

Congressman Joe Moakley

MEMORANDUM

Date : November 1, 1974

To : Congressman
From : Jack Dooling
Subject : Bussing Record

With reference to your request yesterday, I am writing to summarize your record on bussing during the 93rd Congress.

BILLS INTRODUCED

On March 21, 1974 you introduced H.R. 13672 which the Speaker referred to the Committee on the Judiciary. At the time that this bill was introduced, Boston was prohibited from receiving increased Federal aid because of provisions in the Civil Rights Act of 1964 regarding the desegregation of schools.

If your bill were passed it would enable Boston to receive these funds regardless of whether or not a bussing plan had gone into effect.

DISCHARGE PETITION

In March 1974, you signed a discharge petition filed by Rep. Edith Green (D-Oregon) to discharge the Committee on the Judiciary from further consideration of the bill H.J.Res. 771. The Resolution, introduced by House Minority Leader John J. Rhodes (R-Arizona), would amend the Constitution to prohibit forced bussing.

If the petition is signed by a majority of Congressmen, the House would proceed to consider the amendment. If it passed by 2/3 in the House and Senate, it would go to the states. If it was passed by the legislatures of 3/4th of the states, it would become part of the Constitution and would result in ending forced bussing anywhere in the United States.

VOTING RECORD

The attached charts detail every vote on bussing taken during the 93rd Congress, the result of the vote and your action. The other chart rates the pro-bussing and anti-bussing record of every Congressman from Massachusetts.

CHRONOLOGICAL LIST OF BUSSING VOTES: 93rd Congress

<u>Date</u>	<u>Roll Call*</u>	<u>Description</u>	<u>Result</u>	<u>Moakley Vote</u>
6/21/73	258 (1)	Amendment prohibiting legal service attorneys from working on school bussing cases. Proponents cited the federally funded Harvard back-up center which pushed the Detroit desegregation case. The Supreme Court dismissed their objections and overruled the proposal to bus grade school students up to 30 miles.	Passed 221-150	YES
12/13/73	662 (1)	Amendment to the Emergency Energy Act to prohibit allocation of fuel for bussing. Proponents argued that gasoline should not be used during a critical energy shortage for programs of questionable educational value.	Passed 221-192	YES
12/14/73	669 (1)	Amendment to repeal the above amendment.	Failed 185-202	NO
3/26/74	115 (2)	Amendment to the Elementary and Secondary Education Act Amendments (ESEA) which prohibiting busing beyond the "next closest school to a child's home." Proponents argued that the amendment guarantees a child's right to attend neighborhood schools.	Passed 293-117	YES
3/27/74	119 (2)	Amendment to ESEA prohibiting the use of any federal funds to implement school bussing. Proponents argued that school bussing did not raise the quality of education and objected to efforts by the Federal Government to force such plans on communities.	Passed 239-168	YES
6/ 5/74	276 (2)	Motion to instruct conferees on ESEA to insist on House amendments. The House version of ESEA contained provisions which prohibited busing and permitted previous bussing orders to be reopened in Court. The Senate language was far weaker. This motion was offered to try to block a compromise.	Passed 270-103	YES
6/27/74	336 (2)	A second motion identical to the above. In the face of a continuing deadlock in conference this motion was offered to clearly demonstrate the insistence of the House on strong anti-busing language in ESEA.	Passed 281-128	YES

Chronological List (Cont'd 2)

<u>Date</u>	<u>Roll Call*</u>	<u>Description</u>	<u>Result</u>	<u>Moakley Vote</u>
6/27/74	345 (2)	Amendment to Labor/HEW Appropriations. The amendment prohibited the use of funds appropriated under the bill for the implementation of bussing.	Passed 231-137	Absent
<p>(Mr. Moakley was necessarily in Boston on official business. Arrangements were made to enable him to return to Washington to vote on this amendment. His flight was cancelled only after his Washington office was assured that proponents of the amendment had polled the membership and determined that sufficient votes were on hand to pass the amendment.)</p>				
7/22/74	396 (2)	A third motion to instruct conferees on ESEA. The motion was offered because of continuing deadlock in conference where Senate conferees were holding out for the weaker provisions in the Senate version.	Passed 261-122	YES
8/15/74	494 (2)	Amendment to the Urban Mass Transit Bill to prohibit the use of any funds in the measure to implement bussing.	Passed 243-149	YES
10/1/74	551 (2)	Amendment to Supplemental Appropriations. The amendment prohibited the use of funds in the bill "to compel any school system, as a condition for receiving grants and benefits . . . to classify students or teachers by race, religion, sex or national origin." Amendment also prohibited the assignment of students or teachers or the required maintenance of records of race, religion, sex or national origin.	Passed 253-145	YES

* The numbering of roll calls resumes at "1" at the beginning of a new session. (1) indicates 1st Session. (2) indicates 2nd Session.

BUSSING RECORD
Massachusetts Congressional Delegation

<u>Congressman</u>	<u>Anti-Bussing Votes</u>	<u>Pro-Bussing Votes</u>	<u>Anti-Bussing Percent</u>	<u>Absences</u>
Boland	3	7	30%	1
Burke	8	3	73%	0
Conte	0	11	0%	0
Cronin	7	3	70%	1
Donohue	2	9	18%	0
Drinan	0	11	0%	0
Harrington	0	10	0%	1
Heckler	6	3	67%	2
Macdonald	2	5	29%	4
Moakley	10	0	100%	1
O'Neill	0	11	0%	0
Studds	0	11	0%	0

Massachusetts Delegation Average 32%