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LEGISLATIVE EFFORTS PERTINENT TO THE
SUBJECT MATTER OF SELECTED DEBATE
PROPOSITIONS FROM 1920 TO 1967

BY

MICKIE J. WIENK

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A thesis submitted
in partial fulfillment of the requirements for the
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State University

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LEGISLATIVE EFFORTS PERTINENT TO THE
SUBJECT MATTER OF SELECTED DEBATE
PROPOSITIONS FROM 1920 TO 1967

This thesis is approved as a creditable and independent investigation by a candidate for the degree, Master of Arts, and is acceptable for meeting the thesis requirements for this degree. Acceptance of this thesis does not imply that the conclusions reached by the candidate are necessarily the conclusions of the major department.

Thesis Advisor / Date

Head, Department of Speech / Date

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MJW

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CHAPTER I

INTRODUCTION

Origin

In 1920, the Pi Kappa Delta honorary forensic society originated the practice of choosing a national intercollegiate debate proposition.¹ For approximately twenty-seven years prior to that date, the formation of propositions acceptable for intercollegiate debate contests had caused some difficulties.

In "A Historical Sketch of Intercollegiate Debating: I and II," Egbert R. Nichols analyzed the first two decades of the intercollegiate contest. The first decade (1893-1902) was characterized by the spread of the activity and the gradual building of a system of rules and techniques.² Most debates in this period were single debates or annual contests between rival colleges. The plan was for one college to challenge another to debate. The proposition was submitted by the college making the challenge. Problems arose with this practice because the question was often cast in trick form with the hope that the challenged debaters would accept before discovering any witticisms or technical flaws in the statement. This arrangement resulted in excessive dispute and disagreement over the definition of terms.³

During the second decade of intercollegiate debate (1903-1913), the activity gained popularity as a competitive event

and spread throughout the nation, not only to state universities and larger colleges, but also to smaller academic institutions.⁴ With the expansion of debate, teams became involved in a larger number of debates and it became increasingly necessary to settle the proposition well in advance of the contest date in order to allow adequate preparation.

Attempts were made to solve the problem of selection and phrasing of the proposition, but it was not until the formation of the national intercollegiate debate proposition that the controversy was dissipated. Most colleges and universities readily accepted the national topic because of the convenience it offered when arranging trips and tournaments.⁵

Statement of the Problem

National intercollegiate debate propositions have dealt with topics of national or international concern since 1920. In A History of Speech Education in America, L. Leroy Cowperthwaite and A. Craig Baird stated that the subjects selected for debate propositions have clearly reflected the political, economic, and sociological issues of the time.⁶ Since the topics selected for intercollegiate debate refer to national and international subjects that are reflective of timely issues, it may be beneficial to those concerned with topic selection, and anyone else involved or interested in debate, to determine to what extent the national intercollegiate debate propositions have been reflected in national programs or acts. The purpose of this inquiry is to determine

the legislative efforts made by the federal government, during the five years subsequent to the date the question was debated, to enact into law the sense of selected national intercollegiate debate propositions dealing with domestic concerns from 1920 through 1967.

Procedure

Survey of the Literature

A survey of the following sources was conducted to determine if any previous inquiries or studies relating to this study had been undertaken. No similar studies were discovered.

Auer, J. Jeffery, "Doctoral Dissertations in Speech: Work in Progress," Speech Monographs, annual issues, 1951-1969.

Dow, Clyde W., "Abstracts of Theses in the Field of Speech," Speech Monographs, annual issues, 1946-1969.

Gray, Giles W., "Doctoral Dissertations in Areas Contiguous to Speech," Speech Monographs, XXIV, November, 1957.

Knower, Franklin H., "Graduate Theses - An Index to Graduate Work in the Field of Speech for 1902 to 1934," Speech Monographs, annual index, 1935.

Knower, Franklin H., "Graduate Theses - An Index to Graduate Work in Speech and Drama," Speech Monographs, annual issues, 1936-1969.

Nelson, Max, "Abstracts to Theses in the Field of Speech," Speech Monographs, annual issues, 1966-1969.

Procedure for Historical Survey

The following sources were utilized in gathering information relevant to the history of debate, and more specifically, the history of the national intercollegiate debate proposition:

(1) Decision by Debate;⁷ (2) Discussion and Debate, Tools of a Democracy;⁸ (3) Directing Forensics: Debate and Contest Speaking;⁹ (4) Argumentation and Debate - Rational Decision Making;¹⁰ (5) A Short History of the British Commonwealth;¹¹ (6) Competitive Debate - Rules and Techniques;¹² (7) "A Historical Sketch of Intercollegiate Debating: I and II," The Quarterly Journal of Speech;¹³ (8) A History of Speech Education in America;¹⁴ (9) other miscellaneous sources. The information was then arranged chronologically beginning with the European and Asian origins of debate through the development of the national intercollegiate debate proposition.

The national intercollegiate debate propositions from 1920 through 1967 were gathered from the following sources:

(1) Competitive Debate - Rules and Techniques; (2) Argumentation and Debate - Rational Decision Making; (3) Foreign Assistance: Source Book for Debaters.¹⁵

Procedure for Determining Pertinent Legislative Action

By 1967, forty-nine national intercollegiate debate propositions had been created for collegiate competition. It was decided from the outset of the study to eliminate those

propositions that were not amenable to legislative action. As a result, one was omitted because it was a proposition of fact, and eighteen were excluded because they were based on topics of international concern.

In Oral Decision Making, Principles of Discussion and Debate, Waldo W. Braden and Earnest Brandenburg define a proposition of fact in the following manner: proposition of fact is a declarative sentence which affirms or denies the existence of a fact, a truth, a value, a condition, an influence, a quality, or a relationship. A proposition of fact questions whether something is or is not. It seeks no more than a covert response, a change of belief.¹⁶

The 1921-1922 national intercollegiate debate resolution is a proposition of fact. It states, "Resolved: That the principle of the 'closed shop' is unjustifiable." Since it is not possible to legislate justification, the proposition was excluded from the study.

The eighteen national intercollegiate debate propositions based on topics of international concern were excluded because such topics depend upon the concurrence of other nations for implementation. Since Congress has only a limited ability to actually enact international resolutions, legislative efforts regarding such propositions would not have provided an accurate measure of legislative efforts made by the federal government. On

that basis, all international propositions were excluded from this study.

Initially, the author intended to include all of the national intercollegiate debate propositions of policy based on topics of national concern. A research method was outlined, and a search was made for the legislative activity concerning the 1920-1921 proposition. It was soon discovered that utilization of the established research method was extremely time consuming and that completion of the project including all thirty of the resolutions was beyond the reasonable limits of time available. It was, however, decided that the established research method was necessary to maintain the intent of the study. Therefore, upon consultation with the thesis advisor, it was decided that the study should be limited to a smaller number of national intercollegiate debate propositions.

Since the research for the 1920-1921 national intercollegiate debate proposition had been concluded, it was arbitrarily included in the study. The remaining twenty-eight national intercollegiate debate propositions were divided evenly into four chronological groups consisting of seven resolutions each. A random selection was made of one proposition from each of the four groups. That brought the total number of propositions to be included in the study to five national intercollegiate debate propositions. Those five were the propositions for 1920-1921, 1928-1929, 1941-1942, 1957-1958, and 1963-1964.

The following sources were used in gathering information concerning the legislative efforts made by the federal government:

(1) The U.S. Congressional Record, Index Issues; (2) The U.S. Congressional Record, Proceedings and Debates; (3) the Digest of Public General Bills and Selected Resolutions; (4) Xeroxed copies of original bills supplied by the Honorable Frank E. Denholm, Representative from South Dakota.

The legislative efforts made by the federal government were limited to a five year period following the close of the season during which the propositions were debated. A termination point of five years was selected because the complex and sometimes lengthy process through which a bill or resolution must pass before being enacted into law would have made a shorter period unreasonable. Additionally, a maximum of five years was selected because a greater length of time would tend to remove or lessen the probable influence of the contemporary issue on legislative efforts.

In order to determine the extent to which the five selected national intercollegiate debate propositions may have been reflected in national programs or acts, a three step research process was employed. (1) An examination was made of the description of bills and resolutions as found in the U.S. Congressional Record, Index issue. An attempt was made to discover all bills and resolutions dealing with the subject matter of the selected national intercollegiate debate propositions. (2) An examination was made of the transcripts or synopses of all bills or

resolutions that possibly dealt with the subject matter of the selected propositions. (3) An examination was made of the parliamentary history to discover what legislative action had been taken on the bills or resolutions judged to be pertinent to the study.

Structure

The purpose of Chapter I is to introduce and explain the methodology to be followed throughout this thesis. Chapter II contains a discussion of the history of debate and the formation of the national intercollegiate debate proposition. Chapter III contains an analysis of legislative efforts made by the federal government pertaining to the selected national intercollegiate debate propositions. Chapter IV consists of a summary of the data and conclusions drawn from the study concerning both the formation of the national intercollegiate debate proposition and the legislative efforts made by the federal government.

FOOTNOTES

¹George M. Musgrave, Competitive Debate - Rules and Techniques, 3rd ed. (New York: The H. W. Wilson Company, 1957), p. 142.

²Egbert R. Nichols, "A Historical Sketch of Intercollegiate Debating: I," Quarterly Journal of Speech, XXII (April, 1936), p. 216.

³Ibid., p. 218.

⁴Egbert R. Nichols, "A Historical Sketch of Intercollegiate Debating: II," Quarterly Journal of Speech, XXII (December, 1936), p. 591.

⁵Musgrave, Competitive Debate - Rules and Techniques, p. 142.

⁶L. Leroy Cowperthwaite and A. Craig Baird, "Intercollegiate Debating," in A History of Speech Education in America, ed. by Karl R. Wallace (New York: Appleton-Century-Crofts, 1954), p. 261.

⁷Douglas Ehninger and Wayne Brockriede, Decision by Debate (New York: Dodd, Mead, and Company, 1967).

⁸Henry L. Ewbank and J. Jeffery Auer, Discussion and Debate, Tools of a Democracy, 2nd ed. (New York: Appleton-Century-Crofts, 1951).

⁹Don F. Faules and Richard Rieke, Directing Forensics: Debate and Contest Speaking (Pennsylvania: International Textbook Company, 1968).

¹⁰Austin Freely, Argumentation and Debate - Rational Decision Making, 2nd ed. (Belmont, California: Wadsworth Publishing Company, Inc., 1966).

¹¹Ramsey Muir, A Short History of the British Commonwealth, Vol. I (London: Philip and Son, 1920).

¹²Musgrave, Competitive Debate - Rules and Techniques.

¹³Nichols, "A Historical Sketch of Intercollegiate Debating: I and II," Quarterly Journal of Speech.

¹⁴A History of Speech Education in America, ed. by Karl R. Wallace (New York: Appleton-Century-Crofts, 1954).

¹⁵Agency for International Development, Foreign Assistance: Source Book for Debaters (Washington, D.C.: Agency for International Development, 1966).

¹⁶Waldo, W. Braden and Earnest Brandenburg, Oral Decision Making, Principles of Discussion and Debate (New York: Harper and Brothers, 1955), p. 410.

CHAPTER II

THE NATIONAL INTERCOLLEGIATE DEBATE PROPOSITIONS FROM 1920 TO 1967

The Development of Debate

European and Asian Origin

While competitive forensic exercise has been employed as an instructive device for numerous years, just how many is difficult to accurately determine. It is known that academic debate has a long tradition. Protagoras of Abdera (481 - 411 B.C.), an itinerant Greek teacher, is generally considered the "Father of Debate," since he is believed to have been the first teacher to organize argumentative contests among his pupils.¹ He invented various contemporary themes on which his pupils argued the pros and cons. He believed that the disputation exercise was an excellent means to train men to participate in Greek society.²

The Greek forensic tradition significantly influenced Medieval and Renaissance education. The summit of classical education was to become an orator, and this ideal continued into the Medieval and Renaissance periods.³ In medieval times, students at the University of Paris were required to present disputations, argumentative speeches on philosophical questions, written and delivered in Latin. Similar discussions were required in the

leading universities in England.⁴ Between the eleventh and seventeenth centuries, education was largely a series of disputations in which students practiced presenting and defending their own ideas and criticizing the concepts and beliefs advanced by others.⁵

More than three centuries ago, students at Cambridge and Oxford took part in debates--informal, two-sided contests over propositions or resolutions selected in advance.⁶

Ramsey Muir in his text, A Short History of the British Commonwealth, indicated the importance of public disputations in seventeenth century England when he described the English belief "that even the noblest and most enlightened aims are vitiated and will eventually be frustrated if those who advocate them try to secure victory by force, and not by discussion and persuasion." Discussion and persuasion were to be henceforth the characteristic notes of the growth of free institutions in the British Commonwealth.⁷

As early as 1800, members of the Oxford Union, a literary society at Oxford University, engaged in a form of forensic exercise that met all the requirements of a modern contest debate. A resolution was selected in advance, speakers were assigned to support or to oppose the proposition, there were the same number of speakers on each side, and definite rules governed the debating techniques.⁸

Forensic Training in Colonial Colleges

Debate as an educational tool was passed to the American academic institution from its predecessors in England. Debate and its forerunner, the disputation, are among the oldest of teaching devices,⁹ and their importance was not disregarded by the early colonial educators.

Oral discourse during the early colonial period was in the form of prescribed original speeches, declamations, lengthy syllogistic disputations, dramatic dialogues, and essays and poems read aloud. Students had the opportunity to speak in public college exercises, which included monthly and quarterly exercises, senior examinations, commencements, and other special academic occasions. Student orators chosen to speak at special occasions were selected because of their outstanding ability to speak. Oral exercises were used as tools for both instructing and testing.¹⁰

A distinctive characteristic of the early American college was the administrative reliance upon carefully structured regulations which were strictly supervised. According to Alexander Cowie, the colonial students' lives were strenuously regulated in order to "reduce to a minimum the time the devil might find employment for idle hands."¹¹ The company of fellow scholars was practically the only legitimate avenue for escape from the routine facing the colonial student. It is not surprising that student societies featuring jovial companionship as well as student-directed opportunities for parliamentary practice, oratory,

declamation, debate, literary efforts, dramatic productions, and reading material, all relatively free from faculty censorship, came into being almost from the beginning of American higher education.¹²

Development of Literary Societies in America

The student societies were formed because of the lack of entertainment and the rigid supervision that existed in the early colleges. Student societies of a religious nature existed on the American college campus at least as early as 1716.¹³ These societies offered fellowship, library facilities, and participation.¹⁴

The religious societies were relatively free from faculty interference and as a result provided a seedbed for innovation.¹⁵ The idea of student societies was quick to interest enterprising students. In 1733, new societies were originated. According to David Potter, the first literary and debate society was developed on the campus of Harvard under the title of the Spy Club.¹⁶

Other literary societies soon developed. By 1750 the Critonian was conducting literary sessions in New Haven. At Yale in 1753, the long-lived Linonian Society was founded, largely through the encouragement of President Clap, one of the first university administrators to recognize the importance of the societies as underground safety valves as well as forensic and literary proving grounds. And in 1768, the Brothers in Unity, the second major Yale society disputed questions of its own

choosing. In 1782, the Philomusarian Club was formed at Harvard. Before the outbreak of the Revolution, most of the colonial chartered colleges witnessed the rise of undergraduate student societies.¹⁷

With the spread of higher education to the west, the literary and debate societies found fertile ground and were amply nourished by appreciative administrations and student bodies.¹⁸ As higher education was made available to the residents of the far west, the majority of the college administrators adhered to the established practice of sponsoring literary and debate societies.¹⁹ By 1860, literary and debate societies had extended their influence on student extra-curricular life from coast to coast.

The impact of the student literary society on the development of innovative debate ideas cannot be overlooked. David Potter credits the literary society with the restoration of forensic development. Until the influence of student societies, the major, or in many instances the only, recognized method of conducting academic debate in most American universities was the Latin syllogistic disputation. Practically unaltered since its inception into medieval universities, the Latin exercise was an important part of most early college curricula and a feature of exhibitions and commencements. Its format was strictly governed by rules laid down by prevailing texts in logic and differed only slightly whether employed as a teaching or testing device or as a medium for academic exhibition.²¹

Because they were founded to offset the uncompromising rigidity of the early American academic climate, the literary societies were eager to experiment with various debate forms and quick to adopt types which were more flexible and thus more suitable to the contemporary scene.²² Eventually the college administrators recognized the value of the student initiated forensic exercise. New debate forms were introduced into the classroom, eventually replacing the Latin syllogistic disputation.²³ This did not however stifle the literary societies' creativity. They continued to experiment with new exercises. By the end of the eighteenth century, many of the societies had adopted the extempore disputation as a form of debate and as an impromptu exercise.²⁴

It is important to note that the student literary organizations initially provided educational opportunities that were not available in the university curriculum. The members provided a critical audience that judged and critiqued both content and presentation.²⁵ Thus, the societies contributed greatly to the intellectual growth of the members and provided rigorous training in the valuable skill of debate.

Slowly the curricula began to absorb the forensic advancements initiated by the literary societies. Administrators recognized the importance of the improved learning device in the classroom. However, David Potter reports that toward the middle of the nineteenth century, the caliber of forensics and extempore

disputations was so high in the literary societies that several college administrators felt the students were receiving adequate training in the area and dropped the exercises from the curriculum.²⁶

In the early development of the literary society format, the majority of forensic exercises took place within the confines of the societal meetings. The opponents in the debate, even exhibition exercises, were members of the same society. In the mid-eighteen hundreds, however, the literary societies made an important contribution to debate history. Motivated by the intense rivalry that developed among the different societies on the college campuses, carefully selected outstanding debaters from different literary societies crossed arguments at public exhibitions. As early as 1830, the Demosthenians and the Phi Kappas met and publicly debated at the University of Georgia. In a short time, challenges and counterchallenges were exchanged between the leading societies of each college. Soon, intersociety debates became an annual event on campuses across the nation.²⁷

Subjects debated in the literary societies

The literary society debates were based on subjects that dealt with contemporary social problems. Throughout the development of the literary society, one of the major issues was the selection of the debate question. Many societies had difficulty providing and choosing propositions that were suitable for debate.

After the second decade of the nineteenth century, the majority of undergraduate literary societies solved the difficult task of selecting the topic or topics for debate by providing for specially appointed committees which either reported to the president, who in turn chose the topic from a list previously prepared, or required the president to furnish the topic. Another method was to require each member of the debating society to hand in two questions per term. The questions were, in turn, studied and chosen by a committee whose membership was constantly changing.²⁸

The following debate resolutions provided a sampling of the debate subjects and propositional phrasing of the literary societies. Potter acquired these resolutions from the records of the literary societies cited.

Whether women ought to be admitted to a share in civil government. Brothers in Unity of Yale, July 19, 1792.

Whether ought Jews and Deists be admitted to all privileges of American citizens. Clariosophic Society of Princeton, August 5, 1792.

Should the slaves of the United States be emancipated? Clariosophic Minutes (South Carolina), 1812.

Is it probable that Russia will ever be able to destroy the balance of power in Europe? Philomathian Minutes (Columbia), November 13, 1819.

Would a peaceable accession of the Canadas be beneficial to the United States? Philomathian Minutes (Pennsylvania), March 29, 1820.

Should seduction be considered a capital crime? Clariosophic Minutes (South Carolina), January 15, 1831.

Ought Georgia to extend jurisdiction over the Cherokee Nation? Linonian Minutes (Yale), February 8, 1832.

Has a state the right to withdraw from the Union at pleasure? Linonian Minutes (Yale), April 4, 1832.

Should Negroes be admitted to Yale College? Brothers in Unity Minutes (Yale), March 16, 1859.

Should the South secede if Lincoln is elected? Demosthenian Minutes (Georgia), October 13, 1860.

Ought there to be any legislation in regard to strikes? Brothers in Unity Minutes (Yale), July 6, 1864.

Resolved that communism is a practical and desirable method of Government. Phi Delta Minutes (Western Reserve), December 17, 1881.³⁰

Decline of literary societies

By the time of the Civil War, literary societies were a regular fixture on college campuses throughout America. The Civil War was a difficult time for all America; the college campus was not spared the hardship. Although the societies found on the Western campuses continued to sponsor vigorous literary sessions throughout the period of 1860-1881, the older societies of the North and South were not so fortunate. Many of them expired during the war or shortly thereafter.³¹

Responsibility for the decline of the literary society can be attributed to factors other than the Civil War, although that was possibly the most influential factor. Not only was it a time for action rather than discussion, it was also a difficult time to objectively debate many of the important issues of the time.

David Potter specified other factors that influenced the decline of literary societies. Among these were the rise of athletics; the popularity of social fraternities; the competition of music clubs, dramatic clubs and similar specialized organizations; the slow but gradual liberalization of the curriculum with an influx of non-forensic minded students; the spread of periodicals and other competing forms of communication; and the loosening of administrative regulations which removed many of the initial causes for the founding of the societies. But where the administrations were young and vigorous, as in the West, or where tradition was hallowed, as at Princeton, the societies held their own. And where the societies remained, forensics were featured.³²

From the Greek and Roman philosophers, through the era of medieval scholasticism, to the schools of colonial United States and into the early colleges of the new nation, academic debate persisted as an educational method, as part of the academic curriculum, in public exercises, and in extracurricular clubs and societies.³³

The Development of Intercollegiate Debate

According to Henry L. Ewbank and J. Jeffery Auer, intercollegiate debate is primarily an American institution.³⁴ Contest debates between opposing teams from different universities is an American phenomenon. L. Leroy Cowperthwaite and A. Craig Baird agree with the belief that intercollegiate debating is an American

originated practice,³⁵ an activity not engaged in at academic institutions elsewhere.

While debate historians seemingly agree that intercollegiate debate originated in America, they are not as prompt to confirm the date of the earliest intercollegiate debate. Douglas Ehniger and Wayne Brockriede, in their text, Decision by Debate, state that the earliest reported intercollegiate debate took place between the Hinman Society of Northwestern University and the Tri Kappa Society of the University of Chicago in 1873. The debate was a friendly exhibition and no decision was rendered.³⁶

David Potter asserts that the first intercollegiate debate took place on the campus of Illinois College in 1881 where the Phi Alpha Society of Illinois College and the Adelphi Society of Knox College met in a series of literary contests.³⁷ Ehniger and Brockriede agree that the Illinois contest may have been the first intercollegiate decision debate. They indicate that another decision debate was held the next day, May 6, 1881, between the Pheiehessophian Society of Kirkpatrick Chapel College, New Brunswick, New Jersey, and the Philonathean Society of New York University.³⁸ Ewbank and Auer, on the other hand, propose that the first intercollegiate debate took place in 1883 between Knox College and Rockford Female Seminary on the "Social benefits and evils of the lavish expenditures of wealth by the rich."³⁹

Another forensic historian, Ralph Curtis Ringwalt, states that, "Intercollegiate debating arose as a natural reaction against

the lax conditions of the literary societies and against the lack of genuine interest in any form of public speaking which had existed for many years at Harvard and Yale, and in fact, at almost all the Eastern colleges."⁴⁰ He reports that the first intercollegiate debate took place January 14, 1892 when Harvard met Yale at Cambridge to debate the proposition, "Resolved, that a young man casting his first ballot in 1892 should vote for the nominees of the Democratic Party."⁴¹

Debate historians agree that intercollegiate debate was quick to gain popularity on the campuses of the American universities. David Potter states that the formation of intercollegiate debate occurred just in time to revive undergraduate and faculty interest in forensics.⁴² Within a few years the news of debate between colleges reached other campuses, and intercollegiate debate spread across the continent.

The spread of intercollegiate debate across the nation created considerable audience appeal. Keen rivalry produced by an intercollegiate contest made debates a great event of the school year. Preparation for the debate greatly resembled that made for athletic contests, to the point of arousing wide public interest through advertising, staging "pep" rallies followed by parades through city streets. Audiences were frequently large enough to necessitate the renting of local theatres or opera houses. When the teams debated somewhere, students and teachers would at times

charter trains to take them to the location of the debate so they could support their local team.⁴³

Intercollegiate Debate Arrangements

After 1893, there was a rapid increase in both number of students participating and the number of intercollegiate debate contests held. Practically all the early intercollegiate debates were conducted on the basis of the single debate contract arrangement, whereby one college challenged another to debate. Upon the acceptance by the challenged college, a contract was drawn up setting forth the rules, regulations, proposition and date for the debate. The contract was signed by both parties.⁴⁴

As extracurricular forensics progressed, a majority of colleges and universities sponsored intercollegiate teams. For team convenience many triangular leagues were formed.⁴⁵ Egbert R. Nichols reports that the first triangular league was established in 1894 when Princeton, Harvard, and Yale instituted a permanent triangular arrangement. The arrangement was merely an agreement to meet one another annually in single debates.⁴⁶

In 1897, Michigan, Chicago, Minnesota, and Northwestern Universities organized a quadrangular league. These universities agreed to debate in pairs in January to establish semi-final winners who met in a final debate in April of each year.⁴⁷

Although the single debate contract plan continued through the second decade of intercollegiate debate, various league arrangements became more popular. A possible reason for the

popularity of league arrangements was that it was easier to obtain agreement on such problems as choice of questions, sides debated, the time and place of the contest, and similar difficulties that had long been the source of friction under the single-debate contract procedure.⁴⁸

As intercollegiate debate progressed in its development, students' interest in debate continued to rival their interest in athletic contests. After 1900, three honorary forensic societies were formed to encourage interest and participation. The societies were the Delta Sigma Rho in 1906, the Tau Kappa Alpha in 1908, and the Pi Kappa Delta in 1915. The local chapters of these organizations gradually replaced what remained of the literary society as focal points of debate activity on college campuses.⁴⁹

Debate as an intercollegiate activity rapidly spread through the universities of America. By 1893, intercollegiate debate had been accepted by most universities as a worthwhile activity.

The arrangement of some of the early debate contests tended to be somewhat chaotic. There were no specific rules or guidelines to follow when establishing debate regulations. What standards existed were traditional within each society. Uniformity in debate regulations did not exist. Therefore, with the formation of intercollegiate debate came the necessity to alter the rules of

conducting debate from those used in the literary society to those used in an intercollegiate contest situation.⁵⁰

The first decade of intercollegiate debate, 1893-1902, was characterized by the spread of the new activity throughout the college world, and by a gradual building of a system of rules and techniques for intercollegiate debating. Significant changes occurred in the number of speeches employed in the debate, the number of times the participants spoke, and the limit on the amount of time taken for each speech.⁵¹

Questions Debated

One of the most notable changes brought about by intercollegiate debate in the first decade was the type of subjects debated. From the beginning, intercollegiate debate subjects had been of a political, governmental, economic, or sociological nature. The college debaters wanted to learn something practical, interesting and worthwhile by their study of the debate subject, and were not merely airing their opinions or entertaining a social gathering in the literary society halls.⁵² Questions most frequently debated during the first decade of intercollegiate forensic activity dealt with such subjects as government ownership and operation of the telegraph system, international bimetallism, further territorial expansion of the United States, municipal ownership and operation of street railways, direct election of senators, a federal graduated income tax, and compulsory arbitration of labor-management disputes.⁵³

One of the techniques of debate that did not change in the first debate decade was the method of choosing the debate resolution. During the literary society era, many organizations had difficulty providing and choosing propositions that were suitable for debate. The situation was not greatly altered in the early years of intercollegiate debate.

As was stated previously, most debates in the first decade were single debates, or annual contests between rival colleges. The plan was for one college to challenge another to debate, submit the debate resolution, and allow the challenged team a period of time for consideration of the subject at issue. After a few days the challenged institution either rejected or accepted the challenge, and chose which side of the issue it wished to defend. A time and place of meeting were agreed upon. The problem that resulted was that the challenging team often cast the question in trick form, with the hope that the challenged debaters would accept before discovering any witticisms or technical flaws in the statement. This strategy resulted in much dispute and disagreement over definition of terms.⁵⁴ Consequently, many debates had the clash over terms rather than the issues of the debate.

In the period 1903-1913, intercollegiate debate continued its rapid expansion across the nation. At the same time the regulations continued to improve. The single-debate contract plan began to be replaced by various league arrangements. League

arrangements involving more than two participants made agreements easier. Many of the difficulties that had been the source of dispute and friction under the single-debate procedure were settled under other plans.⁵⁵ It provided settlement of the choice of sides, place of debate, and question phrasing in a democratic method. It removed much of the old tendency to attempt trickery or the jockeying for position.⁵⁶

The settlement of the question controversy was a significant accomplishment in intercollegiate debate. Because of the expansion of debate it became necessary for the question to be established well in advance so the participants were able to complete adequate preparation. Arrangements involving several members allowed the selection of a committee of representatives from all member colleges which chose the subject and stated the proposition.⁵⁷

The National Intercollegiate Debate Proposition

The third decade of intercollegiate debate in the United States, (1914-1923), was a period of further growth and expansion.⁵⁸ The first few years of the third decade embodied some of the long-standing problems that had remained with the intercollegiate contest. One such problem was that each debate required the creation of a new question. This involved new research, case structure, and planning for each debate. As stated previously, with debate expansion and growth, the number of debates a college participated in each year increased, quality of the debates improved, and it became increasingly necessary for the debate

resolution to be settled well in advance. Therefore, the arrangement requiring a new topic for each debate began to inhibit the further expansion of intercollegiate debate.

In 1920 a significant development took place in the field of intercollegiate debate. The first national intercollegiate topic was originated. The topic was chosen and the resolution phrased solely by the Pi Kappa Delta honorary forensic fraternity.⁵⁹ The national intercollegiate debate proposition was readily accepted by most colleges and universities throughout the nation because of the convenience it offered when arranging contests. The Pi Kappa Delta method continued until 1938.⁶⁰

Since 1938, the national intercollegiate debate resolution has been chosen by the Speech Association of America (more recently the Speech Communication Association) Committee on Intercollegiate Debate and Discussion Activities.⁶¹ Members of the committee are representatives from Delta Sigma Rho-Tau Kappa Alpha, Phi Rho Pi, Pi Kappa Delta, the American Forensic Association, and the Speech Communication Association.⁶²

In February of each year the committee asks the directors of forensics in colleges and universities to recommend problem areas from which suitable propositions can be formulated. The committee meets twice during the spring to coordinate and analyze the recommendations received and to phrase three to five resolutions in each of the most frequent problem areas. In June the propositions are submitted on a preferential ballot to the directors

of forensics, who choose the most favored resolution in each area. In July there is a final ballot to choose among the most favored propositions. The final results and the National Intercollegiate Debate Proposition for the year are announced in August of each year.⁶³

One of the most significant of the later developments in intercollegiate debating was the inauguration of the debate tournament, which originated in 1923 at Southwestern College, Winfield, Kansas.⁶⁴ The improvements in structured regulations and the formation of the national topic made the development possible. Since that date, the growth of tournament debating and the expansion of the number of intercollegiate debates scheduled by colleges made the use of the national debate resolution indispensable.⁶⁵

Many colleges today schedule well over two hundred debates a year. If the students attempted to debate a different proposition each time, as was done in the past, or even a number of different propositions, they would acquire considerable experience in research methods but only limited experience in sound debating techniques.⁶⁶ The national intercollegiate debate proposition has allowed improvement in the quality of college debate.

The National Intercollegiate Debate
Propositions from 1920-1967

The following is a list of the national intercollegiate debate propositions debated in American colleges and universities from 1920 through 1967.

- 1920-1921 Resolved: That a progressive tax on land should be adopted in the United States.
Resolved: That the League of Nations should be abolished.
- 1921-1922 Resolved: That the principle of the "closed shop" is unjustifiable.
- 1922-1923 Resolved: That the United States should adopt the cabinet-parliamentary form of government.
- 1923-1924 Resolved: That the United States should enter the World Court of the League of Nations as proposed by President Harding.
- 1924-1925 Resolved: That Congress should be empowered to override, by a two-thirds vote, decisions of the Supreme Court which declare acts of Congress unconstitutional.
- 1925-1926 Resolved: That the Constitution of the United States should be amended to give Congress power to regulate child labor.
- 1926-1927 Resolved: That the essential features of the McNary-Haugen bill be enacted into law.
Resolved: That the Volstead Act should be modified to permit the manufacture and sale of light wines and beer.
- 1927-1928 Resolved: That the United States should cease to protect, by force of arms, capital invested in foreign lands, except after formal declaration of war.
- 1928-1929 Resolved: That a substitute for trial by jury should be adopted.

- 1929-1930 Resolved: That the nations should adopt a plan of complete disarmament, excepting such forces as are needed for police purposes.
- 1930-1931 Resolved: That the nations should adopt a policy of free trade.
- 1931-1932 Resolved: That the Congress should enact legislation providing for the centralized control of industry.
- 1932-1933 Resolved: That the United States should agree to the cancellation of the inter-allied debts.
- 1933-1934 Resolved: That the powers of the President of the United States should be substantially increased as a settled policy.
- 1934-1935 Resolved: That the nations should agree to prevent the international shipment of arms and munitions.
- 1935-1936 Resolved: That the Congress should have the power to override, by a two-thirds majority vote, decisions of the Supreme Court declaring laws passed by Congress unconstitutional.
- 1936-1937 Resolved: That Congress should be empowered to fix minimum wages and maximum hours for industry.
- 1937-1938 Resolved: That the National Labor Relations Board should be empowered to enforce arbitration of all industrial disputes.
- 1938-1939 Resolved: That the United States should cease the use of public funds (including credits) for the purpose of stimulating business.
- 1939-1940 Resolved: That the United States should follow a policy of strict economic and military isolation toward all nations outside the Western Hemisphere engaged in armed international or civil conflict.
- 1940-1941 Resolved: That the nations of the Western Hemisphere should form a permanent union.

- 1941-1942 Resolved: That the federal government should regulate by law all labor unions in the United States.
- 1942-1943 Resolved: That the United States should take the initiative in establishing a permanent federal union with power to tax and regulate commerce, to settle international disputes and to enforce such settlements, to maintain a police force, and to provide for the admission of other nations which accept the principles of the union.
- 1943-1944 Resolved: That the United States should co-operate in establishing and maintaining an international police force upon the defeat of the Axis.
- 1944-1945 Resolved: That the federal government should enact legislation requiring the settlement of all labor disputes by compulsory arbitration when voluntary means of settlement have failed.
- 1945-1946 Resolved: That the policy of the United States should be directed toward the establishment of free trade among the nations of the world.
- 1946-1947 Resolved: That labor should be given a direct share in the management of industry.
- 1947-1948 Resolved: That a federal world government should be established.
- 1948-1949 Resolved: That the federal government should adopt a policy of equalizing educational opportunity in tax-supported schools by means of annual grants.
- 1949-1950 Resolved: That the United States should nationalize the basic nonagricultural industries.
- 1950-1951 Resolved: That the noncommunist nations should form a new international organization.
- 1951-1952 Resolved: That the federal government should adopt a permanent program of wage and price control.

- 1952-1953 Resolved: That the Congress of the United States should enact a compulsory fair employment practices law.
- 1953-1954 Resolved: That the United States should adopt a policy of free trade.
- 1954-1955 Resolved: That the United States should extend diplomatic recognition to the communist government of China.
- 1955-1956 Resolved: That the nonagricultural industries should guarantee their employees an annual wage.
- 1956-1957 Resolved: That the United States should discontinue direct economic aid to foreign countries.
- 1957-1958 Resolved: That the requirement of membership in a labor organization as a condition of employment should be illegal.
- 1958-1959 Resolved: That the further development of nuclear weapons should be prohibited by international agreement.
- 1959-1960 Resolved: That Congress should be given the power to reverse decisions of the Supreme Court.
- 1960-1961 Resolved: That the United States should adopt a program of compulsory health insurance for all citizens.
- 1961-1962 Resolved: That labor organizations should be under the jurisdiction of anti-trust legislation.
- 1962-1963 Resolved: That the noncommunist nations of the world should establish an economic community.
- 1963-1964 Resolved: That the federal government should guarantee an opportunity for high education to all qualified high school graduates.
- 1964-1965 Resolved: That the federal government should establish a national program of public work for the unemployed.

1965-1966 Resolved: That law-enforcement agencies in the United States should be given greater freedom in the investigation and prosecution of crime.⁶⁷

1966-1967 Resolved: That the United States should substantially reduce its foreign policy commitments.⁶⁸

Propositions Selected for Study

Since the inception of the national intercollegiate debate proposition in 1920, debate questions have dealt with topics of national and international concern.

As stated in the previous chapter, the purpose of this inquiry was to determine the legislative efforts made by the federal government, during the five years subsequent to the date the question was debated, to enact into law the sense of the selected national intercollegiate debate resolutions dealing with domestic concerns. Because topics that deal with international subjects depend upon the concurrence of other nations for implementation, Congress has only a limited ability to enact such resolutions. As a result the following eighteen national intercollegiate debate propositions were excluded from the study: the second 1920-1921 proposition, and the propositions for 1923-1924, 1929-1930, 1930-1931, 1932-1933, 1934-1935, 1939-1940, 1940-1941, 1942-1943, 1943-1944, 1945-1946, 1947-1948, 1950-1951, 1953-1954, 1954-1955, 1956-1957, 1958-1959, and 1962-1963.

The remaining thirty-one national intercollegiate debate propositions are based on national topics of domestic concern. Those are the first proposition for 1920-1921, and the propositions for 1921-1922 (eliminated from the study because it is a proposition of fact), 1922-1923, 1924-1925, 1925-1926, 1926-1927 (like 1920-1921, two topics were selected for that year), 1927-1928, 1928-1929, 1931-1932, 1933-1934, 1935-1936, 1936-1937, 1937-1938, 1938-1939, 1941-1942, 1944-1945, 1946-1947, 1948-1949, 1949-1950, 1951-1952, 1952-1953, 1955-1956, 1957-1958, 1959-1960, 1960-1961, 1961-1962, 1963-1964, 1964-1965, 1965-1966, 1966-1967. Because considerable research was required for each topic, it was not possible to include all of the domestic resolutions in the subsequent study that follows in chapter three. Upon consultation with the advisor, it was decided that five domestic propositions should be included in the study. Those selected propositions (see page 6) are the following:

1. 1920-1921 - "Resolved: That a progressive tax on land should be adopted in the United States."
2. 1928-1929 - "Resolved: That a substitute for trial by jury should be adopted."
3. 1941-1942 - "Resolved: That the federal government should regulate by law all labor unions in the United States."
4. 1957-1958 - "Resolved: That the requirement of membership in a labor organization as a condition of employment should be illegal."
5. 1963-1964 - "Resolved: That the federal government should guarantee an opportunity for higher education to all qualified high school graduates."

Summary

It was the purpose of this chapter to trace the development of debate from its beginning through the development of the national intercollegiate debate proposition. Although it was not possible to discover the precise beginning, it is known that Protagoras was an early innovator of the syllogistic disputation, an exercise whereby a student would present and defend his ideas and argue against those advanced by others. The syllogistic disputation was utilized as an educational method through Medieval and Renaissance times. The early form of debate had survived change until student societies began to experiment with new forensic methods in colonial America.

The literary societies flourished on American campuses from the early 1700's through the middle of the nineteenth century. During that time, the societies developed innovative debate ideas that brought about the restoration of forensic development. Initially, the societies held debates among their own members, but eventually the leading societies made and accepted challenges from societies on the same campus. Intersociety debates gained popularity and they became an annual campus event.

In the late 1800's a new facet of debate began to emerge, that being the intercollegiate debate contests. The new contests created considerable audience appeal and there was a rapid increase in interest and participation. As intercollegiate debate progressed, many of the difficulties that existed began to be

settled. League arrangements began to replace the single debate procedure and many problems began to be solved.

In 1920 a significant advancement was made in the field of intercollegiate debating. The Pi Kappa Delta honorary forensic fraternity developed the first national intercollegiate debate proposition. From that date, intercollegiate debating throughout the nation became more uniform. A single debate proposition allowed tournament debating to develop and the number of contests to increase.

From the time of Protagoras, through medieval scholasticism, to the schools of colonial America, the syllogistic disputation persisted as an educational tool. Student societies stimulated changes in the old debate methods, and in time, the new ideas developed into the modern intercollegiate debate contest.

FOOTNOTES

¹Douglas Ehninger and Wayne Brockriede, Decisions by Debate (New York: Dodd, Mead, and Company, 1967), p. 301.

²Don F. Faules and Richard Rieke, Directing Forensics: Debate and Contest Speaking (Pennsylvania: International Textbook Company, 1968), p. 2.

³Ibid., p. 4.

⁴Harrison B. Summers, Forest L. Whan, and Thomas A. Rouse, How to Debate - A Textbook for Beginners, 3rd ed. (New York: The H. W. Wilson Company, 1963), p. 15.

⁵Faules and Rieke, Directing Forensics, p. 5.

⁶Summers, Whan, and Rouse, How to Debate, p. 15.

⁷Ramsey Muir, A Short History of the British Commonwealth, Vol. I (London: Philip and Son, 1920), p. 487.

⁸Summers, Whan, and Rouse, How to Debate, p. 16.

⁹Henry L. Ewbank and J. Jeffery Auer, Discussion and Debate, Tools of a Democracy, 2nd ed. (New York: Appleton-Century-Crofts, 1951), p. 397.

¹⁰Ibid.

¹¹Alexander Cowie, Educational Problems at Yale College in the 18th Century, quoted in David Potter, "The Literary Society," in Karl N. Wallace, A History of Speech Education in America (New York: Appleton-Century-Crofts, 1954), p. 238.

¹²David Potter, "The Literary Society," in A History of Speech Education in America, ed. by Karl R. Wallace (New York: Appleton-Century-Crofts, 1954), p. 238.

¹³Ibid., p. 239.

¹⁴Faules and Rieke, Directing Forensics, p. 8.

¹⁵Ibid.

¹⁶Potter, "The Literary Society," p. 239.

- 17 Ibid.
- 18 Ibid., p. 241.
- 19 Ibid., p. 242.
- 20 Ibid.
- 21 Ibid., p. 243.
- 22 Ibid.
- 23 Ibid., p. 244.
- 24 Ibid.
- 25 Faules and Rieke, Directing Forensics, p. 8.
- 26 Potter, "The Literary Society," P. 245.
- 27 Ibid.
- 28 Ibid., p. 248.
- 29 Ibid., p. 249.
- 30 Ibid., p. 249-255.
- 31 Potter, "The Literary Society," p. 254.
- 32 Ibid.
- 33 Ehninger and Brockriede, Decision by Debate, p. 301.
- 34 Ewbank and Auer, Discussion and Debate, p. 383.
- 35 L. Leroy Cowperthwaite and A. Craig Baird, "Intercollegiate Debating," in A History of Speech Education in America, ed. by Karl R. Wallace (New York: Appleton-Century-Crofts, 1954), p. 259.
- 36 Ehninger and Brockriede, Decision by Debate, p. 303.
- 37 Potter, "The Literary Society," p. 245.
- 38 Ehninger and Brockriede, Decision by Debate, p. 303.
- 39 Ewbank and Auer, Discussion and Debate, p. 383.

⁴⁰R. C. Ringwalt, "Intercollegiate Debating," Forum, Jan., 1897, XXII, 663, cited by Egbert R. Nichols, in "A Historical Sketch of Intercollegiate Debating: I," Quarterly Journal of Speech, XXII (April, 1936), p. 215.

⁴¹Ibid.

⁴²Potter, "The Literary Society," p. 247.

⁴³Cowperthwaite and Baird, "Intercollegiate Debating," p. 263.

⁴⁴Ibid., p. 260.

⁴⁵Ehninger and Brockriede, Decision by Debate, p. 303.

⁴⁶Egbert R. Nichols, "A Historical Sketch of Intercollegiate Debating: I," Quarterly Journal of Speech, XXII (April, 1936), p. 216.

⁴⁷Ibid.

⁴⁸Cowperthwaite and Baird, "Intercollegiate Debating," in A History of Speech Education in America, p. 261.

⁴⁹Ehninger and Brockriede, Decision by Debate, p. 303.

⁵⁰Nichols, "Intercollegiate Debating: I," p. 216.

⁵¹Ibid.

⁵²Ibid.

⁵³Cowperthwaite and Baird, "Intercollegiate Debating," in A History of Speech Education in America, p. 261.

⁵⁴Nichols, "Intercollegiate Debating: I," p. 218.

⁵⁵Cowperthwaite and Baird, "Intercollegiate Debating," in A History of Speech Education in America, p. 265.

⁵⁶Egbert R. Nichols, "A Historical Sketch of Intercollegiate Debating: II," Quarterly Journal of Speech, XXII (December, 1936), p. 591.

⁵⁷Nichols, "Intercollegiate Debating: I," p. 213.

⁵⁸Cowperthwaite and Baird, "Intercollegiate Debating," in A History of Speech Education in America, p. 268.

⁵⁹George M. Musgrave, Competitive Debate - Rules and Techniques, 3rd ed. (New York: The H. W. Wilson Company, 1957), p. 142.

⁶⁰Ibid.

⁶¹Ibid.

⁶²Austin Freeley, Argumentation and Debate - Rational Decision Making, 2nd ed. (Belmont, California: Wadsworth Publishing Company, Inc., 1966), p. 36.

⁶³Ibid.

⁶⁴Cowperthwaite and Baird, "Intercollegiate Debating," in A History of Speech Education in America, p. 274.

⁶⁵Freeley, Argumentation and Debate, p. 36.

⁶⁶Ibid.

⁶⁷Freeley, Argumentation and Debate, pp. 436-439.

⁶⁸Agency for International Development, Foreign Assistance: Source Book for Debaters (Washington, D.C.: Agency for International Development, 1966), p. ii.

CHAPTER III

FEDERAL LEGISLATIVE EFFORTS CONCERNING

THE SUBJECT MATTER OF THE

IDENTIFIED PROPOSITIONS

Survey Methods

As expressed in the "Statement of the Problem," the partial intent of this study was to determine to what extent the subject matter of the selected national intercollegiate debate propositions has been reflected in national programs and acts. Therefore, a search was made adhering to the designated termination point of five years following the date the selected proposition was debated. Information concerning the extent to which the subject matter of the national debate propositions was reflected in national programs and acts was initially sought from the United States Congressional Record, Indexes.

The index issues of the U.S. Congressional Record include a "History of Bills and Resolutions," which contains a listing, description, and history of all bills and resolutions introduced in the U.S. Senate and U.S. House of Representatives. The specific categories consulted under the "History of Bills and Resolutions" were, "Senate Bills," "Senate Joint Resolutions," "Senate Concurrent Resolutions," "Senate Resolutions," "House

Bills," "House Joint Resolutions," "House Concurrent Resolutions," and "House Resolutions."¹

Each of the specific categories contains a numbered list of the bills and resolutions introduced in the specific session of the U.S. Senate and U.S. House of Representatives. The list includes a description and record of the parliamentary action, if any, taken on a bill or resolution. Reference is made to the page number in the U.S. Congressional Record, Proceedings and Debates, for the parliamentary action that took place during the session of the U.S. Senate and U.S. House of Representatives. Initially, it was thought that a transcription of the bill or resolution could be found in the U.S. Congressional Record, Proceedings and Debates, but it was discovered that a synopsis or transcription of the bill or resolution is included only when a series of parliamentary action takes place. Therefore, an alternate source for the majority of the pertinent bills and resolutions had to be located.

No bills or resolutions were introduced that pertained to the subject matter of the 1920-1921 national intercollegiate debate proposition. Originally three Senate Bills and one House Bill were discovered that showed a prospect of pertaining to the subject matter of the 1928-1929 national intercollegiate debate proposition. No source could be found that contained a transcription of Senate Bills 5823 (1929),² 820 (1929),³ 1836 (1929).⁴ Therefore, it was necessary to send a request to the Library of

Congress, through the district office of the Honorable Frank E. Denholm, First District Congressman from South Dakota, to photocopy the three bills. A synopsis of House Bill 12056 (1930)⁵ was included in the U.S. Congressional Record, Proceedings and Debates, Volume LXXII-Part 9.

A synopsis of the bills and resolutions introduced in the U.S. Senate and U.S. House of Representatives after 1935 is included in the Digest of Public General Bills and Selected Resolutions.⁶ The content of bills and resolutions that appeared pertinent to the subject matter of the 1941-1942, 1957-1958, and 1963-1964 national intercollegiate debate propositions was found in that source.

A three step process was followed in order to determine the extent to which the subject matter of the specified national intercollegiate debate propositions may have been reflected in national programs or acts. Initially, an examination was made of the bill and resolution descriptions to determine if any could be found dealing with the subject matter of the particular debate proposition. The descriptions were found in the U.S. Congressional Record, Indexes, "History of Bills and Resolutions," under the specified categories. In compliance with the designated termination point of five years subsequent to the date the proposition was debated, the sources searched included the congressional sessions that began on or after September 1 of the first year the proposition was debated and concluded by September 1 of the fifth

subsequent year (i.e., the 1920-1921 debate proposition was researched from the December 10, 1920-February 20, 1921 session through the December 1, 1924-March 4, 1925 congressional session.).

If the examination revealed a bill or resolution that possibly dealt with the subject matter of the debate proposition, the bill or resolution number, description, and parliamentary history was noted. To determine if the bill or resolution actually pertained to the subject matter of the debate proposition, an examination was made of the synopsis or transcript of the bill or resolution in the appropriate source. If it was determined, upon examination, that the bill or resolution did not pertain to the subject matter of the debate proposition, a brief explanation was made describing how the bill or resolution differed from the subject of the debate proposition. If, however, the bill or resolution was judged to be pertinent to the subject matter of the specified debate proposition, an explanation was made concerning its relevance to the proposition. Concluding the three step process was a study to discover the parliamentary action taken on the pertinent bill or resolution in the U.S. Senate and U.S. House of Representatives as found in the U.S. Congressional Record, Indexes, "History of Bills and Resolutions."

Pertinent Legislation

1920-1921

The 1920-1921 national intercollegiate debate proposition was, "Resolved: That a progressive tax on land should be adopted in the United States." This was the first topic chosen by the Pi Kappa Delta honorary forensic fraternity for national intercollegiate debate contests.⁷

The search through the specific categories listed under the "History of Bills and Resolutions" in the U.S. Congressional Record, Indexes,⁸ revealed that no U.S. Senate or U.S. House of Representatives bills or resolutions had been introduced that dealt with the subject matter of the 1920-1921 national intercollegiate debate resolution.

1928-1929

The 1928-1929 national intercollegiate debate proposition was, "Resolved: That a substitute for trial by jury should be adopted."⁹

Information concerning the subject matter of the debate proposition for 1928-1929 was sought from the U.S. Congressional Record, Indexes, utilizing the same method as for earlier questions. The inclusive dates were September 1, 1928 through September 1, 1933.¹⁰ The search revealed three Senate bills and one House bill that possibly pertained to the study. These were Senate Bills 5823, 820, 1836, and House Bill 12056. Upon

consultation with the thesis advisor, it was determined that the four bills should be examined further. Therefore, the description of each of the bills was reviewed, the transcription of each bill considered, and the legislative history of each bill was compiled.

S. 5823

The description for S. 5823 is, "To grant defendants the privilege to waive jury trials and to improve trial procedure in misdemeanor cases."¹¹ A copy of the bill was obtained from the Library of Congress through the office of the Honorable Frank E. Denholm, Representative from South Dakota. Senate bill 5823 was transcribed as follows:

70TH CONGRESS
2D SESSION

S. 5823

IN THE SENATE OF THE UNITED STATES

FEBRUARY 15 (calendar day, FEBRUARY 18), 1929

Mr. STEPHENS introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To grant defendants the privilege to waive jury trials and to improve trial procedure in misdemeanor cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
For the purpose of filing informations, taking pleas of guilty or not guilty, filing any pleading, issuing and returning mesne and final process, ordering references to United States commissioners, hearing and determining any issues of law and fact, pronouncing sentences, and

entering orders of judgments in any criminal prosecution for a misdemeanor, and for all other purposes of exercising jurisdiction in misdemeanor cases, the district courts of the United States shall be always open.

In all misdemeanor cases the United States Commissioners shall be authorized to accept pleas of guilty or not guilty, and to pass upon the law and the facts, of all cases referred to them under this Act, and report to the court.

Upon the filing of any information or indictment charging an offense which is not a felony, it shall be the duty of the clerk, as a matter of course, unless otherwise ordered by the court, to refer such information or indictment to a United States commissioner and to enter an order in accordance therewith upon the minutes of the court.

In all cases referred to a United States commissioner under this Act he is hereby authorized and directed to arraign the defendant in the court room, or in such place in the proper division and district as may be designated by the court as a court room for the purposes of carrying into effect the provisions of this Act.

If upon arraignment, as aforesaid, before the United States commissioner the defendant pleads guilty, it shall be the duty of the United States commissioner to report the fact to the court in writing. Thereupon it shall be the duty of the court to sentence the defendant, and the clerk shall enter the judgment upon the minutes of the court.

In every case in which the defendant moves to quash the information or indictment, demurs, pleads not guilty, or files any plea other than a plea of guilty, it shall be the duty of the defendant to file with such motion, demurrer, or plea, a written notice that he desires a regular hearing before the court and a jury on all issues of law and fact involved therein, and thereupon it shall be the duty of the said commissioner to report the facts to the court and to proceed no further with the reference, and the case shall be tried regularly before the court and a jury; but a waiver by the defendant of a jury trial and an agreement by him that the United States commissioner may hear and determine all issues of law and fact arising therein, and may report his findings to the court, and that the court may pronounce sentence and enter judgment, as a matter of course, in accordance with said report.

If upon a hearing under the provisions of the preceding paragraph the United States commissioner shall report to the court that the defendant is not guilty, a judgment adjudicating that fact and discharging the defendant

shall be entered by the clerk as a matter of course, and shall bar any further prosecution for the same offense; but if said commissioner shall report that the defendant is guilty as charged, the court shall pronounce sentence in accordance with the law, and the clerk shall enter the judgment upon the minutes of the court.

Except upon a plea of guilty, the defendant may, within five days from the filing of any report by said United States commissioner under this Act, or within five days after entry of any judgment, file exceptions to said report and judgment, or either, and shall thereby obtain a suspension of sentence, or of the execution thereof, pending a review by the court upon any error of law committed by the commissioner or by the court. It shall be the duty of the court to hear said exceptions and to overrule or sustain the same, and to confirm, alter, suspend, or rescind the judgment as justice may require.

SEC. 2. All fees accruing to United States commissioners under this Act shall be paid by the United States, regardless of whether the defendant is acquitted or convicted, and the defendant shall not be taxed with any costs of court in cases where he pleads guilty or agrees to a hearing without a jury before the United States commissioner, but in all other cases in which the defendant is convicted he may be taxed with the costs of the prosecution.

In addition to the fees allowed by law the United States commissioner shall be entitled to a fee of \$5 for filing his report in each case referred to him under this Act.

SEC. 3. Nothing in this Act shall be construed to deny any person the benefit of the Probation Act, the Parole Act, or Executive clemency.

SEC. 4. In all hearings before any United States commissioner under this Act witnesses may be summoned to appear, sworn, and required to testify in the same way, under the same circumstances, and subject to the same penalties and liabilities as are provided by equity rule numbered 52, in force at the date of the passage of this Act, and said commissioner shall be authorized to administer an oath or affirmation to any parties so called to testify or give evidence in any such hearing. All witnesses so appearing to testify in behalf of the United States shall be allowed the same compensation and mileage as now or hereafter provided by law, which shall be paid by the United States marshal upon the order of such commissioner.

SEC. 5. If any paragraph or provision of this Act should be held invalid, that fact shall not invalidate any other paragraph or provision.¹²

Because passage of the bill would have allowed defendants to waive trial by jury, a substitute to trial by jury would be adopted, thus allowing at least partial achievement of the goal established by the 1928-1929 national intercollegiate debate proposition. An examination of the parliamentary action taken on S. 5823 revealed the bill was "read the first time, and, by unanimous consent, the second time, and referred" to the Senate Committee on the Judiciary.¹³ No further action was taken on the bill.

S. 820

The description for S. 820 is, "To amend section 648 of the Revised Statutes regulating the procedure in civil and criminal cases triable by jury."¹⁴ The bill was obtained from the Library of Congress through the office of the Honorable Frank E. Denholm, Representative from South Dakota. Senate Bill 820 is transcribed as follows:

71ST CONGRESS
1ST SESSION

S. 820

IN THE SENATE OF THE UNITED STATES

APRIL 29, 1929

Mr. McKELLAR introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend section 648 of the Revised Statutes regulating the procedure in civil and criminal cases triable by jury.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 648 of the Revised Statutes of the United States be, and the same is hereby, amended by putting a colon at the end of said section instead of a period and by adding the following thereto: "Provided, however, That in no civil or criminal case triable by jury shall the presiding judge have the power, for any reason, to take the case from the jury or to comment on the credibility of the witnesses, or to direct the findings of the jury, or to state his opinion as to the facts in the case to the jury, but in all criminal cases, and in all civil cases where the value in controversy shall exceed \$20, the right of trial by jury shall be preserved by the presiding judge and the jury left free under proper instructions from the presiding judge as to the law of the case, to decide the case on the facts, without suggestion, intimation, or opinion of the presiding judges as to the facts: Provided further, That in all civil cases triable by a jury the parties may agree to try and try their case before a judge without the intervention of a jury."

SEC. 2. A violation of the foregoing section by the presiding judge shall constitute reversible error in the case and shall also constitute a misdemeanor within the purview of the Constitution and be cause for impeachment proceedings against the offender.¹⁵

The passage of bill S. 820 would have provided involved parties in civil cases the option to have their case tried before a judge without intervention of a jury. Passage would have achieved part of the goal established by the 1928-1929 national intercollegiate debate proposition. An examination of the parliamentary action taken of S. 820 revealed the bill "was introduced, read the first time, and, by unanimous consent, the second time, and referred" to the Senate Committee on the Judiciary.¹⁶ No further action was taken.

S. 1836

The description for S. 1836 is, "To grant defendants the privilege to waive jury trials, to provide for references to U.S. Commissioners, and to improve trial procedure."¹⁷ Again, a copy of the bill was obtained through the efforts of the Honorable Frank E. Denholm, Representative from South Dakota. Senate Bill 1836 is transcribed as follows:

71ST CONGRESS
1ST SESSION

S. 1836

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (calendar day, OCTOBER 8), 1929

Mr. STEPHENS introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To grant defendants the privilege to waive jury trials, to provide for references to United States commissioners, and to improve trial procedure.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
That for the purpose of filing informations, taking pleas of guilty or not guilty, filing any pleading, waiving jury trials, issuing and returning mesne and final process, ordering references to United States commissioners, hearing and determining any issues of law or fact, and of making and directing all preliminary motions, orders, rules, and other proceedings preparatory to pronouncing sentences and entering final judgments in any criminal prosecution, the district courts of the United States shall be deemed always open.

In all criminal prosecutions in the district courts of the United States the trial, except as otherwise provided by law, shall be by jury, unless the accused either in writing duly filed with the clerk or in open court shall waive such trial by jury and request to be tried by the

court, in which case the trial shall be by the court without a jury, and the sentence and judgment shall have the same force and effect in all respects as if it had been pronounced and entered upon the verdict of a jury. If, however, defendants jointly charged elect differently hereunder with respect to trial without a jury, the court, in its discretion, may either require all to be tried by a jury or allow each to be tried with or without a jury as he requests, or together try without a jury those waiving a jury trial and with a jury those not waiving a jury trial.

In any criminal prosecution, except for a capital offense, where a jury trial is waived and a trial by the court requested by the accused the court may, upon motion of the United States attorney, with the consent of the defendant or defendants, refer the information or indictment to a United States commissioner with power to arraign the defendant or defendants, to accept pleas of guilty or not guilty, and to pass upon the law and the facts, and to report his findings to the court.

Upon any reference of an information or indictment to a United States commissioner under this Act, he shall be authorized to accept pleas of guilty or not guilty and to pass upon the law and the facts in all such cases, and to report his findings to the court. As soon as such reference is made, if the defendant is under arrest, he shall be immediately taken before the said United States commissioner; if he is at large on bail it shall be his duty to appear before said commissioner, either immediately or at such later date as may be designated by the court.

In all criminal prosecutions referred to a United States commissioner under this Act he is hereby authorized and directed to arraign the defendant in the court room, or in such place in the proper division and district as may be designated by the court as a court room for the purpose of carrying into effect the provisions of this Act.

If upon arraignment as aforesaid before said commissioner the defendant pleads guilty, it shall be the duty of the said commissioner to report the fact to the court in writing. It shall thereupon be the duty of the court, if then in session, if not, at the next term, to sentence the defendant, and the clerk shall enter the judgment upon the minutes of the court: Provided, That the punishment imposed in such cases shall not exceed a fine of \$1,000 or imprisonment for longer than twelve months, or both. If not already under bond to answer

the judgment of the court, the commissioner shall allow defendant bond and fix the amount thereof.

In every such case in which a plea of guilty is not entered the United States commissioner shall hear and determine all issues of law and fact arising therein and shall report his findings to the court.

If upon a hearing under the provisions of the preceding paragraph the United States commissioner shall report to the court that the defendant is not guilty, a judgment adjudicating that fact and discharging the defendant shall be pronounced by the court as a matter of course, and shall bar any further prosecution for the same offense; but if said commissioner shall report that the defendant is guilty as charged, the court shall pronounce sentence in accordance with the law, and the clerk shall enter the judgment upon the minutes of the court: Provided, That the punishment imposed in such case shall not exceed a fine of \$1,000 or imprisonment for longer than twelve months, or both. The said sentence shall be pronounced and judgment entered immediately, if the court be then in session; if not, at the next term thereof. If not already under bond to answer to the judgment of the court, the commissioner shall allow the defendant bond and fix the amount thereof.

Except upon a plea of guilty, the defendant may, within five days from the filing of any report by said United States commissioner under this Act, or within five days after the entry of any judgment, file exceptions to said report and judgment, or either, and shall thereby obtain a suspension of sentence, or of the execution thereof, pending a review by the court upon any error of law committed by the commissioner or by the court. It shall be the duty of the court to hear said exceptions and to overrule or sustain the same, and to confirm, alter, suspend, or rescind the judgment as justice may require.

SEC. 2. All fees accruing to United States commissioners under this Act shall be paid by the United States, regardless of whether the defendant is acquitted or convicted, and the defendant shall not be taxed with any costs of court in cases where he pleads guilty or agrees to a hearing without a jury before the United States commissioner, but in all other cases in which the defendant is convicted he may be taxed with the costs of the prosecution.

In addition to the fees now allowed by law the United States commissioner shall be entitled to a fee

of \$5 for filing his report in each case referred to him under this Act.

SEC. 3. Nothing in this Act shall be construed to deny any person the benefit of the Probation Act.

SEC. 4. In all hearings before any United States commissioner under this Act witnesses may be summoned to appear, sworn, and required to testify in the same way, under the same circumstances, and subject to the same penalties and liabilities as are provided by Equity Rule Numbered 52, in force at the date of the passage of this Act, and said commissioner shall be authorized to administer an oath or affirmation to any parties so called to testify or give evidence in any such hearing. All witnesses so appearing to testify in behalf of the United States shall be allowed the same compensation and mileage as now or hereafter provided by law, which shall be paid by the United States marshal upon the order of such commissioner.

SEC. 5. In all misdemeanor cases in which he intends to move for a reference to a United States commissioner under this Act the United States attorney shall dispense with affidavits and preliminary hearings before United States commissioners whenever the same is consistent with the ends of justice.

SEC. 6. If any sentence, paragraph, section, or provision of this Act shall be adjudicated invalid for any reason, such invalidity shall not invalidate or affect the remainder or any other of its provisions.¹⁸

The passage of S. 1836 would have allowed an accused person to waive trial by jury and request to be tried by the court. Again, passage would have resulted in at least partial implementation of the goal established by the 1928-1929 national intercollegiate debate proposition. The examination of the parliamentary action taken on S. 1836 showed that the bill "was introduced, read the first time, and, by unanimous consent, the second time, and referred" to the Senate Committee on the Judiciary.¹⁹ No further action was taken on the bill.

H.R. 12056

The description for H.R. 12056 is, "Providing for the waiver of trial by jury in the district courts of the United States."²⁰ A synopsis of H.R. 12056 is included in the U.S.

Congressional Record, Proceedings and Debates, Volume LXXII-

Part 9. The bill is summarized as follows:

Be it enacted, etc., that in all criminal prosecutions within the jurisdiction of the district courts of the United States the trial, except as otherwise provided by law, shall be by jury unless the accused shall in open court, in such manner and under such regulations as the court may prescribe, expressly waive such trial by jury and request to be tried by the court, whereupon, with the consent of Government council and the sanction of the court, the trial shall be by the court without a jury, and the judgment and sentence shall have the same force and effect in all respects as if the same had been entered and pronounced upon the verdict of a jury.

SEC. 2. This act shall be in force from its passage, and all acts and parts of acts in conflict therewith are hereby repealed.²¹

The passage of H.R. 12056 would have allowed a defendant to expressly waive trial by jury and request to be tried by the court. Passage of the bill would have provided, in part, achievement of the goal established by the 1928-1929 national intercollegiate debate proposition. The examination of the parliamentary action taken on H.R. 12056 revealed that the bill was introduced in the House of Representatives, referred to the House Committee on the Judiciary,²² reported back and placed on the House Calendar,²³ debated, amended and passed the House, referred to the Senate Committee on the Judiciary, and was reported back.²⁴

While a great deal of legislative activity transpired, the bill still fell short of passage.

Bills to amend Judicial Code

The search for bills or resolutions dealing with the subject matter of the 1928-1929 national intercollegiate debate proposition revealed 103 bills or resolutions entitled, "To amend the Judicial Code." Upon consultation with the thesis advisor, it was decided that although the bills could possibly pertain to the subject matter of the resolution, they were too numerous to make further examination feasible. However, to facilitate any subsequent inquiry by other researchers, a listing of these bills and resolutions bearing that title is included.

The U.S. Congressional Record, Index, Volume LXX-Part 6, contains the following bills and resolutions entitled "To amend the Judicial Code:"

1. Senate Bills 2204, 2206, 5300, 5181, 544, 4415, and 5518.
2. House Reports 9049, 10431, 12351, 12526, 14150, 15208, 15972, 16658, and 17080.
3. House Resolution 314.²⁵

The U.S. Congressional Record, Index, Volume LXXI-Part 6, contains the following bills entitled "To amend the Judicial Code:"

1. Senate Bills 823, 824, 999, 1317, 1932, and 2053.
2. House Reports 183, 139161, 719, 1016, 1650, 2742, 2962, and 5265.²⁶

The U.S. Congressional Record, Index, Volume LXXII-Part 12, contains the following bills entitled "To amend the Judicial Code:"

1. Senate Bills 2497, 2501, 2729, 3371, 4425, and 4651.
2. House Reports 5624, 6139, 6347, 7510, 7645, 9486, 9501, and 12095.²⁷

The U.S. Congressional Record, Index, Volume 75-Part 15, contains the following bills and resolutions entitled "To amend the Judicial Code:"

1. Senate Bills 33, 548, 637, 641, 935, 937, 938, 1281, 2232, 2264, 2464, 2529, 3060, 3146, 3185, 3243, 4695, and 4769.
2. House Reports 252, 345, 347, 4526, 4527, 4624, 4674, 5315, 5836, 6456, 6675, 7243, 7433, 8019, 8086, 8577, 8975, 9199, 9259, 9306, 10016, 10641, 10670, and 12573.
3. House Resolution 166.²⁸

The U.S. Congressional Record, Index, Volume 76-Part 6, contains the following bills entitled "To amend the Judicial Code:"

1. House Reports 4626, 4656, 10641, 13018, and 13362.²⁹

The U.S. Congressional Record, Index, Volume 77-Part 7, contains the following bills entitled "To amend the Judicial Code:"

1. Senate Bills 321, 515, 588, and 1650.
2. House Resolutions 7, 3368, 3647, 4337, and 5886.³⁰

While seeking bills and resolutions with subject matter of possible importance to the study, four bills were discovered and assessed as being pertinent to the 1928-1929 national inter-collegiate debate proposition. Senate Bills 5823, 820, and 1836

were all introduced into the Senate and referred to the Committee on the Judiciary with no additional action taken. H.R. 12056 was introduced in the House of Representatives and was ultimately passed and referred to the Senate Committee on the Judiciary. It was reported back; no further parliamentary action was taken on the bill.

1941-1942

The 1941-1942 national intercollegiate debate proposition was, "Resolved: That the federal government should regulate by law all labor unions in the United States."³¹ As for earlier questions, information concerning proposed acts dealing with the subject matter of the proposition for 1941-1942 was sought from the U.S. Congressional Record, Indexes.³² The same method as established for earlier questions was utilized. The inclusive survey dates were September 1, 1941, through September 1, 1946. Three House Bills and one Senate Joint Resolution were discovered that possibly pertained to the subject matter of the proposition. These were H.R. 1866 (1943),³³ H.R. 2036 (1943),³⁴ H.R. 4875 (1945)³⁵ and S.J. Res. 133 (1946).³⁶ Because the descriptions of the bills and resolution suggested relevant material, the thesis advisor recommended they be examined further. Therefore, the descriptions were reviewed, the synopses considered, and the legislative histories compiled.

H.R. 1866

H.R. 1866 is described as, "To confer jurisdiction on the United States courts in cases involving work stoppages, and for other purposes."³⁷

The following is the synopsis of H.R. 1866 as found in the Digest of Public General Bills.

Labor organizations shall not enter into any contract, combination, or conspiracy in restraint of interstate commerce for the purpose of (1) obtaining a closed shop (2) inducing the payment of money to the organization except under the publicized terms of an existing collective-bargaining agreement (3) inducing an employer to adopt unreasonable restrictions upon the use of materials, machines, and equipment (4) joining an employer to fix prices, allocate customers, restrain production, etc. Such contracts are punishable by a maximum fine of \$5,000 and/or 1 year imprisonment.

Authorizes the issuance of a temporary restraining order or a permanent injunction to protect the United States or any person affected, injured, or threatened by these acts and to prevent stoppages in defense industries pending hearings before the National Mediation Board.³⁸

Passage of H.R. 1866 would have prohibited labor organizations from certain contract agreements by threat of imprisonment and/or a fine. Therefore, passage would have granted the federal government certain regulatory power over labor organizations, contributing to the fulfillment of the goal established by the 1941-1942 national intercollegiate debate proposition. An examination of the parliamentary action taken on H.R. 1866 indicated the bill was introduced into the House of Representatives and referred to the House Committee on the Judiciary.³⁹ No further action was taken on the bill.

H.R. 2036

H.R. 2036 is described as, "To confer jurisdiction on the U.S. Courts in cases involving work stoppages and for other purposes."⁴⁰ The Digest of Public General Bills contains the synopsis of H.R. 2036, which is as follows:

Labor organizations shall not enter into any contract, combination, or conspiracy in restraint of interstate commerce for the purpose: (1) obtaining a closed shop, (2) inducing the payment of money other than wages, for the personal benefit of any officer or member of a labor organization, (3) inducing an employer to adopt restrictions upon materials, machines, and equipment or hire unnecessary labor, (4) joining an employer to fix prices, allocate customers, restrain production, etc. Such contracts are punishable by a maximum fine of \$1,000 and/or 1 year imprisonment.

Authorizes the institution of proceedings by the U.S. and the issuance of a temporary restraining order or permanent injunction to protect the United States or any person affected, injured or threatened by these acts and to prevent stoppage in defense industries pending hearings before National War Labor Board, the National Labor Relations Board or the National Mediation Board.⁴¹

Passage of H.R. 2036 would have given the federal government the power to prohibit certain contract agreements by threat of imprisonment and/or a fine. Since passage of H.R. 2036 would have provided certain federal control over labor organizations, partial accomplishment of the goal established by the 1941-1942 national intercollegiate debate proposition would be attained. Upon examining the parliamentary action taken on H.R. 2036, it was discovered that the bill was introduced into the House of Representatives and referred to the House Committee on the Judiciary.⁴² No further action was taken on the bill.

H.R. 4875

The description for H.R. 4875 is "To provide for the investigation and mediation of labor disputes, to diminish the causes of labor disputes, and for other purposes."⁴³ The synopsis of H.R. 4875 included in the Digest of Public General Bills is as follows:

H.R. 4875. Mr. Smith of Virginia; December 3, 1945 (Labor).

Deprives a labor organization of its status as a labor organization under the National Labor Relations Act when it knowingly or negligently permits any member of the Communist Party of the United States, the Young Communist League, the German-American Bund, or the Kyffhauserbund, or a person who has been convicted of a felony involving moral turpitude to hold office in its organization.

It shall be unlawful to conduct a lock-out or a strike until 30 days after notice of intention has been given to the Secretary of Labor.

It shall be unlawful: (1) to use force or threats to prevent any individual from working for an employer; (2) for any person who was not an employee immediately prior to a labor dispute to engage in picketing; (3) for an employer to hire a person to interfere by force or threats with peaceful picketing or with the employees' rights of self-organization and collective bargaining; (4) to engage in sympathy strikes, jurisdictional strikes, or to refuse to work on the articles produced by any person in an attempt to induce such person to recognize, comply with the demands of, or to employ members of any labor organization.

Federal district courts shall have jurisdiction to enjoin any of the above acts; and a person who commits any of them shall: (1) be civilly liable for damages resulting therefrom; (2) cease to be entitled to (a) the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act or to the status of a representative for the purposes of such act; (b) any employment or other benefits under any act making appropriations for relief purposes, or (3) any unemployment compensation or other benefits under title III or title IX of the Social Security Act. Any person other than an individual guilty of any of

the foregoing violations shall cease to have the status of a labor organization and the National Labor Relations Act and the protection of the act of March 23, 1932, which prohibits the issuance by Federal courts of injunctions against certain acts relating to labor organization and strikes.

Requires every labor organization in which employees of any defense contractor participate to register its identity with the National Labor Relations Board and to give the Board required information relating to its organization, membership, and finances.

Creates in the Executive Office of the President the National Mediation Board composed of representatives of employers, employees, and the public. The Board shall have jurisdiction of a labor dispute (not within the purview of the Railway Labor Act) which the Chairman determines substantially affects the public interest and which cannot be expeditiously adjusted by collective bargaining or other conciliation and mediation procedures. The Board may use a mediation panel consisting exclusively of disinterested persons representative of the public or consisting of representatives of employers, employees, and the public.

The Chairman or the mediation panel may at any time request the parties to a dispute to negotiate by collective bargaining or to meet with any representatives of the Board. If the dispute is not settled by these means, the Chairman may authorize a panel consisting of the mediation panel or of a different panel or of the full Board to investigate the issues involved and to make findings of fact and formulate recommendations; and the Board shall submit such report to the parties and to the public.

After the Board has taken jurisdiction of a dispute, the Chairman may issue an order requiring any person to refrain from calling, or assisting in a strike arising out of the dispute, or an order requiring the employer to refrain from any practices which change the situation existing at the time the dispute arose. Such order shall terminate within 5 days after the findings and recommendations of the Board or within 60 days from its issuance, whichever first occurs.

Orders of the Board are enforceable only at the suit of the Attorney General made in the proper Federal district court. The jurisdiction of district courts when granting temporary relief or restraining order to enforce such orders of the Board shall not be limited by the act of March 23, 1932.⁴⁴

Passage of H.R. 4875 would have prohibited labor organizations from granting membership to certain undesirables, required a notice of intention to the Secretary of Labor before conducting any work stoppages, and would have given the federal district courts jurisdiction over labor organizations that violated such acts. Passage would definitely have granted the federal government regulatory powers over labor organizations, achieving partial attainment of the goals established by the 1941-1942 national intercollegiate debate proposition. Examination of the parliamentary action taken on H.R. 4875 revealed that the bill was introduced into the House of Representatives and referred to the House Committee on Labor.⁴⁵ No further action was taken.

S.J. Res. 133

"To provide for the incorporation and registration of labor organizations and to impose certain responsibilities upon such organizations and for other purposes,"⁴⁶ is the description of S.J. Res. 133. When introduced into the House of Representatives, S.J. Res. 133 was ordered to be printed in the U.S. Congressional Record, "Proceedings and Debates." J.S. Res. 133 is transcribed as follows:

Joint resolution to provide for the incorporation and registration of labor organizations and to impose certain responsibilities upon such organizations, and for other purposes

Whereas the Congress has by law provided certain rights and privileges for employees and labor organizations; and

Whereas such rights and privileges should not be permitted to be exercised in a manner that interferes with the free flow of interstate and foreign commerce or is destructive of the rights and property of others; and

Whereas each such labor organization should be held to be responsible for breach of its contracts and for its unlawful acts to the same extent as corporations and all business agencies and individuals: Therefore be it Resolved, etc.

REGISTRATION

SECTION 1. (a) Within 6 months after the date of enactment of this joint resolution and annually thereafter every labor organization having as members one or more employees of persons engaged in commerce shall register its identity with the Securities and Exchange Commission and shall state under oath the following information and such other information as the Commission may by regulations require: The name of the labor organization; the address at which it has its principal office; the names and titles of the officers and their annual compensation; the company or companies with which the labor organization deals, if a local organization; the industry or industries in which the labor organization operates, if a national organization: initiation fees; annual dues charged to each member; assessments levied during the past 12 months' period; limitations on membership; number of paid-up members; date of the last election of officers; the method of election; the vote for and against each candidate for office; and the date of the last detailed financial statement furnished all members and the method of publication or circulation of such statement. With such information shall be filed under oath, in accordance with such rules and regulations as the Commission may prescribe, detailed and intelligible financial statements and a copy of the articles of incorporation and bylaws of the labor organization.

(b) Every labor organization incorporated after the date of enactment of this joint resolution having as members one or more employees of persons engaged in commerce shall, when incorporated and annually thereafter, register with the Commission and furnish the information required of existing labor organizations under the provisions of this section.

INCORPORATION

SEC. 2. Every labor organization having as members one or more employees of persons engaged in commerce shall, prior to its initial registration with the

Securities and Exchange Commission as provided in this joint resolution, take out articles of incorporation under the laws of the District of Columbia, except that, if permitted by the laws of the State in which a labor organization has its principal place of business, such articles or incorporation may be taken out under the laws of such State. Each such labor organization when incorporated shall have the capacity to act possessed by a natural person, shall be liable for the acts of its officers, members, or agents, to the same extent and in the same manner as ordinary business corporations, and shall have the power--

(a) to continue as a corporation for the time specified in its articles;

(b) to have a corporate seal and the power to alter it;

(c) to sue and be sued in its corporate name;

(d) to make bylaws for the government and regulation of its affairs;

(e) to acquire, own, hold, sell, lease, pledge, mortgage, or otherwise dispose of any property incident to its purposes and activities;

(f) to conduct its affairs within or without the District of Columbia;

(g) to exercise any power granted to ordinary business corporations consistent with its purposes and activities;

(h) to exercise all powers not inconsistent with this joint resolution which may be necessary, convenient, or expedient for the accomplishment of its lawful purposes and, to that end, the foregoing enumeration of powers shall not be deemed exclusive.

PENALTIES

SEC. 3. (a) No labor organization having as members one or more employees of persons engaged in commerce and no member thereof shall be entitled to any rights, privileges, or benefits under the National Labor Relations Act unless and until such organization complies with the provisions of this joint resolution.

(b) In the event any such labor organization is held by the final decision of a court of competent jurisdiction to have breached its employment contract with any employer or to have unlawfully damaged or destroyed the property of any employer, such organization shall not be recognized as a labor organization, or a representative of employees, under the National Labor Relations Act insofar as any matter relating to employees of such employer is concerned.

DEFINITIONS

SEC. 4. When used in this joint resolution the terms "persons," "employer," "employee," "representative," "labor organization," and "commerce" shall have the same meaning as is given to those terms by section 2 of the National Labor Relations Act. In addition, the term "labor organization" shall include national and international organizations having as members labor organizations as defined in said section 2.⁴⁷

Passage of S.J. Res. 133 would have given the federal government regulatory powers over labor organizations by requiring them to register their identity with the Securities and Exchange Commission, requiring compliance with regulations to maintain privileges, and providing that a breach of contract or damage to property by a labor organization would be just cause to lose recognition under the National Labor Relations Act. Passage would have attained a portion of the goal created by the 1941-1942 national intercollegiate debate proposition. An examination of the parliamentary action taken on the resolution revealed that it was "received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record."⁴⁸ No further action was taken on the resolution.

The search for federal legislative efforts concerning the subject matter of the 1941-1942 national intercollegiate debate proposition revealed House Bills 1866, 2036, 4875 and Senate Joint Resolution 133. All of the bills and resolutions were judged to be pertinent to the study. All were introduced and referred to committee with no further parliamentary action taken on any of the bills.

1957-1958

The 1957-1958 national intercollegiate debate proposition was, "Resolved: That the requirement of membership in a labor organization as a condition of employment should be illegal."⁴⁹

Information concerning the subject matter of the 1957-1958 national intercollegiate debate proposition was sought from the U.S. Congressional Record, Indexes,⁵⁰ using the same method as for earlier questions. September 1, 1957, through September 1, 1962, were the inclusive dates. Senate Bills 858 (1957),⁵¹ 859 (1957),⁵² 3001 (1958),⁵³ 3227 (1958),⁵⁴ and House Bills 430 (1957),⁵⁵ 6331 (1957),⁵⁶ and 10322 (1958)⁵⁷ were judged to have possible relevance to the subject matter of the 1957-1958 national intercollegiate debate proposition. One additional bill was considered, but after consulting with the thesis advisor it was decided that H.R. 678 (1957)⁵⁸ should be eliminated from further study for reasons that will be explained later. It was determined, however, that the remaining Senate and House Bills should be examined further. A re-examination was made of the bills' descriptions, the synopses were read and considered, and the legislative histories were reviewed.

S. 858

"To amend the National Labor Relations Act, as amended,"⁵⁹ is the description of S. 858. The summary of the bill as contained in the Digest of Public General Bills and Selected Resolutions is as follows:

S. 858. Messrs. McNamara, Clark, and Murray:
January 25, 1957 (Labor and Public Welfare).

Permits a labor organization or its agents to (1) cause employees to give effect to secondary boycotts if such secondary employer is engaged together with the primary employer involved in a labor dispute in a construction project or similar undertaking at the site of such concerted activity; and (2) force any other employer to recognize a labor organization as the representative of his employees if such employees engaged together in a construction project or similar undertaking at the site of such concerted activity.

Provides that it shall not be an unfair labor practice under this Act for an employer engaged in a construction project or similar undertaking to make an agreement covering employees engaged in construction work with labor organizations because (1) the majority status has not been established prior to the making of such agreement; (2) such agreement requires as a condition of employment membership in such organization after the seventh day following the beginning of such employment or the effective date of the agreement whichever is later; (3) such agreement requires the employer to notify such organization of opportunities for employment with such employer, or gives such organization a reasonable opportunity to refer qualified applicants for such employment; (4) such agreement specifies minimum training, apprenticeship or experience qualifications for employment or provides for priority in opportunities for employment based upon length of service with such employer, in the industry, or in the particular geographical area.

Repeals Section 10(1) of the National Labor Relations Act which relates to the subject of boycotts and strikes to force recognition of uncertified labor organizations, injunctions, notice, and service of process.

Repeals the prohibition against construing the execution of application of agreement requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

Revises Section 303(a) (boycotts and other unlawful combinations) of the Labor Management Relations Act of 1947 so as to further limit the scope of boycotts in labor activity.⁶⁰

The passage of S. 858 would have allowed employers to make membership in a labor organization mandatory for their employees. In doing so, the bill is the direct converse of the 1957-1958 national intercollegiate debate proposition which states, "Resolved: That the requirement of membership in a labor organization as a condition of employment should be illegal."⁶¹ Therefore, examination of the parliamentary history of S. 858 was not necessary.

S. 859

S. 859 is described as "To amend section 14(b) of the National Labor Relations Act so as to protect the rights of employees and employers, in industries affecting commerce, to enter into union shop agreements."⁶² The Digest of Public General Bills and Selected Resolutions summarizes S. 859 in the following manner:

Provides that State laws shall have no effect on union shop agreements entered into in an industry or activity affecting commerce under the National Labor Relations Act.⁶³

According to The Random House Dictionary of the English Language, union shop is:

1. a shop, business establishment, or part thereof, in which terms and conditions of employment for all employees are fixed by agreement between the employer and a labor union.
2. a shop, business, etc., in which membership in a union is made a condition of employment, but in which the employer may hire non-union workers provided that they become members after a stated period, usually 30 days.⁶⁴

As construed from the definition of union shop, the passage of S. 859 would have been in direct conflict with the 1957-1958 national intercollegiate debate proposition. The parliamentary history of S. 859 was not necessary because of the conflict.

S. 3001

"To amend the National Labor Relations Act, as amended, for the purpose of prohibiting compulsory unionism, and for other purposes,"⁶⁵ is the description of S. 3001. The synopsis of S. 3001 included in the Digest of Public General Bills and Selected Resolutions is as follows:

Provides that it shall be an unfair labor practice under the National Labor Relations Act for an employer by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization. Makes other technical amendments to such Act.

Provides that nothing herein shall be construed as depriving any State or Territory of the power to enact and enforce laws prohibiting the execution or application or agreements requiring membership in a labor organization as a condition of employment.

Repeals provisions for taking a secret ballot upon the filing of a petition with the Board by 30 percent or more of the employees alleging they desire the labor organizations' authority to represent them be rescinded.⁶⁶

S. 3001 would make employer encouragement or discouragement of membership in a labor organization to be an unfair labor practice. Passage of the bill would have provided partial accomplishment of the established goal of the 1957-1958 national intercollegiate debate proposition in that the employer would not be allowed to pressure an employee to join a labor union. By

examining the parliamentary history of S. 3001, it was found that the bill was introduced in the Senate and referred to the Committee on Labor and Public Welfare.⁶⁷ No further parliamentary action was taken on S. 3001.

S. 3227

The description of S. 3227 is: "To amend the National Labor Relations Act, as amended, for the purpose of prohibiting compulsory unionism, and for other purposes."⁶⁸ The Digest of Public General Bills and Resolutions makes reference to the bill in the following way: "S. 3227. Mr. Goldwater and others; February 4, 1958 (Labor and Public Welfare). See Digest of S. 3001."⁶⁹

Since the summary of S. 3227 makes reference to S. 3001, it can be assumed that the bills are very similar. Because S. 3001 provides that the encouragement or discouragement of membership in labor organizations be an unfair labor practice, so does S. 3227. Therefore passage of S. 3227 would have partially accomplished the goal of the 1957-1958 national intercollegiate debate proposition. A review of the parliamentary history of S. 3227 showed that the bill was introduced into the Senate and referred to the Committee on Labor and Public Welfare,⁷⁰ with no further action taken.

H.R. 430

H.R. 430 is described as "To amend section 14(b) of the National Labor Relations Act so as to protect the rights of

employees and employers, in industries affecting commerce, to enter into union shop agreements."⁷¹

The synopsis of H.R. 430 that follows is contained in the

Digest of Public General Bills and Resolutions:

Mr. Roosevelt; January 3, 1957 (Education and Labor).

Provides that no law of any State or Territory shall be construed to prohibit the execution or application of any union shop agreement in any industry or activity in commerce, or in which a labor dispute would burden or obstruct commerce, or tend to burden or obstruct commerce, or the free flow of commerce.⁷²

Because passage of H.R. 430 would have provided that no State or Territory law should be construed to prohibit the execution or application of any union shop agreement, the bill conflicts with the goal established by the 1957-1958 national intercollegiate debate proposition. Therefore, an examination of the parliamentary action taken on H.R. 430 was not necessary.

H.R. 6331

H.R. 6331 is described as, "To amend the National Labor Relations Act for the purpose of prohibiting compulsory unionism, and for other purposes."⁷³ Contained in the Digest of Public General Bills and Selected Resolutions is the following synopsis:

H.R. 6331. Mr. Smith of Kansas, March 25, 1957 (Education and Labor).

Provides that it shall be an unfair labor practice under the National Labor Relations Act for an employer by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization. Makes

other technical amendments to such Act. Repeals the provision of law pertaining to union security agreements of the Railway Labor Act.⁷⁴

Passage of H.R. 6331 would have fulfilled the basic goal created by the 1957-1958 national intercollegiate debate proposition by making it an unfair labor practice for employers to encourage or discourage membership in a labor organization. The parliamentary history of H.R. 6331 revealed that the bill was introduced into the House of Representatives and referred to the Committee on Education and Labor.⁷⁵ No further action was taken on H.R. 6331.

H.R. 10322

H.R. 10322 is listed as, "To amend the National Labor Relations Act, as amended, for the purpose of prohibiting compulsory unionism, and for other purposes."⁷⁶ H.R. 10322 is synopsized in the Digest of Public General Bills and Selected

Resolutions:

.H.R. 10322. Mr. Hoffman; January 29, 1958
(Education and Labor).

Provides that it shall be an unfair labor practice under the National Labor Relations Act for an employer by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization. Makes other technical amendments to such Act.

Provides that nothing herein shall be construed as depriving any State or Territory of the power to enact and enforce laws prohibiting the execution or application of agreements requiring membership in a labor organization as a condition of employment.

Repeals provisions for taking a secret ballot upon the filing of a petition within the Board by 30 percent or more of the employees alleging they desire the labor

organization's authority to represent them be rescinded.⁷⁷

The goal established by the 1957-1958 national intercollegiate debate proposition would have been attained, in part, by the passage of H.R. 10322. Passage would have made encouragement or discouragement of employees to join labor organizations an unfair labor practice. The inspection of parliamentary action taken on the bill revealed that H.R. 10322 was introduced into the House of Representatives and referred to the Committee on Education and Labor.⁷⁸ No additional action was taken on the bill.

H.R. 678

H.R. 678 is described as, "To repeal certain provisions of law exempting labor organizations from the antitrust laws, and for other purposes."⁷⁹ Upon consultation with the advisor, it was decided that no additional research steps were necessary on the bill, because passage would relax restrictions on labor organizations concerning antitrust laws rather than suppress compulsory membership in labor organizations.

The search for information concerning the subject matter of the 1957-1958 national intercollegiate debate proposition revealed Senate Bills 858, 859, 3001, and 3227 and House Bills 430, 6331, 10322 and 678. Of these, Senate Bills 3001 and 3227 and House Bills 6331 and 10322 were judged to be pertinent to the study. All were introduced and referred to committee with no further action taken. It was determined that Senate Bills 858, 859 and

House Bills 430 and 678 did not pertain to the subject matter of the 1957-1958 national intercollegiate debate proposition.

1963-1964

The 1963-1964 national intercollegiate debate proposition was, "Resolved: That the federal government should guarantee an opportunity for higher education to all qualified high school graduates."⁸⁰

As was done for earlier questions, information concerning the subject matter of the 1963-1964 national intercollegiate debate proposition was sought from the U.S. Congressional Record,

Indexes.⁸¹ The research method established for previous propositions was utilized. The search revealed Senate Bills 580 (1963),⁸² 2490 (1964),⁸³ 3140 (1964),⁸⁴ 5 (1965),⁸⁵ 600 (1965),⁸⁶ 2550 (1965),⁸⁷ and 366 (1967);⁸⁸ House Bills, 939 (1963),⁸⁹ 3000 (1963),⁹⁰ 3001 (1963),⁹¹ 3002 (1963),⁹² 3003 (1963),⁹³ 3004 (1963),⁹⁴ 3183 (1963),⁹⁵ 10901 (1964),⁹⁶ 11902 (1964),⁹⁷ 12276 (1964),⁹⁸ 12336 (1964),⁹⁹ 3220 (1965),¹⁰⁰ 3221 (1965),¹⁰¹ 3919 (1965),¹⁰² 4291 (1965),¹⁰³ 4490 (1965),¹⁰⁴ 4797 (1965),¹⁰⁵ 9567 (1965),¹⁰⁶ 9690 (1965),¹⁰⁷ 2341 (1967),¹⁰⁸ 12456 (1967),¹⁰⁹ 12836 (1967),¹¹⁰ 14500 (1967),¹¹¹ 15676 (1968),¹¹² 16342 (1968),¹¹³ and 16348 (1968);¹¹⁴ and House Resolutions 864 (1967),¹¹⁵ and 1090 (1968).¹¹⁶ Since the descriptions of the bills and resolutions implied relevant subject matter they were examined further.

Therefore, the descriptions were reviewed, the summaries considered, and the legislative histories examined.

S. 580

S. 580 is described as, "To strengthen and improve educational quality and educational opportunity in the Nation."¹¹⁷

The synopsis of the bill included in the Digest of Public General Bills and Selected Resolutions is as follows:

S. 580. Mr. Morse and others; January 29, 1963
(Labor and Public Welfare).

National Education Improvement Act. Title I.
Expansion or Opportunities for Individuals in Higher Education - Increases authorization for loans to college students under the National Defense Education Act from \$90 million to \$135 million for fiscal 1964. Establishes limited Federal insurance of such loans, and sets out the terms of such insurance. Adds prospective college teachers as beneficiaries. Directs the Commissioner of Education to conduct a study of why able students do not attend or complete college.

Authorizes \$22.5 million for fiscal 1964 for establishment of college work-study programs. Authorizes one half the cost of such work-study programs to be paid from Federal funds, on agreements between the Commissioner of Education and the college implementing such program.

Increases the number of fellowships awarded under the National Defense Education Act to 10,000 yearly for fiscals 1964 through 1966, and authorizes 2,000 graduate summer fellowships yearly.

Title II. Expansion and Improvement of Higher Education - Authorizes \$1 billion for fiscal years 1964 through 1966 for loans to colleges for construction of academic facilities, such loans to be repaid within 50 years. Authorizes \$50 million for fiscal 1964 for grants to States for the construction of public community college facilities, with the condition that Federal funds be matched by State and local funds. States must submit plans designating a responsible State agency to administer the plan and be accountable for Federal funds to the Commissioner of Education.

Authorizes \$20 million for fiscal 1964 for grants to States for construction and equipment for college-level technical education programs. Limits Federal grants to 50 percent of project costs for any one year. Establishes an Advisory Committee of the Development

of College-Level Technical Education in the Office of Education.

Authorizes \$15 million for fiscal 1964 for grants to college libraries for books and related materials, and \$25 million for construction of library facilities. (Federal share not to exceed 50% of cost).

Graduate Education-Authorizes \$40 million for fiscal 1964 for construction or improvement of graduate schools (Federal share not to exceed 50% of cost). Graduate schools benefiting must meet the standards of the Commissioner of Education. Establishes an Advisory Committee on the Development of Graduate Education in the Office of Education.

Extends the modern foreign language and area centers provisions of the National Defense Education Act to 1966, and increases the authorization to \$13 million for 1964.

Title III. Improvement of Educational Quality - Authorizes \$37.5 million for fiscal 1964 to establish institutes for advanced study for teachers, and terminates the present program under the National Education Act. Authorizes stipends for teachers attending such institutes. Authorizes \$7.5 million for fiscal 1964 for special projects designed to improve teaching in primary and secondary schools. Authorizes \$7.5 million for training teachers of gifted children, or teachers of adults who cannot speak English or who have less than a grade school education. Extends the program of the Advisory Committee on New Educational Media to fiscal 1966. Widens the scope of arrangements the Commissioner of Education may make for cooperative research in education, and extends until 1966 Federal support of State statistical services for education.

Title IV. Strengthening Elementary and Secondary Education - Sets up a four year program of Federal grants to states for teacher salary increases, construction of school facilities, and special programs to improve educational opportunities in slums and depressed areas. Authorizes \$1.5 billion for fiscal years 1964 through 1967, and establishes State allotment ratios. Limits Federal funds to a certain percentage of each program. Requires States to submit plans which set forth the responsible State agency to implement the program, projects the State wishes to participate in, and procedures for fiscal control and submission of reports.

Extends until 1966 Federal grants for strengthening science, mathematics, and modern foreign languages instruction. Extends to 1966 Federal grants for guidance, counseling, and testing of primary and secondary school

students, and increases the authorization to \$17.5 million per year.

Extends the program of financial assistance for school construction in Federally affected areas to 1967, and makes the District of Columbia eligible for assistance.

Title V. Vocational Education Act - Authorizes Federal grants to states to improve vocational education programs for all persons needing and desiring such education. Authorizes \$73 million for 1964, to be allotted according to the number of persons needing vocational training and the per capita income of each State. States must contribute one-half of project funds after fiscal 1964.

Expands the grants program for training teachers of retarded children to include other classes of handicapped children. Authorizes \$11.5 million for fiscal 1964 for such programs. Authorizes grants for research and demonstration projects in education of handicapped children.

Title VI. Expansion of Continuing Education - Provides a program of grants to States to develop university extension programs. Authorizes \$9 million yearly for fiscals 1964 through 1966, to be allocated among the States according to population. Limits the Federal share to one-half the cost of the university extension program as set out in approved State plans.

Initiates an adult basic education program for adults who are unable to read and write English, or who have not completed grade school.

Extends the Public Library Services Act to include urban areas (presently for rural areas only). Authorizes an additional \$25 million annually for fiscals to areas without such services. Authorizes an additional \$20 million yearly for construction of public libraries. Provides for Federal grants to be allotted to States upon approval of State plans to increase library services or construct public libraries. 118

Among other things, passage of S. 580 would have directed a study to be conducted to determine why able students do not attend or complete college, established work study programs, increased the number of fellowships awarded, and authorized an increase in money for college grants. In doing so, S. 580 would

have allowed partial achievement of educating all qualified high school graduates, the goal of the 1963-1964 national intercollegiate debate proposition. An examination of parliamentary action taken on S. 580 showed that the bill was introduced into the Senate and referred to the Committee on Labor and Public Welfare.¹¹⁹ No additional action was taken on S. 580.

S. 2490

"To provide assistance for students in higher education by increasing the amount for loans authorized under the National Defense Education Act of 1958 and by establishing programs for scholarships, loan insurance, and work study,"¹²⁰ is the description for Senate Bill 2490. The following summary of the bill is provided by the Digest of Public General Bills and Selected

Resolutions:

S. 2490. Mr. Hartke; February 3, 1964, (Labor Public Welfare).

Higher Education Student Assistance Act-Increases authorization for loans to students in institutions of higher learning. Repeals \$250,000 limitation on Federal capital contributions to any institution of higher education. Provides that special consideration be given to students desiring to teach in institutions of higher learning. Sets a limit on loans for any academic year of \$2,500 in the case of any graduate or professional student or \$1,500 in the case of any other student and limits aggregate of loans for all years to \$10,000 for any graduate or professional student and \$7,500 for other students. Provides that loans shall be cancelled at the rate of 2% for each complete academic year of service in the case of a person who during the two-year period preceding his course of study for which a loan was made, was engaged as a full-time teacher in a public or nonprofit private elementary or secondary school or in an institution of higher education, or at

the rate of 10% for each complete academic year of service in the case of any other person.

Authorizes \$37,500,000 for fiscal 1965 and each of the next three fiscal years for undergraduate scholarships to persons who have not previously been awarded scholarships and who are selected for award of scholarships by the State commissions on scholarships.

Provides for insurance of loans to students in institutions of higher education. Limits such coverage to \$50,000,000, in 1965, \$10,000,000 in 1966, \$150,000,000 in 1967.

Authorized \$250,000,000 for 1965 and the next three fiscal years for work-study programs for students in institutions of higher education.¹²¹

Because S. 2490 would have provided an increase in loans for students in higher learning, authorized money for undergraduate scholarships, and authorized work-study programs, passage would have brought about attainment, in part, of the goal created by the 1963-1964 national intercollegiate debate proposition. When the parliamentary history was reviewed, it was revealed that S. 2490 had been introduced and referred to the Senate Committee on Labor and Public Welfare.¹²² No further action took place on the bill.

S. 3140

S. 3140 is described as, "To provide assistance for students in higher education by establishing programs for scholarship, loan insurance, and work study."¹²³ The following synopsis for the bill is included in the Digest of Public General Bills and Selected Resolutions:

S. 3140. Mr. Morse; August 19, 1964. (Labor and Public Welfare).

Higher Education Student Assistance Act-Title I- Undergraduate Scholarships. Authorizes \$37.5 million for fiscal 1965 and the 3 next fiscal years for undergraduate scholarships of up to \$1,000 each to young persons chosen by State scholarship commissions. Limits scholarship to 4 academic years of work toward a bachelor's degree.

Allots scholarships among the 50 States and the District of Columbia, one-half on the basis of their relative numbers of high school graduates and one-half on the basis of their relative populations aged 14 to 17, inclusive.

Requires State to establish a State commission on scholarships to participate in the program and to submit a State plan.

Provides for payments by the Commissioner of \$350 a year to institutions of higher education which scholarship recipients attend during the major portion of each academic year for which the student receives scholarship payments.

Title II-Loan Assistance Program. Authorizes Federal insurance to eligible lenders against losses on loans made to students in eligible institutions on or after July 1, 1964. Sets total principal amounts of such loans covered by insurance at \$50 million for fiscal year 1965, \$100 million for 1966, \$150 million for 1967 and provides that no insurance may be granted after 1971.

Authorizes payment of interest on insured student loans while the borrower remains a full-time student and for 1 year thereafter.

Loans by one or more eligible lenders can be insured up to \$2,000 in the aggregate to any student in any academic year with a maximum aggregate insured loan for all years of \$10,000. Limits insurance liability on an insured loan to 90% of the unpaid balance including 90% of the interest accrued and unpaid.

Provides for the issuance by the Commissioner of Education of certificates of insurance covering the loans setting forth the terms and the amounts of such insurance. Provides for a charge for insurance on each loan under this title in an amount not to exceed one-fourth of 1 percent of the unpaid balance of principal and accrued interest.

Establishes a revolving insurance fund with an initial appropriation of \$1 million.

Title III-Work-Study Programs for Students in institutions of Higher Education. Authorizes \$250 million for fiscal 1965 and the next 3 fiscal years to promote and

assist institutions in developing courses of study requiring periods of full-time on-the-job training. Provides that the allotment of each State be determined by the ratio of the number of full-time students in institutions of higher education in all the States. Sets forth conditions of agreements and payments to students.

Title IV-General Provisions. Prohibits Federal control of education. Permits delegation of authority by the Commissioner and provides for utilization of services and facilities of any Federal or public agency.¹²⁴

S. 3140 would have allotted money to scholarship funds for undergraduate students. Therefore passage would have fulfilled a portion of the goal established by the 1963-1964 national intercollegiate debate proposition. An inspection of the parliamentary action revealed that S. 3140 was introduced in the Senate and sent to the committee on Labor and Public Welfare. The bill was reported from the committee, read twice by its title, and placed on the calendar.¹²⁵ Parliamentary action on the bill ended at that point.

S. 5

S. 5 is described as, "To provide assistance for students in higher education by establishing programs for scholarship, loan insurance and work study."¹²⁶ The Digest of Public General Bills and Resolutions summarizes S. 5 as follows:

S. 5. Mr. Hartke and others; January 6, 1965.
(Labor and Public Welfare).

Higher Education Student Assistance Act-Title I. Under-graduate Student Grants-authorizes \$75 million for fiscal 1966 and for each of three succeeding fiscal years for grants to students who have not previously received grants. Limits grants to maximum of \$1,000 per year. Sets allotment for each State which bears the same ratio to the amount so appropriated as the number of full-time undergraduate students enrolled in

institutions of higher education in such State bears to the total number of such students enrolled in institutions of higher education in all of the States. Requires plans to be submitted by participating institutions exclusive of divinity schools. Authorizes payment of \$350 per student to each educational institution participating.

Title II. Loan Assistance Program-Provides for Federal insurance of lenders against losses on loans. Limits total principal amount of new loans to \$700 million in fiscal year 1966, \$800 million in 1967, \$900 million in 1968, and \$1 billion in 1969. Provides that the Commissioner shall pay such part of the interest on any insured loan as equals 2% on the amount borrowed and the remainder of the interest is to be paid by the student. No loans in excess of \$2,000 shall be covered by insurance. Limits the aggregate insured unpaid principal amount of all loans to one student at any time to \$10,000. Sets forth requirements of eligibility of student borrowers and terms of loans. Establishes a revolving Student Loan Insurance Fund for carrying out this title and provides for transfer of \$1 million to such fund.

Title III. Work-Study Programs for Students in Institutions of Higher Education-Authorizes \$250 million for fiscal 1966 for students in need of earnings. Allots to each State an amount which bears the same ratio to the amount so appropriated as the number of persons enrolled on a full-time basis in institutions of higher education in such State bears to the total number of persons enrolled in all of the States. Sets forth conditions of agreements and method of payments.

Title IV. General Provisions-Prohibits Federal control of education. Defines "eligible institution."¹²⁷

The 1963-1964 national intercollegiate debate proposition created the goal that the federal government "should guarantee an opportunity for higher education to qualified high school graduates."¹²⁸ Passage of S. 5 would have brought that goal closer to realization by creating grants, loan assistance programs, and work study programs. The examination of the parliamentary history determined that the bill was introduced into the Senate

and sent to the Committee on Labor and Public Welfare.¹²⁹

Additional parliamentary action did not take place on S. 5.

S. 600

"To strengthen the educational resources of our colleges and universities and to provide financial assistance for students in post-secondary and higher education," is the manner in which S. 600 is described.¹³⁰ The summary of the bill obtained from the Digest of Public General Bills and Selected Resolutions is as follows:

S. 600. Mr. Morse and others; January 19, 1965 (Labor and Public Welfare).

Higher Education Act. Title I - University and Continuing Education. Authorizes \$25,000,000 for fiscal year 1966 and such sums as are needed for 4 additional years for the purpose of assisting in the solution of community problems. Allots \$100,000 to each State plus an amount based on population from 80 percent of the total. The remaining 20 percent of funds appropriated are to be used for experimental projects.

Allotments designated for States subsequently determined not to require such allotments are to be distributed to the other States on population basis.

The allotted funds may be used for professional retraining and refresher programs, training and consultative services, leadership training, adult special educational programs, training and educational services relating to the aged, training services relating to labor, programs for culturally disadvantaged adults and educational labor programs for women.

Requires that States, to receive the allotted funds, must submit a plea showing how these funds are to be used and either designate or create an agency for the application of the plans. The State plan must vest in the agency sole authority to administer the funds, provide a comprehensive program, show procedure and programs to be used, show that the Federal funds will not be used to supplant State or local funds, and assure proper disbursement of the Federal funds.

Provides for decreasing Federal participation in the State plans, from 90 percent of the cost of the State plan being borne by the Federal government in the first year to 50 percent in the third and succeeding years. Requires the States to provide at least as much funds for university extension and continuing education programs as they provided in fiscal year 1965, plus an amount equal to their cost under the State's plan.

Requires the Commissioner to give reasonable notice and opportunity for a hearing before rejecting a State plan. Permits judicial review of the Commissioner's decision and findings.

Establishes a National Advisory Committee on Extension and Continuing Education to advise the Commissioner on policy matters. Provides for review of administration of the programs by enabling the Commissioner to establish a twelve man Review Council on Extension on Continuing Education.

Authorizes the Secretary of Health, Education, and Welfare to engage technical assistance as required by the Council and requires the Council to make reports of its findings. Provides for compensation of Council members at the rate of \$100 per day.

Title II - College Library Assistance and Library Training and Research - Part A - College Library Resources. Authorizes \$50,000,000 for fiscal 1966 and such funds as may be necessary for 4 additional years for grants to institutions of higher learning to assist in acquiring library materials.

Provides for the expenditure of 75 percent of the above sum in basic grants not to exceed \$5,000 to each institution for the above purposes. To obtain such a grant institutions must apply to the Commissioner and provide in the application that the funds will be expended in the year given, that proper disbursement and accounting procedures will be used, and that reports on such use will be submitted to the Commissioner.

Provides for supplemental grants by the Commissioner not to exceed \$10 for each full time student.

Provides for the distribution of the remaining 25 percent of the funds allotted by special purpose grants which must be used for library materials.

Requires the Commissioner to establish an Advisory Council on College Library Resources

consisting of eight members, to establish criteria for the granting of special purpose grants.

Requires those institutions receiving such funds to be nationally accredited. Provides that the funds are not to be used in connection with any school or department of divinity. Defines "school or department of divinity."

Part B - Library Training and Research. Authorizes \$15,000,000 for fiscal year 1966 and such sums as may be needed for 4 additional years for grants to institutions of higher learning to assist them in training persons in librarianship and for research and demonstration projects relating to librarianship. Authorizes the Commissioner to appoint panels to evaluate this research.

Title III - Strengthening Developing Institutions. Authorizes \$30,000,000 in fiscal 1966 and such sums as may be necessary for 4 additional years for the purpose of assisting in the raising of the academic quality of colleges (developing institutions). Defines "developing institutions."

Provides for the establishment of an Advisory Council on Developing Institutions to advise the Commissioner with respect to policy matters concerning the administration of this title.

Authorizes the Commissioner to make grants to developing institutions to pay for the expense of cooperative agreements designed to strengthen such institutions. Requires that such grants be applied for and that such applications be approved by the Commissioner by the application of standards set forth in the Act.

Authorizes the Commissioner to award fellowships of up to two years to encourage individuals to teach at these developing institutions. Such fellowships must be applied for by the institutions and approved by the Commissioner.

Title IV - Student Assistance - Part A - Undergraduate Scholarships. Authorizes \$70,000,000 for fiscal 1966 and such sums as may be necessary for 4 additional years for the purpose of providing scholarships and loans to students from low-income families. Limits such assistance to \$800 per year. Scholarships are to be awarded for a period not to exceed four academic years and standards which those students who receive such assistance must meet both academic and otherwise are set forth.

Sets forth the manner and mode in which the Commissioner may allocate funds to the States for

achieving the purposes of this title. One-third to be apportioned among the States on the basis of the ratio of that State's number of full time students in institutions of higher learning in relation to the total number of such full time students in the United States; one-third to be apportioned to States on the basis of the ratio of the State's number of secondary school graduates in relation to the total number of such graduates in the United States; and one-third to be allotted to the States on the basis of the number of children under 18 in families earning less than \$3,000 yearly as compared to the total number of children under 18 in families earning less than \$3,000 yearly in the United States.

Requires the Commissioner to set deadlines for filing of applications. Sets forth the conditions for the agreements for Federal contributions.

Authorizes the Commissioner to enter into contracts not exceeding \$100,000 to encourage full utilization of educational talent and authorizes such funds as may be necessary to accomplish this purpose.

Part B - Insurance of Reduced-Interest Loans to Students in Institutions of Higher Education and Post Secondary schools. Authorizes \$1,000,000 and further sums if necessary to establish a Student Loan Insurance Fund to insure eligible lenders against losses on student loans.

Scope and Duration of Reduced-Interest Loan Insurance Program - Restricts the total amount of insured loans to \$700,000,000 in fiscal 1966 with increases provided for in succeeding years.

Authorizes the Commissioner to assign quotas applicable to eligible lenders and to withhold the insurance in those areas where there is a private loan insurance program as comparably beneficial to students as the Federal plan.

Limits insurance to loans not exceeding \$1,500 per academic year per student and to \$9,000 total per student in case of graduate or professional students and to \$6,000 total for other students. Provides that the insurance shall be on 100 percent of the unpaid balance.

Sets forth the eligibility requirements of students obtaining loans and the terms upon which the student loans must be made in order to be covered by the insurance.

Provides for Federal payments to reduce student costs.

Sets forth the requirements for the issuance of certificates of insurance by the Commissioner and provides that the effective date of the insurance shall be the date of the certificate.

Provides for a procedure to be followed by eligible lenders upon the default, death, or disability of a student borrower.

Establishes a Student Loan Insurance Fund to be available to the Commissioner and sets forth procedure for the Commissioner to follow when the Fund is insufficient to pay defaulted loans.

Vests in the Commissioner the powers to carry out the duties assigned to him. Provides that he may sue and be sued in any State Court of general jurisdiction and in any Federal district court.

Provides definitions of terms in the reduced-interest student loan insurance program.

Amends the Economic Opportunity Act to provide a preference be given to students from low-income families for employment in work study programs. Transfers certain functions relating to work-study programs to the Commissioner of Education and appropriates \$129,000,000 for use in these programs.

Extends the National Defense Student Loan Program to June 30, 1971.

Provides for the method of payment of the grants, loans, and contracts made by the Commissioner and for Federal administration of the program. ¹³¹

Prohibits any Federal control of education. ¹³¹

Passage of S. 600 would have, in part, fulfilled the goal of the 1963-1964 national intercollegiate debate proposition by providing financial assistance to students in higher education.

The parliamentary history of S. 600 revealed that the bill was introduced and referred to the Senate Committee on Labor and Public Welfare. ¹³² No further parliamentary action was taken on S. 600.

S. 2550

The description for S. 2550 is as follows: "To extend the well-established concept of the free public school system

to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete 2 academic years of higher education."¹³³ The Digest of Public General Bills and Selected Resolutions is the source of the synopsis:

S. 2550. Mr. Pell; September 21, 1965 (Labor and Public Welfare).

Higher Education Scholarship Act - Provides as a matter of right the broadest educational opportunities possible by authorizing the United States Commissioner of Education to award scholarships of up to \$1,000 per year for two years to all undergraduate students to enable all students to complete at least two years of higher education regardless of financial ability.

Broadens the definition of institution to include accredited private business, trade, technical, or vocational schools.¹³⁴

The passage of S. 2550 would have allowed almost complete attainment of the established goal. The 1963-1964 national intercollegiate debate proposition stated that, "Resolved: That the federal government should guarantee an opportunity for higher education to all qualified high school graduates."¹³⁵ S. 2550 would have provided scholarships for two years to enable all students to complete at least two years of higher education. A review of the parliamentary action showed that S. 2550 was introduced into the Senate and referred to the Committee on Labor and Public Welfare.¹³⁶ Parliamentary action on S. 2550 ended at that point.

S. 366

S. 366 is described as follows: "To extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete 2 academic years of higher education."¹³⁷

The Digest of Public General Bills and Resolutions includes the following synopsis of S. 366:

S. 366. Mr. Pell; January 16, 1967 (Labor and Public Welfare).

The Higher Education Scholarship Act - Provides as a matter of right the broadest educational opportunities possible by authorizing the United States Commissioner of Education to award scholarships of up to \$1,000 per year for two years to all undergraduate students to enable all students to complete at least two years of higher education regardless of financial ability.

Broadens the definition of institution to include accredited private business, trade, technical, or vocational schools.¹³⁸

Like the previous bill, S. 2550, passage of S. 366 would have brought the 1963-1964 goal closer to realization by providing scholarships to all students to enable them to complete at least two years of higher education. By examining the parliamentary history it was discovered that the extent of action taken on the bill was that it was introduced in the Senate and referred to the Committee on Education and Labor.¹³⁹

H.R. 939

The description for H.R. 939 is, "To authorize loans for undergraduate study in public or other nonprofit institutions of higher education."¹⁴⁰ The following summary of the bill was contained in the Digest of Public General Bills and Selected

Resolutions:

H.R. 939. Mr. Smith of Iowa; January 9, 1963 (Education and Labor).

College Loan Act - Authorizes payments to colleges for student loans. Requires that recipients be chosen on basis of ability, need and desire for an education. Provides for assistance for the first two years of college, with extensions dependent upon performance and need. Allows repayment at a rate of 5% of income or 20% of the loan.

Directs the Commissioner of Education to make a study of college dropouts and Federal assistance.¹⁴¹

Because H.R. 939 would have provided assistance for the first two years of college, passage would have contributed to the partial fulfillment of the established aim of the 1963-1964 national intercollegiate debate proposition. The parliamentary history revealed that H.R. 939 was introduced into the Senate and sent to the Committee on Education and Labor,¹⁴² with no additional action taken.

H.R. 3000, 3001, 3002, 3003, 3004 and 3183

House Bills 3000, 3001, 3002, 3003, 3004, and 3183 all have the same description, that being, "To strengthen and improve educational quality and educational opportunities in the Nation."¹⁴³

The following is the summary of H.R. 3000 as found in the Digest of Public General Bills and Selected Resolutions:

H.R. 3000. Mr. Powell; January 29, 1963
(Education and Labor).

National Education Improvement Act. Title I. Expansion of Opportunities for Individuals in Higher Education. Increases authorization for loans to college students under the National Defense Education Act from \$90 million to \$135 million for fiscal 1964. Establishes limited Federal insurance on such loans, and sets out the terms of such insurance. Adds prospective college teachers as beneficiaries. Directs the Commissioner of Education to conduct a study of why able students do not attend or complete college.

Authorizes \$215 million for fiscal 1964 for establishment of college work-study programs. Authorizes one-half the cost of such work-study programs to be paid from Federal funds, on agreements between the Commissioner of Education and the college implementing such program.

Increases the number of fellowships awarded under the National Defense Education Act to 10,000 yearly for fiscals 1964 through 1966, and authorizes 2,000 graduate summer fellowships yearly.

Title II. Expansion and Improvement of Higher Education. Authorizes \$1 billion for fiscal years 1964 through 1966 for loans to colleges for construction of academic facilities, such loans to be repaid within 50 years. Authorizes \$50 million for fiscal 1964 for grant to States for the construction for public community college facilities, with the condition that Federal funds be matched by State and local funds. States must submit plans designating a responsible State agency to administer the plan and be accountable for Federal funds to the Commissioner of Education.

Authorizes \$20 million for fiscal 1964 for grants to States for construction and equipment for college-level technical education programs. Limits Federal grants to 50% of project costs for any one year. Establishes an Advisory Committee of the Development of College-Level Technical Education in the Office of Education.

Authorizes \$15 million for fiscal 1964 for grants to college libraries for books and related materials, and \$25 million for construction of library facilities. (Federal share not to exceed 50% of cost).

Graduate Education--Authorizes \$40 million for fiscal 1964 for construction or improvement of graduate schools (Federal share not to exceed 50% of cost). Graduate schools benefiting must meet the standards of the Commissioner of Education. Establishes an Advisory Committee on the Development of Graduate Education in the Office of Education.

Extends the modern foreign language and area centers provisions of the National Defense Education Act to 1966, and increases the authorization to \$13 million for 1964.

Title III. Improvement of Educational Quality-- Authorizes \$37.5 million for fiscal 1964 to establish institutes for advanced study for teachers, and terminates the present program under the National Education Act. Authorizes stipends for teachers attending such institutes. Authorizes \$7.5 million for fiscal 1964 for special projects designed to improve teaching in primary and secondary schools. Authorizes \$7.5 million for training teachers of gifted children, or teachers of adults who cannot speak English or who have less than a grade school education. Extends the program of the Advisory Committee on New Educational Media to fiscal 1966. Widens the scope of arrangements the Commissioner of Education may make for cooperative research in education, and extends until 1966 Federal support of State statistical services for education.

Title IV. Strengthening Elementary and Secondary Education--Sets up a four year program of Federal grants to States for teacher salary increases, construction of school facilities, and special programs to improve education opportunities in slums and depressed areas. Authorizes \$1.5 billion for fiscal years 1964 through 1967, and establishes State allotment ratios. Limits Federal funds to a certain percentage of each program. Requires States to submit plans which set forth the responsible State agency to implement the program, projects the State wishes to participate in, and procedures for fiscal control and submission of reports.

Extends until 1966 Federal grants for strengthening science, mathematics, and modern foreign languages instruction. Extends to 1966 Federal grants for guidance, counseling, and testing of primary and secondary school students, and increases the authorization to \$17.5 million per year.

Extends the program of financial assistance for school construction in Federally affected areas to 1967, and makes the District of Columbia eligible for assistance.

Title V. Vocational Education Act--Authorizes Federal grants to States to improve vocational education programs for all persons needing and desiring such education. Authorizes \$73 million for 1964, to be allotted according to the number of persons needing vocational training and the per capita income of each State. States must contribute one-half of project funds after fiscal 1964.

Expands the grants program for training teachers of retarded children to include other classes of handicapped children. Authorizes \$1 million for fiscal 1963 and \$11.5 million for fiscal 1964 for such programs. Authorizes grants for research and demonstration projects in education of handicapped children.

Title VI. Expansion of Continuing Education-- Provides a program of grants to States to develop university extension programs. Authorizes \$9 million yearly for fiscals 1964 through 1966, to be allocated among the States according to population. Limits the Federal share to one-half the cost of the university extension program as set out in approved State plans.

Initiates an adult basic education program for adults who are unable to read and write English, or who have not completed grade school.

Extends the Public Library Services Act to include urban areas (presently for rural areas only). Authorizes \$25 million annually for fiscals 1964 through 1966 for extension of library services to areas without such services. Authorizes an additional \$20 million yearly for construction of public libraries. Provides for Federal grants to be allotted to States upon approval of State plans to increase library services or construct public libraries.¹⁴⁴

The Digest refers to House Bills 3001, 3002, 3003, 3004, and 3183 as follows:

- H.R. 3001. Mr. Perkins; January 29, 1963 (Education and Labor). See Digest of H.R. 3000.¹⁴⁵
- H.R. 3002. Mrs. Green of Oregon (by request); January 29, 1963 (Education and Labor). See Digest of H.R. 3000.¹⁴⁶
- H.R. 3003. Mr. Roosevelt; January 29, 1963 (Education and Labor). See Digest of H.R. 3000.¹⁴⁷
- H.R. 3004. Mr. Sickles; January 29, 1963 (Education and Labor). See Digest of H.R. 3000.¹⁴⁸

H.R. 3183. Mr. Gill; January 31, 1963, (Education and Labor). See Digest of H.R. 3000.¹⁴⁹

An examination of parliamentary action taken on House Bills 3000, 3001, 3002, 3003, 3004, and 3183 revealed that they were all introduced into the Senate and referred to the Committee on Education and Labor.¹⁵⁰ The parliamentary action taken on the bills ended in the Committee on Education and Labor.

H.R. 10901 and 11902

The following description applies to both H.R. 10901 and 11902: "To provide assistance for students in higher education by increasing the amount authorized for loans under the National Defense Education Act of 1958 and by establishing programs for scholarships, loan insurance, and work study."¹⁵¹

The Digest of Public General Bills and Selected Resolutions is the source of the summary that follows for H.R. 10901:

H.R. 10901. Mr. Ryan of Michigan; April 15, 1964. (Education and Labor).

Higher Education Student Assistance Act - Increases authorization for loans to students in institutions of higher learning. Repeals \$250,000 limitation on Federal capital contributions to any institutions of higher education. Provides that special consideration be given to students desiring to teach in institutions of higher learning. Sets a limit on loans for any academic year of \$2,500 in the case of any graduate or professional student or \$1,500 in the case of any other student and limits aggregate of loans for all years to \$10,000 for any graduate or professional student and \$7,500 for other students. Provides that loans shall be cancelled at the rate of 25% for each complete academic year of service in the case of a person who during the two-year period preceding his course of study for which a loan was made, was engaged as a full-time teacher in a public or non-profit private elementary or secondary school or in an

Bill institution of higher education, or at the rate of 10% for each complete academic year of service in the case of any other person.

Authorizes \$37,500,000 for fiscal 1965 and each of the next three fiscal years for undergraduate scholarships to persons who have not previously been awarded scholarships and who are selected for award scholarships by the State commissions on scholarships.

Provides for insurance of loans to students in institutions of higher education. Limits such coverage to \$50,000,000 in 1965; \$100,000,000 in 1966, and \$150,000,000 in 1967.

Authorizes \$250,000,000 for 1965 and the next three fiscal years for work-study programs for students in institutions of higher education.¹⁵²

The Digest makes the following reference to H.R. 11902:

"H.R. 11902. Mr. Evins; July 2, 1964 (Education and Labor). See Digest of H.R. 10902."¹⁵³

Passage of H.R. 10901 or 11902 would have brought the goal of the 1963-1964 national intercollegiate debate proposition closer to fulfillment because either bill would have increased authorization for student loans and provided money for undergraduate scholarships. A survey of parliamentary action taken on the bills disclosed that both H.R. 10901 and 11902 were introduced into the House of Representatives and sent to the Committee on Education and Labor.¹⁵⁴ No further action was taken on either bill.

H.R. 12276 and 12336

The descriptions for House Bills 12276 and 12336 are the same, that being, "To provide assistance for students in higher education by establishing programs for scholarships, loan insurance, and work study."¹⁵⁵ The Digest of Public General

Bills and Selected Resolutions summarizes the bills in the following manner:

- H.R. 12336. Mr. Fraser; August 11, 1964 (Education and Labor). See Digest of H.R. 10901.
 H.R. 12276. Mr. Pepper; August 6, 1964 (Education and Labor). See Digest of H.R. 10901.¹⁵⁶

Had H.R. 12276 or 12336 been passed, the aim of the 1963-1964 national intercollegiate debate proposition would have been achieved, in part, because they would have increased authorization for student loans and provided money for undergraduate scholarships. An examination of the parliamentary action taken on the bills showed that both bills were introduced in the House of Representatives and referred to the Committee on Education and Labor, with no additional action taken.¹⁵⁷

H.R. 3220, 3221, 3919, 4291,
 4490, 4797, and 9690

"To strengthen the educational resources of our college and universities and to provide financial assistance for students in postsecondary and higher education,"¹⁵⁸ is the common description for House Bills 3220, 3221, 3919, 4291, 4490, 4797, and 9690. The Digest of Public General Bills and Selected Resolutions summarizes H.R. 3200 as follows:

H.R. 3220. Mr. Powell; January 19, 1965 (Education and Labor).

Higher Education Act - Title I - University and Continuing Education. Authorizes \$25,000,000 for fiscal year 1966 and such sums as are needed for 4 additional years for the purposes of assisting in the solution of community problems. Allots \$100,000 to each State plus an amount based on population from

80 percent of the total. The remaining 20 percent of funds appropriated are to be used for experimental projects.

Allotments designated for States subsequently determined not to require such allotments are to be distributed to the other States on population basis.

The allotted funds may be used for professional retraining and refresher programs, training and consultative services, leadership training, adult special educational programs, training and educational services relating to the aged, training services relating to labor, program for culturally disadvantaged adults and educational labor programs for women.

Requires that States, to receive the allotted funds, must submit a plan showing how these funds are to be used and either designate or create an agency for the application of the plans. The State plan must vest in the agency sole authority to administer the funds, provide a comprehensive program, show procedure and programs to be used, show that the Federal funds will not be used to supplant State or local funds, and assure proper disbursement of the Federal funds.

Provides for decreasing Federal participation in the State plans, from 90 percent of the cost of the State plan being borne by the Federal government in the first year to 50 percent in the third and succeeding years. Requires the State to provide at least as much funds for university extension and continuing education programs as they provided in fiscal year 1965, plus an amount equal to their cost under the State's plan.

Requires the Commissioner to give reasonable notice and opportunity for a hearing before rejecting a State plan. Permits judicial review of the Commissioner's decision and findings.

Establishes a National Advisory Committee on Extension and Continuing Education to advise the Commissioner on policy matters. Provides for review of administration of the programs by enabling the Commissioner to establish a twelve man Review Council on Extension on Continuing Education.

Authorizes the Secretary of Health, Education, and Welfare to engage technical assistance as required by the Council and requires the Council to make reports of its findings. Provides for compensation of Council members at the rate of \$100 per day.

Title II - College Library Assistance and Library Training and Research - Part A - College Library Resources. Authorizes \$50,000,000 for fiscal 1966 and such funds as may be necessary for 4 additional years for grants to institutions of higher learning to assist in acquiring library materials.

Provides for the expenditure of 75 percent of the above sum in basic grants not to exceed \$5,000 to each institution for the above purposes. To obtain such a grant institutions must apply to the Commissioner and provide in the application that the funds will be expended in the year given, that proper disbursement and accounting procedures will be used, and that reports on such use will be submitted to the Commissioner.

Provides for supplemental grants by the Commissioner not to exceed \$10 for each full time student.

Provides for the distribution of the remaining 25 percent of the funds allotted by special purpose grants which must be used for library materials.

Requires the Commissioner to establish an Advisory Council on College Library Resources consisting of eight members, to establish criteria for the granting of special purpose grants.

Requires those institutions receiving such funds to be nationally accredited. Provides that the funds are not to be used in connection with any school or department of divinity. Defines "school or department of divinity."

Part B - Library Training and Research. Authorizes \$15,000,000 for fiscal year 1966 and such sums as may be needed for 4 additional years for grants to institutions of higher learning to assist them in training persons in librarianship and for research and demonstration projects relating to librarianship. Authorizes the Commissioner to appoint panels to evaluate this research.

Title III - Strengthening Developing Institutions. Authorizes \$30,000,000 in fiscal 1966 and such sums as may be necessary for 4 additional years for the purpose of assisting in the raising of the academic quality of colleges (developing institutions). Defines "developing institutions."

Provides for the establishment of an Advisory Council on Developing Institutions to advise the Commissioner with respect to policy matters concerning the administration of this title.

Authorizes the Commissioner to make grants to developing institutions to pay for the expense of cooperative agreements designed to strengthen such institutions. Requires that such grants be applied for and that such application be approved by the Commissioner by the application of standards set forth in the Act.

Authorizes the Commissioner to award fellowships of up to two years to encourage individuals to teach at these developing institutions. Such fellowships must be applied for by the institutions and approved by the Commissioner.

Title IV - Student Assistance - Part A - Under graduate Scholarships. Authorizes \$70,000,000 for fiscal 1966 and such sums as may be necessary for 4 additional years for the purpose of providing scholarships and loans to students from low-income families. Limits such assistance to \$800 per year. Scholarships are to be awarded for a period not to exceed four academic years and standards which those students who receive such assistance must meet both academic and otherwise are set forth.

Sets forth the manner and mode in which the Commissioner may allocate funds to the States for achieving the purposes of this title. One-third to be apportioned among the States on the basis of the ratio of that State's number of full time students in institutions of higher learning in relation to the total number of such full time students in the United States; one-third to be apportioned to States on the basis of the ratio of the States number of secondary school graduates in relation to the total number of such graduates in the United States; and one-third to be allotted to the States on the basis of the number of children under 18 in families earning less than \$3,000 yearly as compared to the total number of children under 18 in families earning less than \$3,000 yearly in the United States.

Requires the Commissioner to set deadlines for filing of applications. Sets forth the conditions for the agreements for Federal contributions.

Authorizes the Commissioner to enter into contracts not exceeding \$100,000 to encourage full utilization of educational talent and authorizes such funds as may be necessary to accomplish this purpose.

Part B - Insurance of Reduced-Interest Loans to Students in Institutions of Higher Education and Post Secondary Schools. Authorizes \$1,000,000 and

further sums if necessary to establish a Student Loan Insurance Fund to insure eligible lenders against losses on student loans.

Scope and Duration of Reduced-Interest Loan Insurance Program - Restricts the total amount of insured loans to \$700,000,000 in fiscal 1966 with increases provided for in succeeding years.

Authorizes the Commissioner to assign quotas applicable to eligible lenders and to withhold the insurance in those areas where there is a private loan insurance program as comparably beneficial to students as the Federal plan.

Limits insurance to loans not exceeding \$1,500 per academic year per student and to \$9,000 total per student in case of graduate or professional student and to \$6,000 total for other students. Provides that the insurance shall be on 100 percent of the unpaid balance.

Sets forth the eligibility requirements of students obtaining loans and the terms upon which the student loans must be made in order to be covered by the insurance.

Provides for Federal payments to reduce student costs.

Sets forth the requirements for the issuance of certificates of insurance by the Commissioner and provides that the effective date of the insurance shall be the date of the certificate.

Provides for a procedure to be followed by eligible lenders upon the default, death, or disability of a student borrower.

Establishes a Student Loan Insurance Fund to be available to the Commissioner and sets forth procedure for the Commissioner to follow when the Fund is insufficient to pay defaulted loans.

Vests in the Commissioner the powers to carry out the duties assigned to him. Provides that he may sue and be sued in any State Court of general jurisdiction and in any Federal district court.

Provides definitions of terms in the reduced-interest student loans insurance program.

Amends the Economic Opportunity Act to provide a preference be given to students from low-income families for employment in work study programs. Transfers certain functions relating to work-study programs to the Commissioner of Education and appropriates \$129,000,000 for use in these programs.

Extends the National Defense Student Loan Program to June 30, 1971.

Provides for the method of payment of the grants, loans and contracts made by the Commissioner and for Federal administration of the program. 159
Prohibits any Federal control of education.

The remaining bills, H.R. 3221, 3919, 4291, 4490, 4797, and 9690 were described as follows:

- H.R. 3221. Mrs. Green; January 19, 1965 (Education and Labor). See Digest of H.R. 3220. 160
- H.R. 3919. Mr. Brademas; February 1, 1965 (Education and Labor). See Digest of H.R. 3220. 161
- H.R. 4291. Mr. Vivian; February 3, 1965 (Education and Labor). See Digest of H.R. 3220. 162
- H.R. 4490. Mr. William D. Ford; February 8, 1965 (Education and Labor). See Digest of H.R. 3220. 163
- H.R. 4797. Mr. Roybal; February 10, 1965 (Education and Labor). See Digest of H.R. 3220. 164
- H.R. 9690. Mr. Pepper; July 8, 1965 (Education and Labor). See Digest of H.R. 9567. 165

The bills, if passed, would have established scholarship programs for undergraduate students, authorized funds to establish reduced-interest loans, and provided for federal payments to reduce student costs.

Therefore, passage of any of the bills would have brought about at least partial realization of the goal created by the 1963-1964 national intercollegiate debate proposition. A check of the parliamentary histories disclosed that each of the bills, H.R. 3220, 3221, 3919, 4291, 4490, 4797, and 9690, were introduced into the House of Representatives and referred to the Committee

on Education and Labor.¹⁶⁶ No additional parliamentary action was taken on any of the bills.

H.R. 9567

The description of H.R. 9567 is, "To strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education."¹⁶⁷ The Digest of Public General Bills and Selected Resolutions synopsis the bill as follows:

H.R. 9567. Mrs. Green of Oregon; June 30, 1965
(Education and Labor).

Higher Education Act. Title I - Community Service Programs. Strengthens the educational resources of colleges and universities and provides financial assistance for students in postsecondary and higher education. Authorizes \$5,000,000 for fiscal year 1966 and such sums as are needed for 4 additional years for the purpose of assisting in the solution of community educational problems.

Requires that States, to receive the allotted funds, must submit a plan showing how these funds are to be used and either designate or create an agency for the application of the plans. The State plan must vest in the agency sole authority to administer the funds, provide a comprehensive program, show procedure and programs to be used, show that the Federal funds will not be used to supplant State or local funds, and assure proper disbursement of the Federal funds.

Establishes a National Advisory Committee on Extension and Continuing Education to advise the Commissioner on policy matters. Provides for review of administration of the programs by enabling the Commissioner to establish a twelve man Review Council on Extension and Continuing Education.

Authorizes the Secretary of Health, Education, and Welfare to engage technical assistance as required by the Council and requires the Council to make reports of its findings. Provides for compensation of Council members at the rate of \$100 per day.

Title II - College Library Assistance and Library Training and Research - Part A - College Library Resources. Authorizes \$50,000,000 for fiscal 1966 and such funds as may be necessary for 4 additional years for grants to institutions of higher learning to assist in acquiring library materials.

Provides for the expenditure of 75 percent of the above sum in basic grants not to exceed \$5,000 to each institution for the above purposes. To obtain such a grant institutions must apply to the Commissioner and provide in the application that the funds will be expended in the year given, that proper disbursement and accounting procedures will be used, and that reports on such use will be submitted to the Commissioner.

Provides for supplemental grants by the Commissioner not to exceed \$10 for each full time student.

Provides for the distribution of the remaining 25 percent of the funds allotted by special purpose grants which must be used for library materials.

Requires that the Commissioner establish an Advisory Council on College Library Resources consisting of eight members, to establish criteria for the granting of special purpose grants.

Requires those institutions receiving such funds to be nationally accredited. Provides that the funds are not to be used in connection with any school or department of divinity.

Part B - Library Training and Research - Authorizes \$15,000,000 for fiscal year 1966 and such sums as may be needed for 4 additional years for grants to institutions of higher learning to assist them in training persons in librarianship and for research and demonstration projects relating to librarianship. Authorizes the Commissioner to appoint panels to evaluate this research.

Part C - Strengthening College and Research Library Resources. Authorizes a 5 year program for acquiring all library materials currently published throughout the world and providing catalog information for such material. Authorizes \$5,000,000 for fiscal 1966 and funds as needed to reimburse the Library of Congress for subsequent years.

Title III - Strengthening Development Institutions. Authorizes \$30,000,000 in fiscal 1966 and such sums as may be necessary for 4 additional years

for the purpose of assisting in the raising of the academic quality of colleges (developing institutions). Defines "developing institutions."

Provides for the establishment of an Advisory Council on Developing Institutions to advise the Commissioner with respect to policy matters concerning the administration of this title.

Authorizes the Commissioner to make grants to developing institutions to pay for the expense of cooperative agreements designed to strengthen such institutions. Requires that such grants be applied for and that such application be approved by the Commissioner by the implementation of standards set forth in the Act.

Authorizes the Commissioner to award fellowships of up to two years to encourage individuals to teach at these developing institutions. Such fellowships must be applied for by the institutions and approved by the Commissioner.

Title IV - Student Assistance - Part A - Educational Opportunity Grants. Authorizes appropriations for 6 additional years for the purpose of providing loans to students and to institutions of higher education to make educational opportunity grants.

Sets forth the manner and mode in which the Commissioner may allocate funds to the States for achieving the purposes of this title.

Authorizes the Commissioner to enter into contracts not exceeding \$100,000 to encourage full utilization of educational talent and to identify youths of exceptional financial need and to encourage them to complete secondary and postsecondary educational training. Authorizes such funds as may be necessary to accomplish this purpose.

Part B - Federal, State, and Private Programs of Low-Interest Insured Loans to Students in Institutions of Higher Education. Authorizes \$1,000,000 and further sums if necessary to establish a student loan insurance fund to insure eligible lenders against losses on student loans.

Authorizes an additional \$17,500,000 for advances for reserves for State student loan insurance programs. Limits outstanding loans to \$700,000,000 for fiscal 1966 and sets forth a formula for computing amounts to which States are entitled. Provides for increases in subsequent years of the total amount of insured loans.

Limits insurance to loans not exceeding \$2,000 per academic year per student and to \$7,500 total per student in case of graduate or professional students and to \$5,000 total for other students. Provides that the insurance shall be on 100 percent of the unpaid balance.

Sets forth the eligibility requirements of students obtaining loans and the terms upon which the student loans must be made in order to be covered by the insurance.

Provides for Federal payments to reduce student costs.

Sets forth the requirements for the issuance of certificates of insurance by the Commissioner and provides that the effective date of the insurance shall be the date of the certificate.

Provides for a procedure to be followed by eligible lenders upon the default, death, or disability of a student borrower.

Establishes a student loan insurance fund to be available to the Commissioner and sets forth procedure for the Commissioner to follow when the fund is insufficient to pay defaulted loans.

Vests in the Commissioner the powers to carry out the duties assigned to him. Provides that he may sue and be sued in any State Court of general jurisdiction and in any Federal district court.

Prohibits any Federal control of education.

Part C - College Work-Study Program Extension and Amendments. Provides for the transfer of educational activities under the Economic Opportunity Act to the Commissioner of Education and authorizes funds for such program through fiscal 1970.

Title V - Amendments to Higher Education Facilities Act - Authorizes additional funds for aid in the construction of public junior colleges and technical institutes and graduate facilities.

Title VI - Advisory Council to House Committee on Education and Labor. Authorizes the Chairman of the Committee on Education and Labor of the House of Representatives to establish an Advisory Council to make studies and recommendations with respect to programs established hereunder.¹⁶⁸

The U.S. Congressional Record, Index, III-Part 22, recorded the following legislative action taken on H.R. 9567:

Mr. Green of Oregon; Committee on Education and Labor,--Reported with amendment (H. Rept. 621),--Made special order (H. Res. 527),--Debated, amended, and passed House,--Referred to Senate Committee on Labor and Public Welfare,--Reported with amendment (S. Rept. 673),--Debated,--Amended and passed Senate,--Senate insists on its amendment and asks for a conference,--Conferees appointed,--House disagrees to Senate amendments and agrees to a conference,--Conferees appointed,--Conference report (H. Rept. 1178), submitted in House and agreed to,--Conference report submitted in Senate and agreed to,--Examined and signed,--Presented to the President,--Approved (Public Law 89-329).¹⁶⁹

H.R. 9567 was introduced into the House of Representatives, was ultimately passed and sent to the Senate Committee on Labor and Public Welfare. After various parliamentary transactions, the bill also passed the Senate. Upon presentation to the President, H.R. 9567 was approved and signed into law. At that point, H.R. 9567 became Public Law 89-329. With its passage, H.R. 9567 provided attainment, in part, of the aim created by the 1963-1964 national intercollegiate debate proposition, that being to guarantee a higher education to all qualified high school graduates. H.R. 9567 provided financial assistance to students in higher education, therefore creating an opportunity for many who would otherwise be unable to attend.

H.R. 2341

"To amend the National Defense Education Act of 1958 to provide for a college scholarship program,"¹⁷⁰ is the description of H.R. 2341. The bill's summary was obtained from the Digest of Public General Bills and Selected Resolutions:

H.R. 2341. Mr. Multer; January 16, 1967
(Education and Labor).

Provides for a three-year program of college scholarships of \$500 a year for up to four years to be awarded by State Commissions to qualified applicants under the National Defense Education Act. Authorizes appropriations of \$17,500,000 for each of the three fiscal years.¹⁷¹

Since H.R. 2341 would have provided for a program of college scholarships, passage would have met a portion of the objective established by the 1963-1964 national intercollegiate debate proposition. The parliamentary history reveals that H.R. 2341 was introduced in the House of Representatives and referred to the Committee on Education and Labor¹⁷² with no additional action taken.

H.R. 12456

H.R. 12456 is described as, "To extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete two academic years of higher education."¹⁷³ The summary that follows was contained in the Digest of Public General Bills and Selected

Resolutions:

H.R. 12456. Mr. Tiernan; August 17, 1967
(Education and Labor).

The Higher Education Scholarship Act -
Provides as a matter of right the broadest educational opportunities possible by authorizing the United States Commissioner of Education to award scholarships of up to \$1,000 per year for two years to all undergraduate students to enable all

students to complete at least two years of higher education regardless of financial ability.

Broadens the definition of institution to include accredited private business, trade, technical, or vocational schools.¹⁷⁴

Passage of H.R. 12456 would have contributed a great deal to the accomplishment of the goal which is stated in the 1963-1964 national intercollegiate debate proposition. An inspection of parliamentary action showed that the bill was introduced in the House of Representatives and referred to the Committee on Education and Labor.¹⁷⁵ No further action was taken on H.R. 12456.

H.R. 12836

"To provide a statement of Congressional intent on appropriate governmental assistance for universal educational opportunity at the postsecondary level, to direct the Secretary of Health, Education, and Welfare to submit a plan and conduct a study,"¹⁷⁶ is the description of H.R. 12836. The Digest of Public General Bills and Selected Resolutions includes the following synopsis of the bill:

H.R. 12836. Mr. Scheuer; September 12, 1967
(Education and Labor.)

Expresses the intent of Congress that appropriate governmental assistance should be provided for universal educational opportunity at the postsecondary level.

Directs the Secretary of Health, Education, and Welfare to appoint a commission to study alternative plans for such assistance and to submit a plan to Congress before August 1, 1968.¹⁷⁷

Had H.R. 12836 been passed, it would have provided for universal educational opportunity at the post-secondary level.

The bill would have come very close to fulfilling the established goal of the 1963-1964 national intercollegiate debate proposition. According to the parliamentary history, the bill was introduced in the House of Representatives and referred to the Committee on Education and Labor, with no additional action taken.

H.R. 14500

The description for H.R. 14500 is, "To assure a full educational opportunity beyond high school for all Americans through long-term, low-interest loans, and increased construction grants to stimulate a greatly increased number of teachers in low-income areas, and for other purposes."¹⁷⁹ The bill is summarized in the Digest of Public General Bills and Selected

Resolutions:

H.R. 14500. Mr. Conyers and others; December 14, 1967 (Education and Labor).

Full Post-secondary Educational Opportunity Act - Directs the Commissioner of Education to establish and administer a program of loans to students in post-secondary education institutions. Provides that these loans be repayable over a period ending when the borrower attains the age of 65, and that these loans bear interest of three percent on the unpaid balance. Provides that up to fifty percent of the loan may be cancelled for service as a full-time teacher in certain elementary and secondary schools, and up to one-hundred percent may be cancelled for service as a full-time teacher; (1) in schools which have a high concentration of children from low-income families and (2) in programs of special education or training designed to combat poverty, unemployment, or cultural advantages.

Authorizes the appropriation of \$1 billion for fiscal 1968, and provides that this authorization be annually increased by an additional \$500 million

each fiscal year until 1976, and then the annual appropriation authorized is to be \$5 billion to carry out this part of this Act.

Increases the Federal matching share for expansion of higher educational facilities from 33 1/3 percent to 66 2/3 percent and for community colleges from 40 percent to 70 percent. Authorizes the appropriation of additional sums to carry out the provisions of this part of the Act.¹⁸⁰

The goal of the 1963-1964 national intercollegiate debate proposition was that all qualified high school graduates should be guaranteed an opportunity for higher education.¹⁸¹ Passage of H.R. 14500 would have helped fulfill that goal by establishing a program of loans to students in postsecondary education.

However, the parliamentary history reveals that H.R. 14500 was introduced and referred to the House Committee on Education and Labor.¹⁸² No additional parliamentary action took place.

H.R. 15676

"To modify certain insured student loan programs to make loans more generally available to students in need thereof,"¹⁸³ is the description for H.R. 15676. The following summary was obtained from the Digest of Public General Bills and Resolutions:

H.R. 15676. Mr. Gurney; 2/29/68 (Educ. & Lab.).
Increases the limitation on interstate rates permitted on insured student loans under the Higher Education and National Vocational Student Loan Acts to 7 percent (now 6 percent).¹⁸⁴

Passage of H.R. 15676 would have increased the limitation on interstate rates permitted on insured student loans from 6 percent to 7 percent. Even though the increase in interest rates may have been prohibitive to some students, it would have furnished

an added incentive for lenders to supply funds to students. Therefore, passage of the bill could be viewed as being contrary to the established goal, or cooperative in procuring the aim of the 1963-1964 national intercollegiate debate proposition. However, that is of little consequence, because the parliamentary history reveals that H.R. 15676 was introduced in the House of Representatives and referred to the Committee on Education and Labor,¹⁸⁵ with no additional action taken.

H.R. 16342 and 16348

The descriptions for H.R. 16342 and 16348 are the same, that being, "To assure every American a full opportunity beyond high school for all Americans through long-term, low-interest loans, and increased construction grants to stimulate a greatly increased number of teachers in low-income areas, and for other purposes."¹⁸⁶ The Digest of Public General Bills and Resolutions summarizes the bills in the following manner:

H.R. 16342. Mr. Helstoski; 4/1/68 (Educ. & Lab.).

Full Postsecondary Educational Opportunity Act - Directs the Commissioner of Education to establish and administer a program of loans to students in postsecondary education institutions. Provides that these loans be repayable over a period ending when the borrower attains the age of 65, and that these loans bear interest of three percent on the unpaid balance. Provides that up to fifty percent of the loan may be cancelled for service as a full-time teacher in certain elementary and secondary schools, and up to one-hundred percent may be cancelled for service as a full-time teacher: (1) in schools which have a high concentration of children from low-income families, and (2) in programs of special

education or training designed to combat poverty, unemployment, or cultural advantages.

Authorizes the appropriation of \$1 billion for fiscal 1968, and provides that this authorization be annually increased by an additional \$500 million each fiscal year until 1976, and then the annual appropriation authorized is to be \$5 billion to carry out this part of this Act.

Increases the Federal matching share for expansion of higher educational facilities from 33 1/3 percent to 66 2/3 percent and for community colleges from 40 percent to 70 percent. Authorizes the appropriation of additional sums to carry out the provisions of this part of the Act.

H.R. 16348. Mr. Podell; 4/1/68 (Educ. & Lab.).
See Digest of H.R. 16342.¹⁸⁷

Passage of either H.R. 16342 or 16348 would have provided partial attainment of the goal established by the 1963-1964 national intercollegiate debate proposition by enacting a program of loans to students in higher education. An examination of parliamentary action disclosed that both H.R. 16342 and 16348 were introduced in the House of Representatives and sent to the committee on Education and Labor.¹⁸⁸ No additional legislative action occurred on either bill.

H. Res. 864

House Resolution 864 is described as, "To establish a select committee to study financing of higher education in the U.S."¹⁸⁹ The following synopsis of H. Res. 864 was found in the Digest of Public General Bills and Resolutions.

H. Res. 864. Mr. Foley; August 8, 1967 (Rules).
Creates a Select Committee composed of nine members to make a full and complete study of a proposal to establish an Educational Achievement

Fund. Requires a report with recommendations and grants it necessary powers.¹⁹⁰

Passage of H. Res. 864 would have helped fulfill the goal of the 1963-1964 national intercollegiate debate proposition by creating a committee to study the proposal to establish the Educational Achievement Fund. The parliamentary history reveals that action on the resolutions was concluded when it was referred to the Committee on Rules after its introduction in the House of Representatives.¹⁹¹

H. Res. 1090

"To authorize the Committees on Banking and Currency and Education and Labor to conduct an investigation and study of the feasibility of establishing an Educational Opportunity Bank,"¹⁹² is the description for H. Res. 1090. The summary that follows was included in the Digest of Public General Bills and Resolutions.

H. Res. 1090. Mr. St. Germain; 3/7/68 (Rules).
Directs the House Committees on Banking and Currency and Education and Labor to conduct a full and complete investigation and study of the feasibility of establishing an Educational Opportunity Bank.¹⁹³

The 1963-1964 national intercollegiate debate proposition aimed to provide qualified high school graduates the opportunity for higher education. Passage of H. Res. 1090 would have helped achieve that aim by conducting an investigation and study to determine the feasibility of establishing an Educational Opportunity Bank. The ultimate establishment of such a bank would presumably

be of benefit to students seeking a higher education. A survey of the parliamentary action revealed that H. Res. 1090 was introduced into the House of Representatives and referred to the Committee on Rules.¹⁹⁴ No additional parliamentary action took place.

The search for federal legislative efforts concerning the subject matter of the 1963-1964 national intercollegiate debate proposition revealed seven Senate Bills, twenty-seven House Bills, and two House Resolutions. Senate Bills 580, 2490, 5, 600, 2550, and 366 were all introduced and sent to committee with no additional action taken. Senate Bill 3140 was introduced, sent to committee, reported back, and placed on the calendar. Parliamentary action stopped at that point. House Bills 939, 3000, 3001, 3002, 3003, 3004, 3183, 10901, 11902, 12276, 12336, 3220, 3919, 4291, 4490, 4797, 9690, 2341, 12456, 12836, 14500, 15676, 16342 and 16348 were all introduced and sent to the appropriate committees. H.R. 9567 was the only House Bill with significant parliamentary action, and that bill passed both houses, was approved, and signed into law. House Resolutions 864 and 1090 were introduced and referred to committee with no further action.

Summary

It was the intent of this study to determine the extent to which the subject matter of the specified national intercollegiate debate propositions may have been reflected in national

programs or acts. The debate propositions selected for the study were those for 1920-1921, 1928-1929, 1941-1942, 1958-1959, and 1963-1964. The data collected indicates no significant relationship between topics chosen for the national intercollegiate debate proposition and ensuing legislative acts or programs.

In order to make that determination, a three step research process was followed. An examination was made of all the descriptions of bills and resolutions introduced in Congress in a five year period subsequent to the date the proposition was debated, an inspection was made of the text or synopsis of each of the bills or resolutions considered to be pertinent to the survey, and the parliamentary history was reviewed for those that pertained.

The research revealed forty-seven House and Senate Bills, one Senate Joint Resolution, and two House Resolutions that initially appeared to be pertinent to the study. Upon consultation with the thesis advisor, one of the House Bills was immediately excluded from the study because the description indicated non-relevance. Of the remaining bills and resolutions, two Senate Bills and two House Bills were rejected when the bills' synopses revealed that passage would hinder accomplishment of the goal established by the debate proposition. Forty-two bills, two House Resolutions, and one Senate Joint Resolution did contain relevant subject matter; all but three were introduced and referred to committee with no additional parliamentary action.

House Bills 12056 and 9567, and Senate Bill 3140 were subject to continued legislative action. H.R. 12056 passed the House, was sent to a Senate Committee, and was reported back, action ended at that point. Senate Bill 3140 was introduced, sent to committee, reported back, and placed on the calendar, but did not reach a vote. House Bill 9567 was the only bill of those discovered that passed both Houses of Congress, was approved, and signed into law.

The data collected indicates no strong relationship between the sense of the selected national intercollegiate debate propositions and ensuing legislative acts or programs. Of the forty-seven bills and three resolutions introduced, only three had action continued past being referred to committee, and only one of those was passed, approved and signed into law.

FOOTNOTES

¹Appearing in the U.S. Congressional Record, Index Issues, LX, LXI, LXII, LXIII, LXIV, LXV, LXVI, LXX, LXXI, LXXII, LXIII, 75, 76, 77, 87, 88, 89, 90, 91, 92, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114 (Washington, D.C.: U.S. Government Printing Office). (Volume 75 marked the change from the Roman numbering system to the Arabic numbering system.)

²S. 5823, 70th Cong., 2d sess., U.S. Congressional Record, Index, LXX-Part 6, (1929), p. 262.

³S. 820, 71st Cong., 1st sess., U.S. Congressional Record, Index, LXXI-Part 6, (1929), p. 250.

⁴S. 1836, Ibid., p. 264.

⁵H.R. 12056, 71st Cong., 2d sess., U.S. Congressional Record, Index, LXXII-Part 12, (1930), p. 637.

⁶Digest of Public General Bills and Selected Resolutions, Final Issues, 78th Cong., 1st sess., 1943; 79th Cong., 2d sess., 1946; 85th Cong., 1st sess., 1957; 85th Cong., 2d sess., 1958; 89th Cong., 1st sess., 1965; 90th Cong., 1st sess., 1967; 90th Cong., 2d sess., 1968 (Washington, D.C.: Legislative Reference Service, Library of Congress).

⁷George M. Musgrave, Competitive Debate - Rules and Techniques (New York: The H. W. Wilson Company, 1957), p. 142.

⁸U.S. Congressional Record, Index Issues, LX-Part 5, 1921; LXI-Part 9, 1921; LXII-Part 13, 1922; LXIII-Part 1, 1922; LXIV-Part 6, 1923; LXV-Part 12, 1924; LXVI-Part 6, 1925 (Washington, D.C.: Washington Government Printing Office).

⁹Austin Freeley, Argumentation and Debate - Rational Decision Making 2d ed. (California: Wadsworth Publishing Company, Inc., 1966), p. 436.

¹⁰U.S. Congressional Record, Index Issues, LXX-Part 6, 1929; LXXI-Part 6, 1929; LXXII-Part 12, 1930; LXIII, 1930; 75-Part 15, 1932; 76-Part 6, 1933; 77-Part 7, 1933 (Washington, D.C. U.S. Government Printing Office).

¹¹U.S. Congressional Record, Index, 70th Cong., 2d sess., LXX-Part 6 (Washington, D.C.: U.S. Government Printing Office, 1929), p. 262.

¹²U.S., Congress, Senate, To Grant Defendants the Privilege to Waive Jury Trials and to Improve Trial Procedure in Misdemeanor Cases, S. 5833, 71st Cong., 2d sess., 1929.

¹³U.S. Congressional Record, Proceedings and Debates, 70th Cong., 2d sess., LXX-Part 4 (Washington, D.C.: U.S. Government Printing Office, 1929), p. 636.

¹⁴U.S. Congressional Record, Index, 71st Cong., 1st sess., LXXI-Part 6 (Washington, D.C.: U.S. Government Printing Office, 1929), p. 250.

¹⁵U.S., Congress, Senate, To Amend Section 648 of the Revised Statutes Regulating the Procedure in Civil and Criminal Cases Triable by Jury, S. 820, 71st Cong., 1st sess., 1929.

¹⁶U.S. Congressional Record, Proceedings and Debates, 71st Cong., 1st sess., LXXI-Part 1 (Washington, D.C.: U.S. Government Printing Office, 1929), p. 626.

¹⁷U.S. Congressional Record, Index, LXXI-Part 6, p. 264.

¹⁸U.S., Congress, Senate, To Grant Defendants the Privilege to Waive Jury Trials, to Provide for References to United States Commissioners, and to Improve Trial Procedure, S. 1836, 71st Cong., 2d sess., September 30, 1929.

¹⁹U.S. Congressional Record, Proceedings and Debates, 71st Cong., 1st sess., LXXI-Part 4 (Washington, D.C.: U.S. Government Printing Office, 1929), p. 4311.

²⁰U.S. Congressional Record, Index, 71st Cong., 2d sess., LXXII-Part 12 (Washington, D.C.: U.S. Government Printing Office, 1930), p. 673.

²¹U.S. Congressional Record, Proceedings and Debates, 71st Cong., 2d sess., LXXII-Part 9 (Washington, D.C.: U.S. Government Printing Office, 1930), p. 9984.

²²U.S. Congressional Record, Index, LXXII-Part 12, p. 673.

²³U.S. Congressional Record, Proceedings and Debates, LXXII-Part 9, p. 9771.

²⁴U.S. Congressional Record, Index, LXXII-Part 12, p. 673.

²⁵U.S. Congressional Record, Index, 70th Cong., 2d sess., LXX-Part 6 (Washington, D.C.: U.S. Government Printing Office, 1929), pp. 238, 251, 253, 255, 257, 259, 298, 304, 305, 312, 328, 340, 352, 359, 368.

²⁶U.S. Congressional Record, Index, LXXI-Part 6, pp. 250, 252, 257, 265, 267, 277, 288, 296, 310, 313, 340.

²⁷U.S. Congressional Record, Index, LXXII-Part 12, pp. 455, 459, 469, 487, 491, 535, 543, 547, 567, 597, 637.

²⁸U.S. Congressional Record, Index, 72d Cong., 1st sess., 75-Part 15 (Washington, D.C.: U.S. Government Printing Office, 1932), pp. 669, 679, 681, 686, 692, 708, 713, 714, 724, 725, 726, 727, 754, 756, 780, 783, 849, 851, 852, 863, 873, 884, 889, 902, 914, 915, 924, 932, 936, 937, 938, 950, 961, 962, 994, 1018.

²⁹U.S. Congressional Record, Index, 72d Cong., 2d sess., 76-Part 6 (Washington, D.C.: U.S. Government Printing Office, 1933), pp. 246, 251, 253, 258.

³⁰U.S. Congressional Record, Index, 73d Cong., 1st sess., 77-Part 7 (Washington, D.C.: U.S. Government Printing Office, 1933), pp. 292, 295, 296, 313, 324, 371, 372, 375, 387, 414.

³¹Freeley, Argumentation and Debate, p. 437.

³²U.S. Congressional Record, Index Issues, 87, 1942; 88, 1942; 89, 1943; 90, 1944; 91, 1945; 92, 1946 (Washington, D.C.: U.S. Government Printing Office).

³³H.R. 1866, 78th Cong., 1st sess., U.S. Congressional Record, Index, 89-Part 13, (1943), p. 727.

³⁴H.R. 2036, Ibid., p. 732.

³⁵H.R. 4875, 79th Cong., 1st sess., U.S. Congressional Record, Index, 91-Part 14, (1945), p. 924.

³⁶S.J. Res. 133, 79th Cong., 2d sess., U.S. Congressional Record, Index, 92-Part 13, (1946), p. 588.

³⁷U.S. Congressional Record, Index, 78th Cong., 1st sess., 89-Part 13 (Washington, D.C.: U.S. Government Printing Office, 1943), p. 727.

³⁸Digest of Public General Bills, 78th Cong., 1st sess., Final Issue, 1943 (Washington, D.C.: Legislative Reference Service, Library of Congress, 1944), p. 157.

- ³⁹U.S. Congressional Record, Index, 89-Part 13, p. 727.
- ⁴⁰Ibid., p. 732.
- ⁴¹Digest of Public General Bills, 78th Cong., 1st sess., p. 164.
- ⁴²U.S. Congressional Record, Index, 89-Part 13, p. 727.
- ⁴³U.S. Congressional Record, Index, 79th Cong., 1st sess., 91-Part 14 (Washington, D.C.: U.S. Government Printing Office, 1945), p. 924.
- ⁴⁴Digest of Public General Bills, 79th Cong., 1st sess., Final Issue, 1945 (Washington, D.C.: The Library of Congress, 1946), p. 290.
- ⁴⁵U.S. Congressional Record, Index, 91-Part 14, p. 924.
- ⁴⁶U.S. Congressional Record, Index, 79th Cong., 2d sess., 92-Part 13 (Washington, D.C.: U.S. Government Printing Office, 1946), p. 588.
- ⁴⁷U.S. Congressional Record, Proceedings and Debates, 79th Cong., 2d sess., 92-Part 1 (Washington, D.C.: U.S. Government Printing Office, 1946), p. 241.
- ⁴⁸Ibid.
- ⁴⁹Freeley, Argumentation and Debate, p. 438.
- ⁵⁰U.S. Congressional Record, Index Issues, 103, 1957; 104, 1958; 105, 1959; 106, 1960; 107, 1961; 108, 1962; (Washington, D.C.: U.S. Government Printing Office).
- ⁵¹S. 858, 85th Con., 1st sess., U.S. Congressional Record, Index, 103-Part 13, (Washington, D.C.: U.S. Government Printing Office, 1957), p. 877.
- ⁵²S. 859, ibid.
- ⁵³S. 3001, 85th Cong., 2d sess., U.S. Congressional Record, Index, 104-Part 16, (1958), p. 784.
- ⁵⁴S. 3227, ibid., p. 791.
- ⁵⁵H.R. 430, 85th Cong., 1st sess., U.S. Congressional Record, Index, 103-Part 13, (1957), p. 953.

- ⁵⁶H.R. 6331, ibid., p. 1089.
- ⁵⁷H.R. 10322, 85th Cong., 2d sess., U.S. Congressional Record, Index, 104-Part 16, (1958), p. 869.
- ⁵⁸H.R. 678, 8th Cong., 2d sess., U.S. Congressional Record, Index, 103-Part 13, (Washington, D.C.: U.S. Government Printing Office, 1957), p. 959.
- ⁵⁹U.S. Congressional Record, Index, 85th Cong., 1st sess., 103-Part 13 (Washington, D.C.: U.S. Government Printing Office, 1957), p. 877.
- ⁶⁰Digest of Public General Bills and Selected Resolutions, 85th Cong., 1st sess., Final Issue, 1957 (Washington, D.C.: Legislative Reference Service, The Library of Congress, 1957), p. A-52.
- ⁶¹Freely, Argumentation and Debate, p. 438.
- ⁶²U.S. Congressional Record, Index, 103-Part 13, p. 877.
- ⁶³Digest of Public General Bills and Selected Resolutions, 85th Cong., 1st sess., Final Issue, 1957 (Washington, D.C.: Legislative Reference Service, The Library of Congress, 1957), p. A-52.
- ⁶⁴The Random House Dictionary of the English Language, unabridged edition, 1966.
- ⁶⁵U.S. Congressional Record, Index, 85th Cong., 2d sess., 104-Part 16 (Washington, D.C.: U.S. Government Printing Office, 1958), p. 784.
- ⁶⁶Digest of Public General Bills and Selected Resolutions, 85th Cong., 2d sess., Final Issue, 1958 (Washington, D.C.: Legislative Reference Service, The Library of Congress, 1958), p. A-9.
- ⁶⁷U.S. Congressional Record, Index, 104-Part 16, p. 784.
- ⁶⁸Ibid., p. 791.
- ⁶⁹Digest of Public General Bills and Selected Resolutions, 85th Cong., 2d sess., p. A-32.
- ⁷⁰U.S. Congressional Record, Index, 104-Part 16, 791.
- ⁷¹U.S. Congressional Record, Index, 103-Part 13, p. 953.

⁷²Digest of Public General Bills and Selected Resolutions, 85th Cong., 1st sess., p. E-44.

⁷³U.S. Congressional Record, Index, 103-Part 13, p. 1089.

⁷⁴Digest of Public General Bills and Selected Resolutions, 85th Cong., 1st sess., p. E-365.

⁷⁵U.S. Congressional Record, Index, 103-Part 13, p. 1089.

⁷⁶U.S. Congressional Record, Index, 104-Part 16, p. 869.

⁷⁷Digest of Public General Bills and Selected Resolutions, 85th Cong., 2d sess., p. E-50.

⁷⁸U.S. Congressional Record, Index, 104-Part 16, p. 869.

⁷⁹U.S. Congressional Record, Index, 103-Part 13, p. 959.

⁸⁰Freeley, Argumentation and Debate, p. 439.

⁸¹U.S. Congressional Record, Index Issues, 109-Part 20, 1963; 110-Part 19, 1964; 111-Part 22, 1965; 112-Part 22, 1966; 113-Part 28, 1967; 114-Part 25, 1968 (Washington, D.C.: U.S. Government Printing Office).

⁸²S. 580, 88th Cong., 1st sess., U.S. Congressional Record, Index, 109-Part 20, (1963), p. 1115.

⁸³S. 2490, 88th Cong., 2nd sess., U.S. Congressional Record, Index, 110-Part 19, (1964), p. 775.

⁸⁴S. 3140, ibid., p. 791.

⁸⁵S. 5, 89th Cong., 1st sess., U.S. Congressional Record, Index, 11-Part 22, (1965), p. 1199.

⁸⁶S. 600, ibid., p. 1215.

⁸⁷S. 2250, ibid., p. 1266

⁸⁸S. 366, 9th Cong., 1st sess., U.S. Congressional Record, Index, 113-Part 28, (1967), p. 1547.

⁸⁹H.R. 939, 88th Cong., 1st sess., U.S. Congressional Record, Index, 109-Part 20, (1963), p. 1204.

⁹⁰H.R. 3000, ibid., p. 1253.

- 91 H.R. 3001, ibid.
- 92 H.R. 3002, ibid.
- 93 H.R. 3003, ibid.
- 94 H.R. 3004, ibid.
- 95 H.R. 3183, ibid., p. 1257.
- 96 H.R. 10901, 88th Cong., 2d sess., U.S. Congressional Record, Index, 110-Part 19, (1964), p. 852.
- 97 H.R. 11902, ibid., p. 876.
- 98 H.R. 12276, ibid., p. 884.
- 99 H.R. 12336, ibid., p. 885.
- 100 H.R. 3220, 89th Cong., 1st sess., U.S. Congressional Record, Index, 111-Part 22, (1965), p. 1360.
- 101 H.R. 3221, ibid.
- 102 H.R. 3919, ibid., p. 1375.
- 103 H.R. 4291, ibid., p. 1384.
- 104 H.R. 4490, ibid., p. 1388.
- 105 H.R. 4797, ibid., p. 1396.
- 106 H.R. 9567, ibid., p. 1513.
- 107 H.R. 9690, ibid., p. 1516.
- 108 H.R. 2341, 90th Cong., 1st sess., U.S. Congressional Record, Index, 113-Part 28, (1967), p. 1681.
- 109 H.R. 12456, ibid., p. 1922.
- 110 H.R. 12836, ibid., p. 1931.
- 111 H.R. 14500, ibid., p. 1969.
- 112 H.R. 15676, 90th Cong., 2d sess., U.S. Congressional Record, Index, 114-Part 25, (1968), p. 1149.
- 113 H.R. 16342, ibid., p. 1166.

- 114 H.R. 16348, ibid.
- 115 H. Res. 864, 90th Cong., 1st sess., U.S. Congressional Record, Index, 113-Part 28, (1967), p. 2028.
- 116 H. Res. 1090, 90th Cong., 2d sess., U.S. Congressional Record, Index, 114-Part 25, (1968), p. 1278.
- 117 U.S. Congressional Record, Index, 88th Cong., 1st sess., 109-Part 20 (Washington, D.C.: U.S. Government Printing Office, 1963), p. 1115.
- 118 Digest of Public General Bills and Selected Resolutions, 88th Cong., 1st sess., Final Issue, 1963 (Washington, D.C.: Legislative Reference Service, The Library of Congress, 1963), pp. A-28; A-29.
- 119 U.S. Congressional Record, Index, 109-Part 20, p. 1115.
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- 121 Digest of Public General Bills and Selected Resolutions, 88th Cong., 2d sess., Final Issue, 1964 (Washington, D.C.: Legislative Reference Service, The Library of Congress, 1964), p. A-6.
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- 124 Digest of Public General Bills and Selected Resolutions, 88th Cong., 2d sess., Final Issue, pp. A-39, A-40.
- 125 U.S. Congressional Record, Index, 11-Part 19, p. 791.
- 126 U.S. Congressional Record, Index, 89th Cong., 1st sess., 111-Part 22 (Washington, D.C.: U.S. Government Printing Office, 1965), p. 1199.
- 127 Digest of Public General Bills and Selected Resolutions, 89th Cong., 1st sess., Final Issue, 1965 (Washington, D.C.: Legislative Reference Service, The Library of Congress, 1965), pp. A-1, A-2.
- 128 Freeley, Argumentation and Debate, p. 439.
- 129 U.S. Congressional Record, Index, 111-Part 22, p. 1199.

- ¹³⁰Ibid., p. 1215.
- ¹³¹Digest of Public General Bills and Selected Resolutions, 89th Cong., 1st sess., pp. A-30; A-31
- ¹³²U.S. Congressional Record, Index, 111-Part 22, p. 1215.
- ¹³³Ibid., p. 1266.
- ¹³⁴Digest of Public General Bills and Selected Resolutions, 89th Cong., 1st sess., p. A-123.
- ¹³⁵Freeley, Argumentation and Debate, p. 439.
- ¹³⁶U.S. Congressional Record, Index, 111-Part 22, p. 1266.
- ¹³⁷U.S. Congressional Record, Index, 90th Cong., 1st sess., 113-Part 28 (Washington, D.C.: U.S. Government Printing Office, 1967), p. 1547.
- ¹³⁸Digest of Public General Bills and Selected Resolutions, 90th Cong., 1st sess., Final Issue, 1967 (Washington, D.C.: Legislative Reference Service, The Library of Congress, 1967), p. A-18.
- ¹³⁹U.S. Congressional Record, Index, 113-Part 28, p. 1547.
- ¹⁴⁰U.S. Congressional Record, Index, 109-Part 20, p. 1204.
- ¹⁴¹Digest of Public General Bills and Selected Resolutions, 88th Cong., 1st sess., p. E-78.
- ¹⁴²U.S. Congressional Record, Index, 109-Part 20, p. 1204.
- ¹⁴³Ibid., p. 1253.
- ¹⁴⁴Digest of Public General Bills and Selected Resolutions, 88th Cong., 1st sess., pp. E-163, E-164.
- ¹⁴⁵Ibid., p. E-164.
- ¹⁴⁶Ibid.
- ¹⁴⁷Ibid., p. E-165.
- ¹⁴⁸Ibid.
- ¹⁴⁹Ibid., p. E-174.
- ¹⁵⁰U.S. Congressional Record, Index, 109-Part 20, p. 1253.

- 151 U.S. Congressional Record, Index, 110-Part 19, p. 852.
- 152 Digest of Public General Bills and Selected Resolutions,
88th Cong., 2d sess., pp. E-65, E-66.
- 153 Ibid., p. E-108.
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- 155 Ibid., p. 884.
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88th Cong., 2d sess., p. E-127.
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- 160 Ibid., p. E-156.
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- 170 U.S. Congressional Record, Index, 113-Part 28, p. 1081.
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90th Cong., 1st sess., p. E-127.
- 172 U.S. Congressional Record, Index, 113-Part 28, p. 1513.

- 173 Ibid., p. 1922.
- 174 Digest of Public General Bills and Selected Resolutions, 90th Cong., 1st sess., p. E-639.
- 175 U.S. Congressional Record, Index, 113-Part 28, p. 1922.
- 176 Ibid., p. 1931.
- 177 Digest of Public General Bills and Selected Resolutions, 90th Cong., 1st sess., p. E-688.
- 178 U.S. Congressional Record, Index, 113-Part 28, p. 1922.
- 179 Ibid., p. 1969.
- 180 Digest of Public General Bills and Selected Resolutions, 90th Cong., 1st sess., p. E-765.
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- 192 U.S. Congressional Record, Index, 114-Part 25, p. 1278.

¹⁹³Digest of Public General Bills and Resolutions, 90th
Cong., 2d sess., p. H-5.

¹⁹⁴U.S. Congressional Record, Index, 114-Part 25, p. 1278.

CHAPTER IV

SUMMARY AND CONCLUSIONS

Summary

It was the intent in this study to determine the legislative efforts made by the federal government to enact into law the subject matter of selected national intercollegiate debate propositions. An historical survey of the evolution of debate and the development of the national intercollegiate debate proposition was compiled in order to place the study in a more complete perspective.

It was discovered that the academic exercise of debate has a long history, although its precise beginnings are difficult to determine. Protagoras is considered to be the "Father of Debate" because he is believed to have been the first teacher to use it as an instructive device by organizing argumentative speaking contests among his pupils.

From the time of Protagoras, through the Medieval and Renaissance eras, to the colonization of the new world, debate, in the form of the syllogistic disputation, was used as an instructive device. The syllogistic disputation, practically unaltered since its inception, was used as both a teaching and testing device by the colonial educators in America. The syllogistic disputation survived change until student literary

societies began to experiment with new forensic ideas. The societies that flourished from the early 1700's until the start of the American Civil War developed innovative debate techniques that brought about the restoration of forensic development. During that time, debate gained popularity. Intersociety debating became a popular campus event and remained so until the literary organizations began to decline.

Forensic historians express agreement that intercollegiate debate is primarily an American contest that originated on the campuses in the late 1800's. Intercollegiate debate quickly gained popularity. The early intercollegiate debates were generally conducted under the single debate contract agreement. Under such an agreement, one college challenged another, and a contract was drawn up and signed by both teams. The contract included rules and regulations governing the debate, the debate proposition, and the date and location of the contest. As intercollegiate debate gained popularity, colleges began to sponsor debate teams. For convenience, many universities began to employ triangular debate arrangements, whereby an agreement was made for the three involved universities to meet annually in single debate contests.

Various other league arrangements were formed, but certain difficulties continued to exist. There were no specific rules, uniform debate regulations were nonexistent, and debate techniques differed from campus to campus.

One of the major problems facing the intercollegiate contest was the selection and phrasing of the debate proposition. Each debate required a different proposition, and the teams had trouble agreeing on terminology and the manner in which the question should be phrased. This was a major problem because, as intercollegiate debate expanded, teams became involved in a greater number of debates each year. It became increasingly necessary to establish the proposition well in advance of the debate date so the participants would have ample time to prepare adequately.

In 1920 the first national intercollegiate debate proposition was created by the Pi Kappa Delta honorary forensic society. Because of the convenience the prearranged debate proposition offered, it was readily accepted by most colleges and universities. The Pi Kappa Delta method continued until 1938. Since that time, the national intercollegiate debate proposition has been provided by the Speech Association of America (now the Speech Communication Association).

From its inception in 1920 through 1967, forty-nine intercollegiate debate propositions had been debated in colleges and universities throughout the nation. Eighteen of the propositions were based on international topics, while the remaining thirty-two were based on topics of domestic concern. Of those based on topics of domestic concern, five were chosen for detailed study to determine the extent to which the subject matter of the

specified national intercollegiate debate propositions may have been reflected in national programs or acts.

The five national intercollegiate debate propositions selected for the study were as follows:

1. 1920-1921 - "Resolved: That a progressive tax on land should be adopted in the United States.
2. 1928-1929 - "Resolved: That a substitute for trial by jury should be adopted."
3. 1941-1942 - "Resolved: That the federal government should regulate by law all labor unions in the United States."
4. 1957-1958 - "Resolved: That the requirement of membership in a labor organization as a condition of employment should be illegal."
5. 1963-1964 - "Resolved: That the federal government should guarantee an opportunity for higher education to all qualified high school graduates."

In order to determine the extent to which the selected national intercollegiate debate propositions may have been reflected in national programs or acts, a three step research process was established.

1. An examination was made of all the bill and resolution descriptions included in the U.S. Congressional Record, Index Issues, to determine if any could be found dealing with the subject matter of the particular national intercollegiate debate propositions.

2. If the examination revealed a bill or resolution that possibly dealt with the subject matter of the specific debate

proposition, an examination was made of the synopsis or transcript as found in the U.S. Congressional Record, Proceedings and Debates or the Digest of Public General Bills and Selected Resolutions, or the Library of Congress, through the Honorable Frank E. Denholm, Representative from South Dakota.

3. If the bill or resolution was judged to be pertinent to the study, an examination was made of the parliamentary history as found in the U.S. Congressional Record, Index, to discover what legislative action had been taken on the bill or resolution.

The study produced the following generalizations:

1. No bills or resolutions were discovered that dealt with the subject matter of the 1920-1921 national intercollegiate debate proposition.

2. The search for bills and resolutions concerning the 1928-1929 national intercollegiate debate proposition revealed four bills that were judged pertinent to the study. Senate Bills 5823, 820, and 836 were all referred to the Committee on the Judiciary with no additional action taken. House Bill 12056 passed the House and was referred to the Senate Committee on the Judiciary. It was reported back but no additional action was taken on the bill.

3. For the 1941-1942 national intercollegiate debate proposition, House Bills 1866, 2036, 4875, and Senate Joint Resolution 133 were judged to be pertinent to the resolution.

All were introduced and referred to committee with no additional action taken on any of the bills.

4. The search for legislative activity concerning the subject matter of the 1957-1958 national intercollegiate debate proposition revealed Senate Bills 3001 and 3227, and House Bills 6331 and 10322 that were judged pertinent to the study. All were introduced and sent to committee with no additional parliamentary action taken.

5. The subject matter of the 1963-1964 national intercollegiate debate proposition was encompassed in seven Senate Bills, twenty-seven House Bills, and two House Resolutions. Senate Bill 3140 was introduced, sent to committee, was reported back, and placed on the calendar with no further action taken. The additional six Senate Bills were introduced and sent to committee, where action ceased. Of the twenty-seven House Bills, H.R. 9567 was the only one with significant action taken. It passed both houses, was approved and signed into law. The remaining House Bills were introduced and sent to committee with no additional action taken. The two House Resolutions were introduced and sent to committee; action stopped at that point.

Conclusions

As stated previously, the intent of this study has been to determine the legislative efforts made by the federal government to enact into law the sense of selected national intercollegiate debate propositions. Propositions for intercollegiate debate have

dealt with subject matter of national and international concern. Additionally, the study of legislative efforts made by the federal government was limited to a five year period following the close of the season during which the proposition was debated. Since the study was limited to five resolutions, conclusions drawn will not necessarily be applicable to propositions other than those included in the study, nor will they be applicable to legislative efforts occurring more than five years after the close of the season the specified propositions were debated. Nevertheless, based upon the findings of this study, and within the boundaries of the imposed limitations, the following conclusions may be drawn:

1. The intercollegiate debate contest originated on the American campus sometime between 1873 and 1892.
2. Prior to 1920, debate teams had difficulties choosing appropriate subject matter and phrasing the proposition in a manner acceptable to both the affirmative and negative debaters.
3. The Pi Kappa Delta honorary forensic society originated the national intercollegiate debate proposition in 1920.
4. Since 1920, two types of propositions have been provided for intercollegiate debating, those being the international and national debate propositions.
5. A great number of bills and resolutions dealing with the subject matter of selected propositions was introduced into the U.S. House of Representatives and/or the U.S. Senate.

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6. With only three exceptions, all of the proposed items of legislation died in committee.

7. No strong justification exists to conclude that the subject matter of national intercollegiate debate propositions will necessarily be enacted into federal law.

Recommendations for Further Study

This study was undertaken in order to determine to what extent debate propositions have been reflected in national programs or acts. The five propositions selected for the study represent a small portion of the growing number of national intercollegiate debate propositions, and the historical survey is inconclusive. Additional debate propositions must be studied in order to fully answer the inquiry. Added information concerning the history of the national intercollegiate debate proposition must be gathered. Further studies might take the following forms:

1. The present study might be extended to include all national intercollegiate debate propositions dealing with subjects of domestic concern.

2. A study might be prepared involving national intercollegiate debate propositions from different historical eras in order to determine how legislative efforts relating to the national intercollegiate debate propositions may compare at different periods of time.

3. An historical study might be completed whereby the major political, economic, and sociological issues of the time are compared with the topics chosen for the national intercollegiate debate propositions in order to provide some index concerning the contemporary relevance of the debate propositions.

4. An extended history might be completed concerning the history and preparation of the national intercollegiate debate proposition by the Speech Communication Association and its predecessors under different names.

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