STATEMENT BY PRESIDENT C. A. ELVEJEM

ON UNIVERSITY OF WISCONSIN POSITION ON OATH AND AFFIDAVIT

PROVISIONS OF NATIONAL DEFENSE EDUCATION ACT

Presented at Faculty Meeting—December 7, 1959

In the fall of 1958, a national educational association called to our attention the oath and affidavit provisions of the just-passed National Defense Education Act. Disturbed to learn of these provisions, the University administration checked with other colleges and universities, public and private; with national associations, including the American Association of University Professors; and with federal government officials. In all of these contacts we made clear our strong disapproval of the oath and affidavit provisions of the NDE Act, particularly of the disclaimer affidavit. Our strong desire and our continuing effort, then and since, has been to get these provisions removed from the statute.

After careful consideration, including consultation with the University Committee and the Administrative Committee, the University administration in December 1958 decided to apply for loan, fellowship and other funds under the NDE Act, but to do so under protest, clearly indicating our desire that Congress remove the oath and affidavit provisions. This decision was approved by the Administrative Committee and the University Committee; and the University faculty applauded the University administration when this decision was announced at the faculty meeting on January 5, 1959. The action was explained to the Educational Committee of the Regents, and to the full Board of Regents.

Early in 1959 we communicated our position to the Wisconsin Congressional delegation; and, with other universities, sought to enlist support of various national associations in the fight against the oath and affidavit provisions of the NDE Act. We are pleased to note that many associations have taken such action; e.g., the Association of American Universities, American Council on Education, and, this fall, the Association of Land Grant Universities. Secretary Flemming and other officials of the Department of Health, Education and Welfare also have urged that the statute be changed. Many members of Congress are working to have the oath and affidavit provisions removed. These Congressmen were not successful in the 1959 session. We hope they will be successful in 1960.

In the winter of 1958-59 several small private colleges announced opposition to the oath and affidavit provisions by refusing to apply for funds under the NDE Act, or by returning funds after receipt. The decision of Harvard and Yale to return loan funds has increased public interest in this approach in recent weeks. At the University of Wisconsin discussion has also centered around the problems of supplying the required University contribution (one-ninth) to match a loan fund check received from the federal government.
The University Committee has been giving attention to all aspects of the oath and affidavit question, at the request of the Committee on Undergraduate Loans and Scholarships and at the request of at least one University department. On December 1, 1959, the University and Administrative Committees agreed that it would be desirable to have a full faculty discussion in Committee of the Whole on December 7, to assist the University Committee in preparing resolutions for a future faculty meeting.

On December 2, 1959, Regent Arthur De Bardeleben proposed and the Educational Committee of the University Regents unanimously approved a resolution on the oath and affidavit provisions of the NDE Act. (Copy of this resolution attached.)

This resolution was prepared by Regent De Bardeleben without prior consultation with any University administrative official, and without knowledge that the faculty would discuss this matter December 7. When advised of the scheduled faculty discussion, all the members of the Educational Committee stated clearly that their resolution was not intended to close discussion, or to prevent any type of faculty consideration of this matter. The Regents stated that they would be glad to discuss this or any related question with the Regent-Faculty Conference Committee, or with any other faculty committee. The Regents desired, however, to put themselves on record at this time against the oath and affidavit provisions of the NDE Act, as the University administration and faculty had done earlier.

On December 3 the Board of Regents voted to approve the Educational Committee resolution. The vote was 5 to 2, three Regents being absent (two of the absent Regents had supported the resolution in the Educational Committee). During the Regent discussion it was stated again that adoption of this resolution was not designed to limit or direct faculty discussion in any way.

One of the Regents who opposed the resolution strongly favored the oath and affidavit provisions of the NDE Act. The other Regent who voted against the resolution said he would have voted for the resolution if it had included a word of thanks to the federal government for funds provided.

One of the Regents who voted for the Educational Committee resolution said that if the oath and affidavit provisions were not removed from the NDE Act in 1960, serious consideration should be given to pulling out altogether.