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signed 5/27/76

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: May 28

May 26, 1976

APPROVED
MAY 27 1976

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *[Signature]*

SUBJECT: H.R. 12216 - Domestic Volunteer Service Act Amendments of 1976

*Posted
5/28/76*

*Jo Archives
5/28/76*

Attached for your consideration is H.R. 12216, sponsored by Representative Hawkins.

The enrolled bill would authorize appropriation of "such sums as may be necessary" for fiscal years 1977 and 1978 for ACTION's Title I National Volunteer Antipoverty Programs (VISTA, UYA and other Service Learning, and Special Volunteer programs); Title III programs (Business Volunteer Programs); and Title IV (administration and coordination). It would also amend certain provisions of the Domestic Volunteer Service Act of 1973. These amendments are fully discussed in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 12216 at Tab A.





EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

MAY 21 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 12216 - Domestic Volunteer
Service Act Amendments of 1976
Sponsor - Rep. Hawkins (D) California

Last Day for Action

May 28, 1976 - Friday

Purpose

Extends through fiscal year 1978 the appropriation authorizations for most of ACTION's activities under the Domestic Volunteer Service Act of 1973 and amends certain provisions of the Act.

Agency Recommendations

Office of Management and Budget	Approval
ACTION	Approval
Small Business Administration	No objection

Discussion

Under present law, the appropriation authorizations for ACTION's domestic volunteer programs and related administrative expenses expire on September 30, 1976, except for the National Older American Volunteer Programs provided for under Title II of the Domestic Volunteer Service Act (DVSA). Authorization for the Title II programs -- Foster Grandparents, Retired Senior Volunteer Program, and Older American Community Service -- was provided through fiscal year 1978 in the Older Americans Amendments of 1975.

On February 5, 1976, ACTION submitted draft legislation to the Congress to extend the appropriation authorizations for Titles I, III, and IV of the DVSA and amend the Act in a few respects, mainly to remove present statutory earmarks for the

VISTA and University Year for ACTION (UYA) programs and to permit the use of grants or contracts for the VISTA program. As explained more fully below, and in the detailed analysis attached to ACTION's views letter, the enrolled bill only partially adopts the Administration's proposal. ACTION believes, however, that it is the best bill which could be obtained from the Congress.

H.R. 12216 passed the House under suspension of the rules 367-31 and passed the Senate by voice vote. In the Senate the bill was sent directly to the floor without being referred to any committee.

Description of the bill

The following briefly compares the major provisions of H.R. 12216 with the Administration's proposal.

H.R. 12216 would authorize appropriation of "such sums as may be necessary" for fiscal years 1977 and 1978 for ACTION's Title I National Volunteer Antipoverty Programs (VISTA, UYA and other Service Learning, and Special Volunteer programs); Title III programs (Business Volunteer Programs); and Title IV (administration and coordination). ACTION's bill had proposed a specific authorization of \$20 million for each of fiscal years 1977 and 1978 for the Title I programs, consistent with the request in the 1977 Budget.

The Administration bill proposed the elimination of two restrictive earmarks in present law which reduce ACTION's flexibility in allocation of its funds:

- a requirement that at least \$22.3 million of the amounts appropriated for Title I must be spent for VISTA and that at least \$29.6 million must be spent for programs, including VISTA, designed to eliminate poverty and poverty-related human, social and environmental problems.
- a limit of 10% on the portion of the sums appropriated for Service Learning Programs which can be used for programs other than University Year for Action, in effect earmarking 90% of the appropriation for UYA.

H.R. 12216 would retain the current earmark for VISTA and antipoverty programs. It would also retain the 90% earmark for UYA, unless the appropriation for any fiscal year for UYA exceeds \$6.7 million; the limit would be inapplicable to sums in excess of that amount.

The enrolled bill would replace the prohibition in present law on the use of grants or contracts, including cost-sharing, for VISTA projects with an authorization for the expenditure of 20% of VISTA funds for programs carried out through grants or contracts including cost-sharing. The Administration recommended complete elimination of the present prohibition because the use of grants and contracts had proved effective and economical in other programs and cost-sharing would permit an increase in the number of VISTA volunteers that could be supported from appropriated funds.

Other provisions of H.R. 12216 would:

- authorize ACTION to provide technical and financial assistance to governmental agencies and private nonprofit organizations to carry out volunteer programs; this authority was not requested by the Administration, but ACTION does not believe it would have any adverse effect on agency operations.
- authorize ACTION to undertake and support volunteer service programs and to recruit, select and train volunteers to carry out special emphasis and demonstration volunteer programs. ACTION notes that it already has such authority, but that the legislative history indicates this section is apparently intended to confirm the congressional interpretation that the agency's business volunteer program can be carried out under Title I and should not duplicate the programs authorized under Title III of the DVSA which are administered by the Small Business Administration (SCORE/ACE).
- provide that the sponsoring organization of a Foster Grandparent project will have exclusive authority to determine which children may receive program services and the period of time the services will be provided, and authorize the continuation of Foster Grandparent services for a retarded child beyond the child's twenty-first birthday under certain specific circumstances. ACTION states that this latter authority "provides a satisfactory solution to a problem of long standing."

Budget impact

If appropriations were enacted at the level requested in the 1977 Budget, ACTION would be unable to carry out fully its original fiscal year 1977 plans as proposed in the budget because of the earmarks for VISTA and UYA explained above. Unless there were language in the final appropriations act overturning the earmarks, the budget request of \$20 million for all Title I volunteer programs would have to be devoted entirely to VISTA, since the enrolled bill retains the current earmark of at least \$22.3 million for this program.

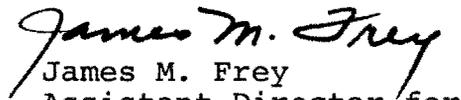
Since the enrolled bill provides indefinite "such sums" authorizations, its effect on ACTION's budget cannot be ascertained until the appropriations for the agency are acted upon. To date, there has been no congressional action on the appropriations for the programs authorized in H.R. 12216 because of the lack of authorization legislation.

Recommendations

ACTION believes "it is in the best interest of the Administration and the programs to approve this legislation." The agency notes that "With the exception of two provisions relating to earmarking of specific sums for VISTA and University Year for ACTION (UYA), the bill includes the essential features of most of the legislative proposals contained in the Administration bill."

* * * * *

We concur in ACTION's recommendation that you approve H.R. 12216. Although retention of the VISTA and UYA earmarks is clearly undesirable, we agree with the agency's assessment that this bill is the best we can obtain, in view of the widespread support in the Congress for these two programs. Moreover, the grant and contract authority provided for VISTA -- although limited -- represents a desirable improvement over present law.


James M. Frey
Assistant Director for
Legislative Reference

Enclosures



OFFICE OF
MANAGEMENT AND BUDGET

ACTION

WASHINGTON, D.C. 20528

Mr. James T. Lynn
Director
Office of Management and Budget
Washington, D.C. 20503

Re: H.R. 12216

Dear Mr. Lynn:

This letter responds to your request for our views and recommendations with respect to H.R. 12216, an enrolled bill authorizing appropriations for fiscal years 1977 and 1978 for all ACTION domestic programs except the Older American Volunteer Programs. Appropriations for the Older American Volunteer Programs were authorized by the Older Americans Amendments of 1975. The enrolled bill would also amend the Domestic Volunteer Service Act of 1973 (hereinafter the "Act") in several other respects.

For the reasons noted in the discussion which follows, we recommend that the President approve H.R. 12216. With the exception of two provisions relating to earmarking of specific sums for VISTA and University Year for ACTION (UYA), the bill includes the essential features of most of the legislative proposals contained in the Administration bill. Despite strenuous efforts, ACTION was unable to generate significant support, among either majority or minority members of Congress, for elimination or reduction of the earmarking of funds for VISTA and UYA.

Although these programs are not among our top priorities, they enjoy widespread support, both in the Congress and around the country. H.R. 12216 is an expression of that support and of the intent of Congress to protect these programs at their present levels before permitting ACTION to obligate funds for programs which the agency and the Administration deem more promising. In view of the fact that it received overwhelming support from members of both parties in both houses of Congress, we believe H.R. 12216 is the best bill we can obtain under the circumstances.

Attached to this report is an analysis of the history and provisions of H.R. 12216 and a comparison of its provisions with those of the Administration proposal, which provide a detailed discussion of the provisions of H.R. 12216.

There are, however, two provisions of the enrolled bill which require additional consideration because they involve extensive budgetary consequences for ACTION. The first of these is Section 6(a) which authorizes the appropriation of such sums as may be necessary for programs under Title I of the Act, and continues the restriction that at least \$22,300,000 of the sums appropriated be expended for the VISTA program, and the further requirement that at least \$29,600,000 of the sums appropriated be expended for programs designed to eliminate poverty and poverty-related human, social and environmental problems.

ACTION's legislative proposal would have authorized the appropriation of \$20,000,000, the amount of the budget request, for each of the two fiscal years, and would eliminate the restrictions referred to above. Elimination of the restrictions is necessary at this budget level, because the total budget request is less than the amount which is required to be spent on VISTA. A failure to achieve removal of the restrictions will, therefore, require a revision of the budget, if ACTION's Title I programs, other than VISTA, are to continue.

In seeking support for the Administration bill, we encountered strong resistance, both from majority and minority members, to cutbacks in the level of appropriations for Title I of the Act. Congressmen Albert Quie and John Buchanan, in introducing their own legislative proposal for the extension of ACTION's authorizing legislation (H.R. 12439), incorporated most of the Administration proposals, but pointedly refused to include the request that the Title I appropriation be reduced to \$20,000,000.

The second provision which causes budget problems is Section 2, which requires that 90% of the funds appropriated for Service Learning Programs under Part B of Title I of the Act be expended for the University Year for ACTION (UYA) program. If the amount appropriated for UYA exceeds \$6,700,000, the limit is inapplicable to sums in excess of that amount.

ACTION's budget request for Service Learning Programs was:

University Year for ACTION	\$3,000,000
Special Service-Learning	<u>1,400,000</u>
TOTAL	\$4,400,000

Under the restrictions contained in H.R. 12216, and assuming the amount requested by the budget is appropriated, ACTION's obligational authority under Part B would be:

University Year for ACTION	\$3,960,000
Special Service-Learning	<u>440,000</u>
TOTAL	\$4,400,000

Funding of Special Service-Learning programs at this level would not only disrupt the agency's plans to expand these programs, but would do serious damage to the present operations of the highly regarded National Student Volunteer Program, which provides technical assistance to nearly 500,000 student volunteers at an extremely modest cost.

In arriving at our recommendations, we have, in addition to analyzing H.R. 12216, examined the consequences of a veto. ACTION's authorizing legislation expires September 30, 1976. If the bill is vetoed, and assuming the veto is upheld, it seems unlikely that substitute legislation, more in line with the administration's program, would be enacted prior to the expiration of the current authorization. This would mean that agency domestic operations would have to continue under a continuing resolution (assuming one is passed which covers ACTION's programs). While we are unable to predict the wording of such a continuing resolution, past resolutions have required that programs be continued at the previous year's level, or at the level of the budget request, and under the more restrictive authority. In our opinion, this would mean that the obligational authority for Title I programs would be at the annual rate of \$20,000,000, and that all of the funds obligated would have to be allocated to the VISTA program. This would be true because the \$22,300,000 earmarking for VISTA, while it expires with the 1976 fiscal year, is a restrictive authority which would be applicable to the continuing resolution. We do not consider that this is an acceptable alternative.

Because of these changes effected by the Congress, the President's program can be preserved only by the appropriation of an additional \$12,400,000 over the administration's

budget request. Despite this increase, I believe it is in the best interest of the Administration and the programs to approve this legislation.

Finally, there are two provisions of the bill which were not covered by our legislative proposal. The first of these, Section 3, authorizes technical assistance to public and private voluntary agencies and is consistent with our budget request. The second, a new provisions which permits retarded children to continue to receive foster grandparent services beyond age twenty-one provides a satisfactory solution to a problem of long standing. Neither of these provisions would have any adverse effect on agency operations.

Sincerely,


Michael P. Balzano
Director

Attachment A

H.R. 12216 - An Analysis

The essential purpose of H.R. 12216 is to extend the period of authorization of appropriations for programs under the Domestic Volunteer Service Act of 1973 (the Act) through fiscal years 1977 and 1978. Authorizing legislation for Older American Volunteer Programs under Title II of the Act is not included in the bill because appropriations for these programs were authorized in the Older American Amendments of 1975. The bill also includes a small number of changes to substantive provisions of the Act.

H.R. 12216 was introduced by Congressman Augustus F. Hawkins, Chairman of the Subcommittee on Equal Opportunities of the House Education and Labor Committee on March 2, 1976 as a simple bill to extend authorization of appropriations for ACTION's domestic program through fiscal year 1977.

The Administration bill, which had been transmitted to the Speaker and the President of the Senate on February 5, 1976, was not introduced in the House, but was introduced in the Senate by Senator J. Glenn Beall, as S.3189, on March 22, 1976.

The bill which emerged from Committee was substantially modified to include many of the provisions of H.R. 12439, which was introduced by Congressmen Albert Quie and John Buchanan on March 11, 1976. H.R. 12439 contained most of the Administration proposals, but authorized the appropriation of "sums as may be necessary" for Title I of the Act, rather than the \$20,000,000 requested by the Administration.

H.R. 12216, having been unanimously reported out by the Education and Labor Committee, was passed by the House by a vote of 367-31. In the Senate, at the request of both majority and minority members of the Committee on Human Resources (including Senator Beall), the bill was not referred to committee, but was sent directly to the floor, where it was passed by voice vote.

An analysis of the provisions of H.R. 12216 follows:

Section 1 the enacting clause, provides a short title for the bill, the "Domestic Volunteer Service Act Amendments of 1976."

Section 2 amends Section 114(a) of the Act, which authorizes the expenditure of not more than 10% of the funds appropriated for Part B of Title I of the Act for short-term and part-time Service-Learning programs for secondary and post-secondary school students. The amendment provides that the 10% limit on expenditures for these programs will not apply to that portion of the appropriation for Service-Learning programs which exceeds \$6,700,000 in any year in which the appropriation for the University Year for ACTION Program exceeds \$6,700,000. In effect, the Section makes the 10% limit inapplicable to any amount appropriated for Service-Learning programs in excess of \$7,444,445.

Section 3(a) of the bill amends Section 122(c) of the Act, dealing with Special Volunteer Programs, to authorize the Director to undertake and support volunteer service programs, and to recruit, select and train volunteers to carry out special volunteer programs under Part C of Title I. In our opinion, this provision is virtually meaningless, since the Director already has authority to perform these functions. The Section is apparently intended as a substitute for Section 5 of the Administration bill which would have provided the Agency with specific authority to conduct Business Volunteer Programs.

In the House floor debate on the bill, Subcommittee Chairman Augustus Hawkins stated with respect to this section:

"The amendment to Section 122(c) of the Act is intended to clarify the authority of the Director to undertake and support volunteer service programs, and to recruit, select and train volunteers to carry out the purposes of part C of Title I of the Act.

"It is recognized that the Agency may wish to establish programs using business volunteers. It is believed that the authority in Section 122(a) is sufficient to establish such programs. While recognizing that this authority is contained in Section 122(a), it is not intended that the Director may establish programs which in any way duplicate programs authorized under Title III of the Act and administered by the Small Business Administration."

Congressional Record, 5/4/76, H.3869

We interpret this section, therefore, as a confirmation of the agency's authority to operate the types of business volunteer programs proposed by Section 5 of the Administration bill.

Section 3(b)(1) of the bill adds a new Section 123 to the Act. The new Section would authorize the agency to provide technical assistance to federal agencies, state and local governments and agencies, and private non-profit organizations which utilize or wish to utilize volunteers to carry out a broad range of human, social and environmental programs. The technical assistance could be used to facilitate and improve methods of recruiting, training and utilizing volunteers, or the administration of volunteer programs. In providing technical assistance, the Director would be required to utilize, to the maximum extent feasible, existing programs, and to seek to avoid duplication of existing programs.

Section 3(b)(2) is a conforming amendment, which adds the new Section 123 to the Table of Contents of the Act.

Section 4(a)(1) adds a new Section 108 to Part A of the Title (I), which authorizes the VISTA program. The new section authorizes the obligation of not more than 20% of the sums appropriated for VISTA for any fiscal year for the direct cost of supporting volunteers serving in cost-shared projects, or projects administered through grants. Use of cost-sharing or grants for the direct costs of volunteer support in the VISTA program is presently prohibited by Section 402(12) of the Act.

Section 4(a) adds the new Section to the Table of Contents of the Act.

Section 4(b) amends Section 402(12) of the Act by eliminating the present prohibition on grants and cost-sharing for the direct cost of VISTA volunteer support, and by inserting, in its place, a reference to the new Section 108 described above.

Section 4(c) provides that the effective date of the new Section 108 shall be October 1, 1976, and that the new section shall not apply to agreements made prior to the effective date.

Section 5(a) of the bill provides that if the agency establishes a National Advisory Council by administrative action, the provisions of Section 405 of the Act, which authorizes a National Council, and which specifies the manner of appointment of members, its composition, its duties, and certain procedural matters, shall apply to any such administratively appointed advisory council.

Section 5(b)(1) strikes out Section 413 of the Act, which limits the authorized life of the agency to a period ending September 30, 1977. This deletion was requested in the Administration's bill.

Section 5(b)(2) deletes the reference to Section 413 from the Act's Table of Contents.

Section 6(a) amends Section 501(a) of the Act to authorize the appropriation of such sums as may be necessary to carry out programs under Title I of the Act (National Volunteer Antipoverty programs) in the fiscal years ending September 30, 1977 and September 30, 1978. Programs included within this authorization are VISTA, University Year for ACTION (UYA) Youth Challenge Program, National Student Volunteer Program Statewide volunteer coordinators, Business Volunteer Programs, Technical Assistance to the Private Sector, Mini Grants and several other smaller demonstration programs. The authorization requires, as did its predecessor, that not less than \$22,300,000 of the sums appropriated be expended on the VISTA program, and that not less than \$29,600,000 of the sums appropriated be expended on programs designed to eliminate poverty and poverty-related human, social and environmental problems.

Section 6(b) amends Section 503 of the Act to authorize the appropriation of such sums as may be necessary for programs under Title III of the Act in the fiscal years ending September 30, 1977 and September 30, 1978. Title III authorizes National Volunteer Programs to Assist Small Business and Promote Volunteer Service by Persons with Business Experience. These programs include the Service Corps of Retired Executives (SCORE) and the Active Corps of Executives (ACE) programs, which were transferred to the Small Business Administration by Executive Order 11871. The Small Business Administration has proposed the legislative transfer of these programs to it, and the repeal of Title III. However, pending enactment of its legislation, a continuation of the authorization of appropriations is necessary. Additional Business Volunteer Programs, including counselling to persons living on fixed incomes, and counselling of non-profit organizations will continue to be operated by ACTION under authority of Part C of Title I of the Act.

Section 6(c) of the bill amends Section 504 of the Act to authorize the appropriation of such sums as may be necessary for the administrative expenses of the agency for fiscal years 1977 and 1978.

Section 7 of the bill amends Section 211 of the Act, which authorizes the Foster Grandparent and Senior Companion Program, by adding a new subsection (c). The new subsection would provide that the sponsoring organization of a Foster Grandparent project shall have the exclusive authority to determine which children may receive foster grandparent services, and the length of time each child may continue to receive the services. The discretion is limited, however, to the provision of services to "children", whom the section defines as individuals who have not achieved the chronological age of 21 years. The agency also interprets the new subsection to mean that it is prohibited from designating a specific class of children as eligible for service by a particular sponsor. It could not, for instance, limit service to children below the age of 12, to children who did not have parents or other family members capable of providing comparable services to the child, or to children from low-income families. It would not, however, prevent the agency from selecting sponsors, if circumstances warranted, whose clientele was exclusively, or preponderantly, from a more specialized group, such as an institution which exclusively serves children under a specified age.

The proposed new subsection would make one exception to the general rule that foster grandparents may serve only children. In the case of a retarded child, if the sponsoring organization determines that it is in the best interests of both the child and the foster grandparent to continue the services beyond the child's 21st birthday, the services may be continued indefinitely. This exception is limited to cases in which the child was receiving foster grandparent services prior to reaching age 21, and relates only to services being provided by the specific foster grandparent, who is working with the child at the time the child reaches 21.

The amendment requires that the determinations of the sponsor to serve specified children, and to continue services beyond the 21st birthday of a retarded child must be made through mutual agreement of all parties involved. This provision means that an agency may not compel the continuation of the foster grandparent relationship beyond the child's 21st birthday without the agreement of the foster grandparent and the child.

Attachment B

Amendments to the Domestic Volunteer Service Act of 1973 (PL 93-113)
A Comparison of H.R. 12216 and S.3189

S.3189 (Administration Bill)

H.R. 12216

Section 1 authorizes appropriations for programs under Title I of the Act (National Volunteer Antipoverty Programs):

Transition Quarter	\$ 6,457,000
Fiscal Year 1977	20,000,000
Fiscal Year 1978	20,000,000

Deletes earmarking of \$22,300,000 of the sums appropriated for VISTA, and \$29,600,000 (including the VISTA appropriation) for programs designed to eliminate poverty and poverty-related human, social and environmental problems.

Section 2 authorizes appropriation of such sums as may be necessary for programs under Title III (Business Volunteer Programs) for the transition quarter and fiscal year 1977.

Section 3 authorizes appropriation of such sums as may be necessary for the administrative expenses of ACTION for the transition quarter, and fiscal years 1977 and 1978.

Section 6(a) authorizes appropriations for programs under Title I of the Act (National Volunteer Antipoverty Programs):

Fiscal Year 1977	Such sums as may be necessary
Fiscal Year 1978	Such sums as may be necessary

Retains the earmarking of \$22,300,000 for VISTA and \$29,600,000 (including VISTA) for programs designed to eliminate poverty and poverty-related human, social and environmental problems. (Transition quarter appropriation of such sums as may be necessary is authorized by P.L. 94-144.)

Section 6(b) authorizes appropriation of such sums as may be necessary for programs under Title III (Business Volunteer Programs) for fiscal years 1977 and 1978. (Appropriation of such sums as may be necessary for the transition quarter is authorized by P.L. 94-144.)

Section 6(c) authorizes the appropriation of such sums as may be necessary for the administrative expenses of ACTION for fiscal years 1977 and 1978. (Appropriations for the transition quarter are authorized by P.L. 94-144.)

Section 4 eliminates the requirement that 90% of the sums appropriated for Service-Learning Programs under Part B of Title I be used for the University Year for ACTION (UYA) program. This would permit the expenditure of a larger proportion of the appropriation on part-time and short-term volunteer projects.

Section 5 provides a new Part D under Title I for Business Volunteer Programs. This section is intended to provide authority for ACTION Business Volunteer programs other than SCORE/ACE which was transferred to the Small Business Administration.

Section 6 eliminates the prohibition on the use of grants and cost-sharing in the administration of the VISTA program.

Section 7

(a) Strikes out Section 405, which authorizes the National Voluntary Service Advisory Council.

(b) Strikes out Section 413, limiting the life of the agency to a period ending September 30, 1977.

Section 2 removes the requirement that 90% of the sums appropriated for Service-Learning Programs be expended for the UYA program in any fiscal year for which the appropriation for UYA exceeds \$6,700,000.

Section 3(a) authorizes Director to undertake and support volunteer service programs and to recruit, select and train volunteers. Legislative history indicates that this Section is intended to confirm the Congressional interpretation that ACTION has authority to operate business volunteer programs under Part C of Title I.

Section 4 authorizes the expenditure of not more than 20% of the funds appropriated for VISTA for the direct cost of volunteers in programs carried out pursuant to grants or contracts, which may include cost-sharing provisions.

Section 5

(a) Provides that if ACTION establishes a National Advisory Council by administrative action, the provisions of Section 405, authorizing a Presidentially-appointed National Voluntary Service Council, specifying its membership, duties and containing administrative provisions, will apply to it.

(b) Same as S.3189.

No comparable provision

Section 3 authorizes ACTION to provide technical and financial assistance to governmental agencies and private nonprofit organizations which utilize, or wish to utilize volunteers to carry out programs which meet human, social and environmental needs, particularly those related to poverty.

No comparable provision

Section 7

(a) Provides that the sponsoring organization of a Foster Grandparent project shall have exclusive authority to determine which children may receive foster grandparent services and the period of time for which the services may continue for each child.

(b) Authorizes the continuation of foster grandparent service to retarded children beyond the child's twenty-first birthday where the services will be beneficial to both child and foster grandparent, and where the relationship began prior to the child's twenty-first birthday.

(c) Defines a child as a person who is less than twenty-one years of age.



U.S. GOVERNMENT
SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416

OFFICE OF THE ADMINISTRATOR

MAY 18 1976

Mr. James M. Frey
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Frey:

This is in response to your Enrolled Bill request asking for the views and recommendations of the Small Business Administration in regard to H. R. 12216, an Act "To amend the Domestic Volunteer Service Act of 1973 to extend the operation of certain programs by the ACTION Agency."

Sections 6(b) and (c) of the "Domestic Volunteer Service Act Amendments of 1976" extended the authority for Title III (National Volunteer Programs To Assist Small Business and Promote Volunteer Service By Persons With Business Experience) and Title IV (Administration and Coordination) of the Domestic Volunteer Service Act of 1973 (P. L. 93-113). This should provide authority for authorizations for these programs until passage of SBA's proposed legislation transferring the provisions of Title III of P. L. 93-113 to the Small Business Act.

Therefore, SBA has no objections to this legislation.

Sincerely,

Mitchell P. Kobelinski
Administrator

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: May 21

Time: 515pm

FOR ACTION:

Spencer Johnson
Max Friedersdorf
Ken Lazarus
Lynn May

cc (for information):

Jack Marsh
Jim Cavanaugh
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: May 24

Time: 500pm

SUBJECT:

H.R. 12216 - Domestic Volunteer
Service Act Amendments of 1976

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: May 21

Time: 515pm

FOR ACTION: Spencer Johnson
Max Friedersdorf
Ken Lazarus
Lynn May

cc (for information): Jack Marsh
Jim Cavanaugh
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: May 24

Time: 500pm

SUBJECT:

H.R. 12216 - Domestic Volunteer
Service Act Amendments of 1976

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection -- Ken Lazarus 5/24/76

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please

James M. Cannon

THE WHITE HOUSE

WASHINGTON

May 25, 1976

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *MLF*
SUBJECT: HR 12216 - Domestic Volunteer Service Act
Amendments of 1976

The Office of Legislative Affairs concurs with the agencies
that the subject bill be signed.

Attachments

5/21/76

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

MAY 21 1976

To: J. Conaway
5-21-76
5:00 p.m.



MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 12216 - Domestic Volunteer
Service Act Amendments of 1976
Sponsor - Rep. Hawkins (D) California

Last Day for Action

May 28, 1976 - Friday

Purpose

Extends through fiscal year 1978 the appropriation authorizations for most of ACTION's activities under the Domestic Volunteer Service Act of 1973 and amends certain provisions of the Act.

Agency Recommendations

Office of Management and Budget

Approval

ACTION

Approval

Small Business Administration

No objection

Discussion

Under present law, the appropriation authorizations for ACTION's domestic volunteer programs and related administrative expenses expire on September 30, 1976, except for the National Older American Volunteer Programs provided for under Title II of the Domestic Volunteer Service Act (DVSA). Authorization for the Title II programs -- Foster Grandparents, Retired Senior Volunteer Program, and Older American Community Service -- was provided through fiscal year 1978 in the Older Americans Amendments of 1975.

On February 5, 1976, ACTION submitted draft legislation to the Congress to extend the appropriation authorizations for Titles I, III, and IV of the DVSA and amend the Act in a few respects, mainly to remove present statutory earmarks for the

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May 17, 1976

Dear Mr. Director:

The following bills were received at the White House on May 17th:

S. 510 ✓
H.R. 7656 ✓
H.R. 8957 ✓
H.R. 12216 ✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D.C.