

Samuel V. Merrick Oral History Interview – JFK#2, 11/04/1966
Administrative Information

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Biographical Note

Samuel V. Merrick (1914-2000) was Special Assistant to the Secretary and the Director of the Office of Legislative Liaison in the Department of Labor from 1962 to 1968. This interview focuses on Congress's attempt to pass the Youth Employment Opportunities Act, the passage of the Manpower Development and Training Act, and the inner workings of Congress before and during the Kennedy administration, among other topics.

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Samuel V. Merrick– JFK #2
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Second Oral History Interview

with

SAMUEL V. MERRICK

November 4, 1966
Washington, D.C.

By Larry J. Hackman

For the John F. Kennedy Library

HACKMAN: Mr. Merrick, last time you had talked about your role in the Youth Conservation Corps Bill and the Youth Employment Bill in 1961. Could you comment on your involvement in the development of this legislation in '61?

MERRICK: In 1961, I was the counsel to the Senate subcommittee on employment and manpower. That subcommittee handled the bill you are talking about during 1961. It did

not get to the floor of either the Senate or the House that year. The 1961 version was a kind of superstructure built on the foundation -- well, on two foundations: one foundation being the [Hubert H.] Humphrey Youth Conservation Corps measure of '59, which the Senate passed; and the other foundation, a recommendation by the Kennedy Administration in about June of 1961 for what really was a small seventy-five million dollar demonstration program.

The Senate subcommittee, which gave priority to the Manpower Development and Training Act since it seemed a more easily passable piece of legislation, took up the Youth Employment Opportunities Act after it disposed of the Manpower Development and Training Act. I'm refreshing my recollection from a memorandum to Lawrence O'Brien

from the then Assistant Secretary whose jurisdiction included legislation, dated September 18, 1961, which said that on September 12, Senator [Joseph S.] Clark, on behalf of the Labor Committee reported to the Senate S-404, to authorize the establishment of a Youth Conservation Corps. I'm wondering whether that's accurate. S-404, which the Senate committee reported, was a combination of the Humphrey bill and the Administration's proposal on youth employment. Actually the bill reported was more the Humphrey bill than it was the Administration's bill. The only part of the Administration's bill that was left was a twenty-five million dollar item for what is now known as the Neighborhood Youth Corps, the local employment program administered by local sponsors. S-404, though, included around a one hundred and

fifty million dollar first-year appropriation for a Youth Conservation Corps.

The strategy which I developed soon after I got to the Department in early 1962 was that the House would handle its bill first and not the Senate. The reason for that was the Senate had already passed something like this in 1959; we knew what the votes would be; everybody realized it was a House problem to pass the bill rather than a Senate problem. Therefore, we embarked in hope that the House would do something about the bill.

In late 1961, the House Committee had reported a bill substantially similar to the Administration's proposal, although with a slightly increased Youth Conservation Corps. On March 15, 1962, the President signed the Manpower Development and Training Act

which had incorporated Title One of the Youth Employment Opportunities Act, that is to say an authorization for on-the-job training. Thus, in order to avoid duplicating legislation, the House Committee, acting upon a clean bill introduced by Congressman [Carl D.] Perkins, HR-10682, went about the business of reporting a new bill. The report was actually filed on March 29, and so once again we were confronted with the problem of persuading the Rules Committee to take the bill up.

On May 16, the Rules Committee held hearings and raised hopes that it would report the bill to the floor. However, there followed a period of four or five months during which, running hither and yonder, we tried to track down rumors and difficulties that seemed to be in the way of further proceedings. Among such

rumors were Chairman [Howard W.] Smith's apparent interest in obtaining a bill which would beautify the land across the river from Mt. Vernon, a matter which was then under consideration by another committee and subject to various real estate interests which were attempting to prevent its enactment. There was, therefore, a period during which many of the support groups interested in the Youth Employment Act turned their attention to the beautification of the Potomac River on Smith's behalf, as it were, a kind of payment to him for being helpful to the Youth Employment Act. By September, it became apparent that almost nothing would persuade Smith to continue the hearings or take action on the bill.

By the time August and September rolled around, the Administration must

have viewed a number of its legislative hopes in the context of a priority list, so that attention was turned toward these especially high priority items. It is fair to say that the Department of Labor was not privy to this priority system. Moreover, there were strong suspicions in the Department, that the Budget Bureau's unhappiness with the size of the Youth Conservation Corps was an important influence in letting the Youth Employment Opportunities Bill die. Had the House passed the bill favored by the Administration, it would have been confronted in conference with a Senate bill containing a large Youth Convention Corps. Better then that the House not act.

HACKMAN: Do you remember in 1961, how it came about . . .

MERRICK: We are talking about 1962.

HACKMAN: Right. Back in '61, how the Humphrey plan in the Youth Conservation area, I believe, with a plan for thirty thousand youths came to be substituted for the Administration plan which was for only six thousand youths. I believe Senator Clark handled part of this for Senator Humphrey.

MERRICK: Of course, I was working for Senator Clark. He represented Senator Humphrey's views at the time. That subcommittee was completely convinced of the value of a Youth Conservation Corps program in somewhat the size that Senator Humphrey thought was appropriate. We felt that the Budget Bureau inmates had persuaded the President to propose a stingy, ineffectual kind of program so small that it really wouldn't have proved whether it was good or bad. Our sentiment was annoyance and not in the least bit inclined to pay any

attention to what the Administration recommended.

HACKMAN: Do you remember in that period what the view of the Labor Department was on this side?

MERRICK: Well, the Labor Department was doing its best to be a good soldier of the Administration and in any of its official dealings maintained that position. There were plenty of people in the Labor Department who had endeavored to persuade the Budget Bureau earlier, in the formulation stage, to have a more substantial program. But the Labor Department wasn't critical in any of this. The critical people were in the Congress itself and the senators who, as I say, had convinced themselves of the viability of the Youth Conservation Corps as a program in the form that we were proposing.

Somewhere in September of 1962, this effort had its dying gasps in the Calendar Wednesday absurdity. Well, the House just doesn't work very well when you try to go around its rules, and this was just another occasion where that was exemplified.

HACKMAN: Mr. Merrick, going back to 1961, could you comment on how the on-the-job training section of the original Administration proposal had been transferred over into the MDTA Bill?

MERRICK: Yes. It resulted from our desire to defend ourselves against the ridicule of senators that we were passing overlapping training programs. The Manpower Development and Training Act seemed to provide sufficient authority in the form it was finally passed to cover every kind of training that you could think of, including on-the-job training.

HACKMAN: When you say "us" are you speaking specifically of Senator Clark, or some other people beyond Senator Clark?

MERRICK: Well, Senator Clark and Senator [Winston L.] Prouty and the subcommittee which considered the matter -- myself and other staff assistants.

HACKMAN: Going back in 1962 now, or skipping ahead in 1962, other than the problem you had with getting a rule on the bill reported by the House Committee, who were you in close contact with on the House Labor Committee that considered this bill? Or who were the key people you were involved with?

MERRICK: Well, Congressman Carl Perkins was the chairman of the subcommittee from 1961 through 1963 and [H.D., Jr.] Jack Reed was the counsel to that subcommittee -- he's still Mr. Perkin's staff counsel

on his education bills.

HACKMAN: Were there any problems with people on the committee as a whole after the subcommittee had made their report? Do you recall, for instance, what [Adam Clayton] Powell's views were?

MERRICK: No, I think he had no problems with it. I think the House committee represented a more conservative approach than the Senate because there was an accurate political judgment made that the House was more conservative than the Senate. Had the House been given the notion that a bill would eventually emerge like the one the Senate Labor Committee reported out, we probably wouldn't have gotten anywhere. So we had to get something which, in terms of money. . . . My recollection is that the House bill was around a hundred million, as opposed

to the Administration's seventy-five, as compared to the Senate's three hundred or so. But the House produced a bill which, I think everybody appreciated, more nearly represented what was politically possible in the House.

HACKMAN: You talked before about efforts to get Chairman Smith to grant a rule, do you know if there were any major efforts by the Administration to push Mr. Smith or was this . . .

MERRICK: Yes, I think the fact that Mr. Smith had a day of hearings in May would necessarily result from Administration backing. At that stage of the game it would have been likely that a hearing would have been the result of Administration persuasion. Parenthetically, it could easily have been, on the other hand, without the Administration's work at

all. And I think that one could make that observation simply on the grounds that Perkins himself was a man of some stature in the House, and people, other Congressmen, liked him and, therefore, would heed his urgent request. Perkins was a very hard worker on behalf of his legislation, legislation that he controlled. And so he, I know, went to Smith a number of times in an effort to persuade him to hold hearings, and went to other members of the committee who would have acceded to his wishes. And not only Perkins, but there was [John N.] Blatnik. Blatnik, like Humphrey, was from Minnesota, in the Youth Conservation Corps picture. Every time Humphrey had introduced bills in the Senate during the fifties, Blatnik had. He was an alumnus of the old CCC [Civilian Conservation Corps], and he had a real

passion for the program, and certainly worked very hard among the members of Congress to push it along. Therefore, it could easily have been that the Administration had very little to do with it. One doesn't know these things. It's the intriguing part of the congressional process. Things happen, and one never knows the reason that they happen or didn't happen or happened in the way they did; but one tries to assess these things. But I would have thought, offhand, and no doubt did think at the time, that the reason the Rules Committee started hearings was probably that it was on the laundry list of things that the Administration wanted passed.

HACKMAN: Do you remember, concerning this attempt to use the Calendar Wednesday method, were you involved in this at all, or did

the Labor Department oppose using this tactic?

MERRICK: Oh, by this time we were desperate and were really in the hands of Perkins and the enthusiasts in Congress itself.

HACKMAN: What role did the vocational education forces play in this whole act?

MERRICK: Rather neutral. One of our problems had been to insure their neutrality. The vocational education people, by and large, had always been critical of the CCC effort because vocational education was utilized without using vocational educators. The bill had in it a kind of "We'll use vocational education wherever practicable", or something like that. But they weren't critical one way or another. And they appreciated, and I think all of us did, thinking about the program, that vocational education for the kinds of youngsters

that we were talking about was really a pretty elemental kind of thing. We were talking about a program which was a thawing out process and not really a training process, and vocational education, in general, isn't much interested in the thawing out of people; it's more interested in doing serious training when people have got basic motivation and high school skills.

HACKMAN: Let's move on then to 1963. In this session, you remember, the bill passed in the Senate and was held up again in the House. What do you recall about the 1963 effort?

MERRICK: Well, I think the significant thing about the '63 effort is what preceded it. In November and December a successful effort was undertaken to get the Administration and Humphrey together on a bill. And that's what S-1 was. S-1 was introduced by Humphrey, but it was followed in a few weeks

by a youth message which, in effect, incorporated what Humphrey had done. And this was a very significant development. As you say, it was introduced, heard promptly, and passed by the Senate, I think in April, something like that, quite early. On the House side it was heard promptly and reported before the end of March, as I recall it, and again stood knocking on the door of the Rules Committee.

By that time other problems beset us. You will realize that in June, was it, of '63 -- about in there -- were the first serious civil rights disturbances in Alabama, which, of course, got on the evening TV screen of everybody in the country, and the whole country was shocked by police dogs and beatings and fire hoses, police brutality in Birmingham. The civil rights movement had been picking up

momentum. The new Administration was its potential leader, and there had become increasing indications that the Administration would be helpful. Here in the Department, we felt it acutely.

You will recall that in March 15, 1962, the Manpower Development and Training Act became law. By the spring of 1963 we had been in its operation for about four or five months. It really didn't start until September because no money was appropriated until then. And by the spring of 1963, with the program only five or six months old, the civil rights groups made a great deal of the fact that a New Frontier program was being administered in the same old segregated way in Southern areas. Well, that was hardly surprising since the Manpower Development and Training Act contemplated a partnership between the

employment service and the vocational education system, that is to say the local school system. Since the local school system in the Southeastern states was substantially segregated -- despite the 1954 decision, very little progress had been made -- we found ourselves with MDTA embarked in trying to work with what was there. And so we approved programs which referred the Negro applicants for employment to the Negro vocational school, the White applicants for training to the white vocational schools. And the Secretary of Labor, the present one, found himself attacked publicly by civil rights organizations and the press for not providing leadership in a New Frontier program that made some progress in the direction that the Administration said it wanted to move in. This was basically a

very rough position for us because MDTA probably involved, oh, for the first year or so, twenty to thirty million dollars of training money, -- whereas the vocational education system throughout the United States was probably on a three or four hundred million dollar budget. I'm talking about federal, state, and local funds. Thus the civil rights organizations were pushing us into reforming Southern vocational schools.

The relevance of all this lies in the fact that, by February or March 1963, the Secretary decided he was not going to be put in the position of furthering segregation, that he would insist upon a policy whereby MDTA programs should be in nonsegregated schools. He was a year or two ahead of what later became Administration policy. But by insisting in this way, he

developed a quick reputation in places like Alabama, especially, of being, to say the least, in the forefront of the civil rights fight. Well, a congressman on the Rules Committee came from Alabama, by the name of Carl Elliott. And Carl Elliott had been traditionally extremely close to vocational education, and it was not long before we got the message -- probably about April or May -- that he found it politically impossible to vote for the Youth Employment Act which landed a new program in the Department of Labor. We found ourselves compelled to take their advice; and their advice was -- it's difficult at this juncture in time to recall just in what form it was given to me, never face to face communication -- "Stay away from this thing a little while until we get through primaries, and maybe

by that time we can find ourselves able to do it."

During those first two Congresses under the Kennedy Administration, every New Frontier program had a wild time getting through the House. We just had none to spare. So we took the advice and laid low. We had no choice. By June the civil rights thing had really gotten in an uproar in Alabama. And so with that going on, we had to delay a little longer than we had expected. As time went on we continued in the hope that the Alabama picture would improve enough for Elliott to be able to vote with us on a Rules Committee vote. We had not lost hope on the thing. We are getting near the end of President Kennedy's Administration, since he was assassinated on November . . .

HACKMAN: November 22.

MERRICK: Twenty-second. On November 7, I think it was, we had a meeting here in Washington, a kind of rally for all those people who were interested in the program. We got a hundred people, speakers, Whitney Young and Senator Humphrey -- you know, this typical support group type rally in which you'd focus a lot of attention on the bill. Since the Congress looked as though it would not adjourn soon, November wasn't too late for a last effort. But by the time the President was assassinated, all bets were off. Clearly a new Administration had to decide how we were going about this.

I think it's significant, however, in the middle of this period we're talking about, somewhere around the middle of June, President Kennedy sent up a civil rights message in which he recommended

the passage of legislation which would attempt to do a number of things. Among other things, it recommended an immediate doubling of the size of this program. And so we had a problem trying to figure out just how to play this one, and the course we embarked on was not to take the bill back to the Senate committee and report another one and just let it sit there, but to sponsor a committee amendment on the floor of the House when the bill got to the floor. Of course, I think it's pretty obvious that our mood in the summer of '63 was that this program would pass, that the important part of the President's effort at answering the civil rights situation. . . . And so at this point, Humphrey and the Administration having agreed, we were really dealing with something which was a viable piece of business.

HACKMAN: Alright that takes care of the Youth Employment program.

MERRICK: Yes. I think it's probably worthwhile mentioning, in passing, that one of the things that the Administration did to help pass this program was the institution in early 1962 of the President's Committee on Youth Employment, which Goldberg was chairman of -- a thirty-five member citizens group that met periodically here during the end of '62 and the beginning of '63, and came out with the strong recommendation that this program be passed. It was a citizens group of people who had some experience and exposure to the youth crisis, if I can call it that. And this was one of the devices we used to crystallize public thinking on what action the federal government should take.

HACKMAN: Right. I recall that at that time Senator

[John G.] Tower of Texas offered an amendment to that bill, an anti-discrimination amendment, it was at the time all this, I guess, the civil rights was building up. Do you recall that the Labor Department, or your office, looked at that as an effort to defeat the bill by adding this on and thereby . . .

MERRICK: Oh, sure. It would have been almost an automatic reaction. We called it the Powell Amendment. It was the traditional way that Republicans had embarrassed Democrats for a long time.

HACKMAN: Could we move on now to a consideration of legislation concerning migrant labor? Mr. Merrick, could you comment on any role you might have had in legislation involving migrant labor? Were you involved at all in 1961 when the Labor and Public Welfare Committee considered

this legislation?

MERRICK: No. I was the staff counsel on another subcommittee and had very little to do with it. And I must say, beyond testifying on behalf of it, the Department, in general, did not put a great deal of energy into these programs. They were bills which were very modest in their aims. They were the product of hearings and thought given by Senator [Harrison A., Jr.] Williams and his subcommittee on migrant labor, and the Department really didn't have a great deal to do with the progress in the Congress for those bills.

HACKMAN: Alright, could we move on then to the Manpower Development and Training Act? You had talked to some extent last time about your role in 1961 concerning this Act, and how this bill, the original bill that was written in the Senate, was

sent to the Labor Department and some changes were made. Could you comment on what type of changes were made in the Labor Department and how the differences were finally ironed out?

MERRICK: Well, the Administration produced its version of the Manpower Development and Training Act in, I think, April of 1961, that was three months after the President was inaugurated. And this was in a context where the Senate subcommittee on employment and manpower had been working on its version of the Manpower Development and Training Act for over a year. We had done some field work, talked to several states, had developed in our own mind a bill which would have reached an important part of the manpower problem, that is to say, the problem faced by employees who are automated out of jobs after a number of years of work experience. Such persons

then found that they couldn't stay in training and receive unemployment benefits because that made them unavailable for work in the parlance of unemployment insurance. And so MDTA, in Senate eyes -- and in Senate eyes for the purpose of passing a bill in a conservative Congress -- was the program devised to get maximum support. Even the most conservative senator recognized a person who had proved his desire to work should be helped over this gap in his employment caused by no reason of his own. That was our conception. Indeed, I remember one of the things we had in there was an age limitation, nobody below thirty. The Administration's training proposals had no age standards; and it provided a broad grant of power to the Secretary of Labor to develop training programs. In other words, it showed no

recognition of the jurisdictional problem that would ensue with the vocational education system. While this might, in an ideal world, have been desirable, it was not practical politically. This political reality became translated to me as a staff man up there in terms that Senator [Lister] Hill had been visited by vocational educators, and that the Administration's bill in its present form, lacking any connection with the vocational end, just simply was not about to go anywhere. So we set about changing it quite a bit and recognizing these political realities.

HACKMAN: When you say "we," who do you mean?

MERRICK: Well, at Senator Clark's direction, myself, and [James L.] Jim Sundquist, who was Clark's AA [administrative assistant].

I remember another idea was wedded to

MDTA by Senator Clark in order to provide a central focus for manpower policy. He wanted a council of manpower advisors to the President in a very similar kind of scheme that the Council of Economic Advisors, set up in 1946, were advisors to the President. This was an idea that Clark had in a separate bill (S-3555) in 1960, had hearings on it, and tried to sell to the President-elect while he was still living in Georgetown. I wasn't with Senator Clark when he went to see President Kennedy, but I know he did. And he endeavored to persuade him that this kind of thing would be a useful piece of administrative machinery.

Dick Neustadt was Kennedy's principal advisor on this, was present during the conversation, I think. Kennedy said he

would consider it, but a week or so later, through Neustadt, said, "No." The reason being that they were really trying to unclutter the President's immediate office of a lot of administrative machinery, that this was a matter that the Council of Economic Advisors could do. I don't think that demonstrated a proper understanding on Neustadt's part for, really, what Clark was proposing. I'm not sure Clark himself, fully, you know, would have been able to explain it except that he, and I think quite rightfully, had come to the conclusion that the Council of Economic Advisors could not do what he was thinking about. And anyway, having been repulsed on his idea, he wanted that a part of MDTA; and Title One of MDTA really reflects Senator Clark's thought.

Instead of having a council, he made the Secretary of Labor responsible for preparing an annual manpower report to the Congress, just the way the economic report is made to Congress. There are real difficulties for the Secretary to talk about manpower as an Administration spokesman because manpower has to do with defense manpower and education manpower and education policy, and all over the whole spread of government. So, necessarily, the Secretary of Labor is not in a perfect position to do this sort of thing. But anyway, that was the best Senator Clark could do, and he put it in Title One, and it was really the part of MDTA, that Clark was interested in more than the training part of it. He pretty much allowed Sundquist and myself to massage the training parts of it in any way that we thought was

politically necessary, so we did.

So the Senate passed the Manpower Development and Training Act in the summer sometime, and I guess we failed to get before the Rules Committee that year. The House reported bill was very close to the Administration's proposals, and the vocational educators did not like it. I don't think we had had any real face down on it; it just simply was one of the things that had to be gotten to. And obviously that November, when I came down here, my first order of business was to get this thing through on the House side. The House Committee under [Elmer J.] Holland, had held a lot of hearings during 1961, before the Administration sent its proposal down.

Well, as we got near House action in the spring of '62, the problem was to get

the Republicans aboard in order to pass the bill. Since the vote count showed that we may have had a hundred sixty or so sure votes among Democrats, another thirty or forty maybe Democrats -- that was a hundred and ninety, but that was somewhat short of the majority -- we have to have thirty Republicans. There had been some conversations earlier, but they really had not amounted to anything until I entered the picture. I became pretty well acquainted with Congressman [Charles E.] Goodell, who was a key-figure in this, and found out the things that he wanted to do to the House bill. Nearly everything that he wanted were things that we had already put into the bill on the Senate side. The chairman of the committee handling the bill was Elmer Holland, and if there were to be changes, he had to make them. So I talked to Holland about

the changes, and Holland was agreeable. He, in effect, authorized me to be the mediator between himself and Goodell to work out necessary changes so the Republicans would go along. Holland and I worked pretty well over a four or five day period until, suddenly, one day Holland's disposition seemed to suddenly change, and he felt that I was undermining his bill and selling out to the Republicans. So, clearly, I had to break off the negotiations. By that time, Goodell had gotten the message that perhaps ten or fifteen changes that he wanted were acceptable to Holland and acceptable to us. The Department by this time had viewed the changes in the Senate as constructive and was in no mood to go back to the Administration bill.

At any rate, as soon as the blow-up occurred, Goodell introduced a bill which

incorporated all the changes which had been mediated and very close to the Senate bill. Goodell's bill was a two year bill and required state matching. The Senate bill was a four year bill and required matching after the first two years. But substantively and pattern wise, the bill showed up awfully close to the Senate bill.

Well, then, we went through a period during which Holland declared he wasn't going to take any of this and was going to sink or swim with his own bill. That was an untenable position because it couldn't pass. And before long he was prevailed upon by his colleagues, to introduce a bill that was identical to Goodell's. So the House joyfully passed Holland's new bill. Out of this chain of events has stemmed the claim by the Republicans ever since that MDTA was theirs.

I suppose if you have a House hat on your head, you might be able to say this. But the thing is a little silly because what they really did was to copy the Senate bill, which was clearly a proposal of the Administration plus Senate Democrats.

HACKMAN: Who were the people who were influential in getting Holland to make a decision to go along?

MERRICK: Well, I'm not sure. Don't forget that Holland was an ex-steelworker organizer and comes from a steel part of Pittsburgh. After a certain amount of rambunctiousness which threatened to break up the ball game, my guess is that Secretary Goldberg put the finger on him through the steelworkers.

BEGIN TAPE II SIDE II

MERRICK: Holland is getting old -- a grand old guy, but a little bit irascible. So I daresay the steelworkers did, and perhaps some of

his committee colleagues. At any rate, as soon as Holland put in his version of the bill, its passage became insured. The differences between the House and the Senate were easily composed. My recollection is now, in the form it was finally passed, it was a two year program. Was it? A three year program . . .

HACKMAN: Three year. There was a compromise in conference between four and two.

MERRICK: That's right, it was a three year program of which the first two years were on a 100 per cent federal basis. Now, which years would those have been?

HACKMAN: I believe '64 and '65, because wasn't it in that year. . . . No, it wasn't. It must have been fiscal '63 and '64, and then in fiscal '65 the states would come in because the next year, in the amendments, the year '66 was added to the bill.

MERRICK: Well, yes, maybe we ought to refresh my recollection on this. [Tape recorder turned off - resumes] So that the compromise between the two year House version and the four year Senate version was the three year program. The House was addicted to matching -- and the Senate, too, rather believed in that -- so that while the first two years was on a non-matching, 100 per cent federal basis, thereafter, the third year was fifty-fifty, matching -- the fifty-fifty derived from similar matching requirements in vocational education, the thought being that they didn't want to have MDTA operating on 100 per cent money compared to vocational education, which was operating on a fifty-fifty basis. While the first year's program was a start-up fund of five million dollars for fiscal year '62, actually the program

didn't get started at all until September of '62 because that was the year of the famous problem between the chairmen of the Senate and House Appropriations Committees, [Carl] Hayden and [Clarence] Cannon respectively, in which neither would walk down the corridor to the other one's side of the capitol to discuss the appropriations bills. So nobody had any money at all; the government lived on a continuing resolution. But since this was a new program, continuing resolutions avail nothing, and we had to await an initial appropriation in late August.

HACKMAN: Mr. Merrick, after the Manpower Development and Training Act had passed in 1962, was it obvious that the Labor Department would want to make changes in this in 1963, or how did the 1963 development come about?

MERRICK: I became aware, in the spring of '63, that MDTA was heading for trouble because of

the matching requirements that were to go into effect for fiscal year '65 (that is, starting July 1, 1964). If the states were to meet this matching requirement, they had to enact enabling legislation sometime prior to July 1, '64. A majority of them do not meet except in the odd years, so there was little likelihood of enabling legislation unless it had been enacted in the spring of '63. It's fair to say that we had only begun to appreciate the problem by the time that most of the state legislatures had adjourned in 1963. Consequently, we realized that we had a crisis situation developing in which there would be no MDTA program a year from then.

At about the time when we had persuaded the Senate and House to proceed expeditiously to handle this matching program problem,

the civil rights message came along, and the Administration urged a five million increase in MDTA funds. The civil rights message also incorporated some other features that would make MDTA more useful for disadvantaged youth.

These other features were recommendations of the President's Committee on Youth Employment which were issued in April 1963. That group of able citizens on the President's Committee had identified the need for lowering the age for being eligible to receive training allowances. In the form that originally passed only 5 per cent of the funds could have been spent on youth programs, and there was a widespread feeling that that amount had to be increased. At any rate, those recommendations, together with the matching crisis, together with the increase in funds,

were all recommended by the President in his civil rights message. The House subcommittee, under Congressman Holland, had had some hearings on MDTA and readily embarked on getting civil rights recommendations adopted. Actually, the House committee, with whom I was pretty active, had some other additions in making the program more useful. I remember Congressman [Robert A., Jr.] Taft, for instance, supported a ten dollar a week increase in training allowances. This was an important breakthrough because up to then we'd been hitched to unemployment insurance benefit levels, and that wasn't enough on the lower end of the scale. So this was something that was included in the House bill. The story on this is fairly easy to tell.

The Senate acted with relative dispatch on the civil rights recommendations; the

House, on the other hand, was a little slower and more deliberate in making up its mind. So that it wasn't until mid-September or so before it reported a bill. We had, for reasons which, I remember, then were not apparent to me beyond the usual problem of Howard Smith being unwilling to report any bill that costs money, a problem with the Rules Committee in getting them to start hearings. This lasted through October, and into November; and even at the time that President Kennedy was assassinated, they still had not set the bill down for hearings. However, this was accomplished during the clean-up period in December when relatively noncontroversial things were taken care of. This was noncontroversial by that time because a lot of Republicans had voted for it, had even made constructive suggestions, and

because the Republicans continued a kind of proprietary interest in MDTA and had to go along with the proposition that it was their program, and that they didn't want to make a break in that posture. The Senate, the day after the House passed its bill, adopted the House version, and the bill did not have to go to conference. It is worthwhile noting that we lost a year of additional program in the process, and really all that happened as a result of this whole matching point is that it pushed ahead for a year the very thing that we had been struggling all during '63 to postpone quite a bit more. But one is always grateful.

HACKMAN: Just one more question on MDT. Do you recall any problems you might have encountered in getting the amendments enacted in 1963 because most of the changes would have

applied to parts of the program which would have aided Negroes, and so, therefore, opposition on the part of the Southern Democrats increased in this period, I believe, of the program?

MERRICK: Well, maybe that was in the picture. The Administration's recommendations were incorporated in the civil rights message; maybe that created some problems for Southerners. As I have indicated to you since the Republicans had committed themselves in this program, our shortage of Democrats was made up for by Republicans. And it is significant that when the bill did get to the floor, it was passed by voice vote and without any serious difficulties.

HACKMAN: Were you active in getting this Republican support in the House?

MERRICK: Yes, but I must say it didn't require a tremendous amount of endeavor on my part.

I think I was active in discussing between the Republicans and the Democrats, and the Department's technicians.

HACKMAN: Now we can move on then to a discussion of the equal pay for women legislation in '62 and '63.

MERRICK: Yes, that was passed, wasn't it, in '63?

HACKMAN: Right.

MERRICK: What time, do you know offhand? [Tape recorder turned off -- resumes]

HACKMAN: Mr. Merrick, could you comment on any involvement you had in solving the railroad dispute when Congress finally required compulsory arbitration in 1963?

MERRICK: Well, that is a high public visibility situation where the Secretary himself was the principal person trying to work out a settlement on behalf of the Administration, and he himself became kind of his own legislative man. As indeed happened just

this past year in the airlines, he himself becomes his own legislative assistant. So I spent a lot of time in his company listening to senators and congressmen talk about it -- on the Senate side, the Commerce Committee; and on the House side, Interstate and Foreign Commerce. I'm not sure that I can say any more than the fact that this is one of those exhausting types of things in which the Congress found itself acutely reluctant to enact legislation. The labor movement was deeply opposed and yet, at the same time, aware of the dangers of not doing anything. Congressmen and Senators are very disturbed by such strikes, particularly when faced by the ire of citizens who were being inconvenienced and economically hurt.

HACKMAN: I had a few other questions left from the first interview that I wanted to ask.

Do you remember you'd talked about during the Landrum-Griffin Bill's development in '59 Kennedy and Morse split slightly toward the end of that, and you had talked about a meeting which Senator Kennedy had conducted which was conducted too early for Senator Morse to attend. Was the split that developed at that time of any significance during the Administration? Was it any kind of a final split, or was it that important?

MERRICK: Well, in human affairs there always seem to be straws that break camels' backs. And for a reason I really couldn't understand at the time, that seemed to be that kind of straw. There were signs that Morse was increasingly critical. And these signs probably had to do with his awareness, perhaps, of important principles that were at issue and that were being compromised

to labor's detriment. Morse's emerging criticism of Kennedy was always couched in terms of certain labor leaders who sold the rights of labor cheaply. I suppose he was talking about [George] Meany or [Andrew] Biemiller, or maybe Goldberg for all I know, because all these people were persons whom the then Senator Kennedy was consulting regularly regarding legislative changes. Some of the Railroad Brotherhoods were equally consulted. My guess is that there were some unions, maybe the Teamsters, maybe the Mine Workers -- both outside the labor movement -- had made very strong representation to Senator Morse that important concessions were being made that should not have been made. So one could, I think, put two and two together and make a guess that a number of these other labor organizations -- and

maybe, who knows, maybe just smart labor lawyers from Oregon -- had come forward to argue strongly against the bill. Such representations made him aware that these were major decisions. Over the three or four days that preceded the meeting I'm talking about, there began to be signs of trouble and disagreement. But the thing that, as I say, seemed to break it was the fact that that meeting occurred probably a half an hour before it was scheduled, and it was over before the hour appointed for its taking place. The meeting had to take place in a hurry because, as I recall it, the Senate, oh, its business, or somebody had accelerated the call up time -- I've just forgotten what the cause of it was -- so that Kennedy was forced to get his group together before he had really expected to, but he did not wait for Senator Morse

to show up, which, I think, was very critical. Maybe, indeed, he figured that since Morse was not there, it was just as well because maybe Morse would have given him more problems than he would have been able to solve. I don't know.

HACKMAN: Could you tell that this personal break was a real problem in any legislation presented by the Administration after Kennedy was elected President?

MERRICK: No, I don't think so. I think Morse is a mercurial sort of character; I think as time went on he acquired responsibilities as chairman of the education subcommittee, and he discharged those responsibilities on behalf of the Administration with all the vigor and excellence that his very great abilities can command. No, I think Morse's problem had always been that his Democratic seniority had not gotten him

the positions of responsibility.

When Kennedy became President, he left a vacancy as chairman of the labor subcommittee. McNamara filled that spot and thus opened for Morse the chairmanship of the education subcommittee. Morse followed Hill and McNamara in seniority after Kennedy left. Morse is a remarkable human being, but that doesn't mean that he is not made out of clay like the rest of us. [Laughter]

HACKMAN: You commented in our first interview about the fact that your work on the Senate Labor and Public Welfare Committee had helped you make acquaintances, and these acquaintances helped you when you came over to the Labor Department. Could you comment on your relationships with the members of the Senate Committee? Who were your closest associates and the

easiest people for you to work with? And then do likewise with the House labor and Education Committee.

MERRICK: On the Senate side, the senators that I had done a lot of work with were Morse, [Jennings] Randolph, Clark, and their staff people. I also had a period of duty with Senator [Eugene J.] McCarthy and his special committee on unemployment problems. Some of the senators that were on that committee also became friends: Senator [Vance] Hartke was one of those; Senator [John Sherman] Cooper, who was on the committee then on the Republican side; Senator Prouty, decidedly -- he and I have maintained a friendly relationship ever since and, I think, a feeling of mutual respect. I think those were the principal senators I would put in that group. [Pat] McNamara, of course was there. He now

has died, of course, but he was an old curmudgeon type and not disposed to be conversational and friendly with people. I guess he would almost fall into this same group. And then, of course, these men's staffs. The relationship on the House side at the time I came down here was really pretty skimpy because of the way the legislative branch works: the Senate operates in one padded cell and the House in another, and they seldom communicate with one another. I had had some acquaintanceship with people on the House Labor Committee during the Landrum-Griffin business because we went over and helped them with speech material when they were handling it. There was [Frank, Jr.] Thompson, and [Stewart L.] Udall who became Secretary of Interior, and [John] Brademas, and a fellow who

really wasn't ever on the Labor Committee and who was subsequently killed, Clem Miller, from California, who was a great friend of mine, personally, long before he was a congressman. So I guess that's the picture on the House side; it was a more sketchy relationship.

HACKMAN: Could you comment then on your relationship to the staffs, for instance, John Forsythe in the Senate?

MERRICK: Well, of course, Forsythe was Senator Hill's counsel on the committee when I was there, and one always had to work closely with him. He would certainly be an important staff person. [Frederick R.] Fred Blackwell, who worked with Senator Williams; [Robert W.] Barclay, was Senator Hill's man on health. On the Republican side I worked very well with a fellow named [Raymond D.] Hurley, quite a guy. [Thomas L.] Tom Hayes, with

Senator Prouty, was an important fellow to me then and now. Now Ray Hurley was a funny one. He had all kinds of pro-McCarthy, I mean Joseph McCarthy, sentiments. But he was a professional politician and somebody that one could work with on a political basis quite effectively. I mean he observed the rules of the political game, and he was very helpful to me a number of times then, when I was there, and later. He worked for the Goldwater campaign and ended up on the Commerce Committee. When [Jacob K.] Javits came along he refused to hire him back, so that he's not working on the Labor Committee anymore. These contacts are pretty important.

HACKMAN: Do you know if Kennedy, when he was senator, was particularly close to any of these people? Did he use Forsythe as an advisor to any of his staff?

MERRICK: Very little when I was there, during '59 and '60. Kennedy depended upon Ralph Dungan for most of what was going on in that committee. He brought in Archie Cox at critical points in Landrum-Griffin, in the early phases before I was there and then the later phases during the conference and so on. No, I would not say that he used the other staff people very much.

HACKMAN: Could you comment on your relationship with the staff members in the House, I believe Russell Derrickson, Howard Gamser -- was Howard Gamser there when. . . .

MERRICK: I don't know when Gamser was. Russ Derrickson is a fellow that I got to know in 1959, and I've known him very well ever since. I really got to know him much better after I got down here. The thing I said before still goes -- that the contact between the Senate and the House is really pretty remote.

They seldom do anything with one another except at momentary points of conference. They haven't got time to go over and be helpful and converse about bills that they handle at different times.

HACKMAN: Are there other functions of your office, other than contacting congressmen on specific legislation, that you would bring up? What other types of things were you involved in? For instance, were you involved in collecting information of various sorts from requests by congressmen, or something like this, at all?

MERRICK: Well, this office does a wide-range of congressional relationships. Girls are answering phones all the time for constituent requests to send to congressmen and senators. Constituents come to town and want to meet somebody to straighten out some problem, and we work on things like that. We get

involved in what's known as head counting, as we say -- trying to find out how congressmen are going to vote on a thing. It's a touchy area that really has got to be done accurately, or otherwise it's grossly misleading. There's a wide range of day to day information giving and getting, and pouring oil on troubled waters, straightening out things between congressmen and the bureaucracy.

HACKMAN: Do you have any comments on any meetings or phone calls you might have received from the President personally during the Kennedy Administration?

MERRICK: Oh, I only had contact with him once after he became President, contact in the sense that I shook hands and a word or two exchanged. And that was in March '62, when he signed MDTA. There was a line, I guess, of perhaps a dozen or so people.

He said, "Hello, how are you?" He recognized me, "How have you been?" or something like this. I hadn't seen him for a year by that time.

HACKMAN: Do you have any other comments before we close on your role in this period of the Kennedy Administration?

MERRICK: No. Bear in mind I really came down here not to be a legislative assistant to the Secretary of Labor so much as to get into the manpower programs. And that period suddenly ended when the Economic Opportunity Act got lofted in early 1964. So in the time I was here, the year and a half -- two years and a couple months -- my main object was to get manpower legislation passed. And at the same time I had this other job as a kind of special assistant for youth, assistant manpower for youth programs in which role I was trying to

coordinate the Department's youth employment programs, but especially was I working on the task force which should put into effect and run the employment act when it got passed. And that really was what I was interested in, and it was, therefore, not so much in the wide range of legislation as it was more narrowly in the manpower youth area. It was somehow or other a chapter that really never got completed.

HACKMAN: Is there anything else?

MERRICK: No.

HACKMAN: Okay, I think we'll close, and I thank you very much.