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F. DAVID MATHEWS TO BE SECRETARY OF HEALTH, EDUCATION, AND WELFARE—ADDITIONAL CONSIDERATION

HEARING

BEFORE THE

COMMITTEE ON
OR AND PUBLIC WELFARE
JNITED STATES SENATE

NINETY-FOURTH CONGRESS

FIRST SESSION

ON

ADDITIONAL CONSIDERATION OF F. DAVID MATHEWS TO BE SECRETARY OF HEALTH, EDUCATION, AND WELFARE

THURSDAY, JULY 17, 1975

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



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F. DAVID MATHEWS TO BE SECRETARY OF HEALTH, EDUCATION, AND WELFARE—ADDITIONAL CONSIDERATION

THURSDAY, JULY 17, 1975

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

The committee met, pursuant to notice, at 9:34 a.m., in room 4232, Dirksen Senate Office Building, Senator Harrison A. Williams, Jr., chairman, presiding.

Present: Senators Williams, Randolph, Pell, Kennedy, Cranston, Hathaway, Javits, Schweiker, and Taft.

Committee staff present: Donald Elisburg, general counsel; and Jay B. Cutler, minority counsel.

The CHAIRMAN. Good morning, Mr. Mathews and Senator Sparkman.

The committee is meeting this morning to hear testimony from Dr. David Mathews, the President's nominee to become Secretary of Health, Education, and Welfare.

Since 1969, Dr. Mathews has served as President of the University of Alabama. Prior to that time, he served that university in various capacities—as interim dean of men, executive assistant in the office of the president, as executive vice president—and as lecturer in the department of history. I say "lecturer"—I think the more appropriate word would be "teacher."

A native of Alabama, Dr. Mathews received his B.A. and M.A. degrees from the University of Alabama, He was awarded his Ph. D. from Columbia University.

Dr. Mathews has received numerous awards for his various activities, and was named one of the "Ten Outstanding Men in the Nation" by the U.S. Jaycees.

In addition, Dr. Mathews serves as a member of numerous organizations, including his membership on the board of the Charles F. Kettering Foundation, the Southern Growth Policies Board, the Advisory Council of the American Revolution Bicentennial Administration, and the Alabama Council on the Humanities.

Needless to say, therefore, Dr. Mathews has so far had a most distinguished career and is undertaking on what will certainly be the most difficult challenge of his lifetime.

The reason that this committee has asked Dr. Mathews to appear before it, prior to his confirmation, is because the Department he has been nominated to head has operational responsibility for the vast majority of the Federal programs within our legislative jurisdiction.

It has always been the view of this committee that these programs are vitally important to the people of this Nation because they deal with the most basic of human needs. Thus, when we are working to improve education, health care, and programs for the elderly, the handicapped, and the children of America, we demand that those who are ultimately responsible for administering these initiatives must have the greatest of sensitivity to the problems those persons who are intended to benefit from these programs.

I regret to say—and I have not kept my views a secret—that I have been very unhappy with the way HEW has conducted itself over the past 6½ years.

We have witnessed a great deal of insensitivity to the constituency which HEW is supposed to represent.

We have found, time and time again, that when this committee, and the Congress as a whole, has tried to fashion new and innovative approaches to solving the many social problems of the Nation, we have been met with little more than lipservice to those problems. The general attitude has been one of negativism, and the Department has staunchly refused to offer any constructive alternatives to meet the crying needs of our citizenry in many of the areas that are involved in legislative responsibility of this committee.

This, of course, has nothing to do with Dr. Mathews.

Senator RANDOLPH. You will criticize him later. [Laughter.]

The CHAIRMAN. Well, now, that is why we are getting to know him. We will describe our activities through our members to you, Dr. Mathews, as we proceed. Before we turn to our most beloved and respected colleague, the Senator from Alabama, Mr. Sparkman, I will say that when I was advised by the White House late one afternoon that you would be shortly named to this post, I called the former chairman of this committee, a man who has been the architect of so many things that have meant so much to many people in this country in the field of health. I called Senator Lister Hill, and reached him at home about 9 o'clock.

I mentioned that I did not know of you. He did. It did not take me long to know that the Nation was fortunate that the President found you and you were willing to accept this nomination.

Knowing Senator Hill, whom we respect so much, value his judgment so highly, and know that his attitudes are shared by our friend from Alabama, Senator Sparkman, we will now turn to Senator Sparkman.

STATEMENT OF HON. JOHN SPARKMAN, A U.S. SENATOR FROM THE STATE OF ALABAMA

Senator SPARKMAN. Thank you very much, Mr. Chairman.

I concur in what you said about Senator Hill. You said he had done so much in the field of health. I want to couple with that education also.

By the way, seeing my good friend Bob Taft here, I mention the fact that Lister Hill and the senior Bob Taft teamed together back in 1946 to present the first overall educational program for this country. It was wonderful teamwork between the two.

It is a privilege to be here on this occasion that Dr. Mathews is coming before you. Dr. Mathews, I may say, that from what the chairman said, there is not any need in your coming—you have already convinced him—I am confident that it will be true of all the members of the committee.

I suggested to Dr. Mathews when he was here recently that he get around and spend as much time as he could in seeing the different Senators. Then, later, I spoke to many Senators, and I found out that he had been to see many of them. I think he must have covered the ground quite completely. I am not going to have any long introduction of Dr. Mathews.

As the chairman stated, he has been president of the university since 1969, and served in various capacities prior to that time.

I placed in the Congressional Record some background material—I do not remember the date——

The CHAIRMAN. The date was July 8.

Senator SPARKMAN. I showed the material to the chairman who, fortunately, sits just across the aisle from me in the Senate Chamber, and told him something about it. It was a profile of Dr. Mathews printed in the Huntsville, Ala. Times, my hometown paper written by a former student of the University of Alabama, a graduate of that school, and I thought it was a wonderful presentation.

In the hearings before the Finance Committee, Senator Byrd of Virginia pulled out a paper and read two paragraphs out of that profile, which seems to please him, with reference to Dr. Mathews.

Dr. Mathews is a young man. He is a man of vigor. He has done a wonderful job at the University of Alabama, not only in connection with those things that are restricted to the university, but he has done a wonderful job with reference to things that pertain to the whole State.

He said one time that he was an historian and a teacher. And he is just that. He has had a life in the field of history and education, as did his father before him, and other members of his family. He is a young man. He reminded me one time, if I remember correctly, that he was 2 months old when I was first elected to Congress.

He has done a wonderful job in Alabama. I know he will do a wonderful job in this office to which he is going. I, more or less, facetiously said to him, "It is an impossible task that you are taking on."

Well, it might be impossible for some people, as the chairman has indicated, may have been true in the past, but Dr. Mathews will do a great job as Secretary of this most important Department of the Federal Government.

I commend him to you.

The CHAIRMAN. Well, we more than appreciate that statement from you, Senator Sparkman. It gives us great hope.

At this point we will include in the record a biographical sketch of Dr. Mathews along with a brief description of the duties of the Secretary.

[The information referred to follows:]

BIOGRAPHICAL DATA: F. DAVID MATHEWS (DAVID MATHEWS)

Born: December 6, 1935, Grove Hill, Ala.

Family: Mary (Chapman) Mathews, from Grove Hill, Ala., Lee Ann, born October 12, 1961. Lucy McLeod, born November 19, 1964.

Education: A.B., History and Classical Greek, The University of Alabama, 1958. M.A., Education, The University of Alabama, 1959. Ph. D., History of American Education, Columbia University, 1965.

Experience: Infantry Officer, 2nd Infantry Division, Ft. Benning, Georgia, 1959–60. Dean of Men's Office, The University of Alabama, 1960–62. Interim Dean of Men, The University of Alabama, 1965–66. Lecturer, Department of History, The University of Alabama, 1965. Executive Assistant, Office of the President, The University of Alabama, 1966–68, Executive Vice President, The University of Alabama, 1968–69. President, The University of Alabama, 1969.

Memberships: Phi Beta Kappa, Phi Alpha Theta (History). Omicron Delta Kappa. Newcomen Society of North America.

Professional Activities: Member, Board of Trustees, Judson College, 1968–. Member, Board of Directors, Birmingham Festival of Arts Association, Inc., 1969–. Member, Board of Trustees, American Universities Field Staff, 1969–. State Chairman, March of Dimes Campaign, 1969–. Member, Board of Directors, Birmingham Branch, Federal Reserve Bank of Atlanta, 1970–72; Chairman, 1973–. Member, National Programming Council for Public Television, 1970–73. Member, Executive Committee, Southern Regional Education Board, 1970. Chairman, Committee on Educational Opportunities for Minority Groups, National Association of State Universities and Land-Grant Colleges, 1971–72, Member, Board of Advisors, Outstanding Young Men of America, 1971–. President, Alabama Consortium for the Development of Higher Education, 1971–73; Member of the Board, 1971–. Member, Board of Trustees, Charles F. Kettering Foundation, 1972–. Member, Board of Directors, Alabama-Guatemala Partners of the Americas Organization, 1973–. Member, Alabama Council on the Humanities, 1973–. Member, Commission on the Future of the South of the Southern Growth Policies Board, 1974. Member, Southern Growth Policies Board, 1974–. Member, Army Advisory Panel on ROTC Affairs, 1974–. Member, Alabama American Revolution Bicentennial Commission, 1974–. Member, Advisory Council, American Revolution Bicentennial Commission, 1974–. Member, Advisory Council, American Revolution Bicentennial Administration, 1975–. Member, State Oil and Gas Board, 1975–. Member of Board, Academy for Educational Development.

Awards: Recipient of one of the awards given to four "Outstanding Young Men" in Alabama by the Junior Chamber of Commerce, 1968. Named one of "Ten Most Outstanding Young Men in the Nation" by United States Jaycees, 1969. Elected to membership in Alabama Academy of Honor, 1973. Court of Honor Award, Exchange Clubs of Alabama, 1975.

Other Sources of Biographical Data:

Southern Living, January 1970, "Youth is Not Wasted On the Young Dr. Mathews," by Myra Crawford Johnson.

NEA article, 1970, "Bama's Quiet Young Man on a Bridge," by Tom Tiede.

Saturday Review, March 1971, "New Beat in the Heart of Dixie," by Peter Schrag.

Southern Living, May 1973, "Caravan to Faulkner Country . . . And Beyond," by Harold Martin.

Alumni News, September-October 1973, "A Student's Eye View of President David Mathews."

The Graduate, 1972, "Super Rap: 11 Personalities Discuss Life and Their Graduation Times."

Recent Publications:

"Change and the Adversary Culture," *Educational Record*, Spring, 1973, p. 136–140.

"The American City," *Thoughts of Man*, Cotton Fiber Paper Council Collection, 1973.

"The Role of Colleges and Universities in the Redevelopment of the Rural South," *Lamar Society Journal*, April 21, 1972 (with Dr. Robert McKenzie).

"Vision: Not Optics," *Experimental Mechanics*, 12, 3:3 N. March, 1972.

"A Pattern for a New South," *West Georgia College Studies in the Social Sciences*, 10:35–59, June, 1971.

"The Old South and Young Southerners," *Lamar Society Journal*, 1971.

"Education and the Mind of the South," *Alabama Historical Review*, 1968–69.

"Higher Education in Traction," *Saturday Review/World*, February 9, 1974.

[Excerpt from the U.S. Government Manual, 1975–76]

Department of Health, Education, and Welfare

* * * * * * *

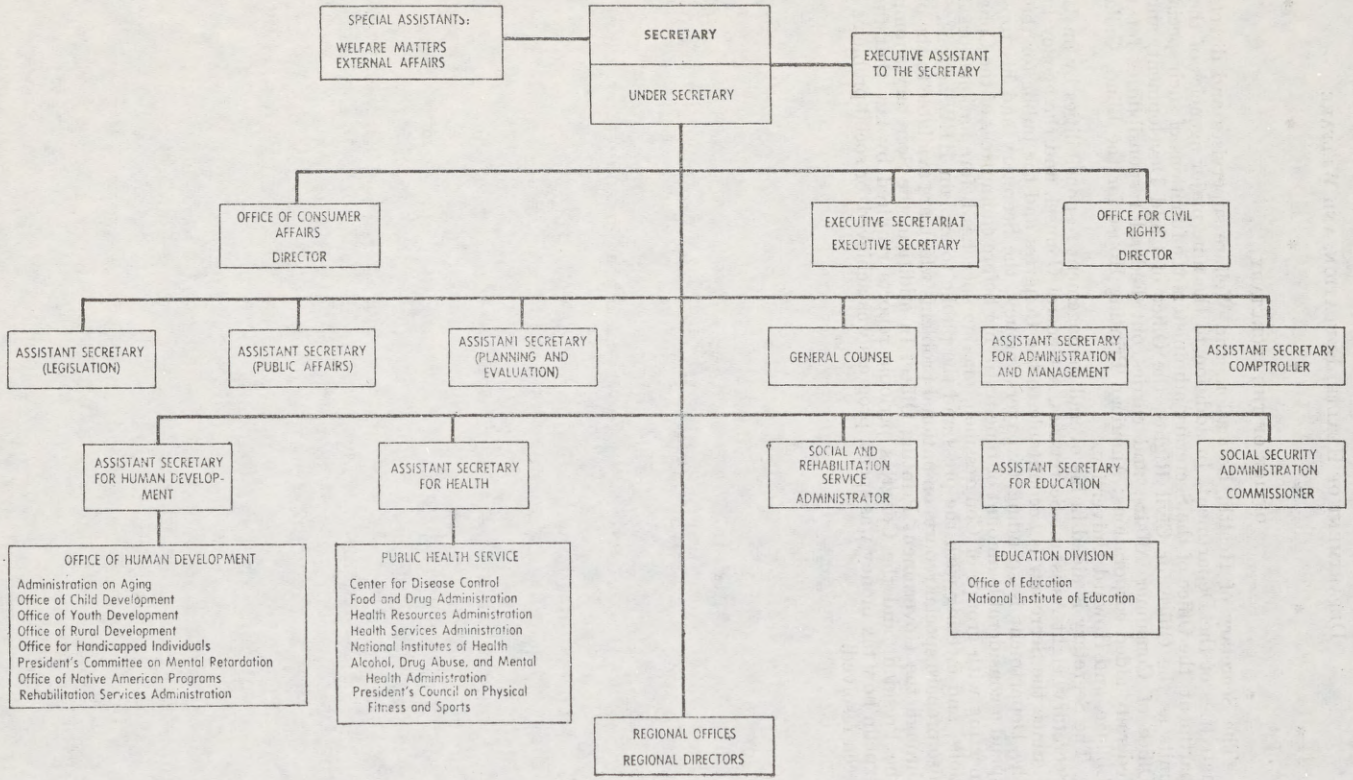
OFFICE OF THE SECRETARY

The Secretary of Health, Education, and Welfare supervises and directs the activities of the Department. In addition to the nine major agencies of the Department, the Office of the Secretary administers the functions of such specialized units as the Office for Civil Rights, the Office of Child Development, and the Office of Consumer Affairs, and carries out Federal responsibilities for three federally aided corporations: American Printing House for the Blind, Gallaudet College, and Howard University.

The Secretary is aided in his overall management responsibilities by an Under Secretary, eight Assistant Secretaries, a General Counsel, and the agency heads.

Since the Secretary is accountable to the Congress and the public for the way the Department is spending taxpayers' money, the Secretary and his top staff spend a considerable amount of time testifying before committees of the Congress, meeting with groups of Congressmen, making speeches before national organizations, and meeting with the press and the public to explain HEW actions. They also prepare special reports on national problems which are available to the public through the Government Printing Office. In addition, the Secretary submits to the President and the Congress periodic reports required by law that further explain how tax money was spent, progress was achieved, or social problems have been resolved.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE



The CHAIRMAN. Dr. Mathews, you can proceed with anything you would like to say and then we will turn to our members.

STATEMENT OF DR. F. DAVID MATHEWS, NOMINEE FOR SECRETARY, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. MATHEWS. If it meets with your approval, I would just as soon start with questions from your colleagues.

The CHAIRMAN. That would be fine.

I have no conflict this morning. I know other members do. We will turn immediately to members as they appear, one by one.

I mentioned our broad responsibility in this committee. We divide our work into subcommittees, and each member of the committee is either a chairman of a subcommittee, or high on, or ranking on the minority side.

One of the subcommittees that has offered great, great promise to the disadvantaged people of our Nation is our Subcommittee on the Handicapped. The chairman is Senator Randolph. We have legislation now that is about—well, by the time you get there, the legislation might be on your desk for implementation. My—or I should say our—comprehensive bill dealing with educational opportunity for all handicapped youngsters. The principal architect is Senator Randolph.

Senator Randolph.

Senator RANDOLPH. Mr. Chairman, I think your opening statement contains much value. In general the committee and I as an individual, have had good relationships with the Department of HEW. Yet, there have been those times, frequent times, as you know, Dr. Mathews, when we have had to work and rework legislation so that finally it would be approved by the administration. For example, on three occasions in connection with our rehabilitation legislation, bills were vetoed at the White House.

Then we just kept modifying it and modifying it because we have the responsibility of helping the handicapped, of aiding them as they help themselves.

These rehabilitation programs were vital to us. We had our same goals and purposes but we realized that, in a sense, we were working with the executive branch of Government. I have always felt that in a legislative proposal, although I believe that the measure should go beyond what the administration would approve, if we could not give to the Administration a measure that it could approve, we are withholding the aid, at least in part, from those who need it.

So that is the context in which our able chairman has spoken this morning, because that has been the case not only in the field which I am mentioning, but in other areas.

Now, Dr. Mathews, several of the Secretaries of HEW who preceded you have said, in effect, and I shall not quote their words, but they have said, in effect, this is almost an impossible job that we have.

Does the job frighten you?

Mr. MATHEWS. Senator, I, in assessing my own feelings, do not feel any sense of fright. Whether that is good judgment on my part, I do not know.

I would like to take the opportunity of your line of questioning, though, to comment just a minute in response to what you have asked me.

I am very pleased that you have high hopes and high expectations. But, at the same time, I am very much aware, as you are, of the complexity of this work. It seems to me not at all improper to note what is. It is not cynical to say it is raining when it is actually raining.

I do not think it is cynical to say that this is an extremely difficult job. I would say that, not in order to testify to my fright, but to ask for your understanding of those difficulties.

There is a feeling when a new Secretary comes in that all that is past will be swept away.

We are—as they say on the signs of stores that have recently reopened—under new management.

I think it very well to have a positive attitude about the work of this Department and the issues that come up. But I think it would be most unfortunate for me to come in at the time when there were expectations that we were on the beginning of some new era. As a historian it has been my impression of human affairs that they are as they are as a result of great forces that come together that make for difficulties and complexities.

Neither you nor I are going to change that set of circumstances. But I would say to you this, Senator, I would hope to bring to this post, first of all, a kind of attitude that makes working easier.

So much in life is accomplished with simple things, and one of the simplest things is the attitude.

I think my attitude is essentially positive.

I think one of the issues that I sense here in discussing with you is the level of sensitivity and concern. I point out that I have spent all of my life working with people because that is what I wanted to do. I do not expect that to change. I do not expect those sensitivities to be any less in this post.

Whatever the requirements of the office are, I think you will find me diligent in applying myself to the task, difficult or easy, whatever they may be.

That is the spirit in which I come to this office.

Senator RANDOLPH. Thank you very much, Dr. Mathews.

Mr. Chairman, I shall move along and perhaps only take 3 or 4 minutes. I will, as you understand, be chairing another committee at 10 o'clock.

Former HEW Secretary Richardson in 1971 set forth a priority. And in it he said that he would wish to give health and education and rehabilitation to all handicapped persons. That was his priority.

Would you state yours?

Mr. MATHEWS. I would say to you, Senator, I would subscribe to his statement. I do not think I could improve upon it.

Senator RANDOLPH. In that same year, Dr. Mathews, our Commissioner of Education, Dr. Marland, stated that a major goal of the Office of Education would be to give better educational services to all handicapped children and youth.

What would be your feeling on that statement?

Mr. MATHEWS. That seems to me an eminently sound position, Senator. I find myself in accord with it.

Senator RANDOLPH. We should give to handicapped persons all the services we possibly can. Were it not for the other competing needs that cut across the wide spectrum of your assignment, more services

could be provided. I would hope that you would give special attention to the very real need for a Federal priority in programs which result in the reduction of dependence of handicapped people in our society because they can, Dr. Mathews, be very productive citizens, and they are in many of our programs. They are part of the market place. They are entrepreneurs themselves. They are creative and resourceful.

They are dynamic. You must have not only the compassion but the sensitivity in programing which the chairman has indicated so well is a part of your assignment, is that correct?

Mr. MATHEWS. That is correct, sir.

I think that we all understand that the handicapped are faced with extraordinary circumstances and, for that reason, need extraordinary responses and attention to deal with their circumstance for the very purpose that you state, making them productive citizens, capable of contributing, and even more, capable of self-respect and pride that they richly deserve.

Senator RANDOLPH. As the chairman said, we attempted realistically to provide better programs of education for the handicapped so that all our youth would be part of the process of a developmental program, it would be realistic.

I feel that you are a realist. A realist. A student of history, a teacher of history must have that quality.

Now, this final comment—not gratuitous. I think you have a monumental task before you. I am sure that you understand the challenge of this broad range of subject matter which you are going to have to handle under an umbrella that will be raised by you, a very considerable job.

Mr. Chairman, I have talked with Dr. Mathews, as he has visited with members of this committee, and I have been impressed with his understanding of the problems that he will face. More importantly perhaps, the optimism in a sense with which he believes he can solve, in part, some of these problems.

So, Mr. Chairman, I, for the record, would like to indicate my approval of the nominee and the reporting of his nomination to the Senate.

The CHAIRMAN. Thank you very much, Senator Randolph.

I will say, Dr. Mathews, you realize we are not the committee of primary responsibility in going to the floor at the time of your confirmation. We have no report.

Otherwise, we would include some of the materials which Senator Sparkman referred to, and that magnificant profile from the Birmingham paper, the National Observer's profile, and certainly we appreciate Senator Randolph's statement of support, although we again do not report to the Senate.

Mr. MATHEWS. I understand that, Senator, but because of the legislation that comes before this committee, I wanted to appear before you both informally and, as you know, formally, because I have a feeling that if I am confirmed, it will be necessary for us to work together. I thought it best to get acquainted before then.

The CHAIRMAN. This is certain.

Senator Allen, we recognize you. We are very pleased you are here.

STATEMENT OF HON. JAMES B. ALLEN, A U.S. SENATOR FROM THE STATE OF ALABAMA

Senator ALLEN. Thank you, Mr. Chairman.

I apologize for being late. I had several other conflicting commitments.

I would ask unanimous consent that my statement before the Senate Finance Committee be made a part of the record.

I would like, along with Senator Sparkman, to endorse the nomination of Dr. F. David Mathews to be Secretary of HEW. We feel that Dr. Mathews is one of our ablest and most distinguished sons.

He has a rare and unique talent as an educator and as an administrator. He comes from a family that has rendered great public service to our State.

This position sought Dr. Mathews. He did not seek it.

In talking with him, after he was chosen by the President as his nominee for the HEW Secretaryship, I expressed my surprise that he would be willing to accept this position in view of the fact that he is presently President of the University of Alabama, doing an outstanding job there.

The performance that he is rendering as President of the University is meeting with the approval of all of our citizens. And for him to accept this challenging position, a position that is more challenging possibly than any other position in the entire Federal Government, except that of the Presidency itself, requires him to place his reputation on the line—place his reputation as an able administrator on the line.

I feel that he can meet this challenge. He feels that he can meet this challenge. I believe he will be one of the most outstanding Secretaries of HEW that we have ever had. And I was pleased at the warmth of his reception before the Finance Committee, and in talking with members of this committee I have been pleased with the reaction of members of this committee to his nomination.

Without reservation or qualification, I am happy to join in endorsing Dr. Mathews for the position of Secretary of HEW.

Thank you, Mr. Chairman, and members of the committee.

The CHAIRMAN. Thank you very much, Senator Allen.

[The prepared statement of Senator Allen before the Senate Finance Committee follows:]

PREPARED STATEMENT OF HON. JAMES B. ALLEN A U.S. SENATOR FROM THE STATE OF ALABAMA, BEFORE THE SENATE FINANCE COMMITTEE

Mr. Chairman, and members of the committee, it is my privilege to appear before you today to assist in presenting Dr. Forrest David Mathews, of Alabama, and to endorse his nomination to be Secretary of the Department of Health, Education, and Welfare.

I must, in truth, say that I have mixed feelings about this nomination. I very much regret to see Dr. Mathews leave Alabama because it needs him and his vast abilities. Nevertheless, I am pleased that President Ford has chosen—and chosen wisely—to nominate Dr. Mathews for this most important position. I am confident that the people of our Nation will be just as proud of Dr. Mathews, as we already are in Alabama.

You have before you the very exemplary record of this gifted young man. You know that he is engaged in a myriad of professional activities, which are as diverse as they are impressive. He is chairman of the Committee on Educational Opportunities for Minority Groups of the National Association of State Universities and Land-Grant Colleges. Dr. Mathews serves on the executive committee of the

Southern Regional Educational Board; and the Board of Trustees of the Charles F. Kettering Foundation. He is also a member of the National Programming Council for Public Television and the Alabama Council on the Humanities.

In the non-educational area, Dr. Mathews is a member of the Alabama State Oil and Gas Board and currently is chairman of the board of directors of the Birmingham branch of the Federal Reserve Bank of Atlanta.

The record before you reveals that Dr. Mathews received his undergraduate degree, along with a Phi Beta Kappa key, in history and classical Greek from the University of Alabama in 1958 and his masters degree the following year. After serving as an infantry officer in the United States Army for two years, Dr. Mathews returned to his alma mater for two years before going to Columbia University where he received a doctorate in the history of American education. In 1965 Dr. Mathews returned to the University of Alabama to lecture in history, but devoted most of his time to administration and in 1969, at age 33, Dr. Mathews was chosen president of that great institution, the youngest man to ever hold the position. That year Dr. Mathews was named as one of the "Ten Most Outstanding Young Men in the Nation," by the United States Jaycees.

Dr. Mathews' commitment to public service is no accident. He comes from a distinguished family in Alabama where service to one's fellow man has been a way of life. His father served as Superintendent of Schools of Clarke County, Alabama, and, as a young man, I was honored to serve in the Alabama State Legislature with his grandfather, D. C. Mathews, who also served as Superintendent of the Clarke County school system.

Those who know and have worked with Dr. Mathews recognize in him a creative imagination combined with intelligence and common sense. They know of his outstanding leadership qualities and of his devoted commitment to the the cause of better opportunities for all our citizens.

Although Dr. Mathews' first love is obviously education, he knows and cares about the wide range of difficult problems in the field of human resources where the Department of Health, Education and Welfare is concerned and involved. He cares about the problems of illiteracy, disease, and about making our Nation, especially for the deprived and the handicapped and the disadvantaged, a happier and more rewarding place in which to work and live.

There is no doubt in my mind that Dr. Mathews possesses the experience and intellect needed to make the balanced judgments that the Department of Health, Education, and Welfare both needs and deserves in its Secretary. I am confident that Dr. Mathews can go down in history as one of the greatest HEW Secretaries our country has ever had. His is a rare talent.

His mild outward manner, and his kindness and respect for others and their views should not be taken to mean that Dr. Mathews is by any means a softy or a pushover. He is a clear thinking man and a man who can make tough decisions.

Mr. Chairman, it is with singular pride that we commend and present to you one of Alabama's most distinguished and able sons, Dr. David Mathews.

The CHAIRMAN. I would like to turn to the Senator from Pennsylvania, Senator Schweiker, who serves on this committee on the following subcommittees, and with great distinction, Labor Subcommittee; Subcommittee on Handicapped; Education; Health; Employment, Poverty, and Migratory Labor; Aging; Alcoholism and Narcotics; and the National Science Foundation.

I recite that, Dr. Mathews, to give you again a picture of the broad range of our concerns that will be your concerns, too.

Senator Schweiker.

Senator SCHWEIKER. Thank you very much, Mr. Chairman.

First of all, I want to say to HEW Secretary-designate, Dr. Mathews, that this committee has great respect for Senator Hill and the work he has done, particularly in the field of health, as the chairman mentioned earlier.

I did have a chance to talk for a few moments informally with you a week or so ago about my health concerns. I do not believe, in view of the work Senator Hill has done and his progressive insight into

health, he would be very happy with the state of the art in terms of funding and ceilings on personnel and some of the retrenchments we have had to make in this area.

I have already expressed my opinion to you on that issue and my concern about the impoundment of jobs by the administration in the health field, which is every bit as serious as impoundment of money. It is a real challenge to whether the concept of Lister Hill is going to move forward in the National Institutes of Health and in the other areas of health where he did so much to start this country on a very progressive track.

We chatted about this. I am not going to press you this morning, because I am very impressed, frankly, with your credentials and your background, your comments and the support from your two Senators indicate you are very well suited for your job.

You do have excellent credentials. I think you have a very broad point of view that is certainly needed in this job as well as a lot of enthusiasm and ability.

I was very pleased with the administration's appointment. Since you at least have had some warning of the problems we have in health, and have indicated a willingness to look objectively into them, I will not press you much more except to say that I think you are a fine choice for this position.

Mr. MATHEWS. Senator, I appreciate that very much.

And as I think I told you, I take the implied offer of support very seriously, because it seems to me, in looking at all these problems, that only some partnerships with a wide range of people, not the least of whom would be the Senator on this committee, can make any kind of dent on the mammoth difficulties that this country faces.

So I take those remarks very seriously, and I appreciate them very deeply.

Senator SCHWEIKER. That is all, Mr. Chairman.

Thank you.

The CHAIRMAN. Dr. Mathews, Senator Lister Hill, as chairman of this committee, established the committee as one of the great centers for the advancement of health services in this country. And he, of course, was in a position to not only program for research and delivery in the area of health, but he sat in a position on the Appropriations Committee where he could be very persuasive in getting the money.

Senator SCHWEIKER. That is an understatement.

Mr. MATHEWS. Senator Hill was a wise man.

The CHAIRMAN. His successor, just once removed, is Senator Kennedy, who certainly is meeting all of the hopes that Senator Hill had for our contribution to better health of the American people.

Senator Kennedy.

Senator KENNEDY. Thank you very much, Mr. Chairman.

I want to congratulate the nominee for winning the confidence of the President achieving this nomination. I am not sure whether we ought to be congratulating you or commiserating with you.

But, in any event, I think it is a very remarkable achievement and one for which you have every right to be proud.

Mr. Chairman, I have had the opportunity to speak at the University of Alabama, which is one of the truly outstanding universities in this country. My brothers before me had a similar opportunity.

I was deeply impressed by the awareness and interest of the students at that university, the concern they showed about the Nation's problems and the problems of their State and region. It was, I found, an extremely stimulating and invigorating opportunity for me and, to a great extent, I think it is a reflection of the leadership which Dr. Mathews has provided for the university in creating that kind of climate and atmosphere.

So I want to extend a warm welcome to you from this committee and commend you for your achievements in winning the confidence of the President.

We have had an opportunity to talk very briefly before this meeting, just renewing acquaintances.

I would like to ask you, Dr. Mathews, about one of the areas that this country will be very much interested in: the whole area of reform of health care in our society. There are many features of the whole health care area which are before our committee. Manpower, delivery and quality, prevention and health planning are all very important elements in the development of health policy and are before our Health Subcommittee.

Although the financing aspects, the regulations for insurance companies, might go to the Banking Committee or other committees, we still have a very substantial responsibility in the development of health policy.

I know you have not had a chance to review the various kinds of programs that have been introduced. They have been, in many instances, altered or changed.

The AMA program, for example, on health insurance, is dramatically different than the program they introduced over a year ago. So I do not expect you to comment in detail on the legislation itself. But I would be interested in whether you think health care in our society is really a matter of right for Americans or whether it is really something that was reserved as sort of a privilege for those that have the resources and accessibility to receive it.

Could you tell us a little bit about how you view that issue?

Mr. MATHEWS. Yes, I would, Senator.

I think it might be more telling for me to relate what my work has been in that field. I think that would be a fair assessment of what I am actually interested in than anything I might tell you in response to the question.

As I think you know, my work has been in two fields. One, I have been very interested, because of medical school, in research in health. But, more recently, I devoted my time and most of my experience has been in the field of improving health care in the rural areas of our State. I have found that this, rather than being a problem of the State of Alabama or a problem of rural southeast, is a national problem; that what we experience in Alabama, the difficulties we are facing, are no different than those in Montana; in fact, no different than those in northern Connecticut, as I found out in a recent study.

We are attempting to do several things. First of all, my experience has been that it is necessary to try to reduce dependence on the health care delivery system. We have been very interested in adult education, in the kind of education in elementary schools that makes people more aware of their bodies and more aware of their health needs and less dependent on the formal structure.

We are also very much in the process of trying to enlist the support of other people in the health care field.

I think many more people than doctors have to become involved in this field in order for us to make some progress.

We have also had some experience in trying to develop what I regard as a new specialty, that is specialty of the family physician, and to develop a model for practice that is viable in a small town with a clinic, or viable in a small town with a hospital of less than 50 beds.

I think our success rests, to a large extent, on our ability to be inventive in this kind of recasting of medicine and health care delivery.

I would trust that that work speaks an interest on my part that is documented by several years that I have spent in it.

Senator KENNEDY. I commend you for that work.

Quite clearly, the importance of dramatizing, increasing primary care of physicians is a key matter of importance. We have seen a dramatic increase in specialization in the medical schools and in practices. This contributes to the maldistribution problem. We will be working closer with your department, as we consider the health manpower legislation in September, to try to find ways that we can be more responsive in committing American taxpayers' funds to health education and to assure that we are going to get the kind of health manpower that the American public needs. I believe that the education factor that you stressed is important.

We passed, in our committee yesterday, a health education program. It was opposed by the administration. But we are optimistic that the new Secretary will be more concerned about this area.

I really want to get back to your basic view of health care, which I believe is important.

Do you think people, whether they live in rural Alabama or rural Montana or innercity Boston, have a right or at least should they expect the right to get decent health care. Or are we going to tell a parent, whose child may have cancer and cannot afford the treatment, that your child gets a different kind of treatment because you cannot afford the best?

What is your basic philosophical view on this?

Mr. MATHEWS. Senator, on the question of right, there is a very interesting article in a recent issue of American Jurisprudence contrasting the concept of right for medical care with 18th century notions of natural rights.

After giving that article some study, my honest conclusion is I do not know whether it is a right or not. I know it is a problem. I know it is a problem in my country and a problem in my State.

Senator KENNEDY. We know it is a problem. That is not telling us what your view is.

Mr. MATHEWS. As I said earlier——

Senator KENNEDY. This is not a new issue, Mr. Mathews.

As you are aware, the AMA 3 years ago, at their convention, had adopted as one of their major planks on health, the position that health care was a matter of right for all Americans. Then, 2 years later, in a major debate, they reverted to their previous position when they said health care was a privilege for Americans.

I am not asking you now whether you want a health care program or whether it is going to be an insurance program or the administra-

tion's program. I'm not asking whether it is going to rely on the private or public sector, in terms of developing the social security program, or whether you are going to rely on a taxing mechanism. That is not what I am asking.

I am asking you about your view. Quite frankly, stating that it is just a problem does not express what your view is. It is stating the obvious. I want to know your views on it. That is my question.

Mr. MATHEWS. Let me complete my thought about it being a problem.

I was going to say it is a problem that I think needs to be solved. It is a problem whose solution has been impressed upon me so much that I have spent a good portion of the last few years in addressing myself to it. I have not found it necessary to settle the philosophical question in order to reach the conclusion that it was a problem that needed my attention and what diligence and energy I could supply to it.

I would propose to continue in that vein in this position. That is, it is a problem of this country that demands solution and the demands of the solution have been for me sufficient motivation to be as diligent as I could in addressing myself to this issue.

Senator KENNEDY. Well, with all due respect, I consider that a nonanswer. I think you have to consider that it is a problem and you are going to work on it. You have to work on it, you have no alternative to taking this responsibility. But I want to find out what your basic view is on the question. Whether you think that a poor person in this country, the richest and most powerful Nation of the world, should have to depend upon the size of their pocketbook to determine whether they are going to get decent health care. That is a rather fundamental question.

There are many people—I can name them and perhaps you can too—that say, well, health care is a privilege. We cannot do this. We have not got the resources nor the capacity to have health care other than a privilege.

There are others that think the way we do that health care is a matter of right for Americans and they have different views on how to achieve this right.

Mr. MATHEWS. Senator, I want to be responsive.

Senator KENNEDY. And I interpret your answer to mean that we have a problem, and that you are going to work on it, but that does not give me very much of a feeling on what has been done. I do not discount your other remarks because I think there has been an impressive program in rural Alabama in trying to work on this problem.

You have not given me your gut feeling on this problem.

Mr. MATHEWS. I want to be responsive to your question, Senator. All I can tell you is what I have done to date and how my thinking has developed to date.

I do not think that one would have devoted himself to the problems that I have described without a deep concern about the very issue that you describe. That is, the ability of people without means to be able to have decent health care.

I am sorry I have not refined it philosophically. All I can say to you is that the matter has impressed itself on my conscience to the point I have done certain things. And I would ask you to look at my behavior and make your judgments from there.

Senator KENNEDY. What about education?

Do you think we have a responsibility to educate our children?

Mr. MATHEWS. I would hope so. My whole career is based on that premise.

Senator KENNEDY. Well, how far do you think we should go in fulfilling that responsibility?

Mr. MATHEWS. Well, there are any number of constraints on that. There are obviously financial constraints. There are practical constraints. There are questions of the role of the Federal Government vis-a-vis the role of the State government.

But I think, as a society, long ago we committed ourselves to the proposition that the education of our citizenry was again, in Mr. Jefferson's words, "a very practical political consideration."

He did not feel that this Republic could sustain itself with an uninformed citizenry. This country made that decision ever so long ago.

I subscribe to it as an American and, in my own career, I have subscribed to it, Senator.

Senator KENNEDY. Well, do you think we ought to educate every child up to high school as a matter of right for all Americans?

Mr. MATHEWS. We have again in the history of this country, as you well know——

Senator KENNEDY. Can I get a yes or a no?

I do not want to stop you from answering completely. But can you indicate whether you think we do or do not have a responsibility to educate every child that is educable in this country, through high school?

Mr. MATHEWS. The way I have formulated that response in my own mind naturally involves maybe using different words and terms than you would use.

But because it is a benefit to the country, then it seems to me that the country is wise in expanding that as far as it practically can. And that, as a matter of fact, has been the history of this country to expand that opportunity as much as it practically could.

There was a time, as you know, when the notion of public education really did not extend up to the high school years. And then, in our own lifetime, it has gone well beyond that. And the Senators from the State and the Congressmen from the State that I come from have, I must say, proudly made and played a major role in that extension. I am very much a part of that tradition in my personal convictions and in my antecedents.

Senator KENNEDY. So you think every young person in Alabama that has the capacity to do university work should not be limited from attending the university because of financial limitations?

Mr. MATHEWS. Yes, I have been very diligent to try to provide the kind of financial resources that would allow people to do this, both for their benefit and, as I said earlier, for the general benefit of society.

Senator KENNEDY. Well, do we not recognize that education through high school is basically a right in our society?

Mr. MATHEWS. You used the term "right." I would describe it as a practical political imperative.

Senator KENNEDY. Practical political imperative. OK.

What about a practical political imperative on health?

Mr. MATHEWS. I think that is equally eminent and I would refer to those terms in describing it.

Senator KENNEDY. You are very much aware that we have a difficult situation in Boston involving the transportation of a number of students in that community, which is now under court order.

We are going to have Federal legislation to help provide some relief for the communities and cities that are under these court orders.

I think you stressed your own view on busing earlier this week before the Finance Committee.

I am just wondering what you could tell us about the kind of support that any of the districts, that are under court orders, can expect, to insure that those communities will benefit from the emergency school aid legislation?

Mr. MATHEWS. As I said in the hearing on Tuesday before the Finance Committee, and I really would return to the record and quote from it, that I believe very strongly that the young people of this country must have the equality of opportunity, equal access to a good education, and I am very much aware of the difficulties, as you would imagine, of a district dealing with a new arrangement in its schools.

It would seem to me there all of our incentiveness and all of our resources that could be made available ought to be applied to help in that situation.

I would be most sympathetic, both to the application of funds that were available, that you made available, and to the kind of inventiveness that might allow us somehow to find better solutions to the objective that I stated earlier.

Senator KENNEDY. In terms of your own concerns about this issue, does it mean that you would be any less interested in requesting money for the particular legislation which may benefit a number of school districts which are under court orders?

Mr. MATHEWS. It would seem to me those school districts would really have the highest priority. I would be quite serious about that.

Senator KENNEDY. Of course, the amount of resources that will be available, to a great extent, depends upon the struggle that exists within the Department and their relationship with OMB and the administration, in terms of trying to get resources for that particular legislation.

If there is no money in there, we are going to have to reduce the kinds of opportunities available to communities. I was trying to get some idea whether you think that that particular kind of assistance is important to school districts which are under court orders. Therefore, even though you have expressed your own view on the question of busing, would you nonetheless make an effort to assure us that those programs will be funded to provide some help to the districts which are undergoing these very traumatic kinds of experiences?

Mr. MATHEWS. Yes. I think the answer is yes to that question.

Senator KENNEDY. I have taken quite a bit of time. I may come back.

The CHAIRMAN. Senator Pell.

Senator PELL. Thank you very much, Mr. Chairman.

My thanks to the ranking minority member for letting me proceed.

I have basically one question. I subscribe in full with everything Senator Kennedy said.

Who, Mr. Mathews, do you consider the prime protagonist within the administration for education and for that sector of the economy?

Mr. MATHEWS. If you are asking me if I see the Secretary of HEW as an advocate in the national scene for matters of education, I do.

Senator PELL. As prime protagonist?

Mr. MATHEWS. Yes.

Senator PELL. I would agree with you and believe that yours is a fine appointment, and look forward to supporting it. I ask to be excused for another appointment I have to make.

Mr. MATHEWS. Thank you very much.

The CHAIRMAN. I now recognize Senator Javits who is the ranking minority member of this committee, whose creativeness is seen in so much of our work—an important contributor to the welfare of the Nation and to activities of our committee.

Senator Javits.

Senator JAVITS. Thank you so much.

Dr. Mathews, I have read a great deal of your testimony before the Finance Committee, so I will try to use that in order to explore further your views, considering the critical importance of your position and the way in which a Cabinet officer, even with the constraints of the law, can pretty much work out policy the way he wishes based on its administration.

Now, you testified before the Finance Committee as to your attitude on child care and day care.

Referring to that testimony, you stated with approval your support of some ideas that Senator Long, the chairman, laid before you. Those ideas, in essence, which Senator Long expressed were:

> In many instances I think you can put a lot of the mothers to work in child care centers, for example, take their children to the child care centers with them and let them earn their way in just helping to look after little children.

Then you answered,

> Well, Senator, I happen to have some direct experience with these types of programs because we have developed model programs at the University precisely along the lines that you just described.

Now, suppose you have a mother who feels sincerely that to look after her children, she cannot take them to the day care center and work at the day care center, what is you attitude on that?

Mr. MATHEWS. She feels that she does not want to participate?

Senator JAVITS. As a mother, she just feels she cannot.

Mr. MATHEWS. She must stay home with the children. I think that is a perfectly acceptable alternative.

Senator JAVITS. The other question goes to the broad matter of day care.

We here are very deeply concerned with the day care problem. One out of six spaces in this country is filled, and that is all kinds of aid, State, local and Federal. There is an enormous growth in the number of mothers participating in the business system. There is a dearth of day care spaces. At present, 1 million day-care slots are filled, and there are over 6 million eligible children who need and desire day-care services. This includes day care funded by local, State, and Federal aid. With the enormous growth of the number of working mothers, the need will only be exacerbated.

Question. How do you feel our country should proceed in that regard? What should be the policy of our country and what would you advocate as the Secretary of HEW?

Mr. MATHEWS. My understanding is that HEW has a great many programs that speak to the development of adequate day care centers in this country.

I would find myself in support of that endeavor, as I indicated to Senator Long in response to his question. I think the concept is sound. I think it is workable.

That does not mean that everybody, as you pointed out, should elect that option. But it does seem to me to offer some opportunity for training for mothers, particularly where there is only one parent in the family. It seems to me to offer some opportunities for the development of children that would be useful, and I would think that it would be wise to support that general programmatic development.

Senator JAVITS. I think we are not speaking to the same thing. I have your answer on the kind of programs that Senator Long described.

Now, I am at a different point, which is the inadequacy, gross inadequacy of day care spaces in the millions.

So I ask you, What is your attitude on expanding the number of spaces and on seeking the necessary resources for the purpose?

To go along with the Department's program is the status quo. A little while ago you said to Senator Pell that you felt that you had to be an advocate of an educational opportunity that is real for every child. Comparably, do you feel you should be the advocate of the day care space for every child that needs it?

Mr. MATHEWS. Yes, in the sense that I would certainly lend my efforts to the improvement and expansion of that system within the fiscal constraints that I had to live with.

Senator JAVITS. Now, in that same connection, there are a good many laws on the books and a good many practices and financings which deal with family planning in various forms, which come under your administration, with respect to medicaid and other services.

Do you have any problems with the administration of such laws, even if they involve abortion services?

Mr. MATHEWS. I would administer the laws of Congress as they are passed by the Congress, Senator.

Senator JAVITS. You have no moral or other problems respecting those laws, as I say, even if they include abortion services?

Mr. MATHEWS. My obligation is to follow the law.

Senator JAVITS. Is your answer "yes"?

Mr. MATHEWS. My answer is "yes."

Senator JAVITS. Now, one other thing.

I noticed with great interest your testimony on busing. I would like to ask you about that.

Mr. MATHEWS. Yes, sir.

Senator JAVITS. In your testimony, you did not actually describe what you understood by the term "busing." I quote from page 24 of the record, you said to Senator Byrd:

> My view is, Senator, I have seen from experience, as I said earlier, it has not produced good results. It has made a good many people feel that their rights have been violated in the process. For that practical reason, I am a very practical person, Senator, and I find grounds as a practical person to question that practice.

Those are the key words "to question that practice."

Now, Senator Byrd, in asking his question, again at the same page of the hearing, said:

I have just one question as followup, Senator Talmadge. In commenting on forced busing to achieve racial balance, you say that the method must be judged by its effectiveness.

Now, what is "forced busing to achieve racial balance," as you referred to that question in your answer?

What did you understand the phrase "forced busing to achieve racial balance" to be when you answered that question?

Mr. MATHEWS. When I answered that question, I assumed that the Senator was asking me if there were not, in fact, people who had objected, as he described it, to busing, and there had been great difficulties. And I said, of course, there were.

Then the Senator asked me, he said there might be a moral issue in here. As you recall, I responded, I said I would approach this question very practically. My position there is, if I might restate it here, because I want to be consistent in both of these, I trust this is responsive, it was that there have been studies by Mr. Coleman and others which indicated that some of the means that have been used might not be productive to the good end.

As I stated, first of all, in my testimony, that I believed very strongly that the young people of this country must have equality of opportunity and equal access, but that that data would seem to me to have to be considered because, in the final analysis, any method would have to be judged by its effect.

If any particular method were not effective, not producing results we wanted, then surely we ought to be ingenious enough in this country to develop new ways of achieving educational objectives that this Nation set out itself by the law. That was my position.

Senator JAVITS. Dr. Mathews, aside from the fact of Coleman's alleged findings, which have now been considerably discredited by the selective nature of his sample—

Mr. MATHEWS. True.

Senator JAVITS. And so laying that aside, I still ask you, when you said "I found grounds as a practical person to question that practice," were you or were you not referring to Senator Byrd's definition?

Mr. MATHEWS. Of course, sir. I was responding in the context of his question, which was the phrase he used.

Senator JAVITS. Let me read it again so we are sure we are on the same wavelength.

In commenting on forced busing to achieve racial balance, you say that the method must be judged by its effectiveness. So the definition you were addressing yourself to was forced busing to achieve racial balance?

Mr. MATHEWS. That is correct.

Senator JAVITS. Where, as far as you know, is that practice?

Where in the United States is there forced busing to achieve racial balance, and by what authority?

Mr. MATHEWS. First of all, I was simply responding to the question that the Senator put to me in the way that he phrased it.

I have since looked into that matter somewhat more thoroughly, and I am aware that there are court orders, court decrees in this matter, to do what the court feels is necessary to comply with the law.

The only response I know to make is that those are laws. Those are lawful court orders. They are to be respected, certainly to be respected by the Secretary of HEW, and that I simply took that to be his definition of the situation.

I should respond in terms of the way he defined the matter without exploring what incidence—he told me from his experience he felt that could be the case.

Senator JAVITS. Dr. Mathews, nobody wants to play cat and mouse with you. The reason for my questions is that you are going to be, from all appearances, a very important and highly placed public official.

But we do want to probe your mind very deeply.

Mr. MATHEWS. Of course.

Senator JAVITS. If it takes a little time to do so, it is our duty to do it. It would be very sad if we wake up the morning after you are confirmed and find that you are very different from what we thought you were, those of us who vote one way or another. That is why I press this question.

It has been a constant struggle. I have been in this for a quarter of a century, as you know, though you are relatively a young man, it has been a constant struggle even to get the definition right.

The courts have ordered busing in order to enforce constitutional guarantees, and they have often been corrected. You are, I am sure, well aware of the Detroit decisions which, for example, stopped busing at district lines, et cetera.

One of the things that has agitated me for many years has been that for decades in your part of the country and in other parts of the country, including the North, black children were bused by the doors of white schools for miles and nobody batted an eye or cared a whit.

And then, when the wheel turned, everybody gets very upset and excited. So when you say, "forced busing," nobody is forcing a bus. But if you want to go to school, a public school, according to the laws of the land, you may have to be bused or your child may have to be bused.

As far as I know there has been no busing for racial balance except in a few States, including my own, and there it was at State order based on the State education law, as it was in New York, with its own dynamics and its own reasons.

I picked that up in your answer because one of the things about a hearing like this before you get the job is that you can learn, too. And I hope you will profit from this interchange and look very carefully into the facts and into your own conscience.

This rubric of forced busing to achieve racial balance is just not true.

Therefore, when you answer that question, I must assume that you had in mind some other kind of busing which fitted your answer because there is no such thing in the Federal establishment as forced busing to achieve racial balance.

I have lent myself on a dozen occasions to write the law specifically against it. Now, I submit that to you, and I hope very much that you can give us some comment now if you wish.

But, in any case, it will be one of the things that you will take away with you from this hearing in not accepting the usual cliches.

Senator Byrd is against it, so he used the phrase "forced busing to achieve racial integration." You answered it, but not to the same point. You were not even thinking about what he was thinking.

Mr. MATHEWS. I see your point, Senator.

As I said earlier, I simply responded to the term as he used it, quite aware that that term is phrased differently, depending on one's sentiments.

I did not validate it or invalidate it.

I simply answered consistent with the position I gave earlier, and I recognize your point, Senator.

Senator JAVITS. You feel no constraint, no internal difficulty, though you come from a section of the country which has had a very different order of understanding of the American society than that of the rest of the country for decades, and had it burned in by the scourge of war. So I understand it. I am no child either. I know what that means.

You have no hangup, no restraint, no internal feeling other than the one that you will sincerely administer the law, whatever that law is, as Secretary of HEW?

Mr. MATHEWS. That is absolutely correct, Senator.

Senator JAVITS. In this family planning, child care, education, and in every other respect about which you have been questioned?

Mr. MATHEWS. I will follow the law of this land as it is written. That is my duty and it is the duty of the Secretary.

Senator JAVITS. That is what you are undertaking when you take the oath?

Mr. MATHEWS. That is correct.

Senator JAVITS. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Hathaway.

Senator HATHAWAY. Thank you, Mr. Chairman.

Dr. Mathews, it is a pleasure to see you again. Let me pursue the question that Senator Javits started in regard to busing.

You say that you will, of course, abide by the law as interpreted by the court.

What is your personal feeling? Do you think that busing has been effective to achieve equal educational opportunities?

Mr. MATHEWS. Again I would return to the statement I made on that, that is there have been certain studies.

Mr. Coleman and others have made those studies, and as the Senator points out, there is some question about whether that data is sound or not.

But those studies, as they were predicated, indicate that some of the means that we have used in the past might not be productive to the end that we wanted to achieve. If there were such data, certainly it would seem to me that that data would have to be considered because any method has to be judged by its effect.

And if any method were found not to be effective, if they did not produce the results we intended, then it would seem to me that we would have an obligation to try to be ingenious enough to find methods that did achieve the results that this country has clearly set out for itself as law.

Senator HATHAWAY. Do you have any idea at this time what substitutes you would recommend?

Mr. MATHEWS. No, I have no precise substitute.

Senator HATHAWAY. I take it from your testimony you are going to study this Coleman report and others and make some recommendation?

Mr. MATHEWS. I would certainly be aware of the Coleman report and subsequent studies. I have asked some members of my staff to look into this question and check the literature in the field for me. So that if there are recommendations to be made, and the recommendation is appropriate to the role of HEW, then I would make them.

But, as I understand the role of HEW, it is simply administrative under title VI of the law.

Senator HATHAWAY. You have no personal bias yourself against the busing program, simply based——

Mr. MATHEWS. As I replied the other day, I view it as a practical measure to be judged by its effectiveness.

Senator HATHAWAY. Let me ask you about another topic I asked you about in my office, regarding the poverty program.

As you know, Congress established the independent Community Services Administration, and at the same time allowed the President to make a recommendation to transfer that Administration to HEW.

Many of us feel that if this transfer were accomplished we would not be able to carry out the poverty programs as well as we would if the Community Services Administration stays where it is.

I would like to have your views, whether or not you oppose transfer or, two, if you would not oppose transfer, or were unsuccessful in your opposition, would you highlight the Community Services Administration within the HEW structure?

Mr. MATHEWS. Senator, I have no ambition to enlarge HEW. I think that it is to be judged by the size, so I have no ambition to add another department to it.

If, on the other hand, that were put under the responsibility of HEW, I would—as a new agency—I would seek to give it the kind of attention that a new agency deserved and some priority to its concerns and needs it found itself in the new operating structure.

Senator HATHAWAY. This administration has been not too generous in its recommendations for the funding of educational programs, both elementary and secondary, and higher education programs.

I would like to have your views as to the funding levels, not in exact dollars, but in comparison to what this administration and the previous one recommended.

Mr. MATHEWS. Well, there are fiscal realities, Senator, that I am sure have compelled this administration to take the position that it has, but within those limits set down by the President, as he submits his budget, I would be most anxious, most anxious to see that health, education, and welfare and the needs that they represent had the fullest consideration in that budget.

As I said earlier, I would be an advocate with the President for the programs under my jurisdiction.

Senator HATHAWAY. Would you press for increases for higher education?

Mr. MATHEWS. I would seek to make sure the programs were funded adequately and as adequately as possible, and as I have said earlier, I have no hesitancy being an advocate to the President. I think that is what he has asked me to do, frankly.

Senator HATHAWAY. Let me state the question differently.

Fifty years ago, it was recognized that everybody in the country was entitled to a free public education through high school. We realize that in the last 50 years that high school education is not really

adequate to fulfill the needs of many individuals, that many of us have advocated the extension of that notion through at least 2 years of post-high-school education.

Some of us have advocated the position that everyone is entitled to a free public education as long as his ability will carry him.

What are your views?

Mr. MATHEWS. My views are that the needs to expand educational opportunity really are open ended. It has been one of my interests, for example, to see adults be brought back in the system of higher education.

In addition to those needs, there are myriads of financial needs in higher education.

I assure you, Senator, that I am acutely aware of and I will carry that awareness with me in this post. I could not help but do otherwise.

Senator HATHAWAY. Would you work toward that goal of providing everybody in the country a free public education to the extent their ability will carry them, recognizing fiscal constraints at the present time?

Mr. MATHEWS. Within fiscal constraints, I would seek to expand educational opportunity in this country, yes, sir.

Senator HATHAWAY. The administration also has proposed a cut in funding for the alcoholism program. As you know, I am chairman of the Alcoholism and Narcotics Subcommittee, and I am very much interested in the program, particularly the funding.

Would you give me your views on the cutback, the recommended cutback in funding for alcoholism and drug abuse, especially with alcoholism and drug abuse being on the rise?

Mr. MATHEWS. Senator, not being involved in that decision or in any of the discussions relating to it, I could not really comment on the particulars of that.

But, as you know, I do have an interest in self-reliance among our people. Certainly, alcoholism and drug abuse rob people of their self-reliance and their dignity. Those are problems in my mind that merit every serious consideration.

Senator HATHAWAY. One last question.

I think you have indicated that you are in favor of equal educational opportunity for everyone, and I presume that means the retarded and otherwise handicapped?

Mr. MATHEWS. It most certainly does.

Senator HATHAWAY. Their education needs to be put on the same level as the education of those who do not suffer from those handicaps?

Mr. MATHEWS. It most certainly does, Senator.

Senator HATHAWAY. Thank you very much.

The CHAIRMAN. Thank you, Senator Hathaway.

Senator Taft?

Senator TAFT. I have had an opportunity to talk with Mr. Mathews on various matters that come up. I think most of the areas of concern have been covered here.

Let me just bring up one or two additional ones.

Do you believe that the welfare system in this country is working adequately and properly?

Mr. MATHEWS. No, Senator. I have not been able to find anybody anywhere that subscribes to that.

Senator TAFT. Do you have some ideas of your own as to what direction we ought to be going with regard to reform of the welfare program?

Mr. MATHEWS. I would say that I am giving that matter some study, but I do not have the specific recommendations to spring out of my pocket on you today, sir. But the matter of welfare reform is a deep concern of mine. It is incumbent upon the office of the Secretary that attention to that matter would seem to be of primary responsibility.

Senator TAFT. The other area I would like to bring up, not unconnected area, is the social security system.

Do you have any views that you could give us at this time on the direction you think we ought to be going with regard to trying to assure the financial soundness of the social security system and whether we maintain it on an insurance principle basically, rather than shifting it over to a need-related or general revenue-supported type of program?

Mr. MATHEWS. I am not prepared to make any recommendation at this time that would change the basic character of social security.

I am concerned, as I know everybody is, about some of the fiscal problems that have been reported, and again would take responsibility in making recommendations to address those.

I think I should add, as we all probably should in discussing this, that there is no, as far as I understand the matter, there is no great alarm in the country that the social security system is going to fail tomorrow. It does require our diligent attention, and I would be prepared to work with Congress on such measures as were necessary to make that system sound.

I have no specific recommendations to make to you at this time.

Senator TAFT. Do you have any feelings about the cost of living adjustment provision in the law?

Mr. MATHEWS. There is no doubt that inflation hits particularly hard at those who are on fixed incomes. But the open-endedness of those benefits, I understand, has caused fiscal experts some difficulty.

I would have nothing specific to propose to you at this time.

Senator TAFT. Before Senator Sparkman leaves, I would like to say that I appreciate the kind remarks he made concerning my father and Senator Hill.

Senator SPARKMAN. I had the pleasure of serving on this committee with both Bob Taft—you and I both did, Mr. Chairman. Well, I guess you did not with his father, but we did with young Bob.

I am going to have to leave.

The CHAIRMAN. We appreciate very much your being here.

Senator TAFT. Dr. Mathews, you have taken on a very difficult job, as I told you this morning, and we chatted a little about it. I am reminded a little of the poem that you may know, that starts out with a line, "It was roses, roses all the way and never a twig of hue." That is the way these things often go at the outset at these nomination hearings.

I hope that when you leave, in the far distant future, from the responsibility that you are to take on, that you will have an equal degree of appreciation. It is not always true.

I do not think the job has been one, looking at past records, which reflected a great deal of gratitude on the part of the public or Congress to those that have undertaken to serve in it. Especially I feel, while I agree with some of the sentiments expressed this morning by the chairman and some of the other members, as to not having always agreed with the administration's policy and decisions with regard to the programs under the Department, and feel they should have gone further or been different in their approach than they were, I think we ought to, in fairness, to the very distinguished man who is leaving this job, say that programs and policies are set by the Congress and also, of course, by the President. And the incumbents in your particular job, while I agree they ought to be advocates of the programs and responsibilities they have been given, nevertheless work under very considerable restraint.

And I do not think, in my opinion, that blanket charges aimed at specific individuals are particularly helpful in solving the problems.

I do not care to be defensive on this subject. But, in his career and his many appearances before this committee—I understand this is your first appearance before any congressional committee, it will be the first of many, and I wish you well with them—I think he always well acquitted himself of his side of various discussions and problems that have come up before us in presenting alternatives.

I just think, as a matter of the record, that should be put in the record here today.

Mr. MATHEWS. I just would like to comment, Senator, on the context in which you put the position of Secretary. I think that is most useful, to let it be clear that the Secretary is one among many in this endeavor.

It seems to me that is a far more realistic way to proceed with this endeavor, and it is also evident in your remarks that there is a partnership with a lot of other people, and I think that is also very realistic.

I appreciate your entering that into the record.

Senator TAFT. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Cranston is the chairman of our Subcommittee on Human Resources. That was created at his suggestion. He is most fittingly the chairman of that subcommittee.

We observed him and he seems to have unlimited resources in terms of physical stamina and intellectual sweep.

Senator Cranston, your turn.

Senator CRANSTON. Thank you, Mr. Chairman, for that beautiful introduction. [Laughter.]

Mr. Mathews, I was delighted to be introduced to you yesterday and have the opportunity to talk with you about a number of concerns of mine. I would like, first, to associate myself totally, without reservation, with what Senator Javits had to say to you about the matter of busing. I hope you will give real thought to the views he expressed to you.

I enjoyed talking to you in my office yesterday and wish you well in this very demanding job. I would like to cover some areas of specific concern to me and ask that you respond to me on each item in writing as soon as possible if you are unable to make a full response today.

1. *The Institute on Aging.*—I was very active in securing enactment of the Research on Aging Act and am vitally interested in this field. I've followed the great delays in setting up the new institute and the difficulties in finding a Director. I hope you will move rapidly now to fill this job and give your full personal support to the new institute.

I would appreciate your advising me of the action you plan to take in this regard.

2. *Family Planning Services.*—It is a matter of particular concern to me since it comes under the Subcommittee on Human Resources which I chair on the Labor and Public Welfare Committee. An April 15, 1975, GAO report indicates there is a serious lack of coordination between the various federally supported family planning service programs. I hope you'll review the administration of these programs to determine if they can be encouraged to coordinate their efforts more effectively, and to determine if increased assistance and guidance can be provided both the State-administered programs and the direct project grant programs to increase their efficiency and effectiveness.

I believe there is a great need for HEW officials devoted exclusively to family planning activities to be stationed in the regional offices who would be under the general program guidance of the deputy assistant secretary for population affairs. The agencywide role of the Deputy Assistant Secretary has never been fully implemented as required by law, and I hope you'll take a close look at this.

I would appreciate your responding to me on steps you plan to take to provide greater guidance and direction from Washington to the regions and greater coordination of all HEW programs supporting family planning services.

3. *Arthritis.*—I have a continuing interest in the implementation of the National Arthritis Act, which I authored in the Senate. That act established a National Commission on Arthritis which is scheduled to make recommendations in January for a long-range plan to combat arthritis. At that time, I urge you to consider carefully these recommendations and ask for a supplemental appropriation for fiscal year 1976 to carry out the recommendations of the Commission.

4. *Emergency Medical Services.*—As author of the Emergency Medical Services Systems Act of 1973, I also have a special interest in implementation of that act. Strong beginnings have been made in carrying out the purposes of the act which I hope will be reinforced and strengthened in the future. We are seeking significant appropriations increases for this year. I believe this can be a most cost-effective program since it is premised on fostering development of community resources, pulling together funding under different Federal programs, and providing for coordinated, planned development of local EMS systems, not support of individual components of EMS systems. I hope you'll take a close look at this program to see whether it is not worthy of greater HEW budgetary support.

5. *Alcohol, Drug Abuse, and Mental Health Administration.*—Dr. Jim Isbister has been acting director of ADAMHA for almost a year now. This administration has never had a permanent director since it was set up almost 3 years ago by HEW. Isbister is highly regarded and I believe has the full support of Cap Weinberger and Ted Cooper for the job on a permanent basis. I urge you to stand by the HEW recommendation and give Jim Isbister your full support for this job.

6. *Social and Rehabilitation Services.*—On another personnel matter, I hope you'll give top priority to recruiting a new SRS administrator. We need a compassionate and committed person, as well as a good program administrator, to head up welfare and medicaid programs. While I think a woman would be an excellent choice for this kind of position, I have no one particularly in mind.

7. *Community Services Administration.*—I hope you'll try to convince the President to leave the Community Services Administration, the former OEO—not the CSA in HEW which administers the Social Services Program—right where it is and not propose a reorganization plan to bring it into HEW as he is authorized to do if he wishes. Such a proposal will be bitterly opposed by many in and outside the Congress. It would seem to me to be the worst way for a new HEW secretary to get started—to have to propose and defend such a switch to the Congress and the public.

I offer these suggestions in an effort to let you know of matters which I believe other Members of Congress join me in regarding as high priorities.

8. *Education Matters.*—(A) *Veterans cost-of-instruction (VCI) program:* In 1972, I authored the veterans cost-of-instruction program, which was designed to enhance the educational opportunities available to veterans, especially disadvantaged Vietnam-era veterans. Congress has appropriated funds for this program in each of the last 3 years—despite a zero budget request—and both the House and Senate fiscal year 1976 appropriations bills contain funds for VCI. I understand that a reorganization is planned for the Office of Education which will result in a complete dissolution of the veterans program branch, which currently is responsible for administering the VCI program in OE. This branch has already been downgraded from unit status, and is severely understaffed. I am most interested in learning more about plans for reorganization, and, particularly, what plans are being made for the administration of the VCI program, and would appreciate your reporting back to me as soon as possible on this program, your view of it, and on the OE reorganization plans as they will affect the veterans program unit.

(B) *Bilingual education:* After several years of persuasion and work on legislation, sponsors of bilingual education programs have gained both stronger legislative authority for bilingual programs and gained a higher status for the Office of Bilingual Education within the Office of Education. What are your views on the general importance of bilingual education and will it be a priority within HEW programs?

I hope you will educate yourself on this program which is so vital to many children in my State and in many other areas in our Nation.

I would like to ask you two more questions. First on the matter of urban health, you have indicated your concern about rural health programs. I would like to ask what leadership you will provide to remedy urban health problems in pockets of physician shortage especially physician maldistribution which is a very serious problem, as well as outmoded and obsolete facilities that are standard in urban areas?

Mr. MATHEWS. Frankly, Senator, I have not found rural-urban distinction a very useful one in distinguishing between health problems. There is an obvious relationship in being able to provide

better health care in the rural areas and preventing the compounding of the problems of health care in the urban areas.

Also it is my impression that what you described as urban health problems—that is, problems of maldistribution—are identical to the characteristics in rural health. I would think there is a great deal of applicability and certainly both matters would have my attention.

Senator CRANSTON. Good.

Second on the matter that has gotten so much attention lately, medical malpractice, if the crisis continues with respect to the high cost of premiums despite State efforts to deal with that problem—and there is no reason to expect it to change when, in effect, all the States are doing really is providing access for pooling arrangements—are you considering any legislative proposals to attack that problem?

Mr. MATHEWS. Well, obviously, as Secretary-designate, I am not in a position to be promulgating programs. But I would say that I share your concern about malpractice.

I think from what I have been able to gather on the subject, it will take a variety of approaches to it, and a great number of people involved and determination to solve that problem.

Yes; I would feel that HEW should give that matter careful consideration and work with you on a solution to those problems.

Senator CRANSTON. Awhile back there was a task force report on medical malpractice within HEW, which I think got sort of shuffled aside with nobody paying much attention to it. You might start by taking a look at that.

Mr. MATHEWS. That is right.

I understand HEW, some time ago, did make very careful analysis of this. I have not seen that report.

Senator CRANSTON. Thank you very much.

Mr. MATHEWS. Thank you, Senator.

The CHAIRMAN. Senator Kennedy.

Senator KENNEDY. Part of the problem in malpractice is that there are three basic decisions that have to be weighed. One is sort of a reinsurance mechanism introduced by Senator Nelson. One is an arbitration panel which I have introduced, and one is sort of a no-fault concept. We had some hearings on those. It seems that the States were prepared to move ahead in trying to respond to the malpractice problem.

The fact remains that in the States addressing this problem, a very few of them have addressed the issue of quality in health care. They have developed different financing mechanisms in order to manage the fee schedules and the premiums that are being expected to be paid by doctors.

But as your review indicated, and I think Senator Cranston mentioned the Presidential Commission on this, only about 1 out of every 40 hospital admissions result in some negligent actions within the hospital setting. Only 1 out of 20 of those cases are actually brought in malpractice.

Even if you were developing some kind of mechanism to transform the premiums, you really are only scratching the surface.

We really have to do something more about the quality of health care in the country to insure that you are not going to have those negligent incidences.

I think any fair evaluation of State laws and any review of what is happening in the State legislatures will reveal that this is an area in which very few, if any, of the legislatures are working.

The fact remains that there were only 12 doctors in the country last year who lost their licenses out of 300,000 that were practicing, for any kind of negligence of malpractice.

Most of the States do not even empower the licensing commissions to take the licenses away from doctors because of any kind of malpractice.

So we have created a kind of a myth that we are resolving this problem with various kinds of actions taken by the States. But I firmly believe the problem is going to be right back in our lap. We have not moved ahead in this committee. We have had hearings on it, but we have not been able to develop a very strong consensus in the committee to deal with it.

The administration has been strongly opposed to any legislative action by the Congress because they thought the States were moving. But I raise this point because I think it is terribly important that, in reviewing malpractice, we put an important priority on eliminating the incidences of malpractice which is a quality of health care issue. The States cannot pass 50 different kinds of legislation dealing with that particular problem. Most commissioners of insurance in the respective States have very little understanding or comprehension of that element.

I regret I was not here when you had other exchanges on the area of education, but on the question of health again, do you think, just as a matter of personal belief, that once a doctor gets a license, that that ought to entitle him to practice for the rest of his life?

Mr. MATHEWS. No.

I think there should be appropriate reviews of the competence of a doctor. I understand that provisions for those, how effective they are I am not prepared to say, but I think, in principle, there should be review.

It is fairly common practice in my profession, as with any kind of license to perform, such as with a driver's license, a provision for review.

Senator KENNEDY. For the reasons you mention, you would certainly think review would be natural. Obviously, an airline pilot takes an update course. Primary care physicians do have a relicensure provision, which is not an examination but is a continuing education requirement. They have really led the way in the medical profession.

Mr. MATHEWS. Indeed they did.

Senator KENNEDY. We had provisions which would require the various professional groups to establish criteria, since they would be the ones most knowledgeable, and set that as a requirement within the profession. They know how best to insure the continuing updating of knowledge and awareness in terms of particular skills in their respective specialties.

But we ran into a lot of opposition, both within the administration and within the various specialties. I hope that we could work with you when we get into this quality issue.

The publications that come out really distorted what many of us are attempting to do, which was to require a continuing education

process, rather than just going back and taking an exam every 4 or 5 years.

It seems to me that is an extremely important concept.

Another aspect of the quality area is to try to get a uniform standard or grade in these board exams and flex exams which students take.

New Mexico uses one grade and New York uses another.

We have been trying to insure there be a minimum grade. If New York wants to set a higher grade and require additional requirements to assure that, within that State, the people that are going to receive the benefits of doctors who practice there have a higher standard, that is fine. But there is no uniform minimum standard now.

In a highly mobile society, we ought to be able to insure that those who are going to be taking the exam have to reach this minimum standard.

As I said, there are standard exams that are provided and we ought to be able to do something.

Let me just ask this.

You spoke very eloquently about the responsibilities that society has. We are not trying to define the relative responsibilities, whether it be local, State, or Federal, on this particular issue, but rather responsibilities that society has in general to educate a child. That is one issue which I believe in very deeply, and that includes the handicapped child as well.

I do not believe we should just say that the child in our society that is educable has certain rights, and the child that is handicapped does not have rights. I believe that they have rights as well. To whatever extent they can be made educable. We have that responsibility.

I understand you talked a little bit about this in an earlier response.

As you spoke, and as I understand with great eloquence, about responsibilities of society to a child in the education field, I was wondering whether that is also going to apply to a child in the health field?

Can you really make a distinction or should we make a distinction?

Mr. MATHEWS. I think there are some obvious parallels.

The fact of the matter is that a nation will not be self-reliant if it does not have an educated citizenry and, equally true, a nation will not be self-reliant if it does not have a healthy citizenry.

But I would trust that even though you and I may use different words, and we may even approach this matter differently philosophically, that we would be both aware that in order to get some accord in the country that we will have to band together a great many people who view the matter differently philosophically, who have a different sense of how this should be accomplished.

I would hope that the differences in the way that we state things and the differences in the way that we view them would not be an unnecessary impediment to our mutual responsibility to find some way to solve critical problems in this country, regardless of how we define these problems.

Senator KENNEDY. You seem to talk with a good deal more ease about resolving the problems in education than you do with regard to health. This is the troublesome factor. We have not gotten into the question of whether the State will provide certain resources to educate a child in Alabama. The Federal Government has some role; the local

community has some role; and, therefore, we are going to have to get these various elements together to insure that we are going to be able to educate a child.

You seem to talk about that with a great deal of ease.

The important thing is that the child is going to be educated—now, I agree certainly with that.

Now, the question is, do you have any problems or any difficulties insuring us that a child is going to get the same kind of response from our society in the area of health?

Mr. MATHEWS. I think we are fairly close there, Senator, in our position.

Senator KENNEDY. Where are we different?

I want to understand you. I am not asking you now whether you are for S. 3, for the AMA bill or any other program. I am trying to stay away from that.

You said, and I thought very eloquently, that the country has the responsibility to educate a child. We did not get into whether it ought to be a Federal, State, or local responsibility. We stayed out of that completely.

I just wonder why you are reluctant to say that we have the same responsibility to keep a child healthy.

Mr. MATHEWS. I think I did. I said the Nation, in order to be self-reliant, had to have educated citizenry and a nation, in order to be self-reliant, had to have a healthy citizenry.

Senator KENNEDY. You are aware of the administration's commitment to health insurance, are you not?

Mr. MATHEWS. I would not say that I was intimately familiar with it, because I have not discussed the administration's position prior to coming here.

Senator KENNEDY. Not getting into the details of the program, but the administration has committed itself to sending to the Congress a health insurance bill at the end of this year or early part of next year.

Mr. MATHEWS. I understand that one is under consideration.

Senator KENNEDY. You do not have any trouble supporting that?

Mr. MATHEWS. No. In working with some solution on the health insurance problem, not at all, Senator.

Senator KENNEDY. Can you give us any idea as to your own sense of commitment in fighting for the HEW budget?

We have seen this budget dramatically reduced in a wide variety of areas. In neighborhood health centers, child and maternal care, community mental health, drug and alcoholism, a variety of other programs, the budgets have been cut 20 percent and sometimes more.

The National Institutes of Health was cut back. On the other hand, in the area of procurement, the Administration request has increased 34 percent.

The report on Defense procurement was a 20-percent increase over last year. The efforts to try and reduce that 14-percent increase were defeated on the floor of the Senate.

Can you give us what your own feeling and belief is in terms of what is really important in national security?

My own view is that national security has a broader definition, than just the question of the number of missiles that we have. It is also

related to a kind of freedom from fear. Whether it be hunger, health, not being able to get education, or perhaps even in a somewhat more expanded way, free from the fear of domestic violence.

Old women up in Mission Hill in Boston are much more threatened, in terms of personal security, from crime in the community rather than from a Russian missile.

I am just wondering if you would talk a bit about what your concept of national security is. Whether it stretches to these areas which your Department will deal with. And also can you give us some feel as to the extent to which you are going to be fighting for a budget that is going to be reflective of this philosophy?

Mr. MATHEWS. Senator, first of all, I would say that I think the ultimate security of this country is in the strength of its people. I would also recall certain questions that were identical to yours earlier in the testimony.

One of the questions that you seem to be asking me is whether I myself would be willing to be an advocate in the Executive Department for the budget programs comprehended under HEW.

I said yes to that unequivocably.

Senator Taft made, I thought, a very interesting observation in the context of that discussion. He pointed out that Congress passes the laws, the President submits the budget, the Secretary of HEW is simply one among a great many participants in this process. I think that is an accurate and realistic view. I think it should be taken into account.

But, to return to what I said earlier, I see my job as an advocate. I believe that is the reason that the President asked me to take this particular position. That has, in fact, been my history. That is what I have been doing is advocating particular health and education programs for some time and trying to speak to some of the welfare and public policy positions in the State.

I assume the President was aware of that when he invited me.

Senator KENNEDY. What about in the field of nutrition?

We have had a program for nutrition for the elderly.

Have your responsibilities at the university brought you into contact with any of these problems? Is this a matter of any special interest to you?

Mr. MATHEWS. Yes, Senator.

We have—or one of our major emphases is nutritional programs, and we have worked both with the elderly and with the disadvantaged throughout the State, and have seen really our nutritional program as a complement to what we are trying to do in improvement of health care delivery.

As I mentioned earlier, it always seems you have to enlist the wide variety of people if you are going to make a serious fight over this. It occurs to me that nutritionists have a very important role in this area.

Senator KENNEDY. We do not have any problem enlisting a wide variety of people. What we need in the nutrition program is money.

If you get a chance—and I am sure you will—visit any of these distribution centers, and you will find an enormous involvement from local groups, senior citizens groups and others, and very low administrative overhead on it.

I think, generally, it has been one of the most impressive programs in terms of cost-benefit ratio. It really needs a commitment of resources and money.

It is like a number of other programs. This is something that I hope we can get some help for.

Could you just tell us a little about your sense of the community action programs, trying to involve local groups in terms of power-sharing in a variety of different programs that come under community action?

You talk about the involvement of people. I imagine that you have some sympathy for the concept of community action and community responsibility and community power.

Mr. MATHEWS. And citizen involvement, indeed I do, sir. I would be glad to elaborate.

Senator KENNEDY. Yes.

Mr. MATHEWS. Surely.

I have been involved in several programs that seemed to me to have some merit. In particular, the Kettering Foundation that I was associated with for several years has had as one of its major problems some interest in citizen participation in governmental processes.

I have spoken in my State and other places about the great necessity of having local involvement in these decisions.

We need to have some feeling that Government is not removed, not far. Bill Ward, who is at Amherst in your State, a fellow historian, said in a conversation he and I were having a couple of weeks ago that maybe the most critical point in American history was when we passed from "we, the people" to "they, the Government."

I thought Bill had some good insight into the dilemma of our society. I subscribe to those views.

Senator KENNEDY. I think that is important.

One of the studies that was done in the evaluating of neighborhood health centers in HEW, was the role of consumer action and consumer participation in the governing boards. We will see in one of the studies that those boards that were consumer dominated were really the most effective in terms of the administration. And I think that this is something that we have seen in a number of other programs, whether it is lead paint poisoning or a variety of other community service programs.

I thank the chairman.

Thank you very much.

Mr. MATHEWS. Thank you, Senator.

The CHAIRMAN. Dr. Mathews, in conclusion, there are initiatives from this committee that have gone into law. They are programs that design for certain specific return, governmental activity, and service to people.

And we have found many of them, while they are here placed in law, have not been implemented, have not been advanced by the departments to which they have been assigned.

Many of these activities are in the area of responsibility which you will be having at HEW. I am not go ng to indicate any at this time, but we would like the opportunity to detail some of the efforts that have not had the response needed, and there have been dormant efforts. The community colleges is one that comes right to mind. I mention that because it is a program that was my initiative, and it has

not had any degree of attention. No request for money. And no money has gone to our States and to our community colleges. That is just one. There are many.

We would like to outline these to you in a letter. I know that you demonstrated that you are responsive and will follow up on things that arrive.

Mr. MATHEWS. I would not only be willing to receive it but I would want to have your views.

The CHAIRMAN. A problem that we have had, I might mention it now, and this comes to me from Senator Javits, and I think Senator Kennedy has similar experience—my special work here takes me to another department frequently in Labor, and I have not had this problem, but it is the opportunity to communicate and thrash out legislative problems and implementation with the professionally competent people in the Department.

In hearings at the time of Mr. Weinberger's nomination, Senator Javits said this, and I think it would be well to quote it at this time. Again this is an introductory view of some of the problems we have faced.

Senator Javits said this:

> We have had the same experience, and I think it would help us, both Senator Kennedy and the minority, if we could spread on the record the definition of the word chaperone as it is used in the context with working personnel of HEW. My understanding of it is that if you were to see them during working hours, you must also be accompanied by some official who is from the political hierarchy of the Department. You cannot just see a working professional face to face without it being monitored by somebody who is in the political apparatus of the Department.

That colorful language is Senator Javits' but it reflects something that is deeply felt here.

We have a staffing system here. We have all of the subcommittees, and we are truly fortunate in the professional staffing on each of these committees. And it is a day-to-day need for these people to work with the professionals in the department to again thrash out our common problems.

Senator Javits used the word "chaperone."

When your staff people arrive, they are chaperoned, he says, with someone from the political apparatus.

He is not here to further amplify that. You get the flavor, I am sure.

Mr. MATHEWS. Several of the Senators have been good enough to discuss this with me. I understand your disquiet on this matter. I have only two comments to offer.

First of all, I should say that I should not comment on what Mr. Weinberger has done. I am sure what he did, he did with good reason. And I am not familiar with what he did or why he did it. I should not comment.

I see no reason that you should not have access to technical information that you need.

The only thing that I would ask of you in return is to remember my responsibilities for being at least aware of what is going on in the Department, because you would be equally unhappy with me if you asked me a question about some matter that I was just totally unfamiliar with that you had discussed with somebody else.

But I do not believe, Senator, we will have too much difficulty working out some accord in that. You have a heavy responsibility, and if you require information, I see no useful purpose gained in deliberately withholding that from you.

As somebody else has already said, the issue is not who is right, but what is right.

The CHAIRMAN. I am most impressed with your openness and candid way you dealt with this hearing we have had this morning.

I was very much refreshed in reading some of the things you have said that were reported after you were named by the President. I had occasion to recall some of this yesterday when I was faced with a very difficult, most difficult problem with the Department on a specific effort. This is related to a program in New Jersey.

But in the National Observer—this is not a quote—but it is stated that you warn that increasing governmental controls and regulations threaten to "bind the body of higher education in a Lilliputian nightmare of forms and formulas."

In the Huntsville Times profile that was included in the record by Senator Sparkman, you were quoted as saying that the American people were thereby able to be free of the ultimate tyranny, that of bureaucracy.

Well, obviously whenever there is a Government effort, there have to be program directors, and those who undertake it. That is the bureaucracy.

When you see the bureaucracy lose all sense of fairness and logic, then we are in deep trouble.

I will take a moment just to describe my nightmare of yesterday. Senator Cranston mentioned one of the efforts that we have felt has not been fully sensed in its importance by the Department—the bilingual education effort. So we have programmed bilingual education for the Nation, and feel that this is part of that first opportunity for all people to have an equal chance, beginning with primary education.

The bilingual program came on with great promise. Last year in the State I have the honor to represent, there were between 15 and 20 communities that made application and received money for bilingual education. Some of these communities have a school population where better than 50 percent of the schools population are Spanish-speaking.

Now, yesterday I came in in the middle of a conference in my office of individuals from the Department and a superintendent of schools from New Jersey. Last year they made application for bilingual funds. They received the funds, and they started the program.

They were reviewed by the area director from the Department during the course of the year. The area director was in this meeting yesterday. Their application for next year was denied.

I found out that they were not the only one that had been in the program for last year that were denied for next year. Here is what evolved.

Those who were in the program submitted again what they thought was an application for continued funding. And the first notice they had that they were in trouble was when they received this notice of denial. Then they found out that they were put into a group, not of

continuing programs, but new programs, and the method of selection was not described to them. They were in competition.

Then it developed that the area director said that these applications were considered—this community's application was considered with other new applications, and the applications were, when they arrived here, were given to readers for evaluation.

Now, the readers developed not to be any part of the area director's division. They sat over in their own cubicles only reading applications and scoring it on what they read, without any reference to what in fact had been happening under the program in the community.

It just seems to me the superintendent of schools, who happened to be in this case the dean of superintendents from the State of New Jersey, he controlled himself, but it was very difficult, because he was choked up with sadness. His experience has been that in this community, it is Hoboken, N.J., where there are 52 percent, or maybe a little better, 58 percent of the population Spanish speaking. They have not only responded to the needs of those youngsters, they were there when one of the Nation's great banks was receiving Vietnamese employees and their families here in this country, they went to Hoboken to live, and they went up to the superintendent and said here we have our employees, they are going to live in your community. They have kids. They speak Vietnamese. What can you do with them?

He had the initiative and the creativity, and the energy to bring the Vietnamese into the bilingual program. He did not have any money at that point. But he thrashed it out for this summer.

This is the program that was shut off because of what I consider an extreme case of bureaucratic lack of logic, and lack of fairness.

If there was to be a severe cutback because of limitation of money, at least these people should have been advised that they are working with a new system of selection, and not the one they started on the year before.

I highlight it because it was one of the most tragic examples of bureaucratic insensitivity to the needs of a community and to the implementation of a truly noble program.

That is a lecture. But I had to get it off my chest. It is not off, but it is relieved for the moment.

These are the things that I know you are sensitive to, when the bureaucracy just gets wholly out of touch and unrelated to the human content of the efforts, and they get wound up in numbers and forms and formulas. And in the process a lot of people are severely short-changed. And as a result, are not being educated properly right here at the beginning—the Nation suffers.

So that is my concluding observation.

I look with considerable favor upon your nomination. I opened with our sadness about some of the problems we have had, and I hope we can have that exchange of thoughts. We will not have a unanimity of opinion on what the effort should be, but we can approach that as we did with some other Secretaries, notably Secretary Dunlop, in a most constructive way. I look forward to that.

Mr. MATHEWS. Thank you.

The CHAIRMAN. Thank you very much.

At this point we will insert in the record all relevant material submitted for the hearing record.

[The information referred to follows:]

[From the Huntsville (Ala.) Times, June 22, 1975]

MATHEWS: A PROFILE

(By Peter Cobun)

TUSCALOOSA.—As he mounts the steps of the stockade-like administration building of the University of Alabama here, David Mathews says hello to two students in the close, morning heat of the Tuscaloosa summer.

The unsuspecting students jerk around, surprised at the pleasant acknowledgment from the university president in the faceless anonymity of the institution.

In the muted spendor of Mathews' second-floor office, he squints from the glare as he peers absently at the tree-shaded quadrangle which serves as the nucleus of the expanding university campus.

David Mathews has a great deal on his mind. In the next several days, President Ford will send to the Senate the nomination of Forrest David Mathews as secretary of the U.S. Department of Health, Education and Welfare.

Since news leaked of Mathews' pending nomination to the Ford Cabinet, the university president has refused to discuss HEW. "Just pretend HEW doesn't even exist," he says, smiling in a boyish grin which gives no hint of his 39 years.

But Mathews' thoughts provide a striking insight into the ideas he may have in administering the unwieldly bureaucracy with an annual budget of $118.4 billion.

"The political genius of the early American republic was the ability of Americans to do for themselves so many things that governments elsewhere sought to provide.

"The American people were thereby able to be free of the ultimate tyranny: that of bureaucracy. The basic principle for all public policy should be that the first responsibility of government is to make people self-reliant. That should be the meaning of government 'service.' "

If this statement is Mathews' precept of running the HEW, it is a precept which has been nurtured and influenced by his childhood and adolescent days in Grove Hill, the small (population 1,825) county seat of Clarke in southern Alabama.

David Mathews was taught the principle of self-reliance until his graduation from Clarke County High School. But he was also taught the appreciation of the subtleties of human nature.

"Growing up in a small town can make you more sensitive to the subtleties of life," he says, visually enjoying the opportunity to look back on the foundations of his childhood.

"Things just don't whiz by you in taxi cabs or subways. Small towns are a particularly good tool in the subtleties of human relations. Maybe that's true because people aren't always changing. You have just a small number of people to deal with day in and day out.

"But most importantly," he says, "in a small town you get an incredible amount of support and reinforcement. You really don't have to be all that good to get your name in the county newspaper.

"In a small town, people are willing to believe you're better than you really are. It is often nothing more than just that—support and reinforcement—which makes people better than they really are—or otherwise would be."

Mathews will take his home-spun philosophy with him by summer's end to Washington, D.C., where he will attempt to take control of the largest chunk of the national budget.

Will he forget that philosophy?

"You will always move away," he says, "but you will never forget those principles you first learned."

In the Cabinet post, Mathews will be responsible for the nation's social, medical and educational programs—programs designed for the betterment of this country's peoples.

"Our greatest resource," he feels, "is in our people, in their capacity for pride and hard work, and in the sense of community that they have preserved—and that preserves them.

"Our plans for progress must not destroy the ancient ties that bind our people into a human community."

Mathews' conversation is spiked with phrases such as "human community," "heritage," "tradition," "hard work" providing a key to his ideology, yet still preventing pegging his politics.

Categorizing Mathews politically is difficult. He describes himself only as an independent, and has avoided embraces by both Republicans and Democrats. His distaste for the blunt, and unsophisticated politics of George Wallace is not a well-kept secret.

Just as Mathews has avoided political categorization he has avoided discussion, of his possible political future.

Speculation has often flowed and ebbed about when Mathews would shed the academic security of the presidency of the University of Alabama for the more tumultuous world of politics.

"I'm not interested in any sort of political office," he said with apparent conviction during a conversation four years ago.

Speculation of Mathews' imminent departure was at new heights that year, following the publication of a six-page cover story in the Saturday Review on Mathews and the university.

Yet David Mathews remained, plotting innovative courses for the university and shrugging at suggestions of a political career.

"I have no political base in Alabama," he said of the magazine profile.

"Anyway, I'm a teacher. A historian. That is my life's work. I may not always be at the University of Alabama. I just don't know. But I will always be a teacher."

Even in his six years as president of the university, Mathews has made time for teaching. His appointments calendar is left blank for his large sophomore history class, which he misses very infrequently.

"I do it because I enjoy it," he says, and he is one of the few college presidents in the country who insists on finding time to go back to the classroom.

Mathews received his undergraduate degree from the University of Alabama in 1958, majoring in history with a minor in classical Greek—a language study not even in the curriculum. By special arrangement with a professor, Mathews studied privately and intently, the university accepting his study as a minor.

A year later he was awarded a master's degree. After a brief hitch at Fort Benning, Ga., as an infantry officer, Mathews served as Alabama's assistant dean of men between 1960 and 1962. In 1965, he received a doctorate in the history of American education from Columbia University. Within a year he was named executive assistant to the president and in 1968 executive vice president of the university.

With the resignation of Frank Rose as president in 1969, Mathews was named his successor.

He chose the university presidency over several lucrative private offerings, including the chairmanships of the Encyclopaedia Britannica and the Saturday Review magazine empire.

Although Mathews isn't saying, it is doubtful that his HEW reign will extend past Ford's present term. Even if Ford is elected for his first full-term, most university officials expect Mathews back at the academic helm before January 1977.

The material trappings of high office—the social fuss, the protocol, the limousines—don't appeal to the graduate of Clarke County High School.

When Frank Rose moved from the imposing white-columned president's Mansion in 1969, he left in the driveway for David Mathews a new Buick with a university chauffeur waiting in the wings.

Mathews immediately disposed of the chauffeur, reassigning him to more instrumental doings at the university and relegated the auto to mere highway travel. Although Rose was often chauffeured between campus buildings. Mathews discarded the pretentious trappings of his presidency to walk with some of the university's 15,000 students between classes. He explained it as part of his efforts "to stay in touch."

It is that sense of "staying in touch" which has guided Mathews throughout his presidency of the university.

His idea of citizen roundtables—initiated after the years of campus turmoil in the late 1960s in an effort to bring together students, faculty, administrators, prominent representatives of education, business and government in an intellectual give-and-take—won praise from participants and resulted in the establishment of annual roundtable discussions.

These days he talks of his efforts "to enable the university to speak to a larger audience."

Mathews established the university's New College in 1970, a school unlike other "experimental colleges" in the nation. New College does not serve restricted clientele, but enrolls a student body from all walks of life. The college's students

have included the past state president of the NAACP; the new black sheriff of Greene County; the white mayor of a small, south Alabama town.

Mathews has been instrumental in changes in procedures making the university more accessible to parttime students.

As a teacher, he has witnessed the dull, tedious teachings of his peers. As president, he has initiated programs to inspire creativity in the faculty. The Ford Foundation provided a $250,000 grant to Mathews' Venture Fund—a fund used to award, on a competitive basis, money to professors who propose new and better teaching techniques.

Mathews speaks unhesitantly about the problems facing education at the University of Alabama. His thoughts provide a clue to the concepts he will apply to education nationally when he takes over the helm at HEW.

"Education needs to be more responsive to a wider audience." he says. "As in our Venture Fund program, education needs to award creativity among the faculty.

"And education needs to be responsive to the public needs without being overwhelmed by fads. We need to involve the general public in education without being a mere giant public relations effort."

David Mathews was shaped significantly, he says, by the teachings of his grandfather, now 90 years old and a former superintendent of Clarke County Schools.

"When I think of my grandfather," says Mathews, "I think of an old Greek saying. 'Behold the man.' Roughly translated, it brings to mind the people whose vitality, whose intellectual vigor and whose personal integrity makes them monuments on the human landscape."

"My grandfather is one of those persons."

In nominating Mathews as secretary of HEW, Gerald Ford is looking at the University of Alabama president to bring his vitality, intellectual vigor and personal integrity to the federal bureaucracy.

DR. DAVID MATHEWS, PRESIDENT, THE UNIVERSITY OF ALABAMA

When David Mathews assumed the presidency of The University of Alabama in the fall of 1969, he was the youngest man ever to hold that position. However, he has been deeply involved with the University for over 20 years—as a student, dean of men, history teacher, vice president and president. He has probably seen the University from as many perspectives as anyone in its history.

A native Alabamian (from Grove Hill), he returned to his alma mater first after military service and again after taking his doctorate in the history of American education at Columbia. As he has advanced through the ranks, he has continued to teach American history and to write in the fields of his special interest, Southern history and American higher education. He has written for or has been written about in publications ranging from the *Educational Record* and the *Alabama Historical Reviews* to *Southern Living* and *Saturday Review.*

His leadership at the University has sought to translate the personal concern for students, for which he is recognized for openness and fairness, into programs. A prime example is the student internship project which has involved hundreds of students in working for the University and learning from direct contact with its operations. During Dr. Mathews' tenure the University has established such other new divisions as the New College, the Computer Honors Program, and the Interim Session, all of which are designed to help improve the learning opportunities for students.

Dr. Mathews has had a special interest in the problems of the state and region and the responsibility of the University for aiding in sound public policy development. He has used his service on the Southern Regional Education Board, the Southern Growth Policies Board, the State Oil and Gas Board, the Birmingham Federal Reserve Board, and the Alabama Council on the Humanities to work with the University faculty to help bring their knowledge to bear on the critical issues facing the public. The University has also tried to be responsive through the creation of such agencies as the College of Community Health Sciences (for improving rural health care delivery), the Law Center (for legal research into public policy matters), and the Field Service Office (for community level contact with University research and service bureau).

Dr. Mathews has been asked to serve as a member of the board of the Charles F. Kettering Foundation, as an advisor to the Secretary of the Army on ROTC Affairs, as a member of the board of directors to the Academy for Educational Development, as a trustee of Judson College, and, since 1969, as state chairman

of the March of Dimes. He has been particularly active in the formation of the Alabama Consortium for the Development of Higher Education, which is a voluntary association for joint efforts by a group of the state's public and private institutions. And in 1975, Dr. Mathews was appointed by President Ford to the Advisory Council for the American Revolution Bicentennial Administration.

At the University, the student/faculty awards committee presented him with the Algernon Sidney Sullivan Award, the only President to ever have received that honor. Other honors include memberships in Phi Beta Kappa and the Alabama Academy of Honor, selection for the state's citizen of the year award for 1975 by Alabama's Exchange Clubs, and selection as one of the nation's ten Outstanding Young Men in 1969.

MATHEWS TO HEW

When Dr. David Mathews was named to follow in the footsteps of the dynamic Dr. Frank Rose as president of the University of Alabama, a number of skeptics shook their heads suggesting that young David would never conquer the sprawling Goliath at Tuscaloosa.

But the 33-year-old David had a few wrinkles in his sling which since 1969 have made the job appear simple.

Not only has Dr. Mathews and the university survived, both have prospered and both have grown in stature.

Taking over at a time when student unrest was peaking, Mathews quietly mobilized the student, faculty and administration leadership and together drew up guidelines for what turned out to be peace and progress on the campus.

Among his talents which emerged as president were the ability to hear with his ears, see with his eyes and talk in terms which others could understand.

Now young David, as the youngest of President Ford's cabinet nominees, will have the chance to use these talents in a vastly larger arena as secretary of the Department of Health, Education, and Welfare. Managing that billion-dollar agency which touches the lives of every community in the nation and millions of personal lives. Mathews will have perhaps the toughest job in government next to the presidency.

The staff of this newspaper, which has had occasion to work closely with Mathews and his staff, has come to admire and trust him. Given even nominal support, he will do a grand job at HEW. President Ford could not have made a more propitious nomination.

While we wish him every success in Washington, we look forward to the time when he will have finished his task there and returns to Alabama.

Good luck, David; and keep your sling dry.

[From the National Observer, July 5, 1975]

NEW "SNAKE PIT" BOSS

FORD REACHES SOUTH, PICKS A COLLEGE PRESIDENT FOR HEW

(By Robert W. Merry—From Grove Hill, Ala.)

In this rural Alabama hideaway, where the population peaked at 1,800 nearly a generation ago, they're talking about F. David Mathews, president of the University of Alabama at Tuscaloosa and this town's favorite son. At Pruitt's Restaurant, where David's father and grandfather usually take their early-morning coffee, or at Deaver's Restaurant, where you're likely to meet old Mr. Tucker—that's John F. Tucker, he used to run a pharmacy in town—or at Jansen Chapman's drugstore and soda shop down on Main Street, you can't hear a discouraging word about the Secretary-designate of Health, Education, and Welfare.

"When he was a boy, and you had him in a basketball game, if you gave that kid something to do, he'd do it . . . he'd just do it . . . he'd just, well, just do it," says H. G. "Red" Prim, former coach and principal at Clarke County High School here. He shrugs, "You just can't bottle that kind of thing up."

Mathews, if confirmed by the Senate, will replace Caspar W. Weinberger as chief of the nation's second largest bureaucracy (after the Department of Defense)

with a budget of $110 billion and a payroll of 149,000 employees. When word of Ford's intention to nominate Mathews as HEW Secretary leaked out some weeks ago, it raised an immediate question. Who *is* David Mathews?

A CERTAIN AURA

The basics: young (39); son and grandson of former Clarke County school superintendents; bachelor's and master's degrees from the University of Alabama (Phi Beta Kappa graduate), doctorate from Columbia University in history of American education; married (to his Grove Hill sweetheart, the former Mary Chapman) with two daughters, 10 and 13 (also two dogs and two gerbils); a member of the advisory council of the American Revolution Bicentennial Administration (where Gerald Ford first had a chance to observe him); an administrator and teacher at Alabama since 1960.

But in Grove Hill—indeed, throughout the state—the description of Mathews goes beyond the who's who kind of data. The consensus is that if any Alabaman can handle the HEW job, it's Mathews, who became head of the university's Tuscaloosa campus when he was just 33. Some observations about Mathews made by several people: a special quality, a certain aura, a combination of attributes setting him apart from others in a crowd, no matter how distinguished the crowd.

But Tuscaloosa is a long way from the bureaucratic dens of Washington, and HEW is a greater distance from the Tuscaloosa campus with its 2,475 employees and $51 million budget. Some might wonder, in fact, whether a man of just 39 years without any experience in Washington politics can be anything but a figurehead Secretary at HEW.

JEALOUS OF THE TURF

In Washington observers will tell you that the agency's professionals don't much resemble those "pointy heads" described by Alabama's Gov. George Wallace. They are tough-minded, artful politicians with their own jealously guarded turf and the means to protect it. "Anyone coming into that snake pit without experience in the Federal Government," says a congressional official with close ties to HEW, "will probably find himself outmaneuvered. The professional bureaucrats can just tear a new Secretary to shreds."

David Mathews isn't much used to being torn to shreds. He is a tall, precision-tongued man with the smooth good looks of a Southern fraternity president (he didn't join a fraternity at Alabama but was president of the Baptist Student Union). He is also described as a poised manager who avoids confrontations—whether with students, faculty, or legislators—by working behind the scenes, anticipating trends, and trying to shape events to his own advantage.

An example, university administrators say, is his handling of student disorders 1969 and 1970. Avoiding public confrontations with vocal campus activists, he quietly sought out elected student leaders who had been eclipsed by the activist movement. These students, their influence bolstered by the president's attention, became a counterweight to the more activist elements on campus.

But when a campus gymnasium went up in flames during a 1970 student uprising, Mathews didn't hesitate to call in state troopers. That move stirred some criticism, but most observers on campus contend the criticism would have been more vociferous in this state had Mathews not taken strong action.

"This young man doesn't tilt at windmills or volunteer for any kamikaze squads," says Dr. Joseph Sutton, a vice president at Alabama. "He chooses his own battlegrounds and weapons, looking for the possibilities for movement and change, then exploiting them. You might say he builds the sidewalks where the paths are."

Mathews' style wins him praise from other quarters too. The editor of Alabama's student newspaper says he can't think of a single liability Mathews has displayed as university president. An influential state senator says it would be impossible to exaggerate "the positive feeling the Legislature has for Dr. Mathews," Even a top aide to Governor Wallace, while acknowledging that he and Mathews probably disagree on many issues, praises President Ford for choosing such a "fair, honest, decent man" for the HEW post.

Among faculty members, however, the praise is muted. Some complain about Mathews' "lack of accessibility" and his less-than-enthusiastic response to proposals for creation of a faculty senate. Even those most at odds with Mathews on these issues praise his abilities.

But he's also politically inscrutable. Throughout his years in the Alabama limelight, he has studiously avoided political categorization, just as he avoided it in Birmingham one day recently as he munched on a ham-and-cheese sandwich and answered a reporter's questions.

"I have no party affiliation," he says, relaxing briefly after a university Board of Trustees meeting. "I'm an independent—with a small i." Aside from partisan politics, would he describe himself as basically liberal to conservative? "I hate to comment on whether I'm a liberal or conservative. I don't find those terms very useful." But is there some other way he could categorize himself politically? "Well, I could trace the roots of Eighteenth Century Western liberalism and discuss the significance of John Locke in that tradition and tell you where I think he was wrong and where I think he was right. I'd be glad to do that. . . ."

Such an approach doesn't hurt in Alabama, where John Locke is considerably less important politically than George Wallace. Observers in the state say the governor and the university have reached an accommodation over the years in which each avoids encroaching on the other's territory. That's been an easy accommodation for Mathews, who instinctively avoids unnecessary political battles and concentrates primarily on his administrative duties.

"My instincts," he says, "are essentially those of a teacher. My concern is with the relationship between education and public policy." Mathews generally is considered to use the words of his former coach, Red Prim, "closer to a liberal than a conservative."

WARNED OF CONTROLS

Yet he has been outspoken in cautioning against the growing government intervention into higher education. Writing in Saturday Review/World magazine last year, he warned that increasing governmental controls and regulations "threaten to bind the body of higher education in a Lilliputian nightmare of forms and formulas." Such controls, he wrote, serve to discourage creative leadership at the campus level.

Mathews recognizes that his concern is part of a broader development—namely, the growing hostility throughout the nation toward big government, including such Federal agencies as HEW. "I'm struck by the breadth of this sentiment," he says. "There's a pervasiveness to it and also strong emotions involved. It adds up to the perception that there are some serious signs in this country that need to be taken note of."

Whether anybody, having taken note of them, can do much about the trend toward bigness is another matter. But taking over HEW is just the sort of challenge Mathews seems to relish.

"David's not a driven man," says Mary Mathews, a winsome blonde with Southern charm that blends with the spacious antebellum mansion that is the president's residence in Tuscaloosa. "I don't think he ever had any great burning ambition to be president of the university here. But he's always had an attitude of, well, if I'm needed, then I ought to try to do that."

If David Mathews ever asked himself what kind of pursuit he would find most satisfying, says his wife, "he'd probably end up teaching history and planting tomatoes and roses in his spare time." In fact, he does plant tomatoes and roses in his spare time and has taught an American-history course just about every semester since he became president.

Mathews himself, asked about his spare-time pursuits, invokes the image of his home town, where life is simpler and perhaps more basic than in Tuscaloosa, not to mention Washington. "By instinct I guess I'm a farmer," he says. "You know, Grove Hill isn't a middle-class suburb with all kinds of middle-class recreational opportunities. It didn't have any golf course, no tennis club. So I learned how to work with my hands. I'm a stone mason, a gardener, a tree planter."

"A ROLLER-COASTER RIDE"

Can a stone mason-gardener-tree planter from Grove Hill, Ala., enjoy the Governmental jungles of Washington? Can his wife? "It's sort of like a roller-coaster ride," says Mrs. Mathews. "You get excited about it, yet you know there will be a time when your stomach will leave you. But, fortunately, we've never been bothered by new situations." A reflective pause. "Of course, nobody has any illusions about the job."

But neither are there serious doubts, at least on Mrs. Mathews' part, about whether her husband will succeed in Washington. "I'm not a very modest wife," she prefaces. "But I've thought ever since I was a little girl in Grove Hill that David was different, that he was bound to do unusual things."

You hear similar expressions from Grove Hill townsfolk—with one exception. "Oh, David might have had special qualities in Mary's eyes," says Mrs. Doris Mathews, David's mother. "But he was a typical Grove Hill boy really." Then she adds, "Of course, he always applied himself thoroughly to whatever project he was involved with."

And there was plenty of encouragement in Grove Hill, where a powerful sense of community survives the century's juggernaut of technology. "I feel like growing up in a small town can be sort of special," says Mathews' mother. "The people are all interested in you, very supportive of you. You grow up thinking you can do almost anything when you grow up, and you're encouraged to think that way."

Already, there's talk around the state of a possible political career for Mathews, perhaps a run at the governorship or John Sparkman's Senate seat. Two recent polls published by Universal Statistics of Atlanta indicate there might be a state-wide constituency for the young educator. But Mathews, who will request a two-year leave of absence from the university so he can take the HEW job without severing his university ties, demurs. "I don't have any great global ambitions, no political ambitions," he says. "I'm an educator."

Which is good enough for Grove Hill, where the folks are excited enough about the HEW nomination even without any talk of a future political career. "When that boy became president of the university," says Prim, "I thought it was the grandest thing that could happen to this town. But I guess that was nothing compared to this."

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SENATOR JAMES ALLEN
SENATOR OFFICE BLDG
WASHINGTON DC 20510

DEAR SENATOR ALLEN

I AM PLEASED TO FIND IT POSSIBLE TO WRITE TO YOU IN SUPPORT OF THE NOMINATION OF DOCTOR DAVID MATTHEWS BY PRESIDENT GERALD FORD FOR THE POSITION OF SECRETARY OF HEALTH EDUCATION AND WELFARE. DOCTOR MATTHEW'S NOMINATION HAS CAUSED SOME COMMENT WITH REGARDS TO HIS LIBERALITY OR LACK THEREOF DEPENDING ON ONE'S PERSPECTIVE.

I CAN COMFORTABLY SUPPORT THIS NOMINATION AS A RESULT OF BOTH PERSONAL EXPERIENCE AND CLOSE OBSERVATION. AS AN ATTORNEY I REPRESENTED BLACK STUDENTS AT THE UNIVERSITY IN A SUIT TO DESEGREGATE THE UNIVERSITY'S ATHLETIC DEPARTMENT AND RECENTLY AT THE UNIVERSITY'S REQUEST I REPRESENTED BLACK FOOTBALL PLAYERS DURING A DISPUTE AT THE SUGAR BOWL. IN BOTH INSTANCES DOCTOR MATTHEWS WAS A POSITIVE FORCE FOR GOOD. IN GENERAL DOCTOR MATTHEWS HAS HAD NOT ONLY A LIBERAL IVY EFFECT WITH REGARD TO THE UNIVERSITY BUT SPECIFICALLY HE HAS HAD A LIBERALIZING INFLUENCE ON THE ENTIRE STATE.

DAVID MATTHEWS REPRESENTS AN IMAGE THIS STATE NEEDED AND I BELIEVE HE BRINGS TO THE FEDERAL GOVERNMENT AN IMAGE THE YOUTH OF THIS NATION NEEDS. HE BROUGHT TO UNIVERSITY OF ALABAMA THE PRACTICALITY AND COMMITMENT I BELIEVE HE WILL CONTINUE TO DEMONSTRATE MOST IMPORTANTLY DAVID MATTHEWS HAS DEMONSTRATED THE CAPACITY TO CHANGE AND I MUST SAY IN ALABAMA THIS HAS BEEN A KEY FACET TO OUR PROGRESS.

IN CONCLUSION THE LAST DECADE OF LIFE IN ALABAMA HAS SEEN CHANGE IN MANY QUARTERS, SOME MORE RAPID THAN OTHERS MEN LIKE DAVID MATTHEWS, WHILE NOT DELIBERALS SOME OF US WOULD WANT THEM TO BE, HAVE BEEN SINCERE AND STRONG FORCES FOR POSITIVE CHANGE. I BELIEVE DOCTOR MATTHEWS WILL FULFILL HIS LEGAL OBLIGATIONS WITH COURAGE AND WILL DISCHARGE HIS LEADERSHIP RESPONSIBILITIES WITH VISION AND ENERGY
SINCERELY
A J COOPER JR
MAYOR OF CITY OF PRICHARD ALABAMA AND
PRESIDENT OF SOUTHERN CONFERENCE OF BLACK
MAYORS
PO BOX 10515
PRICHARD AL 36610

18:51 EST

MGMWSHT HSB

The CHAIRMAN. The hearing is now adjourned.
[Whereupon, at 11:41 p.m., the committee adjourned.

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