

FEDERAL AID TO EDUCATION AND THE  
HIGHER EDUCATION FACILITIES ACT OF 1963

by

ROBERT LLOYD MOSS

B.A., Kansas State University, 1950

959-5358

A MASTER'S REPORT

submitted in partial fulfillment of the

requirements for the degree

MASTER OF ARTS

Department of Political Science

KANSAS STATE UNIVERSITY  
Manhattan, Kansas

1972

Approved by:

  
Major Professor

# **ILLEGIBLE DOCUMENT**

**THE FOLLOWING  
DOCUMENT(S) IS OF  
POOR LEGIBILITY IN  
THE ORIGINAL**

**THIS IS THE BEST  
COPY AVAILABLE**

## ACKNOWLEDGEMENT

I wish to express my appreciation to those who have encouraged, criticized, and otherwise aided in the research and writing of this report. I am greatly indebted to Dr. Louis Douglas, under whose direction this report was written; his patience and advice have added to my personal and academic growth.

Special thanks to Dr. Merlin Gustafson who spent a great deal of his time discussing this report with me and to Dr. T. A. Williams for his encouragement.

To my wife, Adelia, who continued to encourage me when things did not seem to be going my direction and who has been patient through the years.

LD  
3668  
R4  
1972  
m 77  
C.2  
DOCUMENTS

ii

## TABLE OF CONTENTS

	Page
ACKNOWLEDGEMENTS . . . . .	iii
CHAPTER I INTRODUCTION . . . . .	1
CHAPTER II YEARS OF FRUSTRATION (1953-57) . . . . .	3
The Cooper Bill and The White House Conference The Hobby Bill, the Kelley Bill and the Powell Amendment The Second Kelley Bill and no word from Eisenhower	
CHAPTER III YEAR OF CONSENSUS: THE NATIONAL DEFENSE EDUCATION ACT (1958) . . . . .	23
CHAPTER IV MORE YEARS OF FRUSTRATION (1959-62). . . . .	31
The Flemming Bill and the NEA- Democratic Alliance The Kennedy Program and the Church- State Issue	
CHAPTER V THE EDUCATION "CRISIS" REACHES COLLEGE (1956-62) . . . . .	49
The Clark Bill and Two Eisenhower Vetoes The College's Bill And the NEA	
CHAPTER VI EDUCATIONAL BECOMES A NATIONAL RESPONSIBILITY . . . . .	60
CHAPTER VII CONCLUSIONS . . . . .	65
FOOTNOTES	68
BIBLIOGRAPHY	74



## CHAPTER I

### INTRODUCTION

During the 1952 Presidential campaign General Dwight Eisenhower declared, "the American answer to the School classroom shortage is federal aid."<sup>1</sup> Eisenhower presented the solution as he stated the problem: "The American answer is to do in this field what we have been doing for a long time in other fields. We have helped the states build highways and local farm-to-market roads. We have provided federal funds to help the states build hospitals and mental institutions."<sup>2</sup> The schools could be aided without federal interference in their operation.

Federal aid had been proposed before and had been debated in the 1930's and 1940's, but no bill had been enacted. The biggest obstacle in its path was that federal aid would mean federal control and that was a consequence far too dangerous to be risked. The Republican platform had been clear on this point:

The tradition of popular education, tax supported and free to all, is strong with our people. The responsibility for sustaining this system of popular education has always rested upon local communities and the states.<sup>3</sup> We subscribe fully to this principle.

There were other obstacles. Most important was the issue of aid to parochial schools -- the question<sup>4</sup> on which aid-to-education foundered in 1949. After 1954, with the Supreme Court school desegregation decision, came another issue -- whether federal aid should be given to segregated schools. Finally, federal aid to education was opposed by those who objected on fiscal grounds to any avoidable increase in federal expenditures.<sup>5</sup>

So it was to be a long and tortuous course from the simple problem of a national shortage of classrooms to the equally simple solution of federal aid. When asked by poll takers, the public was overwhelmingly in favor of the general proposition of federal aid to education and most members of Congress, both Democratic and Republican, favored some form of federal aid. Yet it was not until 1963 -- eleven years after Eisenhower expressed "the American answer" to the school construction crisis that the national government passed the Higher Education Facilities Act that opened the door for more extensive aid to education in 1965. This research paper traces the reasons, and answers the question, why there was no federal aid to education passed during the Eisenhower administration and why John Kennedy was successful in having federal aid to education passed by Congress.

## CHAPTER 11

### YEARS OF FRUSTRATION

In his first State of the Union message in 1953, President Eisenhower asked for "prompt, effective help" for the nation's schools through "careful congressional study and action"<sup>6</sup> -- then did not publicly mention the subject again that year. He sent no further message to Congress, transmitted no bill.

Nor did the Republican-controlled Congress attempt anything prompt and effective. The Republicans held no committee hearings and the Democrats, since they did not control the calendar, could only exercise their initiative by attempting to add an education amendment to a high priority administration bill dealing with another issue. They found their vehicle in an "oil for education" rider to the "tidelands" oil bill.<sup>7</sup>

The rider, sponsored by Senator Lister Hill, the Alabama veteran of aid to education battles, provided that federal money from oil leases be placed in a trust fund for subsequent appropriations for education purposes. By this means, such ticklish questions as aid to religious schools were bypassed. The Hill amendment had the endorsement of the National Education Association (NEA), other educational organizations, and

their farm and labor allies. The Republicans contended that the bill added nothing to the power of Congress to appropriate money to aid the schools, which Congress could do any time without a trust fund. The Democrats replied it added something significant, a commitment. The Democrats won in the Senate by a 45-37 vote, by winning nine Republican votes and losing only seven Democrats. But three of the five Senate conferees to whom the measure was entrusted -- Republicans Hugh Butler of Nebraska, Eugene Milliken of Colorado, and Guy Cordon of Oregon -- had opposed the amendment and when the conference committee met, the Senate conferees yielded to the House. Cordon told the Senate they had defended the Senate position vigorously, but Senator James E. Murray of Montana, a Democrat on the conference committee, said he had heard no discussion at all.<sup>8</sup> Murray and Hill sought to send the measure back to conference, but they lost 45-43.

#### The Cooper Bill and the White House Conference

During this period of time the administration was deciding to proposed a White House Conference on Education. Prior to the national conference, which was to be held in late 1955, preparatory conferences were to be held in each State. President Eisenhower saw the conferences as a means of obtaining "the most thorough,

widespread, and concerted study the American people have ever made of their educational problems."<sup>9</sup> To the Democrats and their allies, the conference looked like a scheme for delaying action for three more years while the school crisis worsened.

When Secretary of Health, Education, and Welfare, Oveta Culp Hobby, and Commissioner of Education Samuel Brownell appeared before the Senate education committee on April 2, they testified to a national shortage of 340,000 classrooms -- costing \$10 to \$12 billion dollars -- which, with a school population increase of a million a year, would rise to 407,000 by 1960.<sup>10</sup> A series of caustic exchanges with Senator Hill illuminated the philosophic differences between the administration and the Democratic activists:

SENATOR HILL: It is all good to have conferences but don't you think it is time for action?

SECRETARY HOBBY: If I had thought so, Senator Hill, I wouldn't have proposed the conferences. It is true that there are many types of information in the field of education, but nowhere...have all the problems been pulled together....Some of the problems are in the local school districts, and some of the problems are at the state level. Therefore it seems to us, for the federal government to take a sound position, that there must be some consolidated thinking from the local school board straight through to the state department of education and straight on through to the national government.

HILL: Don't you think in the light of all the information we have that we ought to really be dynamic? The word "dynamic" as I understand it, implies action -- action, moving forward -- not simply

6

killing maybe a year or a year and a half or two years, or longer, holding some more conferences....Don't you agree with what President Eisenhower said on October 9, 1952, that we ought to move forward?

HOBBY: I think there are many ways to define the word "action." I believe we would get action in forty-eight states much faster...if all of the forty-eight states joined in the solution of these problems. Obviously the national government can't solve the educational problems of the nation. I do not believe the people of the United States...want...the federal government to control education....I myself believe that we can solve these problems much faster by getting agreement as to what all levels of government can do....

HILL: I am very, very much disappointed...your own charts today show the crying, compelling need for new school facilities, new school buildings.

HOBBY: That is true....I think we both want to do the same thing....Our approaches are different.

COMMISSIONER BROWNELL: I recognize the concern on the part of the federal government.

HILL: Concern -- you wouldn't use that word "responsibility?"

BROWNELL: ..."Responsibility" is interpreted in a great many ways....One of the things that we have to decide as American people is in what way the federal government proposes to recognize its concern, and, if you please, its responsibility....I don't think that that is very clearly agreed upon...and...that is one of the important reasons for bringing people together in these conferences.

HILL: As the Commissioner of...Education would you not feel that you are in a position of leadership and should accept that leadership of helping to make clear what should be the concern or responsibility of the federal government in the field of education?

BROWNELL: I would hope that the leadership would be not by my telling the people, but by my working with the people to help them to come to what is

a reasonable solution....I wish I thought that I had all the answers, but I am afraid I don't.

HILL: My dear doctor, do you think there is any problem to which we have all the answers.<sup>11</sup>

On the Senate and House floors the Democrats contented themselves with colorful language -- "a pip-squeak program", "altogether unnecessary...talkfests" -- then supported the proposals for the White House Conference, which was held in November 1955.

The Chairman of the subcommittee on education, John Sherman Cooper, Republican of Kentucky, was disappointed in the administration's position. Cooper represented a state where more than half the children were in overcrowded classrooms -- many with more than 50 pupils -- and where over 7,881, of the state's 18,908 classrooms were outmoded or unfit. By national standards, only 122 of Kentucky's school buildings rated satisfactory.

As a result of this disappointment Senator Cooper introduced an emergency school construction bill on July 6, 1953, to provide 500 million dollars in aid to the states over a two year period. At the April hearings he tried to elicit the support of Secretary Hobby but to no avail other than to go ahead and hold the hearings.<sup>12</sup> In the afternoon he was still hopeful: "I am not going to accept the assumption that the President didn't mean what he said....I do not accept the assumption that the administration uses these (the White House Conference



and two minor accompanying bills) as a diversion."<sup>13</sup> Later in April Secretary Hobby made clear that those bills were the entire administration program for that congress. After a discussion in a cabinet meeting she sent to the Senate Committee a report recommending the rejection of Cooper's bill and all other aid to education bills pending the White House Conference.<sup>14</sup> On July 9 the committee reported the Cooper bill unanimously but the Republicans refused to schedule it for action. Twenty organizations, led by the NEA, appealed to President Eisenhower for support but when the President was asked whether he favored the bill or not he replied: "I do not know the details of that particular legislation....I'd suggest you go to Secretary Hobby to find out where we stand....I haven't seen any analysis of these bills."

Finally on August 19, the Senate Republican Policy Committee announced it had cleared the Cooper bill for action. Since the following day was scheduled for adjournment Senator Richard Russell of Georgia made it clear he would delay adjournment and debate the bill if it were called up.<sup>15</sup> Cooper complained of the length of time the bill had lain on the calendar, then concluded: "I want the responsibility to be placed where it belongs -- on the other side of the aisle."<sup>16</sup>



The Hobby Bill, the Kelley Bill  
and the Powell Amendment.

In January of 1955 the President once again called upon the congress for "positive, affirmative action" -- but this time he had a bill.<sup>17</sup> The President in his State of the Union message declared: "Today we face grave educational problems. An unprecedented classroom shortage is of immediate concern to all our people. Positive, affirmative action must be taken now."<sup>18</sup>

But the President could hardly have proposed a bill less likely to obtain action "now." The measure had been worked out by consultants of a New York investment banking community which had been brought into HEW by Under Secretary Nelson Rockefeller. It called for the federal government to assist states in establishing school building authorities patterned after those in Pennsylvania, Maine, and Georgia. These authorities would borrow money to construct schools that would be turned over to local districts on a lease purchase agreement. This, in effect only allowed school districts to receive low interest rates. The Federal government was to provide half the initial reserves of the authorities and guarantee repayment of their bonds. The bill also provided 750 million dollars for direct loans to districts with weak credit ratings, over a three year period, and 200 million dollars for grants over a three year period to the poorest school districts.<sup>19</sup>

To a budget-minded administration this was an extremely good plan. It allowed a large volume of construction with almost no impact on the federal budget. It was estimated that 100 million dollars in federal contributions would support 4 billion dollars in construction. But the plan had two weaknesses. First, it required legislation in each state and second, it had not been drawn up by those who had to go out and win support for it. As it turned out neither the educator who would be affected or the supporter of federal aid in the now Democratic congress liked it.<sup>20</sup>

Edgar A. Fuller, representative of the Council of Chief State School Officers, charged that the bill was drafted "by people who were completely unacquainted with the local state-federal relationship in education....It is fantastically complex and a banker's bill rather than a bill that springs from the understanding that we have of educational finance."<sup>21</sup> He said officials of educational organizations saw the bill only a week or two before it was presented. Fuller read statements of opposition from state after state. Educators did not want to borrow money because in most cases they already had that opportunity. They wanted grants so they could reduce the amount they would have to borrow.<sup>22</sup>

In the House hearing, the estimated classroom shortage was suddenly cut in half. As late as February 9, President Eisenhower had told a news conference that

the classroom shortage was 340,000, the previous year's figure. He said construction rates had risen to 60,000 a year but at that rate we will never get rid of the shortages.<sup>23</sup> But when Secretary Hobby appeared before the House committee, on March 29, she announced that the shortage previously set for 1960 was now estimated at only 176,000. This information was based upon state education authorities in response to a telegram survey. The figures "clearly establish that the classroom situation is improving", she told the committee. Executive Secretary William G. Carr of the NEA could only protest that the new figures could not be verified, because of the lack of detailed data, and in any case a 176,000 room shortage meant 5 million children were ill-housed and 5 billion dollars in construction was still needed. "The case for federal assistance for school construction remains unshaken," he contended.<sup>24</sup>

On the Senate side of the capitol the most important witness turned out to be Clarence Mitchell, director of the Washington bureau of the National Association for the Advancement of Colored People (NAACP). He asked for an amendment requiring that each state, before receiving aid, certify that school facilities in that state had been desegregated in conformity with the Supreme Court decision of the previous year.<sup>25</sup> When Mitchell finished testifying, the issue was dead. Chairman Hill, who

faced a reelection campaign in Alabama the following year, did not schedule an executive session of his committee to consider school construction legislation for the duration of that Congress.

In November, the White House Conference on Education endorsed federal aid for school construction by a ratio of two to one. Of those favoring federal aid the majority favored aid for school construction. Only a small minority opposed federal aid to education in any form. A majority agreed federal aid should be granted "only on the bases of demonstrated needs."<sup>26</sup> The committee in charge of the conference found that of the forty-one states reporting only ten were gaining on their backlog of school construction needs, twelve were holding their own, and nearly half were losing ground.<sup>27</sup>

With this backing -- and a new Secretary of HEW, Marion B. Folsom -- the Eisenhower administration went more than halfway toward the House committee's grants program. It proposed 250 million dollars a year in grants for five years, compared to the committee's 400 million dollars for 4 years. No one was advocating inclusion of private schools in a construction bill and Representative Augustine B. Kelley, a Pennsylvania Democrat and the bill's sponsor, was a prominent Catholic. Everything was favorable except two things: first,

1956 was an election year; second, it was the year of the Southern Manifesto, the resolution of interposition by southern legislatures, the declarations of "massive resistance" to school integration -- and the Powell amendment.<sup>28</sup>

The events of the previous year, when the proposed segregation amendment had immobilized Senator Hill and his Senate committee, made clear the danger. Advocates of federal aid frantically sought to hold their own lines against the amendment, which now carried the name of Harlem's congressman Adam Clayton Powell. Twice in the summer of 1955 President Eisenhower denounced it as "extraneous."<sup>29</sup> The House committee rejected it, 17-10.<sup>30</sup> The AFL-CIO opposed it. The NEA and other educational groups argued that it would "kill the bill", either in the House or through a filibuster in the Senate by southern senators. In the words of Senator Richard I. Neuberger, Oregon Democrat, the amendment would provoke "a bitter and hopeless debate over enforcing an amendment to a bill which would not become law, to restrict the use of funds which would not be appropriated, to prevent segregation in schools which would not be built."<sup>31</sup> Said Powell: "Negro people have waited many, many years for this hour of democracy to come and they are willing to wait a few more years rather than see a bill passed which will appropriate

federal funds to build a dual system of Jim Crow schools in defiance of the law."<sup>32</sup>

When the vote came on the House floor in early July, neither the northern Republicans nor northern Democrats were willing to follow the educational organizations or their own party leaders. From the National Convention of the NAACP came an ultimatum: "Any vote against the Powell amendment is a vote in favor of segregation."<sup>33</sup> For the northern Republican who opposed aid to education in any form, the choice was easy -- they could vote on the side of civil rights and, if it killed the school bill, accomplish that purpose at the same time. But those Democrats and Republicans who supported school aid were forced to choose between objectives -- most chose civil rights. Only 46 of 194 Republicans supported the President's position on that vote, and among the defectors were the party leaders, Minority Leader Joseph Martin of Massachusetts and Whip Leslie C. Arends of Indiana. On the Democratic side the big city delegations were with Powell -- every member from New York. All but one from Chicago, all from Philadelphia, Pittsburgh, and Baltimore and all but two from New England. The lone vote from the Chicago delegation came from that delegations only negro-Democrat William Dawson, who said, "I can never do anything that I conscientiously believe will deprive any child of an education."<sup>34</sup> The amendment

was adopted, 225-192.

Meanwhile, money differences had been ironed out and a compromise accepted. Now only one thing remained, the formula for distribution of funds. Republican Representative Samuel McConnell of Pennsylvania presented a revised version of the administration plan that would give more funds to the poorer states, mainly the South, and requires states to participate in the matching. The amendment was defeated 262-158.<sup>35</sup>

Then the bill was defeated, 224-194. Every vote but one in the eleven southern states was lost.<sup>36</sup> Some of the staunchest of aid-to-education supporters over the years, like Democrats Carl Elliott of Alabama and Brooks Hays of Arkansas, were forced into opposition. Joining them were some border state Democrats, two northern Democrats, and 119 Republicans.

Before and after the vote, recriminations flew. Senator Hubert Humphrey was quick to blame the President. "The White House," he said, "failed to rally Republican votes....A majority of Republicans turned against their own President's recommendation and first voted for inclusion of a civil-rights rider, and then flip-flopped to vote against the final bill....Cynical opponents of school aid have been at work to use us, to split and divide up...."

The President, in the campaign, blamed the Democrats. Only nine Democrats, he pointed out, had supported the



McConnell amendment to revise the formula. Most Republicans voted for it. After the amendment lost he said, "I wasn't doing anything to get their bill through ....I am perfectly ready to stand up and say I take responsibility for not allowing that."<sup>38</sup>

There is no arguing Humphrey's point that the President failed to rally the Republicans. But it is harder to join Humphrey in placing all the blame on the President. Of the two votes to which Senator Humphrey referred, the vote on the Powell amendment was the more critical because if the amendment had not been killed in the House it surely would have precipitated an end of session filibuster in the Senate. On this vote the Democrats were not being rallied either. Could the President fairly be asked to help pass a school bill for which the Democrats would be able to claim most of the credit, by asking Republican Congressmen to vote in a campaign year "in favor of segregation" while Democrats were left free to oppose it?

But the President cannot be wholly credited either. Blaming the Kelley distribution formula for his withdrawal of support and hence the defeat of the bill was an ingenious way of shifting the onus to the Democrats, but it was disingenuous too. It suggested the McConnell amendment to alter the formula rather than the Powell amendment was the key to passage. It also suggested that if the McConnell amendment had been passed, the President



could **and** would have switched at least sixteen Republican votes. This might have been possible but so many of the Republicans were opponents of aid to education in any form, and had been on record for so many years, that it would have taken the strongest leadership from the White House to bring them around. And as James Reston put it, "with his own party divided and wavering on what to do ...did not send a single word to congress during this week's debate."<sup>39</sup>

Among supporters of "action" to meet the "critical" classroom shortage, as the President portrayed himself in his campaign as well as in his memoirs, the President was virtually alone in taking an all or nothing position in his distribution formula. Few others saw the issue as being that significant. The plan in the Kelley amendment had been worked out in bipartisan collaboration in the Education and Labor Committee. Republican Carroll D. Kearns of Pennsylvania called it "the only approach we had which met the approval of all educational interests of America as a fair approach."<sup>40</sup> It was simpler and it involved less federal interference in state financial practices. Republican supporters of aid to schools -- seventy-five in all, or 39 percent of those voting -- were able to back the Kelley bill, on final passage, as better than none at all. For the President to have withdrawn support, upon such a narrow

ground, from the first general aid-to-education bill to reach the House floor in the twentieth century contradicts his self portrait.<sup>41</sup>

No one, at the time, made the point later brought out by J. W. Anderson that the timing of the Kelley bill was fatal because it preceded House floor consideration of the civil rights bill. The Rules Committee had considered both bills on June 14, but it cleared the Kelley bill while only scheduling hearings on the civil rights measure. The Powell amendment, he argues, "could have been defeated only if liberal House members had been given an earlier opportunity to go on record for the more comprehensive administration civil rights program." He holds the conservative majority in the Rules Committee responsible for the order in which the two bills reached the floor. The actions of June 14 were in fact taken by a coalition of liberal Democrats and Republicans who seized control of the committee, but the conservative Democrat Chairman Howard Smith of Virginia, used his position to obstruct the bill he opposed more strongly -- the civil rights bill. Anderson does not argue that the consequences of putting the Kelley bill ahead were clearly foreseen and prearranged by Smith but he reasons that if the Rules Committee had been in friendly hands, the order of consideration of the two bills would no doubt have been reversed and the

Powell amendment would under those circumstances, have been defeated.<sup>42</sup>

In analyzing the defeat, two other factors should be noted. One was the limited popular appeal of the school construction issue. Parents and teachers in areas of overcrowding, notably the suburbs, were expending their political energies at the state level, organizing bond campaigns and appealing for state aid. They were not accustomed to looking to Washington for help in building schools; the Kelley bill was not translated into specific help for local districts, and members of congress, waiting to hear from home, heard little. The voice of the NAACP rang much louder than the voice of the beleaguered school districts. The second factor was the lack of cohesion, discipline, and the influence of the Education and Labor Committee.<sup>43</sup> Some committees, after negotiating the compromises in executive session, then closed ranks to defend their product against amendments offered during floor debate. But the education and Labor Committee had been notorious for carrying its disputes to the floor. Its bipartisan majority worked well in defending the Kelley bill against the traditional charges of socialism and federal control but fell apart on the complex tactical issues presented by the Powell and McConnell amendments.<sup>44</sup>

### The Second Kelley Bill

The 1956 fiasco was repeated, with variations, in the heat of the next summer. President Eisenhower proposed to make up the lost year by compressing his five-year building program into four years and raising the level of annual grants from 250 million dollars to 325 million. The Democrats countered with 600 million dollars a year for six years in a new Kelley bill, whose priority they emphasized by assigning it the number H.R. 1. When the storm broke over the budget, the President stood fast. While emphasizing that federal aid should be temporary, he said of his school bill: "I believe it is a necessity; and the longer it is neglected, the more we will suffer as a nation in the long run."<sup>45</sup>

Assistant Secretary Elliot Richardson of HEW worked with the House sub-committee to bring forth a compromise and within a month they were successful. The 325 million dollars was raised to 400 million dollars, and the disputed formula was resolved by splitting the difference -- half the money to be apportioned by the administration formula and half by that of the Kelley bill. The compromise was approved on May 9 by a strong bipartisan majority of the full committee, 20-9. Representative McConnell said the President gave the compromise his full support and Secretary Folsom said he hoped the President would "get on the phone" on its behalf.<sup>46</sup>

But the President did not do so. Republican leader Martin had said the President was not entirely satisfied

but would accept the bill, and Press Secretary James C. Hagerty had confirmed the Martin statement.<sup>47</sup>

With the House adrift Republican William Ayres of Ohio introduced a substitute bill incorporating the distribution formula the administration had offered the previous year. This met the President's will and removed a Powell amendment offered by Republican Stuyvesant Wainwright of Long Island, an avowed opponent of the bill, in Powell's absence. The Wainwright amendment had been adopted by teller vote 136-105, but Ayres assured the House he would not reoffer it as an amendment to his bill.<sup>48</sup>

Charles Halleck of Indiana, assistant Republican Leader, greeted the Ayres substitute with enthusiasm: "It is President Eisenhower's program, I voted for it last year and I shall support it this year."<sup>49</sup> At this point Democrat supporters of school aid joined the Ayres bandwagon in order to pass a school aid bill. A short time later Representative Howard Smith moved to strike the enacting clause and thus kill the bill. The motion carried on a teller vote 153-126. But there was still time for the President to do something before the vote was confirmed in a roll call but no one could get through to the White House. On the roll call vote the school construction issue was buried for one more year. Among those who voted to kill the Ayres substitute was Halleck,

who had hailed it before the Democrats had made it their own.<sup>50</sup>

McConnell not only failed to get through to the President, but six days later Eisenhower professed that news of the event had not reached him. Told at his news conference that Democrats were complaining that he failed to support his own bill after the Democrats came round to support it, he responded: "I never heard that....If that is true, why you are telling me something I never heard."<sup>51</sup> He went on to say he had never wavered in supporting his school construction proposal, but after sending a program to Congress, "I try to win their votes over but I don't get up and make statements every twenty minutes. I don't think that is good business." Although the bill he thoroughly favored was the Hobby proposal of 1955, he would have signed the committee compromise, he said.

## CHAPTER III

YEAR OF CONSENSUS: THE NATIONAL  
DEFENSE EDUCATION ACT OF 1958

On October 9, 1957 President Eisenhower was asked, in his news conference, what he was going to do about the Soviet Union launching its first Sputnik into orbit. His reply that day did not mention education. But later in two television addresses he referred to the shortage of highly trained manpower in scientific and engineering fields as "one of our greatest, and most glaring deficiencies"<sup>52</sup> and "according to my scientific advisers...the most critical problem of all." The Soviet Union, he said, already had more people in these fields and were producing graduates at a faster rate. Under the menace of orbiting Sputniks, the raucous partnership of school construction debate dissolved, and within a year Congress had enacted the National Defense Education Act.

Congressional consideration of the NDEA began with two bills -- one a Republican bill written within the Department of HEW, the other a Democratic bill written on capitol hill under the supervision of two close friends from Alabama, Senator Hill and Representative Elliott. Both bills provided scholarships for college students, with preference to defense related fields,

and assistance to educational institutions to improve instruction in those fields.<sup>53</sup>

On the administration side, the origins of the NDEA could be traced back as far as 1955 to the White House Conference on Education. A year before the White House Conference, President Eisenhower himself had advanced the idea of scholarships. Asked in a news conference about the Soviet Union's outstripping the United States in training scientists, the President responded, "Here is one place where the government should be very alert, and if we find anything like that...I believe the federal government could establish scholarships.... I am just saying what could be done, and possibly, will have to be done. I don't know."<sup>54</sup>

When it was decided to limit the White House Conference to elementary and secondary education, those interested in higher education proposed a separate study. The President responded by creating a President's Committee on Education Beyond the High School, headed by Devereux C. Josephs, a life insurance executive and former president of the Carnegie Corporation, and the question of federal scholarship became part of its agenda. That committee estimated 100,000 able high school graduates did not continue because of financial reasons but recommended that the government stay out of the scholarship field until other sources



had a fair trial to see if they could multiply existing scholarship funds several fold.<sup>55</sup>

In June 1957, as soon as the Josephs report was available, Secretary Folsom appointed a task force within HEW headed by Commissioner of Education Lawrence Derthick to review its recommendations and draw up a legislative program. Rejecting the caution of the Josephs Committee, the task force proposed federal scholarships. It also emphasized the early identification of talent through testing and guidance in the secondary schools. The Derthick program was in draft form at the time of Sputnik. At this time, a new major program was developed for grants to the states to improve high school instruction in mathematics and science.

On the congressional side, support for a program of federal scholarships had been steadily rising. Early in 1956 Democratic Representative Melvin Price of Illinois, chairman of a Joint Committee on Atomic Energy subcommittee, warned "that the United States was in danger of falling behind the Soviet world in a...life and death field of competition" and called for a "crash program" for the training of scientists and engineers.<sup>56</sup> The following year, more than a dozen scholarship measures were introduced in both Houses, and Representative Elliott, the sponsor of one of them, scheduled a

series of Washington and field hearings during late summer and fall. It was in the midst of these hearings that the news of Sputnik came.

On that date, Lister Hill was in Berlin. When he returned, he told a staff group headed by John S. Forsythe, committee counsel, to assemble a bill that, besides linking education to defense, would "steer between the Scylla of race and the Charybdis of religion."<sup>57</sup> This they did using pieces of information from scientists and educators and taking what they liked from the administration bill that Elliot Richardson, who was assistant Secretary of HEW, supplied them. In accepting the title of "national defense education act" Hill felt his colleagues would not dare vote against a bill that contained both national defense and education.

The administration bill, called the "educational and development act of 1958", was introduced on January 28 by Senator Alexander Smith of New Jersey and Representative Carroll Kearns of Pennsylvania. Two days later, Hill and Elliott introduced the national defense education bill. The Democratic bill was more generous in student aid provisions, the Republican bill was more generous in aid to schools. The Hill-Elliott bill called for 40,000 new four year scholarships a year, at a flat \$1,000 stipend; the administration bill provided

less than one-fifth as much money for the program and perhaps only one-third as many scholarships because their stipend was based on need. The Hill-Elliott measure also authorized 40 million dollars a year for student loans and 25 million dollars for work study programs. For graduate fellowship the administration provided a slightly larger program.

Both bills authorized funds, to be matched by the states, for improvement of guidance and counseling in the secondary schools and for the training of counselors. In aid to the states for improvement of instruction in defense related fields, the administration bill provided 150 million dollars a year and permitted aid for teacher salaries, while the Democratic measure provided only 40 million dollars for restricted use to purchase equipment and minor remodeling of facilities.

The two bills by no means met with universal acclaim. The NEA, in December, had proposed a general aid bill both for school construction and for raising teacher salaries, providing 1 billion dollars the first year and 4.5 billion dollars by the fourth year, and was rallying professional support behind it. Congressional supporters of federal aid were cool to the long term and technical nature of the educational development bill; they wanted something spectacular now to cope with the challenge

of sputnik. But these critics had no choice; they knew that they would get, in 1958, a combination of the Hill-Elliott and administration bill or nothing.

Scylla and Charybdis were successfully skirted. The NAACP<sup>58</sup> proposed a "Powell amendment" but it was not pressed. Protestant and Other American United for Separation of Church and State were afraid that scholarships for use in sectarian institutions of higher education might set a precedent for similar scholarships in elementary and secondary schools. They were also apprehensive at the eligibility of private colleges for teaching equipment and materials.<sup>59</sup>

When Senator Purtell offered an amendment suggested by the National Catholic Welfare Conference authorizing loans to private schools for teaching equipment it was accepted by committee without opposition and survived unnoticed through the floor debate.

By midsummer the two committees, working with rare harmony, produced their separate compromises and approved them by lopsided bipartisan majorities. Only three of the House committee -- Republicans Ralph Gwinn of New York, Clare E. Hoffman of Michigan, and Donald Nicholson of Massachusetts -- signed a minority report. Of the Senate committee, only Barry Goldwater, Arizona Republican and Strom Thurmond, then a Democrat, of South Carolina, said it went too far.<sup>60</sup>

The debate, in both Houses, centered on the student aid provisions. Republican members of the committee had taken the precaution of checking the amended bill with President Eisenhower and he had found two objections -- the number of scholarships had been increased by the committee compromise and half the stipend, or \$500, was to be granted regardless of need. The members of the bipartisan bloc agreed to yield to the President's terms, and the changes were made in the House bill when the debate opened. With that change, Representative Wainwright assured the House that "the President supports" the bill.<sup>61</sup> The amendment carried on a division vote, 109-78. The Senate accepted, 46-42, an amendment by John Sherman Cooper, Kentucky Republican, limiting scholarships to \$250 a year, with any aid above that amount in the forms of loans. In the Senate-House conference, the Senate gave up the truncated scholarship program entirely.

What began as a scholarship bill, now devoid of scholarships, breezed through both Houses. The vote was 62-25 in the Senate and, on a recommittal motion, 233-140 in the House. Comparing the House vote on the NDEA with the vote by the same Congress to kill the school construction bill in 1957, the major difference lay in the return of thirty southern and border state Democrats to the support of aid to education. Folsom and his staff, as well as Hill and Elliott, had entreated

the liberal forces not to kill this bill with an anti-segregation amendment, and Powell had responded by agreeing to limit his anti-discrimination amendment to the student aid provision of the bill, to which nobody objected; he did not propose to disqualify segregated schools from the school aid provisions. The Republican vote showed a net shift of five members to the favorable side, but a majority of Republicans were still in opposition, 95-86. In the Senate, a clear majority of both parties supported it.<sup>62</sup>

The NDEA asserted, more forcefully than at anytime in nearly a century, a national interest in the quality of education that the states, communities, and private institutions provide. "The Congress hereby finds and declares," said the preamble to the act, "that the security of the Nation requires the fullest development of the mental resources and technical skills of its young men and women....The national interest requires...the federal government give assistance to education for programs which are important to our national defense."

The NDEA experience demonstrated how a consensus for national educational legislation could be formed. ONce these thresholds were crossed other and bolder measures could, and did, follow. But before they followed, several more years of frustration were to intervene.<sup>63</sup>

## CHAPTER IV

### MORE YEARS OF FRUSTRATION

In August of 1958 Arthur S. Fleming became Secretary of HEW. This was a very inopportune time for an advocate of aid to education to take over. The NDEA had done nothing to solve the school construction crisis. The backlog of school building needs remained. But politics resumed with double force when once again the question of general aid for construction or teacher salaries was again considered.

#### The Fleming Bill and the NEA-Democratic Alliance

In the 1958 campaign President Eisenhower centered his attack on what he called the spending wing of the Democratic party. At the same time he told all departments to hold down their spending proposals for the coming year. So when the 1959 education bill was put together the ground rules were clear -- whatever was done must be accomplished, for the most part, outside the budget. Moreover Elliott Richardson, who was putting the new education bill together, was convinced the construction crisis had been elevated to college and university level and a public school law similar to the one in 1957 would leave nothing for higher education. The compromises

he had negotiated with the House committee in previous years were now out of the question, and he launched a search for alternatives. Out of this search came a complicated proposal to offer federal grant assistance to needy districts -- those that could not finance, with a reasonable tax effort, their own schools -- but to spread the budgetary impact over twenty to thirty years by letting districts borrow and then making an annual federal contribution, matched by the state, to debt repayment. Even this proposal violated the President's "no spending" edict, but with help from Vice President Richard M. Nixon -- who argued in cabinet meeting that the Republican party could not go into a Presidential campaign with no education program at all -- Fleming won the President's grudging assent. This proposal was submitted to congress by Fleming, unheralded by any word of support in any presidential message. This was the first time since 1954 that the President had not personally recommended an education bill -- "a visible waning of support" in Representative Udall's words, that was noted by Republicans as well as Democratic members.<sup>64</sup>

Virtually isolated within the administration, Fleming was even more isolated on Capitol Hill. Still smarting from the President's campaign attacks on spending, and built up by their landslide victory and by repeated polls showing strong support by the public for federal aid to education, the Democrats in congress had no intentions



of accepting a program that balanced the President's budget by spreading the spending out over twenty or thirty years of his successor's budgets. On the floors of both Houses and in hearings they ridiculed the measures as an unworkable subterfuge.<sup>65</sup> As in 1955, educational organizations could see no merit in it. Among the dwindled ranks of Republicans, some sought a bill along the lines of the 1956-57 compromises while a large bloc wanted no legislation at all. That left only a handful of Republicans -- who under the circumstances were without influence -- to fight for Fleming's measure.

The majority of Congressional Democrats had joined in open alliance with the NEA -- which could claim to speak for over 700,000 voting teachers. Two Montana Democrats, Senator Murray and Representative Lee Metcalf, had introduced the NEA's bill for a multibillion dollar program of aid for school construction and teachers' salaries, and that bill was rapidly achieving the status of a party program measure among northern and western Democrats. Metcalf had told the NEA convention in 1958 that if they were to get any federal legislation they would have to enter the arena of political action. He also told them they had been bested by the U.S. Chamber of Commerce because the businessmen had actively supported congressmen who opposed federal aid while too many

educators took the "peculiar attitude...that political action is somehow not a proper activity of good citizens."<sup>66</sup> The NEA accepted the challenge. More vigorously and systematically than before, it identified to its members the congressional "friends" and "enemies" of the Murray-Metcalf bill. Their bill, because it gave the states the option of using part or all of their federal funds to raise teacher salaries, had far more appeal to NEA's membership than did the earlier Kelley "construction-only" bills. Congressmen began receiving mail from teachers and their local organizations and one by one the supporter of school aid became committed to that specific measure.<sup>67</sup>

In June 1959 the House Education and Labor Committee reported the Metcalf bill, scaled down to about 1 billion dollars a year, as strictly Democratic measure opposed by all the committee Republicans.<sup>68</sup> Senate committee Democrats were, however, split. Four, along with Republican Cooper, had joined Murray in sponsoring the NEA measure. But others argued that only a construction bill could be passed; the National Catholic Welfare Conference had made clear that aid for teacher salaries would raise the issue of aid to private schools which the temporary emergency construction measure had successfully skirted.<sup>69</sup> Chairman Hill felt that aid for teacher salaries would also raise the "aid to segregated

schools" issue. Until he was sure his view would prevail, he did not call a meeting of his committee. Finally, as the session approached its end in September, the committee did meet and approve, by the vote of all Democrats and three Republicans a 1 billion dollar construction bill sponsored by Senator Patrick McNamara, Michigan Democrat.

The House Democrats who reported the Metcalf bill knew it had no chance of clearing the Rules committee. Solid Republican opposition in the Education and Labor Committee assured equally solid Republican opposition in the Rules Committee and without at least one Republican vote the bill could not win approval, since two of the eight to four committees, Chairman Smith and William Colmer of Mississippi were sure to vote against any general school aid bills. So the bill languished in Rules for the remainder of the year,<sup>70</sup> and when Congress adjourned, Cleveland Bailey (Democrat from West Virginia) the subcommittee chairman, set out to draft a measure that would win enough bipartisan support to pass both Houses and win President Eisenhower's approval.

In March, Bailey brought forth his compromise -- a three year emergency, construction-only measure like those of 1956 and 1957, but each state was given a choice between receiving funds as flat grants or as federal commitments for debt service on the pattern of the administration bill. He claimed no administration support

and only Representative Peter Frelinghuysen of New Jersey among the Republicans voted for the bill in committee. While the House committee was reversing its field to exclude teacher salaries from its bill, the Senate had moved in the opposite direction. The NEA made it clear they would not support any bill that did not contain funds to increase salaries of its members. Calling the McNamara construction bill "unwise and unsound" and opposing the administration bill outright, the NEA promised that any bill that did not include the principles of the Metcalf bill it would "endeavor to make it a major issue in the political campaign of the 1960's so that the American people may again express their mandate for the enactment of such legislation in 1961."<sup>71</sup>

Senate Democrats relished the idea of entering the 1960 campaign with three-quarters of a million teachers on their side. Senator Joseph Clark of Pennsylvania agreed to sponsor an amendment to revamp the McNamara bill on the lines of the Murray-Metcalf measure by permitting the bill's funds to be used for both teacher salaries and school construction. Without difficulty, he lined up twenty-one Democratic co-sponsors.<sup>72</sup> When the roll was called on the amendment the vote was tied 44-44, and Vice President Richard Nixon ultimately cast the deciding vote in opposition. The vote solidified the Democratic-NEA alliance. Only five of the thirty-

two Republicans voted for the Clark amendment, while the northern and western Democrats were unanimous except for J. Allen Frear, Jr. of Delaware, Carl Hayden of Arizona, and Frank Lausche of Ohio.

In the debate on the amendment the Democrats accepted also a new rationale for federal aid to education. The Clark amendment was not premised on the assumption that the federal government could solve the school crisis by putting money into construction for a few years and retreat to its previous position of unconcern. State and local debt, Clark pointed out, had more than quadrupled in the thirteen years since 1946, rising from 13.6 billion dollars to 55 billion dollars while the federal debt had risen only 4 percent. Without federal aid, Clark contended, the states and localities could not raise the 1.5 billion to 2 billion dollars additional required every year for the next ten years.<sup>73</sup>

After Nixon's vote killed the Clark amendment, Senator A. S. Mike Monroney, Oklahoma Democrat, came forward with a modification that would reduce funds by 20 per cent and authorized the program for four years only. These concessions picked up support from seven Democrats, including Lister Hill, and three Republicans. In this form the bill was passed.

At the House end of the Capitol, it required a threat by school aid supporters to resort to "calendar Wednesday"

procedures<sup>74</sup> before Howard Smith would agree to call a meeting of his Rules Committee to consider the Bailey construction-only bill. When the committee met the balance had shifted just enough to clear the bill; one Republican, Carroll Reece of eastern Tennessee, who had heard from the educators of his district, voted with the pro-aid Democrats to provide a 7-5 majority for sending the bill to the House floor.<sup>75</sup> A Metcalf amendment to substitute the Senate-passed bill, with the funds cut in half, was ruled out of order as not germane. The Powell amendment was adopted. As in 1956, Republicans who had supported the Powell amendment then voted to kill the bill. But this time they lost. The bill passed, 206-189.

For the first time in the twentieth century, then, both Houses of Congress had passed a general aid to education bill. It was clear what the compromise would be: the Senate would drop the teachers' salaries provision and the House its Powell amendment. But the conference never convened, the House Rules Committee refused permission -- thus overriding the expressed will of both Houses.<sup>76</sup>

Several factors influenced the Rules Committee decision. One, the Republicans would accede only if they were assured the bill reported from conference was one the President could sign; otherwise they would suffer a

Presidential veto of an education bill at the outset of the 1960 campaign. Two, the Powell amendment was yet unresolved, and a third factor was the lukewarm support of the bill by the NEA.

The Kennedy Program --  
and the Church-State Issue

As the 1960 campaign progressed Senator John Kennedy exploited the education issue with increasing zest. In speech after speech he read the record of Republican votes against school construction bills, climaxing each by denouncing the vice presidents' "tie-breaking vote killing a Democratic bill giving the states money to increase teachers' salaries." In the first Kennedy-Nixon debate Nixon was asked about that vote, "We want higher teachers' salaries; we need higher teachers' salaries," Nixon responded, "but we also want our education to be free of federal control. When the federal government gets the power to pay teachers, inevitably, in my opinion, it will acquire the power to set standards and to tell the teachers what to teach." Not so, said Kennedy in rebuttal; the amendment had proposed aid "without any chance of federal control" because the money was paid in a lump sum to the states.<sup>77</sup> The NEA stopped just short of endorsing Kennedy, giving wide distribution to literature that made clear that Kennedy supported the NEA position on federal aid while Nixon



did not. At the close of the campaign, Kennedy devoted an entire speech to education, "boldly promising that in 1961, a Democratic congress led by a Democratic President would enact a bill to raise teachers' salaries..." as well as pass "an adequate bill for school construction."<sup>8</sup>

But this was not to be. The debacle of 1961 was a worthy successor to those of 1956, 1957, and 1960. The legislative process depends upon the willingness to compromise but keeping room to maneuver in consensus-building, and by 1961 important forces had become "locked in" to fixed and diametrically opposed positions on an issue that had been prevalent during the 1950's -- aid to parochial schools.

Because he was the country's first Catholic President, Kennedy was locked in from the beginning. He had told the Greater Houston Ministerial Association: "I believe in an America where the separation of church and state is absolute -- where no Catholic prelate would tell the President (should he be Catholic) how to act.... -- where no church or church school is granted any public funds or political preference." After the campaign, in which Kennedy's Catholicism had been an important issue, Kennedy remarked that if the unwritten law against a Catholic president was to be repealed or just temporarily set aside would be determined by his administration. If he yielded to the church hierarchy in the conduct of his



office, the religious issue would be used in the future against any future Catholic candidates.<sup>79</sup> Accordingly, when he sent his education bill to Congress on February 20 -- essentially the construction-salary bill passed by the Senate in 1960 scaled down to 2.3 billion dollars over a three year period -- he was categorical; "In accordance with the clear prohibition of the Constitution, no elementary or secondary school funds are allocated for constructing church schools or paying church school teachers' salaries."<sup>80</sup>

But the Catholic hierarchy had been likewise locked in. During Eisenhower's period the religious issue had not played an important part as long as legislative activity had been confined to short term aid for school construction; but now with a possibility that a president strongly committed to school aid might succeed in inaugurating a permanent and growing flow of federal funds to education, the church, with stakes so high, moved rapidly to rally its political position. Three days before the inauguration, Francis Cardinal Spellman of New York denounced the recommendations of President-elect Kennedy's task force on education, which proposed aid only to the public schools, as "unfair", "blatantly discriminating", and "unthinkable," as making Catholic children "second class citizens", and as embodying "thought control" by compelling a child "to attend a state school as a condition for sharing in education funds."<sup>81</sup> On March 1 the NCWC

declared its opposition to any federal aid program "which excludes children in private schools."

Reacting to the Catholic demands, non-catholic organizations quickly became locked in also. On February 22 the general board of the National Council of Churches, whose constituents claimed 38 million members, adopted a statement saying: "We do not...consider it just or lawful that public funds should be assigned to support the elementary or secondary schools of any church. The assignment of such funds could easily lead additional religious or other groups to undertake full scale parochial or private education with reliance on public tax support."

The two parties in the Congress also had taken fixed and irreconcilable positions on aid for teacher salaries. Once aid for teacher salaries became a major partisan issue, Democratic and Republican campaigns became committed to their respective presidential candidates. Even the bipartisanship of 1956 and 1957 in the House was impossible now. The Democratic bill had to aid salaries as well as construction, and that assured the administration a solid bloc of opposition no matter how it might resolve the religious controversy.

President Kennedy was surprised and irritated at the attack on his program by his own church. "I do not recall that (during the Eisenhower administration) there was a great effort made...to provide across the board

loans to an aid to education bill," he complained to a news conference, "and I am concerned that it should be made an issue now in such a way that we end up the year with, again, no aid to secondary schools."<sup>82</sup> He also made clear that if Congress wanted to consider the question it should be in a separate bill.

While Catholic and non-Catholic wrote their congressmen the administration sought a way out of the dilemma. HEW Secretary Abraham Ribicoff and Special White House Counsel Theodore Sorensen opened conversations, through an intermediary, with the bishops, and out of these talks a strategy emerged: the public school bill would proceed as planned, but the Congress -- not the President -- would initiate a private school loan program as an amendment to a measure extending the life of the NDEA. The act had already breached the aid to education barrier in providing loans for equipment for science, mathematics, and foreign language teaching, and the new program merely extended the aid to the construction of facilities for the same purpose. An HEW brief had indicated aid in this form would be constitutional. Accordingly, on April 24, President Kennedy formally recommended the extension of the NDEA, with pointed suggestions that "it is also appropriate that Congress consider other proposals" as amendments. But the Catholics were not ready to compromise on any terms that provided their aid in a separate bill from the one that carried aid for the public schools.<sup>83</sup>

Ribicoff swung over to their side. On the day the debate opened in the Senate, May 16, he and Lawrence O'Brien of the White House legislative staff, supported by Majority Leader Mike Mansfield of Montana, argued for combining the two bills. But Wayne Morse of Oregon, the President's manager of the public school bill, felt such a tactic presented the greater danger, and the two bill strategy prevailed. Senator Morse then skillfully steered the public school bill to passage, 49-34.

In the House the intransigent positions of the opposing religious group were reflected far more sharply in the position of individual members than was the case in the Senate. Hugh Douglas Price has suggested the basic reason: almost every senator, save those in the South and one or two western states, must represent both Catholics and Protestants, but many House members have constituencies made up almost wholly of one or the other religious group. Thus, on the parochial school issue, "compromise was accomplished within most senators themselves, but would have to be negotiated between members in the House."<sup>84</sup> The Boston district represented by Majority Leader John McCormick was almost wholly Catholic, the rural district represented by Speaker Sam Rayburn almost wholly Protestant. As it developed, more significant was the fact that three of the eight-man administration majority on the Rules Committee were Catholics representing heavy Catholic districts (James

Delaney of Queens Borough, New York City; Thomas P. O'Neill, Jr. of the Boston-Cambridge district once represented by John Kennedy; and Ray Madden of Gary, Indiana) while three others were Protestants from southern districts with few Catholics and strong sentiment against aid to parochial schools (Jim Trimble of Arkansas, Homer Thornberry of Texas, and Carl Elliott of Alabama). Even a House member who becomes majority leader still represents his district -- it was McCormick who assumed generalship of the legislators seeking aid for parochial schools.<sup>85</sup>

The House Education and Labor Committee approved the public school bill in May, with the Republicans now unanimous in opposition. The apportionment formula was revised, but the committee avoided every other hazard. Powell led the fight against the Powell Amendment, this time sponsored by Representative Frelinghuysen. Now the spotlight was centered on the fifteen members of the Rules Committee. Representative Delaney and O'Neill first voted with the seven opponents of federal aid to delay action until the NDEA bill with its private school loan provision was ready for action. But on July 18, when the latter bill was also before the Rules Committee, Delaney cast the deciding vote with the opposition coalition to kill them both. Describing the loan program as "just a little bit of a sop" for the Catholics, he demanded a truly "nondiscriminatory" grant bill. More-

over, he had no confidence that, if he approved the public school bill, the private school-NDEA bill would survive as a separate measure. Many members were happy to be relieved of their responsibility of recording their votes on the two bills, which by then produced hundreds of thousands of messages to representatives from their constituents.<sup>86</sup>

In an attempt to salvage something, the administration retreated to a 1961 version of the old Kelley bill -- a one year program of aid for school construction, but not for teacher salaries -- and its sponsors on August 30 attempted "calendar Wednesday" procedures. But this was a bill almost nobody liked. "Woefully inadequate," the NEA called it. The Republicans, former supporters as well as consistent opponents, saw no reason to back it. The solidification of their opposition, as compared with previous votes on school bills, made the difference. Only 6 of 166 Republicans voted to take up the bill (compared to 44 of 136 voting for the school construction bill in 1960). The Democrats managed to attract 17 southerners who had voted against the 1960 bill -- while losing 6 non-southerners (only 2 of them Catholics) -- but it was not enough. The Republican southern Democratic coalition prevailed, 242-170, on a vote not to take up the bill on the House floor.

The following year President Kennedy went through the formality of again recommending his school legislation. But nobody had any stomach for another round of religious

warfare. Neither committee gave the matter any serious consideration.

What kind of measure could the President have battled successfully? It is hard to say. It probably would have embodied the President's "national" view of the matter. Yet the President tried two different positions, each presumably a "national" view. He began by offering the Catholics nothing; some Catholic responded by demanding equal treatment, others by asking for something. He then offered them something -- and only intensified the Protestant insistence that the Catholics be given nothing, while leaving the Delaneys among the Catholics still demanding equal treatment. The switch of positions did not help, and laid his administration open to charges of duplicity and ineptness, but it is not clear how remaining adamant in the original position would have succeeded either. Every president has found that there are limits to the effectiveness of the tactics of pressure and coercion that Hugh Douglas Price suggests Kennedy could have used successfully; they were at least tried, without avail, on Delaney. Perhaps a Protestant president-elect, if he could have anticipated the fury of the religious controversy, would have been able to find and include in his original program the something that would satisfy the preponderance of Catholics while not arousing the preponderance of the Protestants. This had been accomplished, after all, in the National Defense



Education Act. But the something could only have been found through conversations with the interested parties, including the Catholic bishops, and how could Kennedy begin his tenure as the first Catholic president by opening negotiations with the hierarchy over ways to breach the wall of separation between church and state? Moreover a bill that could have averted the religious quarrel would, in all probability, have had to be a measure other than the NEA general aid bill to which the Democratic party had become wedded.<sup>87</sup>

Perhaps the fairest judgment as to who was to blame was that the 1961 experience was both unavoidable and necessary. For the leadership on all sides -- Catholic, Protestant, NEA, tacticians in the administration and in Congress -- and for the supporters of school aid among the general public the 1961 debacle was chastening ordeal from which they gained both wisdom and humility. It shattered locked-in positions and gave all parties room for maneuver in designing a school aid measure that could win under a protestant President.



CHAPTER V  
THE EDUCATION "CRISIS" REACHES  
COLLEGE (1956-62)

When Devereux Josephs assembled his committee on Education Beyond High School, in 1956, most members were predisposed against any massive federal intervention in the field of higher education. Enlargement of the federal government and its budget had very little appeal to them which had been the same to other groups of Eisenhower appointees. But when they finished their work they recommended grants by federal government for construction of classrooms, laboratories, libraries and other facilities at colleges and universities throughout the country.

What converted them? Those who were involved in the committees' work simply answered "the facts". With help from the American Council on Education and its constituent organizations representing Colleges and Universities, the committee projected future costs based on college enrollment and found that would rise from 3 billion dollars a year to 7.5 billion by 1970. They then appraised the potential support from all sources -- state, local governments, private gifts, endowment earnings, student fees. After making maximum allowance for increase in support from these sources, they found a gap remained, and only one additional source remained -- federal aid.

Josephs started out quite negative to the idea of federal aid but his conversion took place in the committee meetings in front of all other members. When he swung over, so did the other members who were open-minded.

"The gap between the nation's educational needs and its effort is widening ominously," the committee reported in its summary report in 1957.<sup>88</sup> It did not measure the gap that should be filled by federal funds, but it was specific as to its priorities and purposes. The highest priority was raising faculty salaries. Here federal aid should be achieved through tax credits to encourage private gifts rather than through direct grants, since grants carried the possibility of federal control. The second priority was construction and remodeling of facilities, estimated to cost about 1.3 billion dollars annually throughout 1970; for this purpose federal matching grants similar to those provided for hospital construction should be authorized to assist as many types of non profit higher education institutions as possible. The third priority was aid to students, however, federal action in this case should be deferred to give other sources of support a "fair chance."<sup>89</sup>

#### The Clark Bill -- and Two Eisenhower Vetoes

When it became clear that the administration did not intend to act on the Josephs committee's proposal for aid to colleges, Senator Clark of Pennsylvania moved into the

vacuum. Clark's approach was to make available for academic buildings the assistance of the well established college housing loan programs, under which public and private institutions had borrowed nearly a billion dollars at low interest rates for dormitories and related income-producing facilities. If the government could lend for buildings in which students ate and slept, why could it not lend for buildings in which students were taught. Moreover, as a member of the housing subcommittee, Clark was in a position to pilot such a program through the Senate.

Clark introduced a bill authorizing 250 million dollars in loans, at the college housing interest rate (about 3 per cent) for terms up to fifty years, and had no difficulty incorporating it as a section of the housing bill of 1958. During debate on the Senate floor not a voice was raised against it.<sup>90</sup> But when the bill reached the House floor in August, Democrat Albert Rains of Alabama, chairman of the housing subcommittee, said he was "astounded that this new proposed program has touched off so much opposition,"<sup>91</sup> though he did not specify its source. In the debate, which centered on the broad issue of "spending", the section came in for no particular attention. But in any case it lost when the House fell short, 215-134, of the two thirds margin to suspend rules and pass the housing bill.

The vote demonstrated that a college aid program, in

the form of loans, could pass both houses on the initiative of members of Congress alone, without the support of the administration or any organized and unified backing from the institutions of higher education. In general, the private colleges looked favorably upon a loan program, but the public institutions sought grants and were skeptical of loans. Since the public institution could not commit their legislatures to pay off the loans, the cost of amortization might have to be placed upon student fees, and the students would ultimately pay for their academic buildings, just as they had paid for their housing.

By next year the higher education organizations were willing to accept what Congress was willing to do. The five major organizations went formally on record as favoring the loan program. The private colleges endorsed it with strained enthusiasm; the public colleges went along with it out of a spirit of fraternity since they did not intend to use very much of it. The Office of Education was emboldened by congressional attitude and incorporated a loan program in its legislative proposal for the new Congress. This was the year, however, when Secretary Fleming was restricted to his ill-fated debt service proposal for assisting elementary and secondary school construction; his proposal for aid for college construction emerged as a parallel debt service plan -- calling for grants of 500 million dollars over a twenty

year period to help the institutions pay off private loans -- and met the same hostile reception by the Democratic Congress. The higher education community was cool to the Fleming bill, some of its spokesmen wary of the church-state issue that would be raised by grants to private schools. For more than a year neither education subcommittee even bothered to call a hearing on the Fleming bill. Instead, the Democratic-controlled Congress again incorporated in its housing bill a reduced version of the Clark college loan program that both houses had approved in 1958.<sup>92</sup>

Unfortunately for their plans, the housing bill as a whole became the focus of the spending debate of 1959. Twice Eisenhower dramatized his views on spending and inflation by vetoing Democratic housing bills, and finally the Democrats capitulated by passing a scaled down third bill which he accepted.

In vetoing the first housing bill as "extravagant" and "inflationary," President Eisenhower included the 62.5 million dollar college loan program among those provisions to which he objected. Because the loans would be made at "subsidized interest rates" he argued, they would "substitute public for private financing."<sup>93</sup> But, in putting together a second bill, the Senate housing subcommittee refused to strike the program entirely; it merely cut the figure by 20 per cent, to 50 million dollars. The administration made clear, through Senator Prescott

Bush of Connecticut, that the college loans were one of the two or three most objectionable features of the bill. On the issue of public as against private financing Senator Morse protested: "we have never yet evaluated the educational system on a profit motive basis....Whether any profit is derived from them (the classrooms) is far less important than whether they are actually built in sufficient number."<sup>94</sup> A motive to strike was defeated in the Senate, 53-40, with only three Republicans supporting the program and two non-southern Democrats against it. In the House, a similar Republican motion was defeated by a teller vote, 146-133.

In his second veto message, Eisenhower condemned the program directly and sharply. It would, he said, tend to displace the investment of private funds in these projects.<sup>95</sup> After their third housing bill the Democrats tried no further.

Fleming made a final appeal to Eisenhower, in August, to support a program of matching grants, but was rebuffed. The two-year struggle had simply enabled both parties to add to the image they sought to establish for the 1960 campaign: the Democrats as champions of federal action to meet national problems, the Republicans as enemies of "spending" and "inflation".

#### The Colleges' Bill and the NEA

During the fall of 1960 the major organizations in the field of higher education finally hammered out a

consensus on a construction program, in a series of meetings convened by the American Council on Education. "All the major studies," the conferees agreed, "show that after traditional sources of income, including student tuition and fees, have been stretched to the limit, there will still be a large gap that can be filled only by greater support from the federal government."<sup>96</sup> In a spirit of live and let live, the public and private institutions joined to support both grants and loans, with each institution to choose its form of aid. They recommended 1 billion dollars a year in federal funds, 70 per cent for loans and 30 per cent for grants, as the federal share of construction needs estimated to total about 2 billion dollars a year. President-elect Kennedy's task force on education, headed by Frederick Hovde, president of Purdue University endorsed the same plan but under pressure from Kennedy's staff suggested the authorization be held to 500 million dollars the first year.<sup>97</sup>

The new President was just as locked in politically on grants to Catholic colleges as on grants to parochial schools. He proposed only the simple loan scheme of 1958-59, still further reduced to 300 million dollars, and another try for federal scholarships. The Association of Land-Grant Colleges and State Universities in its newsletter said Kennedy's program showed "little relationship to the basic needs of higher education at this juncture



in history."<sup>98</sup> A matching grant program was a "must", testified Arthur Fleming, now enjoying a President he could quarrel with publicly; "I cannot understand why the administration did not recommend such a program."<sup>99</sup>

To the higher education community and its supporters the word was passed that what the President could not initiate, Congress could. Among those who got the message was Representative Edith Green of Oregon, chairman of the special subcommittee on education. When the bill emerged from her subcommittee, 60 per cent of the 300 million dollars had been converted from loans to grants, and in this form the measure reached the Rules Committee. The Education and Labor committee said flatly that the changes had the approval of the administration.<sup>100</sup>

No education bill could have gone further in assuring equal benefits for Catholic institutions, yet when Representative Colmer moved in the Rules Committee on July 18 to kill the elementary and secondary school aid bills, he included the college bill as well -- and Representative Delaney voted for the motion. The administration and Mrs. Green felt that the bill had met its death as an innocent bystander in the feud over the other measures and determined to try again, but in 1962 when tempers had cooled.

Mrs. Green's new attempt came when Congress reconvened in January 1962, and within three weeks of the opening session the college aid bill reached the House floor.



Impressed by the near unanimity of the quarrelsome Education and Labor Committee (the vote had been 22-6 according to chairman Powell) and among institutions of higher education, both public and private, the House passed the measure by an overwhelming vote of 319-80. The conservative leadership, including Minority Leader Halleck and Chairman Smith of the Rules Committee, voted with the liberals. Edith Green assured her questioners that there were many precedents for federal grants to church-related colleges, such as research grants from the National Institute of Health and the National Science Foundation, and the religious issue kindled barely a flicker of the fire that had consumed the elementary and secondary school bills a few months earlier.

The Senate made only one significant change in the administration bill -- the addition of a 50 million dollar annual grant program for public two-year community colleges, originally proposed by Senator Clifford Chase, New Jersey Republican. In a debate no less placid than in the House the measure passed, 69-17. An amendment to limit construction loan -- only to public institutions was defeated. An amendment to convert the scholarships into loans, similar to the one that had carried the Senate by a four vote margin in the NEA, lost this time, 50-37. The shift came about because of the 1958 election. Senators who voted on both occasions split their vote exactly the same, but new Democratic senators cast eleven

votes in 1962 -- and all were in favor of scholarships.

The two bills passed so easily and with such bipartisan support would appear to be easily compromised. Yet this was not to be. For three months the House Rules Committee refused to let the House bill go to a Senate-House conference. Finally after getting a promise by the House conferees that they would not accept a scholarship provision, the committee released the bill by a vote of 8-6. By this time other factors had entered the picture -- groups opposed to aid for parochial schools had discovered the House provision for grants to Catholic colleges, which had passed almost unnoticed, saw in the measure a possible precedent for legislation assisting elementary and secondary schools. On June 16 the National Congress of Parents and Teachers, the National School Board Association, the American Association of School Administrators, the American Vocation Association and the Council of Chief State School Officers notified congressmen of their opposition to the House bill.<sup>101</sup> On June 25 the Supreme Court arosed a new storm of religious controversy with its decision outlawing a state-prescribed prayer in New York schools. As the summer wore on, passions rose almost to the pitch of the year before the the conferees seemed irreconcilably divided. In hopes of salvaging something, a compromise was put together in September. The House conferees agreed to restrict the contested college grants to be used for defense related purposes like those under

NDEA. The Senate conferees agreed to convert scholarships to loans except for 20 per cent that could be given in whole or part for "exceptionally needy" students. Of the conferees only three found it unacceptable: Senator Goldwater, who had opposed the Senate bill; Senator Hill, who was engaged in a close reelection race in Alabama; and Representative Kearns, who contended that Chairman Powell's promise to the Rules Committee not to accept any form of scholarship provision had been broken.

In the House the debate centered on the scholarship issue. But Mrs. Green referred to what was probably a more decisive influence: "I regret with all my heart the telegrams which have been sent to the members of this body by the NEA opposing this bill on a basis of the religious issue."<sup>102</sup> Congressional Quarterly cited still another reason: The University of Mississippi had been ordered by a federal court to enroll James Meredith, a Negro. The "exceptionally needy" study who would benefit from federal scholarships in the form of loan, forgiveness looked to some southerners like so many Merediths.<sup>103</sup> Having been burned the year before on the parochial school issue, the White House shied away from any active intervention. The final vote was 214-186 for recommitment. Only 30 of 160 Republicans supported the bill. Of 240 Democrats, 84 voted for recommitment -- all but 8 of them southerners.

## CHAPTER VI

## EDUCATION BECOMES A NATIONAL RESPONSIBILITY

By the end of 1962 the years of frustration had produced a pervasive pessimism. William Shannon wrote that "religious and philosophical antagonism engendered by school questions are so bitter that a solution through normal...methods is no longer possible."<sup>104</sup> Congressional Quarterly concluded its review of the 1962 college aid struggle with the comment, "several education aid backers said they felt that the entire subject was dead for the foreseeable future."<sup>105</sup> Yet less than a year later Lyndon Johnson was proclaiming that "this session of Congress will go down in history as the Education Congress of 1963."<sup>106</sup>

The sudden turnabout reflected a simple fact: people do learn from experience. First, both sides of the religious controversy had learned. The NEA and its public school allies now knew their all or nothing attitude would mean, for the public schools, nothing. On the opposite side the Catholic leaders now understand that an equal treatment or nothing position would mean, for the Catholic schools, nothing. For each side the question was whether it preferred to maintain the purity of its ideological position or receive some tangible benefits for its schools. Second, the tacticians had learned. The NDEA had shown that special-purpose aid, carefully designed,

could be enacted at a time when general purpose-aid could not. A special purpose approach would make it possible for the tacticians to probe, jockey, negotiate and compromise on a wide range of separable and lesser programs, and the antagonists could move quietly away from the irreconcilable position they had assumed -- and would be compelled to maintain -- on general aid.<sup>107</sup>

In early 1963, President Kennedy sent to congress the widest range of programs he could assemble -- two dozen in all, mostly in the form of special purpose grants and loans. As a device to encourage educational organizations to work together for one another's programs -- in other words, to hold the NEA in line on the college age program -- all of the proposals were embodied in an omnibus bill. Public school aid was changed from "general" to "selective" aid, to be used in the areas of greatest need in accordance with state plans, but it would still be limited to public schools and would still finance the teacher salary increases and classroom construction to which the President was committed. Kennedy asked for 1.5 billion dollars for the purpose, to be spread over four years. Proposals for college construction followed the conference committee compromise of 1962 -- loans would be generally available but grants, except in the case of public community colleges would be limited to facilities for training of scientists, engineers, mathematicians, and technicians, for libraries, and for graduate centers.

Scholarships were abandoned, but the NDEA loan program would be expanded and new programs of insurance of private loans and parttime employment of college students would be instituted. With all these were combined the extension of the NDEA program, and expansion and recasting of aid for vocational education, and new programs of aid for adult literacy training, expansion of university extension courses, and urban libraries.<sup>108</sup>

The committees in their hearings tested the political winds on all the Kennedy proposals and made their choices. Breaking the omnibus bill into segments, they acted on those that aroused least controversy.

Meanwhile, Edith Green's subcommittee, with jurisdiction over higher education, had carefully repeated the steps that led to the easy passage of her college construction bill in January of 1962. In collaboration with Peter Frelinghuysen of New Jersey, the ranking Republican member of the subcommittee, Mrs. Green again converted most of the President's proposed loan program to grants, without limitation to specific fields of instruction, and in this form the committee approved the bill. President Kennedy had made no secret of his acquiescence in the bill's transformation, but Frelinghuysen could not resist needling the chief executive. "Had our committee followed his advice, Frelinghuysen told the House, "the program...would be of little significance....

Accordingly his advisers failed to read the testimony of experts before our committee."<sup>109</sup> The mood of the House had mellowed since the previous September. There was no scholarship issue this time. The NEA sent no telegrams, flew no representatives to Washington. Chastised both by its friends in congress and by its own members the NEA in its 1962 convention officially softened its opposition to aid to private schools. In August of 1963 it simply looked the other way while a college bill with equal treatment for Catholic institutions passed the House handily, 287-113.<sup>110</sup>

The Senate subcommittee on education approved the college aid bill but with modification. The college construction bill was restored to essentially the administration version. Senator Morse, chairman of the Senate education subcommittee had not planned to bring it to the floor at once, but Representative Delaney sent word from the House Rules Committee that a vocational education bill, with its all-public benefits, would not be allowed to go to a Senate-House conference until the college bill, containing its grants for private institutions, went with it. Accordingly, the latter bill was also passed and with near equal ease, 60-19.

The conference committee settled the higher education issues quickly, in early November. It retained the Senate proviso that grants, except in the case of public

community colleges, could be made only for facilities designed for instruction in particular subjects or for other specified purposes. But it dropped the requirement that the facilities designed for teaching of the approved subjects must also be used for them.

The bill was now sent to the President. On December 16 President Lyndon Johnson happily signed The Higher Education Facilities Act and labeled Congress the Education Congress of 1963.



## CHAPTER VII

## CONCLUSIONS

All of the evidence indicates that President Eisenhower did not support federal aid to education despite his statements in favor of federal aid. Time and time again Eisenhower had spoken of the seriousness of the shortages of classrooms in the nation's schools and in his 1952 campaign had stated that solution to these shortages was federal aid. In Eisenhower's 1953 State of the Union Message he asked for "prompt, effective help" for the nation's schools "through careful Congressional study and action" then did not mention federal aid again that year. He sent no messages to Congress and no bills involving federal aid to education. Again in his 1955 State of the Union Message, Eisenhower called for action on an education bill and then proceeded to produce a bill that had very little, if any, chance of enactment. This bill was later tabbed a "bankers bill" because it set up loans rather than grants. Later in 1955 Eisenhower had the opportunity to help pass an aid to education bill by supporting the first Kelley bill but he refused because it was a Democratic bill. His reply when the bill was eventually defeated was: "I wasn't doing anything to get their (the Democrats) bill through....I am

perfectly ready to stand up and say I take responsibility for not allowing that." Eisenhower's reaction to a Republican bill (a bill introduced by Representative William Ayres) was similar to the Democratic Kelley bill and he gave no support so the bill met with defeat. And even when a bill, such as the second Kelley bill, had strong bipartisan majority support and the support of his Secretary of HEW, Marion Folsom, Eisenhower did nothing.

Eisenhower had the opportunity; he had a party bill and a non-party bill; he had a bipartisan bill yet no federal aid to education came out of his administration. One can only conclude from these facts and repeat what has been said earlier, Eisenhower did not support federal aid to education.

In contrast to the evidence of President Eisenhower's failure to support federal aid to education was the evidence that President John Kenney did support federal aid to education. Where President Eisenhower did nothing to get a bill for federal aid to education passed, President Kennedy did everything he could possibly do to get an aid bill passed and was eventually successful.

At the close of the 1960 Presidential campaign Kennedy devoted an entire speech to education and boldly promised: "that in 1961 a Democratic Congress led by a Democratic President would enact a bill to raise teachers' salaries...as well as pass an adequate bill for school

construction." But Kennedy was a Catholic and the religious issue had dealt many a death blow to aid to education bills, so his promise was not to be kept that first year.

When Kennedy, a Catholic, entered office he had an aid to education bill and began to work for its passage. but with the religious issue still present, the bill was defeated. Kennedy had lost his first battle but the struggle was not over and there would be other battles. Once again in 1962, as he had in 1961, Kennedy recommended his school legislation program to Congress. The religious issue was still being fought and so his second attempt met the same fate as the first and Kennedy lost his second battle. Kennedy had learned from his past experience, so when he made his third attempt he used a different tactic. In order to avoid the religious issue he had his leaders in Congress introduce a school aid bill thus avoiding the onus of the religious issue in regard to himself. This turned out to be a successful tactic by Kennedy and it resulted in the passage of a federal aid to education bill.

The evidence shows that Kennedy did support federal aid to education, and by 1963 through his strong leadership and determination, he was able to fulfill his campaign promise of 1960.

## FOOTNOTES

1. James L. Sundquist, Politics and Policy, Washington, D.C.: The Brookings Institution, 1968, p. 155.
2. Text of speech, October 9, 1952, printed in the New York Times, October 10, 1952.
3. Congressional Quarterly Almanac, 1949, p. 269.
4. For a summary of legislative struggles from 1870-1961 see Frank Munger and Richard Fenno, Jr., National Politics and Federal Aid to Education, Syracuse, New York: Syracuse University Press, 1962, Chapter I.
5. James L. Sundquist, Politics and Policy, p. 156.
6. U.S., President, Public Papers of the Presidents of the United States (Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1953-), Dwight D. Eisenhower, 1953, p. 32.
7. James L. Sundquist, Politics and Policy, p. 157.
8. U.S. Congressional Record, Vol. 99 (July 30, 1953), pp. 10475-76.
9. From his letter to state governors, September 21, 1954, Public Papers of the Presidents, 1954, p. 851.
10. U.S. Congress, Senate, Subcommittee on Education of the Senate Labor and Public Welfare Committee, Hearings, President's Recommendations Relating to Education, 83rd Congress, 2nd session (April 2, 1954), pp. 14-15.
11. Ibid., pp. 225-230.
12. Ibid., p. 33.
13. Ibid., p. 47.
14. James L. Sundquist, Politics and Policy, p. 160.
15. U.S. Congressional Record, Vol. 100 (August 19, 1954), p. 15194.
16. Ibid., p. 15480.
17. James L. Sundquist, Politics and Policy, p. 161.

18. U.S., President, Public Papers of the Presidents, 1955, p. 25.

19. James L. Sundquist, Politics and Policy, p. 162.

20. Ibid., p. 162.

21. U.S. Congress, Senate, Labor and Public Welfare Committee, Hearings, Federal Assistance to Increase Public School Construction, 84th Congress, 1st session (February 18-21, 1955), p. 214.

22. U.S. Congress, House, Committee on Education and Labor, Hearings, Federal Aid to States for School Construction, 84th Congress, 1st session (May 4, 1955), p. 830.

23. U.S. Congress, Senate, Committee on Labor and Public Welfare, Hearings, Federal Assistance to Increase Public School Construction, 84th Congress, 1st session (February 18-21, 1955), p. 368.

24. Ibid., p. 798.

25. Ibid., p. 368.

26. Committee for the White House Conference on Education, Report to the President, (April, 1956), p. 104.

27. Ibid., p. 27.

28. The Powell Amendment refers to a statement by Clarence Mitchell before a Senate hearing in which Mr. Mitchell asked for an amendment requiring each state to certify that school facilities in that state complied with the Supreme Court decision of the previous year before they could receive any federal aid. This amendment now carried the name of Harlem's Congressman Adam Clayton Powell.

29. U.S. President, Public Papers of the Presidents, 1955, pp. 584-678.

30. U.S. Congressional Record, Vol. 102 (July 3, 1956), p. 11761.

31. Ibid., (February 17, 1957), p. 2784.

32. Ibid., (January 24, 1956), p. 1193.

33. Ibid., (July 3, 1956), p. 11757.

34. Ibid., (July 3, 1956), p. 11771.

35. James L. Sundquist, Politics and Policy, p. 167.

36. The sole favorable vote was cast by Representative Howard H. Baker, Republican of eastern Tennessee.

37. U.S. Congressional Record, Vol. 103 (July 9, 1956), p. 12147.

38. News conference, October 11, 1956, Public Papers of the Presidents, 1956, pp. 893-94; his explanation in various campaign speeches was similar.

39. New York Times, July 8, 1956.

40. U.S. Congressional Record, Vol. 102 (July 3, 1956), p. 11756.

41. James L. Sundquist, Politics and Policy, p. 169.

42. Ibid., p. 169.

43. Frank Munger and Richard Fenno, Jr., National Politics and Federal Aid to Education, Syracuse, New York: Syracuse University Press, 1962, p. 130.

44. James L. Sundquist, Politics and Policy, p. 171.

45. U.S. Presidents, Public Papers of the Presidents, 1957, p. 243.

46. Congressional Quarterly Almanac, 1957, pp. 590, 592.

47. Ibid.

48. U.S. Congressional Record, Vol. 103 (July 25, 1957), p. 12745.

49. U.S. Congressional Record, Vol. 103 (July 29, 1957), pp. 12929, 13061.

50. James L. Sundquist, Politics and Policy, p. 173.

51. U.S. Presidents, Public Papers of the Presidents, 1957, p. 576.

52. Address of November 7, 1957, Public Papers of the Presidents, 1957, p. 794.

53. James L. Sundquist, Politics and Policy, p. 174.

54. News conference, November 10, 1954, Public Papers of the Presidents, 1954, p. 1040.

55. President's committee on Education Beyond the High School, Second Report to the President (July, 1957), pp. 56-57.

56. James L. Sundquist, Politics and Policy, p. 175.
57. Ibid., p. 176.
58. U.S. Congress, Senate, Committee on Labor and Public Welfare, Hearings, Clarence Mitchell's testimony on Science and Education For National Defense, 85th Congress, 2nd session (March 5, 1958), pp. 878-79.
59. Ibid., statement, undated, submitted in Science and Education for National Defense Hearings, pp. 1351-52.
60. James L. Sundquist, Politics and Policy, p. 178.
61. U.S. Congressional Record, Vol. 104 (August 13, 1958), p. 17290.
62. James L. Sundquist, Politics and Policy, p. 178.
63. Ibid., p. 179.
64. Stewart Udall, "Our Education Budget Also Needs Balancing," Reporter, June 25, 1959, pp. 23-25.
65. Frank Munger and Richard Fenno, Jr., National Politics and Federal Aid to Education, pp. 89-90.
66. U.S. Congressional Record, Vol. 104 (July 3, 1958), pp. 13020-22.
67. James L. Sundquist, Politics and Policy, p. 183.
68. Frank Munger and Richard Fenno, Jr., National Politics and Federal Aid to Education, p. 117.
69. U.S. Congress, Senate, Committee for Labor and Public Welfare, Hearings, Federal Grants to States for Elementary and Secondary Schools, 86th Congress, 1st session (1959), p. 528.
70. Robert Bendiner, Obstacle Course on Capitol Hill, New York: McGraw Hill, 1964, p. 163.
71. Statement of November 29, 1959, inserted in the Congressional Record, Vol. 106 (May, 1960), pp. 11286-88.
72. And one Republican, Thomas E. Martin of Iowa.
73. U.S. Congressional Record, Vol. 106 (February 3, 1960), p. 1945.
74. A complex procedural device for bypassing the Rules Committee.
75. R. Bendiner, Obstacle Course on Capitol Hill, p. 166.



76. Sundquist, Politics and Policy, p. 186.
77. The joint appearances of Senator John Kennedy and Vice President Richard Nixon, Presidential campaign of 1960. S. Report 994, 87th Congress, 1st session 919610, pt 3. pp. 84-85.
78. Los Angeles Speech, November 2, 1960, The speeches of Senator John F. Kennedy, S. Report 994, pt I, p. 1235.
79. Theodore Sorensen, Kennedy, New York: Harper and Row, 1965, p. 358.
80. U.S. President, Public Papers of the Presidents, 1961, p. 109.
81. Quoted by Hugh Douglas Price, "Race, Religion and the Rules Committee: The Kennedy Aid to Education Bills", in Alan F. Westin (ed.), The Uses of Power, Harcourt, Brace and World Inc., 1962, pp. 22-23.
82. News conference, March 8, 1961, Public Papers of the Presidents, 1961, p. 156.
83. Sundquist, Politics and Policy, p. 191.
84. The Rules Committee had been increased from 12 to 15. See Robert Bendiner, Obstacle Course on Capitol Hill, p. 171-180.
85. Bendiner, Obstacle Course on Capitol Hill, p. 185-86.
86. Congressional Quarterly Almanac, 1961 (p. 214) notes that Elliott, Trimble and Thornberry of the Rules Committee reportedly would have voted to table the NDEA bill, and that, had they done so, the public school bill would not have survived.
87. Sundquist, Politics and Policy, p. 195.
88. Ibid., p. 197.
89. President's Committee on Education Beyond the High School, Second Report to the President, pp. 56, 88, 89.
90. As part of an amendment cutting authorizations for various of the bill's programs, the 250 million dollars was cut in half.
91. U.S. Congressional Record, Vol. 104 (August 18, 1958), p. 18246.



92. Sundquist, Politics and Policy, p. 198.
93. U.S. President, Public Papers of the Presidents, 1959, pp. 503-506.
94. U.S. Congressional Record, Vol. 105 (August 17, 1959), p. 16015.
95. U.S. President, Public Papers of the Presidents, 1959, p. 640.
96. U.S. Congress, House, Subcommittee on Education of the Education and Labor Committee, Hearings, Aid to Higher Education, 87th Congress, 1st session (March 16, 1961), pp. 145-49.
97. The Hovde task force recommendations are in the Saturday Review, January 21, 1961, pp. 94-95.
98. Circular letter dated February 24, 1961.
99. U.S. Congress, House, Subcommittee on Education of the Education and Labor Committee, Hearings, Aid to Higher Education, 87th Congress, 1st session (March 16, 1961), p. 126.
100. College Academic Facilities and Scholarship Act, H. Report 440, 87th Congress, 1st session (1961), p. 4.
101. Sundquist, Politics and Policy, p. 204.
102. U.S. Congressional Record, Vol. 108 (September 20, 1962), p. 20138.
103. Congressional Quarterly Almanac, 1962, p. 237.
104. Quoted by R. Bendiner, Obstacle Course on Capitol Hill, p. 199.
105. Congressional Quarterly Almanac, 1962, p. 238.
106. Statement of December 16, 1963, Public Papers of the Presidents, 1963-64, p. 57.
107. Philip Meranto, The Politics of Federal Aid to Education in 1965, Syracuse, New York: Syracuse University Press, 1967, p. 46-50.
108. Special message on Education, January 29, 1963, Public Papers of the Presidents, 1963, pp. 105-11.
109. U.S. Congressional Record, Vol. 108 (August 14, 1963), p. 14956.
110. Sundquist, Politics and Policy, p. 208.

## BIBLIOGRAPHY

Public Documents

- U.S. Congressional Quarterly Almanac, 1949.
- U.S. Congressional Quarterly Almanac, 1957.
- U.S. Congressional Record, Volume 60.
- U.S. Congressional Record, Volume 89.
- U.S. Congressional Record, Volume 95.
- U.S. Congressional Record, Volume 99.
- U.S. Congressional Record, Volume 100.
- U.S. Congressional Record, Volume 102.
- U.S. Congressional Record, Volume 103.
- U.S. Congressional Record, Volume 104.
- U.S. Congressional Record, Volume 105.
- U.S. Congressional Record, Volume 106.
- U.S. Congressional Record, Volume 108.
- U.S. House of Representatives. Committee on Education and Labor, Public School Assistance Act of 1949, 81st Congress, 1st session, 1949.
- U.S. House of Representatives, Committee on Education and Labor, Federal Aid to School Construction, 1st Congress, 2nd session, 1950.
- U.S. House of Representatives. Committee on Education and Labor, The Keystone in the Arch Major Remarks by the Late John Kennedy, 88th Congress, 2nd session, 1964.
- U.S. House of Representatives. Subcommittee on Education of the Education and Labor Committee, Hearings, Aid to Higher Education, 87th Congress, 1st session, 1961.

- U.S., President. Public Papers of the Presidents of the United States. Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1953-. Dwight D. Eisenhower, 1953.
- U.S., President. Public Papers of the Presidents of the United States. Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1953-. Dwight D. Eisenhower, 1954.
- U.S., President. Public Papers of the Presidents of the United States. Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1953-. Dwight D. Eisenhower, 1955.
- U.S., President. Public Papers of the Presidents of the United States. Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1953-. Dwight D. Eisenhower, 1957.
- U.S., President. Public Papers of the Presidents of the United States. Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1953-. Dwight D. Eisenhower, 1959.
- U.S., President. Public Paper of the Presidents of the United States. Washington, D.C.: Office of the Federal Register, National Archives and Records S Service, 1953-. John F. Kennedy, 1961.
- U.S. Senate. Committee on Education and Labor, Federal Aid for Education, 79th Congress, 1st session, 1945.
- U.S. Senate. Committee on Labor and Public Welfare, Construction of School Facilities, 83rd Congress, 2nd session, 1954.
- U.S. Senate. Committee on Labor and Public Welfare, Hearings on Federal Assistance to Increase Public School Construction, 84th Congress, 1st session, 1955.
- U.S. Senate. Committee on Labor and Public Welfare, Hearings on Federal Grants to States for Elementary and Secondary Schools, 86th Congress, 1st session, 1959.
- U.S. Senate. Committee on Labor and Public Welfare, Hearings, Clarence Mitchell's testimony on Science and Education for National Defense, 85th Congress, 2nd session, 1958.

U.S. Senate. Subcommittee on Education of the Senate Labor and Public Welfare Committee, Hearings, President's Recommendations Relating to Education, 83rd Congress, 2nd session, 1954.

### Books

Babbigbe, Homer and Rosenzweig, Robert. The Federal Interest in Higher Learning. New York: McGraw Hill, 1962.

Bendiner, Robert. Obstacle Course on Capitol Hill. New York: McGraw Hill, 1964.

Callahan, Daniel J. Federal Aid and Catholic Schools. New York: McGraw Hill, 1960.

Costanzo, Joseph. This Nation Under God, State, and Schools in America. New York: Herder and Herder, 1961.

Lee, Gordon Canfield. The Struggle for Federal Aid -- First Phase: A History of the Attempts to Obtain Federal Aid for the Common Schools, 1870-1890. New York: Columbia University Teachers College, 1949.

McCluskey, Neil G. Catholic Viewpoint on Education. Garden City, New York: Hanover Press, 1959.

McDonald, Neil A. The Study of Political Parties. New York: Doubleday and Company, 1955.

Meranto, Philip. The Politics of Federal Aid in 1965: A Study in Political Innovation. Syracuse, New York: Syracuse University Press, 1967.

Munger, Frank and Fenno, Richard. National Politics and Federal Aid to Education. Syracuse, New York: Syracuse University Press, 1962.

Orlans, Harold. The Effects of Federal Programs on Higher Education. Washington, D.C.: The Brookings Institution, 1962.

Powell, Theodore. The School Bus Law. Middletown, Conn.: Wesleyan University Press, 1960.

Quattlebaum, Charles A. Federal Educational Policies, Programs, and Proposals. Government Printing Office, 1960.

- Robinson, James A. The House Rules Committee.  
Indianapolis: The Bobbs-Merrill Company, Inc.,  
1963.
- Steel, Ronald. Federal Aid to Education. New York:  
The H. W. Wilson Company, 1961.
- Sundquist, James L. Politics and Policy. Washington,  
D.C.: The Brookings Institution, 1968.
- Tiedt, Sidney W. The Role of the Federal Government in  
Education. New York: Oxford University Press,  
1966.
- Westin, Alan F. The Uses of Power. New York: Harcourt,  
Brace, and World, Inc., 1962.

#### Articles and Periodicals

- Boutwell, W. D. "Whats Happening in Education? Educa-  
tional Package Presented to Congress by the Late  
John Kennedy," Parent Teachers Association,  
February, 1964.
- Friggens, P. "Federal Aid to Colleges: Boon or Bane?"  
Reader's Digest, January, 1964.
- Green, Edith. "Much More Remains to be Done", NEA  
Journal, February, 1964.
- Hanlon, J. M. "Federal Aid? Will There be Government  
Control? and to Whom will Federal Funds Be Paid?"  
America, 1964.
- Kirk, R. "Aid to Church-connected Schools?" National  
Review, December, 1964.
- New York Times, July 8, 1956.
- Sackett, H. G. "Ambitious Program for the 88th Congress",  
NEA Journal, February, 1963.
- Snively, G. E. "Federal Aid and Higher Education",  
School and Sociology, February, 1963.

FEDERAL AID TO EDUCATION AND THE  
HIGHER EDUCATION FACILITIES ACT OF 1963

by

ROBERT LLOYD MOSS

B.A., Kansas State University, 1950

---

AN ABSTRACT OF A MASTER'S REPORT

submitted in partial fulfillment of the

requirements for the degree

MASTER OF ARTS

Department of Political Science

KANSAS STATE UNIVERSITY  
Manhattan, Kansas

1972

Federal aid to education has been proposed many times. It was debated in the 1930's and 1940's but no bill was enacted. Standing in its way had been the conviction federal aid would mean federal control. To be sure there were other obstacles -- the issue of parochial schools and the question of segregation. It was a tortuous course to pass legislation giving federal aid to education.

The purpose of this research project is two-fold. The initial purpose is to find out why no federal aid to education legislation was passed during the Eisenhower administration. The second is to find the reason why Kennedy was successful in getting federal aid to education legislation passed. Part one outlines the years of frustration Congress experienced from 1953 to 1957. This section includes the discussion and defeat of the Cooper bill, the Hobby bill, the first and second Kelley bills and also explains the controversial Powell amendment.

Part two contains the fight for and the passage of the National Defense Education Act. The experiences of the NDEA shows how a consensus for national education legislation could be formed.

Part three includes more years of frustration and the defeat of the Fleming bill. It also shows the reasons for the National Education Association's alliance with the Democrats. It introduces the locked-in positions of

John Kennedy, Catholic and non-catholic organizations by emphasizing the church-state issue.

Part four introduces the Joseph Committee on Education Beyond the High School and explains the conversion of the committee from being against federal aid to education to being for federal aid to education. Also contained in this part is the defeat of the Clark bill and two vetoes of President Eisenhower involving the student housing bills.

Part five shows that by the end of 1962 education had become a national responsibility. It contains the reasons for the changing attitudes of the non-supporters of federal aid to education to their support and passage of the Higher Education Facilities Act.

Part six concludes with an evaluation of Presidents Eisenhower's and Kennedy's attitudes toward federal aid to education legislation. Conclusions illustrate the different approaches the two men used causing failure for the Eisenhower administration and success for the Kennedy administration in passing an aid to education bill.