities are important factors in determining their status, prestige and the quality of the institutions, this bill authorizes the Trustees to develop a personnel system for all employees of institutions, facilities and programs of the University. Flexibility in hiring, training and promoting faculty members is the key to a successful university. The bill requires that all policies developed by the Trustees, relative to such matters as pay, contract terms, leave, residence, retirement, death benefits, must at least equal those same benefits provided by Congress in prior legislation.

The bill authorizes the Trustees to adopt collective bargaining procedures pursuant to the Mayor's Executive Order regarding same or to develop similar policies to assure the employees of the University the right to collective bargaining.

LAND-GRANT UNIVERSITY

Both the Federal City College and Washington Technical Institute are designated land-grant institutions by previous Acts of Congress. The bill redesignates one institution, the University of the District of Columbia, as the land-grant institution. However, the previous congressional legislation excluded the District from any participation in the Hatch Act program (Act of August 11, 1955, 7 U.S.C. 361a-361i) for research. This bill establishes the eligibility of the University to participate in such programs.

TITLE III—AUTHORIZATIONS

This title authorizes the use of District of Columbia funds in the Federal Treasury to carry out the purposes of this bill.

TITLE IV—MISCELLANEOUS

This title directs the Board of Trustees to conduct its business in open sessions with notice to the public, except the Trustees may go into executive session to discuss matters relating to personnel. This title also authorizes the Trustees to establish various advisory committees; and, a higher education fund in the Federal Treasury, in which to deposit monies received for the benefit of the University, other than

annual operating and capital improvements funds appropriated by Congress.

This title also imposes reporting requirements on the Trustees with respect to both programs and expenditures.

This title confers new authority on the Board of Education to re-program funds up to \$200,000 and to enter into contracts pursuant to District Council regulations regarding same.

The title authorizes the Council to modify this bill after January 2, 1975, the effective date of this bill.

THE NEED FOR A UNIVERSITY OF THE DISTRICT OF COLUMBIA

This bill, which the Committee strongly recommends favorably, would provide for the citizens and residents of the District of Columbia the quality and wide range of publicly-supported post-secondary educational opportunities available to citizens in every State in the Union, every major city in our Nation and in our Trust Territories of Guam and Puerto Rico.

COMMUNITY TESTIMONY ON THE NEED

Pursuant to the request of the Chairman of this Committee, on March 23 and 30, 1974, city-wide hearings were held on legislation drafted by the Committee staff that would, among other things, establish a University of the District of Columbia. The joint-sponsors of the city-wide hearings, the Board of Higher Education, the Board of Vocational Education and the City Council's Committee on Education, Youth Affairs and Manpower, reported the results of those hearings to this Committee on May 14, 1974. In the report the joint-sponsors of the city-wide hearings stated that some 40 persons, representing over 28 thousand constituents, testified on the draft legislation and overwhelmingly supported the establishment of a University of the District of Columbia. Those 40 witnesses represented organizations with a continuing interest and commitment to improving education at all levels in the city.

CONGRESSIONAL TESTIMONY ON THE NEED

In early July 1974, this Committee's Subcommittee on Education heard testimony from over 20 witnesses, the overwhelming majority of whom urged the Congress to upgrade the quality of post-secondary and higher education in the District by authorizing the establishment of a full-fledged publicly-supported University. Witnesses at these Congressional hearings included:

- the leadership of this city, including a representative of the Mayor and the City Council, and the leadership, both at the policymaking and administrative levels, of all three of the local colleges
- the representative from the consortium of universities, the organization of the private universities in the city
- representatives of the Department of Agriculture, the faculties and staffs of the institutions involved, and private citizens.

It was the feeling of the great majority of citizens who spoke on this matter that a congressionally authorized, publicly-supported university would:

- strengthen the existing program offerings available to the *local residents*
- eliminate duplication and administrative inefficiency to the benefit of the *local residents*
- provide a structure whereby *local residents* can have the opportunity to obtain the widest range of post-secondary education.

The spiraling cost of post-secondary and higher education and the decline in Federal financial assistance to middle-income families is leaving publicly-supported post-secondary and higher education, the only education available to an ever-increasing number of residents of the District of Columbia.

Some witnesses while supporting the Congressional establishment of a university, expressed concern about the manner in which the Board of Higher Education had taken action to effectuate a merger of the District of Columbia Teachers College with the Federal City College. Their concerns were both with respect to the legal authority of the Board of Higher Education to take such action and the manner in which the decision was made—without a public airing, according to these witnesses. It is the position of the Committee that the Board of Trustees be authorized to merge the three existing public institutions of post-secondary education into a single University. The intent of the Committee's action is to assure the existence of three public institutions of post-secondary education at the time the Trustees consolidate the institutions into a single university.

It was the testimony of the witnesses associated with the Board of Higher Education and the representative of the Accrediting Association that the responsibilities for licensing degree granting institutions should not be transferred to the Board of Trustees. Accordingly, the Committee believes that responsibility for performing such licensing functions should rest with the Mayor, who is urged to establish a Commission to perform such duties.

NEED FOR THE UNIVERSITY TO BE AN INDEPENDENT AGENCY

The existing public institutions of post-secondary education are "agencies" of the government of the District of Columbia. As such, they are governed and bound by the day-to-day policy directives of the Chief Executive of the District government, the Mayor, as are all other agencies of the District government. Some of these policies, especially as they relate to confidentiality of information, are not applicable to a university and cause hardships and could threaten the accreditation of the institution. The intent of the Committee in authorizing the University to be established as an independent agency of the District government is to remove it from the day-to-day policy directives of the Mayor, especially those policy directives that might threaten its accreditation.

NEED TO AUTHORIZE GRADUATE, POST-GRADUATE AND PROFESSIONAL PROGRAMS

This bill is not intended to implement the expensive recommendations of the *Arthur D. Little Report* on the higher education needs of the District of Columbia. Rather, it authorizes the consolidation of the programs and administration of the existing institutions in order to better utilize the public post-secondary education resources and facilities of the District. The Committee did feel, however, it was necessary to authorize the university to establish graduate, post-graduate and professional programs if the need arises and funds are available through the normal authorizations and appropriations process. No large new outlays of Federal funds to implement this bill are contemplated or recommended by the Committee.

While it is not expected or anticipated that the first act of the Trustees will be to establish massive or expensive graduate, post-graduate or professional programs of study, it is necessary to authorize such programs for at least two reasons.

First Reason.—While the five private universities in the District of Columbia offer a wide variety of graduate, post-graduate and professional programs, they do not exhaust all of the possibilities. Nor is it likely, with the rising costs of post-secondary education, that they will exhaust all of the possibilities. For example, in Northeast Washington, the second-largest section of the city, the Yellow Pages list only two optometrists—two places where residents of Northeast Washington residents can have their eyes examined and prescriptions filled by a licensed optometrist. Yet, a course of study to train optometrists is unavailable at all five of the private institutions.

Even with respect to some of the graduate, post-graduate and professional programs these private institutions do offer, frequently there is extreme competition for limited slots, with District of Columbia residents unable, for a variety of reasons, to gain access. And, often if the slots are available, the cost is prohibitive.

Second Reason.—There exists in the District of Columbia a consortium of universities composed of the five private universities located in the political boundaries of the city.

The consortium members pool their efforts, cooperate and coordinate their program offerings in many instances for purposes of effectiveness and efficiency. The effect of this arrangement is to permit students who attend consortium member institutions to take courses of study at other consortium member institutions unavailable to them at the institution in which they are enrolled. Federal City College and Washington Technical Institute have no affiliation or association with the consortium, and the Teachers College has only associate membership. Thus, students at the city's two largest public institutions of post-secondary education can obtain only those courses of study offered by the public institutions. It is necessary to authorize graduate, post-graduate and professional programs for the University so that it can, at some point in the future, develop its own post-graduate program. By doing so, it can provide new courses of study that are unavailable elsewhere in the city or unavailable to District residents, and qualify

for membership in the consortium, with all of the rights, responsibilities, and benefits that will accrue to the students and the University, from such membership.

COSTS

No new programs are authorized nor are additional costs anticipated by this legislation. On the contrary, consolidation, economy of scale, and elimination of administrative and program duplication, may result in cost savings.

MAYOR URGED TO SEEK WIDE COMMUNITY INVOLVEMENT IN CONSTITUTING THE BOARD OF TRUSTEES

The Mayor is authorized to nominate 12 of the 15 Trustees. It is the expectation of the Committee that the Mayor will seek to obtain input from a wide cross-section of the community in arriving at his nominees. The Committee would urge the Mayor to establish a panel of citizens consisting of community representatives, students, faculty members, parents, and representatives of government, industry, business and the educational community, to provide him with the names of individuals who should be considered as possible candidates for the Board of Trustees.

AGENCY SUPPORT

The text of a letter urging the Committee to take favorable action on H.R. 15643 from the Presidents of the Board of Vocational Education and the Board of Higher Education follows:

WASHINGTON TECHNICAL INSTITUTE,
Washington, D.C., July 16, 1974.

HONORABLE CHARLES C. DIGGS,
Chairman, District of Columbia Committee, U.S. House of Representatives, Washington, D.C. 20515.

DEAR MR. CHAIRMAN: In the 112 years since the Congress of the United States enacted the Land-Grant College Act of 1862, introduced by Congressman Justin Morrill of Vermont, the nation has moved a major distance in meeting the post secondary public educational needs of 3.1 percent of the population. The original thrust of the Act was in response to the needs of the industrial classes of American society, as the vast interior of the nation was opened up for settlement. The congressional response to the Gold Rush to California of 1849 indeed led to the training of professional agriculturists and mechanical artisans to meet the development needs of a young nation.

Consideration today of HR 15643, which consolidates the existing public post secondary institutions in the District of Columbia, provides for a single coordinated approach to the development of the citizenry in the pragmatic affairs of self-government. The creation of a federally-chartered University of the District of Columbia represents the most promising single vehicle for achieving the basic objectives of the Home Rule legislation enacted by the 93rd Congress.

In the true spirit and intent of the 1862 legislation with its amendments extending land-grant privileges to the District of Columbia in

1968 and 1971, the provisions of H.R. 15643 would have at its core the curricular offerings of the Washington Technical Institute whose program is vocational in objective and technical in content. This fully accredited institution, by the Middle States Association, Federal Aviation Administration (aviation maintenance technology), National League of Nursing (R.N. nursing), American Medical Association (respiratory therapy and X-ray technology), pending approval by the Engineering Council for Professional Development, architectural-engineering, electronics, electro-mechanical, civil engineering technology, and mechanical engineering technology provides a major resource for the City. To create a Public Land-Grant University for the District of Columbia with such an institution at its core is a major commitment to the vision of the 89th Congress and to the Distinguished Congressman from the State of Minnesota, Honorable Ancher Nelsen, who almost single-handedly marshalled the resources of Congress to assure that the capability would exist in the District to prepare the citizenry to build and maintain roads, construct, rehabilitate, and maintain housing; to distribute and regulate electrical power; to design, fabricate and maintain mechanical systems; to process data electronically; to wholesale and retail merchandise; to maintain inventories; to test materials; to analyze and solve problems of air and water quality; to assist in constructing the subway system; to insure property; to maintain the horticultural beauty of the City; to assist in finding solutions to the management of solid waste; the control of rodents and the assessment of the utilization and distribution of farm products in the Nation's Capital.

The effectiveness with which these objectives have been met as a major part of the District's post secondary public educational effort has been due in large measure to a program approach that based the course offerings on the employment requirements of the City. Clearly, it was the intent of the Congress that public land-grant colleges in 1862, which are public universities in the fifty states and territories in 1974, would and should be vocational in objectives in meeting the practical and professional needs of the American society. The enactment of H.R. 15643 will insure that both the spirit and the intent of the land-grant principle will be carried out in the Nation's Capital in developing the indigenous population of this political subdivision to carry out responsibly the provisions of educating the people for making a living as well as for making a worthwhile living.

Your positive actions in favor of H.R. 15643 might well be a final effort toward assuring that the provisions of Home Rule will be achieved with the same level of opportunity that it obtains in the several states and territories. This action will bring to full fruition the significant efforts of Public Law 89-791 which created Federal City College and Washington Technical Institute as they became the practical University of the District of Columbia.

We heartily endorse your approval and commit ourselves to its implementation.

Sincerely yours,

CLEVELAND L. DENNARD,
President, Washington Technical Institute.
(Mrs.) FLAXIE PINKETT,
Chairman of the Board of Higher Education.

BOARD OF VOCATIONAL EDUCATION,
WASHINGTON TECHNICAL INSTITUTE,
Washington, D.C., May 14, 1974.

To: Honorable Charles C. Diggs, Chairman, District of Columbia Committee, United States House of Representatives.

From: The Joint Committee of the Board of Higher Education, Board of Vocational Education, and D.C. City Council Education, Youth Affairs and Manpower Committee.

Subject: Public Hearings on Discussion Draft: Reorganization of Public Education in the District of Columbia.

Pursuant to request of the Chairman of the District Committee of the House of Representatives, 93rd Congress, Second Session, city-wide hearings were conducted by joint sponsorship of the Board of Higher Education, Board of Vocational Education, and the Committee of Education, Youth Affairs and Manpower, District of Columbia City Council, at the City Council Chambers, March 23 and 30, 1974.

The hearings included testimony from forty-one (41) representatives with a constituency of 28,483 persons. An analysis of the testimony is attached.

The Committee concluded that with respect to higher education there was overwhelming support for the creation of a single land-grant university of the District of Columbia, and is herewith the recommendation of the Joint Committee.

In view of the diversity of opinion expressed at the hearings relative to the elementary and secondary education provisions of the Discussion Draft, the Joint Committee recommends that the soon to be elected City Council be provided the opportunity to review in depth the issues delineated in the Draft. The highlights of the hearings would suggest that such a review by the Council be completed and acted on by 2 January 1976, with an appropriate report to the District of Columbia's Committee of the whole.

We do not conclude that these recommendations militate against the earlier understanding that public education legislation as a part of the self-governance legislation would be treated separately; rather, this approach provides a creative opportunity for legislative initiative at the local level by the Council at an early point that addresses a vital and substantive issue affecting most of the residents of the Nation's Capital.

Attachments A, B and C.

VOTE

The bill, H.R. 15643, as amended, was approved and ordered reported to the House by voice vote of the Committee on July 17, 1974, a quorum being present.

CONCLUSION

For the reasons indicated above, the Committee strongly urges favorable consideration of this bill.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as re-

ported, are shown as follows (new matter is printed in italics, existing law in which no change is proposed is shown in roman) :

SECTION 1 OF THE ACT OF MARCH 2, 1887

SECTION 1. It is the policy of Congress to continue the agricultural research at State agricultural experiment stations which has been encouraged and supported by the Hatch Act of 1887, the Adams Act of 1906, the Purnell Act of 1925, the Bankhead-Jones Act of 1935, and title I, section 9, of that Act as added by the Act of August 14, 1946, and Acts amendatory and supplementary thereto, and to promote the efficiency of such research by a codification and simplification of such laws. As used in this Act, the terms "State" or "States" are defined to include the several States (*including the District of Columbia*), Alaska, Hawaii, and Puerto Rico. As used in this Act, the term 'State agricultural experiment station' means a department which shall have been established, under direction of the college or university or agricultural departments of the college or university in each State in accordance with an Act approved July 2, 1862 (12 Stat. 503), entitled 'An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts'; or such other substantially equivalent arrangements as any State shall determine.

ADDITIONAL VIEWS OF HONORABLE ANCHER NELSEN

The consideration of this legislation to establish a University of the District of Columbia has caused me considerable concern.

I am particularly concerned with the vocational and technical education programs currently offered and administered by the *independent* Washington Technical Institute. The Board of that Institute is appointed by the President. The school itself is administered by Dr. Dennard, who serves as its President. Both the Board and the President have performed exceedingly well since the Institute was established in 1968. Dr. Dennard has especially performed his tasks with great skill and certainly with a great deal of admiration from those of us who come in contact with him here in Congress.

The students have also achieved great success. From my observations, they are eager, ambitious to learn and are highly employable. Over 85% of the graduates have been placed in jobs immediately upon graduation and others have gone on to further educational achievements.

I was the author of the bill in the House in 1966 that established the Washington Technical Institute. The then-Senator Wayne Morse provided for the Federal City College in a bill he introduced in the Senate. Senator Morse suggested to me that the technical school should be a college or division within the Federal City College. I objected to that because historically, in my opinion, when vocational and technical schools are not independent, so that state legislatures may fund them directly, the larger university officials—who are more oriented toward the professional schools and liberal arts—tend to deny them adequate funding.

Public Law 89-791, which established the Federal City College and the Washington Technical Institute, preserved the independence of the technical and vocational institution. In the years since, it has flourished.

Another bit of history is important here regarding my concern for this bill. I introduced legislation (ultimately Public Law 90-354) which permitted the District of Columbia and its residents to participate in various land-grant programs and funds. At that time, I was informed that only a four-year degree granting institution could be named as the beneficiary. Accordingly, language was placed in the land-grant bill that Federal City College would be named beneficiary. But, language was placed in the House report accompanying that bill that the House intended and the Presidents of the Federal City College and the Washington Technical Institute agreed (a copy of the agreement appeared in the Report) to share the land-grant funds. However, in 1970, I had to introduce another bill (ultimately Public Law 91-650) that specifically named the Washington Technical Institute as a land-grant institution, because Federal City College had retained all the land-grant funds based on an interpretation of the express language of the original public law.

(15)

For the foregoing, among other reasons, I am concerned that vocational and technical training, which is doing extremely well in the District today, may not meet the same success under this bill where the Institute becomes part of a larger university and is ruled by a university board of trustees.

It may be that vocational and technical training may have improved opportunities and status under a University of the District of Columbia, but I had doubts about the protections provided in this bill as they relate to vocational and technical training; and I would have preferred to leave the determination of this matter to the newly elected local government when it takes office January 2, 1975. However, I was given assurances during the markup on this bill by testimony of certain witnesses and some changes in language as it relates to the purposes of this Act that vocational and technical training would receive a high priority in the programs and funding of the University.

I would welcome debate on the above issues, as well as any others engendered by the provisions contained in this bill; however, given the assurances protecting vocational and technical training noted above, I consider that I can support this bill.

ANCHER NELSEN.

DISSENTING VIEWS OF HONORABLE EARL F. LANDGREBE

I am opposed to H.R. 15643, a bill to reorganize public higher education in the District of Columbia, establish a Board of Trustees, authorize and direct the Board of Trustees to consolidate the existing local institutions of public higher education into a single Land-Grant University of the District of Columbia, direct the Board of Trustees to administer the University of the District of Columbia, and for other purposes, for the following, among other, reasons.

FEDERAL COMMITMENT

Congressional action at this time on H.R. 15643 establishing such a university on the eve of "home rule" implies to me a continuing, specific and larger Federal financial commitment. Section 205 of the bill refers to "the several schools, colleges, campuses, and units of the University of the District of Columbia, which shall include but not be limited to colleges of science and technology, liberal and fine arts, education and professional studies, including graduate programs, and postgraduate programs." Accordingly, it would appear quite clear that in voting favorably on this bill, the House would be committing itself to a broadening of programs, financial aid, and generally to a capital expansion program as the needs are determined by the local government and the Board of Trustees of the University of the District of Columbia. Currently, the proposed capital program for the existing institutions for the next four years already exceeds \$240 million. A large part of this is provided by the Federal Government.

BUDGET PREPARATION

The budget process is unclear as set forth in this bill, particularly with respect to the role of the Mayor, City Council, and the Congress as compared to the procedure originally set forth in the District of Columbia Self-Government and Governmental Reorganization Act of 1973. But I view it as a "hands off" provision to the Mayor and City Council, such that they are not authorized to make recommendations or comment on the University's budget during the course of the Congressional budget cycle. This goes far beyond the authority given the third arm of the District Government, the D.C. Court System, in the Self-Determination Act, Section 445, wherein the Mayor and City Council have authority to make recommendations as to the court's budget.

REPROGRAMMING AUTHORITY

Reprogramming is the transfer of funds from one line item to some other line item or end use as determined by a Federal agency or in this case the University of the District of Columbia.

The reprogramming authority in the amount of \$200,000 provided for in this bill is excessive in view of the fact that the reprogramming authority provided the Mayor and the Council of the District of Columbia under the Self-Determination Act is in the amount of \$25,000. In other words, the Board of Trustees of the University of the District of Columbia will have 8 times the reprogramming authority that the Mayor and the City Council themselves will have under "home rule." It would appear to me that this would be of major concern to Members of the Appropriations Committee who would see this expanded reprogramming authority for the University of the District of Columbia as an opening wedge to expand the reprogramming authority for the Mayor and the City Council.

The reprogramming authority authorized for the University of the District of Columbia should, at a minimum, require prior approval of the Mayor and City Council in the event that Congress is willing to relinquish its prior approval authority as it relates to the reprogramming of the University of the District of Columbia's funding

PERSONNEL SYSTEM

The bill as drafted would allow establishment of a completely independent personnel system for *all* university employees. What we would be establishing is another government within a government as it relates to personnel policies and procedures for the University of the District of Columbia. Salary levels, retirement benefits, etc., could be increased without the approval of the Mayor or the City Council, and inasmuch as this would be done by regulation, it is questionable whether Congress itself would have any review other than to originate legislation to undo what the University of the District of Columbia might adopt by way of regulation. Such a broad grant of authority would jeopardize the city government's ability to live within a balanced budget, since one part of it, i.e., the University of the District of Columbia, would in effect be outside the budget that would have to be balanced. Moreover, the broad grant of authority to the University would create inequities for other city employees, whose agencies are not granted this *very special authority*.

LABOR-MANAGEMENT RELATIONS

The provisions of this bill, Section 206(b), provide that the Board of Trustees shall incorporate the provisions of Executive Order No. 70-229 of the Commissioner of the District of Columbia "or similar policies developed by the Trustees to guarantee collective bargaining rights of employees subject to this section." In my view this is the broadest kind of delegation of authority for the Board of Trustees to engage in collective bargaining with respect to paying salaries fringe benefits such as retirement, etc. Also, in my view, it could be interpreted as authorizing the Board of Trustees to engage in binding arbitration between management and employees of the University of the District of Columbia.

Obviously, there would be controversial questions involved if the Board of Trustees were to adopt a regulation that would provide for

binding arbitration such that they may or may not try to bind the Council of the District of Columbia. However, as a practical matter, any regulation that they passed which provided for binding arbitration would make it difficult, if not impossible, for the Council of the District of Columbia to refuse to adopt the recommendation or decision of the binding arbitration procedure. Carrying this a bit further, if the Council of the District of Columbia felt it was bound or at least went along with the binding arbitration, it would appear that in effect they would be binding Congress, inasmuch as the District is required to submit a balanced budget to Congress. The question inevitably would be whether the increase in salaries which occurred through possible binding arbitration would be paid out of revenues raised by the District itself or whether they would be paid primarily out of the Federal Payment. In any case, if the City Council were bound as a practical matter—Congress would also be bound.

OFFICIAL EXPENSES

The amount proposed in this bill, Section 301(b), for expenditure by the President of the University of the District of Columbia in the amount of \$25,000 with only a signed certificate as a voucher is, in my opinion, excessive.

The Self-Determination Act allows the level of such allowances for the Mayor to spend to be established by the Council of the District of Columbia. If the Congress is going to set the amount at \$25,000 for the President of the University of the District of Columbia, it appears to me we are setting a very poor example for the City Council.

LAND GRANT FUNDS

The amount provided for in Section 208 under the Act of July 2, 1862, is apparently unlimited since no amount appeared in my copy of this Subsection 208(b) of H.R. 15643.

FEES AND TUITION

Under the provision of Section 205(h), it appears that the University of the District of Columbia will be able to use the receipts from "fixed fees, in addition to tuition," such that they shall be deposited in a revolving fund and shall be available to the Trustees for any purposes which the Trustees shall approve without fiscal year limitation. This would appear to me to give unprecedented authority to the Trustees of the University.

GIFTS AND ENDOWMENTS

The Trustees of the University of the District of Columbia are authorized to accept gifts and endowments and such money is authorized to be disbursed in "such amounts and in such manner as the Trustees may determine." It does not appear to me that there is any limitation to this whatsoever. I would consider this to be an excessive grant of authority to the Trustees of any university.

COMMISSION ON HIGHER EDUCATION

As a Member of the Education and Labor Committee, I am quite familiar with the 1972 amendments to the Higher Education Act of 1965, particularly Sections 1202 and 1203, which provide that commissions may be established in states (and also in the District of Columbia) and they may obtain grants from the United States Commissioner of Education for grant funds to support "... comprehensive inventories of and studies with respect to all public and private post secondary educational resources in the state, including planning necessary for such resource to be better coordinated, improved, expanded, or altered so that all persons within the state who desire and who can benefit from post secondary education may have an opportunity to do so."

It appears to me that the Commission on Higher Education for the District of Columbia, which is about to be established by Mayor Washington, will be able to achieve many of the results claimed for this bill by its proponents. Recently, I requested (from the Department of Health, Education, and Welfare), information concerning the commission to be established here in the District of Columbia. The response from the Department of Health, Education, and Welfare is as follows:

... we are enclosing copies of the correspondence between former Commissioner John Ottina and Mayor Walter Washington regarding the establishment in the District of Columbia of a State Postsecondary Education Commission as authorized under Section 1202(a) of the Higher Education Act of 1965, as amended. We are also enclosing copies of the *Federal Register* notices concerning the designation of these Commissions and the operating plan for the program in FY 1974.

The enclosures referred to in the correspondence from the Department of Health, Education, and Welfare are as follows:

MARCH 1, 1974.

HON. WALTER E. WASHINGTON,
 Mayor-Commissioner, District Building, Room 520, 14th & E
 Streets, N.W., Washington, D.C. 20004.

DEAR MAYOR WASHINGTON: You are perhaps aware that the Labor-HEW Appropriations Act for Fiscal Year 1974 includes the sum of \$3 million for Federal support of State Postsecondary Education Commissions. These monies have been made available by the Congress under the appropriation authority contained in Section 1203 of the Higher Education Act of 1965 (as amended in 1972), which provides that State Commissions established pursuant to Section 1202 of the same Act may apply to the U.S. Commissioner of Education for grant funds and/or technical assistance to support "... comprehensive inventories of, and studies with respect to all public and private postsecondary educational resources in the State, including planning necessary for such resources to be better coordinated, improved, expanded or altered so that all persons within the State who desire, and who can benefit from postsecondary education may have an opportunity to do so."

In approving the \$3 million appropriation which the Administration had requested, Congress recognized that much of the money would need to be obligated to support the Higher Education Facilities Commissions; and indeed, that some of this money had already been obligated for this purpose under the continuing resolution. At the same time, however, the Congress also stated its intention "that a substantial portion of this appropriation should be made available" for Section 1203 planning grants and/or technical assistance to those States which desire to establish State Postsecondary Education Commissions under Section 1202. And finally, the Congress called upon the U.S. Office of Education "to do whatever is necessary" to see that those States which comply with the criteria for Postsecondary Education Commissions set forth in Section 1202 of the Higher Education Act, as amended, will "get assistance from this appropriation to move ahead in launching the work of these important commissions."

In accordance with Congressional intent, and after a careful review of the work which the Higher Education Facilities Commissions must complete during the remainder of Fiscal Year 1974, we have moved to limit the aggregate total of State allotments for work performed by the facilities commissions to a maximum figure of \$2 million, leaving at least \$1 million of the Section 1203 appropriation for FY 74 available to fund applications from Section 1202 State Commissions for Section 1203 planning grants and/or technical assistance.

With this action accomplished, we are now confronted with the question of what is necessary to bring about establishment of State Postsecondary Education Commissions which (a) will comply with the criteria set forth in Section 1202(a) of the Higher Education Act, and (b) will thereby qualify to apply for and receive Section 1203 planning grant funds and/or technical assistance from the \$1 million which the U.S. Office of Education has reserved for such purposes in accordance with instructions from the Congress.

In reviewing the rather lengthy and substantial record of discussions on this subject, it seems to me that the salient points are as follows:

(1) There is no general Federal requirement that the States establish Section 1202 Commissions. Only those States which desire to receive assistance under the Section 1203 authority, i.e., from the \$1 million which is presently reserved to support that authority, are required to establish Commissions which comply with the criteria set forth in Section 1202(a).

(2) If a State desires to receive Section 1203 assistance, and decides to establish a Section 1202 Commission in order to qualify for such assistance, the law implies three options from which the State may choose in meeting the criteria set forth in Section 1202(a): (a) creation of an entirely new Commission which meets the criteria of Section 1202(a), (b) designation of an existing State agency or State Commission, if it meets the Section 1202(a) criteria, or (c) expanding, augmenting, or reconstituting the membership of an existing State agency or State Commission to meet Section 1202(a) criteria.

(3) The only function which Federal law authorizes the designated 1202 Commission to perform, and for which the \$1 million

is being reserved from the FY 74 appropriation, is planning for postsecondary education. The expectation is that other State agencies and Commissions, local governments, and institutions of postsecondary education would use the results of planning activities undertaken by the State Commission to carry out their respective administrative responsibilities.

(4) In addition, the law provides two options between which the State may choose in providing for continuing State administration of the Community Services and Continuing Education authority (REA Section 105), the Equipment for Undergraduate Instruction authority (HEA Section 603) and the Grants for Construction of Undergraduate Academic Facilities authority (HEA Section 704); namely, (a) designation of the Section 1202 Commission to serve as the State agency for purposes of administering any one or more of these program authorities, or (b) maintenance of separate State agencies or Commissions to administer these program authorities.

(5) Finally, and certainly most importantly, whichever option the State chooses to pursue in bringing about the establishment of a Section 1202 Commission, and whatever additional responsibilities the State decides to assign to the Commission beyond the planning responsibilities authorized under Section 1203, Section 1203 (a) of the law prescribes that the State Commission *must be "broadly and equitably representative of the general public and public and private nonprofit and proprietary institutions of postsecondary education in the State including community colleges, junior colleges, postsecondary vocational schools, area vocational schools, technical institutes, four-year institutions of higher education and branches thereof."*

This letter is intended as an invitation for you to advise me as to the course of action which will be followed with respect to implementation of Sections 1202 and 1203 of the Higher Education Act, as amended in your State.

If your State *does not* desire to establish a Section 1202 State Commission to apply for a planning grant and/or technical assistance under the FY 74 appropriation for Section 1203 planning activities, it would help us if you could notify the U.S. Office of Education of this fact as soon as possible.

If your State *does* desire to establish a State Commission which meets the "broadly and equitably representative" criteria of Section 1202(a), and thereby qualifying said Commission to apply for and receive Section 1203 planning grants and/or technical assistance from the FY 74 appropriation, the U.S. Office of Education needs to receive the following information from you by April 15, 1974:

(1) Which of the three options for establishing a Section 1202 Commission has your State chosen to follow: (a) creation of a new Commission, (b) designation of an existing State agency or State Commission, or (c) expanding, augmenting or reconstituting the membership of an existing State agency or State Commission?

(2) Which, if any, of the following State-administered program authorities contained in the Higher Education Act has your State chosen to assign to the Section 1202 Commission:

(a) Community Services and Continuing Education (HEA Section 105)?

(b) Equipment for Undergraduate Instruction (HEA Section 603)?

(c) Grants for Construction of Undergraduate Academic Facilities (HEA Section 704)?

(3) What is the Commission's official name, address and telephone number?

(4) What are the names, mailing addresses and terms of office of the Commission's members?

(5) What is the name, title, mailing address, and telephone number of the Commission's principal staff officer?

(6) A letter signed by you explaining how the membership of your State Commission meets the "broadly and equitably representative" requirements of Section 1202(a) at the present moment, and what provisions have been made to insure continuing compliance with these requirements of the law.

We hope you will find the procedure outlined in this letter to be comfortable, convenient and effective in carrying out the intent of Congress with maximum respect for the prerogatives of the States. Several States have previously communicated with the U.S. Office of Education about some action or another with respect to Section 1202. Since we had not decided which approach or what conditions and criteria would be used to activate the Section 1203 planning grants program, the U.S. Office of Education is not in a position to recognize any correspondence prior to this letter as sufficient evidence of compliance with the procedures now agreed upon and set forth above.

If you have any questions or concerns, please get in touch with me or John D. Phillips, Acting Associate Commissioner for Student Assistance, who can be reached at Area Code 202—245-9436. In the meantime, we will be preparing application materials and funding criteria for the award of Section 1203 planning grants and technical assistance. We expect that planning grants made during this Fiscal Year will remain available for expenditure by the Section 1202 State Commissions through June 30, 1975.

Sincerely,

JOHN OTTINA,
U.S. Commissioner of Education.

Enclosure: Copy of Sections 1202 and 1203, Higher Education Act of 1965, as amended

cc: Mrs. Shelia Drewes
Honorable Barbara A. Sizemore

"STATE POSTSECONDARY EDUCATION COMMISSIONS

"SEC. 1202. (a) Any State which desires to receive assistance under section 1203 or title X shall establish a State Commission or designate an existing State agency or State Commission (to be known as the

State Commission) which is broadly and equitably representative of the general public and public and private nonprofit and proprietary institutions of postsecondary education in the State including community colleges (as defined in title X), junior colleges, postsecondary vocational schools, area vocational schools, technical institutes, four-year institutions of higher education and branches thereof.

"(b) Such State Commission may establish committees or task forces, not necessarily consisting of Commission members, and utilize existing agencies or organizations, to make studies, conduct surveys, submit recommendations, or otherwise contribute the best available expertise from the institutions, interest groups, and segments of the society most concerned with a particular aspect of the Commission's work.

"(c) (1) At any time after July 1, 1973, a State may designate the State Commission established under subsection (a) as the State agency or institution required under section 105, 603, or 704. In such a case, the State Commission established under this section shall be deemed to meet the requirements of such sections for State agencies or institutions.

"(2) If a State makes a designation referred to in paragraph (1)—

"(A) the Commissioner shall pay the State Commission the amount necessary for the proper and efficient administration of the Commission of the functions transferred to it by reason of the designation; and

"(B) the State Commission shall be considered the successor agency to the State agency or institution with respect to which the designation is made, and action theretofore taken by the State agency or institution shall continue to be effective until changed by the State Commission.

"(d) Any State which desires to receive assistance under title VI or under title VII but which does not desire, after June 30, 1973, to place the functions of State Commissions under such titles under the authority of the State Commission established pursuant to subsection (a) shall establish for the purposes of such titles a State Commission which is broadly representative of the public and of institutions of higher education (including junior colleges and technical institutes) in the State. Such State Commissions shall have the sole responsibility for the administration of State plans under such title VI and VII within such State.

"COMPREHENSIVE STATEWIDE PLANNING

"Sec. 1203. (a) The Commissioner is authorized to make grants to any State Commission established pursuant to section 1202(a) to enable it to expand the scope of the studies and planning required in title X through comprehensive inventories of, and studies with respect to, all public and private postsecondary educational resources in the State, including planning necessary for such resources to be better coordinated, improved, expanded, or altered so that all persons within the State who desire, and who can benefit from, postsecondary education may have an opportunity to do so.

"(b) The Commissioner shall make technical assistance available to State Commissions, if so requested, to assist them in achieving the purposes of this section.

"(c) There are authorized to be appropriated such sums as may be necessary to carry out this section."

THE DISTRICT OF COLUMBIA,
Washington, D.C., April 24, 1974.

HONORABLE JOHN OTTINA,
U.S. Commissioner of Education, Department of Health, Education,
and Welfare, 400 Maryland Avenue, S.W., Washington, D.C.
20202.

DEAR COMMISSIONER OTTINA: I have received your letter of March 1, 1974, informing me that the District of Columbia may proceed with the establishment of a state postsecondary education planning commission.

I am pleased to inform you that the District of Columbia does wish to establish a State Commission, and am providing herewith the specific information requested in your letter:

1. The District of Columbia has chosen the option of establishing a new Commission.
2. The District of Columbia will assign each of the following programs to the new Commission:
 - (a) Community Services and Continuing Education (HEA Section 105)
 - (b) Equipment for Undergraduate Instruction (HEA Section 603)
 - (c) Grants for Construction of Undergraduate Academic Facilities (HEA Section 704)

These programs will be assumed by the new Commission on July 1, 1974, or as soon thereafter as possible.

3. The Commission's official name, address, and telephone number are as follows: District of Columbia Commission on Postsecondary Education, 1329 E Street, N.W., Suite 1023, Washington, D.C. 20004 (Telephone: 202-638-2406).

4. The names, addresses, and terms of office of the Commission members are attached.

5. The principal staff officer is as follows: Mrs. Etyce H. Moore, Special Assistant to the Director, Department of Human Resources, 1350 E Street, N.W., Washington, D.C. 20004 (Telephone: 202-629-4938).

6. The manner in which the membership of the Commission meets the "broadly and equitably representative" requirements of Section 1202(a) at the present moment, and the provisions that have been made to insure continuing compliance in the future, are as follows:

Compliance with the "broad and equitable representation" requirement in the District of Columbia is complicated by the fact that all of the large universities are privately-controlled and their enrollment includes more than 80% non-District residents. On the other hand,

nearly 90% of the students in the public institutions are District residents, although the total enrollment in the private institutions is approximately $4\frac{1}{2}$ times the total enrollment in the public institutions. Furthermore, while the majority of the students at the private institutions are white, the majority of the citizens of the District and the students in the public institutions are Black.

A resolution of these diverse considerations was attempted by developing the following formula for the composition of the D.C. Commission on Postsecondary Education. We believe that this formula represents as fairly as possible all segments who will be served by the Commission:

INSTITUTIONAL MEMBERSHIP

1. Each institution of higher education with an enrollment of over 2,000 was allocated one member. These institutions include: American University, Catholic University, George Washington University, Georgetown University, and Howard University (all private), and the District of Columbia Teachers College, Federal City College, and Washington Technical Institute (all public). Each institution nominated a representative of its choice.

2. The remaining institutions of higher education, Gallaudet College, Immaculata College, Webster Junior College in Washington, Mount Vernon College, Oblate College, Southeastern University, Strayer College, Trinity College and Wesley Theological Seminary (all private) were allocated two members. The representatives were selected from nominations made by the institutions.

3. The other institutions of postsecondary education were allocated two members, and the representatives were selected from nominations made by the institutions.

SPECIAL INTEREST MEMBERSHIP

1. One member was nominated by the public schools, which are also responsible for public postsecondary vocational education in the District of Columbia.

2. One student member was selected from the public institutions of higher education and one from the private universities. These memberships are for a one year term only, and will be rotated among the institutions.

3. One member was selected from the D.C. Government and one member from the D.C. City Council.

GENERAL PUBLIC MEMBERSHIP

Six members were selected from nominations made by the institutions and members of the public. All were chosen for their knowledge of and interest in postsecondary education.

In selecting the persons from the various categories, we endeavored to represent the composition of the District of Columbia by race and sex as closely as possible, although this was not entirely feasible due to the nature of the institutions involved. We also bore in mind the desirability of compliance with affirmative action guidelines.

With respect to the manner in which compliance with the broad and equitable representation requirement will be assured in the future, the following steps will be taken:

1. Every institution maintaining or attaining an enrollment of 2,000 will be represented.

2. Representatives from institutions of higher education with enrollments of less than 2,000 are for 2 years only and will rotate among the institutions.

3. Representatives from the proprietary institutions will be for 2 years only and will rotate among the institutions.

4. The student memberships will be for one year only and will rotate among institutions.

5. Selection of persons for the public memberships will endeavor to resolve any inconsistencies between the population composition and the institutional membership.

I hope that the formulation of the membership of the District of Columbia Commission on Postsecondary Education, as described above, will meet requirements of the legislation.

The District of Columbia is looking forward to the opportunities for growth and development in the area of postsecondary education which we hope will develop from the work of the new Commission.

Sincerely,

WALTER E. WASHINGTON,
Mayor-Commissioner.

It would appear to me that if anything is needed in the area of higher education of the District of Columbia, the authority of the soon-to-be-established Commission on Higher Education for the District of Columbia could rest with such Commission rather than the University of the District of Columbia.

FEDERAL FUNDING OF HIGHER EDUCATION IN THE DISTRICT OF COLUMBIA—HOWARD UNIVERSITY

The House Education and Labor Committee, currently authorizes a substantial amount of operating and capital funding to higher education in the District of Columbia in that funding that we provide to Howard University.

For instance, H.R. 15580, a bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and Related Agencies for the fiscal year ending June 30, 1975, the House provided Howard University with \$79,194,000, of which \$12,500,000 was to be available for construction. The amount included for Freedmen's Hospital was \$18,217,000, an increase of \$1,431,000 over the 1974 funding level. The new teaching hospital to replace Freedmen's Hospital is scheduled to open in January, 1975.

House Report 93-1140 accompanying H.R. 15580 on page 70 currently states the funding provided Howard University as follows:

Howard University.—The bill includes \$79,194,000, the amount requested and an increase of \$17,048,000 over the amount appropriated for fiscal year 1974.

For the academic program the bill includes \$48,477,000, an increase of \$3,117,000 over the 1974 funding level. Additional funds are included for faculty salary increases (\$1,400,000); new positions for the graduate school, communications school, broadcast laboratory, and libraries (\$1,411,000); and maintenance of the physical plant (\$1,149,000).

The amount included for Freedmen's Hospital is \$18,217,000, an increase of \$1,431,000 over the 1974 funding level. The new teaching hospital to replace Freedmen's Hospital is scheduled to open in January, 1975. Funds included in the bill would support 271 new positions to provide the additional staff needed to operate the new hospital.

For the construction program, the bill includes \$12,500,000 for the university library extension, medical-dental library extension, land acquisition, and equipment for the new teaching hospital.

The testimony contained in the Departments of Labor, and Health, Education and Welfare Appropriations for 1975, Hearings before a Subcommittee of the Committee on Appropriations, House of Representatives, Ninety-Third Congress, Second Session, Part 6, as it relates to Howard University, sets forth the operating funds and construction funds appropriated for fiscal year 1975 in some greater detail. On page 750 of Part 6 of the Hearings, Congressman Flood is quoted as stating that over 70% of Howard University's financing is obtained from Federal appropriations. It is also noted on page 752 of the Hearings that Dr. Cheek of Howard University talks about developing a multiple campus university in the District of Columbia by Howard University. Recently 20 acres or so were obtained from the now defunct Dumbarton College for use by Howard University as a law center. Apparently other acquisitions are also planned.

The question was raised in the Hearings, page 762, as to why we must fund Howard University as well as The Federal City College here in the District of Columbia. Dr. Cheek's answer was that The Federal City College was established to serve primarily the needs of the District of Columbia, while Howard University on the other hand was established to serve the needs of Minorities. It seems to me that since Minorities are now guaranteed access and admission to all colleges and universities by reason of the Civil Rights laws which are on the books that the need for Howard University to be maintained as a national university is substantially decreased. I understand that the registrations of local D.C. residents at Howard University is somewhere between 20% and 40% and, therefore, it would appear that Howard University is to a large extent "serving needs of residents of the District of Columbia."

The question, therefore, must be, why must we fund two universities to do this, and why especially must we create a university out of existing local colleges to set up a second university in the District of Columbia.

There are four major private universities in the District of Columbia currently: Georgetown University, George Washington University, American University, and Catholic University. I see no reason

why we should add to the number of universities that we currently have here, either public or private. I think there is little chance of a private university starting up in the District of Columbia, because the projection for all universities throughout the country generally points toward a decline in enrollment in the late 1970's or early 1980's. Yet, under H.R. 15643, we are creating a new University of the District of Columbia, which explicitly would obligate the Federal Government to further underwrite public education in the District of Columbia in addition to that already funded through Howard University.

Meanwhile, the funding for District of Columbia institutions of higher education is carried in House Report No. 93-1141, which accompanied H.R. 15581, the D.C. Appropriations Bill for 1975, which states as follows:

Board of Higher Education.—A total of \$149,800 is recommended for the Board's operations in 1975. The Committee notes the effectiveness of the Board both with regard to the forthcoming accreditation of the Federal City College and the planned consolidation of the District of Columbia Teachers College and the Federal City College as originally contemplated by the Congress at the time the two new city colleges were established. Resources have been provided the Board to proceed with the merger as well as an increase of \$10,100 to strengthen the licensure function of the Board.

District of Columbia Teachers College.—An appropriation of \$4,088,900 is recommended for 1975 and includes funding for the 5 percent pay raise granted to faculty and administrative staff of all three colleges. Due to the pending consolidation with the Federal City College only the mandatory increases requested have been allowed.

A comparative breakdown of the recommendation follows:

DISTRICT OF COLUMBIA TEACHERS COLLEGE

Activity	Estimate	Recommended	Decrease
Instruction.....	\$2,671,600	\$2,541,200	-\$130,400
Organized Research.....	27,300		-27,300
Public Service.....	28,900		-28,900
Academic Support.....	523,000	346,900	-176,100
Student Support.....	733,500	503,700	-229,800
Institutional Support.....	884,200	697,100	-187,100
Total, District of Columbia Teachers College....	4,868,500	4,088,900	-779,600

Federal City College.—The bill includes \$19,389,700 for the operation of the college during the next fiscal year. The Committee has been advised that accreditation is expected shortly from the Middle States Association of Colleges and Secondary Schools. Increases have been allowed as requested for the basic instruction program, the Labor Studies Center, and for additional Library books needed to help meet the Association of Colleges and Research Library Standards. Funding for a 5 percent pay increase for faculty and administration personnel has also been provided.

An activity breakdown of the amounts recommended follows:

FEDERAL CITY COLLEGE

Activity	Estimate	Recommended	Decrease
Instruction.....	\$9,645,800	\$9,545,800	-\$100,000
Public Service.....	280,000	280,000	-----
Academic Support.....	2,689,100	2,689,100	-----
Student Services.....	2,189,400	2,189,400	-----
Institutional Support.....	4,685,400	4,685,400	-----
Total, Federal City College.....	19,489,700	19,389,700	-100,000

Washington Technical Institute.—The bill provides \$10,092,400 for the Institute in 1975. Increases are recommended for the costs of relocation to the new campus as well as the additional staffing and maintenance required at the new facility. Funds are also included for the 5 percent pay increase granted faculty and administrative staff.

The following tabulation shows the breakdown of amounts recommended by activity:

WASHINGTON TECHNICAL INSTITUTE

Activity	Estimate	Recommended	Decrease
Instruction.....	\$4,378,700	\$4,339,300	-\$39,400
Organized Research.....	114,200	114,200	-----
Public Service.....	462,400	462,400	-----
Academic Support.....	690,900	690,900	-----
Student Services.....	1,353,700	1,353,700	-----
Institutional Support.....	3,131,900	3,131,900	-----
Total, Washington Technical Institute.....	10,131,800	10,092,400	-39,400

Capital Outlay for Higher Education Institutions is as noted on pages 27 and 28, pertinent portions of which appear below.

CAPITAL OUTLAY
[In thousands of dollars]

Category	1974 Appropriations	1975 Request	1975 Recommendation
Higher education.....	\$8,229.0	\$58,091.5	\$57,906.5
Courts.....	-----	41,092.5	41,092.5
Subtotal.....	8,229.0	99,184.0	98,999.0
All other.....	123,526.4	128,519.0	105,919.0
Total.....	131,755.4	227,703.0	204,918.0

SUMMARY

A summary by Department of the capital improvements program as requested and recommended follows:

CAPITAL IMPROVEMENTS PROGRAM

Item	Estimate	Recommended	Increase or decrease
District of Columbia Obligations.....	\$547,600	\$547,600	-----
Public Building Construction:			
Public Schools.....	26,198,900	16,942,500	-\$9,256,400
Public Library.....	628,700	528,700	-100,000
Recreation Department.....	5,938,900	3,058,100	-2,880,800
Police Department.....	2,688,000	2,688,000	-----
Fire Department.....	4,273,000	4,273,000	-----
Department of Human Resources.....	11,212,300	2,624,300	-8,588,000
Department of General Services.....	14,524,500	14,449,500	-75,000
District of Columbia Courts.....	41,092,500	41,092,500	-----
Office of Housing Programs.....	1,000,000	-----	-1,000,000
Office of Planning and Management.....	300,000	-----	-300,000
Rounding.....	-----	200	+200
Total, Public Building Construction.....	107,856,800	85,656,800	-22,200,000
Higher Education.....	58,091,500	57,906,500	-185,000
Washington Metropolitan Area Transit Authority.....	37,728,100	37,728,100	-----
Department of Motor Vehicles.....	25,000	25,000	-----
Department of Highways and Traffic.....	10,149,000	9,749,000	-400,000
Department of Environmental Services.....	12,870,000	12,870,000	-----
Washington Aqueduct.....	435,000	435,000	-----
Total, Capital Improvements.....	227,703,000	204,918,000	-22,785,000

HIGHER EDUCATION

The requests totaling \$57,906,500 for further development of the downtown campus for the Federal City College and a permanent campus for the Washington Technical Institute have been approved. The request for a demountable classroom facility for the District of Columbia Teachers College has not been allowed due to the pending merger of the college with the Federal City College.

The total Capital Improvements Program for The Federal City College and The Washington Technical Institute are as noted in the 1975-1980 Capital Improvements Program Summary, which appeared in the Budget for the District of Columbia for 1978. (see tables.)

1975-80 CAPITAL IMPROVEMENTS PROGRAM SUMMARY-- GENERAL FUND
 (Dollars in thousands)

Page No.	Priority	Project No.	Project title	Service area	Estimated total project cost	Prior appropriations	Capital budget request 1975	Program estimate, fiscal year--				Estimate beyond program period	
								1976	1977	1978	1979		1980
CG-CAP-2	1	18-9	Downtown Campus Site. Construction services. Equipment.	6	128,965.0	5,093	6,130.0 2,900.0	1,000 4,390	1,004				
CG-CAP-4	2	18-10	Preliminary survey for Fort Lincoln Campus.	2	100.0		100.0	25,357 3,500	40,560 3,500	32,031 3,500			
			Total Federal City College		129,065.0	5,093	9,130.0	34,247	45,064	35,531			
GD-CAP-2		19-7	Permanent Campus (Phase I) Equipment		14,200.0	13,600.0	600.0						
GD-CAP-4		GD-20	Permanent Campus (Phase II) Construction services. Equipment.		59,440.5	3,136	1,801.5 49,375.0	5,128					
		GD-21	Permanent Campus (Phase III) Construction services. Equipment.		43,458.0		2,515	36,594	4,349				
			Total, WTI.		117,098.5	16,726	51,776.5	7,643	36,594	4,349			

¹ This phase will be requested in fiscal year 1976.

In conclusion, there are those who will say that H.R. 15643 is merely an economy measure that would bring The Federal City College, The Washington Technical Institute, and the D.C. Teachers College into one university which could operate more economically. I say that if that is the only reason for merging these institutions into a university, the same end could be realized by establishing a Commission on Higher Education, and certainly the local government could achieve that end just as easily as the Congress could proceed with the establishment of the University of the District of Columbia. Such action by the locally elected government, commencing January 2, 1975, would not obligate the Congress to outlay further for public higher education in the District of Columbia. My experience on the Education and Labor Committee and the District Committee convince me that there are adequate facilities in the District of Columbia at this point without adding a new university or further obligating the Congress to additional expenditures for the District of Columbia in this area of public higher education.

EARL F. LANDGREBE.

H. R. 15643

Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

To reorganize public postsecondary education in the District of Columbia, establish a Board of Trustees, authorize and direct the Board of Trustees to consolidate the existing local institutions of public postsecondary education into a single Land-Grant University of the District of Columbia, direct the Board of Trustees to administer the University of the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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TITLE I—SHORT TITLE, PURPOSES, AND DEFINITIONS

SHORT TITLE

SEC. 101. This Act may be cited as the "District of Columbia Public Postsecondary Education Reorganization Act".

STATEMENT OF PURPOSE

SEC. 102. It is the intent of Congress to authorize a public land-grant university through the reorganization of the existing local institutions of public postsecondary education in the District of Columbia. It is the clear and specific intent of the Congress that vocational and technological education, as well as liberal arts, sciences, teacher education, and graduate and postgraduate studies, within the University be given at all times its proper priority in terms of funding with other units within the University, and that the land-grant funds be utilized by the University in accordance with the provisions of the Act of July 2, 1862 (7 U.S.C. 301-305, 307, 308) (known as the First Morrill Act).

DEFINITIONS

SEC. 103. For the purposes of this Act—

(a) The term "Trustees" means the Board of Trustees established under title II of this Act.

(b) The term "President" means the chief executive and administrative officer of the University.

(c) The term "University" means the University of the District of Columbia authorized and directed to be established under title II of this Act.

(d) The term "Provost" means the academic and administrative head of each of the several colleges of the University.

(e) The term "Mayor" means the Mayor of the District of Columbia established by section 421 of the District of Columbia Self-Government and Governmental Reorganization Act.

(f) The term "Council" means the Council of the District of Columbia established by section 401 of the District of Columbia Self-Government and Governmental Reorganization Act.

(g) The term "Board of Higher Education" means the Board of Higher Education established under section 102 of the District of Columbia Public Education Act (D.C. Code, sec. 31-1602).

(h) The term "Vocational Board" means the Board of Vocational Education established under section 202 of the District of Columbia Public Education Act (D.C. Code, sec. 31-1622).

(i) The term "Board" means the District of Columbia Board of Education established under section 303 of the Elected-Board of Education Act (D.C. Code, sec. 31-101).

(j) The term "financial institution" means an insured bank as defined in section 3 of the Federal Deposit Insurance Act, or a savings and loan association as defined in section 401 of the National Housing Act.

TITLE II—BOARD OF TRUSTEES

MEMBERSHIP

Sec. 201. (a) There is hereby authorized to be established a University of the District of Columbia, which shall be an independent agency of the District of Columbia government, and which shall be governed by a Board of Trustees consisting of fifteen members selected according to the provisions of this section:

(1) Twelve members nominated by the Mayor, one of whom shall be a full-time student at the District of Columbia Teachers College, or the Federal City College, or the Washington Technical Institute. Except for the student member, the nominees under this subsection shall be subject to Council confirmation.

(2) One member of the Trustees appointed by the Alumni Association of the District of Columbia Teachers College, with notice thereof to the Mayor within forty-five days after the effective date of this Act.

(3) One member of the Trustees appointed by the Alumni Association of the Federal City College, with notice thereof to the Mayor within forty-five days after the effective date of this Act.

(4) One member of the Trustees appointed by the Alumni Association of the Washington Technical Institute, with notice thereof to the Mayor within forty-five days after the effective date of this Act.

(5) In the event the alumni associations referred to in subsections (2), (3), and (4) of this section fail to submit an appointee within the time specified, the Mayor shall make the appointment.

(6) As the initial terms of the alumni members expire, the three alumni trustees shall be appointed by the Alumni Association of the University or the Mayor if no alumni association of such University exists.

(b) All nominations and appointments under this section shall be made not later than August 2, 1975. The terms of the members of existing Boards shall terminate on the day that the Trustees announce the consolidation has been effectuated, but in no event shall the terms terminate later than June 30, 1976.

(c) The Trustees shall hold the first meeting no later than September 2, 1975. The first meeting of the Trustees shall be convened by a member of the Trustees designated by the Mayor.

(d) The student member of the Trustees shall serve a one-year term of office; all other Trustees may be selected to serve one successive term.

(e) The terms of nonstudent Trustees shall be determined by lots cast at the first meeting of the Trustees, with the initial lots to provide:

- (1) three shall serve terms of two years;
- (2) three shall serve terms of three years;
- (3) three shall serve terms of four years; and
- (4) five shall serve terms of five years.

(f) Any Trustee selected to fill a vacancy shall be selected only for the remainder of the term for which his predecessor was selected and in the same manner as the original selection. A Trustee may serve after the expiration of his term until his successor has qualified to take office.

(g) A Chairman and Vice Chairman (1) shall be selected by the Trustees from among the District of Columbia resident members, (2) shall serve a one-year term as Chairman or Vice Chairman, (3) may be reappointed, and (4) cannot serve in such capacity beyond their term as member.

(h) All members selected to the Trustees shall have been residents of the District of Columbia for the twelve consecutive months preceding the date of their selection except that the Mayor may nominate not more than four persons to the Trustees who are not residents of the District of Columbia if, in his judgment, their nominations would enhance the Trustees.

(i) Members of the Trustees may be employees of the United States or of the District of Columbia government, unless they hold positions in clear conflict of interest.

(j) The president of the University shall be an ex officio member of the Trustees.

SUSPENSION AND REMOVAL

SEC. 202. Any Trustee shall be automatically suspended from serving as such member after he has been found guilty of a felony by a court of competent jurisdiction. Upon a final determination of his guilt or innocence, the term of such member shall automatically terminate or be reinstated.

COMPENSATION

SEC. 203. Trustees shall serve without compensation, but may be reimbursed for their expenses, including per diem in lieu of subsistence, at the maximum rate equal to the daily equivalent provided for by grade 18 of the General Schedule established under section 5332 of title 5 of the United States Code, with a limit of \$4,000 per annum, while actually engaged in service for the Trustees.

THE UNIVERSITY OF THE DISTRICT OF COLUMBIA

SEC. 204. The Trustees shall, by June 30, 1976, consolidate the existing public institutions of postsecondary education in the District of Columbia into a single institution to be called the University of the District of Columbia, with several schools, colleges, institutes, campuses, and units that offer a comprehensive program of public postsecondary education. The institutions of public postsecondary education in the District of Columbia existing immediately prior to such consolidation shall be deemed abolished on the effective date of the consolidation. Thereafter, any reference in any law, rule, regulation, or other document of the United States or of the District of Columbia to such institutions shall be deemed to be a reference to the University of the District of Columbia.

DUTIES OF THE BOARD OF TRUSTEES

SEC. 205. It shall be the duty of the Trustees to—

(a) Review the existing public institutions of postsecondary education with respect to (1) accreditation, (2) present programs and functions, and (3) actual and potential capabilities. Those institutions and programs within such institutions that are determined to be sound and valid shall be used as a basis for the several schools, colleges, institutes, campuses, and units of the University, which shall include but not be limited to programs of science and technology, including but not limited to environmental sciences, liberal and fine arts, vocational and technical education and professional studies, including graduate programs, and postgraduate programs.

(b) Establish or approve policies and procedures governing admissions, curriculums, programs, graduation, the awarding of degrees, and general policymaking for the units of the University.

(c) Prepare and submit to the Mayor, on a date fixed by the Mayor, an annual budget for the fiscal year beginning July 1, 1977. Such budget shall include a proposed financial operating plan for such fiscal year, and a capital and educational improvements plan for such fiscal year and the succeeding four fiscal years for the University. The Mayor and the Council shall establish the maximum amount of funds which will be allocated to the Trustees for Higher Education, but may not specify the purposes for which such funds may be expended or the amount of such funds which may be expended for the various programs under the jurisdiction of the Trustees.

(d) The Trustees may transfer, during the fiscal year, any appropriation balance available for one item of appropriation to another item of appropriation or to a new program, in an amount not to exceed \$50,000.

(e) Enter into negotiations and binding contracts pursuant to Council regulations regarding contracting with the governments of the United States and District of Columbia and other public and private agencies to render and receive services.

(f) Enter into negotiations and binding contracts pursuant to Council regulations to perform organized research, training, and demonstrations on a reimbursable basis for the United States and the government of the District of Columbia and other public and private agencies.

(g) Fix tuition for students attending the University with tuition charges to nonresidents being fixed as far as is feasible in amounts comparable to nonresident charges made by similar institutions.

(h) Fix fees, in addition to tuition, to be paid by resident and nonresident students attending the University. Receipts from these fees shall be deposited in a revolving fund in one or more financial institutions in the District of Columbia, and shall be available, when appropriated, for such purposes as the Trustees shall approve, without fiscal year limitation.

(i) Select, appoint, and fix the compensation for a President of the University and Provosts of the units of the University, and approve the appointment and compensation of such other officers as it deems necessary, including legal counsel, except that in no case shall any such compensation be fixed in an amount in excess of that provided for the Mayor unless specifically authorized by legislative act of the Council.

(j) Procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at daily rates for individuals not in excess of the maximum daily rate for GS-18 of the General Schedule under section 5332 of such title.

(k) Develop and define a policy governing academic freedom for the University and establish mechanisms to ensure its enforcement.

(l) Perform such other duties as may be necessary to carry out the purposes of this Act.

PERSONNEL SYSTEM

SEC. 206. (a) Notwithstanding any other provision of law, the Trustees are hereby authorized to establish, not earlier than one year and not later than five years after the effective date of this section, a personnel system (setting forth minimum standards) for all employees of units, facilities, and programs of the University, including, but not limited to, pay, contract terms, leave, residence, retirement, health and life insurance, employee disability, and death benefits, all at least equal to those provided by legislation enacted by Congress, or regulations adopted pursuant thereto, and applicable to such officers and employees immediately prior to the effective date of the system established pursuant to this section. Any provision in the personnel system established by the Trustees under this section requiring employees to be residents of the District of Columbia shall apply only to employees hired after the effective date of such system.

(b) The personnel policies of the Trustees shall incorporate Executive Order Numbered 70-229 of the Commissioner of the District of Columbia, as implemented by chapter 25A of the District Personnel Manual, or similar policies developed by the Trustees to guarantee collective-bargaining rights of employees subject to this section.

(c) Personnel legislation in effect prior to the establishment by the Trustees of such system, including without limitation, legislation relating to appointments, promotions, discipline, separation pay, unemployment compensation, health disability and death benefits, leave, retirement, insurance, and veterans preference applicable to such employees, shall continue to be applicable until such time as the Trustees shall, pursuant to this section, provide for coverage under a new personnel system.

(d) All actions affecting such personnel and such members shall, until such time as a personnel system is established by the Trustees superseding such laws and establishing a permanent personnel system for all employees of the University continue to be subject to the provisions of Acts of Congress relating to the appointment, promotion, discipline, separation, and other conditions of employment applicable to officers and employees of the District government, and where appli-

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cable, to the provisions of the joint agreement between the Commissioners and the Civil Service Commission authorized by Executive Order Numbered 5491 of November 18, 1930, relating to the appointment of District personnel.

TRANSFER OF FUNCTIONS, ASSETS, AND LIABILITIES

SEC. 207. The Board of Higher Education and the Vocational Board shall be abolished on the day the Trustees announce that the consolidation has been effectuated, but in no event shall the Boards be abolished later than June 30, 1976. Except as provided by this Act all functions, powers, and duties of the Board of Higher Education and the Vocational Board under the District of Columbia Public Education Act of 1966 (D.C. Code, sec. 31-1601) shall be vested in and exercised by the Trustees. All employees, property (real and personal), and unexpended balances (available or to be made available) of appropriations, allocations, and all other funds and assets and liabilities of the Board of Higher Education and Vocational Board are authorized to be transferred to the Trustees, except the functions of licensing institutions to confer degrees as authorized by Public Law 89-791 (D.C. Code, sec. 29-415).

ESTABLISHMENT OF LAND-GRANT UNIVERSITY

SEC. 208. (a) In the administration of—

(1) the Act of August 30, 1890 (7 U.S.C. 321-326, 328) (known as the Second Morrill Act),

(2) the tenth paragraph under the heading "Emergency Appropriations" in the Act of March 4, 1907 (7 U.S.C. 322) (known as the Nelsen amendment),

(3) section 22 of the Act of June 29, 1935 (7 U.S.C. 329) (known as the Bankhead-Jones Act),

(4) the Act of March 4, 1940 (7 U.S.C. 331), and

(5) the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), the University shall be considered to be a university established for the benefit of agriculture and the mechanic arts in accordance with the provisions of the Act of July 2, 1862 (7 U.S.C. 301-305, 307, 308) (known as the First Morrill Act); and the term "State" as used in the laws and provisions of law listed in the preceding paragraphs of this section shall include the District of Columbia.

(b) In the administration of the Act of May 8, 1914 (7 U.S.C. 341-346, 347a-349) (known as the Smith-Lever Act)—

(1) the University shall be considered to be a university established for the benefit of agriculture and the mechanic arts in accordance with the provisions of the Act of July 2, 1862 (7 U.S.C. 301-305, 307, 308); and

(2) the term "State" as used in such Act of May 8, 1914, shall include the District of Columbia, except that the District of Columbia shall not be eligible to receive any sums appropriated under section 3 of such Act.

(c) In lieu of an authorization of appropriations for the District of Columbia under section 3 of such Act of May 8, 1914, there is authorized to be appropriated such sums as may be necessary to provide cooperative agricultural extension work in the District of Columbia under such Act. Such sums may be used to pay no more than one-half of the total cost of providing such extension work. Any reference in such Act (other than section 3 thereof) to funds appropriated under such Act shall in the case of the District of Columbia be considered a reference to funds appropriated under this subsection.

(d) Four per centum of the sums appropriated under subsection (c) for each fiscal year shall be allotted to the Federal Extension Service of the Department of Agriculture for administrative, technical, and other services provided by the Service in carrying out the purposes of this section.

(e) The second sentence of the first section of the Act of March 2, 1887 (7 U.S.C. 361a-361i) is amended by inserting "(including the District of Columbia)" immediately after "the several States".

STATE CONSENT

SEC. 209. The enactment of this Act shall, as respects the District of Columbia, be deemed to satisfy any requirement of State consent contained in any of the laws or provisions of law referred to in section 208.

TITLE III—AUTHORIZATIONS

SEC. 301. (a) There are authorized to be appropriated out of any money in the Treasury to the credit of the District of Columbia such sums as may be necessary for carrying out the purpose of this Act.

(b) The President is authorized to provide for the expenditure in amounts not to exceed \$2,000 of funds for such purposes as may be deemed necessary within limits that may be specified in annual appropriations. The President shall be personally responsible for the expenditure of appropriations made pursuant to this section, and such expenditures shall be supported by vouchers and shall be audited by the District of Columbia Auditor.

TITLE IV—MISCELLANEOUS

MEETINGS

SEC. 401. Meetings may be called by the Chairman or a majority of the members of the Trustees. No official action may be taken by the Trustees except at a meeting of the Trustees at which a quorum is present. Eight members shall constitute a quorum but a lesser number may hold hearings. Each meeting of the Trustees shall be open to the public and held in the District of Columbia with appropriate notice of each such meeting given to the general public, except a majority of the Trustees may elect to go into executive session to take action on personnel matters.

ADVISORY COMMITTEES

SEC. 402. The Trustees shall appoint such advisory committees as necessary to advise on educational policy. Such advisory committees may consist of members of the Trustees, students, faculty members, parents, governmental, educational, business, industrial, labor, and community representatives.

GIFTS AND CONTRIBUTIONS

SEC. 403. The Trustees may accept services and moneys, including gifts or endowments, from any source whatsoever, for use in carrying out the purposes of this Act. Such moneys, including income derived from any such gift or endowment, shall be deposited in the Treasury of the United States to the credit of a trust fund account which is hereby authorized and may be invested and reinvested as trust funds of the District of Columbia. The disbursement of the moneys from such trust funds, when appropriated, shall be in such amounts, to such

extent, and in such manner as the Trustees, in their judgment, may determine necessary to carry out the purposes of this Act.

ANNUAL REPORT

SEC. 404. The Trustees shall make an annual report to the Congress, Mayor, Council, and the general public, on November 1 of each year, on the operation of programs and the expenditure of all funds for public higher education in the District of Columbia.

NEW AUTHORITY GRANTED BOARD OF EDUCATION

SEC. 405. (a) The Board may transfer, during the fiscal year, any appropriation balance available for one item of appropriation to another item of appropriation or to a new program, in an amount not to exceed \$50,000.

(b) The Board may enter into negotiations and binding contracts pursuant to Council regulations regarding contracting with the governments of the United States and District of Columbia and other public and private agencies to render and receive services.

AUTHORITY OF COUNCIL

SEC. 406. Notwithstanding any other provision of law, or any rule of law, nothing in this Act shall be construed as limiting the authority of the Council to enact any act or resolution, after January 2, 1975, pursuant to the District of Columbia Self-Government and Governmental Reorganization Act with respect to any matter covered by this Act.

EFFECTIVE DATE

SEC. 407. This Act shall take effect July 1, 1975, unless the Council, after January 2, 1975, adopts legislation, in accordance with the District of Columbia Self-Government and Governmental Reorganization Act, repealing this Act prior to July 1, 1975. In any case in which the Council adopts any such legislation amending or otherwise modifying this Act (other than its repeal), the foregoing provisions of this Act as so amended or modified shall take effect on July 1, 1975, unless the Council provides, by such legislation, for an effective date other than that provided by this section, in which case this Act, as so amended or modified take effect on the date prescribed by such legislation of the Council.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

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III

October 17, 1974

Dear Mr. Director:

The following bills were received at the White House on October 17th:

S.J. Res. 236 ✓	S. 2840 ✓	H.R. 7768	H.R. 14225
S.J. Res. 250 ✓	S. 3007 ✓	H.R. 7780	H.R. 14597
S.J. Res. 251 ✓	S. 3234 ✓	H.R. 11221	H.R. 15148 ✓
S. 355 ✓	S. 3473 ✓	H.R. 11251 ✓	H.R. 15427
S. 605 ✓	S. 3698 ✓	H.R. 11452 ✓	H.R. 15540 ✓
S. 628 ✓	S. 3792 ✓	H.R. 11830 ✓	H.R. 15643 ✓
S. 1411 ✓	S. 3838 ✓	H.R. 12035 ✓	H.R. 16857 ✓
S. 1412 ✓	S. 3979 ✓	H.R. 12281	H.R. 17027 ✓
S. 1769 ✓	H.R. 6624 ✓	H.R. 13561 ✓	
S. 2348 ✓	H.R. 6642 ✓	H.R. 13631 ✓	

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.