College Housing Loan Program

Mike Mansfield 1903-2001

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higher education shall be deemed to be author-
ity to make grants.

SMALL BUSINESS ADMINISTRATION
Business management research (Small Busi-
tess Investment Act of 1953 (Public Law 85-
659), sec. 602(c); 15 U.S.C. 616(d))
The Small Business Administration is au-
thorized to make grants to various types of
institutions including colleges, universities, and
schools of business for research in the field of
business and finance.
Grants have been made in prior years in-
cluding those to institutions with religious
affiliation. No funds are available to con-
duct this activity for the 1961 fiscal year.

DEPARTMENT OF AGRICULTURE
A. National school lunch program (National
School Lunch Act (Public Law 386, 79th Cong.), as amended; 42 U.S.C. 1751 et seq.)
The purpose of this program is to improve the
health of children by providing funds and foods to
States and territories for use in serving nutri-
tious meals to children attending schools of high
school grade and less. The Federal assistance is paid through
the educational agency of each State which
then channels the aid to participating schools as 42, section 1753,
United States Code, provides that in any
State where the State educational agency is not
authorized to disburse funds to nonprofit schools they shall be
transferred directly to such schools for program pur-
poses. In more than half of the States the
educational agency has considered that it
could not make the funds available to non-
profit private schools and as a result in
those States the Secretary of Agriculture
makes funds available directly to such non-
profit schools, including those with religious
affiliation.
B. Special milk program (Agricultural Act
of 1954 (Public Law 630, 83rd Cong.), sec.
204(b); 7 U.S.C. 1446(c))
Under this program funds of the Commodity
Board are used to increase the consumption of fluid milk by children in
nonprofit schools of high school grade and under.
In nonprofit nursery schools, child
care centers, etc. devoted to the care
and training of children.
C. Forestry research (P. L. 488, 70th Cong.
sec. 1; 16 U.S.C. 581)
The Secretary of Agriculture is authorized to
conduct research relating to reforesta-
tion and forest products through arrange-
ments with outside organizations. A part
of the funds is expended through
operative arrangements with colleges and
universities, and at least one such arrange-
ment is made with a university with
religious affiliation.
D. Use of national forests (30 Stat. 36; 55th
Cong. ; 15 U.S.C. 473)
The act of June 4, 1897, cited above, au-
thorizes a group of persons residing in the
vicinity of national forests to occupy not
exceeding two acres of forest land for the
erection of a school and not exceeding one
acre for the erection of a sawmill. One
hundred and sixty-three schools were on
forest land on June 30, 1959. Information is
not available on the religious affiliation.
but it is believed that few if any of
such schools have religious affiliation.
There is, however, no rule to prevent erec-
tion of a school because of such affiliation.

NATIONAL AERONAUTICS AND SPACE ADMINIS-
TRATION—UNIVERSITY RESEARCH PROGRAM
(National Aeronautics and Space Act of 1958
(P. L. 85-569), sec. 203(b)(5); 42 U.S.C.
2473(b)(3))
Research is conducted through contract
with institutions of higher education in mat-
ers within the scope of interest of the Na-
tional Aeronautics and Space Administra-
tion. The agency has also made grants to
institutions with religious affiliation pur-
suant to the provision of 42 U.S.C. 1691-1693,
which provides for grants to contract
with institutions of higher education for cer-
tain types of research. It shall also include the
authority to make grants.

DEPARTMENT OF INDIAN EDUCATION
Indian children
Title 25, section 278, United States Code,
declares it "to be the settled policy of the
Government to make no appropriation whate-
ever out of the revenues of the United States
for education of Indian children in any sec-
tary school." (See Quick Bear v. Leupp
(1899), 216 U.S. 50, holding that a similar
prohibition did not apply to an appropria-
tion from funds held by the United States
in trust for a tribe. Title 25, section 297,
United States Code, authorizes the Secretary
to provide Indian children in missions with
feddins and clothing to which they would be
entitled under treaty stipulations if living
with their parents.
The Bureau of Indian Affairs arranges for
the placement of Indian children in schools with
religious affiliation only because of spe-
cial circumstances. In such cases they make
no payment toward instructional costs but do
use voluntary religious institutions for other
needs of the children.

HOUSING AND HOME FINANCE AGENCY—COLLEGE
Development (Housing Act of 1950 (Public Law 475, 81st
Cong.), sec. 401 et seq.; 12 U.S.C. 1749)
The Housing and Home Finance Admin-
istrator is authorized to make loans to
assist public and private nonprofit
institutions offering at least a 2-year pro-
gram of higher education and public and
private nonprofit hospitals operating
student nurse or internship programs so that
they may provide new or improved housing
and other related facilities (such as dining rooms,
atria, recreation areas, and laboratories) for
students and faculty. Under this program
loans are made only where the institution
is unable to secure funds for such purposes from
other sources upon equally favorable
terms and conditions. The loans can cover
up to the full cost of construction and have a
maturity of up to 50 years, with interest
one-fourth percent above the average inter-
est rate on outstanding Federal obliga-
tions.

Mr. MORSE. Mr. President, I yield
20 minutes to Senator from Montana.

Mr. MANSFIELD. Mr. President, some weeks ago the President sent to Congress a special message on aid to
education. A portion of this message, a
subcommittee under the able Senator from
Oregon (Mr. Monroney) has had bills
under intensive consideration for some
time. These bills are receiving addi-
tional study in the full committee under
the chairmanship of the able Senator
from Alabama (Mr. Hill). One of them
is now before us and it is anticipated that
his Committee on Labor and Public Wel-
fare will report others to the Senate.

I have the deepest respect for the spe-
cialized knowledge of members of the
committee. All the legislation which
they will offer to the Senate will be most
carefully determined in light of the
President's message and of their
independent judgment. As majority lead-
er, therefore, I shall be guided heavily by
the considerations that emerge from
these questions of Federal aid to educa-
tion.

It seems to me appropriate at this time,
however, to bring to the attention of the
Senate certain personal observations on
the current course of public discussion
of this issue. I speak now as one Sen-
ator from the State of Montana, as one
Senator, the colleague of the Senate.

I am disturbed, Mr. President, by the possibility that in this current discussion we have be in the process of overlooking very practical and immediate problems
which confront the Nation with respect to
to education. We may be doing so as a
result of a fixation on peripheral issues
which, however, important in themselves,
do not bring us to the heart of the ques-
tion.

It is all very well to pursue ad in-
finitum the great legal and philosophical
questions of church and State in a Nation
such as ours; these questions do have
some applications for the measure now
under consideration. It is all very well
to probe the great social questions of in-
terest in our time. In short, there are stark
and tangible facts relating to the condition of
education as a whole in this Nation, re-
gardless of religious or racial questions.
They cannot be ignored. We must not
permit them to be overlooked or obscured.

It was to such facts that the Presi-
dent addressed his messages. It is to
such facts which I am confident the
committee and I, would hope the Senate,
will address preponderant attention.

Here are some of these facts, these
stark and tangible facts:

First. There are not enough class-
rooms in the Nation to house at adequate
modem standards, all the young people
now in primary and secondary schools.
The best available estimate of the
shortage today is close to 150,000 class-
rooms. The dismal promise is that this
shortage will continue unless more is
done than is now being done to remedy
it.

Second. There is a serious shortage of
trained, qualified teachers to staff the
primary and secondary schools of the
Nation, and salary scales apparently have
a great deal to do with the failure of
the teaching profession to attract suf-
icient recruits. The probability is that
the shortage will grow unless more is
done than is now being done to remedy
it.

Third. A large part of the physical fa-
cilities in the Nation, libraries, the
libraries and so forth—of our
institutions of higher and specialized
learning are obsolete, many even to the
point of constituting a safety hazard.
The rate of new construction of these
facilities is far from adequate for re-
placement, let alone sufficient to take
care of the 1 million additional stu-
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I have no desire to see one school built in this Nation merely because the Russians might soon build two. But I have a deep desire to see our educational system flourish, everywhere in this Nation because of the implications to the freedom, the progress, and the dignity of the Nation in the modern world. It is vanishing without accomplishment, ineffective, or inconsequential educational experience on the part of our young people. I have a deep desire to see young people educated to their fullest capacity, not in order that we may count more graduates than the Russians but because it is to the individual benefit of our young people and to the Nation’s benefit. I have a deep desire to see the exigencies of life now and in the decades ahead affirmed that our resources of human intelligence be trained and utilized to the full if a decent life in freedom is, indeed, to be possible at all.

In short, Mr. President, I suggest that it is not how we stand in relation to the Russians that is important but how we stand in relation to our own ideals and needs. In this perspective the basic issue we must face in considering the legislative slate reduces itself to these two questions: Is an ample and reasonably equitable opportunity for education, for each young person in the Nation, possible at all? Is there some financial situation that chance may place him, a proper objective of American society? Indeed, can the Nation afford any other objective?

If this objective is regarded as neither desirable nor necessary, that is one thing. Some might so say, and therefore, promptly dismiss the issue. But among the great majority of Americans, I believe, this objective is espoused. Unless it were, it would be hard to understand why the President, as his predecessor did before him, would see fit to address a message to the Congress on the question of Federal aid to education. Unless it were, the question would hardly be a matter for serious consideration by the Senate at this time; and, let me add, it is a matter of most serious consideration at this time.

But even as most Senators and most people in the United States may embrace the objective as both necessary and desirable, I am sure many look to its achievement by ways other than those recommended by the President. Certainly, there is room for debate and discussion here. I would express the hope, however, that such debate and discussion will be based upon national fact and not fiction, on national reality and not national nostalgia.

One fact, one reality we have got to face is this. Some states and localities and families do not have equal financial capacity even if they might have the will, the willingness toward use of full and equitable educational opportunity for all young people. Some states and localities have more financial resources than others, and among the exigencies faced by the minorities pay more heed to these matters than others. It is as simple as that. As a result, there are millions of American boys and girls whose educational start is poor and inadequate for no other reason than that of a chance location in one place instead of another.

One need not search for scapegoats to blame for this fact. While the reasons are complex, for the most part, they are inherent in the uneven growth of the Nation. They are inherent in the vast expanded costs of modern education. They are inherent in the changing nature of American society and the world which has elevated education to a key position in the pursuit of happiness by individuals and the pursuit of progress by nations.

We cannot turn back the clock in the educational aspect of our national life without turning it back in all. We cannot more education back into the little red school house while the rest of society is moving into skyscrapers.

We no longer say to the States, as one might say to a man, President, raise your militia on your own; for the Federal Government can have no part of it. We no longer say to the States, as once we did say to the Russians, “If you are the only ones to worry about it.” As it is with the United States without localities and the Federal Government can have no part of it. It is with the United States and with the world as well.

We no longer say to the States and localities, as once we did say to ourselves, “It is not we shall do, but we must do.” The call is not to fear about education by ourselves. The realities of contemporary life do not permit us to do so.

I know my faith is well founded when I say further that the Senate will not be swerved from its responsibilities in this matter by peripheral issues of religion and race. It is not difficult to sense the churning of these fervent issues just below the surface of the present debate on school aid. If there is one responsibility above all others which confronts the committee and the Senate, it is to see to it that these passions do not inhibit us from action. Our responsibility is to design bills which, while they do not ignore the special demands of religion or race, at the same time, do not permit these passion-packed factors to overwhelm what can be done now, what must be done now to improve the educational structure of the Nation.

We shall be in a better position to act in that fashion if we examine and grasp the full purport of the President’s messages on education. Dissect this message and it is clear that his proposals fall into several major categories.

The first is a program of Federal grants to the States totaling more than $3 billion over a 5-year period. These funds would be used for the construction of public primary and secondary schools and, for improving teachers’ salaries as well as other educational improvements.

The second is a program of Federal long-term low-interest loans for the renovation and construction of the laboratories, libraries, and other facilities of the Nation’s colleges. The amount involved is $300 million a year over a 5-year period and both public and private institutions of higher learning would be
eligible. Related to this program is an
other for extension of the program to
the construction of housing for college
students and faculties. This second un-
tertaking would provide $250 million a
year. This is in addition to the $500 million
low-interest loans to both private and
public institutions.

The third major feature of the Pres-
ident's proposal is a program to provide
additional Federal scholarships for
 needy students during the next 5 years.
These scholarships will be made accessible
by the States and students who receive
them will be free to attend any college,
public, private or religious.

There are other elements in the Pres-
ident's proposals on education. The four
which I have just enumerated, however,
are the most significant. And of these four,
related, and fundamental purposes
involving higher education and
defense-related aid to all primary and
secondary schools have not become en-
thusiastic with the President's program
for either the issue of the National
Education Act of 1958. This law, as the
President knows, provides among other
things grants to public schools and loans
to private schools to improve the fa-
cilities for offering training in such def-
ense-related subjects as foreign lang-
uations, mathematics, science and so
forth.

Beyond mere improvement, what may
be involved in his proposals is the
ting and expanded by Federal
construction of housing for college
schools are also improved.

In short, Mr. President, what I would
suggest is that the issue of Federal aid
is not just a matter of improvement
on its own merit and be faced by the
Senate at this time and disposed of on
its own merit, but let us vote this aid for
the public schools or not, as we see fit,
but let us vote on the realities of the
state of public education in this Nation
and not on the basis of other matters,
however important they may be in them-

Let me say that I appreciate the prob-
lems we confront, religious and other
private schools. Surely they face the
same rising costs of construction and
maintenance. Surely they have to con-
tend with overcrowding and the prob-
lems of replacement and expansion of
facilities. Surely parents of children in
these private and religious schools not
only pay a share of the costs of public
education in their States and localities
but also costs of the private and religious
schools. A significant contribution of these schools to
American life without automatically
placing them in the same category as
public schools. That is not to say they
are inferior or superior. They are sim-
ply different, for no other reason than
that their very being is associated with,
and depends upon, particular groups and
particular concepts.

It would be my hope, therefore, that
we will have the opportunity to consider
the question of aid to private schools in
another manner and in other legislation
than the proposal now before us. That
would be a just, decent, the fair
to face up to it.

Personally, I can see much merit in the
extension of constitutionally permissible
aid to religious and private schools. But
I can see no merit where the concept is
that unless such aid is extended then it is better that other schools decay.

That course is the course of disunity.
Who gains if a pupil is not
qualified and expanded by Federal
aid? Who gains if scholarships are not
made available to the Govern-
ment to all deserving students?
Who gains if the public primary and
secondary schools of the Nation decay?
Who gains if facilities used for the
encouragement of effective teaching of
defense-related subjects are not
provided?

I do not think anyone gains but I
am certain that millions of individuals
will lose—individuals of all races and
religions—and I am certain that the Na-
tion will suffer the most unhappy con-
sequences.

One may ask still another question:
Who gains if the parochial and private
elementary and high schools are not
aided by the same amount of money
as are the public schools? Let
us face that question but let us face it
on its own merits as a question of na-
tional policy which parents;

Much is lost if instead of this straight-
forward approach we continue on the
recent course of the debate which may
well lead via the exacerbation of racial
conflict to a dead end for all aid to education. That is what
I hope we shall avoid. That is what
the committee is trying to avoid.

The President, Mr. President, I con-
gratulate and highly commend the dis-
tinguished majority leader for the
magnificent speech, unanswerable in its
logic, which he has just delivered in the Sen-
ate. The highest tribute I can pay to
the majority leader is to tell him now that
his speech is my answer to the proponent
of this amendment. I simply make this
added comment: I have said from the
beginning that we are seeking to have
the Senate pass a public school bill.
I am offering a public school bill. The
Morse-Thompson bill is a public school
bill.

As soon as the Senate disposes of this
bill, the Subcommittee on Education will
proceed with what we call markup ses-
ions, that is, meetings in executive ses-
ions to consider the various amend-
ations to the National Defense Edu-
action Act. I think there is no doubt that
our considerations in connection with the
National Defense Education Act will
involve some proposed amendment which,
for special educational purposes, will
seek to provide money to private schools.
But no amendment for the purpose of
aiding religious and other purposes, as is
already the case. Congress has estab-
lished the principle of assistance for spe-
cial educational purposes in
preparing the Nation better to increase
its strength and defend the security of
the country.

I fully share the opinion, as one who has long
stood for Federal Interest-bearing loans to
private schools, that the interest
charge should meet the cost of the use of
the money. It should not be a commercial
interest, because commercial interest in-
cludes a profit; and in my judgment it
would not be fitting for the Federal Gov-
ernment to seek to profit at the expense
of private schools. However, I believe
it is sound public policy and in the interest of the welfare of the coun-
try to aid in the way of interest-bearing loans.

In my judgment it should not become involved in this bill. We
should carry forward our original inten-
tion to pass, in connection with S. 1021,
the public school bill only.

Mr. President, with these comments,
I yield 2 minutes to the distinguished
Senator from Pennsylvania.

Mr. CLARK. Mr. President, I join
with the majority leader and the chair-
man of the subcommittee in opposition
to the pending amendment.

On March 29 of this year, the Senator
from Oregon [Mr. Morse] and I intro-
duced S. 1482 for the purpose of making
loans available to private schools under
provisions which would require a test of
the constitutionality of the bill. The
bill also would prohibit any aid to
private schools which are engaged in
sectarian