

Storage

8874
L 11/2
S 8

NOMINATION

Y4
.L 11/2
N 72/51
964-2



HEARING

BEFORE THE

COMMITTEE ON

LABOR AND PUBLIC WELFARE

UNITED STATES SENATE

EIGHTY-EIGHTH CONGRESS

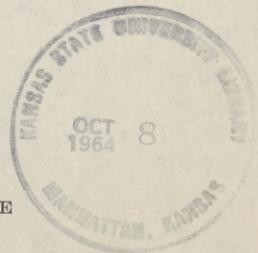
SECOND SESSION

ON

ROBERT SARGENT SHRIVER, TO BE DIRECTOR OF OFFICE
OF ECONOMIC OPPORTUNITY

SEPTEMBER 9, 1964

Printed for the use of the
Committee on Labor and Public Welfare



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1964

NOMINATION

77
2/11/5
828

HEARING

COMMITTEE ON

LABOR AND PUBLIC WELFARE

UNITED STATES SENATE

COMMITTEE ON LABOR AND PUBLIC WELFARE

LISTER HILL, Alabama, *Chairman*

- | | |
|---------------------------------------|----------------------------|
| PAT McNAMARA, Michigan | BARRY GOLDWATER, Arizona |
| WAYNE MORSE, Oregon | JACOB K. JAVITS, New York |
| RALPH YARBOROUGH, Texas | WINSTON L. PROUTY, Vermont |
| JOSEPH S. CLARK, Pennsylvania | JOHN G. TOWER, Texas |
| JENNINGS RANDOLPH, West Virginia | LEN B. JORDAN, Idaho |
| HARRISON A. WILLIAMS, Jr., New Jersey | |
| CLAIBORNE PELL, Rhode Island | |
| EDWARD M. KENNEDY, Massachusetts | |
| LEE METCALF, Montana | |

STEWART E. McCLURE, *Chief Clerk*
 JOHN S. FORSYTHE, *General Counsel*
 MICHAEL BERNSTEIN, *Minority Counsel*



CONTENTS

STATEMENTS

	Page
Douglas, Hon. Paul H., a U.S. Senator from the State of Illinois.....	2
Shriver, Robert Sargent, nominee to be Director of the Office of Economic Opportunity, accompanied by Stephen J. Pollak, Department of Justice.	3

ADDITIONAL INFORMATION

Biography of Mr. Shriver.....	12
-------------------------------	----

GOVERNMENT

STATE

1. The first part of the report is devoted to a general survey of the conditions of the State during the year 1900. It covers the various branches of the State government, including the Executive, Legislative, and Judicial departments, and also the various public institutions and agencies. The report is written in a clear and concise style, and is intended to provide a comprehensive and accurate account of the State's affairs during the year.

REPORT OF THE GOVERNMENT

10

NOMINATION OF ROBERT SARGENT SHRIVER

WEDNESDAY, SEPTEMBER 9, 1964

U.S. SENATE,
 COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The committee met, pursuant to notice, at 11:05 a.m., in room 4232, New Senate Office Building, Senator Pat McNamara presiding. Present: Senators McNamara, Yarborough, Randolph, Metcalf, Javits, and Prouty.

Also present: Senator Paul H. Douglas of Illinois.

Committee staff members present: John S. Forsythe, general counsel; Donald Baker, professional staff member; and Michael J. Bernstein, minority counsel.

Senator McNAMARA: The hearing will be in order.

This public hearing has been called for the purpose of considering the nomination of Mr. Robert Sargent Shriver to the position of Director of the Office of Economic Opportunity.

President Johnson last week sent Mr. Shriver's name to the Senate and it has been referred to the Labor and Public Welfare Committee.

Under the provisions of Public Law 88-452 the Director of the economic opportunity program is a Presidential appointment subject to the confirmation by the Senate.

Since we are nearing the end of this session of Congress it is important that the top administrative positions in President Johnson's war on poverty be filled promptly so that the program may be implemented.

Mr. Shriver, of course, is no stranger to the members of this committee. He has served with distinction as Director of the Peace Corps and has been in the forefront of planning for this antipoverty program since its inception.

Each member of the committee has been furnished with a document containing biographical information on Mr. Shriver.

Let me just say—before we start—that it is our intention to consider this nomination in executive session today as soon as the public hearing is completed.

I will ask Mr. Shriver if he would like to testify, to come to the witness table. I see he is already there.

I would call this time upon our distinguished senior Senator from Illinois, who is here I am sure for the purpose of introducing our nominee.

STATEMENT OF HON. PAUL H. DOUGLAS, A U.S. SENATOR FROM
THE STATE OF ILLINOIS

Senator DOUGLAS. Thank you, Mr. Chairman and colleagues. It is really superfluous for me to introduce Mr. Shriver to this committee. You all know him as the man who, three and a half years ago, was given perhaps the most difficult task in Government; namely, that of organizing and directing the Peace Corps. There were many who predicted utter failure. Mr. Shriver has carried that work through with such success, such energy, tact, and to use a new word, "empathy" and devotion, that it has been, perhaps, the greatest achievement of the last 4 years.

We in Illinois knew Mr. Shriver long before that as the efficient manager of the largest office building in the world and as an excellent president of the board of education, one active in all good causes. He has now been given a second hard job; namely, that of serving as Director of the economic opportunity or antipoverty program. We are certain that this program will be carried out with great efficiency and great integrity by Mr. Shriver if he is confirmed by the Senate, as I assume he will be.

Thank you very much.

Senator McNAMARA. Thank you, Senator.

Senator YARBOROUGH, do you have any questions?

Senator YARBOROUGH. No particular question, but this comment: I have watched with great interest Mr. Shriver's great success with the Peace Corps. Some men are very able organizers but do not have administrative capacities; some men are very able administrators, but cannot organize. Mr. Shriver is one of those rare persons who has the capability of organizing something new and being a successful administrator. I think it is an outstanding example of public service to America that he had both the organizational and administrative ability to make the Peace Corps one of America's outstanding accomplishments of the past 4 years.

I have personally traveled in Latin America where they have told me, "These people you have sent down in the Peace Corps are the best Americans we have ever seen. They are ones who have come here whose sole interest is helping us benefit through our way of life."

I think the good will that has been built by the Peace Corps in this less than four-short-year period, the good will they have built for America in underdeveloped lands has not been equaled by any other thing America has done over a long period of time, even with many other good things, with different types of programs we have used, with loans, with grants, to help underdeveloped nations.

Mr. Shriver, I want to congratulate you on this outstanding success for the Peace Corps. As one who stuck my neck out in voting for it, supporting it, I am glad of its success. Being one of the authors of the Equal Opportunity Act of 1964, popularly called the anti-poverty bill, I have great confidence in the fact that you are one of the organizers of this program.

STATEMENT OF ROBERT SARGENT SHRIVER, NOMINEE TO BE
DIRECTOR OF THE OFFICE OF ECONOMIC OPPORTUNITY;
ACCOMPANIED BY STEPHEN J. POLLAK, DEPARTMENT OF
JUSTICE

Mr. SHRIVER. Thank you very much, Senator Yarborough.

Senator McNAMARA. Mr. Shriver, it has been suggested that you proceed with a statement if you have one, or do you just want to answer questions?

Mr. SHRIVER. I have no statement to present. I will be happy to answer questions.

Senator JAVITS. Mr. Shriver, do you consider the job of being head of the Peace Corps a part-time job?

Mr. SHRIVER. I do not think that my record, in performing that job would lead anybody to that conclusion, Senator.

Senator JAVITS. Well, you say in performing that job. Are you the head of the poverty program now?

Mr. SHRIVER. No; I am not the head of the poverty program, and I shall not be the head of the poverty program until I am confirmed by the Senate.

Senator JAVITS. Then I do not quite get the point. You say in performing that job. What job are you talking about?

Mr. SHRIVER. You asked me if I considered the job of directing the Peace Corps a part-time job. My reply was that my record on that job would not leave anybody with the impression that it is a part-time job.

Senator JAVITS. I misspoke myself. Do you consider being the head of the poverty program a part-time job?

Mr. SHRIVER. I see. No; I do not consider the head of the poverty program as being a part-time job.

Senator JAVITS. In that case, how do you square it with keeping the Peace Corps job and being head of the poverty program, or are you going to give one up?

Mr. SHRIVER. It is not my privilege or my intention to either give up one or retain both. That is a matter within the discretion and the judgment of the President of the United States.

Senator JAVITS. What do you think? You are here for confirmation. You are the man seeking confirmation. You have, for my money, the best sponsor in the Senate, our beloved colleague, Paul Douglas. Do you seek our confirmation on the ground that if the President will let you, you will keep both jobs? You are not resigning them, are you?

Mr. SHRIVER. I am here not to parade my credentials and I am very honored to have with me the senior Senator from Illinois. I am here only to respond to the extent that I can to questions on the jobs and the duties which are given to me. If the President of the United States considers it possible and desirable for me to handle both of these jobs, I certainly will give them both the maximum of my ability. That is not to say that either one of them is a part-time job.

Senator JAVITS. Do you think therefore, that if I, as a Senator, thought Poverty and Peace Corps were both full-time jobs, I should vote against you? Not that you are a bad man—I think you are a very good man—but that you are a very good man for one full-time job and not two full-time jobs.

Mr. SHRIVER. This is a matter of definition. I can remember in the old days, Christy Mathewson used to pitch every other day. He had a very fine record. In one season, he won over 40 games. Some of the other pitchers used to pitch every 4 days and those were full-time jobs but Mathewson just happened to be a very fine pitcher.

Senator DOUGLAS. May I interrupt to say the people from the East sometimes underestimate the energy and ability of the Middle West.

Senator JAVITS. I would say to my friend from the Middle West that westerners often underestimate the good sense of easterners.

May I ask you, Mr. Shriver, now, whether you believe that you can keep both these jobs and do equal justice to both of them, notwithstanding that you, yourself, say they are both full-time jobs?

Mr. SHRIVER. As I said a minute ago, Senator, all I can say is this: that I will give them both the maximum of my ability and time. It is a decision of the President of the United States to determine whether or not I am able to do both adequately in his judgment.

Senator JAVITS. But you are going to keep them, in your judgment, you can do both adequately. You are not just a martinet, obeying the orders of the President; you are making up your mind that you can do this job well, is that not true?

Mr. SHRIVER. No, I am not a martinet, thank you, or I hope not, anyway, or a puppet. But I am anxious to do what I can in response to the President of the United States, as I think nearly all citizens in these United States are anxious to do. Therefore, I am going to do what he asks me to do to the extent of my capacity and ability.

Senator JAVITS. Do you believe you can carry both jobs?

Mr. SHRIVER. I think that is a question the President of the United States will be able to decide, and I will be able to decide, also, on my record.

Senator JAVITS. You have no question about it as you come to us for confirmation? As far as you are concerned, you do not know whether you can or cannot.

Mr. SHRIVER. That is not the question.

Senator JAVITS. That is my question.

Mr. SHRIVER. I understand. I am just trying to say the question, however, is whether the President considers it advisable and possible for me to do both jobs. Certainly, as long as I have both, which may be a short time, may be a long time—that is his judgment—I will do the best I can. I am not seeking and I have never sought either job.

Senator JAVITS. Well, you are going to be a high official of this Government. Do you wish us to believe that you have no opinion about this matter whether you can handle both jobs? You are taking both jobs without an opinion that you can handle it?

Mr. SHRIVER. Well, there is on the record the fact that during the planning period for the poverty program, I have had responsibility for the planning of the program. It also might as well go on the record that during this period, I have also been running a foundation, the Kennedy Foundation, which is an important responsibility.

I am also very lucky in the fact that at the Peace Corps, we have an extraordinarily able staff of people who now have the substantial experience with the Peace Corps. As a matter of fact, we have five Associate Directors at the Peace Corps and for the last 3 months, all five of those jobs have been filled simultaneously for the first time since we started the Peace Corps. They are filled by men who have had substantial experience with the Peace Corps. So that the operation

of the Peace Corps is no longer quite the same as it was in the first days, when we had to find and train a whole new cadre of people to run an entirely new program. That program, the Peace Corps, I have said on a couple of occasions, is working embarrassingly well at a time when I am also devoting some effort to the antipoverty program.

The Peace Corps is in fine shape and the men who are connected with it are doing excellent work, so I think if it ever were possible for this to work effectively, now is the time.

Senator JAVITS. Am I to assume from what you now say that you do believe you can do both jobs, notwithstanding that they are both full-time jobs?

Mr. SHRIVER. As I say, I do not feel that I should advance my opinion about whether I can or cannot do something. There is a person responsible for the executive branch of the U.S. Government, the President of the United States. His opinion is what is important here, not mine. All I am trying to do is to do the best I can in response to his recommendations.

Senator JAVITS. Now, we have a responsibility, too, to confirm you here in the Senate; if we do not confirm you, you do not get the job. I as a Senator sitting on the committee considering your qualifications am asking you directly, do you believe you can handle both jobs? It is not an answer to tell me the President believes it. I am asking you whether you believe it. Do you or do you not?

Mr. SHRIVER. All I can say is so far, I have.

Senator JAVITS. And you will not tell me whether you believe you can or not.

Mr. SHRIVER. I am not going to take that position, Senator Javits, despite that fact that you feel, evidently, that I should make a categorical statement on it, for several reasons: first of all, it is not my decision. Second, I have run both of these jobs so far with a reasonable amount of success. Third, nobody can predict exactly what will happen in the future. It may be that 2 days from now, the President may relieve me of one of these jobs. He may relieve me 2 months from now. That is his decision to make. I certainly do not want to prejudice his opinion or his freedom of discretion or choice by making any statements here which presume anything.

Senator JAVITS. You do not want to advise us as to whether you pledge yourself in your own judgment to be able to handle both jobs, bearing in mind that though you have been active in the legislative end of this thing, you still have not run the poverty job. You now would run it if you were directing it. There are lots of things you have to do, which you know even better than I.

Mr. SHRIVER. I pledge myself to do the best of which I am capable, and I think on the record, the Senate, you included, would have reasonable cause to believe that I will do that.

Senator JAVITS. And you are not giving us the benefit of your conviction that you can do both jobs?

Mr. SHRIVER. No, sir; I am not giving you the benefit of my convictions; I am giving you the benefit of the President's convictions, which I think are a lot more important.

Senator JAVITS. With all respect, Mr. Shriver, I think we ought to have your convictions that you can handle both jobs. We are confirming you, not the President. He has recommended you. We have the power to confirm or deny the recommendation. I think we have a right to know whether or not you think this is a job you can do.

You are not giving us a direct answer. In my opinion, that is unsatisfactory.

Now, let me ask you this: The program which you are going to be in charge of calls for close cooperation, and in some instances, integration with State programs. Yet the statute contains a veto power on the part of States so that they can bar the program entirely, which I think is terribly to be deplored, even though it may be very necessary in that particular State.

Now, can you give us any idea of the policy you will pursue in the effort to bring your program, notwithstanding these barriers, into the areas of individual States in which it deserves to be brought?

Mr. SHRIVER. If I understand the question correctly, Senator, it is obvious we cannot bring the program into areas or States if the Governor of that State wishes to exercise a veto over the program in any parts of his State.

With respect to cooperation with the States, the Community Action Division of the task force has already had a number of meetings with Governors, other State officials, with mayors and others from cities, looking toward cooperation both between the States and the Office of Economic Opportunity and between localities and the Office of Economic Opportunity. I know of no instance so far where there is any lack of cooperation between the States and this Office, the planning office, or between cities and this planning office.

Senator JAVITS. Do you have any plans in mind, any policy ideas in mind, for turning over important parts of the administration of this law to the States?

Mr. SHRIVER. I do not think that it would be legally justifiable for us to turn over, to use your phrase, the responsibility for the administration or other parts of this program to anybody. I feel that one of the reasons that the Senate and the House were both in support of this program is the fact that there was one place in the Federal Government which they could turn to and hold that place and that person responsible for the administration and operation of the program. Therefore, I feel that we would be defaulting our duty if we just turned over, lock, stock, and barrel so to speak, the administration of this program to anyone.

Senator JAVITS. I did not use the words "turn over responsibility." You did. I used the words "turn over," as I recall it, "administration or function" under the act. I did not have in mind relieving you of the responsibility. I did have in mind having State agencies carry out supervisory and other responsibilities under your responsibility within their States. Do you have any policy feeling on that subject?

Mr. SHRIVER. So far, I do not think that there are any States that have come to us and said that they wanted to administer this program within those States. As you well know, there are divisions of the Federal Government to whom we are going to assign management responsibilities for parts of this program under clearly defined rules and regulations. We certainly should consider that with States, but at this point, it is a hypothetical matter.

Senator JAVITS. As a practical matter, is it not a fact that with the State veto power, you would have to pretty much, if the State did request it, work something out which would be satisfactory to the State in terms of administration?

Mr. SHRIVER. We have always wanted to work cooperatively, as you have said, with the States and we are doing so.

Senator JAVITS. May I ask you what regulations or other measures you propose to insure equal opportunity without regard to race, creed, or color in the Job Corps, community action, and other programs under your direction?

Mr. SHRIVER. In the administration of this act, we would be obviously bound by the terminology of the Civil Rights Act which provides that all programs conducted by the Federal Government be handled on a nondiscriminatory basis, so we would do that with respect to this program.

Senator JAVITS. Under that section of the Civil Rights Act of 1964 to which you refer, it is the Director to wit, yourself, who would have to cut off Federal funds from any State participating program if it practiced race discrimination, either as to its employees or as to its clients. May I ask you if you would be prepared to do that?

Mr. SHRIVER. We would be prepared to follow the letter of the law, as well as the spirit of the law, which also, I think, includes a clause to the effect that if the purposes of the program can be better served by not doing as you have just suggested, then it is within the discretion of the Director of the Federal program either to do what you have proposed or to waive the requirement if the program would be better served. So that would be our method of dealing with this situation.

Senator JAVITS. You articulated my question very well yourself. I want to know what you think about how you ought to authorize or how you ought to exercise your discretion?

Mr. SHRIVER. Obviously, we are going to follow the spirit, as I said, as well as the letter of the law. Therefore, in every case, unless there is an overwhelming show of sentiment to the contrary, we are going to operate this on a nondiscriminatory basis.

Senator JAVITS. I appreciate that, and I would expect, Mr. Shriver, that you would place the burden of proof upon those who would have you not apply the nondiscrimination spirit as well as the letter of the law.

Mr. SHRIVER. I think that was the intent of Congress in passing the statute, and certainly that is what we would follow.

Senator JAVITS. I appreciate that. One other question. There has been a lot of talk here about an assistant of yours who helped you in the legislative phases of this program named Adam Yarmolinsky. Is there anything which has occurred with respect to Adam Yarmolinsky which would disable him from serving the Federal Government in this or any other program in an appropriate capacity at the pleasure of the President?

Mr. SHRIVER. Nothing that I know of; no, sir.

Senator JAVITS. In other words, there is nothing that has occurred to bring about all these rumors, and I think it is only fair to this man who has been in public life for a long time to make that very clear in the record, which invalidates in any way his ability to serve the Government?

Mr. SHRIVER. None that I know of. The President has discretion to approve anybody he wishes.

Senator JAVITS. Including Yarmolinsky?

Mr. SHRIVER. Yes, sir.

Senator JAVITS. There are no actions of any kind or character taken in that direction, then?

Mr. SHRIVER. None that I know of.

Senator JAVITS. How do you intend to handle your salary under the Peace Corps or poverty bill?

Mr. SHRIVER. Under the new law as passed by Congress it is obligatory for me to accept pay as the Director of the Peace Corps. Since the passage of that bill, and it is signed by the President, I have, I think, received one paycheck under that act, and I have to receive that, as I am sure you know.

However, in the drafting of the poverty legislation, Office of Economic Opportunity legislation, the terminology of the law is different. The law states that the Director of the program can receive up to a specified amount of money, which the lawyers tell me also includes nothing. So that in the Economic Opportunity Office, I would be receiving no pay which at least give the benefit to the taxpayer that if they have a guy doing two jobs, he is only being paid for one, so for the second, they are getting their money's worth anyhow.

Senator JAVITS. Was the provision of this law drafted in the anticipation that you would have both jobs?

Mr. SHRIVER. No, I think it merely followed the Peace Corps Act. We had the same language in the Peace Corps Act. What it does in fact is give the President discretion to apply any salary or no salary. So it was not necessarily for me. There may have been other people who it would have been equally useful for.

Senator JAVITS. I do not quite follow. You say it applies to the Peace Corps Act. You say under the Peace Corps Act, you must take your salary.

Mr. SHRIVER. Under the original Peace Corps Act. We used the same language in this bill under the Peace Corps Act as passed by Congress. The pay bill, however, changes the operation of the Peace Corps Act by superseding it. This bill, however, is not superseded by the pay bill.

Senator JAVITS. So that you can proceed in this fashion?

Mr. SHRIVER. I can, provided I do not take any money. There is another bill that says, I think, if you get \$2,500 in any one job, then you cannot have any other job for which there is a salary.

Senator JAVITS. Is there any implication in your holding both jobs that the poverty program is only a temporary program?

Mr. SHRIVER. Well, I held the Peace Corps job under the same statutory provisions for three and a half years now. It depends on what you mean by "temporary," I suppose.

Senator JAVITS. I was not speaking about the statutory provisions. I ask if there is any implication in the fact that you are taking two full-time jobs that the latter job, to wit, the poverty job, is just a temporary one?

Mr. SHRIVER. I have not heard any such implication drawn by anybody. I see no reason why that implication is inevitable, no.

Senator JAVITS. How much time are you giving yourself to decide whether, as an honest man, you can hold both jobs?

Mr. SHRIVER. Well, as I say, I think that is a decision for the President to make. I feel that I can be honest in saying to you that I am going to give both jobs the maximum. Some people work 8 hours on a job and some people work longer. Usually I work longer.

Senator JAVITS. I think I do, too.

Mr. SHRIVER. I know you do. I know everybody here does, but I am talking about people who manage things rather than legislators.

Senator JAVITS. Do you think we have to wait until one of the jobs

breaks down before deciding you cannot handle both, or are you going to let us know if you decide?

Mr. SHRIVER. As I say, there is somebody whose responsibility that is. That is the President of the United States. His job is to manage the executive branch, and if he sees either an individual breaking down or a job breaking down, it is his responsibility to replace the individual or modify the job and I have absolute confidence in him as the Chief Executive to take such action as is needed.

Senator JAVITS. You have such confidence that you will not even tell us? You are going to wait?

Mr. SHRIVER. The thing about this President and the previous one, they do not have to wait for somebody to tell them. They seem to find things out pretty rapidly themselves.

Senator JAVITS. The workers in the executive branch of every President attribute to them supernatural powers which they did not have before they came President.

Mr. SHRIVER. I have had the highest opinion of the ability of both President Kennedy and President Johnson in this respect.

Senator JAVITS. I do not believe that this President or his beloved and revered predecessor or President Eisenhower, or any of our Presidents, suddenly develop supernatural powers. I respectfully submit, Mr. Shriver, that this part of the whole proceeding disturbs me greatly. It has from the beginning. I believe that it is your duty and I state this unilaterally, even though you do not apparently agree with me, to inform the Senate which has confirmed you, as it undoubtedly will, and the President, as an honest public servant, if you find what seems to me very likely to be the case, that it is almost impossible to do justice to two enormous, full-time jobs like this, and with all respect for your great talents, and you have them. You have been very widely and much applauded and deservedly, in our country—I am the first to say that. I just think that to do justice to these two monumental efforts, really bring them to the point of development and expansion they deserve, is any man's full-time job for every conceivable waking hour, including Saturdays, Sundays, and holidays. With that, sir, I bid you farewell.

Mr. SHRIVER. Thank you, sir. I might say the President does not have to find these things out unilaterally, by himself. After a person becomes President, they have something called the Bureau of the Budget which looks around to see what is going on, and they also have a very capable staff in the White House which observes things pretty well. So the President has information from persons in the executive branch and elsewhere which are not open to other individuals even though there are those like Presidents Kennedy and Johnson—before they become President. So there are ways for them to find out how things are going, without having to do it unilaterally.

Senator JAVITS. It is my opinion that you have a responsibility to let us know how you feel about whether you can handle both jobs. That does not diminish my respect and friendship for you, which continues just as it did before, except that I really seriously question the advisability of this plan.

Mr. SHRIVER. Let me say this, sir, if I may make this one comment, Mr. Chairman.

Senator McNAMARA. Go right ahead.

Mr. SHRIVER. Obviously, when I am working for President Johnson, if I am confirmed to this job, I will be giving him my best judgment about how the work is going and whether I need more assistance or

whether he ought to give somebody else the job. There is no question about that. I will advise him as my boss, progress or lack of progress. I just feel that it is his decision, no matter what I tell him, as to whether he wants me to continue or not continue. That is the decision I do not want to prejudice by making any statement here. Obviously, I will give him my best judgment as to whether I should or somebody else should take on both of these jobs.

Senator JAVITS. I think that is better.

Senator McNAMARA. Senator Randolph, do you have any questions or comments?

Senator RANDOLPH. Senator Douglas, Mr. Shriver, my opinion, for what it is worth, in reference to the matter of holding two directorships, the Peace Corps and the economic opportunity program, is that President Johnson will not ask you to hold both positions. That is my personal feeling. Since it has been a matter of comment and colloquy here today, I would like to have the record indicate my feeling in this regard. I believe that you have the capacity to hold two positions, perhaps even more than two positions, but it is my opinion and my belief and my hope that it will not be necessary for the Chief Executive to divide and decrease your leadership in the programs of the Peace Corps and economic opportunity.

Now, Mr. Chairman, a biography can never adequately convey to me the depth and breadth of a man's ability to do a particular job in the public service. But I would want the record to indicate insofar as this Senator is concerned I shall vote affirmatively on the pending nomination when the committee goes into executive session to consider Sargent Shriver for the position for which he appears. I would want the record to indicate further that in my approximately 20 years of service in the House and in the Senate, I have known few men in the Federal Government who had more conviction, more courage, and more compassion than the man who sits before us today. I am not attempting now to add up the pluses or subtract the minuses or in any way to divide a man's affirmative and negative qualities. I am just saying that on the overall opinion which I express today, I am very happy in the privilege of supporting the pending nomination.

Senator McNAMARA. Senator Metcalf, do you have any questions or comments?

Senator METCALF. Mr. Chairman, I had not intended to make any comments. I am delighted that my good friend, the Senator from New York, has brought out the fact that there is nothing that will interfere with the service of Mr. Yarmolinsky. He is a dedicated and devoted public servant, and I feel he has unique attributes to carry out this antipoverty program. I hope that his talents will be used in the program.

I want to compliment you on your responses to Senator Javits. I feel that it is not your duty to tell us whether you can handle both jobs; it is our duty to make up our minds, and it is the President's duty to make up his mind. I feel that the superb organizational and administrative job that you have done in the Peace Corps indicates that you can do a similar job in our antipoverty program. President Johnson has a job that is far beyond any of the problems that any of us can envisage in either the Peace Corps, the antipoverty program, or any other department. Likewise Secretary McNamara and Secretary Rusk. If they can do their jobs, I know with your background and your record of superb performance, you can do both jobs and will do them well.

I shall vote for your nomination.

Senator McNAMARA. Thank you, Senator. There was some question as to why I skipped Senator Prouty. I think I should point out for this record that the Senator whom I called on has to leave very shortly. He must preside at the convening of the Senate at 12 o'clock. So for that reason, we apparently skipped Senator Prouty.

Senator RANDOLPH. Mr. Chairman, will he be called upon to open the Senate with prayer also, today? He has doubled in the Senate. He has held two jobs, in effect.

Senator METCALF. Yes; I had to hold two jobs at one time.

Senator McNAMARA. Senator Prouty?

Senator PROUTY. Mr. Chairman, as a member of the minority, I am accustomed to being passed over on occasion. I certainly understand the situation here and am very glad to have you recognize Senator Metcalf.

Mr. Shriver, your past achievements leave no doubt in my mind concerning your ability to administer the Economic Opportunity Act in a very effective manner, and I intend to vote for your confirmation. As you know, I did have some reservations concerning certain facets of the program, although I did vote for it on final passage. Some of those reservations were taken care of through amendments in the Senate and the House. I certainly hope as strongly as anyone could hope that this program will succeed and do what it is intended to.

However, I do share Senator Javits' reservations as to one man's ability, regardless of his competence to administer both of these two vitally important programs. I hope that you will give serious consideration to your ability to do that and will make your position known to the President. We want both of these programs, and I am sure you do. But it seems to me an almost Herculean task to ask of any one man, regardless of his ability, that he assume responsibility for both programs.

I should also like to get back to Mr. Yarmolinsky, to whom Senator Javits and Senator Metcalf referred earlier. There is a rumor, and I think well founded, to the effect that assurance was given by some others, and I am not suggesting that you are the one who gave such assurance, that Mr. Yarmolinsky would not be appointed to serve in any capacity insofar as the antipoverty program is concerned. I am not asking you to comment on it, but I will express the opinion that I would be very much surprised if he is chosen to serve in this capacity.

One other question. Was any mention made as to the HEW appropriation bill which would in any way affect the antipoverty program?

Mr. SHRIVER. You mean the appropriations bill which recently passed?

Senator PROUTY. With respect to duplication of effort.

Mr. SHRIVER. The Senate included language in that appropriations bill, as you well know, to the effect that no money authorized under that appropriations bill could be used to implement programs under the Economic Opportunity Act. So to the extent that that language makes it clear that money appropriated there should not be spent to carry out provisions of the Economic Opportunity Act, one could say that restricts the Economic Opportunity Act. But that is not my judgment about it.

As I understand the Senate's intention, it was simply that when the Senate or the House appropriates money for specific programs, they

want it spent on those programs and not taken from those and put into other programs for which they have not either appropriated money or appropriated less money. We had no intention of doing that anyhow.

Senator PROUTY. I just wanted your expression on that.

That is all I have, Mr. Chairman.

Senator McNAMARA. Thank you, Senator.

Mr. Shriver, would you identify your colleague for the record?

Mr. SHRIVER. Yes; this is Mr. Stephen Pollak of the Solicitor General's Office, who has been helping me as a legal adviser.

Senator McNAMARA. We will ask the recorder to make sure that a copy of the biography of Sargent Shriver is included in the record.

(Mr. Shriver's biography is as follows:)

BIOGRAPHY OF ROBERT SARGENT SHRIVER

Birth: November 9, 1915, Westminster, Md.

Education: Parochial schools, Westminster and Baltimore, Md.; Canterbury School, 1930-34, New Milford, Conn.; Yale College, B.A. degree, cum laude, 1938; Yale University School of Law, LL. B., 1941.

Member of Illinois and New York bars.

Present position: Director, Peace Corps, since 1961; special assistant to the President since February 1, 1964.

Past positions: Assistant general manager, the Merchandise Mart, 1948-61; associated with Joseph P. Kennedy Enterprises, 1948-61; assistant editor, Newsweek magazine, 1945-46; war service, 1941-45; admitted to bar of State of New York, December 1941; law firm, Winthrop, Stimson, Putnam & Roberts, New York City, 1940-41; admitted to bar of State of Illinois, April 1959; executive director of the Joseph P. Kennedy, Jr., Foundation.

Military service: U.S. Navy, 1941-45, continuous overseas duty, Atlantic and Pacific Ocean areas aboard battleships and submarines, October 1941-December 1945. Inactive duty as lieutenant commander, U.S. Naval Reserve.

Educational associations: President, Chicago Board of Education, October 1955-June 1960; member, Illinois School Problems Commissions, 1957-61; member, Committee on Government and Higher Education, Ford Foundation, 1957-59; president's council, St. Xavier College for Women; citizens' board, University of Chicago; citizens' board, Loyola University; citizens' committee, University of Illinois; advisory council, College of Business Administration, Notre Dame University; board of lay trustees, DePaul University; national chairman, Yale Alumni Board, June 1958-60; executive committee, Yale Law School Association; trustee, Yale University Art Gallery Association; fellow, St. Joseph's College, Rensselaer, Ind.

Organizations: President, Catholic Interracial Council of Chicago, 1955-60; director, Catholic Charities of Chicago; director, Chicago Council on Foreign Relations; director, Chicago Maternity Center, to December 1961; member-at-large, National Council, Boy Scouts of America; member, Eleanor Roosevelt Memorial Foundation; and life member, Navy League.

Honorary degrees: Doctor of laws: Yale University, Boston College, Brandeis University, DePaul University, Duquesne University, Fordham University, Georgetown University, Kansas State University, New York University, Notre Dame University, Seton Hall University, St. Louis University, St. Michael's College, St. Procopius College, Wesleyan University. Doctor of civil law: University of Liberia, Monrovia, Liberia. Doctor of humanities: Salem College, Salem, W. Va. Doctor of humane letters: Springfield College, Springfield, Mass. Doctor of political science: Chulalongkorn University, Bangkok, Thailand.

Married Eunice Mary Kennedy, May 23, 1953; four children.

Home: 140 East Walton Place, Chicago, Ill. "Timberlawn," Rockville, Md.
Office: 806 Connecticut Avenue NW., Washington, D.C.

Senator McNAMARA. Does anybody else have any testimony or remarks regarding the appointment?

(No response.)

Senator McNAMARA. If not, the hearing is closed.

(Whereupon, at 11:45 a.m., the committee proceeded to go into executive session.)

