

Clinger	Hefner	Paul
Coelho	Heffel	Pease
Coleman	Hightower	Perkins
Collins, Ill.	Hinson	Petri
Conable	Holland	Peyster
Conte	Hollenbeck	Preyer
Conyers	Holt	Pursell
Corcoran	Holtzman	Quayle
Coughlin	Horton	Quillen
Courter	Howard	Regula
Daniel, R. W.	Hubbard	Reuss
Daschle	Huckaby	Rhodes
Davis, Mich.	Hughes	Rinaldo
Davis, S.C.	Hyde	Ritter
de la Garza	Ireland	Robinson
Derwinski	Jeffries	Rose
Devine	Jenkins	Rosenthal
Dickinson	Jenrette	Rousselot
Dicks	Kazen	Royer
Diggs	Kemp	Sawyer
Dingell	Kindness	Schulze
Dixon	Kogovsek	Sebelius
Duncan, Tenn.	Kostmayer	Seiberling
Early	Kramer	Sharp
Edgar	LaFalce	Shelby
Edwards, Ala.	Latta	Shuster
Erlenborn	Leach, Iowa	Simon
Ertel	Lederer	Skelton
Evans, Ga.	Lee	Slack
Evans, Ind.	Lent	Smith, Iowa
Fazio	Lewis	Snyder
Fenwick	Livingston	Solarz
Fish	Lott	Solomon
Fisher	Lowry	Spellman
Flithan	Lujan	Stanton
Florio	Luken	Stark
Foley	Lundine	Stokes
Ford, Mich.	McDade	Stratton
Forsythe	McDonald	Studds
Fountain	McEwen	Stump
Frenzel	Martin	Symms
Fugua	Matsui	Taylor
Garcia	Mattox	Thompson
Gaydos	Mavroules	Traxler
Gialmo	Mazzoli	Trible
Gibbons	Mikulski	Udall
Gimman	Miller, Calif.	Vander Jagt
Gingrich	Miller, Ohio	Vanik
Ginn	Minish	Vento
Glickman	Mitchell, Md.	Volkmer
Goldwater	Mitchell, N.Y.	Walgren
Gonzalez	Moakley	Walker
Gore	Montgomery	White
Gradison	Moore	Whitely
Gramm	Moorhead, Pa.	Whittaker
Gray	Mottl	Whitten
Green	Murphy, Pa.	Williams; Ohio
Guarini	Myers, Pa.	Wilson, C. H.
Hagedorn	Neal	Wilson, Tex.
Hall, Ohio	Neezi	Wright
Hall, Tex.	Nichols	Wyatt
Hamilton	Nowak	Wyder
Hance	Obey	Wylie
Harkin	Ottinger	Yatron
Harsha	Patterson	Young, Fla.

NOES—165

Abdnor	Duncan, Oreg.	Kuldee
Addabbo	Eckhardt	Lagomarsino
Anderson, Calif.	Edwards, Calif.	Leach, La.
Atkinson	Edwards, Okla.	Leath, Tex.
AuCoin	Emery	Lehman
Badham	English	Leland
Beilenson	Erdahl	Levitas
Bethune	Evans, Del.	Lloyd
Biaggi	Fary	Loeffler
Bingham	Fascell	Long, La.
Boggs	Ferraro	Long, Md.
Bolling	Findley	Lungren
Bouquard	Flippo	McClory
Broomfield	Ford, Tenn.	McCloskey
Brown, Calif.	Fowler	McCormack
Burgener	Gephardt	McHugh
Burlison	Grassley	McKay
Campbell	Grisham	McKinney
Carr	Gudger	Maguire
Chisholm	Hammer-	Markey
Clausen	schmidt	Marks
Collins, Tex.	Hanley	Marlenee
Corman	Hansen	Marrott
Cotter	Harris	Mathis
Crane, Daniel	Hawkins	Mica
D'Amours	Heckler	Mineta
Daniel, Dan	Hillis	Moffett
Danielson	Hopkins	Mollohan
Dannemeyer	Hutto	Moorhead,
Deckard	Ichord	Calif.
Dellums	Jacobs	Murtha
Derrick	Jeffords	Natcher
Dodd	Johnson, Calif.	Nelson
Donnelly	Johnson, Colo.	O'Brien
Dougherty	Jones, N.C.	Oakar
Downey	Jones, Okla.	Oberstar
Drinan	Jones, Tenn.	Panetta
	Kastenmeier	Pashayan

Patten	Scheuer	Thomas
Pepper	Schroeder	Ullman
Pickle	Sensenbrenner	Van Deerin
Pritchard	Shannon	Wampler
Rahall	Shumway	Watkins
Railsback	Smith, Nebr.	Weaver
Ratchford	Snowe	Weiss
Richmond	Spence	Whitehurst
Roberts	St Germain	Williams, Mont.
Rodino	Stack	Wilson, Bob
Roe	Staggers	Wirth
Roth	Stangeland	Wolf
Roybal	Stenholm	Wolpe
Rudd	Stewart	Yates
Runnels	Stockman	Young, Alaska
Sabo	Swift	Young, Mo.
Santini	Synar	Zablocki
Satterfield	Tauke	Zerferetti

NOT VOTING—28

Ambro	Flood	Nolan
Anderson, Ill.	Frost	Price
Andrews,	Goodling	Rangel
N. Dak.	Guyser	Rostenkowski
Ashley	Kelly	Russo
Barnard	Madigan	Steed
Bedell	Michel	Treen
Brooks	Murphy, Ill.	Waxman
Crane, Philip	Murphy, N.Y.	Winn
Dornan	Myers, Ind.	

□ 1450

The Clerk announced the following pairs:

On this vote:

Mr. Rangel for, with Mr. Ambro against.

Messrs. HINSON, ROSE, and DAVIS of Michigan changed their votes from "no" to "aye."

Messrs. SABO, D'AMOURS, and HANSEN changed their votes from "aye" to "no."

So the amendment in the nature of a substitute was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose and the Speaker pro tempore (Mr. KAZEN) having assumed the chair, Mr. SKELTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3948) to amend the Federal Aviation Act of 1958 to eliminate the age limitation presently imposed on certain pilots of aircraft, and for other purposes, pursuant to House Resolution 455, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to raise the age limitations presently imposed on certain pilots, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the bill, H.R. 3948.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

□ 1500

TABLING OF HOUSE RESOLUTION 308 AND HOUSE RESOLUTION 330

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the following resolutions, which were reported from the Committee on Rules and are now pending in the House Calendar, be laid on the table:

House Resolution 308, providing for consideration of H.R. 3509, Extending the Safe Drinking Water Act authorizations through 1982, and

House Resolution 330, providing for consideration of H.R. 3641, Extending the Public Health Service Act, health information programs, for 3 fiscal years.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. LATTA. Mr. Speaker, I reserve the right to object. I do so to ask the gentleman to explain what the resolutions are.

Mr. BOLLING. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I would be happy to yield.

Mr. BOLLING. Mr. Speaker, these resolutions are no longer of any use, because the bills they brought up passed under suspension in each case.

Mr. LATTA. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DESIGNATION OF THE BIRTHDAY OF MARTIN LUTHER KING, JR., AS A LEGAL HOLIDAY

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 497 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 497

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5461) to designate the birthday of Martin Luther King, Junior, a legal public holiday, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question

shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. BOLLING) is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA). Pending that I yield myself such time as I may consume.

Mr. Speaker, the consideration of this rule should take virtually no time because I cannot see any controversy in it. So far as I know, everybody is in favor of passing the rule and considering the matter that it will bring up.

I would like to say that I had the privilege of working with Martin Luther King, Jr., and I strongly support the bill in its present form. I intend to oppose any of the hostile amendments that are offered.

On the other hand, I did not see any justification either in the interest of the resolution or objectivity for having a modified closed rule. Therefore, the rule is an open rule. I am happy to report, and I see no reason why it should be controversial.

Mr. Speaker, I reserve the balance of my time.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. LATTA asked and was given permission to revise and extend his remarks.)

Mr. LATTA. Mr. Speaker, let me echo what the gentleman from Missouri has said and to compliment him on his leadership in seeing to it that an open rule was reported out of the Committee on Rules.

I agree with the gentleman that we would be setting a bad precedent to have taken a rule of this nature and closed it or to have had a modified closed rule or a modified open rule, as some were requesting.

There were several amendments that were considered in the Committee on Rules that will certainly be discussed at the time this matter is being discussed on the floor.

I would like to point out something that disturbs me about the creation of another legal holiday. There is not any question about it, the United States is lagging in productivity.

As a matter of fact, I have in my hand an article out of the Wall Street Journal of October 30, 1979, which says:

Federal Reserve Chairman Paul Volcker said in a television interview Sunday that the decade-long slowdown in productivity is one of the root causes of the current economic woes. When productivity is declining, when energy prices are increasing, there isn't any way you can increase your standard of living in the nation as a whole just by asking for higher wages or prices. He said on ABC's "Issues and Answers": "You can try to outrace the other guy, but collectively we can't possibly consume more than we are producing."

I have in my hand another article which appeared in a UPI release on this matter after the Department of Labor reported on our Nation's productivity. Let me read just a couple of lines from this report:

The productivity of private business in the United States grew at an annual rate of 0.1 percent in the July-September quarter of this year, the Labor Department reported today. Productivity, the economy's output per hour of work, had been declining sharply in the previous two quarters. It dropped 3 percent during January and March and another 2.2 percent during April and June.

The Labor Department subsequently revised the 0.1 percent downward and we ended up on the negative side for the last quarter as well.

Now, why is this important to what we are discussing today?

It is important because we are talking about shutting down for 1 day the productivity of this country. Now, a lot of people say, well, it is not going to cost anything as far as the Federal Government is concerned. Well, they are talking nonsense, because there is over \$20 million that will have to be paid for premium rates or wages for people who work for the Federal Government during a legal holiday; you will have to pay the Federal employees who do not work something over \$200 million. This would be a cost to the Federal taxpayers of this country at a time when they say you are spending too much already.

Now, what else is involved? State and local employees across this country will immediately say, "You have a national holiday and we should be off during that day."

According to the Heritage Foundation, this would cost \$579 million—I repeat, \$579 million.

Now, in the private sector, labor contracts usually call for days off on legal holidays, so we are putting in another paid holiday for them. In the private sector, and if you only consider the average wage to be \$5.95 an hour, and that is far too low, we have a figure of \$3.8 billion—that is \$3.8 billion to be paid for not working, for not producing, for not increasing the productivity of this Nation.

As I pointed out before the Committee on Rules, it would seem that if Martin Luther King were to speak out on this issue today, he would probably say we ought to do everything possible to raise the productivity of America.

Why? Because by increasing productivity, we can reduce inflation, which is hurting the poor people that he was most concerned about.

□ 1510

Mr. Speaker, perhaps we ought to be saying that we should work an additional day rather than not doing anything on his birthday. Maybe working on Saturday would be the best way to celebrate his birthday thereby increasing productivity and helping lift the plight of the downtrodden by reducing inflation. This would be paying real honor to Doctor King and helping America at the same time.

One of the amendments that will be proposed today by the gentleman from Missouri (Mr. TAYLOR) will make this a commemorative day. We would then have a proclamation by the President with appropriate ceremonies across the country, but still American would continue to work. Hopefully, when this mat-

ter comes before the House under the 5-minute rule, the House will give favorable consideration to this amendment so that we can honor this individual without reducing the productivity of America.

Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. BAUMAN).

Mr. BAUMAN. Mr. Speaker, I rise in support of this most unusual rule. It is unusual because it is completely open and it protects all Members of the House and their right to offer amendments.

I agree with the distinguished chairman of the Committee on Rules, the gentleman from Missouri (Mr. BOLLING), in his support of this rule. I think that his stand was very important in the committee, and the gentleman has restated that support today.

Regardless of the merits of the legislation itself, a request was made by the chairmen of the Committee on Post Office and Civil Service, and the subcommittee that this bill be given a closed rule allowing only one amendment. A similar request for a closed rule was supported in various forms before our committee by several other members.

The gentleman from Missouri (Mr. BOLLING), at the close of our discussion, before we voted on the rule, made the point that if this rule, a rule on legislation of this sort, legislation of such a simple nature as that involving the creation of a national holiday, was subjected to a closed rule, the temptation would be for the majority to request closed rules on almost any legislation. I agree.

This is not a complicated issue. Obviously the desire was to protect the legislation from amendments that in some way or other might weaken or damage or change its terms. That is what we were sent here under article I of the Constitution to do, legislate, on this and all other issues.

We have seen repeatedly in recent months a pattern on the part of the majority leadership, first enunciated by the Speaker during the August recess, to adopt many closed rules. You in the majority have done this on important matters such as the so-called welfare reform, a \$2 billion bill, and a succession of other important bills.

I commend this nearly imperceptible or, I should say, nearly perceptible softening on the part of the majority leadership to allow the House to work its will. I think it will profit the House if they allow such openness on other legislation relating to even more important subjects.

I would only say that the remarks of the gentleman from Ohio (Mr. LATTA) are very important and in tune with the need for changes in the bill which amendments will offer. It will be possible to have a commemorative holiday if that is the will of the House and the gentleman from Missouri (Mr. TAYLOR) will offer that amendment.

I would urge opposition to the amendment offered by the gentleman from Illinois (Mr. McCLOBY) creating a Monday holiday, with all the attendant costs involved.

With that, Mr. Speaker, let me say that I thank the gentleman from Ohio (Mr. Latta) for yielding this time to me.

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. Garcia).

Mr. Garcia. Mr. Speaker, I will be very brief.

Yesterday, at the meeting of the Committee on Rules I asked for a modified closed rule because it was my theory and my belief, after I had talked to the membership of the House on both sides of the aisle, that the issue here was one of a fiscal nature; that the issue was one wherein very few Members opposed the creation of a commemoration for Martin Luther King. The question was only in terms of the dollars.

So, Mr. Speaker, I would say to the Members that I am supporting this open rule. After 10 years that this bill has been locked up in committee, I am glad to see it is finally on the floor before the people of America to decide the merits of a great American and whether, in fact, a holiday should be designated. Many of us on both sides of the aisle think that he should.

So, Mr. Speaker, I support this open rule, and I suggest that we adopt the rule and get on with the debate.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. Garcia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5461) to designate the birthday of Martin Luther King, Jr., a legal public holiday.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. Garcia).

The motion was agreed to.

The SPEAKER pro tempore. The Chair designates the gentleman from New Jersey (Mr. Howard) as Chairman of the Committee of the Whole and requests the gentleman from New York (Mr. McHugh) to assume the chair temporarily.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5461, with Mr. McHugh, Chairman pro tempore, in the chair.

The Clerk read the title of the bill. The CHAIRMAN pro tempore. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from New York (Mr. Garcia) will be recognized for 30 minutes, and the gentleman from Missouri (Mr. Taylor) will be recognized for 30 minutes.

The Chair recognizes the gentleman from New York (Mr. Garcia).

Mr. Garcia. Mr. Chairman, I yield myself such time as I may consume.

(Mr. Garcia asked and was given permission to revise and extend his remarks.)

Mr. Garcia. Mr. Chairman, we are once again before the House to argue the case for the establishment of a new Federal holiday in memory of the late Dr. Martin Luther King, Jr.

On November 13, the House narrowly defeated this measure under suspension of the rules even though an overwhelming majority favored this proposal.

Eleven short years have passed since Dr. King's death. And yet, his memory as well as his legacy continue to inspire millions of his contemporaries in this country and around the world. What is more is his contribution to American society which are reflected in the passage of landmark civil rights legislation will stand as a perpetual reminder to future generations that a man called Martin Luther King, Jr., did, indeed, live and challenge century-old traditions that denied basic rights to individuals in this country.

Dr. King was a distinguished American who achieved worldwide acclaim as the leader of a movement that struggled against poverty and racism. His dream was a dream for all Americans that suffered injustice and inequality.

His moral vision, his uncommon courage, his quest for social justice, his stalwart commitment to nonviolence, and his deep and abiding love and concern for the poor and the oppressed exemplified the best of this country's rich and proud heritage.

He stirred the conscience of the Nation and spoke out in ringing tones for the disenfranchised and thereby rekindled the flame of hope and progress during one of the gravest periods in our Nation's history.

Mr. Chairman, H.R. 5461 designates January 15, the anniversary of Dr. Martin Luther King, Jr.'s birthday, as a national Federal holiday each year. This bill commemorates his life and legacy, as well as this man's unique contribution to our Nation which are virtually unparalleled.

The enactment of H.R. 5461 would serve as an appropriate testimonial to an extraordinary individual who dedicated his life to the cause of human rights. Moreover, the bill would underscore the Nation's continuing commitment to alleviate the persistent and continuing effects of discrimination and poverty which Dr. King struggled to eliminate.

Mr. Chairman, a new holiday does not come cheaply, I recognize that. The overtime and premium pay for Federal employees who report to work on a holiday is a significant amount. Yet, we must not overlook the other side of the equation. Some have argued that it would be too expensive to create another Federal holiday. This is, indeed, a concern. But when weighed against the need to honor all that Dr. King struggled for, prayed for, dreamed about, symbolized, and sought throughout his life, I find that the scales of justice tilt decidedly in favor of a new Federal holiday to honor Dr. King.

I believe that the people of this Nation understand the relationship between Dr. King's inspirational legacy, his dream, his hopes, and the values and

traditions of this country, and I therefore, support this measure.

This issue today is not only whether America is prepared to honor this hero, but whether we, as a nation, will send a signal that we value and esteem the contributions, accomplishments, and vision of an American who sought to advance the cause of human rights in his own land.

Mr. Chairman, I urge the house to approve this measure and I reserve the balance of my time.

□ 1520

Mr. Taylor. Mr. Chairman, I yield myself such time as I may consume.

(Mr. Taylor asked and was given permission to revise and extend his remarks.)

Mr. Taylor. Mr. Chairman, I strongly oppose the designation of the Reverend Martin Luther King, Jr.'s birthday as a legal public holiday because I do not believe our present economic situation affords us the luxury of another \$212 million Federal holiday.

At the appropriate time, I intend to offer an amendment that will designate Reverend King's birthday as a national commemorative day and will save us the cost to the Federal Government of creating a 10th paid day off from work for Federal employees.

There will be other amendments offered before mine. I understand, and I want to take this time during the general debate to discuss the implications of creating any new Federal holiday—whether it comes on the calendar date, a Sunday, or a Monday.

A legal public holiday will entitle 2.8 million Federal employees to a day off from work with pay. There is no difference in cost to the Federal Government whether this holiday falls on a Monday or any other weekday.

The costs of any new holiday will run at least \$212 million to the Federal Government alone, because of our \$185 million daily payroll and the additional cost of \$27 million in premium or overtime pay for those who would be required to work. This is seven times the cost of the combined salaries of Members of the House and Senate.

The costs of a legal public holiday for Federal employees will not stop at the Federal level, because thousands of State and local governments and private sector workers will soon be asking for—and, in all probability, receiving—another holiday, thus adding to the Federal deficit and lowering this Nation's already declining productivity, the two main causes of the unparalleled inflation the people of this Nation are now experiencing.

The House should weigh carefully the expense involved in creating any new Federal holiday—regardless of what day of the week it will fall on—not only in terms of the Federal budget, but also the expense that will surely follow for State and local governments and the private sector.

I urge my colleagues to listen carefully to the debate and amendments that are to be offered—but to keep in mind that a commemorative day for Martin Luther

*Vote on Rule*

*Committee of the Whole*

King is the most appropriate way for us to honor him and I will be offering this as an alternative to the bill.

Mr. GARCIA. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. RODINO).

(Mr. RODINO asked and was given permission to revise and extend his remarks.)

Mr. RODINO. Mr. Chairman, the Members of this body have already heard the telling arguments in support of designating a national public holiday to celebrate the life and the contributions of Dr. Martin Luther King, Jr., to this Nation. I believe that no man in the history of this country has done more to arouse the conscience of this Nation to live up to its great ideals and its great goals. This Nation was dedicated by men and women who believed in justice, equality, and freedom; who have set as a goal that this Nation become one Nation indivisible, with liberty and justice for all. This Nation is now the kind of ideal that Martin Luther King, Jr., envisioned when he called upon all of us to come together to overcome the differences, the prejudices and, as one people, celebrate a nation that looks to the human spirit as a brother in each other.

I believe that the life of Martin Luther King, Jr., is replete with his commitment to the realization of those goals. I think it is timely that we recognize those contributions. I think we are living in an era at a time when human rights are just not two words that should be emptily spoken; but human rights should be the guiding spirit that should motivate us all. We should be encouraged by the great sacrifices that were made by Dr. Martin Luther King, Jr.

Some time ago the gentleman from Illinois (Mr. McCLORY) joined with me in adding another holiday to the list of national holidays to be celebrated on a Monday. This was done so that there would be no tremendous cost to the Government and to insure there would be no break in efficiency on the part of governmental services. At the appropriate time I will, following the initiative of the gentleman from Illinois, support the amendment to designate the third Monday in January as a Federal holiday in honor of Dr. Martin Luther King, Jr. I believe that this would then deflate the argument of all of those who believe that there would be some kind of a hiatus if the holiday should occur in the middle of the week. I believe it will put to rest those arguments about the great cost of a holiday in the middle of the week. As the Civil Service Commission and the National Association of Manufacturers have already testified on previous holiday bills that there is a valid reason for making any holiday occur on Monday, and I believe that none deserves it more than Martin Luther King, Jr.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield to the gentleman from New Jersey.

Mrs. FENWICK. I thank the gentleman for yielding.

Mr. Chairman, I would like to associate myself with the remarks of the gentleman from New Jersey (Mr. RODINO). I think we should remember this man. He told us that people should be judged not by the color of their skin but by the content of their character and that was an important statement for this country. But he spoke also to a present and very terrible danger in the whole world: violence.

He knew the terrible force of unleashed violence. The nonviolent nature of the revolution of which he was a key figure in this country is a tribute to him and important for these troubled and difficult days.

Mr. RODINO. Mr. Chairman, I thank the gentleman from New Jersey for her remarks.

Mr. Chairman, it takes a rare person or an extraordinary event to justify a new national holiday.

Dr. Martin Luther King, Jr., was much more than a rare person. He was unique in American history—as a man, as a leader, as an advocate for freedom.

The events closely related to his leadership of the civil rights movement were more than extraordinary. They had and will continue to have a wholesome impact on American society.

The unique combination of characteristics in Martin Luther King, Jr., equipped him with the personal power to pursue the causes of justice and freedom against all odds.

He was totally committed to those causes, but he was never ruthless.

He was a dreamer, but he was never impractical.

He was tough, but he was never unjust.

He could recognize malice, but he was guided by love.

He never feared to engage in a necessary fight or confrontation, but he remained always a man of peace.

Four years ago, in accepting the Martin Luther King Award from the Southern Christian Leadership Conference, I said this:

They shot down the man—and they snuffed out his life—and the man died. But they could not shoot down his dream. For his dream was stronger than life—and the dream lives on.

Martin Luther King, Jr.'s dream lives on today, but we must nurture it with our attention, our respect and our faith.

He sacrificed his life for his dream of a fully just America.

Surely we can give 1 day a year to sustain the life of that dream.

In a spirit of respect for his unique life and leadership and a faith in the future of this land of freedom, let us now officially designate a national public holiday to celebrate the great contributions of Martin Luther King, Jr.

Mr. TAYLOR. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. McCLORY), the distinguished ranking minority member of the Committee on the Judiciary.

(Mr. McCLORY asked and was given permission to revise and extend his remarks.)

Mr. McCLORY. Mr. Chairman, I appreciate the statement just made by the distinguished chairman of the Committee on the Judiciary, my colleague, the gentleman from New Jersey (Mr. RODINO) and also as supplemented by the gentlewoman from New Jersey (Mrs. FENWICK). I concur in what the gentleman from New Jersey and the gentlewoman from New Jersey have said.

The American public and the vast majority of the Members of this House are responding to a desire in this country to recognize the service of the Reverend Martin Luther King, Jr., and what he stands for and what he represents.

In view of that, it seems to me that we are determined and that our vote will reflect a determination to honor this man and what he represents in our Nation by designating his birthday as a national legal holiday.

Since the subject of economics has been raised and the subject of the productivity of the American worker has been involved, it seems to me very appropriate that we should give earnest consideration to designating the third Monday in January a holiday so that on a fixed day each year, a time each year, this national holiday can be observed. It will, as the gentleman from New Jersey has indicated, provide substantial savings to industry, and to business, and to the working men and women of our country as well, as was demonstrated when we passed the Monday holiday legislation back in 1968.

In addition to that, by designating a holiday on a Monday, it can be more appropriately observed at that time.

□ 1530

There is more time for the preparation for the observance. People know when it is going to occur when a holiday is observed on a designated Monday.

When a holiday is designated on a particular calendar date and it falls on a Sunday, for instance, there is great confusion as to whether to observe it on Friday, Saturday, Sunday, or Monday. Just this year, with regard to Veterans' Day, that was precisely the situation. Different communities observed Veterans' Day on four different days, Friday, Saturday, Sunday, and Monday because November 11 fell on a Sunday. But with the third Monday of January of each year being observed as Martin Luther King Day, we can appropriately observe it then.

As I indicated, there are going to be great savings. There are going to be tremendous advantages for the working men and women, less confusion, less closing down of businesses before and after a midweek holiday, a reduction in absenteeism which occurs when we have midweek holidays. There are many, many logical reasons, it seems to me, that the amendment that I will be offering should be supported.

I appreciate very much having the strong support of the gentleman from New Jersey (Mr. RODINO) in support of this amendment.

Mr. TAYLOR. Mr. Chairman, I yield 5

minutes to a member of the committee, the gentleman from New York (Mr. GILMAN).

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I rise in support of H.R. 5461, legislation designating the birthday of Dr. Martin Luther King, Jr., as a legal public holiday.

Designating a holiday in memory of Dr. King is an appropriate means of honoring the contributions of this distinguished American, who, during an extremely critical and volatile period in our Nation's history, sparked a peaceful, determined drive for a national commitment providing all of our Nation's citizens with basic civil rights and with equality of opportunity.

As a cosponsor of this measure during this and past sessions of Congress, I was pleased to join with my colleagues on the Committee on Post Office and Civil Service in favorably reporting this legislation to the House.

The legacy of Martin Luther King lives today in the contributions to our Nation of those who through his efforts were afforded the opportunity for equality in education and equality in employment, opportunities that have resulted in significant contributions to our Nation's commerce, medicine, law, education, and in the arts.

The Martin Luther King, Jr., legacy lives in the pride of all Americans witnessing a confirmation of the earlier dream upon which our Nation was founded: Justice, equality, and the recognition of basic human rights and dignities.

Accordingly, Mr. Chairman, I urge my colleagues to support this legislation honoring the memory of Dr. Martin Luther King, Jr., and thereby honoring our Nation's basic ideals of liberty, justice, and equality, to which he was so fully committed.

Mr. GARCIA. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. RICHMOND).

(Mr. RICHMOND asked and was given permission to revise and extend his remarks.)

Mr. RICHMOND. Mr. Chairman, I rise in strong support of this legislation to designate the birthday of Dr. Martin Luther King, Jr., as a legal public holiday, and in support on an amendment fixing this holiday on the third Monday of January.

Few Americans in this century have made so great an impact on the lives, the values, and the aspirations of all Americans as Dr. King. Through his vision and his dynamic, effective leadership of the civil rights movement, Dr. King compelled our Nation to examine its prejudices and the inequalities that generations had taken for granted.

At the forefront of the struggle for nonviolent social change, Dr. Martin Luther King led the way to breakthroughs for the poor and the downtrodden members of our society in housing, jobs, education, community development, and in assuring equal opportunity for all Americans in every aspect of daily life.

By designating the third Monday in January as a legal holiday, we will be giving recognition to the outstanding contributions of a unique individual to our society. In addition, an annual observance of this day will provide all Americans the opportunity to reflect upon the achievements of Dr. King and to rededicate themselves to the goals to which he dedicated his life.

I urge my colleagues to approve this important legislation.

Mr. GARCIA. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS).

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Chairman, this is a great day in the 96th session of the Congress. Today we consider making a national legal holiday of the birthday of Dr. Martin Luther King. Public holidays are rightly reserved for honoring great traditions, our highest ideals, and individuals who have uniquely shaped our Nation's destiny; and Rev. Dr. Martin Luther King has been that man in this century who has brought America back to its roots as a free people.

I am pleased that the leadership of this Congress, that the bipartisan coming-together of more than 125 Members to cosponsor this legislation, by the untiring work of the Committee on Post Office and Civil Service, led by the distinguished chairman of the subcommittee, the gentleman from New York (Mr. GARCIA), the collective efforts over a decade of the Congressional Black Caucus, and individual efforts on the part of Members too numerous to mention, have all combined to make this a very important day in the life of many Americans.

The widow of Rev. Dr. Martin Luther King joins us here again today as we consider this legislation. I endorse the amendment that will soon be offered by my colleagues from both Illinois and New Jersey, that would make the day celebrated on a Monday consistent with other Monday legislation.

What did this great man teach us? What did he contribute that deserves to memorialize him forever in the American history?

To me, my colleagues, he taught that the freedom to effect social and individual changes in our lives are within the ability of each and every one of us and can be accomplished without violence. In this he changed the moral and political direction of this Nation. We do more than just celebrate Dr. King's birthday, to honor one man, however extraordinary.

A national public holiday honoring Rev. Dr. Martin Luther King, Jr., would commemorate the profound and positive turning in our history that he helped create.

In approving this legislation, I do not think that this Congress can make a more positive statement that the sectional and racial chapter in our history is closed forever and that a giant step would be made forward in reconciling the hopes of all of the peoples who compose this great Nation. It would be the one

day in the year to reflect on the sources of our freedom and on the basic interdependency of our lives, on our common destiny as a free people.

This is a great day for many of us here in the Congress and in the Nation.

□ 1540

The tremendous expression of support that we elicited only 2 weeks ago, four Members short of a two-thirds majority, was important and encouraging to me.

So I say to my colleagues there are no substitutes for the decision and the action that we must take today. We should answer the question: does Dr. King's stature and his impact on American history deserve to be honored in this measure today? The answer, I think, we have already made in many ways, and we are now called upon to make that final ratification today.

Mr. TAYLOR. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. BEARD).

(Mr. BEARD of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. BEARD of Tennessee. Mr. Chairman, I will not take the 3 minutes. I stand here just to inform the House of my intention to introduce an amendment or a substitute changing or designating the celebration of Martin Luther King's birthday on the third Sunday of every January.

I endorse the thrust of this legislation. I endorse the thrust of the remarks that have been made by the preceding speakers. I look at it as a situation of celebrating a national holiday, but also being sensitive to tremendous costs in productivity.

I do take serious reservation and questions with the statements made as to the fact that by holding it on a Monday it would cut these costs. Still, the basic, fundamental costs would be there, and so I do not think that would be a corrective amendment on Mr. ROBINO's or Mr. McCLORY's part. But that will be debated under the 5-minute rule and I will be introducing this to call for the celebration of Martin Luther King's birthday to be held on the third Sunday of every January.

Mr. GARCIA. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Illinois (Mrs. COLLINS).

(Mrs. COLLINS of Illinois asked and was given permission to revise and extend her remarks.)

Mrs. COLLINS of Illinois. Mr. Chairman, I am proud to rise in support of the bill to make the birthday of Dr. Martin Luther King, Jr., a full national holiday—a full national, public holiday. We have seen a strong show of support for this legislation when nearly two-thirds, as JOHN CONYERS has said, of this body voted in favor of the King holiday, narrowly missing passage under the suspension of the rules.

I urge, and all of my colleagues in the Congressional Black Caucus urge, that there be defeat of any amendments such as the ones we are going to consider today that might merely make this a holiday in name only. We all know that

many commemorative days and weeks have little meaning to the public. We all know that a holiday designated to fall on the day of rest is no holiday at all, and we do not need to have a congressional act to do that.

I wonder how many of my colleagues celebrate such commemorative days and weeks as National Safe Boating Week, National Poison Prevention Week, Pan-American Aviation Day and so on, or how many Americans know that there is a Stephen Foster Memorial Day or a Leif Ericson Day. I submit that very few, indeed, would.

With crippling amendments such as those we will consider today and have been mentioned already so far, this is what will happen to the National Martin Luther King Holiday bill.

The opponents of making a Dr. Martin Luther King's birthday a full national holiday have come up with only one argument, and that is that another holiday is too costly. I submit to my colleagues that the contributions to this Nation of Dr. Martin Luther King cannot be measured in dollars. I do not believe that the symbolic and real importance of making Dr. King's birthday a holiday as a commitment to racial equality can itself be measured in dollars.

Enactment of this legislation will mean that for 1 day each year, this Nation will reflect upon the contributions of Dr. King, will reflect upon the greatest peaceful social revolution since this Nation's founding. No. The benefits of that commitment for the Nation's future can never be measured in bucks.

We now have nine national holidays. I have heard no suggestion that we eliminate those holidays and save money. The Nation would not stand for that. In economic terms, the merchants and the manufacturers, and all of those who benefit from increased sales on holidays would not stand for that.

A holiday recognized in 14 States and many cites deserves designation as a full national, public holiday. I urge all of my colleagues to vote against the commemorative day or the Sunday amendments and to vote to make Dr. Martin Luther King Jr.'s birthday a full national, public holiday, not just for minorities, but for all of us who live in this great country called the United States of America.

Mr. WOLPE. Mr. Chairman, will the gentlewoman yield?

Mrs. COLLINS of Illinois. I am happy to yield to the gentleman.

(Mr. WOLPE asked and was given permission to revise and extend his remarks.)

Mr. WOLPE. Mr. Chairman, I want to associate myself fully with the remarks of the gentlewoman from Illinois.

I rise in support of the Conyers bill and in opposition to those amendments that would diminish the status and significance of the tribute that is intended by the proposed national holiday. I want to associate myself fully with the remarks of the gentlewoman from Illinois.

In establishing a Martin Luther King national holiday, we will not only be giving recognition to the life and accom-

plishments of a truly great American, but we will be providing a living memorial that can serve to inspire both present and future generations of Americans to a renewed dedication to the principle upon which this Nation was founded.

Surely no contemporary American better exemplified—in his words and in his actions—American values and traditions. For Americans everywhere—black and white, young and old, North and South—Dr. King symbolized the best in the Nation: the continuing struggle to achieve a truly open society, in which all Americans will have an equal opportunity to achieve their full human potential; the commitment to an ultimately integrated society in which racial and ethnic and religious prejudice and discrimination will not limit the ability of Americans to learn from and to enjoy one another; the advocacy of nonviolent social change; the historical affirmation by Americans of the value and importance of the individual citizen.

I want to give particular emphasis to this last point, because in this period of public cynicism about politics and government, there is heard throughout our land the constant refrain that the individual citizen no longer counts in our country, that there is no way an individual can have impact on the economic and political decisions that affect all of our lives, that events are effectively out of control. Dr. Martin Luther King recognized, as have few other contemporary Americans, the ways in which such feelings of powerlessness can become their own self-fulfilling prophecy. His life was a direct and eloquent refutation of the alleged impotence of the individual citizen. It was a statement, by actual deeds, of the tremendous power available to a single individual who refuses to acquiesce to the established power, who refuses to accept social injustice in any form, and who is prepared to assume the risks that are inevitably associated with efforts to change the status quo.

There is a tendency to endow Martin Luther King with superhuman characteristics, but I suspect that Dr. King would far prefer to be remembered not for his extraordinary qualities, but his ordinary qualities; not for his strength but for his vulnerability; not for his courage, but for his fears. Because what Dr. King recognized, as few others have, is the revolutionary potential of a single individual's action and commitment.

He recognized, and showed us by his own personal example, that a single individual can make a difference—and that perfectly ordinary people, possessed of little more than a belief in themselves and in the rightness of their cause, and a willingness to accept risk, can turn our country around.

The establishment of a national holiday to pay tribute to the life of Dr. Martin Luther King is the least that can be done to assure that this message of commitment and inspiration will be forever before the American people.

Mr. TAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. ASHBROOK).

(Mr. ASHBROOK asked and was given

permission to revise and extend his remarks.)

Mr. ASHBROOK. Mr. Chairman, I will keep my remarks brief at this point in the debate. My feelings on this matter are no secret. I have absolutely no reservations about strongly opposing this ill-advised legislation.

It is a rather strange paradox we face today. The American news media has given M. L. King a free pass while continually rewriting the life stories of so many other public figures. The late President Kennedy has been branded as a lover. President Johnson and President Nixon have been maligned by the historians. Even Eleanor Roosevelt has not escaped the clutches of the media. But M. L. King is a different story. If this same standard of journalistic digging were applied to Reverend King, those who advocate a national holiday would be laughed out of this Chamber. I have no doubt about that.

Mr. Chairman, I will address some of my concerns when the bill is opened for amendment. My only hope is that Members will rise above this plateau of emotionalism and will listen to his true message. It is far different from what his modern day promoters indicate. I am certain that history will be on my side if the accurate record of Dr. King is ever made available to the public.

In case my colleagues have forgotten some of M. L. King's choice anti-American statements delivered in the sixties, I will include in the RECORD at this point a Washington Post editorial from 1967, which roundly condemned King for his April 1967 speech at the Riverside Church in New York City. It was there that he delivered the most vicious, ruthless, dishonest speech in modern times. He did everything from accusing the United States of germ warfare in Vietnam to being "the greatest purveyor of violence in the world today." He accused us of testing new medicine and new tortures in Vietnam which were similar to Hitler's torture in the concentration camps of Europe. Even the ultra-liberal Washington Post was compelled to attack him for that.

I include the article to be included at this point in the RECORD.

Mr. Chairman, I urge defeat of this legislation. To forgive and forget is one thing. To not even honestly address the real record of a man is something else. The editorial follows:

#### A TRAGEDY

Dr. Martin Luther King's Vietnam speech was not a sober and responsible comment on the war but a reflection of his disappointment at the slow progress of civil rights and the war on poverty.

It was filled with bitter and damaging allegations and inferences that he did not and could not document. He flatly charged the Government with sending Negroes to fight and die in extraordinarily high proportions relative to the rest of the population. But Negro troops constitute 11 per cent of the enlisted personnel in Vietnam (10.5 per cent of the population was Negro in 1960). Negro casualties are higher than this (22.5 per cent of killed in action) because of higher Negro enlistment for elite corps and higher rate of Negro re-enlistment. No doubt these figures reflect in part the fact that civilian em-

ployment opportunities are not as great for the Negro. But they also reflect, in part, the zeal and courage of Negro soldiers. And they reflect the fact that in this war the Negro in uniform is not limited to work battalions.

Dr. King says the United States may have caused a million civilian casualties in Vietnam—mostly children—but he did not give any supporting authority for this statement.

He stated flatly that "our officials know" that less than 25 percent of the members of the National Liberation Front are Communist—but he neglected to say what officials or where they said it.

He contends that Ho Chi Minh knows that the bombing and shelling we are doing is "part of traditional preinvasion strategy," but gives no credence to our express declaration that no invasion is intended.

He has no doubts that we have no honorable intentions in Vietnam and thinks it will become clear that our "minimal expectation is to occupy it as an American colony." He feels that men will "not refrain from thinking" that our "maximum hope is to goad China into a war so that we may bomb her nuclear installations." It is one thing to reproach a government for what it has done and said; it is quite another to attribute to it policies it has never avowed and purposes it has never entertained and then to rebuke it for these sheer inventions of unsupported fantasy.

He has even conjured up an American napalm war in Peru so that he could denounce it.

Dr. King is right to reproach America for not ending discrimination and poverty. But these are failures for which every Administration in the history of the United States deserves more reproach than this one. It is strange irony indeed that the Government which has labored the hardest to right these ancient wrongs is the object of the most savage denunciation, the most unreserved criticism and the most unfair blame.

Dr. King has done a grave injury to those who are his natural allies in a great struggle to remove ancient abuses from our public life; and he has done an even graver injury to himself. Many who have listened to him with respect will never again accord him the same confidence. He has diminished his usefulness to his cause, to his country and to his people. And that is a great tragedy.

□ 1550

Mr. GARCIA. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York (Mrs. CHISHOLM).

(Mrs. CHISHOLM asked and was given permission to revise and extend her remarks.)

Mrs. CHISHOLM. Mr. Chairman, today is a very important day in this House. I think we have to recognize that when Dr. King came along, he came along at a time when there was great distress, great turbulence going on across this land, and when, if we look back in retrospect, he was the only individual who was able in some way to bring across and bring together diverse segments of the American community—blacks, whites, poor, old, young, middle class, upper class, lower class. His was the voice in a century that was able to move out and to bring together various segments of the American community at a very, very disturbing and perturbing time.

I think we have to recognize that, like everybody else, Dr. King was a human being. Like all of us, he had his strengths and he had his weaknesses. But, we must say, if we look at the record very carefully, that the strengths of this great

leader emanating in this century far outweighed any of the weaknesses that are being brought forth here today. Dr. King was not just any human being. Dr. King was a man who possessed tremendous courage, tremendous concern, tremendous commitment, tremendous compassion.

As this man wandered across the land talking about the doctrine of nonviolence even in spite of what was happening to his own people in this country, never was he bitter. He always said that we must not rise up in terms of an armed struggle, that we have to deal in the area of persuasion, compromise, understanding, and reasoning together. There is no other man in this century who was able to really do this kind of thing; which was particularly difficult during the years that this country was going through at the time of Dr. King's life on this planet called Earth.

We know that there are all kinds of reasons being brought forward here today as to why we should use weakening amendments in order to prevent having a Dr. Martin Luther King national holiday. For many people in this country, the fact that we should have Dr. Martin Luther King's birthday as a national holiday is most important. We are not just asking for any man or any individual, and if we can just look beyond some of our own subjective thoughts and some of the attitudes that we may have we will say, "Yes, this is one man in this century in terms of what he did while he lived that we should give some kind of consideration to."

I know that there are going to be other people coming here in the well and bringing out all kinds of negativism and all kinds of negative reports, but I hope that if certain people do this kind of thing, they would also recognize where some of these reports were coming from and what happened to Dr. Martin Luther King while he was alive, and some of these reports have now been proven to be false and a deliberate attempt to discredit this man while he lived.

So, I say to you this afternoon, see if in the depths of your heart you can understand, for thousands of people across this land, regardless of race, creed, color, or sex, the importance of a man called Dr. Martin Luther King and what it means to thousands of them in America to really move forward and to make his birthday a national holiday.

My friends, please realize finally that we are not speaking about any man. We are speaking about a man that made a unique contribution to America in spite of some of his faults, which he may have, but every one of us in this room has faults. Every one of us, I dare say has done certain things which we would want to have left in the closet, given the opportunity to do so. So, let us not belittle this afternoon what this man has meant in the history of this great Nation. I ask the Members to vote against crippling amendments, small amendments.

Dr. King was not just any man; he was a very particular kind of individual in these United States of America. Find it within your heart to make this a na-

tional holiday on his birthday, and to really do away with the crippling kinds of amendments.

Mr. GRAY. Mr. Chairman, will the gentlewoman yield?

Mrs. CHISHOLM. I yield to the gentleman from Pennsylvania.

Mr. GRAY. Mr. Chairman, I would like to associate myself with the gentlewoman's remarks.

[Mr. GRAY addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. TAYLOR. Mr. Chairman, I yield 5 minutes to the illustrious and distinguished ranking minority member of the Post Office and Civil Service Committee, the gentleman from Illinois (Mr. DERWINSKI).

(Mr. DERWINSKI asked and was given permission to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Chairman, looking at this legislation from a practical point of view, two things immediately come to mind. First, the cost of enacting another legal public holiday is astronomical; and second, only two men—Christopher Columbus and George Washington—have been honored with a Federal legal holiday. One is recognized as the discoverer of America, and the other is considered the Founding Father of our country. Adding another holiday to the already existing nine legal public holidays would only add to our existing fiscal problems.

Dr. King was truly dynamic and charismatic figure of our time, and I feel that a reasonable alternative to the legislation before us today would be a commemorative day—a day of observance. This would set aside January 15 of each year to memorialize Dr. King and his achievements and would avoid the many problems such as cost which are created when establishing another Federal legal public holiday.

According to the Office of Personnel Management, the personnel cost of a holiday to the Federal Government alone is estimated to be \$185 million, with an additional \$27 million for premium pay. This totals to approximately \$212 million for one holiday.

While the Federal Government has no jurisdiction to propose national holidays for other than the District of Columbia and Federal employees, individual States usually follow its lead. The added personnel cost of such action would result in 10 to 20 times the \$212 million estimated for the Federal Government. Given the facts enacting this legislation could cost in excess of \$3 billion.

In a time when Americans are becoming increasingly concerned about how their tax dollars are being spent and at a time in our history when we are faced with runaway inflation, it is beyond my comprehension—given all the facts—how we can add an additional burden on the American taxpayers. I feel that if Dr. King were here today, he would agree that this money could be put to better use.

Mr. Chairman, I recognize the legitimate desire of many of my colleagues who wish to honor Dr. King with a legal

oliday. I feel the answer to this legislation is to honor Dr. King with a commemorative day each year on January 15, allowing all Americans to honor his contributions and achievements with no cost to the taxpayers.

I ask my colleagues to join me in supporting a commemorative day, a day of observance; to honor this man who contributed so much to our American society.

□ 1600

Mr. TAYLOR. Mr. Chairman, I would just say in closing debate that it has been my position on this bill that we wanted to discuss it fully, and that it has not been my position that I wanted to cast aspersions on Dr. Martin Luther King. In fact, I have said I am willing to sponsor an amendment that will in fact give the Members of this body an opportunity to set aside a day a commemorative day that will be called to the attention of the American people so that those who wish may pay proper respect to this American who has made a significant contribution to so many people in this land. I would simply say that when the time comes, I will offer such an amendment. I believe that the amendment is well studied. I think it gives us an opportunity to walk a sane and sensible road to say to the American people, we want to call to your attention the life of Dr. Martin Luther King and what he has done, and give them an opportunity to pay tribute to him on that day. But I think it is ill-advised and wrong and not in keeping with the philosophy of Dr. Martin Luther King for us to slow down productivity at a time in this country when production is such a necessity, and which also would add to the deficit spending which fans the fires of inflation and hurts most those who can least afford it, those whose cause Dr. King championed in his lifetime. So at the proper time, Mr. Chairman, I will offer an amendment that will give the Members of this House an opportunity to pay tribute to Dr. King in a commemorative way that will not cost the taxpayers and the private sector of our country \$3 billion.

Mr. GARCIA. Mr. Chairman, before I close, I would just like to say to the gentleman from Missouri (Mr. TAYLOR), the ranking minority member, that I am grateful because I think that we have handled this in a joint effort and the debate has been one of quality and of substance. I just want to express my appreciation to the gentleman, the ranking minority Member.

Mr. Chairman, the key in terms of how we analyze and how we look upon ourselves as a nation has really been faced over these past 6 or 7 weeks. We are being looked upon all across this world as one country, one society, of one group. I have no quarrel with some of the arguments of the gentlemen on the other side who talk about the costs, but I really believe that we have reached a point in the history of this Nation where we had better start looking at ourselves spiritually as well. America is a great country.

It is a country in which many but not all people participate, Mr. Chairman. I believe in terms of Dr. Martin Luther King, as one who held an elective office

as a State legislator in the early 1960's, what he meant to so many of us in terms of the streets and in terms of turmoil. Believe me when I tell you that Dr. Martin Luther King made a big difference in terms of making sure that people understood that violence was not the path that we should take, that violence was negative. It was contrary to everything that we would hope to achieve. So I say to my colleagues on the other side, I believe that this is a great Nation. I believe very strongly that in terms of our cause and our direction, by honoring Dr. Martin Luther King, we will let the young people as well as all those people who were referred to by the gentleman from New York (Mrs. CHISHOLM) understand and realize that all of us are in this together.

I would say to the ranking Member, the gentleman from Missouri (Mr. TAYLOR) that I will oppose his amendment. I said that during the course of our debates in committee. I will also oppose the amendment offered by the gentleman from Tennessee. I believe if we are to honor, then let us honor, and there is no person in our lifetime who deserves that honor more than the late Dr. Martin Luther King.

I urge, Mr. Chairman, the defeat of those amendments which will make the Martin Luther King holiday bill less than it should be.

● Mr. RANGEL. Mr. Chairman, I fully support the bill before us, H.R. 5461, and I oppose the amendments that are being offered by those individuals who do not recognize the true greatness of this martyr for human rights. I support this bill because it is my belief that Dr. King represented the American soul at its absolute best, and even under the pressure of an unending struggle, threats on his life, setbacks, the onerous oppression that was visited upon him for his entire life, he was able to keep the very integrity that we expect in all of our leaders, but which so very few exhibit for all their lives. Dr. King lived and breathed his commitment to human dignity, more so than even the greatest Americans of the 19th and 18th century, and certainly more so than any of his peers. His accomplishments, notably the foundation and nurturance of the American civil rights movement stands as a monument to his principles of nonviolence and social change through dedicated, but peaceful action by the people most affected by injustice. Unfortunately, I was unable to vote on this bill because I had agreed to accompany the Vice President, and his wife, and the wife of the President to my home district this afternoon. I regret that I was unable to cast my vote in favor of this bill, however, I would like to make it clear that I think this is of utmost importance to me, and I only wish that I could have witnessed its success.●

● Mr. CLAY. Mr. Chairman, I rise to add my voice to the others who are supporting the passage of this bill making the birthday of Dr. Martin Luther King a national holiday. I will support the amendment naming the third Monday in January as the day of celebration. First, let me commend my colleague,

JOHN CONYERS of Michigan, for his untiring efforts and unyielding persistence in forcing the issue. Second, let me extend congratulations and thanks to my colleague, BOB GARCIA of New York who skillfully guided this legislation through his Committee on Post Office and Civil Service. This bill has been introduced and reintroduced into this body for the last four congresses only to linger, languish, and die in committee. Today, we will finally have the opportunity to vote on it.

Mr. Chairman, I am sure that the thoughts of those of us in this Chamber immediately go back to that tragic day in Memphis 11 years ago when the apostle of nonviolence was violently shot down; that day when the moral leader of the world became the victim of an immoral world conspiracy.

The tragic act perpetrated by one James Earl Ray was the culmination of years of hatred, bigotry, racism, and all other evils that created an atmosphere in which insane men such as James Ray would view such a dastardly act as heroic. The crime of Ray must be shared by each who at sometime and in some way advanced the idiotic notion that others by virtue of skin pigmentation, sex, or national origin were somehow less in his or her humanity.

Mr. Chairman, that day was a sad loss for black Americans. But it was an even sadder loss for America and the world at large. That one fatal shot, Mr. Chairman, I contend without fear of contradiction, cut down the greatest crusader for freedom, justice, and equality in the history of our Nation. Martin Luther King with a relevancy that was refreshing, though personally dangerous, assaulted the bastions of structured evil pervasive in our society. With pathos and passion, he verbalized the exploitations of the poor, of the denied of the denigrated, and with his voice raised in indignation, articulated the hypocrisy of American society and led a massive movement to give meaning to concepts embodied in the Declaration of Independence and the Bill of Rights. The victims of adject poverty in Appalachia, the impoverished residents of the barrios and slums, the youth dying in the trenches of a far off land became the only concern of Dr. King and subsequently the basis of his dream. With sweat, tears, and eventually his blood, Dr. King showed them the dawning of a new day. They looked out over the horizon and saw the bright, glistening Sun of salvation symbolizing a system that could afford racial harmony and economic parity for all God's children. Without question, Martin Luther King was the greatest social prophet in the short history of this Nation. From the mining towns of Appalachia to the backwoods of Mississippi, to the delapidated tenements of Chicago, he stayed on the firing line with the genius and the tenacity of a master painter; painting the darkness of Western culture and majestically pointing out the clouds of ill-fated omens which hung so ominously over our society.

Mr. Chairman, who else is so deserving of a national holiday in his name? Who else, I ask, Mr. Chairman wore his



mantle of leadership with such courage, conviction, dignity, and integrity? ●

● Mr. FINDLEY. Mr. Chairman, I support the Beard amendment. With this amendment the bill is an appropriate memorial to a great citizen, Martin Luther King, Jr. Of all blacks in history, Reverend King's memory is most deserving of recognition in a significant national way. I rejoice in the fact that I had the privilege to attend the memorial services for Reverend King in Atlanta shortly after his untimely tragic death. He contributed much to the advancement of our national life.

Nevertheless I oppose a paid Federal holiday in his memory. This type of recognition is reserved for only one personality in our history as a nation, George Washington. Our greatest of all Presidents, Abraham Lincoln, is not memorialized in this way, and I do not suggest that he be so recognized. There are other adequate ways to memorialize great citizens.

If enacted without this amendment, the bill will amount to another paid day off for Federal employees and little more. Does anyone seriously suggest that any appreciable number of Federal employees will spend this day in memorial tribute to Reverend King? Of course not. It will be just another paid day off.

I say this with full appreciation of Reverend King's contributions to civil rights advancement in our Nation. In fact, I have proudly voted for every civil rights bill and amendment throughout my 19-year career. I was voting for civil rights measures long before they were popular on either side of the political aisle in this Chamber. I do not feel that my vote on this measure is in any way a blemish on my record as a civil rights advocate. ●

● Mr. BEREUTER. Mr. Chairman, earlier today I supported the amendment offered to H.R. 5461 by my colleague from Tennessee (Mr. BEARD).

I was among the 133 Members of Congress who voted against H.R. 5461 when it was initially offered because I could not support the idea of adding another Federal holiday to the books. My negative vote was not a reflection on the man the legislation was attempting to honor. Truthfully, I would not vote for an additional Federal holiday for any American—living or dead, if that holiday results in giving Federal employees another paid vacation day.

It is estimated that it costs approximately \$212 million to give Federal employees a paid holiday and necessitates the closing of all Federal Government offices, including post offices, social security offices, and veterans hospital offices. Given declining productivity and the gasoline Americans use on extended weekends, the last thing this Nation needs is another holiday.

I believe it was truly unfortunate that the leadership originally tried to bring this bill to the floor under a parliamentary procedure that permitted no amendments from being offered to it. That was a shame, for when it went down in defeat, the wrong signals were sent and prejudices reinforced.

That is why I am pleased that we had an additional opportunity to debate the bill and in a manner that allowed us to consider alternatives.

I supported the Beard amendment because it provides recognition of the accomplishments of Dr. Martin Luther King to our society by designating the third Sunday in January as a national legal holiday in honor of Dr. King. However, by celebrating this holiday on a Sunday, we will not be incurring any costs to the Federal Treasury. This is a reasonable alternative which will allow all Members of Congress to support recognition of the achievements of Dr. King.

At a time when we are facing grim projections on our Nation's economic health and a large Federal deficit, it seems unwise to exacerbate the problem by creating another holiday that results in a further outflow of Federal funds. ●

The CHAIRMAN. All time has expired. The Clerk will read section 1.

The Clerk read as follows:

H.R. 5461

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 6103 of title 5, United States Code, is amended by inserting immediately below*

"January 1, New Year's Day."

the following:

"January 15, the birthday of Martin Luther King, Junior."

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 5, strike out "January 1," and insert ", January 1" immediately after "Day".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 2, strike out "January 15, the" and insert in lieu thereof "The".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the last committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 3, insert ", January 15" immediately after "Junior".

AMENDMENT OFFERED BY MR. McCLORY TO THE COMMITTEE AMENDMENT

Mr. McCLORY. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. McCLORY to the committee amendment: In the committee amendment, strike out "January 15" and insert in lieu thereof "the third Monday in January".

(Mr. McCLORY asked and was given permission to revise and extend his remarks.)

Mr. McCLORY. Mr. Chairman, this amendment to the committee amendment would change the date for the observance of the Reverend Martin Luther King, Jr., national legal holiday from January 15 to the third Monday in January of each year. As we have heard

in the general debate, and as we recognize, a very serious question arises with regard to establishing a new national legal holiday. The question of cost, the economic effect which this would have on the Federal Government for which this proposed new national legal holiday would be established should be answered. American industry and business which is likewise bound to be affected by the action that we are taking here in the House today is also of prime importance. We know that 13 States have already established a State holiday for the Rev. Martin Luther King, Jr., and a number of cities have established his birthday as city holidays. Even without any legislation, the observance of Martin Luther King's birthday seems to be carried out generally throughout our country.

Many of us here on the floor can recall the Monday holiday legislation which we enacted in 1968, and when we undertook with respect to George Washington's birthday to designate the third Monday in February of each year for the purpose of observing George Washington's birthday, I know that we want to accord great respect and honor to Rev. Martin Luther King by this legislation, but at the same time we want to minimize the adverse economic effect which such an additional legal holiday would have.

The evidence was overwhelming at the time we enacted the Monday holiday legislation that the closing down of businesses on a Tuesday to observe a legal holiday caused great economic detriment on the Monday preceding the holiday and likewise the day following the holiday. As a matter of fact, in some union contracts there are special penalties imposed against those who fail to appear for work on the day preceding or following a national legal holiday. But where the holiday is observed on a Monday and there is a 3-day-long weekend, the workers come back to their jobs refreshed, the plant has not had to close down the day before, and the economic detriment is greatly reduced. This way the testimony which was presented to the House Committee on the Judiciary, at the time the Monday holiday legislation was enacted, testimony presented by a Deputy Secretary of the Department of Commerce.

□ 1610

The record is replete with evidence that business and industry is greatly benefited by a Monday holiday in lieu of a midweek holiday. The absenteeism is tremendous on the days preceding and following holidays, for instance, if the holiday is observed on a Tuesday, Wednesday or Thursday is a day on which a great many workers stay off the job.

Mr. Chairman, when we think of the economic situation, when we think of the subject of the productivity which is going to occur when a person returns from a long weekend and is ready to go to work and handle the job, we must recognize that the subject of the economy, productivity, the question of inflation are answered substantially or could be answered substantially by the adoption of

this amendment and by the designation of Martin Luther King's birthday as a Monday holiday.

May I just say finally, the observance on a Monday provides a better opportunity for the observance than when it occurs in the middle of the week. Not only the preparation for the holiday, but the knowledge that the holiday is going to occur on a certain specified day each year.

Mr. Chairman, the opportunity to travel to sites which are associated with the person are also enhanced. The opportunities to come here to Washington and be at the Lincoln Memorial where the Reverend Martin Luther King uttered his great speech which electrified the entire country and which hundreds of thousands observed as well as the millions who observed it on television. So we can commemorate the memory of the Reverend Martin Luther King through this national holiday better by having it as a Monday holiday.

Mr. Chairman, I am pleased, indeed, that my colleague from New Jersey (Mr. RODINO), the chairman of the Committee on the Judiciary, joins in this. I understand the author of the legislation also concurs.

Mr. RODINO. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from New Jersey.

Mr. RODINO. Mr. Chairman, I thank the gentleman for yielding and I rise in support of the gentleman's amendment. The initiative and foresight of the gentleman some years ago authored, along with others, the Monday holiday bill.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. McCLORY was allowed to proceed for 2 additional minutes.)

Mr. RODINO. Will the gentleman yield further?

Mr. McCLORY. I yield further to the gentleman from New Jersey.

Mr. RODINO. I thank the gentleman for yielding.

Mr. Chairman, I urge my colleagues to join with me and my distinguished colleague from Illinois (Mr. McCLORY) in voting for this amendment to designate the third Sunday in January in every year as a national legal public holiday in memory of Dr. Martin Luther King, Jr.

It is important to take this action now to express annually our Nation's commitment to justice, equality, freedom and peace. While I certainly would prefer the day chosen to be January 15, I believe there is an overriding need to approve this day of dedication and its celebration on a Monday near to January 15 would accomplish our purpose.

As my colleagues know, when I first came to Congress in 1949 I introduced legislation to authorize October 12 as a national legal public holiday in honor of Christopher Columbus. In each succeeding Congress I introduced similar legislation, but it was not until 1963 that Columbus Day was authorized as a public holiday—to be commemorated on the second Monday in every October.

At the hearing on the Columbus Day legislation in 1967, our colleague, Mr. McCLORY, asked me my opinion on "whether the holiday should fall on October 12 or whether it should occur on a Monday which might be close to October 12." I replied:

I might answer the distinguished gentleman in this way: My main concern is that Columbus Day be recognized as a national holiday. Whether it be observed on a Monday or whether it be observed on a Tuesday is totally immaterial to me. I believe that it is high time that we recognize the significance of this day and October 12 is the day, of course, which we focus upon, because this is the day which has come to our attention and on which all of these observances have been held.

However, I would not at all be opposed to the setting of the observance of it on any other day. As I stated before, at the expense of being repetitious, it is my interest that Columbus Day be recognized and observed appropriately, because I believe it is deserving of that recognition.

Mr. Chairman, I believe my words then, that the important matter is to have the day "recognized and observed appropriately," apply equally to the day we propose to honor Dr. Martin Luther King, Jr. I urge adoption of this amendment.

Mr. McCLORY. Mr. Chairman, I thank the gentleman.

Mr. BAUMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. McCLORY. I am happy to yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Chairman, as I understand your amendment, as it differs from the bill before us, it merely moves a Federal legal holiday from January 15 to the third Monday in January.

Mr. McCLORY. The gentleman is correct.

Mr. BAUMAN. In the course of the gentleman's remarks I thought the gentleman said this would obviate the problem many of the Members of the House have had about the cost stemming from any Federal holiday. How does one avoid the cost of the Federal Government employees or the private economic sector if we still have the Federal holiday as opposed to a commemorative day?

Mr. McCLORY. What I intended to say was the cost of observing a holiday on a Monday is far less than the observance of the holiday in midweek. There was overwhelming evidence in support of that at the time we considered the Monday holiday legislation where we changed the designation of George Washington's Birthday and Memorial Day.

The CHAIRMAN. The time of the gentleman has expired.

(At the request of Mr. BAUMAN and by unanimous consent, Mr. McCLORY was allowed to proceed for 1 additional minute.)

Mr. BAUMAN. Will the gentleman yield further?

Mr. McCLORY. I do yield to the gentleman from Maryland.

Mr. BAUMAN. Can the gentleman tell me how much less? We have heard figures that are up to \$3 billion if the private-sector cost is included. It seems

to me the total cost to the Federal Government employees would still be there.

Mr. McCLORY. I cannot tell percentage-wise nor could I tell in terms of dollars but I would say it is somewhere in the nature of 20-percent or 25-percent reduction. I would say that would be a modest estimate as to what it would be but it is still substantial.

Mr. Chairman, the National Association of Manufacturers, the U.S. Chamber of Commerce, labor organizations, many others, and, as I indicated the representative of the Department of Commerce, all testified to the fact that observing a holiday on a Monday was far less costly than to observe it mid-week.

Mr. BAUMAN. It still could be \$2 billion?

Mr. McCLORY. I do not doubt it is going to be expensive, yes, but I think we are recognizing here we are going to designate Martin Luther King's birthday, I think, as a national legal holiday and we had better designate it as a Monday holiday to have the economic effect minimal, and the adverse effect on inflation as small as possible.

The CHAIRMAN. The time of the gentleman has again expired.

(At the request of Mr. TAYLOR and by unanimous consent, Mr. McCLORY was allowed to proceed for 1 additional minute.)

Mr. TAYLOR. Mr. Chairman, would the gentleman yield to me?

Mr. McCLORY. I do yield to the gentleman from Missouri.

Mr. TAYLOR. Would the gentleman from Illinois agree it would be far less expensive to have a commemorative day rather than a legal holiday even though you have it on Monday, which somehow I assume the gentleman thinks has less hours in it than Tuesday. I do not get the logic.

Mr. McCLORY. I would not disagree with the gentleman.

Mr. GARCIA. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I support the amendment offered by the gentleman from New Jersey (Mr. RODINO) and the gentleman from Illinois (Mr. McCLORY).

The gentlemen's amendment would designate the third Monday of each January as a legal public holiday in honor of Dr. King.

The effect of this amendment would be to bring the new holiday into accord with the other Monday holidays already designated by Congress.

Additionally, by observing the new holiday on a Monday savings may be realized.

Ten years ago, when the Committee on the Judiciary, exercised jurisdiction over holidays, the committee reported and Congress enacted what was commonly known as the Monday Holiday Act. One of the primary justifications for switching several holidays to a specified Monday was that it was more economical for the Government as well as private businesses to shut down for a long weekend than to stop in mid-week. Absenteeism is likely to go down and productivity up during the weeks preceding and im-

mediately following the Monday holiday. Accordingly, Mr. Chairman, I urge my colleagues to support this amendment.

Mr. BEARD of Tennessee. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Chair announces that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

□ 1630

QUORUM CALL VACATED

The CHAIRMAN. One hundred Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to clause 2, rule XXIII, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

AMENDMENT OFFERED BY MR. BEARD OF TENNESSEE AS A SUBSTITUTE FOR THE COMMITTEE AMENDMENT

Mr. BEARD of Tennessee. Mr. Chairman, I offer an amendment as a substitute for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. BEARD of Tennessee as a substitute for the committee amendment: Strike "January 15." and insert the following: "third Sunday in January." Add the following new section.

SEC. 2. Section 6103 of title 5, United States Code, is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) For the purpose of statutes and Executive orders relating to pay and leave of employees, the birthday of Martin Luther King, Junior, the third Sunday in January, shall not be considered a legal public holiday."

Redesignate the following section accordingly.

(Mr. BEARD of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. BEARD of Tennessee. Mr. Chairman, this substitute designates the third Sunday in January as a legal national holiday for Dr. King. It further states that Federal employees will not receive any pay or leave associated with this holiday.

Currently, under Executive order, when a holiday falls on a Sunday, it is celebrated on the following Monday. According to the Office of Personnel Management, the Federal payroll cost alone is estimated to be over \$194 million. While the Federal Government has no jurisdiction to propose national holidays for other than the District of Columbia and Federal employees, individual States usually follow its lead. The added personnel costs of such action could result in 10 to 20 times the \$194 million estimated for the Federal Government. The total cost of this bill, when we include collective bargaining contracts in the private sector, would be or could be up to a staggering \$3 billion to \$5 billion.

I think that the pending proposal to commemorate Dr. King's birthday is laudable. My amendment would not de-

tract from the merits of this proposed holiday in any way. Rather, by requiring that this holiday fall on a Sunday, we would simply be aborting a terrible cost to our Nation. At a time in our Nation when we are facing grim prospects for the economic health of this country and a larger Federal deficit, it would be unwise for us to exacerbate the problem.

In addition to the direct costs associated with this bill, I think it is important to recognize that the closure of Federal offices for even 1 day would have an unnecessarily adverse impact on the public. I am sure that we all have constituents with a variety of claims from Federal agencies such as social security, workmen's compensation, and veterans' benefits. There are so many different programs that the people of this country are involved in, and 1 more day of closed doors for Federal employees would be, I think, absolutely unacceptable to the people in need.

I would like to emphasize that I am not singling out Dr. King's birthday for any type of special treatment.

Mr. Chairman, I would say once again that I introduced a bill almost a year ago stating that all future national holidays would be honored on a nonworking day. Today I think there are pending national holiday proposals for a Susan B. Anthony day, for a St. Elizabeth Seton day, for a flag day, and for a Thomas Jefferson day. All these different holidays have been proposed, and they are all worthwhile.

But where are we going to draw the line? It infuriates me when I hear people say that we have found the acceptable compromise in the McClory amendment to say that we will hold the celebration on a Monday because this is a businessman's amendment or this is a businessman's compromise and this is a cheaper way to honor Dr. Martin Luther King's birthday is totally inaccurate.

Mr. Chairman, the only people who really get to celebrate the holiday, the only people who get off, are Federal employees. I know how my constituency feels about this, and I know how they feel when I have to tell them, "I am sorry, but because of the backlog of cases you won't get your social security check for another couple of weeks."

I know how they feel when we call Jacksonville, Fla., on workmen's compensation benefits and get a busy line. They are weeks and months and months behind, and we are trying to service people who are dependent totally on that check coming from the Federal Government.

I think it is an insult for us to come out and try to confuse the issue by saying that this would not honor the man totally. Well, it would. We would have Sunday to honor this man. It would be an honor, and it would be a national holiday.

I think it is time that we draw a line, because the next holiday would be one to honor a lady who was very active in the women's liberation movement, which is a fine thrust. But then there would be another holiday set, and there would be other delayed social security checks and other delayed veterans' benefit checks.

So, Mr. Chairman, I just think it is time that we start being a little bit sensitive, while we are honoring people who deserve to be honored, to the taxpayers and to the productivity of this country.

Mr. DOWNEY. Mr. Chairman, will the gentleman yield?

Mr. BEARD of Tennessee. I yield to the gentleman from New York.

Mr. DOWNEY. Mr. Chairman, I think the gentleman is raising a fascinating point.

Mr. BEARD of Tennessee. I appreciate that.

Mr. DOWNEY. It is a fascinating point the gentleman makes to honor Dr. King on Sunday. Possibly on Mondays we could have former Presidents honored, and on Tuesdays we could have saints honored, and God knows what else we could have.

Mr. BEARD of Tennessee. In other words, the gentleman is saying he is against the proposal of the gentleman from New Jersey (Mr. ROBINO) and the gentleman from Illinois (Mr. McCLORY)?

Mr. DOWNEY. No. I am just congratulating the gentleman on raising an issue I had not thought about. This gives us a different day for a different class of people and different holidays for each period.

Mr. BEARD of Tennessee. Mr. Chairman, I do not understand the gentleman's point. Would the gentleman explain his point?

Mr. DOWNEY. I think it is altogether fascinating that the gentleman is suggesting Dr. Martin Luther King's day should be Sunday, and all I am suggesting is that for each different day of the week we can provide for other holidays.

The CHAIRMAN. The time of the gentleman from Tennessee (Mr. BEARD) has expired.

(On request of Mr. FORD of Michigan, and by unanimous consent, Mr. BEARD of Tennessee was allowed to proceed for 2 additional minutes.)

Mr. DOWNEY. Mr. Chairman, will the gentleman yield further?

Mr. BEARD of Tennessee. I yield to the gentleman from New York.

□ 1640

Mr. DOWNEY. The point I am making is that the gentleman has designated Dr. King or people of his ilk for Sunday.

Mr. BEARD of Tennessee. The gentleman says "of his ilk." I never classified Dr. King as being one "of his ilk." I look at him as an American who should be honored. So I reject the gentleman's description.

Mr. DOWNEY. I think he should be honored. But what I am concerned about, if the gentleman will yield further, is that if we are going to honor Dr. King and raise him to the level that I believe he deserves to be raised to, to reconcile him to a Sunday or a Saturday sends a message to people. Maybe the gentleman does not believe that.

Mr. BEARD of Tennessee. Would the gentleman be willing to offer an amendment to designate Christmas to be honored on Monday, too?

Mr. DOWNEY. I think, in keeping with the gentleman's thrust, that George Washington and Abraham Lincoln should be Mondays, and that other saints

possibly be Tuesdays. I mean we should designate a different day.

Mr. TAYLOR. Mr. Chairman, will the gentleman yield?

Mr. BEARD of Tennessee. I yield to the gentleman from Missouri.

Mr. TAYLOR. Is it not true that we celebrate Easter on Sunday? How do you rise any higher than that?

Mr. BEARD of Tennessee. I really did not understand the thrust of the remarks of the gentleman from New York (Mr. DOWNNEY).

I think the gentleman from Missouri has made a very interesting point.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BEARD of Tennessee. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. I thank the gentleman for yielding.

Mr. Chairman, I walked in while the gentleman was talking, and I am not taking issue with his amendment, but I want to make sure I understand it. Did the gentleman say that this would be a national holiday, although, a Sunday, but that it would have no effect on anybody working? Did I hear the gentleman say something like that?

Mr. BEARD of Tennessee. No. As far as the Federal Government, the Federal employees.

Mr. FORD of Michigan. What about the Federal employees who work a 7-day week on the swing shift, like firemen?

Mr. BEARD of Tennessee. That probably represents maybe 2 percent. I am sure there might be a very small percentage.

Mr. FORD of Michigan. I want to make clear, as a member of the Committee on Post Office and Civil Service, the gentleman does make this a national holiday and the gentleman would recognize that people who would otherwise be on duty that day would be given whatever credit they are allowed for working on a holiday?

Mr. BEARD of Tennessee. No.

Mr. FORD of Michigan. No?

Mr. BEARD of Tennessee. "For the purpose of statutes and Executive orders relating to pay and leave of employees, the birthday of Martin Luther King, Jr., the third Sunday in January, shall not be considered a legal public holiday," in regard to statutes on pay.

Mr. FORD of Michigan. If the gentleman will yield, I think that that kind of prejudice against our firefighters and against our military guards, and others, makes the gentleman's amendment unacceptable.

Mr. BEARD of Tennessee. I think it is time we stopped showing prejudice against taxpayers of this country. I think it is time we start showing some sensitivity toward them.

The CHAIRMAN. The time of the gentleman from Tennessee (Mr. BEARD) has expired.

(On request of Mr. SENSENBRENNER and by unanimous consent, Mr. BEARD of Tennessee was allowed to proceed for 2 additional minutes.)

Mr. TAUKE. Mr. Chairman, will the gentleman yield?

Mr. BEARD of Tennessee. I yield to the gentleman from Wisconsin.

Mr. TAUKE. I thank the gentleman for yielding.

Mr. Chairman, it has come to my attention that a lot of people, most recently the gentleman from New York, have been referring to holidays for President Lincoln, holidays for President Washington, and similar other Americans.

It was my understanding that several years ago the Congress had eliminated those holidays for Mr. Washington and for Mr. Lincoln and had established what is known as Presidents' Day now and that we do no longer have a holiday for either Lincoln or Washington. Does the gentleman know if this is correct?

Mr. BEARD of Tennessee. Yes; as far as I know it is correct. The members of the committee might be able to address that more accurately, but that is my understanding.

Mr. TAUKE. That is also my understanding. So I think it is quite clear that we would not be in some way underrating the accomplishments of Dr. King or in some way casting aspersions on those accomplishments by designating a Sunday as a day for him. In fact, as I understand it, he would be the only individual, other than Columbus, who would have a day designated as a holiday in his or her honor. I think that the fact that there would be only two individuals who have days so designated would be a very remarkable recognition on the part of Congress.

Mr. BEARD of Tennessee. I thank the gentleman.

Mr. Chairman, I would just like to say, in the remaining time, that if any Member thinks that the McClory-Rodino amendment is a taxpayers' saving amendment, that is totally wrong. It still will fall under the collective bargaining in the private sector. It will still affect all Federal employees, closing social security offices, closing workmen's compensation offices, closing all of the Federal offices for 1 more day. I would hope that the Members would remember that.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. BEARD of Tennessee. I yield to the gentleman from New York.

The CHAIRMAN. The time of the gentleman from Tennessee (Mr. BEARD) has again expired.

(On request of Mr. STRATTON and by unanimous consent, Mr. BEARD of Tennessee was allowed to proceed for 1 additional minute.)

Mr. STRATTON. Mr. Chairman, I think the point the gentleman from Illinois (Mr. McCLORY) was making—and I might point out to my good friend that I was the original author of this idea, the gentleman from Illinois (Mr. McCLORY) was on the committee that handled it and he and the gentleman from New Jersey (Mr. RODINO) got it through—his point was that the cost of a holiday not to the taxpayers but to the business community generally is much greater if it occurs in the middle of the week, because you have the cost of shutting down, you have the cost of starting up, you have the cost of absenteeism. Therefore, if we are going to have a holiday, we would save the business

community a lot of money by putting it on Monday.

Mr. BEARD of Tennessee. I thank the gentleman for supporting the thrust of my amendment. I could not have said it better, because for someone who is concerned about the cost, the gentleman from New York has just given a good case for why, if we are going to be concerned about cost, we should not go ahead and have it on Sunday when the cost is dramatically decreased.

Mr. STRATTON. I think that is the virtue of the McClory amendment, and I support it.

Mr. BEARD of Tennessee. I thank the gentleman for the support of my substitute amendment.

Mr. FORD of Tennessee. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the substitute amendment.

Mr. Chairman, I rise in strong opposition to the substitute offered by my colleague, the gentleman from Tennessee, and remind him of the fact that Dr. King met his untimely death in our home town, the town that the gentleman represents, and the town that I have the honor to represent as well.

The gentleman's amendment would set aside the third Sunday in January as a holiday in honor to Dr. King. I use the word "holiday" advisedly because it is really no holiday at all, as the amendment specifically precludes this observance to be treated as any of the other nine existing holidays. That I understand and appreciate, consistent with the gentleman's no-cost philosophy toward this bill. But the fact is that we cannot have it both ways today in this Congress. Either the day is a holiday that is similar in all respects to the existing Federal holidays, or it is not. And we would be lying to our constituents if the Beard of Tennessee amendment passes and we go home and tell them that we established a new holiday, because we did not. A holiday is meant to be special. It is a break in the national daily routine, and it is meant for us to pause and reflect upon the individual, of the event that we are celebrating.

Mr. Chairman, if this bill is enacted with the substitute that the gentleman from Tennessee (Mr. BEARD) has offered, it is obvious that we would not honor Dr. Martin Luther King. History has produced only a few of those rare, goldthroated warriors and great warriors like Dr. King.

Mr. Chairman, I would say that, representing a portion of that city that the gentleman represents, I think it is ill-timed and ill-advised for the gentleman to come to this body and try to convince our colleagues that it would not be the appropriate thing for this Congress to act on today, and for the gentleman to offer his substitute and talk about a legal holiday on a Sunday, when the gentleman says, in section (c) of his amendment, the third Sunday in January shall not be considered a legal public holiday.

We are discussing and we are debating today a bill that would call for a national holiday in honor of Dr. Martin Luther King, Jr. I would hope that my colleague would withdraw his amendment and

support the substitute that has been offered by the gentleman's colleague on his side.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. FORD of Tennessee. I yield to the gentleman from Illinois.

Mr. McCLORY. I thank the gentleman for yielding.

Mr. Chairman, I think the point involved here is just this: The House has demonstrated its determination to establish a national legal holiday for the Reverend Martin Luther King, Jr. I think this is consistent with the sentiment throughout the country.

The only question involved, then, is whether or not we want to reduce the economic impact of a national legal holiday by designating the third Monday in January instead of the calendar date, which might fall in midweek. We can indeed honor this great man and his timeless contributions to our national life by so designating the third Monday in January as the date on which the Nation remembers Dr. King.

Mr. BEARD of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FORD of Tennessee. I yield to the gentleman from Tennessee.

Mr. BEARD of Tennessee. Mr. Chairman, if the issue is giving 2.8 million Federal workers a day off, then I submit that the gentleman from Tennessee (Mr. CLAY) is totally correct. If the issue is honoring Dr. King, then I think the gentleman is incorrect.

I can think of no other place more legitimate to reflect on the greatness and the great contributions submitted by this man in the churches of this country. So I cannot accept the fact that it is a dishonor to honor Dr. King on a Sunday, a day of worship in this country, reflecting Dr. King's ministerial and church background.

So I take issue with anyone trying to say I am degrading the honoring of this man. I am not. I have introduced a bill, whether it be Susan B. Anthony or any future national holiday. Where do we draw the line? I am saying, what is wrong with honoring Dr. King on a Sunday? Or is the major thrust giving 2.8 million Federal employees off? Is that it?

Mr. FORD of Tennessee. I think we ought to redefine the issue. I think it is obvious that the gentleman would like to go back to his district and tell some people that he has supported a new holiday for Dr. King and at the same time tell them, "We are not going to treat it like other national holidays."

□ 1650

I would like to close by saying, if we intend to preserve the dignity and honor of future holidays, then we have no other choice but to vote against the amendment that is offered by my colleague from Tennessee (Mr. BEARD).

Thank you.

Mr. EVANS of the Virgin Islands. Mr. Chairman, I rise in opposition to the amendment and in support of the McClory amendment.

(Mr. EVANS of the Virgin Islands asked and was given permission to revise and extend his remarks.)

Mr. EVANS of the Virgin Islands. My colleagues, I think it has been very well established that the work done by the Reverend Dr. Martin Luther King and the impact of his life on our society demands a holiday.

To begin with, I am opposed to the present suggested amendment, because I think they are making a mistake between a holiday and a holy day. We are not asking for a holy day for Dr. King. That is all right to have a Sunday for Easter. We are asking for a holiday. But the question, even though much has been said about honoring him, and that is right, the entire issue goes far beyond that. It has been said that eternal vigilance is the price of liberty. Eternal reminding and eternal rededication to the principles for which this man stood is what this annual holiday would do every year.

Otherwise, we find these freedoms, this progress, this liberty, being eroded.

Now, as far as whether it should be on a Sunday, whether you talk about the cost, it seems to me if we are going to consider cost effectiveness the only factor, it might be well for us to eliminate all holidays except on Sundays, or what will happen when labor, as it now does, is beginning to demand a 36-hour week and a 32-hour week?

Ladies and gentlemen, I think that speaks for itself.

I am not going to take my full 5 minutes, but the last remark I would like to make is this: If we are to follow the Washington Post editorial that was quoted earlier, I must confess that I was not aware that the Washington Post editorial policy had become that of this Congress.

Thank you very much.

Mr. DERWINSKI. Mr. Chairman, I move to strike the requisite number of words.

(Mr. DERWINSKI asked and was given permission to revise and extend his remarks.)

Mr. DERWINSKI. I hope the Members, regardless of their emotional attitude, would allow me to inject a practical analysis to the scene.

First of all, let me address myself to the Beard substitute. The Beard substitute is the only way we are going to have at this point to go on record to save the economy of the country at least \$3 billion. If we do not at this point support the Beard amendment, regardless of the motivation for voting the other way, the issue is shall we save the economy of the country \$3 billion?

The way we do it is to have the holiday on a nonworking day. That is the virtue of the Beard substitute. Now, let me discuss that 3 weeks ago when this bill came up under suspension, neither the gentleman from Illinois, nor the gentleman from Illinois, nor the gentleman from New Jersey were heard from. They had no particular interest in establishing a new Monday holiday. In fact, they both voted to suspend the rules. They did not want the bill amended. They did not want any alternatives.

Now at the 11th hour, their amend-

ment is used to totally divert the Members attention from the issue.

Let me for a moment give the Members the history of Monday holidays. We have 10 national holidays. Only three are on a Monday: Columbus Day, which has been deemphasized because of the application of a Monday instead of the traditional date; Washington's Birthday, which is now Presidents Day, which dilutes it; and Memorial Day, which General Logan and the original DAR would shudder if they knew how it had diminished in its observance.

The gentleman from Illinois (Mr. McCLORY) established a Monday as Veterans' Day. For the next 5 or 6 years every time he went to a VFW or American Legion Post, he encountered adverse commentary. He then retreated. Veterans' Day is now November 11. Why? Because Monday was unacceptable to our veterans.

The only difference between the original bill brought to the floor and the McClory amendment is that theoretically the McClory amendment saves a minute amount of money. The Beard substitute is the only moneysaver.

If we are concerned with the taxpayer, if we are concerned with the economy of the country, if we are concerned with the productivity of the country, we will support the Beard substitute.

Now, let me make just one other point. I realize that to some of our Members this issue is more than dollars and cents. I respect that. I respect their spirit. I respect their motivation.

I suggest now a vote in support of the Beard substitute.

Mr. BEARD of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Tennessee.

Mr. BEARD of Tennessee. I thank the gentleman for yielding.

I will not add to the remarks. I just want to take this opportunity to express a very serious and sincere disappointment that my colleague from Tennessee would question my motives as to the presentation of this amendment, because I think he would have to admit it is consistent with my philosophical approach to Government spending in many lines. I just want to take this opportunity, because I must say it took me a back somewhat; therefore, I was not able to respond.

I do on the record want to show a very sincere bit of disappointment that my integrity or my motives were questioned like that.

Mr. DERWINSKI. Mr. Chairman, may I point out that as an impartial arbitrator, I respect the motives of both gentlemen. I know they both spoke from conviction and spirit. I respect the motives of the gentleman from Illinois (Mr. McCLORY), especially when he restored the sanctity of Veterans' Day.

Mr. TAYLOR. Mr. Chairman, I rise in support of the Beard amendment.

As I said at the beginning of this debate, Mr. Chairman, I think that this is an emotional issue and one about which many people in this Chamber and in this Nation are concerned.

I have no remarks of aspersion against Dr. Martin Luther King. I think we have all recognized, the majority of the Members, that he had made a great contribution to America, but I further believe very firmly that the vast majority of the people of this country would like to, in a voluntary way, pay tribute to Dr. Martin Luther King on a day in which the entire cost of Government would not skyrocket and half of the businesses of this country be closed down.

If we want to vote for recognition of Dr. Martin Luther King and his work and contribution and also for fiscal responsibility, which is so important to this Nation today, I would urge support of the Beard amendment.

Mr. CONYERS. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the Beard substitute.

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Chairman, I think we have heard just about all the arguments for and against this substitute. I think that it is patently clear that if we are to follow the precepts of this legislation that has been in the House for 11 years, we can in no way assume that we will be passing a legal holiday for Martin Luther King with an amendment that specifically says this will not be a legal holiday.

Now, with regard to the economics which have become so important in this measure, let us face it. The question of productivity in America cannot be realized by eliminating the only nine national legal holidays. Japan has more. We have researched it. Germany has more. It is the rate of productivity, not how many hours we have our people working. It is time that we laid aside this question of cost.

□ 1700

If there was some way we could bring about a cost-free holiday, I would be delighted to do so. Previously 252 of our colleagues have said we will pass a legal holiday, that we are willing to absorb the \$23 million, not billions of dollars, that may be involved.

Sunday is not a proper day for designation as a legal holiday. A commemorative day is similarly inappropriate. Presently we have everything from Peanut Week to "honor your local astrologist." That is no way to do it.

We could leave it on his birthday, but following the traditions already established by this House we have moved this to a Monday amendment consistent with the will of this House as it has operated on both Washington's birthday and Columbus' birthday. There are savings, and admittedly they are minimal. We are not trying to make this a no-cost holiday, but it is consistent with the will of this Congress over the last half-dozen years.

So I would urge my colleagues to set aside these specious arguments. We are either going to honor Martin King in the 96th session of Congress or we are not.

Mr. ANNUNZIO. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Illinois.

Mr. ANNUNZIO. Mr. Chairman, I appreciate my colleague from Michigan yielding.

I want to make a point on this Monday holiday bill. When the Monday holiday bill was originally enacted, and the chief sponsor was Mr. McCLORY of Illinois, one of the factors that the House did take into consideration was the fact that by passing a Monday holiday bill, by designating Monday as a national, legal holiday, both for Columbus Day and Washington's Birthday, we aided and assisted the business community. There are Washington's Birthday sales and Columbus Day sales in all of the department stores, and that has brought about extra money for the retail merchants of the country. It also has aided and assisted tourism in America, which we need so badly, because it gives people an opportunity to have a long weekend; Saturday, Sunday, and Monday, and return to work on Tuesday.

So I associate myself with the remarks of the gentleman from Michigan, and I urge serious consideration be given by the Members of the House in adding another Monday holiday bill to the calendar. I urge its passage.

Mr. CONYERS. I thank my colleague for his comments.

Mr. FORD of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to my colleague and brother from Tennessee.

Mr. FORD of Tennessee. Mr. Chairman, I would like to respond to a statement made by my colleague from Tennessee and just say I certainly had no intentions of questioning his motives personally. I did, in fact, question the amendment to the substitute that was offered by my colleague, because at the beginning of the substitute it said we were going to change the King holiday to the third Sunday of January, and in the last section, section C, the last sentence, it says the third Sunday in January shall not be considered a legal public holiday. I was really questioning the amendment that was offered by my colleague from Tennessee. I would say I have the utmost respect for him, and he is a very distinguished colleague of ours.

The CHAIRMAN. Time of the gentleman from Michigan has expired.

(At the request of Mr. DOWNEY and by unanimous consent, Mr. CONYERS was allowed to proceed for 1 additional minute.)

Mr. DOWNEY. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman.

Mr. DOWNEY. Mr. Chairman, I do not think there is any question but that the arguments over here on the right side of the aisle make some sense with respect to costs. Has the gentleman given any thought possibly for other holidays, to double up on the holidays and have a Jefferson-Jackson Day, a Martin Luther King-Howard Jarvis Day, for instance, maybe on a Monday? That would save a lot of money and it would seem to me we could reduce the nine possibly to four holidays and really save the country a great deal of money. We could just designate with a hyphen the two holidays. Has the gentleman given any thought to that?

Mr. CONYERS. Not for the slightest or the remotest moment.

Mr. DOWNEY. I would appreciate it if the committee in the future would think about doubling up on the holidays, having half as many, and spending less and possibly have a Howard Jarvis Day.

Mr. CONYERS. We thank our colleague for his contribution and we hope that the membership will vote down the Beard substitute so that we may pass this legislation.

Mr. McCLORY. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the Beard substitute.

(Mr. McCLORY asked and was given permission to revise and extend his remarks.)

Mr. McCLORY. Mr. Chairman, I really take this time to respond to some of the statements that have been made, particularly statements made by my distinguished colleague from Illinois (Mr. DERWINSKI).

My colleagues should know, first of all, that we would not have any Columbus Day legal holiday if it were not for the fact that the House, working its will, designated the second Monday in October as the day for celebrating or honoring Christopher Columbus. It was on the basis of it being designated as a holiday on a Monday that we agreed and undertook to honor Christopher Columbus.

George Washington, of course, was born on February the 12th under the old calendar. Following the adoption of the Gregorian calendar, his birthday was moved to the 22d of February. But when we undertook to honor him on the third Monday in February, what we were doing was providing an appropriate time for honoring George Washington, the Father of our Country.

With regard to Memorial Day, Memorial Day was merely picked out of the blue by General Logan because it was a time when the wild flowers were in bloom. So we decided that it could happen just as easily the last Monday in May as the 30th of May, and these days have been very successful.

I just would like to make one more point. It is estimated that the savings effected by the Monday holiday legislation is \$8 billion per year over what the costs would have been if we had observed these holidays as midweek holidays.

Mr. STRATTON. Mr. Chairman, will the gentleman yield to me?

Mr. McCLORY. I am happy to yield to the gentleman from New York, who was a coauthor of the Memorial Day legislation.

Mr. STRATTON. Mr. Chairman, I just want to commend the gentleman for his point. He is making a very good point.

As a matter of fact, with respect to Memorial Day, I am sure the Members of the House are not aware that among the monumental pieces of legislation that I have succeeded in getting enacted into law in my 21 years in this body was one that designated Waterloo, N.Y., as the home of Memorial Day. That is because they began to celebrate Memorial Day on the 5th of May. So anybody who thinks that the 30th of May is the be-

ginning of Memorial Day is just completely wrong.

Mr. McCLODY. I think the gentleman. I think it is clear that we are going to honor Martin Luther King by designating a national legal holiday, and I want to point out that if we are going to do that it is far wiser for us to designate the third Monday in January in lieu of January 15.

May I say with regard to the Memorial Day legislation which was enacted, and I have the complete record here, the principal proponents of this legislation were the U.S. Chamber of Commerce, a business organization.

Let me tell my colleagues that if they want to vote in support of business interests with regard to the designation of this national legal holiday, vote for my amendment and vote against the Beard substitute.

In my view, the arguments made by the gentleman from Tennessee (Mr. BEARD) in support of his substitute are arguments against this entire legislation. If we want to vote against the legislation, after adopting the McClory amendment, then my colleagues can do so and they will be voting consistent with the arguments that I have heard from the gentleman from Tennessee (Mr. BEARD).

Mr. FRENZEL. Mr. Chairman, I move to strike the requisite number of words. (Mr. FRENZEL asked and was given permission to revise and extend his remarks.)

Mr. FRENZEL. Mr. Chairman, I think there is a strong consensus here, although it is not unanimous, that this body and this Congress ought to do something to honor Dr. Martin Luther King, a distinguished American.

However, it seems to me that it is entirely inappropriate to think that the only honor we can give an American citizen is to give a highly privileged class of American citizens a day off with pay.

□ 1710

I am not sure that that is a very appropriate way to render honor to anyone. I do not think that it is necessary that we charge the taxpayers of the United States the \$200 million annually, or whatever it may accrue, and then load on to our economy the \$3 billion referred to by the distinguished gentleman from Illinois (Mr. DERWINSKI) in order to honor Dr. King.

I think there are many ways we can do this. I believe the gentleman from Tennessee (Mr. BEARD) has presented one alternative to a way in which we can do honor to Dr. King; perhaps not enough. Perhaps there are other things we will want to do in addition to that statue in the Capitol, which we all hope will be erected soon. But, I do not think that those who do not want to give another paid holiday to the Federal employees need be embarrassed about voting against that holiday for any reason at all.

I think we give great honor to Dr. King, and I think the addition of giving this special privileged class another special holiday has nothing to do with our feelings for this great and distinguished American.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. McCLODY) to the committee amendment.

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. GARCIA. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 291, noes 106, not voting 36, as follows:

[Roll No. 702]

AYES—291

- Adadabbo, Evans, Ga. McCloskey
Akaka, Evans, Ind. McCormack
Albosta, Fary, McDade
Alexander, Fascell, McHugh
Anderson, Fazio, McKinney
Cahf., Fenwick, Maguire
Andrews, N.C., Fish, Markley
Annunzio, Aspín, Marriot
Atkinson, AuCoin, Mathis
Bailey, Baldus, Fiorio
Barnes, Beard, R.I., Foley
Beulenson, Benjamin, Ford, Mich.
Bennett, Bethune, Ford, Tenn.
Bingham, Boggs, Forsythe
Bianchard, Breaux, Fowler
Bolling, Boner, Gray
Bouquard, Bowen, Green
Brademas, Buchanan, Guarini
Breaux, Burdison, Heckler
Brodhead, Burton, John, Hefner
Broomfield, Burton, Phillip, Hillis
Brown, Calif., Byron, Carr, Hostenbeck
Brown, Ohio, Chisholm, Cleveland, Clinger
Buchanan, Clinger, Coelho
Burdison, Clay, Coleman
Burton, John, Collins, Ill.
Byron, Conte, Jeffords
Carr, Conyers, Jenkins
Carter, Cormán, Jenrette
Cavanaugh, Courter, Johnson, Calif.
Chisholm, D'Amours, Jones, N.C.
Clausen, Danielson, Jones, Okla.
Clay, Davis, Mich., Kastenmeier
Cleveland, Davis, S.C., Kazen
Clinger, Deckard, Kemp
Coelho, Dellums, Kildee
Coleman, Derrick, Kogovsek
Collins, Ill., Derwinski, Kostmayer
Conte, Dicks, LaFalce
Conyers, Diggs, Lagomarsino
Corman, Dingell, Leach, Iowa
Courter, Dixon, Leach, La.
D'Amours, Dodd, Lederer
Danielson, Donnelly, Lehman
Davis, Mich., Dougherty, Leland
Davis, S.C., Downey, Lent
Deckard, Drinan, Levitas
Dellums, Duncan, Oreg., Livingston
Derrick, Duncan, Tenn., Llyod
Derwinski, Early, Long, La.
Dicks, Eckhardt, Long, Md.
Diggs, Edgar, Lowry
Dingell, Edwards, Calif., Lujan
Dixon, Ertel, Luken
Dodd, Evans, Del., McClory

- Solarz
Spellman
St Germain
Stack
Staggers
Stanton
Stark
Stewart
Stockman
Stokes
Stratton
Studds
Swift
Synar
Tauke
Thomas
Thompson

- Traxler
Trible
Udall
Ullman
Van Deerin
Vander Jagt
Vanik
Vento
Volkmer
Walgren
Walker
Weaver
Weiss
White
Whitehurst
Whitley
Whittaker

- Williams, Mont.
Williams, Ohio
Wilson, Bob
Wilson, C. H.
Wilson, Tex
Wirth
Wolf
Wolpe
Wright
Wyatt
Yates
Yatron
Young, Alaska
Young, Mo.
Zeferetti

NOES—106

- Abdnor
Anthony
Applegate
Archer
Ashbrook
Badham
Bafalis
Bauman
Beard, Tenn.
Bereuter
Brinkley
Broyhill
Burgener
Butler
Campbell
Carney
Chappell
Cheney
Collins, Tex.
Conable
Corcoran
Daniel, Dan
Daniel, R. W.
Dannemeyer
Daschle
de la Garza
Devine
Dickinson
Edwards, Ala.
Edwards, Okla.
English
Erdahl
Erlenborn
Findley
Fountain
Frenzel

- Caydos
Gibbons
Gingrich
Goldwater
Gradison
Gramm
Grisham
Hagedorn
Hall, Tex.
Hammer-
schmidt
Hance
Hansen
Harsha
Hightower
Hinson
Holland
Hutto
Ichord
Jeffries
Johnson, Colo.
Kindness
Kramer
Latta
Leath, Tex
Lee
Lewis
Loeffler
Lott
Lungren
McDonald
McEwen
McKay
Marlenee
Martin

- Montgomery
Moorhead, Calif.
Mottl
Nedzi
Nelson
Nichols
O'Brien
Pashayan
Petri
Quayle
Quillen
Roberts
Robinson
Roth
Rousselot
Rudd
Runnels
Satterfield
Sawyer
Sensenbrenner
Shumway
Smith, Nebr.
Solomon
Spence
Stangeland
Stenholm
Stump
Symms
Taylor
Wampler
Watkins
Wyder
Wylie
Young, Fla.
Zablocki

NOT VOTING—36

- Ambro
Anderson, Ill.
Andrews, N. Dak.
Ashley
Barnard
Bedell
Blaggi
Bonker
Brooks
Cotter
Coughlin
Crane, Daniel

- Crane, Phillip
Ferraro
Flood
Frost
Goodling
Guyer
Harkin
Kelly
Madigan
Michel
Murphy, Ill
Myers, Ind.

- Price
Rangel
Rosenthal
Rostenkowski
Russo
Schulze
Steed
Treen
Waxman
Whitten
Winn

□ 1720

The Clerk announced the following pairs:

On this vote:
Mr. Russo for, with Mr Cotter against.
Mr. Barnard for, with Mr. Frost against.

Mr. SHELBY changed his vote from "no" to "aye."

So the amendment to the committee amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1730

Mr. WRIGHT. Mr. Chairman, I take this time to observe that the House has made good progress today. This is the last bill that we will consider today. We intend to finish this bill. So far as I know there are but two other amendments that have been noted. If we can expedite their consideration it will hasten our departure this evening. If we finish this bill in the next 30 minutes we will be able to adjourn by about 6 o'clock this evening.

Mr. BEARD of Tennessee. Mr. Chairman, I move to strike the requisite number of words.

(Mr. BEARD of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. BEARD of Tennessee. Mr. Chairman, I will not take the entire 5 minutes. I do think it would be appropriate at this time to explain the parliamentary procedure and the legislative situation.

My substitute is pending and the next vote will be on the Beard substitute. My substitute calls for the celebration of the Martin Luther King birthday on the third Sunday of every January. This is in contrast to the amendment to the committee amendment just passed submitted by the gentleman from New Jersey (Mr. RODINO) and the gentleman from Illinois (Mr. McCLORY) that calls for the celebration of the Martin Luther King birthday on the third Monday of every year.

Mr. Chairman, the one significant difference between my substitute and the amendment presented by the other two gentlemen, a vote for my substitute would be a vote for Martin Luther King in establishing a national holiday. My substitute would also be a vote for the taxpayers of this country to the tune of over \$200 million in just Federal employee's salaries alone.

Mr. Chairman, I think if my colleagues check with their business community and with their constituencies, they will say all right. Honoring people as we will in the future is a legitimate request but to allow 2.3 million Federal employees, that special few, to have those days off at the cost to the taxpayer—and let me also say that the cost to the people who need help from the Federal Government more than any, for those who need help from social security, for those who need help from workmen's compensation, and I know every single one of us in our congressional offices—and I will repeat this because there were not this many people on the floor when I said it at first—everyone of us have backlogs because we were not able to get through to the workmen's compensation people in Jacksonville, Fla.; because we were not able to get through to social security because they have a 4- to 6-month backlog; because we were not able to get to those people who were issuing food stamps or issuing any type of medical help.

Mr. Chairman, the people who would suffer the most would be the people who need it the most, and I do not think this is an appropriate way to honor Dr. Martin Luther King. I feel Sunday would be an entirely appropriate day and I would hope that my substitute would be accepted.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield to me?

Mr. BEARD of Tennessee. I do yield to the gentleman from Illinois.

Mr. DERWINSKI. At the risk of oversimplification, would the gentleman agree with me if I describe the situation in this fashion, that a vote for the Beard substitute is a vote to save the Federal taxpayers \$220 million and to save the entire economy the adverse affect of about \$3 billion in lost production?

Mr. BEARD of Tennessee. An estimated \$3 billion to \$5 billion.

Mr. DERWINSKI. When we vote for the Beard amendment we are saving our national economy \$3 billion and still honoring Dr. Martin Luther King.

Mr. BEARD of Tennessee. A vote for my substitute is a vote to honor Dr. Martin Luther King.

Mr. FRENZEL. Mr. Chairman, will the gentleman yield?

Mr. BEARD of Tennessee. I yield to the gentleman from Minnesota.

Mr. FRENZEL. I think it is easier explained by saying if you do not vote for the Beard substitute you are voting to tax a lot of wage earners at \$10,000 to pay another paid holiday for some \$20,000-a-year Federal employees.

Mr. BEARD of Tennessee. Also, you are voting against another day of delay to the recipients of benefits from programs who need it the most.

Mr. GARCIA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am in opposition to the Beard substitute. I will not take the 5 minutes. As a matter of fact, I will not take more than 30 seconds. We have just overwhelmingly passed the McClory amendment which designates Martin Luther King's birthday on a Monday. I believe it is in the best interests of all of us in this Chamber who have supported the McClory amendment to now vote no on the Beard amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee (Mr. BEARD) as a substitute for the committee amendment, as amended.

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. TAYLOR. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 207, noes 191, not voting 35, as follows:

Roll No. 703]

AYES—207

- Abdnor Conable Grassley
Albosta Conte Grisham
Andrews, N.C. Corcoran Guarini
Anthony Courter Guder
Applegate Daniel, Dan Guyer
Archer Daniel, R. W. Hagedorn
Aspin Dannemeyer Hamilton
Atkinson Daschle Hammer-
Badham Davis, Mich. schmidt
Bafalis Derwinski Hance
Bauman Devine Hansen
Beard, Tenn. Dickinson Harsha
Beilenson Duncan, Oreg. Hefner
Bennett Duncan, Tenn. Heftel
Bereuter Edwards, Ala. Hightower
Bethune Edwards, Okla. Hillis
Bouquard Emery Hinson
Bowen English Holland
Breaux Erdahl Holt
Brinkley Erlenborn Hopkins
Broomfield Evans, Del. Hubbard
Broyhill Evans, Ind. Huckabay
Burgener Findley Hutto
Butler Fithian Hyde
Byron Forsythe Ichord
Campbell Fountain Ireland
Carney Frenzel Jeffords
Cavanaugh Gaydos Jeffries
Chappell Gibbons Jenkins
Cheney Gingrich Johnson, Colo.
Clausen Ginn Jones, N.C.
Cleveland Glickman Jones, Okla.
Clinger Goldwaler Jones, Tenn.
Coleman Gradison Kemp
Collins, Tex. Gramm Kindness

- Kramer
LaFalce
Lagomarsino
Latta
Leach, Iowa
Leach, La.
Leath, Tex.
Lee
Lent
Levitas
Lewis
Livingston
Loeffler
Long, Md.
Lott
Lujan
Lundine
Lungren
McCormack
McDade
McDonald
McEwen
Marienec
Marriott
Martan
Mathis
Mica
Miller, Ohio
Mitchell, N.Y.
Mollohan
Montgomery
Moore
Moorhead, Calif.
Mottl

- Murphy, Pa.
Neal
Nedzi
Nelson
Nichols
Nowak
O'Brien
Pashayan
Paul
Petri
Preyer
Pritchard
Quayle
Quillen
Rallsback
Regula
Rhodes
Ritter
Roberts
Robinson
Roth
Rousselot
Royce
Rudd
Runnels
Satterfield
Sawyer
Sebelius
Sharp
Shelby
Shumway
Shuster
Skelton
Slack
Smith, Nebr.

- Snowe
Snyder
Solomon
Spence
Stangeland
Stanton
Stenholm
Stockman
Stump
Symms
Synar
Tauke
Taylor
Thomas
Trible
Ullman
Vander Jagt
Walgren
Walker
Wampler
Watkins
White
Whitehurst
Whitley
Whittaker
Whitten
Williams, Ohio
Wilson, Bob
Wilson, Tex.
Wydler
Wylie
Young, Fla.
Zablocki
Zeferetti

NOES—191

- Addabbo
Akaka
Alexander
Anderson, Calif.
Annunzio
Ashbrook
AuCom
Bailey
Baldus
Barnes
Beard, R.I.
Benjamin
Bevill
Bingham
Blanchard
Boggs
Boland
Bolling
Boner
Bonior
Brademas
Brodhead
Brown, Calif.
Brown, Ohio
Buchanan
Burison
Burton, John
Burton, Phillip
Carr
Carter
Chisholm
Clay
Coelho
Collins, Ill.
Conyers
Corman
D'Amours
Danielson
Davis, S.C.
de la Garza
Deckard
Dellums
Derrick
Dicks
Diggs
Dingell
Dixon
Dodd
Donnelly
Dougherty
Downey
Drinan
Early
Eckhardt
Edgar
Edwards, Calif.
Ertel
Evans, Ga.
Fary
Fascell
Fazio
Fenwick
Fish

- Fisher
Florio
Foley
Ford, Mich.
Ford, Tenn.
Fowler
Fuqua
Garcia
Gephardt
Gianno
Gilman
Gonzalez
Gore
Gray
Green
Hall, Ohio
Hall, Tex.
Hanley
Harkin
Harris
Rinaldo
Rodino
Roe
Rose
Roybal
Sabo
Santini
Schueer
Schroeder
Seiberling
Johnson, Calif.
Kastenmeier
Kazen
Kludde
Kogovsek
Kostmayer
Lederer
Lehman
Leland
Lloyd
Long, La.
Lowry
Luken
McClory
McCloskey
McHugh
McKay
McKinney
Maguire
Markey
Marks
Matsui
Mattox
Mavroules
Mazzoli
Mikulski
Miller, Calif.
Mineta
Munish
Mitchell, Md.
Moakley
Moffett
Moorhead, Pa.
Murphy, N.Y.
Myers, Pa.

- Natcher
Nolan
Oakar
Oberstar
Obey
Ottinger
Panetta
Fatten
Patterson
Pease
Pepper
Perkins
Peysner
Pickle
Pursell
Rahall
Ratchford
Reuss
Richmond
Rinaldo
Rodino
Roe
Rose
Roybal
Sabo
Santini
Schueer
Schroeder
Seiberling
Johnson, Calif.
Shannon
Simon
Smith, Iowa
Solaz
Spellman
St Germain
Stack
Staggers
Stark
Stewart
Stokes
Stratton
Studds
Swift
Thompson
Traxler
Udall
Van Deerlin
Vanik
Vento
Volkmer
Weaver
Weiss
Williams, Mont.
Wilson, C. H.
Wirth
Wolf
Wolpe
Wright
Wyatt
Yates
Yatron
Young, Alaska
Young, Mo.

NOT VOTING—35

- Ambro
Anderson, Ill.

- Andrews, N. Dak.

- Ashley
Barnard



Bedell	Flippo	Price
Biaggi	Flood	Rangel
Bonker	Frost	Rosenthal
Brooks	Goodling	Rostenkowski
Cotter	Kelly	Russo
Coughlin	Madigan	Schulze
Crane, Daniel	Michel	Steed
Crane, Philip	Murphy, III.	Treen
Dornan	Murtha	Waxman
Ferraro	Myers, Ind.	Winn

□ 1750

The Clerk announced the following pairs:

On this vote:

Mr. Russo for, with Mr. Cotter against.  
 Mr. Myers of Indiana for, with Mr. Rangel against.  
 Mr. Michel for, with Mr. Frost against.  
 Mr. Winn for, with Mr. Barnard against.

Messrs. FLORIO, HUGHES, HOLLENBECK, and MINISH changed their votes from "aye" to "no."

So the amendment offered as a substitute for the committee amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

Mr. GARCIA. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York (Mr. GARCIA).

PARLIAMENTARY INQUIRY

Mr. RHODES. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RHODES. Mr. Chairman, is a motion to rise and report of a higher degree than a motion to rise?

The CHAIRMAN. The Chair will state to the gentleman that a motion to rise and report is not in order at all on this bill. The bill has not been completely read for amendment. The motion to rise is in order. If and when the amendment stage is completed, the Committee will rise automatically under the rule.

Mr. RHODES. I thank the Chair.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York (Mr. GARCIA).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ASHBROOK. Mr. Chairman, I demand a recorded vote.

Recorded vote was ordered.

The vote was taken by electronic device and there were—ayes 231, noes 164, nonvoting 38, as follows:

[Roll No. 704]

AYES—231

Addabbo	Boland	Corman
Akaka	Bolling	D'Amours
Albosta	Boner	Danielson
Alexander	Bonior	Daschle
Anderson, Calif.	Bouquard	Davis, S.C.
Andrews, N.C.	Brademas	de la Garza
Annuzio	Brodhead	Deckard
Applegate	Brown, Calif.	Dellums
Aspin	Buchanan	Derrick
Atkinson	Burison	Dicks
Bailey	Burton, John	Diggs
Baldus	Burton, Phillip	Dingell
Barnes	Carr	Dixon
Beard, R.I.	Carter	Dodd
Bellenson	Cavanaugh	Donnelly
Benjamin	Chisholm	Dougherty
Bevill	Clay	Downey
Bingham	Coelho	Drinan
Blanchard	Collins, III.	Duncan, Oreg.
Boggs	Conte	Early
	Conyers	Eckhardt

Edgar	Leland
Edwards, Calif.	Levitas
Edwards, Okla.	Lloyd
Ertel	Long, La.
Evans, Ga.	Long, Md.
Fary	Lowry
Fascell	Luken
Fazio	McClory
Fenwick	McCloskey
Fish	McDade
Fisher	McHugh
Fithian	McKay
Florio	McKinney
Foley	Maguire
Ford, Mich.	Markey
Ford, Tenn.	Marks
Fountain	Matsui
Fowler	Mattox
Fuqua	Mavroules
Garcia	Mazzoli
Gaydos	Mica
Gephardt	Mikulski
Gialmo	Miller, Calif.
Gilman	Mineta
Glickman	Minish
Gonzalez	Mitchell, Md.
Gore	Moakley
Gray	Moffett
Green	Moorhead, Pa.
Guarini	Mottl
Gudger	Murphy, N.Y.
Hall, Ohio	Murphy, Pa.
Hanley	Murtha
Harkin	Myers, Pa.
Harris	Natcher
Hawkins	Neal
Heckler	Nedzi
Holtzman	Nelson
Horton	Nolan
Howard	Nowak
Hubbard	Oakar
Hughes	Oberstar
Hutto	Obey
Ireland	Ottinger
Jacobs	Panetta
Jenrette	Pashayan
Johnson, Calif.	Patten
Jones, Okla.	Patterson
Jones, Tenn.	Pease
Kazen	Pepper
Kildee	Perkins
Kogovsek	Peyser
Kostmayer	Pickle
LaFalce	Preyer
Leach, La.	Pursell
Lederer	Rahall
Lehman	Rallsback

NOES—164

Abdnor	Evans, Ind.
Anthony	Findley
Archer	Forsythe
Ashbrook	Frenzel
Badham	Gibbons
Bafalis	Gingrich
Bauman	Ginn
Beard, Tenn.	Gradison
Bennett	Gramm
Bereuter	Grassley
Bethune	Grisham
Bowen	Guyser
Breaux	Hagedorn
Brinkley	Hall, Tex.
Broomfield	Hamilton
Brown, Ohio	Hammer-
Broyhill	schmidt
Burgener	Hanoe
Butler	Hansen
Byron	Harsha
Campbell	Hefner
Carney	Heftel
Chappell	Hightower
Cheney	Hillis
Clausen	Hinson
Cleveland	Holland
Clinger	Hollenbeck
Coleman	Holt
Collins, Tex.	Hopkins
Conable	Huckaby
Corcoran	Hyde
Courter	Ichord
Daniel, Dan	Jeffords
Daniel, R. W.	Jeffries
Dannemeyer	Jenkins
Davis, Mich.	Johnson, Colo.
Derwinski	Jones, N.C.
Devine	Kastenmeier
Dickinson	Kemp
Duncan, Tenn.	Kindness
Edwards, Ala.	Kramer
Emery	Lagomarsino
English	Latta
Erdahl	Leach, Iowa
Erlenborn	Leath, Tex.
Evans, Del.	Lee

Ratchford	Smith, Nebr.
Reuss	Snowe
Richmond	Snyder
Rinaldo	Solomon
Rodino	Spence
Roe	Stangeland
Rose	Stanton
Roybal	Stenholm
Sabo	Stockman
Santini	Stump
Scheuer	Symms
Schroeder	Tauke
Shannon	Taylor
Sharp	Thomas
Simon	Trible
Skelton	Vander Jagt
Slack	Walker
Smith, Iowa	Wampler
Solarz	Watkins
Spellman	White
St Germain	
Stack	
Staggers	
Stark	
Stewart	
Stokes	
Stratton	
Studds	
Swift	
Synar	
Thompson	
Traxler	
Udall	
Ullman	
Van Deerlin	
Vanik	
Vento	
Volkmer	
Walgren	
Weaver	
Weiss	
Whitley	
Wilson, Bob	
Wilson, C. H.	
Wilson, Tex.	
Wirth	
Wolf	
Wolpe	
Wright	
Wyatt	
Yates	
Yatron	
Young, Mo.	
Zablocki	
Zeferetti	

Ambro	Crane, Daniel	Myers, Ind.
Anderson, III.	Crane, Philip	Price
Andrews, N. Dak.	Dornan	Rangel
Ashley	Ferraro	Rosenthal
AuCoin	Flippo	Rostenkowski
Barnard	Flood	Russo
Bedell	Frost	Schulze
Biaggi	Goldwater	Seiberling
Bonker	Goodling	Steed
Brooks	Kelly	Treen
Cotter	Madigan	Waxman
Coughlin	Murphy, III.	Williams, Mont.
		Winn

NOT VOTING—38

□ 1810

Messrs. JONES of Tennessee, GUDGER, and DOUGHERTY changed their votes from "no" to "aye."

Mr. COLLINS of Texas changed his vote from "aye" to "no."

So the motion was agreed to.

The result of the vote was announced as above recorded.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MURTHA) having assumed the chair, Mr. HOWARD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5461) to designate the birthday of Martin Luther King, Jr., a legal public holiday, had come to no resolution thereon.

GENERAL LEAVE

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous matter on the bill H.R. 5461.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. RHODES. Mr. Speaker, reserving the right to object, it is my understanding that the gentleman from New York (Mr. GARCIA) does not intend to proceed further with the legislation which was in the Committee of the Whole tonight; is that a correct assumption?

Mr. GARCIA. Mr. Speaker, will the gentleman yield?

Mr. RHODES. I yield to the gentleman from New York.

Mr. GARCIA. At this particular moment, if the gentleman is talking about today, we have no intentions. This will be the end of the activity for today. Whether we intend to bring the bill back again, I do not know at this point.

Mr. RHODES. Further reserving the right to object, I really am somewhat appalled at the action of the majority in taking this bill down. It was within a very few minutes of being ready for final passage. It would have been a national holiday in memory of a great American on a day, a Sunday, and certainly the fact that he was a minister of the Gospel would indicate that that

*Vote taken by the Committee shall rise.*

would be a very propitious day upon which to have that holiday.

I am certainly in hopes that we will proceed to pass this bill. I can assure the gentleman from New York and others that it would be the intention of the minority to cooperate in every way possible to proceed to passage of the bill and to actually set forth a national holiday in commemoration of this great American.

There is actually only one other holiday that I know of, and that is Columbus Day, that is a national holiday by statute. It seems to me that the opportunity which we have now to make the second national holiday by statute in honor of Dr. Martin Luther King, Jr., is an opportunity that should not have been passed by.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York (Mr. GARCIA)?

Mr. BAUMAN. Reserving the right to object, Mr. Speaker, the gentleman has asked unanimous consent for all Members to have the right to revise their remarks. Does that include the majority leader, who told us about 20 minutes ago that we would finish this legislation tonight and then adjourn, and that we would stay here until we finish.

Mr. GARCIA. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from New York.

Mr. GARCIA. I must tell the gentleman from Maryland I cannot speak for the majority leader. I cannot respond to that.

Mr. BAUMAN. I think it does include him. I look forward tomorrow to see what his remarks say.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York (Mr. GARCIA)?

Mr. LONG of Maryland. Mr. Speaker, reserving the right to object, this whole thing has puzzled me. I voted for the holiday when it came under suspension of the rules, but I had to vote for the amendment to put this on a nonworking day, because I think we all have to recognize that this country is in desperate condition to produce the amount of goods we need to run this country.

I do not know why we cannot honor a great man without spending hundreds of millions of dollars to do it. I am fully conscious also that most people when they take a day off never think even for 10 seconds of the person whom that day is honoring. So it is usually an empty farce. It is just to create a whole bunch of leisure, nonwork, and in a country that is increasingly moving in the non-work direction.

That is why I had to vote to keep this off a regular working day.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York (Mr. GARCIA)?

Mr. MITCHELL of Maryland. Reserving the right to object, Mr. Speaker, I

shall take the time to commend my distinguished colleague for the action that he did take. We cannot have a holiday that is not a holiday, an absolute contradiction of terms.

What we voted on last was to establish a holiday that was not a holiday. I cannot speak for other Members of the Congressional Black Caucus. I am certain that the gentlewoman from Illinois (Mrs. COLLINS), our chairperson, would speak for us at some time in the future.

It was my firm intention, had we moved on to final passage with the bill in the shape that it was, to have voted against it because I do not think we can sell duplicity to black people or white people of good will who wanted a holiday.

What we did was duplicitous. Therefore, I would have voted against the bill on final passage as it was constructed.

I commend the gentleman for his action.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. MITCHELL of Maryland. I yield to the gentleman from Illinois.

Mr. McCLORY. I thank the gentleman for yielding.

It seems for us to try to address the vast subject of productivity with this piece of legislation is simply beyond the proper scope of our debate; it is patently absurd to attempt to do so at this juncture.

I submit that those who feel that we can appreciably enhance our national productivity by voting against establishing the Martin Luther King Day as a full national legal holiday, should come forward and say so.

The subject of productivity should be addressed in another forum, in connection with other legislation specifically encompassing that far-reaching issue.

The solution to the productivity problem will not turn on whether this bill is enacted; rather, productivity gains will only be realized when working men and women marshal the will to achieve that goal. Such a gathering of collective wills must occur each and every day, holiday or not.

The productivity question is a separate and distinct challenge which should not be the focus of our debate today. To discuss it in connection with the Martin Luther King holiday, is to my mind, a multifarious joining of issues.

Finally, I have a request of my colleagues who support the Beard substitute and who believe that America's productivity can be significantly braced by amending our holiday legislation: Those who support the Beard substitute should take up the fight for legislation requiring that the observance of all national legal holidays be on designated Sundays. Carry the productivity principle to its logical extension.

Mr. ASHBROOK. Mr. Speaker, I demand regular order.

The SPEAKER pro tempore. Regular order is called for. The Chair will not entertain any reservations to object since regular order was called for.

Mr. MITCHELL of Maryland. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from New York (Mr. GARCIA)?

There was no objection.

#### MARTIN LUTHER KING, JR., HOLIDAY BILL

(Mr. TAYLOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAYLOR. Mr. Speaker, I think this all started out to take place in an orderly and fair manner. I would say that the chairman of the subcommittee and I had a very good relationship during the time that this was in committee and the time that it has been on the floor.

I think that the House did work its will. I think it is superfluous to stand here today and say we think it should have been this way or that way or those who thought it should have been on Sunday should take a hard look at it.

The House worked its will. The majority leader stood in the well 15 minutes before the vote and said, "We are going to resolve this legislation tonight. We are going to finish it."

He did not say, "Depending on how it comes out." I think this is a wash. I think it is a terrible thing. I would ask my good friend, the chairman of the subcommittee, when does the gentleman anticipate bringing this legislation back?

Mr. GARCIA. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR. I yield to the gentleman from New York.

Mr. GARCIA. I would bring this bill back as the manager of this bill when we have enough votes on this floor to truly honor a man with the dignity and the manner in which he should be honored. That is when the bill will be brought up.

Mr. TAYLOR. Are we in a democracy where the majority rules? That is the question? The House has spoken.

I thank the gentleman for his concise and at least candid remarks.

#### MARTIN LUTHER KING, JR., HOLIDAY BILL

(Mr. BOLLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOLLING. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Maryland. Mr. PARREN MITCHELL. I think there is a difference between a holiday on Monday and an observation on Sunday. But I do not attribute bad motives to anybody.

I think the gentleman from New York was precisely correct in what he did. He manages the bill to win. The vote was very close. A delay is not a new tactic, and I hope that when the bill comes back to the floor it will have the votes to be a real holiday and not a fraudulent holiday.

Mr. RHODES. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Arizona.

Mr. RHODES. I thank the gentleman for yielding.