

An hourglass-shaped graphic with a globe in the top bulb and a smaller globe in the bottom bulb. The hourglass is light blue and has a dark blue top cap. The globe in the top bulb is dark blue with light blue continents, and the globe in the bottom bulb is light blue with dark blue continents. The hourglass is centered on the page.

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February 2, 2009

Congressional Research Service

Report 98-301

*Federal Holidays: Evolution and Application*

Stephen W. Stathis, Government Division

February 8, 1999

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# CRS Report for Congress

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## Federal Holidays: Evolution and Application

Updated February 8, 1999

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## **ABSTRACT**

Congress has statutorily established 11 permanent federal holidays, which are legally applicable only to federal employees and the District of Columbia. Neither Congress nor the President has asserted the authority to declare a “national holiday” which would be binding on the 50 states. This report discusses the history of each federal holiday and explains its rationale where a public record exists.

# Federal Holidays: Evolution and Application

## Summary

By law, Congress has established 11 permanent federal holidays. Although frequently called “national holidays,” these patriotic celebrations are only applicable to federal employees and the District of Columbia, the states individually decide their own legal holidays.

Congress, in several instances, created federal holidays after a sizable number of states had taken such action. In others, Congress took the lead. Each action emphasizes particular aspects of the American heritage that molded the United States as a people and a nation.

The first five congressionally designated federal holidays were New Year’s Day, George Washington’s Birthday, Independence Day, Thanksgiving Day, and Christmas Day. Approved in the 1870s, they were applicable only to federal employees in the District of Columbia. In 1885, Congress began to extend holiday coverage to federal employees outside Washington.

Decoration Day (now Memorial Day) and Labor Day became federal holidays in 1888 and 1894, respectively. The first allowed Civil War veterans in federal employ to pay their respects to those who gave their lives in the conflict, without losing a day’s pay. The second was designed to honor American labor and foster the feeling of brotherhood among the different crafts.

Congress created the Armistice Day holiday in 1938 to mark the close of World War I hostilities. In 1954, the scope of this holiday was broadened to honor Americans who fought in World War II and the Korean conflict, and the name of the holiday was changed to Veterans Day.

Although Thanksgiving Day was included in the first holiday bill of 1870, it was not until 1941 that Congress specifically designated the fourth Thursday of November as the official date. A quarter of a century later, Congress made Inauguration Day a permanent holiday in the Washington, D.C., metropolitan area, eliminating the necessity of acting upon this matter for each inauguration.

The Monday Holiday Law of 1968 shifted Washington’s Birthday, Memorial Day, and Veterans Day from their traditional dates to Mondays, and established an additional holiday in honor of Christopher Columbus. Observing these holidays on Mondays, it was felt, would substantially benefit the nation’s spiritual and economic life. By commemorating Christopher Columbus’s remarkable voyage, the nation honored the courage and determination of generation after generation of immigrants seeking freedom and opportunity in America.

Creation of the Martin Luther King, Jr. Holiday in 1983 culminated a 15-year movement to establish a celebration commemorating Dr. King’s contributions to the civil rights movement in the United States.

## Contents

First Holidays . . . . .	1
New Year’s Day, Independence Day, Thanksgiving Day, and Christmas Day . . . . .	1
Washington’s Birthday . . . . .	2
Decoration Day/Memorial Day . . . . .	3
Labor Day . . . . .	4
Armistice Day/Veterans Day . . . . .	4
Thanksgiving Day . . . . .	6
Inauguration Day . . . . .	7
Monday Holiday Law . . . . .	7
Columbus Day . . . . .	9
Birthday of Martin Luther King, Jr. . . . .	9

## List of Tables

Table 1. Laws Creating, Reauthorizing, or Expanding Federal Holidays . . . . .	11
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# Federal Holidays: Evolution and Application

Since 1870, more than 1,100 different proposals have been introduced in Congress to establish permanent federal holidays. Only 11, however, have thus far been approved. Although these patriotic celebrations are frequently referred to as “national holidays,” legally they are only applicable to federal employees and the District of Columbia. Neither Congress nor the President has asserted the authority to declare a “national holiday” that would be binding on the 50 states. Each state individually decides what its legal holidays will be. Creating a holiday for federal employees does, however, affect each state in a variety of ways, including the delivery of mail, bank transactions, and business conducted with federal agencies.

Congress, in several instances, declared federal holidays after being prompted by earlier action in a sizable number of states. In other instances, Congress took the lead. Almost without exception, approval of the 11 current federal holidays emanated from earlier unsuccessful efforts. Each was designed to emphasize particular aspects of the American heritage that molded the United States as a people and a nation.

This report discusses the history of each federal holiday and explains its rationale where a public record exists.

## First Holidays

When Congress enacted the first federal holiday law in 1870, there were approximately 5,300 federal employees working in Washington, D.C., and some 50,600 in other locations across the country.<sup>1</sup> The distinction between federal employees working in the District of Columbia and those laboring elsewhere proved important because the initial holiday act was only applicable to the federal workforce in the nation’s capital. Federal employees in other parts of the country apparently did not begin to receive holiday benefits until 1885.<sup>2</sup>

### **New Year’s Day, Independence Day, Thanksgiving Day, and Christmas Day**

The act of June 28, 1870, which was apparently prompted by a memorial drafted by local “bankers and business men,” provided that New Year’s Day, Independence Day, Christmas Day, and “any day appointed or recommended by the President of the United States as a day of public fasting or thanksgiving [were] to be holidays within

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<sup>1</sup> “Finance,” remarks in the House, *Congressional Record*, vol. 2, March 7, 1874, p. 2053.

<sup>2</sup> 23 *Stat.* 516.

the District.” This legislation was drafted “to correspond with similar laws of States around the District,”<sup>3</sup> and “in every State of the Union.”<sup>4</sup>

## Washington’s Birthday

When Congress, in January 1879, added George Washington’s Birthday to the list of holidays to be observed in the District of Columbia, the principal intent of that resolution was to make February 22 “a bank holiday.”<sup>5</sup>

Although there is no indication in the authorizing statutes of 1870 and 1879 (or in the accompanying floor debates) that any federal employees were to be paid for such holidays, an analysis of holiday legislation subsequently signed by President Rutherford B. Hayes in April 1880 seems to support such a conclusion. This legislation was prompted by a grievance filed by a group of employees who had been denied holiday pay for the previous New Year’s Day while other federal workers had been paid for the day. The House committee which favorably reported the bill stressed that while there were no existing laws requiring such payment, this group of employees, “in the committee’s opinion, should be placed upon an equality in this regard” with those of other government departments. The committee went on to point out that, on the “question of legal holidays,” the *Revised Statutes of the United States* were silent, but those relating to the District of Columbia were very precise on the issue. The implication was that the other federal employees in the District had already been paid for the holiday.<sup>6</sup>

Such reasoning is substantiated by an opinion issued by Acting Attorney General James C. McReynolds in August 1903. McReynolds indicated that, for “many years” prior to 1870, it was “customary to close the Executive Departments of the Government at Washington” on five holidays—New Year’s Day, George Washington’s Birthday, Independence Day, Thanksgiving Day, and Christmas Day—that had been “declared to be such by District laws.”<sup>7</sup>

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<sup>3</sup> Rep. Burton C. Cook, “Holidays in the District,” remarks in the House, *Congressional Globe*, vol. 42, June 17, 1870, p. 4529.

<sup>4</sup> Rep. Hannibal Hamlin, “Legal Holidays in the District,” remarks in the Senate, *Congressional Globe*, vol. 42, June 24, 1870, p. 4805.

<sup>5</sup> Sen. Stephen W. Dorsey, “February Twenty-Second,” remarks in the Senate, *Congressional Record*, vol. 7, Feb. 12, 1878, p. 955.

<sup>6</sup> U.S. Congress, House Committee on Printing, *Relative to Pay for Employees of the Government Printing Office for Legal Holidays*, H.Rept. 585, 46<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 1880), p. 2. In part, the statute provided that employees of the Government Printing Office (GPO) would receive the same holidays as other government workers. 21 Stat. 304. GPO employees, Representative Otho R. Singleton told his House colleagues, had “always enjoyed fewer holidays than the laborers in any other Government establishment.” Rep. Otho R. Singleton, “Printing Office Employees,” remarks in the House, *Congressional Record*, vol. 10, April 6, 1880, pp. 2170-2171.

<sup>7</sup> U.S. Department of the Treasury, *Official Opinions of the Attorney General of the United States* (Washington: GPO, 1906), vol. 25, p. 43.

This practice, McReynolds reasoned, “must have been known to the Congress, and it must have been that those days were declared public holidays only by laws applicable to the District.” As a consequence, McReynolds concluded that Congress intended with the 1870 and 1879 statute “to designate all days made holidays by any law in effect within the District of Columbia” to be such for employees of the federal government as well.<sup>8</sup> This was done, even though Congress, as late as the turn of the century, had yet to enact legislation “absolutely requiring that the Executive Departments of the Government to be closed and the clerks and other employees therein to be released from work on such days.”<sup>9</sup>

In 1885, Congress approved additional legislation making the five holidays thus far approved also applicable to per diem employees of the government “on duty at Washington, or elsewhere in the United States.”<sup>10</sup> This act, apparently for the first time, extended at least limited holiday benefits to federal employees beyond the shores of the Potomac River.

Enactment of the Monday Holiday Law<sup>11</sup> in 1968 shifted the commemoration of Washington’s Birthday from February 22 to the third Monday in February. Contrary to popular belief, neither the Monday Holiday Law, nor any subsequent action by Congress or the President, mandated that the name of the holiday observed by federal employees in February be changed from Washington’s Birthday to Presidents Day.

## **Decoration Day/Memorial Day**

Decoration Day (now Memorial Day) was added to the list of holidays to be observed in the District, and in turn by federal employees, in 1888.<sup>12</sup> The joint resolution was probably adopted primarily because a sizable number of federal employees were members of the Grand Army of the Republic, an organization of Union Civil War veterans who desired to participate in Memorial Day ceremonies honoring those who had died in the conflict. Their absence from work meant the loss of a day’s wages. It was felt they should be “allowed this day as a holiday with pay, so that they might not suffer loss of wages by reason of joining in paying their

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<sup>8</sup> Ibid., pp. 43-44.

<sup>9</sup> Ibid., p. 45.

<sup>10</sup> 23 Stat. 516. The debates are found in: “Holidays for Government Laborers,” remarks in the Senate, *Congressional Record*, vol. 15, March 25, 1884, p. 2240; and “Holidays for Government Employees,” remarks in the House, *Congressional Record*, vol. 16, Dec. 20, 1884, p. 411. At least one author suggests that this bill was the first federal holiday law. Ismar Baruch, “Federal Holiday Pay Policies,” *Personnel Administration*, vol. 7, May 1945, p. 15. An extensive review of the debate accompanying the earlier three enactments discussed heretofore, however, does not support such a contention.

<sup>11</sup> P.L. 90-363, 82 Stat.250.

<sup>12</sup> 25 Stat. 353.



respects to the memory of those who died in the service of their country.”<sup>13</sup> By 1890, Memorial Day had become a legal holiday in all of the northern states.<sup>14</sup>

With the passage of the Monday Holiday Law in 1968,<sup>15</sup> the observance of Memorial Day was permanently changed from May 30 to the last Monday in May.

## Labor Day

An entirely different rationale prompted the House Committee on Labor to report favorably legislation for Labor Day to become a federal holiday in 1894. “The use of national holidays,” the committee reasoned, “is to emphasize some great event or principle in the minds of the people by giving them a day of rest and recreation, a day of enjoyment, in commemoration of it.” By honoring labor with a holiday, the committee suggested, the nation will assure “that the nobility of labor be maintained. So long as the laboring man can feel that he holds an honorable as well as a useful place in the body politic, so long will he be a loyal and faithful citizen.”<sup>16</sup>

With time, the committee felt, the celebration of Labor Day as a national holiday on the first Monday in September would “naturally lead to an honorable emulation among the different crafts beneficial to them and to the whole public.” It would also “tend to increase the feeling of common brotherhood among men in all crafts and callings, and at the same time kindle an honorable desire in each craft to surpass the rest.” A reasonable amount of rest and recreation makes a workman “more useful as a craftsman.” Providing further support for its position, the committee pointed out that 23 states had already recognized Labor Day as a legal holiday.<sup>17</sup>

## Armistice Day/Veterans Day

When Armistice Day was declared a federal holiday by Congress in 1938, the date November 11 was chosen to commemorate the close of World War I. During the House debate preceding passage of this legislation, it was suggested that Armistice Day would “not be devoted to the exaltation of glories achieved in war but, rather, to an emphasis upon those blessings which are associated with the peacetime

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<sup>13</sup> Rep. Henry B. Lovering, “Pay for Decoration Day,” remarks in the House, *Congressional Record*, vol. 17, July 15, 1886, p. 6999. Interestingly, the bill being debated in this instance actually became law, but was only applicable to per diem laborers in the government. 24 *Stat.* 644.

<sup>14</sup> Jane M. Hatch, *The American Book of Days*, third edition (New York: The H.W. Wilson Company, 1978), p. 503.

<sup>15</sup> P.L. 90-363, 82 *Stat.* 250-251.

<sup>16</sup> U.S. Congress, House Committee on Labor, *Labor Day a Legal Holiday*, report to accompany H.R. 28, 53<sup>rd</sup> Cong., 2<sup>nd</sup> sess., H.Rept. 902 (Washington: GPO, 1894), p. 1.

<sup>17</sup> *Ibid.* See also 28 *Stat.* 96.

activities of mankind.” Armistice Day would mark not only the “end of a great war,” but also the ushering “in of a new era of peace.”<sup>18</sup>

The “holiday was dedicated to the cause of world peace,” and as such was to be “regarded and observed throughout the land as a day to honor the veterans of the First World War who fought, and especially those who died, for that cause.”<sup>19</sup>

Making Armistice Day a “national peace holiday” was a proposal which had the “enthusiastic approval” of all of the societies representing World War I veterans.<sup>20</sup> In 1938, Armistice Day was already a state holiday in 44 states, and the other four states had made it a holiday by gubernatorial action. Although it was recognized that Congress did not have the authority “to fix a national holiday within the different States,”<sup>21</sup> enactment of this bill, it was felt, would bring Congress “into harmony with sentiment in the United States.”<sup>22</sup>

By 1954, however, the United States had been involved in two other military engagements, World War II and the Korean conflict. Instead of creating additional federal holidays to commemorate the ending of these hostilities, Congress felt it would be better to commemorate the sacrifices of American veterans all on one day. On June 1, 1954, the name of Armistice Day was officially changed to Veterans Day.<sup>23</sup> This legislation did not establish a new holiday. Rather, it broadened the “significance of an existing holiday in order that a grateful nation, on a day dedicated to the cause of world peace, may pay homage to all of its veterans.”<sup>24</sup>

Fourteen years later, Congress designated Veterans Day to be one of five holidays that would henceforth be celebrated on a Monday and changed the date of the holiday from November 11 to the fourth Monday in October.<sup>25</sup> Congress returned Veterans Day to its original November 11 date in 1975, after it became apparent that “veterans’ organizations opposed the change, and 46 states either never changed the original observation date or returned the official observance to November 11.”<sup>26</sup>

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<sup>18</sup> Rep. Bertrand W. Gearhart, “Armistice Day,” remarks in the House, *Congressional Record*, vol. 83, May 2, 1938, p. 6055.

<sup>19</sup> U.S. Congress, House Committee on the Judiciary, *Changing Armistice Day to Veterans Day*, report to accompany H.R. 7786, 83<sup>rd</sup> Cong., 2<sup>nd</sup> sess., H.Rept. 1333 (Washington: GPO, 1954), p. 1.

<sup>20</sup> Gearhart, “Armistice Day,” p. 6055.

<sup>21</sup> Sen. Alben Barkley, “Armistice Day,” remarks in the Senate, *Congressional Record*, vol. 83, May 5, 1938, p. 6307.

<sup>22</sup> Sen. William Gibbs McAdoo, “Armistice Day,” remarks in the Senate, *Congressional Record*, vol. 83, May 5, 1938, p. 6307.

<sup>23</sup> P.L. 83-380, 68 *Stat.* 168.

<sup>24</sup> *Changing Armistice Day to Veterans Day*, H.Rept. 1333, p.1.

<sup>25</sup> P.L. 90-363, 82 *Stat.* 250.

<sup>26</sup> “Veterans Day,” *Congressional Quarterly Report*, vol. 33, Sept. 13, 1975, p. 1957. See also P.L. 94-97, 89 *Stat.* 479.

## Thanksgiving Day

The evolution of Thanksgiving Day as a federal holiday took quite a different course. President George Washington issued the first proclamation calling for “a day of public thanksgiving and prayer” on Thursday, November 26, 1789. Six years later, Washington called for a second day of thanksgiving on Thursday, February 19, 1795. Not until 1863, however, did the nation begin to observe the occasion annually. That year, President Abraham Lincoln issued a thanksgiving proclamation requesting “citizens in every part of the United States, and also those who are at sea and those who are sojourned in foreign lands, to set apart and observe the last Thursday of November ... as a day of Thanksgiving.” During the next three quarters of a century, each President, by proclamation, established the exact date for the celebration each year.<sup>27</sup> Beginning in 1870, Thanksgiving became a paid holiday for at least a portion of the federal work force, after Congress gave the President power to designate a day of thanksgiving, which was to be a holiday within the District of Columbia.<sup>28</sup>

The tradition of celebrating Thanksgiving on the last Thursday in November, begun by President Lincoln in 1863, was faithfully followed, each year but two, until 1939. That year, President Franklin D. Roosevelt proclaimed the third Thursday in November as Thanksgiving Day.<sup>29</sup> By moving Thanksgiving up a week, Roosevelt “hoped to aid retail business by producing a longer Christmas shopping season.”<sup>30</sup> Although Roosevelt’s decision was greeted enthusiastically by the business community, others, including a sizable portion of the public, as well as a large number of state officials, protested against changing the longstanding American tradition of celebrating Thanksgiving on the fourth Thursday in November. Despite this criticism, Roosevelt repeated his action in 1940. By May 1941, however, the administration concluded that the experiment of advancing the observance date had not worked.<sup>31</sup>

A law signed by President Roosevelt on December 26, 1941,<sup>32</sup> settled the dispute and permanently established Thanksgiving Day as a federal holiday to be

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<sup>27</sup> Robert J. Myers, *Celebrations: The Complete Book of American Holidays*, third edition (Garden City, N.Y.: Doubleday & Company, Inc., 1972), pp. 280-281.

<sup>28</sup> 16 *Stat.* 168.

<sup>29</sup> The two exceptions occurred in 1865 and 1869 respectively. In 1865, President Andrew Johnson designated the first Thursday in December as Thanksgiving Day, and President Ulysses S. Grant selected the third Thursday in November for the observance in 1869. Jane M. Hatch, *The American Book of Days* (New York: H.W. Wilson Co., 1978), p. 1056.

<sup>30</sup> G. Wallace Chessman, “Thanksgiving: Another FDR Experiment,” *Prologue*, vol. 22, Fall 1990, p. 273.

<sup>31</sup> *Ibid.*, pp. 278-283. The protests are also mentioned in U.S. Congress, House Committee on the Judiciary, *Thanksgiving Day*, report to accompany H.J.Res. 41, 77<sup>th</sup> Cong., 1<sup>st</sup> sess., H.Rept. 1186 (Washington: GPO 1941), p.1. Debate on the significance of the change is found in Rep. Earl C. Michener, “Thanksgiving Day,” remarks in the House, *Congressional Record*, vol. 87, Oct. 6, 1941, p. 7653; and Sen. John A. Danaher, “Designation of Thanksgiving Day,” remarks in the Senate, *Ibid.*, vol. 87, Dec. 9, 1941, p. 9551.

<sup>32</sup> P.L. 77-379, 55 *Stat.* 862.

observed on the fourth Thursday in November. The intent was to “stabilize the date so that there [would] be no confusion at any time in the future without congressional action.” President Roosevelt announced, shortly before the resolution was approved, “that the reasons for which the change was made do not justify a continued change in the date.”<sup>33</sup>

## Inauguration Day

Inauguration Day became a permanent “legal holiday” in the Washington, D.C., metropolitan area a quarter of a century later. The legislation, which was signed into law by President Dwight D. Eisenhower on January 11, 1957, also provided that, whenever Inauguration Day fell on a Sunday, the following day would be considered a legal holiday.<sup>34</sup> Traditionally, schools in the area (District of Columbia, Montgomery and Prince Georges Counties in Maryland; Arlington and Fairfax Counties in Virginia; and the cities of Alexandria and Falls Church, Virginia) had been excused on Inauguration Day. For several previous observances of the event, as well, “inaugurations arrangements [had] been made for the Federal employees to be given a holiday in order that they [might] observe the historic and important activities associated with the inauguration.” With the passage of this statute, the necessity of acting upon this matter for each inauguration was eliminated.<sup>35</sup>

## Monday Holiday Law

Congress approved the Monday Holiday Law in June 1968 to “provide for uniform annual observances of certain legal public holidays on Mondays, and established a legal public holiday in honor of Christopher Columbus.”<sup>36</sup> Prior to the passage of this legislation, Washington’s Birthday was observed on February 22, Memorial Day on May 30, and Veterans Day on November 11. The act changed the dates of these holidays to the third Monday in February, last Monday in May, and the fourth Monday in October. The newly created Columbus Day was also designated as a Monday holiday, to be celebrated on the second Monday in October.

By calling for the observance of these four holidays on a Monday, Congress felt there would be “substantial benefits to both the spiritual and economic life of the Nation.”<sup>37</sup> In addition, this legislation was perceived to:

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<sup>33</sup> *Thanksgiving Day*, H.Rept. 1186, p. 2.

<sup>34</sup> P.L. 85-1, 71 *Stat.* 3.

<sup>35</sup> Rep. Edward H. Rees, “Making Inauguration Day a Legal Holiday in the Metropolitan Area of the District of Columbia,” remarks in the House, *Congressional Record*, vol. 103, Jan. 7, 1957, p. 303. Inauguration Day had been a holiday for employees of the Government Printing Office since 1895. 28 *Stat.* 607.

<sup>36</sup> P.L. 90-363, 82 *Stat.* 250-251.

<sup>37</sup> U.S. Congress, Senate Committee on the Judiciary, *Monday Holidays*, report to (continued...)

- afford increased opportunities for families to be together, especially those families of which various members were separated by great distances;
- enable Americans to enjoy a wider range of recreational activities, since they would be afforded more time for travel;
- provide increased opportunities for pilgrimages to the historic sites connected with our holidays, thereby increasing participation in commemoration of historical events;
- afford greater opportunity for leisure at home so that Americans would be able to enjoy fuller participation in hobbies as well as educational and cultural activities; and
- stimulate greater industrial and commercial production by reducing employee absenteeism and enabling workweeks to be free from interruptions in the form of midweek holidays.<sup>38</sup>

It was clear, the House Judiciary Committee argued in its April 1968 report on the Monday Holiday bill, that the proposal was “responsive to the needs and desires of a great majority” of Americans. Support for the proposal was expressed by such major business groups as the Chamber of Commerce of the United States, National Association of Manufacturers, National Association of Travel Organizations, and National Retail Federation. There was also substantial support from the labor community, expressed by such organizations as the American Federation of Government Employees, AFL-CIO Government Employees Council, International Amalgamated Transit Union, and National Association of Letter Carriers.

In addition, the Department of Labor, the Bureau of the Budget, the Department of Commerce, and the U.S. Civil Service Commission all endorsed the idea. Public opinion polls conducted in connection with the proposal indicated that “almost 93 percent of the persons polled supported the concept of uniform Monday holiday legislation, while a little more than 7 percent were opposed.”<sup>39</sup>

Neither this act, nor any subsequent action by Congress or the President, mandated that the name of the holiday observed by federal employees in February be changed from Washington’s Birthday to Presidents Day.

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<sup>37</sup> (...continued)

accompany H.R. 15951, 90<sup>th</sup> Cong., 2<sup>nd</sup> sess., S.Rept.1293 (Washington: GPO, 1968), p. 1.

<sup>38</sup> *Ibid.*, pp. 1-2; and U.S. Congress, House Committee on the Judiciary, *Monday Holidays*, report together with minority views to accompany H.R. 15951, 90<sup>th</sup> Cong., 2<sup>nd</sup> sess., H.Rept.1280 (Washington: GPO, 1968), p. 2.

<sup>39</sup> *Monday Holidays*, H.Rept. 1280, p. 2.

## Columbus Day

Several reasons were offered for making Columbus Day a legal public holiday in 1968. Among the most prominent of these was the fact that observance was already an established holiday under the laws of 38 of the 50 states. Seven other states marked the day by a gubernatorial proclamation.

Christopher Columbus was seen by Congress as battling great obstacles with remarkable determination. By commemorating his voyage to the New World, the nation would be honoring the courage and determination which enabled generation after generation of immigrants from many nations to find freedom and opportunity in America. Such a holiday would also provide “an annual reaffirmation by the American people of their faith in the future, a declaration of willingness to face with confidence the imponderables of unknown tomorrows.”<sup>40</sup>

## Birthday of Martin Luther King, Jr.

Within a decade-and-a-half, federal workers would have another holiday, when President Ronald Reagan in November 1983 signed legislation ending a 15-year struggle over a national holiday honoring the Reverend Martin Luther King, Jr. Afterwards, at the White House Rose Garden ceremony, Reagan saluted the slain civil rights leader as a man who “stirred our nation to the very depths of its soul.”<sup>41</sup>

Proposals to honor Dr. King’s memory by designating his January 15 birthday as a federal holiday were first introduced following his 1968 assassination, and in each subsequent Congress through the 98th. The House came close to approving one of these bills in November 1979, when, under suspension of the rules, it voted 252-133 for a bill designating January 15 a federal holiday. That action, however, fell four votes short of the necessary two-thirds majority required for passage.<sup>42</sup>

Finally on August 2, 1983, the House approved legislation making the third Monday in January a federal holiday in honor of Dr. King, starting in 1986.<sup>43</sup>

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<sup>40</sup> *Monday Holidays*, S.Rept. 1293, p. 3.

<sup>41</sup> U.S. President (Reagan), “Remarks on Signing the Bill Making Birthday of Martin Luther King, Jr., a National Holiday,” *Public Papers of the Presidents, 1983, Book II* (Washington: GPO, 1985), p. 1529. See also P.L. 98-144, 97 Stat. 917.

<sup>42</sup> “Martin Luther King Birthday,” remarks in the House, *Congressional Record*, vol. 125, Nov. 13, 1979, pp. 32136-32144, 32175-32176. See also Brigitte Rouson, “House Fails to Pass Bill to Make King’s Birthday a New National Holiday,” *Congressional Quarterly*, vol. 37, Nov. 17, 1979, p. 2611.

<sup>43</sup> “Designation of the Birthday of Martin Luther King, Jr., as a Legal Public Holiday,” remarks in the House, *Congressional Record*, vol. 129, Aug. 2, 1983, pp. 22208-22243; and U.S. Congress, House Committee on Post Office and Civil Service, *Designation of the Birthday of Martin Luther King, Jr., as a Legal Public Holiday*, report together with minority views to accompany H.R. 3345, 98<sup>th</sup> Cong., 1<sup>st</sup> sess., H.Rept. 98-314 (Washington:

(continued...)

Following a stormy debate on the other side of the Capitol, the Senate, by a 78 to 22 vote, passed the bill on October 19.<sup>44</sup> Two weeks later, it became law with President Reagan's signature.

Supporters of the bill argued that a federal holiday would provide genuine and deserved recognition to Dr. King and the civil rights movement that he led. Opponents maintained that the nation did not need a tenth federal holiday, and cited its expense to the taxpayers—an estimated \$220 to \$240 million a year in lost productivity in the federal workforce and more than \$4 billion in the private sector.<sup>45</sup>

**Table 1** provides the enactment date and statutory citation, and the coverage of each law that created, reauthorized, or expanded federal holidays. Several days, as noted, have been reauthorized and expanded over the years.

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<sup>43</sup> (...continued)

GPO, 1983); and U.S. Congress, House Committee on Post Office and Civil Service, Subcommittee on Census and Statistics, *Martin Luther King, Jr., Holiday Bill*, hearings on H.R. 800, 98<sup>th</sup> Cong., 1<sup>st</sup> sess., June 7, 1983 (Washington: GPO, 1983).

<sup>44</sup> "Martin Luther King, Jr., Holiday," remarks in the Senate, *Congressional Record*, vol. 129, Oct. 19, 1983, pp. 28341-28381. See also Robert Rothman, "Congress Clears King Holiday After Heated Senate Debate; Reagan Will Sign the Measure," *Congressional Quarterly*, vol. 41, Oct. 22, 1983, pp. 2175-2179.

<sup>45</sup> Susan Smith, "House Acts to Honor King With January Federal Holiday," *Congressional Quarterly*, vol. 41, Aug. 6, 1983, p. 1619; "A National Holiday for Martin Luther King? Pro and Con," *U.S. News & World Report*, vol. 95, Aug. 29, 1983, p. 49; and "Cost of King Holiday Estimated," *Washington Post*, Oct. 21, 1983, p. B1.

**Table 1. Laws Creating, Reauthorizing,  
or Expanding Federal Holidays**

<b>Date</b>	<b>Holiday</b>	<b>Coverage</b>
June 28, 1870 (16 Stat. 168)	New Year's Day Independence Day Day of Thanksgiving Christmas Day	Holiday only within District of Columbia
January 31, 1879 (20 Stat. 277)	Washington's Birthday	Holiday only within District of Columbia
April 16, 1880 (21 Stat. 304)	New Year's Day Washington's Birthday Independence Day Christmas Day*	Holiday for employees of GPO
January 6, 1885 (23 Stat. 516)	New Year's Day Washington's Birthday Independence Day Day of Thanksgiving Christmas Day	Holiday for per diem employees of the federal government
February 23, 1888 (25 Stat. 516)	Decoration Day (now Memorial Day)	Ibid.
June 28, 1894 (28 Stat. 96)	Labor Day	Ibid.
January 12, 1895 (28 Stat. 607)	Inauguration Day*	Holiday for GPO employees
July 28, 1916 (P.L. 64-169) (39 Stat. 416)	New Year's Day Washington's Birthday Memorial Day Independence Day Labor Day Day of Thanksgiving Christmas Day	Postal employees given compensatory time for working these holidays
February 28, 1919 (P.L. 65-299) (40 Stat. 1193)	Ibid.	Holiday for postal employees
May 13, 1938 (P.L. 75-510) (52 Stat. 351)	Armistice Day (November 11)	Holiday for all federal employees
December 26, 1941 (P.L. 77-379) (55 Stat. 862)	Thanksgiving Day	Holiday for all federal employees
June 1, 1954 (P.L. 83-380) (68 Stat. 168)	Veterans Day (Armistice Day renamed)	Holiday for all federal employees



<b>Date</b>	<b>Holiday</b>	<b>Coverage</b>
January 11, 1957 (P.L. 85-1) (71 Stat. 3)	Inauguration Day	Holiday for all federal employees in the metropolitan area of the District of Columbia
September 22, 1959 (P.L. 86-362) (73 Stat. 643-644)	Law relating to pay and leave of absences of Federal civilian officers and employees on holidays	
September 8, 1966 (P.L. 89-554) (80 Stat. 515-516)	Ibid.	
June 28, 1968 (P.L. 90-363) (82 Stat. 250-251)	New Year's Day Washington's Birthday (third Monday in Feb.) Memorial Day (last Monday in May) Independence Day Labor Day (first Monday in Sept.) Columbus Day* (second Monday in Oct.) Veterans Day (fourth Monday in Oct.) Thanksgiving Day Christmas Day	Holiday for all federal employees
September 18, 1975 (P.L. 94-97) (94 Stat. 479)	Veterans Day (Redesignated Nov. 11)	Holiday for all federal employees
November 2, 1983 (P.L. 98-144) (97 Stat. 917)	Birthday of Martin Luther King, Jr. (3rd Monday in Jan.)	Holiday for all federal employees

\* Added to the list of enumerated legal public holidays.