

**The original documents are located in Box R27, folder “Older Americans - Aging” of the Gerald R. Ford Congressional Papers at the Gerald R. Ford Presidential Library.**

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MATERIAL ON AGING Bill

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF THE SECRETARY

The attached may be of interest to you.

*per conversation*

*today.*



*Frank Samuel for*  
Stephen Kurzman  
Assistant Secretary  
for Legislation

*2/26/73.*

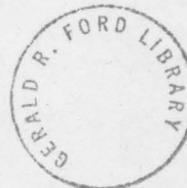
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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

FEB 19 1973

Honorable Carl Albert  
Speaker of the House of  
Representatives  
Washington, D. C. 20515



Dear Mr. Speaker:

Enclosed for the consideration of the Congress is a draft bill to provide for the continuation of programs authorized under the Older Americans Act of 1965, and for other purposes. I am also enclosing for your convenience a brief summary of the bill.

The enclosed draft bill focuses on the development of a system of comprehensive services for older persons in order to assist them to live independent, meaningful, and dignified lives. Under this proposal funds would be allotted to the States to support the development of State and local capacity to plan and coordinate programs for older persons. Funds would also be available to support services which the State and local planning agencies determine are needed as part of a comprehensive service program. Services which would be supported include health, recreation, education, transportation and homemaker services, housing assistance, and information and referral services.

Our strategy is to foster the development of local plans which define the needs of older persons for services and set forth arrangements under which providers of services would meet those needs through a coordinated service program. Funds for services under the bill would be used to initiate services which are not available under present programs. Only in this way can we assure an effective program of services to meet the needs of older persons.

Page 2 - Honorable Carl Albert

Our proposal stresses the importance of concentrating resources to maximize the impact of services on the lives of older persons. We have learned that a scattering of unrelated projects throughout a State has far less payoff for the recipient of the service than the concentration of resources in a comprehensive and coordinated program.

The enclosed draft bill is very similar to H.R. 13925 of the 92d Congress, which embodied the Administration's proposals for extending and amending the Older Americans Act. Most of the proposals contained therein were incorporated, in one form or another, in H.R. 15657 of the 92d Congress. However, H.R. 15657, which was passed by the Congress, contained numerous other provisions which the Administration opposed, and was therefore vetoed by the President. The reasons for the veto were stated in the President's Memorandum of Disapproval of October 30, 1972 and elaborated upon before the Select Subcommittee on Education of the Committee on Education and Labor by Assistant Secretary for Legislation Stephen Kurzman on February 8, 1973.

We are advised by the Office of Management and Budget that enactment of the proposed legislation would be in accord with the program of the President.

Sincerely,

/s/ Caspar W. Weinberger

Secretary

Enclosures





SUMMARY OF THE PROPOSED "OLDER AMERICANS AMENDMENTS OF 1973"

Section 1 provides the short title of the bill: the "Older Americans Amendments of 1973".

Section 2 of the bill would substitute a revised title III of the Older Americans Act of 1965 for the existing title.

The revised section 301 of the Older Americans Act of 1965 would contain the statement of purpose for title III. The program authorized by the title would encourage and assist State or local agencies to develop greater capacity to serve older persons by entering into new cooperative arrangements with each other and with providers of social services for planning for, and providing, services to older persons in order to enable them to maintain their independence and dignity. In administering this program, the Department would take such steps as may be necessary to avoid duplication between the assistance provided under this title and assistance provided under title VI of the Older Americans Act (administered by ACTION).

The revised section 302 of the Older Americans Act of 1965 would define several key terms, such as "social services" and "coordinated system".



The revised section 303(a) of the Older Americans Act of 1965 would provide the formula for allotting the funds appropriated under title III for grants to States which is currently provided by section 302 of the Older Americans Act.

The revised section 303(b) of the Older Americans Act of 1965 would provide for the reallocation of funds not used by a State for carrying out the purpose for which allotted.

The revised section 303(c) of the Older Americans Act of 1965 specifies the purposes for which an allotment may be used.

The revised section 304 of the Older Americans Act of 1965 would describe the administrative organization which a State must develop in order to be eligible to receive funds under title III. Subsection (a) would provide that it is the responsibility of the Governor to designate a State agency to develop a State plan, to divide the State into distinct areas for planning and providing social services, to determine for which areas an area plan will be developed, to designate area agencies on aging for those areas, and to provide assurances that the State agency will take into account, in matters of general policy, the views of recipients of services under the State plan.



The revised section 304(b) of the Older Americans Act of 1965 would specify the entities eligible to be designated area agencies on aging.

The revised section 304(c) of the Older Americans Act of 1965 would specify the provisions which must be included in an area plan to be approved by the State agency. Among other things, the plan must provide for the establishment of a coordinated system for the delivery of social services and for the initiation, expansion, or improvement of social services.

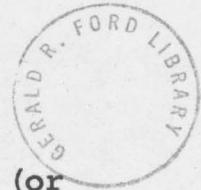
The revised section 305(a) of the Older Americans Act of 1965 would prescribe the requirements applicable to a State plan. Among other things, an approvable plan must (1) provide that the State agency will determine the need for social services within the State, (2) provide that the State agency will make reports required by the Secretary, (3) provide that the State agency will conduct periodic evaluations of the activities carried out under the State plan, (4) establish objectives toward which such activities will be directed, identify obstacles to the attainment of those objectives, and indicate how it proposes to overcome those obstacles, (5) provide that where an individual is able to participate in the



cost of services provided him under the State plan, such participation will be in accordance with regulations of the Secretary, and (6) provide that the State agency will review and approve area plans which meet the criteria of section 304(c).

Subsections (b), (c), (d), and (e) of section 305 of the Older Americans Act of 1965, as it would be amended by section 2 of this bill, would provide the procedures to be followed by the Secretary when approving or disapproving a State plan, and the appeal procedures to be followed when a State plan has been disapproved.

The revised section 306(a) of the Older Americans Act of 1965 specifies the portion of a State's allotment which must be used for the various activities under the State plan, and the matching rate for each of those activities. The Federal matching rate for social services provided under an area plan would be not more than 90 percent of the cost, while in areas without an area plan the rate would decline from 75 percent for the first year of a project to not more than 50 percent the third year. The Federal matching rate for all planning and administrative activities would be not more than 75 percent of the cost, and each State would have available



15 percent of its allotment, but not less than \$100,000 (or \$50,000 in the case of the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands) to be used only for State planning and administration. Finally, not more than 20 percent of a State's allotment may be spent for services in areas without an area plan, and not more than 15 percent of its allotment could be spent for area administrative activities.

The revised section 306 (b) of the Older Americans Act of 1965 provides for payments to the State and allows the Secretary to pay funds for State planning to States without an approved State plan. It also allows the Secretary, during the period ending one year after the date of enactment of this bill, to pay to a State which does not have a State plan approved under the revised section 305 such amounts as he deems appropriate for the purpose of continuing Federal financial assistance for activities assisted under the plan of such State approved under section 303 of the Older Americans Act prior to enactment of this bill.

The revised section 306 (c) of the Older Americans Act of 1965 would limit to three years the period of time during which the cost of a project or program for providing a social



service or the cost of administration of an area plan may be met in part from a State's allotment under section 303.

The revised section 306 (d) of the Older Americans Act of 1965 would require that not less than 25 percent of the non-Federal share of expenditures under the State plan for each fiscal year must be met from public sources.

The revised section 306 (e) of the Older Americans Act of 1965 would provide that if for any fiscal year a State reduces its expenditures from State sources under the State plan from the preceding fiscal year its allotment under section 303 would be reduced by a percent equal to the percent of the State reduction.

The revised section 307 of the Older Americans Act of 1965 would give the Secretary authority to make grants to or contracts with any public or nonprofit private agency or organization for paying part or all of the cost of developing or operating statewide, regional, metropolitan area, county, city, or community model projects which will promote the well being of older persons.

The revised section 308 of the Older Americans Act authorizes surplus food commodities to be donated to public or nonprofit private agencies or organizations to be used for providing nutritional services under title III.



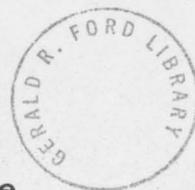
Section 3 of the bill would amend title VII of the Older Americans Act of 1965 by revising the surplus food commodities provision to make it identical to the one which would be in title III.

Section 4 of the bill would amend section 705(a) of the Older Americans Act of 1965 to require that the State plan provide that, wherever possible, nutrition projects assisted under title VII be made a part of the coordinated systems which would be established under the revised title III.

Section 5 of the bill would amend section 705(a)(2)(B) of the Older Americans Act of 1965 to provide that for the fiscal years beginning with July 1, 1973, funds allotted to a State for State planning under title III be used for the administration of the State plan submitted under title VII.

Section 6 of the bill would amend title VIII of the Older Americans Act of 1965 by deleting section 803, which had imposed a limitation on the authorization of appropriations for titles IV and V.

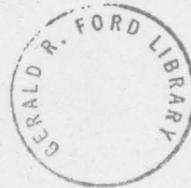
Section 7 of the bill would amend section 804 of the Older Americans Act of 1965 (relating to funds for evaluation) to make a conforming change.



Section 8 of the bill would amend title V of the Older Americans Act of 1965 by deleting section 503. The study authorized by that section has been completed.

Section 9 of the bill would amend the various sections of the Act to conform to the restructuring of title III.

Section 10 of the bill would make the amendments to section 305 of the Older Americans Act of 1965 effective for fiscal years beginning after June 30, 1973. This provision would thereby permit continuation of grants and contracts made pursuant to section 305 prior to enactment of this bill.



A B I L L

To provide for the continuation of programs authorized under the Older Americans Act of 1965, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,  
That this Act may be cited as the "Older Americans Amendments of 1973".

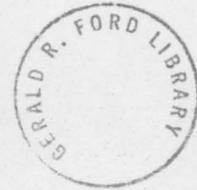
REVISION OF TITLE III

Sec. 2. Title III of the Older Americans Act of 1965 is amended to read as follows:

"TITLE III - GRANTS FOR STATE AND AREA PROGRAMS

"Sec. 301. It is the purpose of this title to encourage and assist State or local agencies to develop greater capacity and foster the development of coordinated service systems to serve older persons by entering into new cooperative arrangements with each other and with providers of social services for planning for the provision of, and providing, social services and, where necessary, to reorganize or reassign functions, in order to--

"(1) secure and maintain maximum independence



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and dignity in a home environment for older persons capable of self-care with appropriate supportive services and for whom economic independence is not feasible; and

"(2) remove individual and social barriers to economic and personal independence for older persons capable of self-support.

"DEFINITIONS

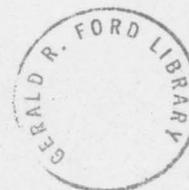
"Sec. 302. For purposes of this title--

"(1) The term 'social services' means any of the following services which meet such standards as the Secretary may prescribe:

"(A) health, continuing education, welfare, nutritional, informational, recreational, homemaker, counseling, or referral services;

"(B) transportation services where necessary to facilitate access to social services;

"(C) services designed to encourage and assist older persons to use the facilities and services available to them;



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"(D) services designed to assist older persons to obtain adequate housing; or

"(E) any other services;

if such services are necessary for the general welfare of older persons.

"(2) The term 'unit of general purpose local government' means (A) a political subdivision of the State whose authority is broad and general and is not limited to only one function or a combination of related functions, or (B) an Indian tribal organization.

"(3) The term 'coordinated system' means a system for providing social services in a manner designed to--

"(A) facilitate accessibility to and utilization of all social services provided within the geographic area served by such system by any public or private agency or organization;

"(B) make the most efficient use of social services in meeting the needs of older persons; and

"(C) use available resources efficiently and with a minimum of duplication.



"(4) The term 'Governor' means the Governor of the State, in the case of any of the fifty States, and, in the case of the other States, the chief executive officer thereof.

"ALLOTMENTS

"Sec. 303. (a) (1) From the sum appropriated for a fiscal year for allotments under this section, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands each shall be allotted an amount equal to one-half of 1 per centum of such sum and each other State shall be allotted an amount equal to 1 per centum of such sum.

"(2) From the remainder of the sum appropriated for a fiscal year for allotments under this section, each State shall be allotted an additional amount which bears the same ratio to such remainder as the number of individuals in such State who have attained age sixty-five bears to the total number of individuals in all the States who have attained such age, as determined by the Secretary on the basis of the most recent satisfactory data available to him.



"(b) Whenever the Secretary determines that any amount allotted to a State for a fiscal year under this section will not be used by such State for carrying out the purpose for which the allotment was made during the period such allotment is available therefore, he may make such amount available for carrying out such purpose to one or more other States to the extent he determines such other States will be able to use such additional amount for carrying out such purpose within such period. Any amount made available to a State from an appropriation for a fiscal year pursuant to the preceding sentence shall, for purposes of this title, be regarded as part of such State's allotment (as determined under the preceding provisions of this section) for such year.

"(c) The allotment of a State under this section for a fiscal year shall remain available until the close of the following fiscal year for grants to pay part of the cost (pursuant to section 306) of (1) administration of the State plan by the State agency designated pursuant to section 304(a)(1), including the preparation of State plans submitted to the Secretary under section 305, the evaluation of activities carried out under such plan, the collection of



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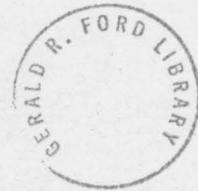
data and the carrying out of research related to the need for social services within the State, the dissemination of information so obtained, the provision of technical assistance to public or nonprofit private agencies and organizations engaged in activities related to the problems of older persons, and the carrying out of demonstration projects of statewide significance relating to the initiation, expansion, or improvement of social services; (2) administration of area plans by area agencies on aging designated pursuant to section 304(a)(3), including the preparation of area plans on aging consistent with section 304(c) and the evaluation of activities carried out under such plans; and (3) social services provided under the State plan.

"ORGANIZATION

"State Organization

"Sec. 304. (a) In order for a State to be eligible to participate in the program of grants to States from allotments under section 303, the Governor of the State shall, in accordance with regulations of the Secretary--

"(1) designate a State agency (hereinafter in



this title referred to as 'the State agency') to (A) develop the State plan to be submitted to the Secretary for approval under section 305, (B) administer the State plan within such State, (C) be primarily responsible for the coordination of all State activities related to the purposes of this Act, and (D) review and comment on, at the request of any Federal department or agency, any application from any agency or organization within such State to such Federal department or agency for assistance related to meeting the needs of older persons;

"(2) divide the entire State into distinct areas (hereinafter in this title referred to as 'planning and service areas'), after considering the incidence of the need for social services, the distribution of resources available to provide such services, the boundaries of existing areas within the State which have been delineated or established by the State for the purposes of planning and development, the location of units of general purpose local government within the State, and any other relevant factors;



"(3) determine for which planning and service areas an area plan will be developed, in accordance with subsection (c) of this section, and for each such area designate, after consideration of the views offered by the unit or units of general purpose local government in such area, a public or nonprofit private agency or organization as the area agency on aging for such area; and

"(4) provide assurances satisfactory to the Secretary that the State agency will take into account, in connection with matters of general policy arising in the development and administration of the State plan for any fiscal year, the views of recipients of social services provided under such plan.

"Area Organization

"(b) In order to be eligible for designation under subsection (a), an area agency on aging--

"(1) must be--

"(A) an office or agency designated by the chief elected official or officials of a combination of units of general purpose local



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government to act on behalf of such combination for this purpose,

" (B) an office or agency of a unit of general purpose local government which is designated for this purpose by the chief elected official or officials of such unit, or

" (C) a public or nonprofit private agency which is under the supervision or direction for this purpose of the designated State agency and which can engage in the planning or provision of a broad range of social services within a planning and service area, and

" (2) must provide assurance, found adequate by the Governor, that it will have the ability to develop an area plan and to carry out, directly or through contractual or other arrangements, a program pursuant to that plan within the planning and service area.

The Governor may designate an agency described in clause (1) (C) of this subsection for a planning and service area only if he finds that no office or agency described in clause (1) (A) or (B) for the planning and service area will have the capacity to carry out the area plan.

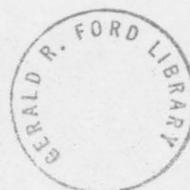


"Area Plans

"(c) In order to be approved by the State agency, an area plan for a planning and service area shall be developed by the area agency on aging designated with respect to such area under subsection (a) and shall--

"(1) provide for the establishment of a coordinated system for the delivery of social services within the planning and service area covered by the plan, including determining the need for social services in such area, evaluating the effectiveness of the use of resources in meeting such need, and entering into agreements with providers of social services in such area, for the provision of such services to meet such need;

"(2) in accordance with criteria, established by the Secretary by regulation, relating to priorities, provide for the initiation, expansion, or improvement of social services in the planning and service area covered by the area plan, including planning on a continuing basis with providers of social services in such area to insure the provision, when financial



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assistance therefor under this title is no longer available, of such services without such assistance;

"(3) provide that the area agency on aging will--

"(A) conduct periodic evaluations of activities carried out pursuant to the area plan;

"(B) render appropriate technical assistance to providers of social services in the planning and service area covered by the area plan; and

"(C) take into account, in connection with matters of general policy arising in the development and administration of the area plan, the views of recipients of services under such plan; and

"(4) specify the activities in the planning and service area covered by the area plan which were assisted with funds made available under title III of this Act prior to enactment of the Older Americans Comprehensive Services Amendments of 1973 and specify each of such activities (A) which will not continue to receive assistance under the area plan, and (B) which will continue to receive assistance under



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the area plan.

"STATE PLANS

"Sec. 305. (a) In order for a State to be eligible for grants for a fiscal year from its allotment under section 303, except as provided in section 306 (b), it shall submit to the Secretary a State plan for such year which meets such criteria as the Secretary may prescribe by regulation and which--

"(1) provides that the State agency will evaluate the need for social services within the State and determine the extent to which existing public or private programs meet such need;

"(2) provides for the use of such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of an individual employed in accordance with such methods) as are necessary for the proper and efficient administration of the plan;



"(3) provides that the State agency will make such reports, in such form, and containing such information, as the Secretary may from time to time require, and comply with such requirements as the Secretary may impose to assure the correctness of such reports;

"(4) provides that the State agency will conduct periodic evaluations of activities and projects carried out under the State plan;

"(5) establishes objectives, consistent with the purposes of this title, toward which activities under the plan will be directed, identifies obstacles to the attainment of those objectives, and indicates how it proposes to overcome those obstacles;

"(6) provides, in any case in which an individual is able to participate in the cost of social services provided to him under the State plan, for such participation (in accordance with regulations prescribed by the Secretary in the light of such ability);

"(7) provides that no social service will be provided by the State agency or an area agency on



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aging, except where, in the judgment of the State agency, (A) provision of such service by the State agency or an area agency on aging is necessary to assure an adequate supply of such service and (B) payment for such service is not available from other sources;

"(8) provides that each area agency on aging designated pursuant to section 304(a)(3) will develop and submit to the State agency for approval an area plan which complies with section 304(c); and

"(9) specifies the activities in the State which were assisted with sums made available under title III of this Act prior to enactment of the Older Americans Comprehensive Services Amendments of 1973 and specifies each of such activities (A) which will not continue to receive assistance under the State plan submitted pursuant to this section, and (B) which will continue to receive assistance under the State plan submitted pursuant to this section.

"(b) The Secretary shall approve any State plan which he finds fulfills the requirements of subsection (a) of this section.



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"(c) The Secretary shall not finally disapprove any State plan, or any modification thereof, or make a final determination that a State is ineligible under section 304, without first affording the State reasonable notice and opportunity for a hearing.

"(d) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency, finds that--

"(1) the State is no longer eligible under section 304,

"(2) the State plan has been so changed that it no longer complies with the provisions of subsection (a), or

"(3) in the administration of the plan there is a failure to comply substantially with any such provision,

the Secretary shall notify such State agency that no further payments from its allotment under section 303 will be made to the State (or, in his discretion, that further payments to the State will be limited to projects under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to



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comply. Until he is so satisfied, no further payments shall be made to such State from its allotment under this title (or payments shall be limited to projects under or portions of the State plan not affected by such failure).

"(e) A State which is dissatisfied with a final action of the Secretary under subsection (b), (c), or (d) may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Codes. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court,



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for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

"PAYMENTS

"Sec. 306.(a) From a State's allotment under section 303 for a fiscal year--

"(1) an amount equal to 15 per centum thereof (but not less than \$50,000 in the case of the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, or \$100,000 in the case of



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any other State) shall be available only for paying such percentage as the State agency determines, but not more than 75 per centum, of the cost of administration of the State plan; and

"(2) such amount as the State agency determines, but not more than 15 per centum thereof, shall be available for paying such percentage as such agency determines, but not more than 75 per centum, of the cost of administration of area plans.

The remainder of such allotment shall be available to such State only for paying--

"(3) such percentage as the Secretary determines, but not more than 90 per centum, of the cost of social services provided under a program or project approved by the area agency on aging in a planning and service area for which there is an area plan approved by the State agency, and

"(4) in the case of social services provided under a program or project approved by the State agency under the State plan in a planning and service area for which there is no area plan approved by the

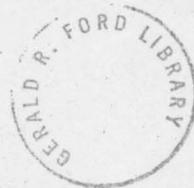


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State agency, such percentage as such agency determines, but not more than 75 per centum of the cost of such services for the first year they are so provided, not more than 60 per centum of such cost for the second year they are so provided, and not more than 50 per centum of the cost of such services for the third year they are so provided,

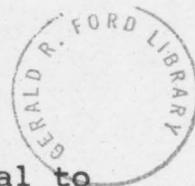
except that not more than 20 per centum of an allotment to a State under section 303 for a fiscal year shall be available for payments for social services provided in a planning and service area for which there is no area plan approved by the State agency.

"(b) Payments of grants or contracts under this title may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments, as the Secretary may determine. From the portion of a State's allotment for a fiscal year which is available pursuant to subsection (a) (1), the Secretary may pay to a State which does not have a State plan approved under section 305 such



amounts as he deems appropriate for the purpose of assisting such State in developing a State plan. From a State's allotment for a fiscal year which is available pursuant to section 303, the Secretary may, during the period ending one year after the date of enactment of the Older Americans Comprehensive Services Amendments of 1973, pay, in accordance with such regulations as he may prescribe, to a State which does not have a State plan approved under section 305, such amounts as he deems appropriate for the purpose of continuing Federal financial assistance for activities assisted under the plan of such State approved under section 303 of this Act prior to enactment of the Older Americans Comprehensive Services Amendments of 1973.

"(c) No allotment to a State under this title shall be available for making payments with respect to any program or project for providing social services under a State plan approved under section 305 after payments have been made from such allotments with respect to such program or project for a period of time equal to three calendar years. No allotment to a State under this title shall be available for making payments with respect to the administration of an area plan approved under section 305(a)(8) after payments have been made from such allotments with respect to the



administration of such plan for a period of time equal to three calendar years.

"(d) Not less than 25 per centum of the non-Federal share (pursuant to subsection (a) of this section) of the total expenditures under a State plan approved under this Act for any fiscal year shall be met from funds from State or local public sources. For the purposes of the preceding sentence, fees charged by a State or local public agency for services provided under a State plan approved under this Act shall not be considered funds from State or local public sources.

"(e) A State's allotment under section 303 for a fiscal year shall be reduced by the percentage (if any) by which its expenditures for such year from State sources under its State plan approved under section 305 are less than its expenditures from such sources for the preceding fiscal year.

#### "MODEL PROJECTS

"Sec. 307. The Secretary may, after consultation with the State agency, or the Governor of the State where there is no State agency, make grants to or contracts with any public or nonprofit private agency or organization within such State for paying part or all of the cost of developing of operating statewide, regional metropolitan area, county, city, or community model projects which will expand or improve



-22-

social services or otherwise promote the well-being of older persons.

"AVAILABILITY OF SURPLUS COMMODITIES

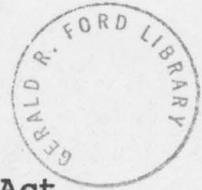
"Sec. 308. Agricultural commodities and products purchased by the Secretary of Agriculture under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) may be donated to public or nonprofit private agencies or organizations to be used for providing nutritional services in accordance with the provisions of this title."

AVAILABILITY OF SURPLUS COMMODITIES  
UNDER TITLE VII

Sec. 3. Section 707 of the Older Americans Act of 1965 is amended to read as follows:

"AVAILABILITY OF SURPLUS COMMODITIES

"Sec. 707. Agricultural commodities and products purchased by the Secretary of Agriculture under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) may be donated to a recipient of a grant or contract to be used for providing nutritional services in accordance with the provisions of this title."



COORDINATION OF TITLE III AND TITLE VII

Sec. 4. Section 705(a) of the Older Americans Act of 1965 is amended by adding at the end thereof the following new paragraph:

"(5) provide that, wherever possible, nutrition projects assisted under this title shall be made a part of the coordinated systems established under title III of this Act."

STATE PLANNING UNDER TITLE VII

Sec. 5. Section 705(a)(2)(B) of the Older Americans Act of 1965 is amended by inserting "for the fiscal year ending June 30, 1973," following "administrative cost,"; by striking out "any fiscal year" and inserting in lieu thereof "such fiscal year"; and by adding at the end of the first sentence thereof the following sentence: "For the fiscal years ending after June 30, 1973, funds allotted to a State for State planning and administration pursuant to section 306 of this Act may be used for the administration of the State plan submitted pursuant to this section, except that wherever the Governor of the State designates an agency other than the agency designated under section 304(a)(1) of this Act, then the Secretary shall determine that portion



of a State's allotment under section 306 which shall be available to the agency designated under section 705(a)(1) for planning and administration."

REPEAL OF LIMITATION ON APPROPRIATIONS  
AUTHORIZATION

Sec. 6. Title VIII of the Older Americans Act of 1965 is amended by striking out section 803 thereof and redesignating sections 804 and 805 as sections 803 and 804, respectively.

EVALUATION

Sec. 7. The section redesignated as section 803 of the Older Americans Act of 1965 by section 6 of this Act is amended by striking out "or VI or section 803" and inserting in lieu thereof ",IV, or V".

REPEAL OF STUDY AUTHORIZATION

Sec. 8. Title V of the Older Americans Act of 1965 is amended by striking out section 503 thereof.

CONFORMING AMENDMENTS

Sec. 9. The Older Americans Act of 1965 is further amended by striking out --

(1) "303" in section 402(c) and inserting in lieu thereof "304";

(2) "303" in section 502(c) and inserting in lieu thereof "304";



(3) "303" in the first sentence of section 601(a) and inserting in lieu thereof "304";

(4) "303" in section 601(c) and inserting in lieu thereof "304";

(5) "303" in section 612(a)(2)(A) and inserting in lieu thereof "304";

(6) "303" in section 612(a)(3)(C) and inserting in lieu thereof "304";

(7) "303" the first time it appears in the first sentence of section 705(a) and inserting in lieu thereof "304" and "303" the second time it appears in such sentence and inserting in lieu thereof "305"; and

(8) "303" in section 705(a)(1) and inserting in lieu thereof "304".

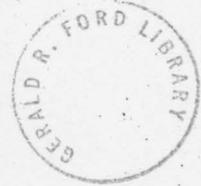
EFFECTIVE DATE OF AMENDMENTS  
TO SECTION 305

Sec. 10. The amendments made by this Act shall become effective upon enactment, except that the provisions of section 305 of the Older Americans Act of 1965, as effective prior to such enactment, shall remain effective with respect to appropriations made prior to July 1, 1973, which are available for projects assisted under such section.

FOR RELEASE ONLY UPON DELIVERY



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE



STATEMENT OF

STEPHEN KURZMAN

ASSISTANT SECRETARY FOR LEGISLATION

BEFORE THE

SELECT SUBCOMMITTEE ON EDUCATION OF THE

COMMITTEE ON EDUCATION AND LABOR

UNITED STATES HOUSE OF REPRESENTATIVES

Thursday, February 8, 1973



It is a pleasure to appear before this Subcommittee to discuss the extension of the Older Americans Act of 1965. My remarks will be particularly directed to H. R. 15657, the bill vetoed by the President. Of course, they also apply to H. R. 71, which is identical to H. R. 15657. These bills contain much of the restructuring of Title III, the basic State formula grant program, which was proposed by the Administration in 1972.

It is clear that both the Administration and the Congress share a common objective, providing needed services to older Americans. With this shared objective in mind, Mr. Chairman, I will now turn to specific comments on H. R. 15657.

#### Authorization Levels

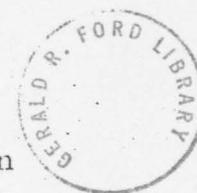
The excessive authorization levels in H. R. 15657 were a major reason for the veto of the bill, and provide yet another illustration of the expectations gap. For example, the authorization for the Title III program is higher than anything the Executive Branch could in good conscience request and higher than anything that the



Appropriation Committees and the Congress would be willing to provide. The result is that hopes would have been raised by an unrealistic authorization, only to be dashed by the reality of the actual appropriation. We want to avoid this expectations gap. That is why the Administration has preferred language authorizing the appropriation of "such sums as may be necessary".

#### Title II - Organizational Provisions

H. R. 15657 would have legislated a highly undesirable organizational change in HEW. The bill would have moved the Administration on Aging (AOA) from the Social and Rehabilitation Service to the Office of the Secretary. It would also have placed authority for carrying out AOA's responsibilities under the Act with the Commissioner on Aging, rather than the Secretary. The Commissioner would have been prohibited from delegating any of his statutory responsibilities to an officer not directly responsible to him, unless he first submitted a delegation plan to Congress which neither House disapproved within 30 days.



The Administration made its views very clear on this issue when Secretary Richardson appeared before this subcommittee last year. The fragmentation of authority and accountability proposed by the organizational provisions of H. R. 15657 would have seriously impeded the Secretary's authority to organize and manage the Department and its many programs affecting our elderly population. For example, the Social Security Administration administers many billions of dollars worth of such programs. Under H. R. 15657, the Secretary would have lost the authority to coordinate social security programs with those authorized by the Older Americans Act.

Titles IX and X -- Manpower Titles

H. R. 15657 would have added two manpower Titles to the Older Americans Act:

- Title IX would have provided community service employment for low-income persons aged 55 years of age or older through a program to be administered by the Department of Labor.



-- Title X would have provided authority for developing manpower training programs and for establishing other services to increase opportunities for middle-aged and older workers. This authority too would have been administered by the Department of Labor.

As you know, the addition of these Titles was opposed by the Department of Labor and was cited as a major reason for the President's disapproval of H. R. 15657. We believe that the activities contemplated by Titles IX and X could better be accomplished through the Administration's proposal for Manpower Revenue Sharing than through the narrow categorical approach which these Titles represent.

#### Objectional Programs and Functions

H. R. 15657 would also have established a number of categorical programs and duplicative functions opposed by the Administration.

In brief, these include:



Title II - Federal Advisory Council on Aging

The proposed Federal Advisory Council on Aging would report directly to the President, replacing the existing Older Americans Advisory Committee which reports to the HEW Secretary. We believe that the Advisory Committee function is appropriately placed, as it is now, within HEW because this Department has responsibility for the largest number of aging programs.

Moreover, while we appreciate the desire to strengthen the advisory committee function, we believe that the approach taken by H. R. 15657 is unnecessary in light of Secretary Richardson's actions last year which expanded the role and capacity of the existing Advisory Committee on Older Americans. As you know, the Committee is now staffed by Office of the Secretary personnel and reports directly to the Secretary, advising him on ways



in which the vast resources of the Department may be marshalled and coordinated to deal more effectively with the problems of the elderly. We believe this action has effectively strengthened the Advisory Committee on Older Americans.

On the other hand, the membership structure, the excessive number of reports and studies and the investigative function provided for the Federal Council in H. R. 15657, would have been administratively unwieldy and have overlapped duties that are now being performed elsewhere.

#### Title IV A -- Training

The Administration opposed this program as part of a broader strategy to move away from categorical training programs funded through grants to institutions, and toward more direct assistance to students. As part of this strategy, the 1974 budget proposes substantially



increased funding for general programs of student assistance, geared to need, in the form of grants and guaranteed loans.

Title IV B -- Transportation Study and Demonstration Projects

The special provision for a study of the transportation needs of the elderly and for demonstrations of special transportation services would have overlapped an existing authority in the Act as well as an authority which would have been provided under Title III of H. R. 15657. The existing research and demonstration authority permits the funding of such projects, and there are joint projects now underway with the Department of Transportation, which has the basic responsibility in this area. The Model Projects part of Title III in H. R. 15657 would have permitted projects to be undertaken in the area of transportation.

Since overlapping and duplicative authorities merely lead to administrative problems in program operation, the Administration opposed this additional provision on transportation.



Title IV C -- Multidisciplinary Centers of Gerontology

The proposed new program of grants for the support of Multidisciplinary Centers of Gerontology would have been a significant new long-term commitment of Federal resources. The effect would have been to concentrate the R&D activities authorized by the Older Americans Act in a relatively few universities. The Administration has been opposed to such concentration.

Title V - Senior Center Construction and Staffing

H. R. 15657 would have added a new Title V to the Older Americans Act to provide for the alteration, renovation, acquisition, or construction of multipurpose Senior Centers, as well as for mortgage insurance and grant authorization for the staffing of such centers. We agree that such centers could provide a central location where a mix of services could be provided to older persons in a given community or neighborhood, and we have encouraged such use of existing facilities for the comprehensive service



programs under Title III. However, research findings have indicated that there is no sure evidence that such centers reach the isolated elderly who are most in need of social services. Improved service delivery is our principle goal, not simply more bricks and mortar. The Administration opposed a new categorical program for construction, which would only serve to direct attention and resources away from the principle objective -- coordinated and effective delivery of needed services.

#### Title VIII -- Amendments to Other Acts

H. R. 15657 would have amended several education statutes administered by the Department. These include the Library Services and Construction Act, the Higher Education Act of 1965, and the Adult Education Act. In each instance, a new categorical program would have been established for providing the elderly with the services authorized under the amended Act.



The new programs authorized by the amendments to the education Acts were among the categorical programs referred to in the President's message of disapproval. Many of the activities authorized by these amendments could be carried out under the Special Revenue Sharing proposals which the President referred to in his budget message last week.

Title III - State and Area Planning and Services

Finally, I would like to discuss briefly Title III, the basic State formula grant program. We were pleased to see that the Congress adopted the basic approach to the Title III program proposed last year by the Administration. Although we were prepared to accept most of the Congressional changes made in that proposal, we did question certain changes in it which we believe would limit the effectiveness of our Title III strategy.

In particular, H. R. 15657 did not adopt the three-year limit on Federal funding of services projects and sub-State agencies under Title III which had been proposed by the Administration. The bill, in effect, would therefore have provided permanent Federal funding

rather than having States and localities assume financial responsibility for aging programs after an initial period of Federal assistance.

In contrast, the time limitation favored by the Administration would allow new funds to be channeled to new programs and agencies at the end of three years. A time limit on Federal support for sub-State agencies and services provided under Area Plans was a central feature of the entire Title III program strategy.

#### Overview

Having discussed the differences between the Administration's view and that of the Congress as expressed in H. R. 15657, I think it would be beneficial to review some of the things we have accomplished together to improve the lives of the elderly.

The Older Americans Act programs are a significant segment of the Administration's comprehensive strategy to enhance the dignity and independence of older Americans. The success of that





comprehensive strategy to date is due in large part to the mutual interest of the Executive Branch and the Congress in improving the lives of older persons. At this point, Mr. Chairman, I would like to submit for the record a table prepared by OMB which provides an overview of benefits paid to the Nation's elderly. Some of these benefits result from recent action. For example, as a result of legislation enacted in the 92nd Congress:

-- Nearly 4 million widows and widowers are receiving larger social security benefits -- the full 100 percent of what was payable to the individual's late husband or wife. This will mean more than \$1 billion in additional income for these deserving people in the next fiscal year.

-- Over a million and a half older Americans who are now working can earn more income without having their benefits reduced.



-- Millions of older Americans who formerly lived in poverty will be helped by a new Federal floor under their income -- a monthly minimum of \$130 for an individual and \$195 for a couple. Free from the inequities and red tape which plague the present system, this program, to be administered by the Social Security Administration, will channel an estimated \$1 billion in the next fiscal year to the aged, blind and disabled. For millions of older people, this can mean a significant step away from poverty and toward a life of dignity and independence.

-- Special minimum social security benefits of \$170 per month are being paid to 150,000 older persons who worked for long years at low wages at jobs that were not previously covered by social security.



-- Medicare coverage has been extended to cover 100 percent instead of 80 percent of home health services, to cover more of the cost of nursing home care, to pay for services formerly not covered, and to assist disabled Americans of all ages.

Moreover, in the last four years social security benefits have gone up 51 percent. That is the largest and most rapid increase in history. The important thing is not only that benefits have been brought up to date, but also that they now can be kept up to date. This is a result of the automatic cost-of-living increase provisions which President Nixon advocated for many years and which finally became law last summer. Social security, in short, is now "inflation proof." Payments that keep pace with the cost of living are no longer something that older couples have to battle for year after year.



In addition, the economic policy of the Administration to fight inflation has benefited the aged more than any other group since inflation has been a particularly cruel drain on their relatively fixed incomes. Since 1969, the rate of inflation has been cut almost in half. In the area of medical care prices, inflation has been cut by nearly two-thirds--an achievement which is particularly important to older people because they spend more than three times as much per capita on health care as do younger people.

Finally, a problem which is of critical concern for older Americans -- and for this Administration -- is the quality of our nursing homes. Many of them are doing a good job, but too many have been below reasonable and decent standards. In 1971, the President launched a new eight-point action plan to change this situation. The Social Security Amendments of 1972 permit the hiring and training of 2,000 inspectors to enforce strict regulations. And Federal efforts to make all nursing homes better places have been substantially expanded.



Conclusion

In conclusion, I hope that we can work together to produce a bill that will improve the capacity of the Older Americans Act to meet the needs of the elderly. Our interests are the same - building a system that provides the services needed by older persons in the way that best meets those needs.

Thank you for the opportunity to testify. I will be glad to answer any questions that you may have.

AMENDMENT TO H.R. 71 TO PROVIDE AUTHORITY FOR  
REGULATING FEES CHARGED BY PROVIDERS OF SERVICES

On page 30, insert following line 18:

"(10) provides, in any case in which an individual is able to participate in the cost of social services provided to him under the State plan, for such participation (in accordance with regulations prescribed by the Secretary in the light of such ability).



Explanation:

This Amendment would provide authority to charge fees for services based upon ability to pay. This change is in keeping with the Administration's policy of focussing free services on the poorest recipients.



AMENDMENT TO H.R. 71 TO SIMPLIFY AUTHORITY TO  
MAKE GRANTS FOR MODEL PROJECTS



On page 37, line 2, strike out everything through  
page 39, line 20, and insert in lieu thereof the following:

"Sec. 303.(a) The Secretary may, after consultation  
with the State agency, or the Governor of the State where  
there is no State agency, make grants to or contracts with  
any public or nonprofit private agency or organization  
within such State for paying part or all of the cost of  
developing or operating statewide, regional, metropolitan  
area, county, city, or community model projects which will  
expand or improve social services or otherwise promote the  
well-being of older persons.

Section 308(a) now specifies a series of projects that have to receive special consideration for grants. The Administration would prefer to maintain the managerial flexibility of the current law, which provides a general authority to make grants.



AMENDMENT TO H.R. 71 TO DELETE AUTHORITY  
FOR THE NATIONAL INFORMATION AND RESOURCE  
CLEARING HOUSE FOR THE AGING



On page 7, line 10, strike out everything  
through page 8, line 24.

Explanation:

This authority should be deleted because it would overlap existing authority and is therefore unnecessary to achieve its purpose.



AMENDMENT TO H.R. 71 TO DELETE LIMITATIONS  
ON APPROPRIATIONS AUTHORIZATIONS



On page 19, line 12, strike out everything through  
line 14, and insert in lieu thereof the following:

such sums as may be necessary to

On page 33, line 15, strike out everything through  
line 17, and insert in lieu thereof the following:

ated such sums as may be necessary to enable  
the Secretary to

On page 39, line 22, strike out everything through  
line 25, and insert in lieu thereof the following:

are authorized to be appropriated such sums  
an may be necessary."

On page 50, line 14, strike out everything through  
page 51, line 2.



Explanation:

The excessive authorization levels in H.R. 15657 were a major reason for veto of the bill. Although the authorizations in H.R. 71 are lower than those in the vetoed bill, they are still higher than anything the Executive Branch could, in good conscience, request, and higher than anything the Congress would appropriate. The Administration feels that authorizations of "such sums as may be necessary" is a sounder managerial approach, and avoids the "expectation gap" that is created by excessive authorizations.

In addition, benefits for the aged will reach the \$37 billion level in FY 1974. This includes money payments (for example, social security) and in-kind benefits, but does not include the funds provided under services projects, such as those authorized under the Older Americans Act.

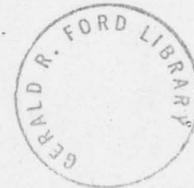
AMENDMENT TO H.R. 71 TO DELETE  
AMENDMENTS TO OTHER ACTS



On page 70, line 19, strike out everything  
through page 78, line 2.

Explanation:

This Amendment would remove from H. R. 17 the modification of several education statutes administered by HEW. These include the Library Services and Construction Act, the Higher Education Act of 1965, and the Adult Education Act. In each instance, a new categorical program would have been established for providing the elderly with the services authorized under the amended Act. The new programs authorized by H. R. 71's Amendments to the education Acts were among the categorical programs referred to in the President's veto message, and many of the activities which they authorize could be carried out under the Special Revenue Sharing proposals contemplated by the President's budget for FY 1974.



AMENDMENT TO H.R. 71 TO DELETE AUTHORITY  
FOR SUPPORT TO MULTIDISCIPLINARY CENTER OF  
GERONTOLOGY

On page 48, line 20, strike out everything  
through page 50, line 13.



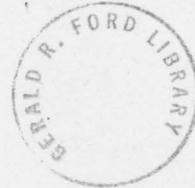
Explanation:

The proposed new programs of grants for the support of Multidisciplinary Centers of Gerontology would have been a significant new long-term commitment of Federal resources. Research and development activities would be concentrated in a relatively few universities. The Administration opposes such concentration, and would prefer gerontological research to be performed, as it is at present, at the National Institute of Child Health and Human Development.



AMENDMENT TO H.R. 71 TO DELETE AUTHORITY FOR  
CONSTRUCTION OF AND MORTGAGE INSURANCE FOR  
MULTIPURPOSE SENIOR CENTERS

On page 52, line 2, strike out everything  
through page 63, line 15.



AMENDMENT TO H.R. 71 TO DELETE AUTHORITY FOR  
GRANTS FOR INITIAL STAFFING OF MULTIPURPOSE  
SENIOR CENTERS

On page 63, line 16, strike out everything through  
page 64, line 18.



Explanation:

The Administration opposes new categorical programs for construction and staffing. These programs only serve to direct attention and resources away from the principle objective, providing coordinated and effective delivery of needed services to the elderly. Research findings have indicated that there is no sure evidences that such centers reach the isolated elderly who are the most in need of social services. Our goal is improved services, not simply more buildings.



AMENDMENT TO H.R. 71 TO TRANSFER THE RESPONSIBILITY FOR  
CARRYING OUT H.R. 71 FROM THE COMMISSIONER OF THE  
ADMINISTRATION ON AGING TO THE SECRETARY OF HEALTH,  
EDUCATION, AND WELFARE

Strike out "Commissioner" and "Commissioner on  
Aging" wherever they appear in H.R. 71 following page 3,  
line 6, and insert in lieu thereof "Secretary".



AMENDMENT TO H.R. 71 TO DELETE  
REQUIREMENT OF CONGRESSIONAL APPROVAL  
FOR DELEGATION OF FUNCTIONS UNDER H.R. 71

On page 3, line 10, strike out everything  
through page 4, line 2.



AMENDMENT TO H.R. 71 TO DELETE THE  
LEGISLATIVE ESTABLISHMENT OF THE  
ADMINISTRATION ON AGING IN THE  
OFFICE OF THE SECRETARY

On page 3, strike out lines 2 and 3, and insert  
in lieu thereof:

"Sec. 201: (a) There is established within the  
Department of Health, Education, and Welfare an  
Administration on Aging (hereinafter in this



Explanation:

These Amendments, taken together, would remove from H. R. 71 highly undesirable organizational features. They would return authority for carrying out the provisions of H. R. 71 to the HEW Secretary, delete the statutory establishment of the Administration on Aging in the Office of the Secretary, delete the requirement for Congressional approval of delegation of authority by the AoA Commissioner. These Amendments would restore the Secretary's authority to manage the Department and the many programs affecting the Nation's elderly, many of which are not administered by the AoA.



AMENDMENT TO H.R. 71 TO PROVIDE THREE YEAR LIMITATION  
ON FUNDING OF SOCIAL SERVICE PROJECTS AND AREA PLAN  
ADMINISTRATION

On page 36, following line 24, insert the following:

"(d) No allotment to a State under this title shall be available for making payments with respect to any program or project for providing social services under a State plan approved under section 305 after payments have been made from such allotments with respect to such program or project for a period of time equal to three calendar years. No allotment to a State under this title shall be available for making payments with respect to the administration of an area plan approved under section 305(a)(6) after payments have been made from such allotments with respect to the administration of such plan for a period of time equal to three calendar years.



AMENDMENT TO H.R. 71 TO PROVIDE FOR THREE YEAR DECLINING  
MATCH FOR SOCIAL SERVICE PROJECTS NOT FUNDED PURSUANT  
TO AN AREA PLAN



On page 22, strike out lines 6 through 13 and insert  
in lieu thereof the following:

"(2) in the case of social services provided  
under a program or project approved by the State  
agency under the State plan in a planning and  
service area for which there is no area plan approved  
by the State agency, such amount as the State agency  
determines, but not more than 20 per centum thereof,  
shall be available for paying such percentage as such  
agency determines, but not more than 75 per centum of  
the cost of such services for the first year they  
are so provided, not more than 60 per centum of such  
cost for the second year they are so provided, and  
not more than 50 per centum of the cost of such  
services for the third year they are so provided.

Explanation:

The declining Federal matching rate (75%, 60% and 50%) and the three-year limitation on funding of social service projects and area plan administration are an essential part of the Administration's Title III strategy. H.R. 71, on the other hand, would provide permanent Federal funding, rather than having States and localities assume financial responsibility for aging programs after an initial period of Federal financial assistance.

The time limitation favored by the Administration would, in contrast, allow new funds to be channeled to new programs and new agencies at the end of three years. The declining Federal share would mean that the community would have to match at the three-year period, thus preparing each project and area to become self-sustaining.



AMENDMENT TO H.R. 71 TO DELETE PROGRAMS FOR  
MIDDLE-AGED AND OLDER WORKERS TRAINING

On page 89, line 1, strike out everything through  
page 103, line 24.



AMENDMENT TO H.R. 71 TO DELETE OLDER  
AMERICAN COMMUNITY SERVICE EMPLOYMENT ACT

On page 78, line 3, strike out everything through  
page 88, line 22.



AMENDMENT TO H.R. 71 TO SIMPLIFY THE AUTHORITIES  
FOR DEVELOPMENT, RESEARCH AND TRAINING PROJECTS

On page 40, line 2, strike out everything through  
page 48, line 19 and insert in lieu thereof:

" PART A - RESEARCH AND DEVELOPMENT PROJECTS

" Project Grants

"Sec. 401. The Secretary is authorized to carry  
out the purposes of this Act through grants to any public  
or nonprofit private agency, organization, or institution  
and contracts with any agency, organization, or institution  
or with any individual--

"(a) to study current patterns and conditions  
of living of older persons and identify factors which  
are beneficial or detrimental to the wholesome and  
meaningful living of such persons;

"(b) to develop or demonstrate new approaches,  
techniques, and methods (including multipurpose  
centers) which hold promise of substantial contribution  
toward wholesome and meaningful living for older persons;

"(c) to develop or demonstrate approaches,  
methods, and techniques for achieving or improving  
coordination of community services for older persons;



"(d) to evaluate these approaches, techniques, and methods, as well as others which may assist older persons to enjoy wholesome and meaningful living and to continue to contribute to the strength and welfare of our Nation;

"(e) to collect and disseminate, through publications and other appropriate means, information concerning research findings, demonstration results, and materials developed in connection with activities assisted under this title; or

"(f) to conduct conferences and other meetings for the purposes of facilitating exchange of information and stimulating new approaches with respect to activities related to the purposes of this title.

#### PAYMENTS OF GRANTS

"Sec. 402. (a) To the extent he deems it appropriate, the Secretary shall require the recipient of any grant or contract under this title to contribute money, facilities, or services for carrying out the project for which such grant or contract was made.





"(b) Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

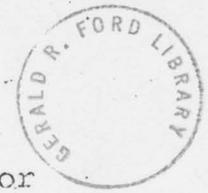
"(c) The Secretary shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of section 303(a)(1) unless the Secretary has consulted with such State agency regarding such grant or contract.

"PART B - TRAINING PROJECTS

Project Grants

"Sec. 411. The Secretary is authorized to make grants to any public or nonprofit private agency, organization, or institution, and contracts with any agency, organization, or institution, for--

"(a) the specialized training of persons employed or preparing for employment in carrying out programs related to the purposes of this Act and the development of curriculums for such training;



"(b) the conduct of studies of the need for trained personnel to carry out such programs;

"(c) the preparation and dissemination of materials, including audiovisual materials and printed materials, for use in recruitment and training of such personnel;

"(d) the conduct of conferences and other meetings for the purposes of facilitating exchange of information and stimulating new approaches with respect to activities related to the purposes of this title; and

"(e) the publication and distribution of information concerning studies, findings, and other materials developed in connection with activities under this title.

"Payment of Grants

"Sec. 412. (a) To the extent he deems it appropriate, the Secretary shall require the recipient of any grant or contract under this title to contribute money, facilities, or services for carrying out the project for which such grant or contract was made..

"(b) Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

"(c) The Secretary shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of section 303(a)(1) unless the Secretary has consulted with such State agency regarding such grant or contract.

"APPROPRIATIONS AUTHORIZATIONS

"Sec. 413. There are authorized to be appropriated such sums as may be necessary for carrying out this Part and Part A of this title."





Title IV in H. R. 17 is divided into several project grant authorities that confuse the law and could make it difficult to administer. The proposed amendment would authorize one general project grant authority for training, and one general project grant authority for research and development, as is now in the existing law.

93D CONGRESS }  
1st Session }

HOUSE OF REPRESENTATIVES }

REPORT  
No. 93-43

## COMPREHENSIVE OLDER AMERICANS SERVICES AMENDMENTS OF 1973

MARCH 2, 1973.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. PERKINS, from the Committee on Education and Labor,  
submitted the following

### REPORT together with MINORITY VIEWS

[To accompany H.R. 71]

The Committee on Education and Labor, to whom was referred the bill (H.R. 71) to strengthen and improve the Older Americans Act of 1965, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment strikes out all after the enacting clause of the introduced bill and inserts a substitute text which appears in italic type in the reported bill.

#### PURPOSE

It is the purpose of H.R. 71 as amended to extend, strengthen and modify the grant programs authorized under the Older Americans Act of 1965 through Fiscal Year 1975. In addition H.R. 71 as amended seeks to:

1. Strengthen the role of the Administration on Aging as a focal point of Federal concern for older persons and upgrade its organization status;
2. Create a Federal Council on the Aging;
3. Strengthen State Agencies on Aging as the focal points in planning and developing service systems and area agencies for providing comprehensive coordinated, community-based services for the elderly;



4. Establish a National Information and Resource Clearinghouse for the Aging, and develop a network of information and referral sources in the States and communities;

5. Provide authority to lease, renovate and construct multipurpose senior centers through grants, contracts or mortgage insurance and support staffing grants for the initial operation of such centers and the delivery of social services;

6. Expand the research, demonstration, and training programs of the Act and authorize the establishment and support of multidisciplinary centers of gerontology;

7. Expand the National Older Americans Volunteer program (including Foster Grandparents and the Retired Senior Volunteer Programs);

8. Encourage that the nutrition program for the elderly is operated, wherever possible, in conjunction with comprehensive, coordinated service systems developed under Title III;

9. Provide for special impact demonstrations and model projects in the areas of transportation, housing, education, employment, preretirement, and continuing education as a part of comprehensive, coordinated service systems for the elderly.

10. Provide special programs for older persons under the Library Services and Construction Act, the National Commission on Libraries and Information Science Act, the Higher Education Act of 1965 and the Adult Education Act; and

11. Create a new program to provide for the employment of individuals 55 and over in community service activities.

#### BACKGROUND

The Older Americans Act was first enacted by the 89th Congress in 1965 and, thereafter, was revised in 1967 and 1969. Since its enactment, virtually all of the states and territories have created state offices of aging and, in addition, a total of 395 local agencies on aging have been funded under Title III to serve as the focal point in their communities in providing services to the aging.

From small beginnings in 1965, programs under the Older Americans Act have expanded substantially. The following table shows the appropriations history.

*Total appropriations under the Older Americans Act—Fiscal years, 1966-73*

Fiscal year:	
1966	\$7, 500, 000
1967	10, 275, 000
1968	18, 450, 000
1969	23, 000, 000
1970	28, 360, 000
1971	33, 650, 000
1972 annual	46, 450, 000
1972 supplemental	55, 250, 000
Total fiscal year 1972	101, 700, 000
1973 request	257, 000, 000

#### STATE AND COMMUNITY PROGRAMS

The principal focus of activity under the Act has been through community programs conducted under Title III to provide services to

older Americans. Last year more than one million older persons were served by over 1,500 projects funded under Title III.

Services for independent living were offered in over 300 community programs during 1972. These programs were designed to maintain independent living arrangements for the elderly and assisted in reaching a large portion of elderly shut-ins. These in-home and out-of-home services made it possible for the elderly to maintain a sense of dignity and independence in their own familiar community environment.

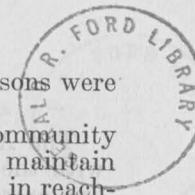
There were 466 community programs on aging which involved older volunteers. These volunteers assisted in such services as visiting, telephone reassurances, transportation, teaching adult education courses to other older persons, preparation and delivery of meals, and were involved in the planning of community activities and services for the elderly.

Group meals and home-delivered meals were provided to 60,000 to 70,000 older persons to help solve nutritional problems of the elderly. Many older persons unable to pay received this service without cost. In many programs, these meals were prepared and delivered by older persons. Senior centers and other community and neighborhood facilities were used for preparing and serving these meals. Many persons were served at least two nutritional meals, 5 days a week. Those elderly who were isolated have benefited from the delivery of meals to their homes on a daily basis.

There were 428 projects with transportation as a component or a sole service of the program. Many programs had one or two minibuses which were radio-equipped; cars and other vehicles were used as well. This service enabled older persons to keep doctors appointments, to go to health clinics and food stamp offices, to make trips at a distance, and visits to senior centers for other significant activities and services.

There were 337 projects which offered health and health-related services to older persons providing visiting nurses and in-home health aides for the home-bound elderly. Other health-related services offered were health education, geriatric screening and referral, immunization programs and homemaker services. These programs included the promotion of prevention techniques for accidents through education, and activities which provided the means to alleviate other particular emotional or physiological health problems of the elderly. A number of programs gave particular attention to the handicapped older person such as the blind or deaf, or those reaching these stages because of age, by counseling the older person in readjustment to their surroundings and homes. Often other older persons with similar handicaps provided this assistance.

With assistance under Title III, State agencies provided support for 623 senior centers which were located in public low-rent housing, churches, public and private buildings and some institutions. These senior centers have satellite centers located in neighborhoods where the elderly reside. The satellite centers provided and delivered services tailored to meet the special needs of the elderly in the community. These senior centers also trained 14,708 elderly for employment and provided opportunities for participation and active engagement in community life.



## AREAWIDE MODEL PROJECTS

The Area Model Project Program was first implemented in 1971 with the award of \$2.2 million to 9 State Agencies on Aging. There are currently 21 Areawide Model Projects in operation with an average federal cost of about \$320,000 each.

The characteristics of the elderly recipients of Areawide Model services are essentially the same as those in the Community Grant Program. Projects are multi-service in nature with 5 program components being about average. Each program component has been selected as most appropriate in meeting the needs of the elderly living in the project area and the mix of services funded is specially tailored to meet their needs. Emphasis is placed on drawing on existing resources within the community.

## RESEARCH AND DEMONSTRATION

The Title IV Research and Demonstration program is currently supporting 37 projects. A major priority research area now under study is the inappropriate placement of significant numbers of elderly people in institutions because of the lack of suitable alternative community living arrangements. The focus of a variety of projects dealing with this issue is mainly the costs and benefits of levels of care appropriate to the needs of elderly people. A number of these projects are jointly supported with other SRS bureaus and HEW agencies.

Priority is also being given to research and demonstration on solutions to the mobility and transportation problems of older persons. Optional approaches to such solutions are being tested in a cooperative effort with the Urban Mass Transportation Administration, Department of Transportation. This joint approach is enabling Title IV to study the costs and benefits of transportation modes which otherwise would be financially prohibitive because of the large investment in capital equipment required.

Other areas of priority study include a model for statewide information and referral systems; the status and needs of minority elderly; and the adaptation of communications and technology for use in programs of care for the elderly.

## TRAINING PROGRAMS

The training grant program, authorized by Title V of the Older Americans Act supports 38 career training programs being conducted in 17 universities across the country, to add 8 new long-term programs, and to support 15 short-term projects. The continuing, long-term programs, have become nationally recognized sources of well-trained personnel capable of providing a variety of professional services to the older population. In addition, staff members of the training programs are recognized increasingly as resources for professional leadership, consultation, and technical assistance within the communities. States, and regions served by their institutions.

## NATIONAL OLDER AMERICANS VOLUNTEER PROGRAMS

## FOSTER GRANDPARENTS PROGRAM

One of the best known and most successful programs of service by older persons is the Foster Grandparent Program. The Foster Grandparent Program provides parttime volunteer opportunities for low-income persons age 60 and over to serve children with special needs in institutions on a person-to-person basis. The Program was initially developed in 1965 as a cooperative effort between the Office of Economic Opportunity and the Administration on Aging to demonstrate the capability and willingness of older persons to make valuable contributions to their communities. The program was jointly administered by O.E.O. and D.H.E.W. until the Older Americans Act Amendments of 1969 transferred the Foster Grandparent Program entirely to the Department of Health, Education, and Welfare, where funding and administration occurred through the Administration on Aging and the regional offices for the Social and Rehabilitation Service. On July 1, 1971, the Foster Grandparent Program was transferred to ACTION, the newly formed citizens' service corps, in accord with Executive Reorganization Plan No. 1 of 1971.

Currently 135 foster grandparent projects serving in 445 different child care settings in all 50 states, Puerto Rico, the Virgin Islands, and the District of Columbia are utilizing over 10,431 foster grandparents per day. These volunteers are serving 20,862 children daily and up to 52,155 children annually. The FY 1972 appropriation for the Foster Grandparent Program was increased to \$25 million. This spending level has been maintained for FY 1973, and it is anticipated that by the end of this fiscal year there will be 166 projects and 12,295 foster grandparents supported. This in turn will reach 24,590 children daily and 61,475 annually.

## RETIRED SENIOR VOLUNTEER PROGRAM

The Retired Senior Volunteer Program (RSVP) was authorized by the Older American Act Amendments of 1969. The Program provides significant volunteer service opportunities in local communities for persons of retirement age. Grants are provided to public and private nonprofit agencies to support the development and operation of programs providing community volunteer opportunities in a variety of settings for persons 60 years and over. The grants also include payment to these volunteers of out-of-pocket expenses, covering costs incident to their service such as transportation. The focal point of RSVP activity is the needs and interests of the older volunteer.

RSVP began in 1970 with an appropriation of \$500,000 and eleven programs. At the beginning of FY 1972, RSVP was transferred to ACTION under Executive Reorganization Plan No. 1 and the appropriation was increased to \$15 million. This funding level has been maintained in FY 1973; and it is anticipated that by June of this year, there will be 600 local programs utilizing 40,000 older American volunteers. ACTION has also funded 51 2-year state developmental grants which have enabled the state offices on aging to provide assistance and support to local RSVP's during this rapid growth period.

While the Retired Senior Volunteer Program is still a relatively new program, it has begun to generate the same type of successes found in the Foster Grandparent Program. RSVP offers service opportunities to persons aged sixty and over, and does not impose income limitations for program participation. RSVP permits senior volunteers to serve a variety of organizations, agencies, and institutions in a broad range of service roles.

#### NUTRITION PROGRAM FOR THE ELDERLY

Public Law 92-258, signed by the President March 22, 1972, added to the Older Americans Act a new Title VII, which authorized a nutrition program for the elderly. The purpose of this program is to provide older Americans, particularly those with incomes below the Bureau of the Census poverty threshold, with low-cost, nutritionally sound meals served in congregate settings, in structurally located centers. Besides promoting better health among the elderly through improved nutrition, the program is aimed at reducing the isolation of old age and making it possible for them to come together to receive services other than the nutrition services for which the program is primarily designed.

Title VII authorizes \$100 million to begin the program during Fiscal Year 1973, and the President requested that amount for the current fiscal year. This amount was included in the first and second appropriation bills for the Departments of Labor and Health, Education, and Welfare and related agencies for the fiscal year, but both bills were vetoed. Therefore, funds for it have not yet been made available and it has not gone into operation. Meanwhile the Administration on Aging has prepared for its implementation when funds are available.

#### LEGISLATIVE HISTORY

During the 92nd Congress the Select Subcommittee on Education held fourteen days of hearings on bills to amend the Older Americans Act. The Subcommittee heard from witnesses representing the various departments of the Executive Branch, organizations representing the aged, as well as private individuals, governors, other State officials, and Congressmen.

H.R. 15657 was unanimously reported by the Subcommittee and the full Committee. Subsequently, H.R. 15657, as amended, was passed by both Houses of Congress and pocket-vetoed by the President.

#### LEGISLATIVE HISTORY

H.R. 71, as introduced, contained the provisions of the vetoed bill. The Select Subcommittee on Education held hearings on this new bill and has amended it to reflect some of the recommendations made by witnesses representing the Executive Branch.

H.R. 71 represents a decrease in authorizations of \$601,500,000 over the vetoed bill, H.R. 15657. In addition, the Committee eliminated Title X, Middle-aged and Older Workers Training Act and consolidated the Transportation Study and Demonstration Project into the provision of the bill relating to the Federal Council on Aging and Model Projects.

H.R. 71, as amended, was reported by the subcommittee by a vote of 12-1. The full Committee reported the bill to the House by a vote of 33-1.

The authorizations for the programs of the Older Americans Act expired June 30, 1972, with the exception of Title VII, the Nutrition Program for the Elderly. Title VII which was enacted on March 22, 1972, contains authorizations for fiscal years 1973 and 1974.

The many preliminary meetings which led up to the White House Conference on Aging, and the Conference itself, held on November 28, 29, 30 and December 1 and 2, 1971, posed a clear call for increased action to meet the special needs of America's older citizens.

H.R. 15657, a bill similar to H.R. 71, which responded to that call, was passed by the 92nd Congress but vetoed by the President. This new bill seeks to respond to the major objections of the Administration to the vetoed bill.

#### 1973 AMENDMENTS TO THE OLDER AMERICANS ACT—A COMPARISON OF PRESENT LAW AND PROPOSED REVISIONS

##### TITLE I—DECLARATION OF OBJECTIVES

Title I of the Older Americans Act contains a Declaration of Objectives for Older Americans. H.R. 71 would leave these objectives intact except for providing that community services should include access to low-cost transportation.

This committee action is in response to the repeated finding in pre-White House Conference forums and in the Conference itself, that lack of adequate transportation is a major problem for older Americans in all parts of the nation.

##### TITLE II—ADMINISTRATION ON AGING

###### *Role of AOA and the Commissioner*

Title II of the Older Americans Act establishes the Administration on Aging within the Department of Health, Education, and Welfare and provides for a Commissioner on Aging appointed by the President with the advice and consent of the Senate. It also sets forth the functions of the Administration on Aging. H.R. 71 adds language to this title providing that the Commissioner on Aging would be directly responsible to the Secretary and would not be able to delegate any of his functions to any other officer who is not directly responsible to him, except that Title VI, the Retired Senior Volunteer and Foster Grandparent programs, would be administered by the Director of ACTION.

In the event a delegation of function is desired by the Commissioner on Aging to an officer not directly responsible to the Commissioner, he must first submit a plan for such delegation to the Congress. The delegation will become effective at the end of the first period of thirty calendar days of continuous session of Congress unless either house passes a resolution which does not favor such delegation.

Legislative history clearly demonstrates that the intent of Congress when it first passed the Older Americans Act in 1965 was to create an entity highly visible in the Department of Health, Education, and Welfare to serve as a focal point for dealing with the problems of the aged. In line with this objective, the office was to be headed by a

Presidentially appointed Commissioner. Yet, in 1967, AOA was placed within the Social and Rehabilitation Service with the Commissioner on Aging reporting to the Administrator of the Social and Rehabilitation Service, who is not a Presidential appointee.

The dominant programs in SRS are those providing income maintenance: it is generally regarded as primarily a "welfare" agency. Yet, the Older Americans Act was never intended to operate as a welfare program in the sense that it does not contain a means test and its services are not restricted to those with incomes below the poverty line. Indeed, those active in the field of aging find that older persons are, in many cases, resistant to utilizing needed services when those services are viewed as part of a welfare program.

The Committee has also found the responsibilities of the Commissioner have been progressively lessened to the point where the Committee fears that his effectiveness is in jeopardy. For instance—

1. The present Title IV research and demonstration programs have been placed under an Associate Administrator of the Social and Rehabilitation Service;
2. The Title VI Retired Senior Volunteer Program and Foster Grandparent Programs have been moved to the new ACTION agency;
3. Many operational responsibilities for the Title III State program have been delegated to the Social and Rehabilitation Service regional offices.

If the Commissioner is to be effective, he must have grant authority to launch programs in gap areas where there is demonstrated need. For example, the Title IV research and demonstration program was designed to move into areas where gaps in knowledge exist and test approaches to services ignored by other agencies. To delegate these activities to another unit within the Social and Rehabilitation Service only creates more division of responsibility and a need for more coordination, while at the same time it weakens the role of the Commissioner on Aging and his ability to focus research efforts on meeting the unique needs of the elderly.

To achieve effective coordination with other agencies, the Commissioner should have the financial resources to share in the costs of the development and operation of programs. An advocacy role is difficult to carry out if there is no capability provided in the form of grant money to be used in cooperation with other programs or to innovate and lead the way in areas where gaps exist.

An Advisory Council to the U.S. Senate Special Committee on Aging reported in October 1971 that: ". . . the AOA falls far short of being the Federal 'focal point in aging' sought by Congress. Instead, its concerns are splintered and scattered; there are limited, if any, policies and few clear-cut goals. Recent reorganizations have not strengthened Federal programs and commitment in aging in any way. Rather, they have fragmented an already flawed and feeble agency still further. This situation has created chaos as well as a lack of direction in Federal and State programs."

The provisions in H.R. 71 are intended to alleviate these problems by reasserting the Congressional mandate to the Commissioner on Aging and giving him the powers and responsibilities he needs to carry

out effective programs for older people and to work on a more equal basis with other agencies which have programs of benefit to the aged. The committee believes that this reorganization will enhance the ability of AOA both as a spokesman for the elderly within the department and in its program operations.

H.R. 71 would also add to the functions of the Administration on Aging the following activities:

- developing basic policies and setting priorities with respect to the development and operation of programs and activities related to the purposes of the Older Americans Act
- providing for the coordination of Federal programs and activities related to such purposes
- coordinating, and assisting in, the planning and development by public and nonprofit private agencies of programs for older persons, with a view to the establishment of a nationwide network of comprehensive, coordinated services and opportunities for such persons
- calling conferences of such authorities and officials of public and nonprofit private agencies or organizations concerned with the development and operation of programs for older persons as the Secretary deems necessary or proper
- developing and operating programs providing services and opportunities related to the purposes of the Act which are not otherwise provided by existing programs for older persons
- carrying on a continuing evaluation of the programs and activities related to the purposes of this Act with particular attention to the impact of medicare and medicaid, the Age Discrimination and Employment Act, and the programs of the National Housing Act relating to housing for the elderly and the setting of standards for the licensing of nursing homes, intermediate care homes, and other facilities providing care for older people.
- providing information and assistance to private nonprofit agencies and institutions applying for Federal assistance for the establishment and operation by them of programs and activities related to the purposes of the Act and,
- developing, in coordination with other agencies, a national plan for meeting the needs for trained personnel in the field of aging, and for training persons for carrying out programs related to the purposes of the Act and conducting and providing for the conducting of such training.

H.R. 71 also broadens the functions of the Administration on Aging to include the carrying out of programs designed to meet the needs of older persons for social services, including nutrition, hospitalization, preretirement training, continuing education, and health services.

#### *Federal Agency Cooperation*

H.R. 71 provides that Federal agencies proposing to establish programs related to the purposes of the Older Americans Act shall consult with the Administration on Aging prior to the establishment of such programs, and Federal agencies administering such programs shall cooperate with the Administration on Aging in carrying them out.

*The National Information and Resource Clearinghouse*

The White House Conference identified a number of problems in obtaining coordinated information on problems and programs in the field of aging.

H.R. 71 as amended would establish a National Information and Resource Clearinghouse for the Aging as an integral organizational mechanism within the Administration on Aging. The major function of the Clearinghouse would be to collect, review, organize, publish and disseminate information and data related to the particular problems caused by aging.

In order to discharge its function adequately, the Clearinghouse would be authorized to concern itself with a wide range of information and data, such as: medical and rehabilitation facilities and services, including medicare, medicaid, and other programs operating under the Social Security Act; education; vocational training; employment; transportation; architecture and housing; recreation; and any public or private programs which serve older persons. In addition, the Clearinghouse would act as a clearinghouse for referrals to and from the State information and referral sources provided under Section 305(a)(8). This represents an innovative departure for information and referral services.

Under the proposal, the Clearinghouse would provide information to older persons directly or through State information and referral sources, thereby creating a vital information link between Federal, State, and local aging agencies or service providers, and directly to older persons themselves.

Each department or agency of the Federal Government would be authorized to make available to the Commissioner, for use by the Clearinghouse, any information or data which the Commissioner requested. To the maximum extent feasible, the Commissioner would enter into arrangements whereby State and other public and private agencies and institutions would make useful information and data available to the Clearinghouse.

Authorizations of appropriations of \$750,000 for fiscal year 1973, \$1,000,000 for fiscal year 1974, and \$1,250,000 for fiscal year 1975 are provided.

FEDERAL COUNCIL ON THE AGING

The Federal Council on the Aging has its genesis in the House and Senate versions of H.R. 15657, the Older Americans Comprehensive Services Amendments, passed by the 92nd Congress but which the President declined to sign following the adjournment of Congress. The Senate version of H.R. 15657 provided for the establishment of an Older Americans Advocacy Commission, charged with the duty of advocating the interests of older Americans throughout the whole range of federal activities. In addition, the Advocacy Commission was empowered to evaluate and review existing programs as they affect the aging and to inform the public about the needs and concerns of the aging and about federal activities concerning them.

The House version of H.R. 15657 provided for the establishment of a National Council on the Aging as a Presidential advisory body to advise and assist the President on matters relating to older Americans.

The conference committee convened to reconcile the differences in the separate versions of H.R. 15657 agreed to consolidate the functions of these two bodies under the new name of "The Federal Council on the Aging." The committee has retained the provisions agreed upon by the conference committee with respect to this council and wishes to restate and emphasize the comment made in the joint statement of the managers of the conference committee, as follows: "It is the intention of the conferees that this body function as more than a passive advisory body, and that it work to actively promote the interests of older Americans throughout the whole range of federal policies and programs affecting them."

In addition to its regular responsibilities, the Council is charged with the responsibility for undertaking three important studies. First of all, the Council is to undertake a study of the interrelationships of benefit programs for the elderly operated by Federal, State and local government agencies. At least nine major programs, operated by five Federal departments and agencies, impinge directly on each other. These include social security (OASDI), veterans benefits, old age assistance, medicare, medicaid, low rent public housing, Federally assisted private housing (Section 202, 236), food stamps, and manpower training.

At the present, problems occur when older people are eligible for assistance from more than one of these programs. For instance, when there is an increase in social security benefits, an individual who receives both social security and old age assistance may, unless corrective action is taken each time there is an increase, receive no increase in total income since his old age assistance benefit is reduced to take account of his increase in social security. The study called for in these amendments should provide the information necessary to come up with a comprehensive solution to this and to similar problems that occur in other areas.

Second, the Council is to undertake a study of the combined impact of all taxes on the elderly—including but not limited to income, property, sales, and social security taxes.

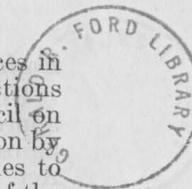
Upon completion of each of these studies, but no later than eighteen months after enactment of this Act, the President would submit the results and recommendations to the Congress and, in the case of the tax study, to the Governors and legislatures of the States.

Third, the Council is to undertake a study of the transportation needs of the elderly.

*Administration*

Under present law, provisions relating to administration are contained in Title VIII (as amended by P.L. 92-258). H.R. 71 will move these provisions intact to Title II.

In addition Section 206(c) of H.R. 71 includes a specific authorization of appropriations for the administration of the Older Americans Act. The Committee added this provision to the Act to make clear its intent that the financing of the Federal administration of this program be kept separate and distinct from the funding provided under Title III for service programs for older Americans and for State and local planning and administration.



### Evaluation

Under Title VIII of present law, not more than 1 percent of any appropriation for the Titles III, IV, V, and VI grant programs may be used by the Secretary for evaluating programs authorized by the Act.

H.R. 71 would move the provisions relating to evaluation to Title II and make more explicit the types of evaluations to be conducted. In addition, the Secretary would publish the results of evaluative research and evaluations of program and project impact and effectiveness no later than sixty days after completion. The Secretary would be authorized to use such sums as required, but not to exceed 1 percent of the funds appropriated under the Act or \$1 million, whichever is greater, to carry out such evaluations either directly or by grants or contracts. The bill also provides specific guidelines as to the evaluation of the impact of the program, it being the intent of the Committee that a thorough evaluation of this program be made to determine its strength and weaknesses and in particular to determine its ability to meet specified objectives.

### Reports

The bill adds a new provision to Title II requiring the Commissioner to prepare and submit to the President for transmittal to the Congress a full and complete report on the activities carried out under the Act not later than one hundred and twenty days after the close of each fiscal year.

### Joint Funding of Projects

The provision of present law relating to joint funding of projects is moved from Title VIII to Title II.

### Advance Funding

Title II of H.R. 71 provides a new authority for advance funding by one year of the programs authorized by the Act in order to aid States and local agencies in planning for their program.

## TITLE III—GRANTS FOR STATE AND AREA PROGRAMS

H.R. 71 as amended would substantially revise the present Title III State and community grant program. The purpose of this new Title III would be to encourage and assist State or local agencies to concentrate resources in order to develop greater capacity for, and foster the development of, comprehensive and coordinated service systems to serve older persons by entering into new cooperative arrangements with each other and with providers of social services for planning for the provision of, and providing, social services and, where necessary, to reorganize or reassign functions, in order to

- secure and maintain maximum independence and dignity in a home environment for older persons capable of self-care with appropriate supportive services; and
- remove individual and social barriers to economic and personal independence for older persons.

The Committee was concerned that the State agencies on aging established under the present Title III program had not developed into strong and effective advocates for older people at the State level. It therefore took steps to strengthen these agencies by (1) reasserting

the requirement for a sole State agency; (2) increasing the funding available for the administration of the State plan required under Title III; (3) providing that the State agency would designate area agencies on aging; and (4) providing for the establishment of State information and referral sources.

The Committee believes that in order to set responsibility and to provide the power and authority necessary to take effective action in behalf of older Americans, a strong and easily identifiable single State agency on aging is necessary.

The Committee believes that there should be coordination between this and other agencies but that this agency should maintain its own identity in order to serve as a strong advocate for the needs of the older population with all other groups which may have programs of benefit to the aging. The White House Conference on Aging pointed to this role when it recommended that:

Relationships between agencies in aging and other public agencies should be characterized by mutual adjustments and cooperation at all government levels and by durable joint agreements of responsibility for research, comprehensive planning and provision of services and facilities, and should be based on and directly responsive to older Americans' opinions and desires at the grass roots levels.

These amendments are therefore designed to strengthen the State agency on aging while at the same time building in requirements for coordination with all other groups having related programs and consultation with those directly affected by the State agency's programs.

In addition to strengthening the State agencies on aging, the amendments would increase the Federal share of the cost of projects funded under the title III program and provide for the establishment of area agencies on aging where such agencies would contribute to providing more effective attention to the needs of older persons.

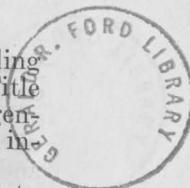
## STATE AND COMMUNITY PROGRAMS

Under present law, there is an authorization of appropriations of \$30,000,000 for fiscal year 1972 for

- community planning and coordination of programs
- demonstration of programs or activities which are particularly valuable
- training of special personnel needed to carry out programs
- establishment of new or expansion of existing programs to carry out the purposes of the Act.

From the sums appropriated for a fiscal year the Virgin Islands, Guam, American Samoa and the Trust Territory of the Pacific Islands are allotted an amount equal to one-half of 1 percent of such sum and each other State is allotted an amount equal to 1 percent of such sum.

From the remainder of the sum so appropriated for a fiscal year each State is allotted an additional amount which bears the same ratio to such remainder as the population aged sixty-five or over in all of the States, as determined by the Secretary on the basis of the most recent information available to him. Funds not needed by a State are reallocated to other States. The allotments are available to pay not more than 75 percent of the costs of projects for the first



year, 60 percent of the cost for the second year and 50 percent of the cost for the third and any subsequent year of the projects.

The amendments contained in this bill authorize appropriations of \$85,000,000 for fiscal year 1973, \$150,000,000 for fiscal year 1974, and \$200,000,000 for fiscal year 1975 for the Commissioner to make grants to States for the administration of area plans and the development of comprehensive and coordinated systems for the delivery of social services. Area planning and area agencies on aging should help to make the projects funded under the Older Americans Act responsive to local needs.

The passage of Title VII (P.L. 92-258) introduced a new element into the allotment formula system of the Older Americans Act.

The new Title VII formula is geared more closely to elderly population. The basic distribution of sums appropriated is made on the basis of each state's relative share of the nation's population aged sixty and over except that every state is guaranteed at least one-half of one percent of the amounts appropriated in each fiscal year (one-fourth of one percent in the case of territories and possessions).

The new formula provided in the bill for the distribution of Title III funds for fiscal year 1973 retains the earlier formula of the Older Americans Act except that the guarantees to each state are reduced to one-half of one percent of sums appropriated (one-fourth of one percent in the case of territories and possessions), with the balance distributed among the states on a population basis. For the succeeding fiscal years, the Title VII formula is adopted except that no state shall be allotted an amount less than that state received for fiscal year 1973.

Essentially the same formula is adopted for the distribution of administrative funds to the states under Section 306, except that the guarantee to each state is fixed in terms of either a fraction of sums appropriated or a fixed dollar sum, whichever is greater.

In devising the new formula, the committee has recognized and sought to reconcile two fundamental factors: (1) each state requires a basic sum to operate a program for the aging even though the aging population of the state may not be large as compared to the population in other states; and (2) those states having a greater proportionate share of the nation's elderly are entitled to a greater proportionate share of funds appropriated to provide services for this population.

## AREA PLANNING AND SERVICES

	Present act, fiscal year 1972 <sup>1</sup>	H.R. 71, fiscal year—		
		1973 <sup>2</sup>	1974 <sup>3</sup>	1975 <sup>3</sup>
Total.....	\$30,000,000	\$85,000,000	\$150,000,000	\$200,000,000
Alabama.....	522,000	1,445,000	2,382,986	3,177,315
Alaska.....	303,000	450,500	750,000	1,000,000
Arizona.....	411,000	926,500	1,171,866	1,562,488
Arkansas.....	462,000	1,147,500	1,680,399	2,240,531
California.....	1,530,000	5,950,000	11,458,519	15,278,023
Colorado.....	429,000	994,500	1,338,128	1,784,171
Connecticut.....	498,000	1,309,000	2,080,674	2,774,232
Delaware.....	330,000	561,000	750,000	1,000,000
District of Columbia.....	348,000	646,000	750,000	1,000,000
Florida.....	975,000	3,315,000	6,760,041	9,013,389
Georgia.....	552,000	1,589,500	2,722,600	3,630,134
Hawaii.....	330,000	569,500	750,000	1,000,000
Idaho.....	348,000	637,500	750,000	1,000,000
Illinois.....	1,047,000	3,791,000	7,879,149	10,505,532

See footnotes at end of table, p. 15.

## AREA PLANNING AND SERVICES—Continued

	Present act, fiscal year 1972 <sup>1</sup>	H.R. 71, fiscal year—		
		1973 <sup>2</sup>	1974 <sup>3</sup>	1975 <sup>3</sup>
Indiana.....	\$636,000	\$1,929,500	\$3,516,633	\$4,688,845
Iowa.....	540,000	1,445,000	2,393,540	3,191,387
Kansas.....	483,000	1,215,500	1,842,791	2,457,054
Kentucky.....	531,000	1,445,000	2,391,108	3,188,145
Louisiana.....	510,000	1,385,500	2,250,342	3,000,456
Maine.....	378,000	765,000	802,826	1,070,434
Maryland.....	504,000	1,377,000	2,223,308	2,964,410
Massachusetts.....	735,000	2,329,000	4,457,115	5,942,820
Michigan.....	816,000	2,754,000	5,461,140	7,281,520
Minnesota.....	579,000	1,632,000	2,829,644	3,772,858
Mississippi.....	453,000	1,113,500	1,606,094	2,141,459
Missouri.....	681,000	2,108,000	3,928,962	5,238,616
Montana.....	348,000	637,500	750,000	1,000,000
Nebraska.....	426,000	960,500	1,255,430	1,673,907
Nevada.....	321,000	527,000	750,000	1,000,000
New Hampshire.....	354,000	663,000	750,000	1,000,000
New Jersey.....	777,000	2,592,500	5,069,107	6,758,809
New Mexico.....	384,000	646,000	750,000	1,000,000
New York.....	1,635,000	6,477,000	14,153,486	18,871,315
North Carolina.....	582,000	1,742,500	3,076,738	4,102,317
North Dakota.....	345,000	620,500	750,000	1,000,000
Ohio.....	981,000	3,485,000	7,152,577	9,536,769
Oklahoma.....	504,000	1,334,500	2,117,225	2,822,967
Oregon.....	456,000	1,113,500	1,610,462	2,147,283
Pennsylvania.....	1,167,000	4,343,500	9,183,064	12,244,086
Rhode Island.....	369,000	739,500	750,000	1,000,000
Rhode Island.....	429,000	1,037,000	1,435,305	1,913,740
South Carolina.....	354,000	663,000	750,000	1,000,000
South Dakota.....	561,000	1,615,000	2,790,231	3,720,308
Tennessee.....	975,000	3,510,500	7,211,569	9,615,425
Texas.....	351,000	663,000	750,000	1,000,000
Utah.....	333,000	569,500	750,000	1,000,000
Vermont.....	549,000	1,581,000	2,697,687	3,596,916
Virginia.....	519,000	1,411,000	2,306,786	3,075,715
Washington.....	432,000	1,020,000	1,399,738	1,866,317
West Virginia.....	624,000	1,844,500	3,315,861	4,421,148
Wisconsin.....	321,000	518,500	750,000	1,000,000
Wyoming.....	150,000	212,500	375,000	500,000
American Samoa.....	150,000	221,000	375,000	500,000
Guam.....	405,000	977,500	1,296,869	1,729,159
Puerto Rico.....	153,000	221,000	375,000	500,000
Trust Territory.....	150,000	221,000	375,000	500,000
Virgin Islands.....	150,000	221,000	375,000	500,000

<sup>1</sup> Formula based on minimum of 1 percent for States and ½ percent for Territories with remainder based on population 65 plus.

<sup>2</sup> Formula based on minimum of ½ percent for States and ¼ percent for Territories with remainder based on population 60 plus.

<sup>3</sup> Formula based on 60 plus population, with minimums of ½ percent for States and ¼ percent for Territories.

From a State's allotment up to 15 percent would be available for paying up to 75 percent of the cost of administration of area plans. Up to 20 percent would be available for paying up to 75 percent of the cost of social services which were not provided as a part of a comprehensive and coordinated system. The remainder of the allotment would be available to the State for paying up to 90 percent of the cost of social services provided as a part of a comprehensive and coordinated system in a planning and service area for which there was an area plan approved by the State agency.

The increases in funds provided in the bill, and the establishment of Title III goals require a more rigorous accountability process. Provision is made for an annual State operating plan based on an evaluation of the needs for services and the resources for meeting the national goals; an identification of obstacles and how they will be overcome; the development of sub-State plans for comprehensive coordinated service systems for the elderly; and the monitoring of the effectiveness of such plans in meeting the needs of the elderly.

In some cases, States are too large and diverse to be covered by a single comprehensive, coordinated area plans for the elderly. Conse-

quently, the bill provides that whenever appropriate such States may be divided into planning and services areas, with boundaries which are identical with those of other human resources programs wherever feasible. However, the committee recognizes that some States may often best be served by a single State agency. In such cases one area plan may cover an entire State.

#### State Planning and Administration

Present law provides authorization of appropriations of \$5,000,000 for fiscal year 1972 for making grants to each State to pay not more than 75 percent of the costs of planning, coordinating and evaluating programs and activities related to the purposes of the Act and of administering the State plan approved under Title III. The allotment formula to the States is similar to that described above for community grants except that the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa receive at least \$25,000 and no State receives less than \$75,000.

H. R. 71 as amended authorizes appropriations of \$20,000,000 each for fiscal years 1973 through 1975 to make grants to States for paying such percentage as each State agency determines, but not more than 75 percent of the cost of the administration of its State plan, including the preparation of the plan, the evaluation of activities carried out under the plan, the collection of data and the carrying out of research related to the need for social services within the State, the dissemination of information so obtained, the provision of technical assistance to public or non-profit private agencies and organizations, and the carrying out of demonstration projects of statewide significance relating to the initiation, expansion, or improvement of social services.

The allotment formul provides that no State would receive less than  $\frac{1}{2}$  of 1% or \$200,000 whichever is greater, and Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands would not receive less than  $\frac{1}{4}$  of 1% or \$50,000, whichever is greater. Funds not needed by a State would be reallocated to other States.

The Committee recognizes the difficulties involved in phasing in the new Title III structure of State and area agencies. These problems are exacerbated by the fact that programs during fiscal year 1973 have been operated under a continuing resolution with both new authorizing legislation and appropriations legislation having been vetoed by the President. For these reasons, the Committee intends to permit existing Title III projects to be funded during the period until new State and area plans can be approved.

#### State Agency Planning and Administration<sup>1</sup>

Total	\$20,000,000
Alabama	285,558
Alaska	200,000
Arizona	200,000
Arkansas	201,365
California	1,354,164
Colorado	200,000
Connecticut	249,331
Delaware	200,000

See footnote at end of table.

#### State Agency Planning and Administration<sup>1</sup>—Continued

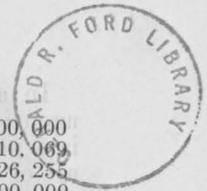
District of Columbia	\$200,000
Florida	810,069
Georgia	326,255
Hawaii	200,000
Idaho	200,000
Illinois	944,174
Indiana	421,405
Iowa	286,823
Kansas	220,825
Kentucky	286,531
Louisiana	269,663
Maine	200,000
Maryland	266,423
Massachusetts	534,105
Michigan	654,419
Minnesota	339,082
Mississippi	200,000
Missouri	470,815
Montana	200,000
Nebraska	200,000
Nevada	200,000
New Hampshire	200,000
New Jersey	607,441
New Mexico	200,000
New York	1,696,040
North Carolina	368,692
North Dakota	200,000
Ohio	857,107
Oklahoma	253,711
Oregon	200,000
Pennsylvania	1,100,425
Rhode Island	200,000
South Carolina	200,000
South Dakota	200,000
Tennessee	334,359
Texas	864,176
Utah	200,000
Vermont	200,000
Virginia	323,269
Washington	276,427
West Virginia	200,000
Wisconsin	397,346
Wyoming	200,000
American Samoa	50,000
Guam	50,000
Puerto Rico	200,000
Trust Territory	50,000
Virgin Islands	50,000

<sup>1</sup> Older Americans Act (Formula based on a distribution by 60+ population; then, minimum of  $\frac{1}{2}$  of 1% for States, and  $\frac{1}{4}$  of 1% for Territories) \$200,000 minimum.

#### Model Projects

In addition, present law provides authorization of appropriations of \$10,000,000 for fiscal year 1972 for the Secretary to make grants to or contracts with Title III State agencies to pay not more than 75 percent of the cost of the development and operation of statewide, regional, metropolitan area, county, city, or other areawide model projects conducted by such State agencies (directly or through contractual arrangements).

The bill authorizes appropriations of \$40,000,000 for fiscal year 1973, \$75,000,000 for fiscal year 1974, and \$100,000,000 for fiscal year 1975, for model projects.



In addition to the projects operated by the states and by area agencies within each state for the benefit of their older residents, there is a need for grants to projects which the Commissioner determines are of such merit as to deserve direct funding. The Committee intends that the Commission, in making such grants, shall give priority consideration to:

(1) Projects which assist the elderly in meeting their special housing needs, including home repair projects; projects which demonstrate methods of adapting existing housing to meet the needs of older persons; and projects which demonstrate alternative methods of relieving older persons of the burden of real estate taxes.

(2) Projects demonstrating methods of making transportation services more available to older persons. The Committee intends that the transportation research and demonstration projects authorized under this section should build upon past and existing research efforts in this area which have been supported solely by the Administration on Aging through Title IV funds, and jointly by the Administration on Aging and the Department of Transportation. In particular, the Committee intends that transportation projects be developed in rural areas where transportation is a severe problem for older persons and where there is little Federal funding available from other sources.

(3) Continuing education projects designed to enable older persons to lead more productive lives by broadening their educational, cultural, or social awareness. Many approaches have been proposed to meet the needs and desires of America's senior citizens to partake of a variety of programs of continuing education. The Committee has found that some states have initiated programs whereby senior citizens can attend regular classes at State institutions free of tuition where space is available. Such a program may cost virtually nothing to undertake and provides great benefits to the senior citizens, as well as the members of the faculty and the younger students. The senior citizens benefit from the youthful environment as well as the return to an academic setting. The remaining students learn to dispel the concept of a "generation gap" and discover in fact that a multi-generational classroom environment makes a significant contribution to the depth of their educational experience. The Committee hopes that the Administration on Aging will explore the possibility of promoting, wherever possible, tuition waiver programs that accrue sizeable benefits to all segments of the community involved without appreciably diverting program funds from essential social services.

(4) Projects to provide pre-retirement education, information, and relevant services to persons planning retirement.

(5) Projects designed to provide special services needed by older persons suffering from physical and mental handicaps. A physical disability or mental disorder is a doubly handicapping condition for the elderly. Friends and families are not always available for help and assistance, making it more difficult to make use of whatever services are available. Moreover, handicapping conditions are likely to come with age, so that individuals who have never had to deal with this problem before are suddenly confronted with a disability and, necessarily, a totally new life style. The Committee therefore believes that special effort is needed to ensure that those older Americans who are handicapped are reached by the Older Americans Act. In exploring

the special needs and methods of providing services to older Americans who are handicapped, the Committee believes that the experience and expertise of the State vocational rehabilitation agencies should be utilized. The Committee not only believes that the experience of the State agency should be utilized, but that programs administered by the Rehabilitation agency and the State Office of Aging should be coordinated to ensure that services can be extended to as many individuals as possible.

(6) Projects to provide public service job opportunities to unemployed older persons.

For instance, many older people have skills that could be of great benefit in school classrooms. Part-time employment for older people in schools would assist older people as well as the children they are teaching.

AUTHORIZATIONS FOR TITLE III  
[Amounts in millions]

	Fiscal year—		
	1973	1974	1975
State administration.....	\$20	\$20	\$20
Area planning and social service programs.....	85	150	200
Model projects.....	40	75	100
Total.....	165	245	320

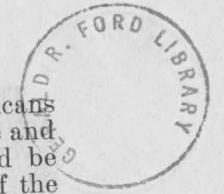
TITLE IV—TRAINING AND RESEARCH

Research and development are currently conducted under Title IV. Training and manpower development are carried out under Title V. Because Research and Development, and Training activities are so closely interrelated, these amendments would place the two programs into one Title IV—Training and Research.

The proposed new Title IV is divided into three major parts. The first is primarily concerned with training, and would seek to attract qualified persons to the field of aging by authorizing the Commissioner to make grants to State agencies, local education agencies, institutes of higher education, or other public or private agencies and organizations for the purpose of encouraging qualified persons from a variety of professions and vocations to enter the field of aging on a full or part-time basis.

The Commissioner would also be authorized under this part to make grants or contracts to any public or private agency, organization or institution to assist in the training of personnel for work in the field of aging. Such training would cover a range of activities, including: both short and long-term courses of study; the establishment of fellowships to prepare persons for supervisory or training positions in fields related to the purposes of the Older Americans Act; seminars, conferences and workshops in the field of aging; the review, improvement and/or development of new training techniques, programs, and curricula; and increasing the opportunities for practical experience in the field of aging.

In addition, the Commissioner would be authorized to conduct a continuous appraisal of the personnel needs in the field of aging, and to prepare and publish an annual report on his findings.



The Committee is concerned about recent statements that the Administration intends to phase out the Title V training program in favor of more general training authorities. Congress established this program in recognition that there is a need for specialized training in order to sensitize students to the particular problems of aging. Only last year, the White House Conference on Aging said: "Given that training in aging is lagging seriously behind the proven need, there is consensus that responsibility for the development of a vigorous national plan and continuing monitoring of training of manpower in aging should be lodged in a new Federal agency for aging adequately financed and with the power to coordinate all federally supported training programs in aging."

The second part is devoted to research and development, under which the Commissioner would be authorized to make grants to or contracts with public or private agencies, organizations, institutions, or individuals for the same purposes delineated in Title IV of the existing Act.

#### *Multidisciplinary Centers of Gerontology*

The third part is a new provision which would authorize the Commissioner to make grants for the purpose of establishing multidisciplinary centers of gerontology or supporting existing centers.

The 1967 Amendments to the Older Americans Act provided for a study of the need for trained personnel in the field of aging. The report that resulted from this study pointed out that multidisciplinary institutes of gerontology increase the visibility of the field of aging; often afford the only opportunity students and faculty may have for exposure to the broad interdisciplinary aspects of the field of gerontology; constitute a focal point for research and training; and can provide many significant services to State and other agencies serving older people. The report went on to point out that a major hindrance to the development of such centers has been the lack of general purpose financial support from the Federal government, which limits its aid to funding specific research and training projects.

The recent White House Conference on Aging also recommended that:

Multidisciplinary research and training centers of excellence in gerontology with a relationship to service-delivery systems should be developed, and research and training should be fostered in a wide range of colleges, universities and other institutions.

The multidisciplinary centers authorized by the bill would: recruit and train personnel; conduct research into a variety of matters which affect the elderly, ranging from education to living arrangements; provide consultation and technical assistance regarding the planning of services for older persons; act as a repository of information related to its areas of basic and applied research, encourage the incorporation of aging information into the teaching of biological, behavioral and social sciences in institutions of higher education; develop and operate short course training sequences for staff of State, area and local aging agencies; develop training programs on aging in schools of social work, public health, health care administration, education; and create opportunities for multidisciplinary efforts in teaching, research and demonstration projects related to aging.

The visibility of such multidisciplinary centers on gerontology would help attract students to the field, and build core faculties of distinction. Individual courses offered by these centers would be of value in improving the sensitivity and competence of students specializing in related fields, such as public health, social work, and education, in dealing with the special problems of the aged.

The results of the multidisciplinary research conducted by the centers could provide a foundation for administrative and program policy decisions, and generate program models for State, local, and National action in the field of aging, as well as stimulating increased or improved community effort on behalf of the elderly.

The research and training offered by these multidisciplinary centers is not intended to duplicate or supplant similar research and training programs already in existence. Rather, such centers would coordinate their activities with others, and serve as a link between related Federally-supported research and training programs.

The bill authorizes appropriations of \$11,000,000 for fiscal year 1973, \$15,000,000 for fiscal year 1974, and \$20,000,000 for fiscal year 1975 for training.

The bill also authorizes appropriations of \$15,000,000 for fiscal year 1973, \$25,000,000 for fiscal year 1974, and \$30,000,000 for fiscal year 1975 for multidisciplinary centers and research.

#### TITLE V—MULTIPURPOSE SENIOR CENTERS

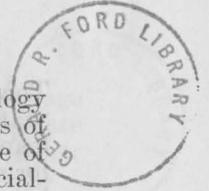
H.R. 71 would add a new Title V to the Older Americans Act relating to the provision and initial staffing of multipurpose senior centers.

The Committee believes that very often the elderly need a single place, a focal point, where they can gather, receive a variety of services, and be referred to other services they need. The location of services in a single place is one effective way of making the range of services a person needs accessible to him or her. However, the Committee is firmly of the belief that existing facilities should be utilized whenever possible for such multi-purpose senior centers. Schools, libraries, and other neighborhood facilities can be ideal locations for such centers.

Under Title V of this bill, the Commissioner on Aging would be authorized to make grants to public and non-profit private agencies and contracts with any agencies to pay up to 75% of the costs of leasing, repairing or altering existing facilities so that they could be used as multi-purpose senior centers. This authority should not, however, be interpreted as restricting the implied authority in Titles III, VII, and VIII to use funds under those titles for the same purposes. Grants and contracts could also be made for construction of facilities, but only where it is not feasible to utilize existing facilities for such purposes (through leasing, repair or alteration).

The bill authorizes appropriations of \$10 million for fiscal year 1973, \$15 million for fiscal year 1974, and \$20 million for fiscal year 1975 to carry out this section. Funds appropriated for these purposes in one fiscal year would remain available for obligation until the end of next fiscal year.

The Commissioner would also be authorized under Title V to insure construction mortgages of up to 90% of estimated replacement costs.



The Commissioner is also authorized to make annual interest grants to States and public and non-profit private agencies to reduce the cost of loans obtained in the private market. Annual interest grants shall be for a fixed period not to exceed 40 years, and shall cover the difference between the average annual debt service for the loan and the average annual debt service computed at 3 per centum per annum.

Title V also authorizes the Commissioner to make grants for three years at a declining federal share of 75, 66% and 50 per centum to cover all or part of the costs of professional and technical personnel including janitorial services in such centers in its initial years of operation. This authority is in addition to the implied authority in Title III, Title VII, and Title VIII, to utilize funds under those titles for the same purposes. Authorizations of appropriations of \$10,000,000 each for fiscal years 1973, 1974 and 1975 are provided to carry out this section.

The Commissioner would be required under this bill to give priority to applications for assistance under this Title which are for centers that would be a part of comprehensive and coordinated systems being developed under Title III of this bill, it being the primary purpose of this bill to focus resources on the development of comprehensive and coordinated services for the elderly. The Commissioner would also be required to consult with and utilize the assistance of the Secretary of the Department of Housing and Urban Development on the technical aspects of any proposed construction.

#### TITLE VI—NATIONAL OLDER AMERICANS VOLUNTEER PROGRAM

The Foster Grandparent Program and the Retired Senior Volunteer Program were authorized by the 1969 amendments to the Older Americans Act and are included under Title VI of that Act, the National Older Americans Volunteer Program.

The Foster Grandparent Program provides part time volunteer opportunities for low-income persons age 60 and over to serve needy children in institutions on a person-to-person basis. The program seeks to establish a useful way for older adults to contribute to their community in their retirement years and to enjoy the self-respect and satisfaction that come from being needed and serving others. The Retired Senior Volunteer Program establishes a recognized role in the community and a meaningful life in retirement for older adults through significant volunteer service.

On July 1, 1971, through the Executive Reorganization Plan No. 1, of 1971, the Foster Grandparent Program and the Retired Senior Volunteer Program were transferred to ACTION, the citizens service corps designed to administer Federal volunteer programs. In these amendments the Committee accepts this transfer. However, the Committee expects ACTION to work closely with the Administration on Aging and the State agencies on aging in administering these programs.

While retaining the basic language of Section 611(a) of the Older Americans Act (in Section 603(b) of this bill), the Committee bill dropped the 90 percent limitation on the Federal Share so that in exceptional cases 100% funding would be permissible at the discretion of the program head.

In addition, there are two matters regarding language retained from the present law in Section 611(a) which require further clarifica-

tion: the effect of the "person-to-person" provision and the language "including services as 'Foster Grandparents' to children receiving care in hospitals, homes for dependent and neglected children, or other establishments providing care for children with special needs."

The Committee does not intend "person-to-person" services which Foster Grandparents are authorized to provide under this section to be limited to those in a direct one-to-one relationship with a particular child. Rather, it would be consistent with the Committee's intention for a Foster Grandparent to serve in a project or program where he or she inter-relates with several children. The Committee expects, however, that the major thrust of the subsection (a) program—bringing older persons in direct and personal contact with a child or several children with the purpose of developing an enriching relationship between them as in a surrogate grandparent/grandchild relationship—will be carried out in programs conducted under this subsection.

Second, the Committee wishes to make clear that it does not agree with the restrictive interpretation apparently given by ACTION to the "including" clauses at the end of the subsection. The Committee's view is that this language is not, and was not, exclusive with respect to the places where Foster Grandparents could serve children and that service in a private home or other non-institutional setting, as well as in "hospitals, homes for dependent and neglected children, or other establishments providing care for children with special needs" is permissible as long as the other basic requirements of the Title are satisfied.

In adding the special category in Section 611(b) of the Older Americans Act (in Section 603(b) of this bill), it is the intent of the Committee to expand volunteer opportunities for persons sixty and over to include situations where persons other than children are involved and to stress two special emphasis programs—Senior Companions and Senior Health Aids.

The Committee also wishes to make clear its intention with regard to the language "including services as 'senior companions' to persons having developmental disabilities". The Committee does not regard this language as being exclusive or limiting the programs conducted under section 611(b) to non-institutional settings. The Committee expects, however, in conjunction with the recommendations of the White House Conference on Aging—which stressed the importance of older persons staying in their own homes and in familiar surroundings—that the programs conducted under section 611(b) would be conducted with an emphasis on volunteer services directed toward preventing institutionalization.

In addition, the Committee's intention is that the language "developmental disabilities" be interpreted to include physical or mental disabilities, and the Committee does not construe developmental disabilities to be limited specifically to mental or physical disabilities, but rather intends volunteer services from "senior companions" and "senior health aids" to be available to all "persons (other than children) having exceptional needs", as is stated in the new section 611(b).

Section 605 is intended to make clear the Committee's intention that nothing in this Act shall in any way modify, repeal or affect the continuation in full force and effect of delegations of authority, transfers, or reorganizations made effective before the effective date of this Act

with respect to functions carried out under Title VI of the Older Americans Act of 1965.

H.R. 71 includes specific language providing that the level of support provided to the current Foster Grandparent program will not be reduced as a result of an expansion of the program to serve other groups. Sec. 604 amends Sec. 614 of the Act by providing authorizations of appropriations of \$35,000,000 for fiscal year 1973, \$45,000,000 for fiscal year 1974, and \$55,000,000 for fiscal year 1975.

The bill further in Sec. 605 provides that the Director of ACTION, rather than the Secretary of HEW, would be authorized to make grants and contracts under Title VI of the Older Americans Act.

The Commissioner is further directed to coordinate programs conducted under this bill with related programs operated by the Office of Economic Opportunity, the Administration on Aging, and the Department of Health, Education, and Welfare.

#### TITLE VII—NUTRITION PROGRAM

Title VII of the bill makes minor amendments in the recently enacted nutrition program conducted under Title VII of the Older Americans Act.

First, the amendments to Title VII seek to assure that commodities purchased by the Secretary of Agriculture, including dairy products, can be donated to Title VII grantees and used for providing nutrition services. The same is true of food commodities under the control of the Commodity Credit Corporation under section 416 of the Agriculture Act of 1949.

Second, provision is made for the integration of Title VII nutrition programs into comprehensive and coordinated social services systems funded under Title III, but only, it should be emphasized, when such an arrangement is mutually agreed upon by both the Title III and the Title VII grantees. It is not the intention of the committee to remove the special identity that the Title VII programs have already achieved, although we do encourage the integration of such projects with the comprehensive Title III programs.

Third, wherever Title VII is a part of a Title III comprehensive system, funds for planning for Title VII may come from Title III appropriations. It is the Committee's intent that by having wherever possible only one planning authority for such funding, Title VII funds can be used for providing additional nutritional services. The Committee is disturbed by reports that several States have assigned administration of Title VII programs to agencies other than the state office of aging and suggests that the Commissioner has authority under section 705 (a)(1) of the Act to disapprove such practices.

Finally, in order to coordinate the Title III programs and Title VII on the Federal level, the bill amends Title VII by changing all reference to the Secretary of HEW to the Commissioner of AOA. This conforms to the other titles of the bill.

#### TITLE VIII—AMENDMENTS TO OTHER ACTS

##### *Library Services and Construction Act*

H.R. 71 would add a new Title IV to the Library Services and Construction Act authorizing the Commissioner of Education to carry out a program of grants to the States for older readers services. In

making these grants the Commissioner of Education would consult with the Commissioner on Aging. Grants could be used for

- the training of librarians to work with the elderly;
- the conduct of special library programs for the elderly;
- the purchase of special library materials for use by the elderly;
- the payment of salaries for elderly persons who wish to work in libraries as assistants on programs for the elderly;
- the provision of in-home visits by librarians and other library personnel to the elderly;
- the establishment of outreach programs to notify the elderly of library services available to them; and
- the furnishing of transportation to enable the elderly to have access to library services.

Any State desiring to receive a grant from its allotment for the purposes of this new title for any fiscal year would have to submit an annual program for library services for older persons. The Federal share would be 100 percent of the cost of carrying out the State plan for the purposes of Title IV.

Authorizations of appropriations of \$11,700,000 for fiscal year 1973, \$12,300,000 for fiscal year 1974, \$12,900,000 for fiscal year 1975, and \$13,700,000 for fiscal year 1976 are provided to carry out public library service programs for older persons under the new Title IV.

The minimum allotment with respect to appropriations for the purposes of Title IV would be \$40,000 for each State and \$10,000 for Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

The amendments to the Library Services and Construction Act would be effective after June 30, 1972.

##### *National Commission on Libraries and Information Science Act*

H.R. 71 would amend the National Commission on Libraries and Information Science Act to provide that the Commission should conduct studies, surveys, and analyses of the library and informational needs of elderly persons.

It would also provide that at least one member of the Commission should be knowledgeable with respect to the library and information service and science needs of the elderly.

##### *Higher Education Act of 1965*

H.R. 71 would amend Title I of the Higher Education Act of 1965 to authorize the Commissioner of Education to make grants to institutions of higher education (and combinations therefor) to assist such institutions in planning, developing, and carrying out programs specifically designed to apply the resources of higher education to the problems of the elderly, particularly with regard to transportation and housing problems of elderly persons living in rural and isolated areas. In making such grants the Commissioner of Education would consult with the Commissioner on Aging.

Authorizations of appropriations of \$5,000,000 for fiscal year 1973 and each succeeding fiscal year ending prior to July 1, 1975 are provided.

##### *Adult Education Act*

H.R. 71 would amend the Adult Education Act to authorize the Commissioner of Education to make grants to State and local educational agencies or other public or private nonprofit agencies for edu-

educational programs for elderly persons whose ability to speak and read the English language is limited and who live in an area with a culture different than their own. In making grants the Commissioner on Education would consult with the Commissioner on Aging. Programs should be designed to equip these elderly persons to deal successfully with the practical problems in their everyday life, including the making of purchases, meeting their transportation and housing needs, and complying with governmental requirements such as those for obtaining citizenship, public assistance and social security benefits, and housing. Authorizations of appropriations of such sums as may be necessary are provided for fiscal year 1973 through 1975.

#### SENIOR OPPORTUNITIES AND SERVICES (SOS)

Senior Opportunities and Services, authorized under the Equal Opportunity Act, has been one of the most successful anti-poverty programs. It has generated forty cents in local resources for every Federal dollar spent—the largest non-Federal share of any OEO program.

The bill provides an additional \$7 million authorization for each, fiscal years 1973 and 1974. These funds would make possible an increase in the number of SOS projects from 264 to 495 during fiscal 1973 and to 825 by fiscal 1974. This increase would provide services for nearly 1.3 million elderly poor persons in fiscal 1973 (compared with 700,000 now) and 2 million for fiscal 1974.

The Committee has included this provision to reaffirm once again the strong intent of Congress to continue SOS as presently constituted, and not be subject to local community decisions to fund these enormously successful programs.

#### TITLE IX—OLDER AMERICANS COMMUNITY SERVICE EMPLOYMENT PROGRAM

This title establishes an Older American Community Service employment program in the Department of Labor and authorizes the appropriation of \$50 million for fiscal year 1974 and \$100 million for fiscal year 1975 for the purpose of funding programs under which low-income persons of 55 years or older who have, or would have, difficulty in securing employment would be employed in community service activities.

The Secretary of Labor is authorized to enter into agreements with public or private nonprofit agencies or organizations, agencies of State or local governments, or Indian tribes on Federal or State reservations to provide for the payment of 90 percent of costs of establishing and operating a project for the employment of such older persons in community service activities. The Secretary is authorized to pay 100 percent of the cost of any project located in an emergency or disaster area or in an economically depressed area.

Community service activities which are designated as eligible for participation by older workers include social, health, welfare, educational, library, recreational, and other similar services; conservation, maintenance, or restoration of natural resources; community betterment or beautification; antipollution and environmental quality efforts; economic development; and such other services which are essential and necessary to the community as the Secretary, by regulation, may prescribe. Employment authorized under the bill is limited to

publicly owned and operated facilities and projects or projects sponsored by charitable organizations exempt from taxation under the applicable provisions of the Internal Revenue Code. However, such employment may not be performed in facilities used as a place of sectarian religious instruction or worship.

Older persons employed under the program authorized by this bill are not to be considered as Federal employees as a result of such employment. Project operators must assure that safe and healthy conditions of work will be provided and that persons employed in public service jobs under the bill will be paid wages which shall not be lower than whichever is the highest of (a) the minimum wage established by the Fair Labor Standards Act; (b) the applicable State or local minimum wage; or (c) the prevailing rates of pay for persons employed in similar public occupations by the same employer.

The Secretary is authorized to consult with the appropriate agencies of State and local governments to determine the localities in which community service projects are most needed, the types of skills which are available among eligible individuals in these localities, and the potential projects and numbers of eligible individuals in the local population. The Secretary is further directed to encourage those operating community service projects under this bill to coordinate their activities with existing programs of a related nature conducted under the Economic Opportunity Act, the Manpower Development and Training Act, or the Emergency Employment Act.

The program of community service employment for older workers provided in this title is modeled after the pilot program successfully conducted by the Department of Labor under Operation Mainstream. The Operation Mainstream program—which was delegated to the Department of Labor as part of the reorganization of the Office of Economic Opportunity—provides for contracts with private organizations to establish community service employment programs for workers aged 55 or older.

In fiscal year 1972, this program employed slightly over 5,000 older workers in such activities and, through them, reached many thousands of others who benefited from their services. President Nixon acknowledged the value of such programs in his speech to the 1971 White House Conference on Aging, saying:

Some of the best service programs for older Americans are those which give older Americans a chance to serve. Thousands of older Americans have found that their work in hospitals and churches, in parks, and in schools gives them a new sense of pride and purpose even as it contributes to the lives of others.

Federal programs to provide such opportunities have proven remarkably successful at the demonstration level. But now we must move beyond this demonstration phase and establish these programs on a broader, national basis.

Despite the accolades the senior community service employment projects have earned, they have continued on a pilot basis with sufficient resources to employ only a fraction of those who are eligible and who have indicated a desire to participate.

This title is intended to provide the needed opportunities by establishing an identifiable program within the Department of Labor to

continue and expand upon the pilot program conducted under Operation Mainstream.

National organizations such as those previously named, that have acted as sponsors of the Mainstream projects would continue to be eligible to participate. In view of the success that has been achieved under the pilot program the committee is hopeful that there will be continued participation by these organizations.

The program established herein will continue to be aimed at individuals aged 55 or older who have a low income and who have, or would have, difficulty in securing other employment. In addition, priority will be given to persons aged 60 or older. In designating "low income" persons as those primarily to be benefited under this program, the committee has avoided the designation of any precise income level as a condition of eligibility with a view toward retaining the flexibility in determining eligibility that has characterized the pilot projects. It is not our intention that participation be denied an individual having an income that may be a few dollars in excess of some designated poverty index; at the same time, priority in funding should go to projects serving primarily low income persons and priority in determining eligibility of individuals should go to those who have the greatest need for additional income.

In accordance with clause 7 of rule 13, the committee estimates the costs which would be incurred in carrying out H.R. 71, as follows:

	ESTIMATE OF COSTS				
	[Dollars in millions]				
	Fiscal year—				
	1973	1974	1975	1976	1977
<b>TITLE II</b>					
National information and resource clearing house.....	\$0.75	\$1.00	\$1.25		
<b>TITLE III</b>					
Area planning and social service programs.....	85.00	150.00	200.00		
Planning, coordination, evaluation and administration.....	20.00	20.00	20.00		
Model projects.....	40.00	75.00	100.00		
<b>TITLE IV</b>					
Training.....	11.00	15.00	20.00		
Research and multidisciplinary centers of gerontology.....	15.00	25.00	30.00		
<b>TITLE V</b>					
Multipurpose senior centers.....	10.00	15.00	20.00		
Annual interest grants.....	1.00	3.00	5.00		
Personnel staffing grants.....	10.00	10.00	10.00		
<b>TITLE VI</b>					
RSVP.....	20.00	30.00	40.00		
Foster grandparent (and other community services).....	41.00	52.00	63.00		
<b>TITLE VII</b>					
Nutrition program (authorized in Public Law 92-258).....					
Subtotal.....	253.75	396.00	509.25		
<b>TITLE VIII</b>					
Amendments to other acts:					
Older readers services.....	11.70	12.90	12.00	13.7	13.7
Special programs and projects relating to problems of the elderly (Title I—Higher Education Act).....	5.00	5.00	5.00	5.0	5.0
Senior opportunities and services (Economic Opportunity Act).....	7.00	7.00			
<b>TITLE IX</b>					
Older American Community Service Employment Act.....		50.00	100.00		
Subtotal, other programs.....	23.70	74.30	117.90		
Total.....	277.45	470.30	627.15	18.7	18.7

## SECTION-BY-SECTION ANALYSIS

## TITLE I—DECLARATION OF OBJECTIVES

The Congress expanded the objectives contained in the original Older Americans Act of 1965 by placing emphasis on the need to make comprehensive social service programs available to older Americans and to insure their participation in the development of these programs.

## TITLE II—ADMINISTRATION ON AGING

This title establishes the Administration on Aging and places it within the Office of the Secretary of Health, Education, and Welfare. AoA is headed by a Commissioner on Aging who is appointed by the President and confirmed by the Senate. The Administration on Aging is given primary responsibility for carrying out the programs authorized under this act.

Language has also been included which is designed to protect the administrative integrity of the Administration on Aging so as to guarantee that AoA carries out the mandate prescribed by Congress in this legislation. The legislation specifically states that the Commissioner shall be directly responsible to the Secretary and not to or through any other officer of the Department. The Commissioner's functions may not be delegated unless a delegation plan is submitted to Congress for approval.

Title II also creates a "National Information and Resource Clearinghouse for the Aging" which is designed to collect, analyze, prepare and disseminate information regarding the needs and interests of older Americans. The bill authorizes \$750,000 for fiscal year 1973; \$1 million for fiscal year 1974 and \$1,250,000 for fiscal year 1975.

In addition, title II contains a provision establishing a "Federal Council on the Aging" which will be composed of 15 members appointed by the President and confirmed by the Senate. The Council will assist and advise the President on matters relating to the needs of older Americans; review and evaluate the impact of Federal policies and programs on the aging; serve as a spokesman on behalf of older Americans by making recommendations to the President, the Secretary of Health, Education, and Welfare, the Commissioner on Aging, and the Congress with respect to Federal activities in the field of aging; and undertake programs designed to increase public awareness of the problems and needs of our senior citizens. The Federal Council on the Aging will also undertake various studies designed to further clarify the specific needs of the elderly and recommend solutions to them, with special emphasis on the impact of taxes of the elderly and transportation.

The act provides that for the purposes of administering the act, that there be authorized to be appropriated such sums as may be necessary.

Title II also includes:

(a) provision for evaluation, not to exceed 1 percent of the funds appropriated under this act or \$1 million whichever is greater;

(b) requirement that the Commissioner submit to the President for transmittal to Congress a full and complete annual report;

- (c) provision for joint funding of projects, with the Federal aging principally involved and designated to act for all in administering the funds provided; and
- (d) provision for advance funding.

TITLE III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING

Under title III, the Administration on Aging will work with State aging offices to develop a statewide plan for delivering social services to senior citizens. Each State may be divided into planning and service areas which will bear the primary responsibility for developing the apparatus required to deliver social and nutritional services to the elderly. These area aging units are designed to coordinate existing governmental services, purchase services, and/or provide services where they are otherwise unavailable.

Section 301 would substantially revise the present Title III State and Community grant program. The purpose of this new Title III (Sec. 301) would be to encourage and assist State or local agencies to concentrate resources in order to develop greater capacity for and foster the development of comprehensive and coordinated service systems to serve older persons by entering into new cooperative arrangements with each other and with providers of social services for planning for the provision of, and providing, social services and, where necessary, to reorganize or reassign functions, in order to

- secure and maintain maximum independence and dignity in a home environment for older persons capable of self-care with appropriate supportive services; and
- remove individual and social barriers to economic and personal independence for older persons.

Under the bill the term "social services" is defined to mean any of the following services which meet such standards as the Commissioner may prescribe

- health, continuing education, welfare, informational, recreational, homemaker, counseling, or referral services
- transportation services where necessary to facilitate access to social services
- services designed to encourage and assist older persons to use the facilities and services available to them
- services designed to assist older persons to obtain adequate housing
- any other services if such services are necessary for the general welfare of older persons.

The term "comprehensive and coordinated system" is defined to mean a system for providing all necessary social services in a manner designed to

- facilitate accessibility to and utilization of all social services provided within the geographic area served by such system by any public or private agency or organization.
- develop and make the most efficient use of social services in meeting the needs of older persons.
- use available resources efficiently and with a minimum of duplication.

There is authorized to be appropriated \$85 million for fiscal year 1973; \$100 million for fiscal year 1974 and \$200 million for fiscal year 1975 for area planning and provision of social services.

The sums appropriated will be allotted as follows:

(a) Each State is allotted an amount equal to one-half of 1 percent of such sum. From the remainder, each State shall be allotted an amount that bears the ratio to such remainder as the population aged 60 or over in such State bears to that population in all States. Guam, American Samoa, the Virgin Islands, and the Trust Territories are allotted an amount equal to one-fourth of 1 percent.

(b) Beginning in fiscal year 1974 the formula will be based on population aged 60 and over in each State as it relates to that population in all States except that no State will be allotted less than one-half of 1 percent or one-fourth of 1 percent in the case of the territories. In addition, no State shall be allotted an amount less than it received in fiscal year 1973.

(c) Of each State's allotment not more than 15 percent will be available for paying not more than 75 percent of the cost of the administration and planning; no more than 20 percent thereof shall be available to pay not more than 75 percent of the cost of social services which are not provided as a part of a comprehensive and coordinated system. The remainder may be used to pay not more than 90 percent of the cost of social services as a part of a comprehensive and coordinated system.

Sec. 304 provides that in order to participate in the program, the State would designate a State agency as the sole State agency to develop the State plan and administer the State plan within the State.

The State agency where appropriate would divide the entire State into distinct areas (referred to as planning and service areas). Any unit of general purpose local government which has an existing office on aging and includes 25 percent of the State's population age sixty or older would be designated as a planning and service area.

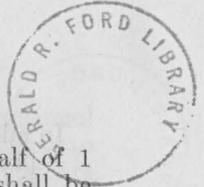
The State agency would determine for which planning and service areas an area plan would be developed and for each such area designate a public or nonprofit private agency or organization as the area agency on aging.

An area plan on aging would be approved by the State agency and would—

- provide for the establishment of a comprehensive and coordinated system for the delivery of social services in the area;
- provide for the initiation, expansion, or improvement of social services in the area;
- provide that the area agency would conduct periodic evaluations of activities and render technical assistance to providers of social services in the area; and
- take into account the views of recipients of services.

Sec. 305 provides that an annual State plan would be submitted to the commission which would—

- provide that the State agency would evaluate the need for social services within the State and determine the extent to which existing public or private programs meet such need.
- establish objectives toward which activities under the plan would be directed, and
- contain other provisions relating to State administration similar to those in present law.



In addition, the State plan would

—provide that preference would be given, in establishing objectives under the State plan, to areas with large concentrations of older persons.

—provide for establishing and maintaining information and referral sources in sufficient numbers that all older persons in the State would have reasonably convenient access to such sources.

The bill provides that the Commissioner may disburse funds withheld from a State that has failed to meet the requirements of the State plan directly to any public or nonprofit, private organization or agency or political subdivision of such State.

Title III also provides funds to States based on population age 60 and over with a proviso that no State will be allotted less than one-half of 1 percent of the sums appropriated or \$200,000, whichever is greater and that Guam, American Samoa, the Virgin Islands, and the Trust Territories shall be allotted no less than one-fourth of 1 percent of the sums appropriated or \$50,000, whichever is greater for the purpose of planning, coordination, evaluation and administration of State plans.

For this purpose there is authorized to be appropriated \$20 million for fiscal year 1973, \$20 million for fiscal year 1974 and \$20 million for fiscal year 1975.

Provision is also made that any amount not used by a State agency may be transferred to the area agency to cover part of the cost of the area planning.

In addition, the Commissioner may fund "model projects" within a State, giving special consideration to projects involving the housing needs of older persons, transportation needs, continuing education, preretirement information, special services to the handicapped and employment opportunities. It is hoped that these model projects will expand and improve the delivery of social services to older persons.

For the purpose of carrying out the model projects there is authorized to be appropriated \$40 million for fiscal year 1973, \$75 million for fiscal year 1974 and \$100 million for fiscal year 1975.

#### TITLE IV—TRAINING AND RESEARCH

The Commissioner on Aging may undertake programs designed to attract qualified persons into the field of aging and to provide training programs for personnel in this field. There is authorized to be appropriated for these purposes \$11 million for fiscal year 1973, \$15 million for fiscal year 1974 and \$20 million for fiscal year 1975.

The Commissioner on Aging is further authorized to make grants and contracts for research and development projects in the field of aging. There is also a provision for the establishment and support of multidisciplinary centers of gerontology, which will assist in the research and training programs as well as provide technical assistance for State and local aging units. There is authorized to be appropriated for these purposes \$15 million for fiscal year 1973, \$25 million for fiscal year 1974 and \$30 million for fiscal year 1975.

#### TITLE V—MULTIPURPOSE SENIOR CENTERS

This title provides for the acquisition, alteration, renovation and construction of multipurpose senior centers to serve as a focal point in

communities for the development and delivery of social and nutritional services. The Commissioner on Aging may make grants or contracts to pay up to 75 percent of the cost. Construction is to occur only where utilizing existing facilities is not feasible.

There is authorized to be appropriated \$10 million for the fiscal year ending June 30, 1973, \$15 million for fiscal year 1974, and \$20 million for fiscal year 1975.

This title also provides for loan insurance for senior centers, annual interest grants (anything above 3 percent per annum—approval by the Secretary required) and grant authorizations for staffing of such centers.

For initial staffing there is authorized to be appropriated \$10 million for 3 fiscal years beginning July 1, 1973 and ending June 30, 1975.

#### TITLE VI—NATIONAL OLDER AMERICAN VOLUNTEER PROGRAM

This title expands and extends the authorization for the Foster Grandparents program and the Retired Senior Volunteer Program. These programs, which were transferred to the ACTION agency in 1971 seek to involve Older Americans in a variety of programs designed to benefit persons, both children and adults, having exceptional needs.

There is authorized to be appropriated for the RSVP program \$20 million for fiscal year 1973; \$30 million for fiscal year 1974 and \$40 million for fiscal year 1975.

For the ongoing Foster Grandparents program, there is authorized to be appropriated \$35 million for fiscal year 1973, \$45 million for fiscal year 1974 and \$55 million for fiscal year 1975.

For the expanded Foster Grandparents program such as care for older persons and other persons with exceptional needs, there is authorized to be appropriated \$6 million for fiscal year 1973; \$7 million for fiscal year 1974 and \$8 million for fiscal year 1975.

#### TITLE VII—NUTRITION PROGRAM

This title makes several minor conforming changes in the nutrition legislation which was passed earlier this year. The changes are primarily designed to produce greater coordination between nutrition programs and the social service programs provided in title III.

#### TITLE VIII—AMENDMENTS TO OTHER ACTS

This provision amends the Library Services and Construction Act, the National Commission on Libraries and Information Science Act, the Higher Education Act, the Adult Education Act and the Economic Opportunity Act, so as to provide expanded opportunities for older Americans to participate in programs of continuing education.

There is authorized to be appropriated for Older Readers Services under the Library Services and Construction Act \$11,700,000 for fiscal year 1973; \$12,300,000 for fiscal year 1974; \$12,900,000 for fiscal year 1975 and \$13,700,000 for fiscal year 1976.

There is authorized to be appropriated for special programs and projects under the Higher Education Act \$5 million for fiscal year 1973 and each succeeding fiscal year prior to July 1, 1977.

There is authorized to be appropriated for special educational projects (speech and reading) under the Adult Education Act such sums as may be necessary for fiscal years 1973, 1974, and 1975.

There is authorized to be appropriated under the Economic Opportunity Act (SOS program) \$7 million for fiscal year 1973 and \$7 million for fiscal year 1974.

#### TITLE IX—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

This title is designed to provide community service jobs for low-income older Americans 55 years of age and older in the fields of education, social services, recreation services, conservation, environmental restoration, economic development, etc. The programs created by title IX are structured in such a way to draw upon the experiences of numerous pilot and demonstration projects conducted by the Department of Labor under its Operation Mainstream program. It is estimated that as many as 40,000 to 60,000 jobs could be created under the provisions of this title.

There is authorized to be appropriated \$50 million for fiscal year 1974 and \$100 million for fiscal year 1975.

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

#### OLDER AMERICANS ACT OF 1965

An Act To provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration on Aging".

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Older Americans Act of 1965".*

#### TITLE I—DECLARATION OF OBJECTIVES: DEFINITIONS

##### DECLARATION OF OBJECTIVES FOR OLDER AMERICANS

SEC. 101. The Congress hereby finds and declares that, in keeping with the traditional American concept of the inherent dignity of the individual in our democratic society, the older people of our Nation are entitled to, and it is the joint and several duty and responsibility of the governments of the United States and of the several States and their political subdivisions to assist our older people to secure equal opportunity to the full and free enjoyment of the following objectives:

(1) An adequate income in retirement in accordance with the American standard of living.

(2) The best possible physical and mental health which science can make available and without regard to economic status.

(3) Suitable housing, independently selected, designed and located with reference to special needs and available at costs which older citizens can afford.

(4) Full restorative services for those who require institutional care.

(5) Opportunity for employment with no discriminatory personnel practices because of age.

(6) Retirement in health, honor, dignity—after years of contribution to the economy.

(7) Pursuit of meaningful activity within the widest range of civic, cultural, and recreational opportunities.

(8) Efficient community services, including access to low-cost transportation, which provide social assistance in a coordinated manner and which are readily available when needed.

(9) Immediate benefit from proven research knowledge which can sustain and improve health and happiness.

(10) Freedom, independence, and the free exercise of individual initiative in planning and managing their own lives.

#### DEFINITIONS

SEC. 102. For the purposes of this Act—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare;

(2) The term "Commissioner" means, unless the context otherwise requires, the Commissioner of the Administration on Aging.

(3) The term "State" includes the District of Columbia, the Virgin Islands, Puerto Rico, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(4) The term "nonprofit" as applied to any agency, institution, or organization means an agency, institution, or organization which is, or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

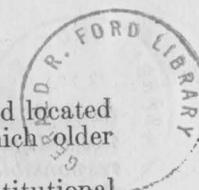
#### TITLE II—ADMINISTRATION ON AGING

##### ESTABLISHMENT OF ADMINISTRATION ON AGING

[SEC. 201. (a) There is hereby established within the Department of Health, Education, and Welfare an Administration to be known as the Administration on Aging (hereinafter referred to as the "Administration").

[(b) The Administration shall be under the direction of a Commissioner on Aging to be appointed by the President by and with the advice and consent of the Senate.]

SEC. 201. (a) There is established in the Office of the Secretary an Administration on Aging (hereinafter in this Act referred to as the "Administration") which shall be headed by a Commissioner on Aging (hereinafter in this Act referred to as the "Commissioner"). Except for title VI and as otherwise specifically provided by the Comprehensive Older Americans Services Amendments of 1973, the Administration shall be the principal agency for carrying out this Act. In the performance of his functions, he shall be directly responsible to the Secretary and not to or



through any other officer of that Department. The Commissioner shall not delegate any of his functions to any other officer who is not directly responsible to him unless he first submits a plan for such delegation to the Congress. Such delegation is effective at the end of the first period of thirty calendar days of continuous session of Congress after the date on which the plan for such delegation is transmitted to it, unless between the day of transmittal and the end of the thirty-day period either House passes a resolution stating in substance that that House does not favor such delegation. For the purpose of this section, continuity of session is broken only by an adjournment of Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the thirty-day period. Under provisions contained in a reorganization plan, a provision of the plan may be effective.

(b) The Commissioner shall be appointed by the President by and with the advice and consent of the Senate.

#### FUNCTIONS OF OFFICE

SEC. 202. (a) It shall be the duty and function of the Administration to—

- (1) serve as a clearinghouse for information related to problems of the aged and aging;
- (2) assist the Secretary in all matters pertaining to problems of the aged and aging;
- (3) administer the grants provided by this Act;
- (4) develop plans, conduct and arrange for research [and demonstration programs in the field of aging] in the field of aging, and assist in the establishment of and carry out programs designed to meet the needs of older persons for social services, including nutrition, hospitalization, preretirement training, continuing education, low-cost transportation and housing, and health services;
- (5) provide technical assistance and consultation to States and political subdivisions thereof with respect to programs for the aged and aging;
- (6) prepare, publish, and disseminate educational materials dealing with the welfare of older persons;
- (7) gather statistics in the field of aging which other Federal agencies are not collecting; [and]
- (8) stimulate more effective use of existing resources and available services for the aged and aging [ ]; and
- (9) develop basic policies and set priorities with respect to the development and operation of programs and activities conducted under authority of this Act;
- (10) provide for the coordination of Federal programs and activities related to such purposes;
- (11) coordinate, and assist in, the planning and development by public (including Federal, State, and local agencies) and nonprofit private organizations of programs for older persons, with a view to the establishment of a nationwide network of comprehensive, coordinated services and opportunities for such persons;
- (12) convene conferences of such authorities and officials of public (including Federal, State, and local agencies) and nonprofit private organizations concerned with the development and operation

of programs for older persons as the Commissioner deems necessary or proper for the development and implementation of policies related to the purposes of this Act;

(13) develop and operate programs providing services and opportunities as authorized by this Act which are not otherwise provided by existing programs for older persons;

(14) carry on a continuing evaluation of the programs and activities related to the purposes of this Act, with particular attention to the impact of medicare and medicaid, the Age Discrimination in Employment Act of 1967, and the programs of the National Housing Act relating to housing for the elderly and the setting of standards for the licensing of nursing homes, intermediate care homes, and other facilities providing care for older people;

(15) provide information and assistance to private nonprofit organizations for the establishment and operation by them of programs and activities related to the purposes of this Act; and

(16) develop, in coordination with other agencies, a national plan for meeting the needs for trained personnel in the field of aging, and for training persons for carrying out programs related to the purposes of this Act, and conduct and provide for the conducting of such training.

(b) In executing his duties and functions under this Act and carrying out the programs and activities provided for by this Act, the Commissioner, in consultation with the Director of Action, shall take all possible steps to encourage and permit voluntary groups active in social services, including youth organizations active at the high school or college levels, to participate and be involved individually or through representative groups in such programs or activities to the maximum extent feasible, through the performance of advisory or consultative functions, and in other appropriate ways.

#### FEDERAL AGENCY COOPERATION

SEC. 203. Federal agencies proposing to establish programs substantially related to the purposes of this Act shall consult with the Administration on Aging prior to the establishment of such services, and Federal agencies administering such programs shall cooperate with the Administration on Aging in carrying out such services.

#### THE NATIONAL INFORMATION AND RESOURCE CLEARING HOUSE FOR THE AGING

SEC. 204. (a) The Commissioner is authorized and directed to establish and operate a National Information and Resource Clearing House for the Aging which shall—

- (1) collect, analyze, prepare, and disseminate information related to the needs and interests of older persons;
- (2) obtain information concerning older persons from public and private agencies and other organizations serving the needs and interests of older persons and furnish, upon request, information to such agencies and organizations, including information developed by Federal, State, and local public agencies with respect to programs of such agencies designed to serve the needs and interests of older persons;
- (3) encourage the establishment of State and local information centers and provide technical assistance to such centers, including

sources established under section 304(c)(3) and section 305(a)(7), to assist older persons to have ready access to information; and

(4) carry out a special program for the collection and dissemination of information relevant to consumer interests of older persons in order that such older persons may more readily obtain information concerning goods and services needed by them.

(b) The Commissioner shall take whatever action is necessary to achieve coordination of activities carried out or assisted by all departments, agencies, and instrumentalities of the Federal Government with respect to the collection, preparation, and dissemination of information relevant to older persons. To the extent practicable, the Commissioner shall carry out his functions under this subsection through the National Information and Resource Clearing House for the Aging.

(c) There are authorized to be appropriated to carry out the purposes of this section \$750,000 for the fiscal year ending June 30, 1973, \$1,000,000 for the fiscal year ending June 30, 1974, and \$1,250,000 for the fiscal year ending June 30, 1975.

#### FEDERAL COUNCIL ON THE AGING

SEC. 205. (a) There is established a Federal Council on the Aging to be composed of fifteen members appointed by the President with the advice and consent of the Senate for terms of three years without regard to the provisions of title 5, United States Code. Members shall be appointed so as to be representative of older Americans, national organizations with an interest in aging, business, labor, and the general public. At least five of the members shall themselves be older persons.

(b) (1) Of the members first appointed, five shall be appointed for a term of one year, five shall be appointed for a term of two years, and five shall be appointed for a term of three years, as designated by the President at the time of appointment.

(2) Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. Members shall be eligible for reappointment and may serve after the expiration of their terms until their successors have taken office.

(3) Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner by which the original appointment was made.

(4) Members of the Council shall, while serving on business of the Council, be entitled to receive compensation at a rate not to exceed the daily rate specified for grade GS-18 in section 5332 of title 5, United States Code, including traveltime, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

(c) The President shall designate the Chairman from among the members appointed to the Council. The Council shall meet at the call of the Chairman but not less often than four times a year. The Secretary and the Commissioner on Aging shall be ex officio members of the Council.

(d) The Council shall—

(1) advise and assist the President on matters relating to the special needs of older Americans;

(2) assist the Commissioner in making the appraisal of needs required by section 402;

(3) review and evaluate, on a continuing basis, Federal policies regarding the aging and programs and other activities affecting the aging conducted or assisted by all Federal departments and agencies for the purpose of appraising their value and their impact on the lives of older Americans; and

(4) serve as a spokesman on behalf of older Americans by making recommendations to the President, to the Secretary, the Commissioner, and to the Congress with respect to Federal policies regarding the aging and federally conducted or assisted programs and other activities relating to or affecting them;

(5) inform the public about the problems and needs of the aging, in consultation with the National Information and Resource Clearing House for the Aging, by collecting and disseminating information, conducting or commissioning studies and publishing the results thereof, and by issuing publications and reports; and

(6) provide public forums for discussing and publicizing the problems and needs of the aging and obtaining information relating thereto by conducting public hearings, and by conducting or sponsoring conferences, workshops, and other such meetings.

(e) The Secretary and the Commissioner shall make available to the Council such staff, information, and other assistance as it may require to carry out its activities.

(f) Beginning with the year 1974 the Council shall make such interim reports as it deems advisable and an annual report of its findings and recommendations to the President no later than March 31 of each year. The President shall transmit each such report to the Congress together with his comments and recommendations.

(g) The Council shall undertake a study of the interrelationships of benefit programs for the elderly operated by Federal, State, and local government agencies. Following the completion of this study, the President shall submit to Congress no later than eighteen months after the enactment of this Act recommendations for bringing about greater uniformity of eligibility standards, and for eliminating the negative impact that one program's standards may have on another.

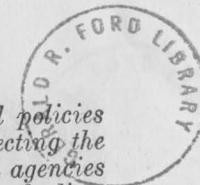
(h) The Council shall undertake a study of the combined impact of all taxes on the elderly—including but not limited to income, property, sales, and social security taxes. Upon completion of this study, but no later than eighteen months after enactment of this Act, the President shall submit to Congress, and to the Governors and legislatures of the States, the results thereof and such recommendations as he deems necessary.

(i) (A) The Council shall, after consultation with the Secretary of Transportation and the Secretary of Housing and Urban Development, conduct a comprehensive study and survey of the transportation problems of older Americans with emphasis upon solutions that are practical and can be implemented in a timely fashion. In conducting the study and survey, the Council shall consider—

(1) the use of all community transportation facilities, particularly public transportation systems, the possible use of school buses, and excess Department of Defense vehicles; and

(2) the need for revised and imported procedures for obtaining motor vehicle insurance by older Americans to be implemented for use in a coordinated transportation system.

(B) Not later than June 30, 1975, the Council shall prepare and transmit to the Secretary, to the President, and to the Congress, a report



on their findings and recommendations including a plan for implementation of improved transportation services for older Americans and recommendations for additional legislation, administrative and other measures to provide solutions to the transportation problems of older Americans.

(C) In carrying out the study and survey, the Council is authorized to—

(i) procure temporary and intermittent services of experts and consultants in accordance with section 3109 of title 5, United States Code, and

(ii) secure directly from any executive department, bureau, agency, board, commission, office, independent establishment or instrumentality information, suggestions, estimates, and statistics for the purpose of this section; and each such department, bureau, agency, board, commission, office, independent establishment or instrumentality, is authorized and directed to the extent permitted by law, to furnish such information, suggestions, estimates, and statistics directly to the Council upon request by them.

#### ADMINISTRATION OF THE ACT

SEC. 206. (a) In carrying out the purposes of this Act the Commissioner is authorized to:

(1) provide consultative services and technical assistance to public or nonprofit private agencies and organizations;

(2) provide short-term training and technical instruction;

(3) conduct research and demonstrations;

(4) collect, prepare, publish, and disseminate special educational or informational materials, including reports of the projects for which funds are provided under this Act; and

(5) provide staff and other technical assistance to the Federal Council on the Aging.

(b) In administering his functions under this Act, the Commissioner may utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or organization, in accordance with agreements between the Commissioner and the head thereof, and to pay therefor, in advance or by way of reimbursement, as may be provided in the agreement.

(c) For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary.

#### EVALUATION

SEC. 207. (a) The Secretary shall measure and evaluate the impact of all programs authorized by this Act, their effectiveness in achieving stated goals in general, and in relation to their cost, their impact on related programs, and their structure and mechanisms for delivery of services, including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs. Evaluations shall be conducted by persons not immediately involved in the administration of the program or project evaluated.

(b) The Secretary may not make grants or contracts under section 308 or title IV of this Act until he has developed and published general standards to be used by him in evaluating the programs and projects assisted under such section or title. Results of evaluations conducted pursuant to

such standards shall be included in the reports required by section 208.

(c) In carrying out evaluations under this section, the Secretary shall, whenever possible, arrange to obtain the opinions of program and project participants about the strengths and weaknesses of the programs and projects.

(d) The Secretary shall annually publish summaries of the results of evaluative research and evaluation of program and project impact and effectiveness, the full contents of which shall be available to Congress and the public.

(e) The Secretary shall take the necessary action to assure that all studies, evaluations, proposals, and data produced or developed with Federal funds shall become the property of the United States.

(f) Such information as the Secretary may deem necessary for purposes of the evaluations conducted under this section shall be made available to him, upon request, by the departments and agencies of the executive branch.

(g) The Secretary is authorized to use such sums as may be required, but not to exceed 1 per centum of the funds appropriated under this Act, or \$1,000,000, whichever is greater, to conduct program and project evaluations (directly, or by grants or contracts) as required by this title. In the case of allotments from such an appropriation, the amount available for such allotments (and the amount deemed appropriated therefor) shall be reduced accordingly.

#### REPORTS

SEC. 208. Not later than one hundred and twenty days after the close of each fiscal year, the Commissioner shall prepare and submit to the President for transmittal to the Congress a full and complete report on the activities carried out under this Act. Such annual reports shall include statistical data reflecting services and activities provided individuals during the preceding fiscal year.

#### JOINT FUNDING OF PROJECTS

SEC. 209. Pursuant to regulations prescribed by the President, and to the extent consistent with the other provisions of this Act, where funds are provided for a single project by more than one Federal agency to an agency or organization assisted under this Act, the Federal agency principally involved may be designated to act for all in administering the funds provided.

#### ADVANCE FUNDING

SEC. 210. (a) For the purpose of affording adequate notice of funding available under this Act, appropriations under this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation.

(b) In order to effect a transition to the advance funding method of timing appropriation action, the amendment made by subsection (a) shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

### TITLE III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING

#### 【AUTHORIZATION OF APPROPRIATIONS

【SEC. 301. The Secretary shall carry out during the fiscal year ending June 30, 1966, and each of the six succeeding fiscal years, a program of grants to States in accordance with this title. There are authorized to be appropriated \$5,000,000 for the fiscal year ending June 30, 1966, \$8,000,000 for the fiscal year ending June 30, 1967, \$10,550,000 for the fiscal year ending June 30, 1968, \$16,000,000 for the fiscal year ending June 30, 1969, \$20,000,000 for the fiscal year ending June 30, 1970, \$25,000,000 for the fiscal year ending June 30, 1971, and \$30,000,000 for the fiscal ending June 30, 1972 for—

【(1) community planning and coordination of programs for carrying out the purposes of this Act;

【(2) demonstrations of programs or activities which are particularly valuable in carrying out such purposes;

【(3) training of special personnel needed to carry out such programs and activities; and

【(4) Establishment of new or expansion of existing programs to carry out such purposes, including establishment of new or expansion of existing centers providing recreational and other leisure time activities, and informational, health, welfare, counseling, and referral services for older persons and assisting such persons in providing volunteer community or civic services; except that no costs of construction, other than for minor alterations and repairs, shall be included in such establishment or expansion.

#### 【ALLOTMENTS

【SEC. 302. (a) (1) From the sum appropriated for a fiscal year under section 301 (A) the Virgin Islands, Guam, American Samoa and the Trust Territory of the Pacific Islands shall be allotted an amount equal to one-half of 1 per centum of such sum and (B) each other State shall be allotted an amount equal to 1 per centum of such sum.

【(2) From the remainder of the sum so appropriated for a fiscal year each State shall be allotted an additional amount which bears the same ratio to such remainder as the population aged sixty-five or over in such State bears to the population aged sixty-five or over in all of the States, as determined by the Secretary on the basis of the most recent information available to him, including any relevant data furnished to him by the Department of Commerce.

【(3) A State's allotment for a fiscal year under this section shall be equal to the sum of the amounts allotted to it under paragraphs (1) and (2).

【(b) The amount of any allotment to a State under subsection (a) for any fiscal year which the Secretary determines will not be required for grants with respect to projects in the State under this section shall be reallocated from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines (1) have need in carrying out their State plans so approved for sums in excess of those previously allotted to them under subsection (a) and (2) will be able

to use such excess amounts for projects approved by the State during the period for which the original allotment was available. Such reallocations shall be made on the basis of the State plans so approved, after taking into consideration the population aged sixty-five or over. Any amount so reallocated to a State shall be deemed part of its allotment under subsection (a).

【(c) The allotment of any State under subsection (a) for any fiscal year shall be available for grants to pay part of the cost of projects in such State described in section 301 and approved by such State (in accordance with its State plan approved under section 303) prior to the end of such year or, in the case of allotments for the fiscal year ending June 30, 1966, prior to July 1, 1967. To the extent permitted by the State's allotment under this section such payments with respect to any project shall equal such percentage of the cost of any project as the State agency (designated or established pursuant to section 303(a)(1)) may provide but not in excess of 75 per centum of the cost of such project for the first year of the duration of such project, 60 per centum of such cost for the second year of such project, and 50 per centum of such cost for the third and any subsequent year of such project.

#### 【STATE PLANS

【SEC. 303. (a) The Secretary shall approve a State plan for purposes of this title which—

【(1) establishes or designates a single State agency as the sole agency for administering or supervising the administration of the plan, which agency shall be the agency primarily responsible for coordination of State programs and activities related to the purposes of this Act;

【(2) provides for such financial participation by the State or communities with respect to activities and projects under the plan as the Secretary may by regulation prescribe in order to assure continuation of desirable activities and projects;

【(3) provides for development of programs and activities for carrying out the purposes of this Act, including the furnishing of consultative, technical, or information services to public or non-profit private agencies and organizations engaged in activities relating to the special problems or welfare of older persons;

【(4) provides for statewide planning, coordination, and evaluation of programs and activities related to the purposes of this Act in accordance with criteria established by the Secretary after consultation with representatives of the State agencies established or designated as provided in clause (1);

【(5) provides for consultation with and utilization, pursuant to agreement with the head thereof, of the services and facilities of appropriate State or local public or nonprofit private agencies and organizations in the administration of the plan and in the development of such programs and activities;

【(6) provides such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are necessary for the proper and efficient operation of the plan;

[(7) sets forth principles for determining the priority of projects in the State, and provides for approval of such projects in the order determined by application of such principles;

[(8) provides for approval of projects of only public or non-profit private agencies or organizations and for an opportunity for a hearing before the State agency for any applicant whose application for approval of a project is denied; and

[(9) provides that the State agency will make such reports to the Secretary, in such form and containing such information, as may reasonably be necessary to enable him to perform his functions under this title and will keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

[The Secretary shall not finally disapprove any State plan, or any modification thereof submitted under this section without first affording the State reasonable notice and opportunity for a hearing.

[(b) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of a State plan approved under subsection (a), finds that—

[(1) the State plan has been so changed that it no longer complies with the provisions of subsection (a), or

[(2) in the administration of the plan there is a failure to comply substantially with any such provision, the Secretary shall notify such State agency that no further payments will be made to the State under this title (or, in his discretion, that further payments to the State will be limited to projects under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments shall be made to such State under this title (or payments shall be limited to projects under or portions of the State plan not affected by such failure).

[(c) A State which is dissatisfied with a final action of the Secretary under subsection (a) or (b) may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the

Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

[PLANNING, COORDINATION, AND EVALUATION AND ADMINISTRATION OF STATE PLANS

[SEC. 304. (a) There are authorized to be appropriated \$5,000,000 each for the fiscal year ending June 30, 1970, and the next two fiscal years for making grants to each State, which has a State plan approved under this title, to pay such percentage, not in excess of 75 per centum, as the State agency (established or designated as provided in section 303(a)(1)) may provide, of the costs of planning, coordinating, and evaluating programs and activities related to the purposes of this Act and of administering the State plan approved under this title. Funds appropriated pursuant to the preceding sentence for the fiscal years ending June 30, 1970, and June 30, 1971, but not expended because a State did not have authority under State law to expend such funds, as determined by the Secretary pursuant to paragraph (4) of subsection (b) of this section, shall remain available as provided in such paragraph.

[(b)(1) From the sum appropriated for a fiscal year under subsection (a), the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa shall be allotted an amount equal to one-half of 1 per centum of such sum or \$25,000, whichever is greater, and each other State shall be allotted an amount equal to 1 per centum of such sum.

[(2) From the remainder of the sum so appropriated for a fiscal year each State shall be allotted an additional amount which bears the same ratio to such remainder as the population aged sixty-five or over in such State bears to the population aged sixty-five or over in all of the States, as determined by the Secretary on the basis of the most recent information available to him, including any relevant data furnished to him by the Department of Commerce.

[(3) A State's allotment for a fiscal year under this section shall be equal to the sum of the amounts allotted to it under paragraphs (1) and (2); except that if such sum is for any State, other than the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa, less than \$75,000 it shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing such sum for each of the remaining States (except the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa), but with such adjustments as may be necessary to prevent such sum for any of such remaining States from being reduced to less than \$75,000.

[(4) In any case in which a State does not have authority under State law to expend the full amount of its allotment under this subsection in the fiscal year ending June 30, 1970, the amount of such allotment which the Secretary determines the State did not have such authority to expend during a part of that fiscal year shall remain available to such State until June 30, 1971, subject to reallocation after June 30, 1970, in accordance with the provisions of subsection (c)

of this section, except as provided by the following sentence. In any case in which a State does not have authority under State law to expend the full amount of its allotment under this subsection, including any amount available pursuant to the preceding sentence, in the fiscal year ending June 30, 1971, the amount of such allotment which the Secretary determines the State did not have such authority to expend during a part of that fiscal year shall remain available to such State until June 30, 1972, subject to reallocation after June 30, 1971, in accordance with the provisions of subsection (c) of this section.

[(c) The amount of any allotment to a State under subsection (b) for any fiscal year which the Secretary determines will not be required (i) for meeting the costs in such State referred to in subsection (a) and (ii) for the purposes set forth in paragraph (4) of subsection (b) shall be reallocated from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines (1) have need in meeting the costs referred to in subsection (a) for sums in excess of those previously allotted to them under subsection (b) and (2) will be able to use such excess amounts for meeting such costs during any period for which the allotment is available. Such reallocations shall be made on the basis of such need and ability, after taking into consideration the population aged sixty-five or over. Any amount so reallocated to a State shall be deemed part of its allotment under subsection (b).

[(d) The allotment of any State under subsection (b) for any fiscal year shall be available for payments pursuant to this section to State agencies which have provided reasonable assurance that there will be expended for the purposes for which such payments are made, for the year for which such payments are made and from funds from State sources, not less than the amount expended for such purposes from such funds for the fiscal year ending June 30, 1969.

#### AREAWIDE MODEL PROJECTS

[SEC. 305. (a) The Secretary is authorized, upon such terms as he may deem appropriate, to make grants to or contracts with State agencies established or designated as provided in section 303(a)(1) to pay not to exceed 75 per centum of the cost of the development and operation of statewide, regional, metropolitan area, county, city, or other areawide model projects, for carrying out the purposes of this title, to be conducted by such State agencies (directly or through contract real arrangements). Such projects shall provide services for, or create opportunities for, older persons, and shall be in fields of service and for categories of older persons determined in accordance with regulations prescribed by the Secretary after consultation with representatives of such State agencies.

[(b) There are authorized to be appropriated to carry out this section \$5,000,000 for the fiscal year ending June 30, 1970, and \$10,000,000 each for the fiscal year ending June 30, 1971, and the fiscal year ending June 30, 1972.

#### PAYMENTS

[SEC. 306. Payments under this title may be made (after necessary adjustment on account of previously made overpayments or

underpayments) in advance or by way of reimbursement, and in such installments, as the Secretary may determine.]

#### PURPOSE

SEC. 301. It is the purpose of this title to encourage and assist State and local agencies to concentrate resources in order to develop greater capacity and foster the development of comprehensive and coordinated service systems to serve older persons by entering into new cooperative arrangements with each other and with providers of social services for planning for the provision of, and providing, social services and, where necessary, to reorganize or reassign functions, in order to—

- (1) secure and maintain maximum independence and dignity in a home environment for older persons capable of self-care with appropriate supportive services; and
- (2) remove individual and social barriers to economic and personal independence for older persons.

#### DEFINITIONS

SEC. 302. For purposes of this title—

(1) The term "social services" means any of the following services which meet such standards as the Commissioner may prescribe:

- (A) health, continuing education, welfare, informational, recreational, homemaker, counseling, or referral services;
- (B) transportation services where necessary to facilitate access to social services;
- (C) services designed to encourage and assist older persons to use the facilities and services available to them;
- (D) services designed to assist older persons to obtain adequate housing;
- (E) services designed to assist older persons in avoiding institutionalization, including preinstitutionalization evaluation and screening, and home health services; or
- (F) any other services;

if such services are necessary for the general welfare of older persons.

(2) The term "unit of general purpose local government" means (A) a political subdivision of the State whose authority is broad and general and is not limited to only one function or a combination of related functions, or (B) an Indian tribal organization.

(3) The term "comprehensive and coordinated system" means a system for providing all necessary social services in a manner designed to—

- (A) facilitate accessibility to and utilization of all social services provided within the geographic area served by such system by any public or private agency or organization;
- (B) develop and make the most efficient use of social services in meeting the needs of older persons; and
- (C) use available resources efficiently and with a minimum of duplication.

#### AREA PLANNING AND SOCIAL SERVICE PROGRAMS

SEC. 303. (a) There are authorized to be appropriated \$85,000,000 for the fiscal year ending June 30, 1973, \$150,000,000 for the fiscal year ending June 30, 1974, and \$200,000,000 for the fiscal year ending



June 30, 1975, to enable the Commissioner to make grants to each State with a State plan approved under section 305 for paying part of the cost (pursuant to subsection (e) of this section) of—

(1) the administration of area plans by area agencies on aging designated pursuant to section 304(a)(2)(A), including the preparation of area plans on aging consistent with section 304(c) and the evaluation of activities carried out under such plans; and

(2) the development of comprehensive and coordinated systems for the delivery of social services.

(b)(1) From the sums authorized to be appropriated for the fiscal year ending June 30, 1973 under subsection (a) of this section, (A) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted an amount equal to one-fourth of 1 per centum of such sum, (B) each other State shall be allotted an amount equal to one-half of 1 per centum of such sum, and (C) from the remainder of the sum so appropriated, each State shall be allotted an additional amount which bears the same ratio to such remainder as the population aged sixty or over in such State bears to the population aged sixty or over in all States.

(2) From the sums appropriated for the fiscal year ending June 30, 1974, and for the fiscal year ending June 30, 1975, each State shall be allotted an amount which bears the same ratio to such sum as the population aged sixty or over in such State bears to the population aged sixty or over in all States, except that (A) no State shall be allotted less than one-half of 1 per centum of the sum appropriated for the fiscal year for which the determination is made; (B) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted no less than one-fourth of 1 per centum of the sum appropriated for the fiscal year for which the determination is made; and (C) no State shall be allotted an amount less than that State received for the fiscal year ending June 30, 1973. For the purpose of the exception contained in clause (A) of this paragraph only, the term "State" does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(3) The number of persons aged sixty or over in any State and in all States shall be determined by the Commissioner on the basis of the most recent and satisfactory data available to him.

(c) Whenever the Commissioner determines that any amount allotted to a State for a fiscal year under this section will not be used by such State for carrying out the purpose for which the allotment was made, he shall make such amount available for carrying out such purpose to one or more other States to the extent he determines such other States will be able to use such additional amount for carrying out such purpose. Any amount made available to a State from an appropriation for a fiscal year pursuant to the preceding sentence shall, for purposes of this title, be regarded as part of such State's allotment (as determined under the preceding provisions of this section) for such year.

(d) The allotment of a State under this section for the fiscal year ending June 30, 1973, shall remain available until the close of the following fiscal year.

(e) From a State's allotment under this section for a fiscal year—

(1) such amount as the State agency determines, but not more than 15 per centum thereof, shall be available for paying such percentage

as such agency determines, but not more than 75 per centum, of the cost of administration of area plans; and

(2) such amount as the State agency determines, but not more than 20 per centum thereof, shall be available for paying such percentage as such agency determines, but not more than 75 per centum of the cost of social services which are not provided as a part of a comprehensive and coordinated system in planning and service areas for which there is an area plan approved by the State agency.

The remainder of such allotment shall be available to such State only for paying such percentage as the State agency determines, but not more than 90 per centum of the cost of social services provided in the State as a part of comprehensive and coordinated systems in planning and service areas for which there is an area plan approved by the State agency.

#### ORGANIZATION

##### State Organization

Sec. 304. (a) In order for a State to be eligible to participate in the programs of grants to States from allotments under section 303 and section 306—

(1) the State shall, in accordance with regulations of the Commissioner, designate a State agency as the sole State agency (hereinafter in this title referred to as "the State agency") to: (A) develop the State plan to be submitted to the Commissioner for approval under section 305, (B) administer the State plan within such State, (C) be primarily responsible for the coordination of all State activities related to the purposes of this Act, (D) review and comment on, at the request of any Federal department or agency, any application from any agency or organization within such State to such Federal department or agency for assistance related to meeting the needs of older persons; and (E) divide the entire State into distinct areas (hereinafter in this title referred to as "planning and service areas"), after considering the geographical distribution of individuals aged sixty and older in the State, the incidence of the need for social services (including the numbers of older persons with low incomes residing in such areas), the distribution of resources available to provide such services, the boundaries of existing areas within the State which were drawn for the planning or administration of social services programs, the location of units of general purpose local government within the State, and any other relevant factors: Provided, That any unit of general purpose local government which has a population aged sixty or over of fifty thousand or more or which contains 15 per centum or more of the State's population aged sixty or over shall be designated as a planning and service area and the State may include in any planning and service area designated pursuant to this proviso such additional areas adjacent to the unit of general purpose local government so designated as the State determines to be necessary for the effective administration of the programs authorized by this title, and

(2) the State agency designated pursuant to paragraph (1) shall—

(A) determine for which planning and service areas an area plan will be developed, in accordance with subsection (c) of this section, and for each such area designate, after consideration

of the views offered by the unit or units of general purpose local government in such area, a public or nonprofit private agency or organization as the area agency on aging for such area; and

(B) provide assurances satisfactory to the Commissioner that the State agency will take into account, in connection with matters of general policy arising in the development and administration of the State plan for any fiscal year, the views of recipients of social services provided under such plan.

#### Area Organization

(b) An area agency on aging designated under subsection (a) must be—

(1) an established office on aging which is operating within a planning and service area designated pursuant to subsection (a) of this section, or

(2) any office or agency of a unit of general purpose local government, which is designated for this purpose by the chief elected official or officials of such unit, or

(3) any office or agency designated by the chief elected official or officials of a combination of units of general purpose local government to act on behalf of such combination for this purpose, or

(4) any public or nonprofit private agency in a planning and service area which is under the supervision or direction for this purpose of the designated State agency and which can engage in the planning or provision of a broad range of social services within such planning and service area,

and must provide assurance, found adequate by the State agency, that it will have the ability to develop an area plan and to carry out, directly or through contractual or other arrangements, a program pursuant to the plan within the planning and service area. In designating an area agency on aging, the State agency shall give preference to an established office on aging, unless the State agency finds that no such office within the planning and service area will have the capacity to carry out the area plan.

#### Area Plans

(C) In order to be approved by the State agency, an area plan for a planning and service area shall be developed by the area agency on aging designated with respect to such area under subsection (a) and shall—

(1) provide for the establishment of a comprehensive and coordinated system for the delivery of social services within the planning and service area covered by the plan, including determining the need for social services in such area (taking into consideration, among other things, the numbers of older persons with low incomes residing in such area), evaluating the effectiveness of the use of resources in meeting such need, and entering into agreements with providers of social services in such area, for the provision of such services to meet such need;

(2) in accordance with criteria established by the Commissioner by regulation relating to priorities, provide for the initiation, expansion, or improvement of social services in the planning and service area covered by the area plan;

(3) provide for the establishment and maintenance of information and referral sources in sufficient numbers to assure that all older persons within the planning and service area covered by the plan will have reasonably convenient access to such sources. For purposes of this section and section 305(a)(7), an information and referral source is a location where the State or other public or private agency or organization (A) maintains current information with respect to the opportunities and services available to older persons, and develops current lists of older persons in need of services and opportunities, and (B) employs a specially trained staff to inform older persons of the opportunities and services which are available, and assists such persons to take advantage of such opportunities and services; and

(4) provide that the area agency on aging will—

(A) conduct periodic evaluations of activities carried out pursuant to the area plan;

(B) render appropriate technical assistance to providers of social services in the planning and service area covered by the area plan;

(C) where necessary and feasible, enter into arrangements, consistent with the provisions of the area plan, under which funds under this title may be used to provide legal services to older persons in the planning and service area carried out through federally assisted programs or other public or nonprofit agencies;

(D) take into account, in connection with matters of general policy arising in the development and administration of the area plan, the views of recipients of services under such plan;

(E) where possible, enter into arrangements with organizations providing day care services for children so as to provide opportunities for older persons to aid or assist, on a voluntary basis, in the delivery of such services to children; and

(F) establish an advisory council, consisting of representatives of the target population and the general public, to advise the area agency on all matters relating to the administration of the plan and operations conducted thereunder.

#### STATE PLANS

SEC. 305. (a) In order for a State to be eligible for grants for a fiscal year from its allotments under section 303 and section 306, except as provided in section 307(a), it shall submit to the Commissioner a State plan for such year which meets such criteria as the Commissioner may prescribe by regulation and which—

(1) provides that the State agency will evaluate the need for social services within the State and determine the extent to which existing public or private programs meet such need;

(2) provides for the use of such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Commissioner shall exercise no authority with respect to the selection, tenure of office, or compensation of an individual employed in accordance with such methods) as are necessary for the proper and efficient administration of the plan;

(3) provides that the State agency will make such reports, in such form, and containing such information, as the Commissioner may



from time to time require, and comply with such requirements as the Commissioner may impose to assure the correctness of such reports;

(4) provides that the State agency will conduct periodic evaluations of activities and projects carried out under the State plan;

(5) establishes objectives, consistent with the purposes of this title, toward which activities under the plan will be directed, identifies obstacles to the attainment of those objectives, and indicates how it proposes to overcome those obstacles;

(6) provides that each area agency on aging designated pursuant to section 304(a)(2)(A) will develop and submit to the State agency for approval an area plan which complies with section 304(c);

(7) provides for establishing and maintaining information and referral sources in sufficient numbers to assure that all older persons in the State who are not furnished adequate information and referral sources under section 304(c)(3) will have reasonably convenient access to such sources;

(8) provides that no social service will be directly provided by the State agency or an area agency on aging, except where, in the judgment of the State agency, provision of such service by the State agency or an area agency on aging is necessary to assure an adequate supply of such service; and

(9) provides that preference shall be given to persons aged sixty or over for any staff positions (full time or part time) in State and area agencies for which such persons qualify.

(b) The Commissioner shall approve any State plan which he finds fulfills the requirements of subsection (a) of this section.

(c) The Commissioner shall not make a final determination disapproving any State plan, or any modification thereof, or make a final determination that a State is ineligible under section 304, without first affording the State reasonable notice and opportunity for a hearing.

(d) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State agency, finds that—

(1) the State is not eligible under section 304,

(2) the State plan has been so changed that it no longer complies with the provisions of subsection (a), or

(3) in the administration of the plan there is a failure to comply substantially with any such provision of subsection (a),

the Commissioner shall notify such State agency that no further payments from its allotments under section 303 and section 306 will be made to the State (or, in his discretion, that further payments to the State will be limited to projects under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments shall be made to such State from its allotments under section 303 and section 306 (or payments shall be limited to projects under or portions of the State plan not affected by such failure). The Commissioner shall, in accordance with regulations he shall prescribe, disburse the funds so withheld directly to any public or nonprofit private organization or agency or political subdivision of such State submitting an approved plan in accordance with the provisions of section 304 and section 306. Any such payment or payments shall be matched in the proportions specified in sections 303 and 306.

(e) A State which is dissatisfied with a final action of the Commissioner under subsection (b), (c), or (d) may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition

with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner, or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Commissioner may modify or set aside his order. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Commissioner's action.

PLANNING, COORDINATION, EVALUATION, AND ADMINISTRATION OF  
STATE PLANS

SEC. 306. (a)(1) There are authorized to be appropriated \$20,000,000 or the fiscal year ending June 30, 1973, \$20,000,000 for the fiscal year ending June 30, 1974, and \$20,000,000 for the fiscal year ending June 30, 1975, to make grants to States for paying such percentages as each State agency determines, but not more than 75 per centum, of the cost of the administration of its State plan, including the preparation of the State plan, the evaluation of activities carried out under such plan, the collection of data and the carrying out of analyses related to the need for social services within the State, the dissemination of information so obtained, the provision of short-term training to personnel of public or nonprofit private agencies and organizations engaged in the operation of programs authorized by this Act, and the carrying out of demonstration projects of statewide significance relating to the initiation, expansion, or improvement of social service.

(2) Any sums allotted to a State under this section for covering part of the cost of the administration of its State plan which the State determines is not needed for such purpose may be used by such State to supplement the amount available under section 303(e)(1) to cover part of the cost of the administration of area plans.

(b) (1) From the sums appropriated for any fiscal year under subsection (a) of this section, each State shall be allotted an amount which bears the same ratio to such sum as the population aged sixty or over in such State bears to the population aged sixty or over in all States, except that (A) no State shall be allotted less than one-half of 1 per centum of the sum appropriated for the fiscal year for which the determination is made, or \$200,000, whichever is greater, and (B) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted no less than one-fourth of 1 per centum of the sum appropriated for the fiscal year for which the determination is made, or \$50,000, which-

ever is greater. For the purpose of the exception contained in clause (A) of this paragraph, the term "State" does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(2) The number of persons aged sixty or over in any State and in all States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

(c) The amount of any State's allotment under subsection (b) for any fiscal year which the Commissioner determines will not be required for that year shall be reallocated, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (b) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Such reallocations shall be made on the basis of the State plan so approved, after taking into consideration the population aged sixty or over. Any amount reallocated to a State under this subsection during a year shall be deemed part of its allotment under subsection (b) for that year.

(d) The allotment of a State under this section for the fiscal year ending June 30, 1973, shall remain available until the close of the following fiscal year.

#### PAYMENTS

SEC. 307. (a) Payments of grants or contracts under this title may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments, as the Commissioner may determine. From a State's allotment for a fiscal year which is available pursuant to section 306 the Commissioner may advance to a State which does not have a State plan approved under section 305 such amounts as he deems appropriate for the purpose of assisting such State in developing a State plan.

(b) Beginning with the fiscal year ending June 30, 1975, not less than 25 per centum of the non-Federal share (pursuant to section 303(e)) of the total expenditure under the State plan shall be met from funds from State or local public sources.

(c) A State's allotment under section 303 for a fiscal year shall be reduced by the percentage (if any) by which its expenditures for such year from State sources under its State plan approved under section 305 are less than its expenditures from such sources for the preceding fiscal year.

#### MODEL PROJECTS

SEC. 308. (a) The Commissioner may, after consultation with the State agency, make grants to any public or nonprofit private agency or organization or contracts with any agency or organization within such State for paying part or all of the cost of developing or operating statewide, regional, metropolitan area, county, city, or community model projects which will expand or improve social services or otherwise promote the well-being of older persons. In making grants and contracts under this section, the Commissioner shall give special consideration to projects designed to—

(1) assist in meeting the special housing needs of older persons by (A) providing financial assistance to such persons, who own their own homes, necessary to enable them to make the repairs and renovations

to their homes which are necessary for them to meet minimum standards, (B) studying and demonstrating methods of adapting existing housing, or construction of new housing, to meet the needs of older persons suffering from physical disabilities, and (C) demonstrating alternative methods of relieving older persons of the burden of real property taxes on their homes;

(2) improve the transportation services available to older persons by (A) establishing special transportation subsystems for older persons or similar groups with similar mobility restrictions, (B) providing portal-to-portal service and demand actuated services, (C) payment of subsidies to transportation systems to enable them to provide transportation services to older persons on a reduced rate basis, with special emphasis on transportation necessary to enable older persons to obtain health services, (D) payments directly to older persons to enable them to obtain reasonable and necessary transportation services, (E) programs to study the economic and service aspects of transportation for older persons living in urban or rural areas, and (F) programs to study transportation and social service delivery interface;

(3) meet the needs of unemployed low-income older persons who are unable, because of physical condition, obsolete or inadequate skills, declining economic conditions, or other causes of a lack of employment opportunity to secure appropriate employment, which will enable such persons to participate in projects for public service in such fields as environmental quality, health care, education, public safety, crime prevention and control, prison rehabilitation, transportation, recreation, maintenance of parks, streets, and other public facilities, solid waste removal, pollution control, housing and neighborhood improvements, rural development, conservation, beautification, and other fields of human betterment and community improvement;

(4) provide continuing education to older persons designed to enable them to lead more productive lives by broadening the educational, cultural, or social awareness of such older persons, emphasizing, where possible, free tuition arrangements with colleges and universities;

(5) provide preretirement education, information, and relevant services (including the training of personnel to carry out such programs and the conducting of research with respect to the development and operation of such programs) to persons planning retirement; or

(6) provide services to assist in meeting the particular needs of the physically and mentally impaired older persons including special transportation and escort services, homemaker, home health, and shopping services, reader services, letterwriting services, and other services designed to assist such individuals in leading a more independent life; or encourage older Americans with skills and experience in trades and industry to be employed as aides in the vocational and industrial arts departments of our secondary schools.

(b) For the purpose of carrying out this section, there are authorized to be appropriated \$40,000,000 for the fiscal year ending June 30, 1973, \$75,000,000 for the fiscal year ending June 30, 1974, and \$100,000,000 for the fiscal year ending June 30, 1975.

## TITLE IV—RESEARCH AND DEVELOPMENT PROJECTS

### PROJECT GRANTS

SEC. 401. The Secretary is authorized to carry out the purposes of this Act through grants to any public or nonprofit private agency, organization, or institution and contracts with any agency, organization, or institution or with any individual—

(a) to study current patterns and conditions of living of older persons and identify factors which are beneficial or detrimental to the wholesome and meaningful living of such persons;

(b) to develop or demonstrate new approaches, techniques, and methods (including multipurpose centers) which hold promise of substantial contribution toward wholesome and meaningful living for older persons;

(c) to develop or demonstrate approaches, methods, and techniques for achieving or improving coordination of community services for older persons;

(d) to evaluate these approaches, techniques, and methods, as well as others which may assist older persons to enjoy wholesome and meaningful living and to continue to contribute to the strength and welfare of our Nation;

(e) to collect and disseminate, through publications and other appropriate means, information concerning research findings, demonstration results, and other materials developed in connection with activities assisted under this title; or

(f) to conduct conferences and other meetings for the purposes of facilitating exchange of information and stimulating new approaches with respect to activities related to the purposes of this title.

### PAYMENTS OF GRANTS

SEC. 402. (a) To the extent he deems it appropriate, the Secretary shall require the recipient of any grant or contract under this title to contribute money, facilities, or services for carrying out the project for which such grant or contract was made.

(b) Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

(c) The Secretary shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of section 303(a)(1) unless the Secretary has consulted with such State agency regarding such grant or contract.

## TITLE V—TRAINING PROJECTS

### PROJECT GRANTS

SEC. 501. The Secretary is authorized to make grants to any public or nonprofit private agency, organization, or institution, and contracts with any agency, organization, or institution for—

(a) the specialized training of persons employed or preparing for employment in carrying out programs related to the purposes of this Act and the development of curriculums for such training;

(b) the conduct of studies of the need for trained personnel to carry out such programs;

(c) the preparation and dissemination of materials, including audiovisual materials and printed materials, for use in recruitment and training of such personnel;

(d) the conduct of conferences and other meetings for the purposes of facilitating exchange of information and stimulating new approaches with respect to activities related to the purposes of this title; and

(e) the publication and distribution of information concerning studies, findings, and other materials developed in connection with activities under this title.

### PAYMENT OF GRANTS

SEC. 502. (a) To the extent he deems it appropriate, the Secretary shall require the recipient of any grant or contract under this title to contribute money, facilities, or services for carrying out the project for which such grant or contract was made.

(b) Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

(c) The Secretary shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of section 303(a)(1) unless the Secretary has consulted with such State agency regarding such grant or contract.

### STUDY OF NEED FOR TRAINED PERSONNEL

SEC. 503. (a) The Secretary is authorized to undertake, directly or by grant or contract, a study and evaluation of the immediate and foreseeable need for trained personnel to carry out programs related to the objectives of this Act, and of the availability and adequacy of the educational and training resources for persons preparing to work in such programs. On or before March 31, 1968, he shall make a report to the President and to the Congress, of his findings and recommendations resulting from such study, including whatever specific proposals, including legislative proposals, he deems will assist in insuring that the need for such trained specialists will be met.

(b) In carrying out this section the Secretary shall consult with the Advisory Committee on Older Americans, the President's Council on Aging, appropriate Federal agencies, State and local officials, and such other public or nonprofit private agencies, organizations, or institutions as he deems appropriate to insure that his proposals under subsection (a) reflect national requirements.

## TITLE IV—TRAINING AND RESEARCH

### PART A—TRAINING

#### STATEMENT OF PURPOSE

SEC. 401. The purpose of this part is to improve the quality of service and to help meet critical shortages of adequately trained personnel for programs in the field of aging by (1) developing information on the actual needs for personnel to work in the field of aging, both present and long range; (2) providing a broad range of quality training and retraining opportunities, responsive to changing needs of programs in the field of aging; (3) attracting a greater number of qualified persons into the field of aging; and (4) helping to make personnel training programs more responsive to the need for trained personnel in the field of the aging.

#### APPRAISING PERSONNEL NEEDS IN THE FIELD OF AGING

SEC. 402. (a) The Commissioner shall from time to time appraise the Nation's existing and future personnel needs in the field of aging, at all levels and in all types of programs, and the adequacy of the Nation's efforts to meet these needs. In developing information relating to personnel needs in the field of aging, the Commissioner shall consult with, and make maximum utilization of statistical and other related information of the Department of Labor, the Veterans' Administration, the Office of Education, Federal Council on the Aging, the National Foundation on the Arts and Humanities, State educational agencies, other State and local public agencies and offices dealing with problems of the aging, State employment security agencies, and other appropriate public and private agencies.

(b) The Commissioner shall prepare and publish annually as a part of the annual report provided in section 208 a report on the professions dealing with the problems of the aging, in which he shall present in detail his view on the state of such professions and the trends which he discerns with respect to the future complexion of programs for the aging throughout the Nation and the funds and the needs for well-educated personnel to staff such programs. The report shall indicate the Commissioner's plans concerning the allocation of Federal assistance under this title in relation to the plans and programs of other Federal agencies.

#### ATTRACTING QUALIFIED PERSONS TO THE FIELD OF AGING

SEC. 403. The Commissioner may make grants to State agencies referred to in section 304, State or local educational agencies, institutions of higher education, or other public or nonprofit private agencies, organizations, or institutions, and he may enter into contracts with any agency, institution, or organization for the purpose of—

- (1) publicizing available opportunities for careers in the field of aging;
- (2) encouraging qualified persons to enter or reenter the field of aging;
- (3) encouraging artists, craftsmen, artisans, scientists, and persons from other professions and vocations and homemakers, to undertake assignments on a part-time basis or for temporary periods in the field of aging; or
- (4) preparing and disseminating materials, including audiovisual materials and printed materials, for use in recruitment and training

of persons employed or preparing for employment in carrying out programs related to the purposes of this Act.

#### TRAINING PROGRAMS FOR PERSONNEL IN THE FIELD OF AGING

SEC. 404. (a) The Commissioner may make grants to any public or nonprofit private agency, organization, or institution or with State agencies referred to in section 304, or contracts with any agency, organization, or institution, to assist them in training persons who are employed or preparing for employment in fields related to the purposes of this Act—

(1) to assist in covering the cost of courses of training or study (including short-term or regular session institutes and other inservice and preservice training programs);

(2) for establishing and maintaining fellowships to train persons to be supervisors or trainers of persons employed or preparing for employment in fields related to the purposes of this Act;

(3) for seminars, conferences, symposiums, and workshops in the field of aging, including the conduct of conferences and other meetings for the purposes of facilitating exchange of information and stimulating new approaches with respect to activities related to the purposes of this Act;

(4) for the improvement of programs for preparing personnel for careers in the field of aging, including design, development, and evaluation of exemplary training programs, introduction of high quality and more effective curriculums and curricular materials, and

(5) the provision of increased opportunities for practical experience.

(b) The Commissioner may include in the terms of any contract or grant under this part provisions authorizing the payment, to persons participating in training programs supported under this part, of such stipends (including allowances for subsistence and other expenses for such persons and their dependents) as he determines to be consistent with prevailing practices under comparable federally supported programs. Where the Commissioner provides for the use of funds under this section for fellowships, he shall (in addition to stipends for the recipients) pay to colleges or universities in which the fellowship is being pursued such amounts as the Commissioner shall determine to be consistent with prevailing practices under comparable federally supported programs.

### PART B—RESEARCH AND DEVELOPMENT PROJECTS

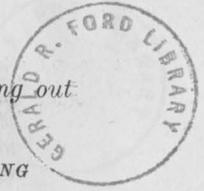
#### DESCRIPTION OF ACTIVITIES

SEC. 411. The Commissioner may make grants to any public or nonprofit private agency, organization, or institution and contracts with any agency, organization, or institution or with any individual for the purpose of—

(1) studying current patterns and conditions of living of older persons and identifying factors which are beneficial or detrimental to the wholesome and meaningful living of such persons;

(2) developing or demonstrating new approaches, techniques, and methods (including the use of multipurpose centers) which hold promise of substantial contribution toward wholesome and meaningful living for older persons;

(3) developing or demonstrating approaches, methods, and techniques for achieving or improving coordination of community services for older persons;



(4) evaluating these approaches, techniques, and methods, as well as others which may assist older persons to enjoy wholesome and meaningful lives and to continue to contribute to the strength and welfare of our Nation;

(5) collecting and disseminating, through publications and other appropriate means, information concerning research findings, demonstration results, and other materials developed in connection with activities assisted under this part; or

(6) conducting conferences and other meetings for the purposes of facilitating exchange of information and stimulating new approaches with respect to activities related to the purposes of this part.

#### PART C—MULTIDISCIPLINARY CENTERS OF GERONTOLOGY

SEC. 421. The Commissioner may make grants to public and private nonprofit agencies, organizations, and institutions for the purpose of establishing or supporting multidisciplinary centers of gerontology. A grant may be made under this section only if the application therefor—

(1) provides satisfactory assurance that the applicant will expend the full amount of the grant to establish or support a multidisciplinary center of gerontology which shall—

(A) recruit and train personnel at the professional and sub-professional levels,

(B) conduct basic and applied research on work, leisure, and education of older people, living arrangements of older people, social services for older people, the economics of aging, and other related areas,

(C) provide consultation to public and voluntary organizations with respect to the needs of older people and in planning and developing services for them,

(D) serve as a repository of information and knowledge with respect to the areas for which it conducts basic and applied research,

(E) stimulate the incorporation of information on aging into the teaching of biological, behavioral, and social sciences at colleges or universities,

(F) help to develop training programs on aging in schools of social work, public health, health care administration, education, and in other such schools at colleges and universities, and

(G) create opportunities for innovative, multidisciplinary efforts in teaching, research, and demonstration projects with respect to aging;

(2) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the applicant under this section; and

(3) provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

#### PART D—AUTHORIZATION OF APPROPRIATIONS

##### AUTHORIZATION

SEC. 431. (a) There are authorized to be appropriated for the purposes of carrying out part A of this title \$11,000,000 for the fiscal year ending June 30, 1973, \$15,000,000 for the fiscal year ending June 30, 1974, and \$20,000,000 for the fiscal year ending June 30, 1975.

(b) There are authorized to be appropriated for the purpose of carrying out the provisions of part B and part C of this title \$15,000,000 for the fiscal year ending June 30, 1973, \$25,000,000 for the fiscal year ending June 30, 1974, and \$30,000,000 for the fiscal year ending June 30, 1975.

##### PAYMENTS OF GRANTS

SEC. 432. (a) To the extent he deems it appropriate, the Commissioner shall require the recipient of any grant or contract under this title to contribute money, facilities, or services for carrying out the project for which such grant or contract was made.

(b) Payments under this part pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Commissioner may determine.

(c) The Commissioner shall make no grant or contract under this title in any State which has established or designated a State agency for purposes of title III of this Act unless the Commissioner has consulted with such State agency regarding such grant or contract.

#### TITLE V—MULTIPURPOSE SENIOR CENTERS

##### PART A—CONSTRUCTION OF MULTIPURPOSE SENIOR CENTERS

##### CONSTRUCTION PROJECTS

SEC. 501. In order to provide a focal point in communities for the development and delivery of social services and nutritional services designed primarily for older persons, the Commissioner may make grants to units of general purpose local government or other public or nonprofit private agencies or organizations and may make contracts with any agency or organization to pay not to exceed 75 per centum of the cost of leasing, altering, or renovating existing facilities to serve as multipurpose senior centers (including the initial equipment of such facilities), and, where utilizing existing facilities is not feasible, not to exceed 75 per centum of the cost of constructing new public or nonprofit private multipurpose senior centers. Facilities assisted by grants or contracts under this part shall be in close proximity to the majority of individuals eligible to use the multipurpose senior center, and within walking distance where possible, except that the total payments made pursuant to such grants or contracts in any State for any fiscal year shall not exceed 10 per centum of the total amount appropriated for the year for the purposes of carrying out this part.



## REQUIREMENTS FOR APPROVAL OF APPLICATIONS

SEC. 502. (a) A grant or contract for construction under this part may be made only if the application therefor is approved by the Commissioner upon his determination that—

(1) the application contains or is supported by reasonable assurances that (A) for not less than ten years after completion of construction, the facility will be used for the purposes for which it is to be constructed, (B) sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility, and (C) sufficient funds will be available, when construction is completed, for effective use of the facility for the purpose for which it is being constructed;

(2) the application contains or is supported by reasonable assurances that there are no existing facilities in the community suitable for leasing as a multipurpose senior center, and that there are no existing facilities in the community which could be altered or renovated to serve such a purpose;

(3) the plans and specifications are in accordance with regulations relating to minimum standards of construction and equipment; and

(4) the application contains or is supported by adequate assurance that any laborer or mechanic employed by any contractors or subcontractors in the performance of work on the construction of the facility will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a5). The Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(b) In making grants or contracts under this part, the Commissioner shall—

(1) give preference to the construction of multipurpose senior centers in areas where there is being developed a comprehensive and coordinated system under title III of this Act; and

(2) consult with the Secretary of Housing and Urban Development with respect to the technical adequacy of any proposed construction.

## PAYMENTS

SEC. 503. Upon approval of any application for a grant or contract under this part, the Commissioner shall reserve, from any appropriation available therefor, the amount of such grant or contract; the amount so reserved may be paid in advance or by way of reimbursement, and in such installments consistent with construction progress, as the Commissioner may determine. The Commissioner's reservation of any amount under this section may be amended by him, either upon approval of an amendment of the application or upon revision of the estimated cost of construction of the facility.

## RECAPTURE OF PAYMENTS

SEC. 504. If, within ten years after completion of any construction for which funds have been paid under this part—

(a) the owner of the facility ceases to be a public or non-profit private agency or organization, or

(b) the facility shall cease to be used for the purposes for which it was constructed (unless the Commissioner determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to do so),

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated.

## AUTHORIZATION OF APPROPRIATIONS

SEC. 505. (a) There is authorized to be appropriated for the purpose of making grants or contracts under section 501, \$10,000,000 for the fiscal year ending June 30, 1973, \$15,000,000 for the fiscal year ending June 30, 1974, and \$20,000,000 for the fiscal year ending prior to July 1, 1975.

(b) Sums appropriated for any fiscal year under subsection (a) of this section and remaining unobligated at the end of such year shall remain available for such purpose for the next fiscal year.

## MORTGAGE INSURANCE FOR MULTIPURPOSE SENIOR CENTERS

SEC. 506. (a) It is the purpose of this section to assist and encourage the provision of urgently needed facilities for programs for the elderly.

(b) For the purpose of this part the terms "mortgage", "mortgagor", "mortgagee", "maturity date", and "State" shall have the meanings respectively set forth in section 207 of the National Housing Act.

(c) The Secretary of Health, Education, and Welfare is authorized to insure any mortgage (including advances on such mortgage during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and make commitments for insurance of such mortgage prior to the date of its execution or disbursement thereon.

(d) In order to carry out the purpose of this section, the Secretary is authorized to insure any mortgage which covers a new multipurpose senior center, including equipment to be used in its operation, subject to the following conditions:

(1) The mortgage shall be executed by a mortgagor, approved by the Secretary, who demonstrates ability successfully to operate one or more programs for the elderly. The Secretary may in his discretion require any such mortgagor to be regulated or restricted as to minimum charges and methods of financing, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Secretary may make such contracts with and acquire for not to exceed \$100 such stock or interest in such mortgagor as he may deem necessary. Any stock or interest so purchased shall be paid for out of the Multipurpose Senior Center Insurance Fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Secretary under the insurance.

(2) The mortgage shall involve a principal obligation in an amount not to exceed \$250,000 and not to exceed 90 per centum of the estimated replacement cost of the property or project, including equipment to be used in the operation of the multipurpose senior center, when the proposed improvements are completed and the equipment is installed.

(3) The mortgage shall—

(A) provide for complete amortization by periodic payments within such term as the Secretary shall prescribe, and

(B) bear interest (exclusive of premium charges for insurance and service charges, if any) at not to exceed such per centum per annum on the principal obligation outstanding at any time as the Secretary finds necessary to meet the mortgage market.

(4) The Secretary shall not insure any mortgage under this section unless he has determined that the center to be covered by the mortgage will be in compliance with minimum standards to be prescribed by the Secretary.

(5) In the plans for such Multipurpose Senior Center, due consideration shall be given to excellence of architecture and design, and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project).

(e) The Secretary shall fix and collect premium charges for the insurance of mortgages under this section which shall be payable annually in advance by the mortgagee, either in cash or in debentures of the Multipurpose Senior Center Insurance Fund (established by subsection (h)) issued at par plus accrued interest. In the case of any mortgage such charge shall be not less than an amount equivalent to one-fourth of 1 per centum per annum nor more than an amount equivalent to 1 per centum per annum of the amount of the principal obligation of the mortgage outstanding at any one time, without taking into account delinquent payments or prepayments. In addition to the premium charge herein provided for, the Secretary is authorized to charge and collect such amounts as he may deem reasonable for the appraisal of a property or project during construction; but such charges for appraisal and inspection shall not aggregate more than 1 per centum of the original principal face amount of the mortgage.

(f) The Secretary may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe.

(g)(1) The Secretary shall have the same functions, powers, and duties (insofar as applicable) with respect to the insurance of mortgages under this section as the Secretary of Housing and Urban Development has with respect to the insurance of mortgages under title II of the National Housing Act.

(2) The provisions of subsections (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 of the National Housing Act shall apply to mortgages insured under this section; except that, for the purposes of their application with respect to such mortgages, all references in such provisions to the General Insurance Fund shall be deemed to refer to the Multipurpose Senior Center Insurance Fund, and all references in such provisions to "Secretary" shall be deemed to refer to the Secretary of Health, Education, and Welfare.

(h)(1) There is hereby created a Multipurpose Senior Center Insurance Fund which shall be used by the Secretary as a revolving fund for carrying

out all the insurance provisions of this section. All mortgages insured under this section shall be insured under and be the obligation of the Multipurpose Senior Center Insurance Fund.

(2) The general expenses of the operations of the Department of Health, Education, and Welfare relating to mortgages insured under this section may be charged to the Multipurpose Senior Center Insurance Fund.

(3) Moneys in the Multipurpose Senior Center Insurance Fund not needed for the current operations of the Department of Health, Education, and Welfare with respect to mortgages insured under this section shall be deposited with the Treasurer of the United States to the credit of such fund, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Secretary may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued as obligations of the Multipurpose Senior Center Insurance Fund. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

(4) Premium charges, adjusted premium charges, and appraisal and other fees received on account of the insurance of any mortgage under this section, the receipts derived from property covered by such mortgages and from any claims, debts, contracts, property, and security assigned to the Secretary in connection therewith, and all earnings as the assets of the fund, shall be credited to the Multipurpose Senior Center Insurance Fund. The principal of, and interest paid and to be paid on, debentures which are the obligation of such funds, cash insurance payments and adjustments, and expenses incurred in the handling, management, renovation, and disposal of properties acquired, in connection with mortgages insured under this section, shall be charged to such fund.

(5) There are authorized to be appropriated to provide initial capital for the Multipurpose Senior Center Insurance Fund, and to assure the soundness of such fund thereafter, such sums as may be necessary.

#### ANNUAL INTEREST GRANTS

SEC. 507. (a) To assist nonprofit agencies to reduce the cost of borrowing from other sources for the construction of facilities, the Secretary may make annual interest grants to such agencies.

(b) Annual interest grants under this section with respect to any facility shall be made over a fixed period not exceeding forty years, and provision for such grants shall be embodied in a contract guaranteeing their payment over such period. Each such grant shall be in an amount not greater than the difference between (1) the average annual debt service which would be required to be paid, during the life of the loan, on the amount borrowed from other sources for the construction of such facilities, and (2) the average annual debt service which the institution would have been required to pay, during the life of the loan, with respect to such amounts if the applicable interest rate were 3 per centum per annum: Provided, That the amount on which such grant is based shall be approved by the Secretary.

(c)(1) There are hereby authorized to be appropriated to the Secretary such sums as may be necessary for the payment of annual interest grants in accordance with this section.

(2) Contracts for annual interest grants under this section shall not be entered into in an aggregate amount greater than is authorized in appro-

proportion Acts; and in any event the total amount of annual interest grants in any year pursuant to contracts entered into under this section shall not exceed \$1,000,000, which amount shall be increased by \$3,000,000 on July 1, 1974, and by \$5,000,000 on July 1, 1975.

(d) Not more than 12½ per centum of the funds provided for in this section for grants may be used within any one State.

#### PART B—INITIAL STAFFING OF MULTIPURPOSE SENIOR CENTERS

##### PERSONNEL STAFFING GRANT PROGRAM AUTHORIZED

SEC. 511. (a) For the purpose of assisting in the establishment and initial operation of multipurpose senior centers the Commissioner may, in accordance with the provisions of this part, make grants to meet, for the temporary periods specified in this part, all or part of the costs of compensation of professional and technical personnel for the initial operation of new multipurpose senior centers and for the delivery of social services established therein.

(b) Grants for such costs of any center under this title may be made only for the period beginning with the first day of the first month for which such grant is made and ending with the close of three years after such first day. Such grants with respect to any center may not exceed 75 per centum of such costs for the first year of the project, 66⅔ per centum of such costs for the second year of the project, and 50 per centum of such costs for the third year of the project.

(c) In making such grants, the Secretary shall take into account the relative needs of the several States for community centers for senior citizens, their relative financial needs, and their population of persons over sixty years of age.

(d) For the purpose of this part, there are authorized to be appropriated \$10,000,000 for the fiscal year ending June 30, 1973, and for each of the next two succeeding fiscal years.

##### DEFINITIONS

SEC. 512. For purposes of this title—

(1) the term "multipurpose senior center" means a community facility for the organization and provision of a broad spectrum of services (including provision of health, social, and educational services and provision of facilities for recreational activities) for older persons.

(2) the term "cost of construction" includes the cost of architects' fees and acquisition of land in connection with construction, but does not include the cost of offsite improvements.

#### TITLE VI—NATIONAL OLDER AMERICANS VOLUNTEER PROGRAM

##### PART A—RETIRED SENIOR VOLUNTEER PROGRAM

##### GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 601. (a) In order to help retired persons to avail themselves of opportunities for voluntary service in their community, the Secretary is authorized to make grants to State agencies (established or

designated pursuant to section 303(a)(1)) or grants to or contracts with other public and nonprofit private agencies and organizations to pay part or all of the costs for the development or operation, or both, of volunteer service programs under this section, if he determines in accordance with such regulations as he may prescribe that—

(1) volunteers shall not be compensated for other than transportation, meals, and other out-of-pocket expenses incident to their services;

(2) only individuals aged sixty or over will provide services in the program (except for administrative purposes), and such services will be performed in the community where such individuals reside or in nearby communities either (a) on publicly owned and operated facilities or projects, or (b) on local projects sponsored by private nonprofit organizations (other than political parties), other than projects involving the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instruction or as a place for religious worship;

(3) the program will not result in the displacement of employed workers or impair existing contracts for services;

(4) the program includes such short-term training as may be necessary to make the most effective use of the skills and talents of those individuals who are participating, and provides for the payment of the reasonable expenses of trainees;

(5) the program is being established and will be carried out with the advice of persons competent in the field of service being staffed, and of persons with interest in and knowledge of the needs of older persons; and

(6) the program is coordinated with other related Federal and State programs.

(b) Payments under this part pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, in such installments and on such conditions, as the Secretary may determine.

(c) The Secretary shall not award any grant or contract under this part for a project in any State to any agency or organization unless, if such State has a State agency established or designated pursuant to section 303(a)(1), such agency is the recipient of the award or such agency has had not less than sixty days in which to review the project application and make recommendations thereon.

(d) Notwithstanding any other provision of law, no compensation provided to individual volunteers under this part shall be considered income for any purpose whatsoever.

##### AUTHORIZATION OF APPROPRIATIONS

SEC. 603. There are authorized to be appropriated, for grants or contracts under this part, \$5,000,000 for the fiscal year ending June 30, 1970, \$10,000,000 for the fiscal year ending June 30, 1971, and \$15,000,000 for the fiscal year ending June 30, 1972, and \$20,000,000 or the fiscal year ending June 30, 1973, \$30,000,000 for the fiscal year ending June 30, 1974, and \$40,000,000 for the fiscal year ending June 30, 1975.

[PART B—] FOSTER GRANDPARENT PROGRAM AND OLDER AMERICANS  
COMMUNITY SERVICE PROGRAMS

SEC. 611. (a) The [Secretary] *Commissioner* is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay [not to exceed 90 per centum] *part or all* of the cost of the development and operation of projects designed to provide opportunities for low-income persons aged sixty or over to render supportive person-to-person services in health, education, welfare, and related settings to children having exceptional needs, including services as "Foster Grandparents" to children receiving care in hospitals, homes for dependent and neglected children, or other establishments providing care for children with special needs. [The Director of ACTION may approve assistance in excess of 90 per centum of the cost of the development and operation of such projects if he determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of this section.]

(b) *The Commissioner is also authorized to make grants or contracts to carry out the purposes described in subsection (a) in the case of persons (other than children) having exceptional needs, including services as "senior health aides" to work with persons receiving home health care and nursing care, and as "senior companions" to persons having developmental disabilities.*

[(b)] (c) Payments under this part pursuant to a grant or contract may be made (after necessary adjustment[, in the case of grants,] on account of previously made overpayments or underpayments) in advance or by way of reimbursement, in such installments and on such [conditions, as the Secretary] *conditions as the Commissioner* may determine.

(d) *Notwithstanding any other provision of law, no compensation provided to individual volunteers under this part shall be considered income for any purpose whatsoever.*

CONDITIONS OF GRANTS AND CONTRACTS

SEC. 612. (a)(1) In administering this part the Secretary shall—

(A) assure that the new participants in any project are older persons of low income who are no longer in the regular work force;

(B) award a grant or contract only if he determines that the project will not result in the displacement of employed workers or impair existing contracts for services.

(2) The Secretary shall not award a grant or contract under this part which involves a project proposed to be carried out throughout the State or over an area more comprehensive than one community unless—

(A) the State agency (established or designated under section 303(a)(1)) is the applicant for such grant or contract or, if not, such agency has been afforded a reasonable opportunity to apply for and receive such award and to administer or supervise the administration of the project; and

(B) in cases in which such agency is not the grantee or contractor (including cases to which subparagraph (A) applies but in which such agency has not availed itself of the opportunity to apply for and receive such award), the application contains or is

supported by satisfactory assurance that the project has been developed, and will to the extent appropriate be conducted in consultation with, or with the participation of, such agency.

(3) The Secretary shall not award a grant or contract under this title which involves a project proposed to be undertaken entirely in a community served by a community action agency unless—

(A) such agency is the applicant for such grant or contract or, if not, such agency has been afforded a reasonable opportunity to apply for and receive such award and to administer or supervise the administration of the project; and

(B) in cases in which such agency is not the grantee or contractor (including cases to which subparagraph (A) applies but in which such agency has not availed itself of the opportunity to apply for and receive such award), the application contains or is supported by satisfactory assurance that the project has been developed, and will to the extent appropriate be conducted in consultation with, or with the participation of, such agency; and

(C) if such State has a State agency established or designated pursuant to section 303(a)(1), such agency has had not less than 45 days in which to review the project application and make recommendations thereon.

(b) The term "community action agency" as used in this section, means a community action agency established under title II of the Economic Opportunity Act of 1964.

INTERAGENCY COOPERATION

SEC. 613. In administering this part, the [Secretary] *Commissioner* shall consult with the Office of Economic Opportunity, the [Department of Labor,] *Departments of Labor and Health, Education, and Welfare* and any other Federal agencies administering relevant programs with a view to achieving optimal coordination with such other programs and shall promote the coordination of projects under this part with other public or private programs or projects carried out at State and local levels. Such Federal agencies shall cooperate with the Secretary in disseminating information about the availability of assistance under this part and in promoting the identification and interest of low-income older persons whose services may be utilized in projects under this part.

AUTHORIZATION OF APPROPRIATIONS

[Sec. 614. There are authorized to be appropriated for grants or contracts under this part, \$15,000,000 for the fiscal year ending June 30, 1970, \$20,000,000 for the fiscal year ending June 30, 1971, and \$25,000,000 for the fiscal year ending June 30, 1972.]

SEC. 614. (a) *There are authorized to be appropriated for grants or contracts under subsection (a) of section 611, \$35,000,000 for the fiscal year ending June 30, 1973, \$45,000,000 for the fiscal year ending June 30, 1974, \$55,000,000 for the fiscal year ending June 30, 1975.*

(b) *There are authorized to be appropriated for grants or contracts under subsection (b) of section 611, \$6,000,000 for the fiscal year ending June 30, 1973, \$7,000,000 for the fiscal year ending June 30, 1974, \$8,000,000 for the fiscal year ending June 30, 1975.*

## TITLE VII—NUTRITION PROGRAM FOR THE ELDERLY

## FINDINGS AND PURPOSE

SEC. 701. (a) The Congress finds that the research and development nutrition projects for the elderly conducted under title IV of the Older Americans Act have demonstrated the effectiveness of, and the need for, permanent nationwide projects to assist in meeting the nutritional and social needs of millions of persons aged sixty or older. Many elderly persons do not eat adequately because (1) they cannot afford to do so; (2) they lack the skills to select and prepare nourishing and well-balanced meals; (3) they have limited mobility which may impair their capacity to shop and cook for themselves; and (4) they have feelings of rejection and loneliness which obliterate the incentive necessary to prepare and eat a meal alone. These and other physiological, psychological, social, and economic changes that occur with aging result in a pattern of living, which causes malnutrition and further physical and mental deterioration.

(b) In addition to the food stamp program, commodity distribution systems and old-age income benefits, there is an acute need for a national policy which provides older Americans, particularly those with low incomes, with low cost, nutritionally sound meals served in strategically located centers such as schools, churches, community centers, senior citizen centers, and other public or private nonprofit institutions where they can obtain other social and rehabilitative services. Besides promoting better health among the older segment of our population through improved nutrition, such a program would reduce the isolation of old age, offering older Americans an opportunity to live their remaining years in dignity.

## ADMINISTRATION

SEC. 702. (a) In order to effectively carry out the purposes of this title, the [Secretary] *Commissioner* shall—

(1) administer the program through the Administration on Aging; and

(2) consult with the Secretary of Agriculture and make full utilization of the Food and Nutrition Service, and other existing services of the Department of Agriculture.

(b) In carrying out the provisions of this title, the [Secretary] *Commissioner* is authorized to request the technical assistance and cooperation of the Department of Labor, the Office of Economic Opportunity, the Department of Housing and Urban Development, the Department of Transportation, and such other departments and agencies of the Federal Government as may be appropriate.

(c) The [Secretary] *Commissioner* is authorized to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment, personnel, and facilities.

(d) In carrying out the purposes of this title, the [Secretary] *Commissioner* is authorized to provide consultative services and technical assistance to any public or private nonprofit institution or organization, agency, or political subdivision of a State; to provide short-term training and technical instruction; and to collect, prepare,

publish, and disseminate special educational or informational materials, including reports of the projects for which funds are provided under this title.

## ALLOTMENT OF FUNDS

SEC. 703. (a)(1) From the sums appropriated for any fiscal year under section 708, each State shall be allotted an amount which bears the same ratio to such sum as the population aged 60 or over in such State bears to the population aged 60 or over in all States, except that (A) no State shall be allotted less than one-half of 1 per centum of the sum appropriated for the fiscal year for which the determination is made; and (B) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted an amount equal to one-fourth of 1 per centum of the sum appropriated for the fiscal year for which the determination is made. For the purpose of the exception contained in this paragraph, the term "State" does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(2) The number of persons aged sixty or over in any State and for all States shall be determined by the Secretary on the basis of the most satisfactory data available to him.

(b) The amount of any State's allotment under subsection (a) of any fiscal year which the Secretary determines will not be required for that year shall be reallocated, from time to time and on such dates during such year as the [Secretary] *Commissioner* may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the [Secretary] *Commissioner* estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Such reallocations shall be made on the basis of the State plan so approved, after taking into consideration the population aged sixty or over. Any amount reallocated to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

(c) The allotment of any State under subsection (a) for any fiscal year shall be available for grants to pay up to 90 per centum of the costs of projects in such State described in section 706 and approved by such State in accordance with its State plan approved under section 705, but only to the extent that such costs are both reasonable and necessary for the conduct of such projects, as determined by the [Secretary] *Commissioner* in accordance with criteria prescribed by him in regulations. Such allotment to any State in any fiscal year shall be made upon the condition that the Federal allotment will be matched during each fiscal year by 10 per centum, or more, as the case may be, from funds or in kind resources from non-Federal sources.

(d) If the [Secretary] *Commissioner* finds that any State has failed to qualify under the State plan requirements of section 705, the [Secretary] *Commissioner* shall withhold the allotment of funds to such State referred to in subsection (a). The [Secretary] *Commissioner* shall disburse the funds so withheld directly to any public or private nonprofit institution or organization, agency, or political subdivision

of such State submitting an approved plan in accordance with the provisions of section 705, including the requirement that any such payment or payments shall be matched in the proportion specified in subsection (c) for such State, by funds or in kind resources from non-Federal sources.

(e) The State agency may, upon the request of one or more recipients of a grant or contract, purchase agricultural commodities and other foods to be provided to such nutrition projects assisted under this part. The [Secretary] Commissioner may require reports from State agencies, in such form and detail as he may prescribe, concerning requests by recipients of grants or contracts for the purchase of such agricultural commodities and other foods, and action taken thereon.

#### PAYMENT OF GRANTS

SEC. 704. Payments pursuant to grants or contracts under this title may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the [Secretary] Commissioner may determine.

#### STATE PLANS

SEC. 705. (a) Any State which desires to receive allotments under this title shall submit to the [Secretary] Commissioner for approval a State plan for purposes of this title which, in the case of a State agency designated pursuant to section [303] 304 of this Act, shall be in the form of an amendment to the State plan provided in section [303] 305. Such plan shall—

(1) establish or designate a single State agency as the sole agency for administering or supervising the administration of the plan and coordinating operations under the plan with other agencies providing services to the elderly, which agency shall be the agency designated pursuant to section [303] 304(a)(1) of this Act, unless the Governor of such State shall, with the approval of the [Secretary] Commissioner, designate another agency;

(2) sets forth such policies and procedures as will provide satisfactory assurance that allotments paid to the State under the provisions of this title will be expended—

(A) to make grants in cash or in kind to any public or private nonprofit institution or organization, agency, or political subdivision of a State (referred to herein as "recipient of a grant or contract")—

(i) to carry out the program as described in section 706.

(ii) to provide up to 90 per centum of the costs of the purchase and preparation of the food; delivery of the meals; and such other reasonable expenses as may be incurred in providing nutrition services to persons aged sixty or over. Recipients of grants or contracts may charge participating individuals for meals furnished pursuant to guidelines established by the [Secretary] Commissioner, taking into consideration the income ranges of eligible individuals in local communities and other sources of income of the recipients of a grant or a contract.

(iii) to provide up to 90 per centum of the costs of such supporting services as may be necessary in each instance, such as the costs of related social services and, where appropriate, the costs of transportation between the project site and the residences of eligible individuals who could not participate in the project in the absence of such transportation, to the extent such costs are not met through other Federal, State, or local programs.

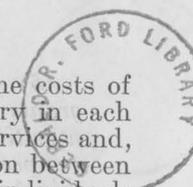
(B) to provide for the proper and efficient administration of the State plan at the least possible administrative cost, for the fiscal year ending June 30, 1973, not to exceed an amount equal to 10 per centum of the amount allotted to the State unless a greater amount in [any] each fiscal year is approved by the [Secretary] Commissioner. For the fiscal years ending after June 30, 1973, funds allotted to a State for State planning and administration pursuant to section 306 of this Act may be used for the administration of the State plan submitted pursuant to this section, except that wherever the Governor of the State designates an agency other than the agency designated under section 304(a)(1) of this Act, then the Commissioner shall determine that portion of a State's allotment under section 306 which shall be available to the agency designated under section 705(a)(1) for planning and administration. In administering the State plan, the State agency shall—

(i) make reports, in such form and containing such information, as the [Secretary] Commissioner may require to carry out his functions under this title, including reports of participation by the groups specified in subsection (4) of this section; and keep such records and afford such access thereto as the [Secretary] Commissioner may find necessary to assure the correctness and verification of such reports and proper disbursement of Federal funds under this title, and

(ii) provide satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid by the State to the recipient of a grant or contract.

(3) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the [Secretary] Commissioner shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are necessary for the proper and efficient operation of the plan.

(4) provide that preference shall be given in awarding grants to carry out the purposes of this title to projects serving primarily low-income individuals and provide assurances that, to the extent feasible, grants will be awarded to projects operated by and serving the needs of minority, Indian, and limited English-speaking eligible individuals in proportion to their numbers in the State.



(5) provide that, when mutually agreed upon by recipients of grants and contracts and area planning and service areas agencies, nutrition projects assisted under this title shall be made a part of the comprehensive and coordinated systems established under title III of this Act.

(b) The **Secretary** Commissioner shall approve any State plan which he determines meets the requirements and purposes of this section.

(c) Whenever the **Secretary** Commissioner, subject to reasonable notice and opportunity for hearing to such State agency, finds (1) that the State plan has been so changed that it no longer complies with the provisions of this title, or (2) that in the administration of the plan there is a failure to comply substantially with any such provision or with any requirements set forth in the application of a recipient of a grant or contract approved pursuant to such plan, the **Secretary** Commissioner shall notify such State agency that further payments will not be made to the State under the provisions of this title (or in his discretion, that further payments to the State will be limited to programs or projects under the State plan, or portions thereof, not affected by the failure, or that the State agency shall not make further payments under this part to specified local agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, the **Secretary** Commissioner shall make no further payments to the State under this title, or shall limit payments to recipients of grants or contracts under, or parts of, the State plan not affected by the failure or payments to the State agency under this part shall be limited to recipients of grants or contracts not affected by the failure, as the case may be.

(d)(1) If any State is dissatisfied with the **Secretary's** Commissioner's final action with respect to the approval of its State plan submitted under subsection (a), or with respect to termination of payments in whole or in part under subsection (c), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the **Secretary** Commissioner. The **Secretary** Commissioner thereupon shall file in the court the record of the proceeding on which he based his action, as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the **Secretary** Commissioner, if supported by substantial evidence, shall be conclusive; but the court for good cause shown, may remand the case to the **Secretary** Commissioner to take further evidence, and the **Secretary** Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(3) The court shall have jurisdiction to affirm the action of the **Secretary** Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

NUTRITION AND OTHER PROGRAM REQUIREMENTS

SEC. 706. (a) Funds allotted to any State during any fiscal year pursuant to section 703 shall be disbursed by the State agency to recipients of grants or contracts who agree—

(1) to establish a project (referred to herein as a "nutrition project") which, five or more days per week, provides at least one hot meal per day and any additional meals, hot or cold, which the recipient of a grant or contract may elect to provide, each of which assures a minimum of one-third of the daily recommended dietary allowances as established by the Food and Nutrition Board of the National Academy of Sciences-National Research Council;

(2) to provide such nutrition project for individuals aged sixty or over who meet the specifications set forth in clauses (1), (2), (3), or (4) of section 701(a) and their spouses (referred to herein as "eligible individuals");

(3) to furnish a site for such nutrition project in as close proximity to the majority of eligible individuals' residences as feasible, such as a school or a church, preferably within walking distance where possible and, where appropriate, to furnish transportation to such site or home-delivered meals to eligible individuals who are homebound;

(4) to utilize methods of administration, including outreach, which will assure that the maximum number of eligible individuals may have an opportunity to participate in such nutrition project;

(5) to provide special menus, where feasible and appropriate, to meet the particular dietary needs arising from the health requirements, religious requirements or ethnic backgrounds of eligible individuals;

(6) to provide a setting conducive to expanding the nutrition project and to include, as a part of such project, recreational activities, informational, health and welfare counseling and referral services, where such services are not otherwise available;

(7) to include such training as may be necessary to enable the personnel to carry out the provisions of this title;

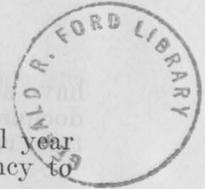
(8) to establish and administer the nutrition project with the advice of persons competent in the field of service in which the nutrition program is being provided, of elderly persons who will themselves participate in the program and of persons who are knowledgeable with regard to the needs of elderly persons;

(9) to provide an opportunity to evaluate the effectiveness, feasibility, and cost of each particular type of such project;

(10) to give preference to persons aged sixty or over for any staff positions, full- or part-time, for which such persons qualify and to encourage the voluntary participation of other groups, such as college and high school students in the operation of the project; and

(11) to comply with such other standards as the **Secretary** Commissioner may by regulation prescribe in order to assure the high quality of the nutrition project and its general effectiveness in attaining the objectives of this title.

(b) The **Secretary** Commissioner and the Comptroller General of the United States or any of their duly authorized representatives shall



have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to a grant or contract received under this title.

#### 【SURPLUS COMMODITIES

【SEC. 707. (a) Each recipient of a grant or contract shall, insofar as practicable, utilize in its nutrition project commodities designated from time to time by the Secretary of Agriculture as being in abundance, either nationally or in the local area, or commodities donated by the Secretary of Agriculture. Commodities purchased under the authority of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary of Agriculture to the recipient of a grant or contract, in accordance with the needs as determined by the recipient of a grant or contract, for utilization in the nutritional program under this title. The Secretary of Agriculture is authorized to prescribe terms and conditions respecting the use of commodities donated under section 32, as will maximize the nutritional and financial contributions of such donated commodities in such public or private nonprofit institutions or organizations, agencies, or political subdivisions of a State.

【(b) The Secretary of Agriculture may utilize the projects authorized under this title in carrying out the provisions of clause (2) of section 32 of the Act approved August 24, 1935, as amended (49 Stat. 774, 7 U.S.C. 612c).】

#### AVAILABILITY OF SURPLUS COMMODITIES

*SEC. 707. (a) Agricultural commodities and products purchased by the Secretary of Agriculture under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), may be donated to a recipient of a grant or contract to be used for providing nutritional services in accordance with the provisions of this title.*

*(b) The Commodity Credit Corporation may dispose of food commodities under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) by donating them to a recipient of a grant or contract to be used for providing nutritional services in accordance with the provisions of this title.*

*(c) Dairy products purchased by the Secretary of Agriculture under section 709 of the Food and Agriculture Act of 1965 (7 U.S.C. 1446a-1) may be used to meet the requirements of programs providing nutritional services in accordance with the provisions of this title.*

#### APPROPRIATIONS AUTHORIZED

SEC. 708. For the purpose of carrying out the provisions of this title there are hereby authorized to be appropriated \$100,000,000 for the fiscal year ending June 30, 1973, and \$150,000,000 for the fiscal year ending June 30, 1974. In addition, there are hereby authorized to be appropriated for such fiscal years, as part of the appropriations for salaries and expenses for the Administration on Aging, such sums as Congress may determine to be necessary to carry out the provisions of this title. Sums appropriated pursuant to this section which are not obligated and expended prior to the beginning of the fiscal year succeeding the fiscal year for which such funds were appropriated

shall remain available for obligation and expenditure during such succeeding fiscal year.

#### RELATIONSHIP TO OTHER LAWS

SEC. 709. No part of the cost of any project under this title may be treated as income or benefits to any eligible individual for the purpose of any other program or provision of State or Federal law.

#### MISCELLANEOUS

SEC. 710. None of the provisions of this title shall be construed to prevent a recipient of a grant or a contract from entering into an agreement, subject to the approval of the State agency, with a profitmaking organization to carry out the provisions of this title and of the appropriate State plan.

#### 【TITLE VIII—GENERAL

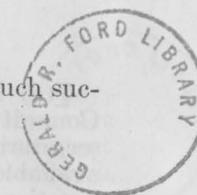
#### 【ADVISORY COMMITTEES

【Sec. 801. (a)(1) For the purpose of advising the Secretary of Health, Education, and Welfare on matters bearing on his responsibilities under this Act and related activities of his Department, there is hereby established in the Department of Health, Education, and Welfare an Advisory Committee on Older Americans, consisting of the Commissioner, who shall be Chairman, and fifteen persons not otherwise in the regular full-time employ of the United States, appointed by the Secretary without regard to the civil service laws. Members shall be selected from among persons who are experienced in or have demonstrated particular interest in special problems of the aging.

【(2) Each member of the Committee shall hold office for a term of three years, except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (B) the terms of office of the members first taking office shall expire, as designated by the Secretary of Health, Education, and Welfare at the time of appointment, five at the end of the first year, five at the end of the second year, and five at the end of the third year after the date of appointment.

【(b) The Secretary of Health, Education, and Welfare is authorized to appoint, without regard to the civil service laws, such technical advisory committees as he deems appropriate for advising him in carrying out his functions under this Act.

【(c) Members of the Advisory Committee or of any technical advisory committee appointed under this section, who are not regular full-time employees of the United States, shall, while attending meetings or conferences of such committee or otherwise engaged on business of such committee be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding \$100 per diem, including travel time, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.



(d) The Commissioner is authorized to furnish to the Advisory Committee such technical assistance, and to make available to it such secretarial, clerical, and other assistance and such pertinent data available to him, as the Committee may require to carry out its functions.

#### ADMINISTRATION

Sec. 802. (a) In carrying out the purposes of this Act, the Secretary is authorized to provide consultative services and technical assistance to public or nonprofit private agencies, organizations, and institutions; to provide short-term training and technical instruction; to conduct research and demonstrations; and to collect, prepare, publish, and disseminate special educational or informational materials, including reports of the projects for which funds are provided under this Act and to provide staff and other technical assistance to the President's Council on Aging.

(b) In administering his functions under this Act, the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit private agency or institution, in accordance with agreements between the Secretary and the head thereof, and to pay therefor, in advance or by way of reimbursement, as may be provided in the agreement.

#### AUTHORIZATION OF APPROPRIATIONS

Sec. 803. The Secretary shall carry out titles IV and V of this Act during the fiscal year ending June 30, 1966, and each of the six succeeding fiscal years. There are hereby authorized to be appropriated \$1,500,000 for the fiscal year ending June 30, 1966, \$3,000,000 for the fiscal year ending June 30, 1967, \$6,400,000 for the fiscal year ending June 30, 1968, \$10,000,000 for the fiscal year ending June 30, 1969, \$12,000,000 for the fiscal year ending June 30, 1970, \$15,000,000 for the fiscal year ending June 30, 1971, and \$20,000,000 for the fiscal year ending June 30, 1972.

#### EVALUATION OF PROGRAMS

Sec. 804. Such portion of any appropriation under title III or VI or section 803 for any fiscal year ending after June 30, 1969, as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the programs authorized by this Act and, in the case of allotments from such an appropriation, the amount available for such allotments (and the amount deemed appropriated therefor) shall be reduced accordingly.

#### JOINT FUNDING OF PROJECTS

Sec. 805. Pursuant to regulations prescribed by the President, where funds are advanced for a single project by more than one Federal agency to an agency, organization, institution, or person assisted under this Act, any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established accord-

ing to the proportion of funds advanced by each Federal agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose.

### The Library Services and Construction Act

#### AUTHORIZATIONS OF APPROPRIATIONS

Sec. 4. (a) For the purpose of carrying out the provisions of this Act the following sums are authorized to be appropriated:

(1) For the purpose of making grants to States for library services as provided in title I, there are authorized to be appropriated \$112,000,000 for the fiscal year ending June 30, 1972, \$117,600,000 for the fiscal year ending June 30, 1973, \$123,500,000 for the fiscal year ending June 30, 1974, \$129,675,000 for the fiscal year ending June 30, 1975, and \$137,150,000 for the fiscal year ending June 30, 1976.

(2) For the purpose of making grants to States for public library construction, as provided in title II, there are authorized to be appropriated \$80,000,000 for the fiscal year ending June 30, 1972, \$84,000,000 for the fiscal year ending June 30, 1973, \$88,000,000 for the fiscal year ending June 30, 1974, \$92,500,000 for the fiscal year ending June 30, 1975, and \$97,000,000 for the fiscal year ending June 30, 1976.

(3) For the purpose of making grants to States to enable them to carry out interlibrary cooperation programs authorized by title III, there are hereby authorized to be appropriated \$15,000,000 for the fiscal year ending June 30, 1972, \$15,750,000 for the fiscal year ending June 30, 1973, \$16,500,000 for the fiscal year ending June 30, 1974, \$17,300,000 for the fiscal year ending June 30, 1975, and \$18,200,000 for the fiscal year ending June 30, 1976.

(4) For the purpose of making grants to States to enable them to carry out public library service programs for older persons authorized by title IV, there are authorized to be appropriated \$11,700,000 for the fiscal year ending June 30, 1973, \$12,300,000 for the fiscal year ending June 30, 1974, \$12,900,000 for the fiscal year ending June 30, 1975, and \$13,700,000 for the fiscal year ending June 30, 1976.

#### ALLOTMENTS TO STATES

Sec. 5. (a)(1) From the sums appropriated pursuant to paragraph (1), (2), (3), or (4) of section 4(a) for any fiscal year, the Commissioner shall allot the minimum allotment, as determined under paragraph (3) of this subsection, to each State. Any sums remaining after minimum allotments have been made shall be allotted in the manner set forth in paragraph (2) of this subsection.

(2) From the remainder of any sums appropriated pursuant to paragraph (1), (2), (3), or (4) of section 4(a) for any fiscal

year, the Commissioner shall allot to each State such part of such remainder as the population of the State bears to the population of all the States.

(3) For the purposes of this subsection, the "minimum allotment" shall be—

(A) with respect to appropriations for the purposes of title I, \$200,000 for each State, except that it shall be \$40,000 in the case of Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

(B) with respect to appropriations for the purposes of title II, \$100,000 for each State, except that it shall be \$20,000 in the case of Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands; [and]

(C) with respect to appropriations for the purposes of title III, \$40,000 for each State, except that it shall be \$10,000 in the case of Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands [and]; and

(D) with respect to appropriations for the purposes of title IV, \$40,000 for each State, except that it shall be \$10,000 in the case of Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

If the sums appropriated pursuant to paragraph (1), (2), [or (3)] (3), or (4) of section 4(a) for any fiscal year are insufficient to fully satisfy the aggregate of the minimum allotments for that purpose, each of such minimum allotments shall be reduced ratably.

(4) The population of each State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

(5) There is hereby authorized for the purpose of evaluation (directly or by grants or contracts) of programs authorized by this Act, such sums as Congress may deem necessary for any fiscal year.

(b) The amount of any State's allotment under subsection (a) for any fiscal year from any appropriation made pursuant to paragraph (1), (2), [or (3)] (3), or (4) of section 4(a) which the Commissioner deems will not be required for the period and the purpose for which such allotment is available for carrying out the State's annual program shall be available for reallocation from time to time on such dates during such year as the Commissioner shall fix. Such amount shall be available for reallocation to other States in proportion to the original allotments for such year to such States under subsection (a) but with such proportionate amount for any of such other State being reduced to the extent that it exceeds the amount which the Commissioner estimates the State needs and will be able to use for such period of time for which the original allotments were made and the total of such reductions shall be similarly reallocated among the States not suffering such a reduction. Any amount reallocated to a State under this subsection for any fiscal year shall be deemed to be a part of its allotment for such year pursuant to subsection (a).

#### STATE PLANS AND PROGRAMS

SEC. 6. (a) Any State desiring to receive its allotment for any purpose under this Act for any fiscal year shall (1) have in effect for such fiscal year a basic State plan as defined in section 3(11) and meet-

ing the requirements set forth in subsection (b), (2) submit an annual program as defined in section 3(13) for the purposes for which allotments are desired, meeting the appropriate requirements set forth in titles I, II, [and III] III and IV, and shall submit (no later than July 1, 1972) a long-range program as defined in section 3(12) for carrying out the purposes of this Act as specified in subsection (d), and (3) establish a State Advisory Council on Libraries which meets the requirements of section 3(8).

\* \* \* \* \*

#### PAYMENTS TO STATES

SEC. 7. (a) From the allotments available therefor under section 5 from appropriations pursuant to paragraph (1), (2), [or (3)] (3), or (4) of section 4(a), the Commissioner shall pay to each State which has a basic State plan approved under section 6(a)(1), an annual program and a long-range program as defined in sections 3 (12) and (13) an amount equal to the Federal share of the total sums expended by the State and its political subdivisions in carrying out such plan, except that no payments shall be made from appropriations pursuant to such paragraph (1) for the purposes of title I to any State (other than the Trust Territory of the Pacific Islands) for any fiscal year unless the Commissioner determines that—

(1) there will be available for expenditure under the programs from State and local sources during the fiscal year for which the allotment is made—

(A) sums sufficient to enable the State to receive for the purpose of carrying out the programs payments in an amount not less than the minimum allotment for that State for the purpose, and

(B) not less than the total amount actually expended, in the areas covered by the programs for such year, for the purposes of such programs from such sources in the second preceding fiscal year; and

(2) there will be available for expenditure for the purposes of the programs from State sources during the fiscal year for which the allotment is made not less than the total amount actually expended for such purposes from such sources in the second preceding fiscal year.

(b)(1) For the purpose of this section, the "Federal share" for any State shall be, except as is provided otherwise in title III and title IV, 100 per centum less the State percentage, and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of all the States (excluding Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), except that (A) the Federal share shall in no case be more than 66 per centum, or less than 33 per centum, and (B) the Federal share for Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 66 per centum, and (C) the Federal share for the Trust Territory of the Pacific Islands shall be 100 per centum.

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## TITLE IV—OLDER READERS SERVICES

## GRANTS TO STATES FOR OLDER READERS SERVICES

SEC. 401. The Commissioner shall carry out a program of making grants to States which have an approved basic State plan under section 6 and have submitted a long-range program and an annual program under section 403 for library services for older persons.

## USES OF FEDERAL FUNDS

SEC. 402. (a) Funds appropriated pursuant to paragraph (4) of section 4(a) shall be available for grants to States from allotments under section 5(a) for the purpose of carrying out the Federal share of the cost of carrying out State plans submitted and approved under section 403. Such grants shall be used for (1) the training of librarians to work with the elderly; (2) the conduct of special library programs for the elderly; (3) the purchase of special library materials for use by the elderly; (4) the payment of salaries for elderly persons who wish to work in libraries as assistants on programs for the elderly; (5) the provision of in-home visits by librarians and other library personnel to the elderly; (6) the establishment of outreach programs to notify the elderly of library services available to them; and (7) the furnishing of transportation to enable the elderly to have access to library services.

(b) For the purposes of this title, the Federal share shall be 100 per centum of the cost of carrying out the State plan.

## STATE ANNUAL PROGRAM FOR LIBRARY SERVICES FOR THE ELDERLY

SEC. 403. Any State desiring to receive a grant from its allotment for the purposes of this title for any fiscal year shall, in addition to having submitted, and having had approved, a basic State plan under section 6, submit for that fiscal year an annual program for library services for older persons. Such program shall be submitted at such time, in such form, and contain such information as the Commissioner may require by regulation and shall—

(1) set forth a program for the year submitted under which funds paid to the State from appropriations pursuant to paragraph (4) of section 4(a) will be used, consistent with its long-range program for the purposes set forth in section 402, and

(2) include an extension of the long-range program taking into consideration the results of evaluations.

## COORDINATION WITH PROGRAMS FOR OLDER AMERICANS

SEC. 404. In carrying out the program authorized by this title, the Commissioner shall consult with the Commissioner of the Administration on Aging and the Director of ACTION for the purpose of coordinating where practicable, the programs assisted under this title with the programs assisted under the Older Americans Act of 1965.

## National Commission on Libraries and Information Science Act

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## FUNCTIONS

SEC. 5. (a) The Commission shall have the primary responsibility for developing or recommending overall plans for, and advising the appropriate governments and agencies on, the policy set forth in section 2. In carrying out that responsibility, the Commission shall—

(1) advise the President and the Congress on the implementation of national policy by such statements, presentations, and reports as it deems appropriate;

(2) conduct studies, surveys, and analyses of the library and informational needs of the Nation, including the special library and informational needs of rural [areas and] areas, of economically, socially, or culturally deprived persons, and of elderly persons, and the means by which these needs may be met through information centers, through the libraries of elementary and secondary schools and institutions of higher education, and through public, research, special, and other types of libraries;

(3) appraise the adequacies and deficiencies of current library and information resources and services and evaluate the effectiveness of current library and information science programs;

(4) develop overall plans for meeting national library and informational needs and for the coordination of activities at the Federal, State, and local levels, taking into consideration all of the library and informational resources of the Nation to meet those needs;

(5) be authorized to advise Federal, State, local, and private agencies regarding library and information sciences;

(6) promote research and development activities which will extend and improve the Nation's library and information-handling capability as essential links in the national communications networks;

(7) submit to the President and the Congress (not later than January 31 of each year) a report on its activities during the preceding fiscal year; and

(8) make and publish such additional reports as it deems to be necessary, including, but not limited to, reports of consultants, transcripts of testimony, summary reports, and reports of other Commission findings, studies, and recommendations.

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## MEMBERSHIP

SEC. 6. (a) The Commission shall be composed of the Librarian of Congress and fourteen members appointed by the President, by and with the advice and consent of the Senate. Five members of the Commission shall be professional librarians or information specialists, and the remainder shall be persons having special competence or interest in the needs of our society for library and information services, at least one of whom shall be knowledgeable with respect to the technological aspects of library and information services and sciences.

One of the members of the Commission shall be designated by the President as Chairman of the Commission. The terms of office of the appointive members of the Commission shall be five years, except that (1) the terms of office of the members first appointed shall commence on the date of enactment of this Act and shall expire two at the end of one year, three at the end of two years, three at the end of three years, three at the end of four years, and three at the end of five years, as designated by the President at the time of appointment, and (2) a member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term, and at least one other of whom shall be knowledgeable with respect to the library and information service and science needs of the elderly.

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### Higher Education Act of 1965

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#### SPECIAL PROGRAMS AND PROJECTS RELATING TO PROBLEMS OF THE ELDERLY

SEC. 110. (a) The Commissioner is authorized to make grants to institutions of higher education (and combinations thereof) to assist such institutions in planning, developing, and carrying out, consistent with the purpose of this title, programs specifically designed to apply the resources of higher education to the problems of the elderly, particularly with regard to transportation and housing problems of elderly persons living in rural and isolated areas.

(b) For purposes of making grants under this section, there are authorized to be appropriated \$5,000,000 for the fiscal year ending June 30, 1973, and each succeeding fiscal year ending prior to July 1, 1977.

(c) In carrying out the program authorized by this section, the Commissioner shall consult with the Commissioner of the Administration on Aging for the purpose of coordinating, where practicable, the programs assisted under this section with the programs assisted under the Older Americans Act of 1965.

#### NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION

SEC. [110] 111. (a) The President shall, within ninety days of enactment of this title, appoint a National Advisory Council on Extension and Continuing Education (hereafter referred to as the "Advisory Council"), consisting of the Commissioner, who shall be Chairman, one representative each of the Departments of Agriculture, Commerce, Defense, Labor, Interior, State, and Housing and Urban Development, and the Office of Economic Opportunity, and of such other Federal agencies having extension education responsibilities as the President may designate, and twelve members appointed, for staggered terms and without regard to the civil service laws, by the President. Such twelve members shall, to the extent possible, include persons knowledgeable in the fields of extension and continuing education, State and local officials, and other persons having special knowledge, experience, or qualification with respect to community problems, and persons

representative of the general public. The Advisory Council shall meet at the call of the Chairman but not less often than twice a year.

(b) The Advisory Council shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 105(b), and policies to eliminate duplication and to effectuate the coordination of programs under this title and other programs offering extension or continuing education activities and services.

(c) The Advisory Council shall review the administration and effectiveness of all federally supported extension and continuing education programs, including community service programs, make recommendations with respect thereto, and make annual reports, commencing on March 31, 1967, of its findings and recommendations (including recommendations for changes in the provisions of this title and other Federal laws relating to extension and continuing education activities) to the Secretary and to the President. The President shall transmit each such report to the Congress together with his comments and recommendations.

(d) In carrying out its functions pursuant to this section, the Advisory Council may utilize the services and facilities of any agency of the Federal Government, in accordance with agreements between the Secretary and the head of such agency.

#### RELATIONSHIP TO OTHER PROGRAMS

SEC. [111] 112. Nothing in this title shall modify authorities under the Act of February 23, 1917 (Smith-Hughes Vocational Education Act), as amended (20 U.S.C. 11-15, 16-28); the Vocational Education Act of 1946, as amended (20 U.S.C. 15i-15m, 15o-15q, 15aa-15jj, and 15aaa-15ggg); the Vocational Education Act of 1963 (20 U.S.C. 35-35n; title VIII of the Housing Act of 1964 (Public Law 88-560); or the Act of May 8, 1914 (Smith-Lever Act), as amended (7 U.S.C. 341-348).

#### LIMITATION

SEC. [112] 113. No grant may be made under this title for any educational program, activity, or service related to sectarian instruction or religious worship, or provided by a school or department of divinity.

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### Adult Education Act

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#### SPECIAL PROJECTS FOR THE ELDERLY

SEC. 310. (a) The Commissioner is authorized to make grants to State and local educational agencies or other public or private nonprofit agencies for programs to further the purpose of this Act by providing educational programs for elderly persons whose ability to speak and read the English language is limited and who live in an area with a culture different than their own. Such programs shall be designed to equip such elderly persons to deal successfully with the practical problems in their everyday life, including the making of purchases, meeting their transpor-

tation and housing needs, and complying with governmental requirements such as those for obtaining citizenship, public assistance and social security benefits, and housing.

(b) For the purpose of making grants under this section there are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1973, and each succeeding fiscal year ending prior to July 1, 1975.

(c) In carrying out the program authorized by this section, the Commissioner shall consult with the Commissioner of the Administration on Aging for the purpose of coordinating, where practicable, the programs assisted under this section with the programs assisted under the Older Americans Act of 1965.

#### NATIONAL ADVISORY COUNCIL ON ADULT EDUCATION

SEC. [310] 311. (a) The President shall appoint a National Advisory Council on Adult Education (hereinafter in this section referred to as the "Council").

(b) The Council shall consist of fifteen members who shall, to the extent possible, include persons knowledgeable in the field of adult education, State and local public school officials, and other persons having special knowledge and experience, or qualifications with respect to adult education, and persons representative of the general public. The Council shall meet initially at the call of the Commissioner and elect from its number a chairman. The Council will thereafter meet at the call of the chairman, but not less often than twice a year.

(c) The Council shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 306 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering adult education activities and services.

(d) The Council shall review the administration and effectiveness of programs under this title, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations. The Secretary of Health, Education, and Welfare shall coordinate the work of the Council with that of other related advisory councils.

#### LIMITATION

SEC. [311.] 312. No grant may be made under this title for any educational program, activity, or service related to sectarian instruction or religious worship, or provided by a school or department of divinity. For purposes of this section, the term "school or department of divinity" means an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

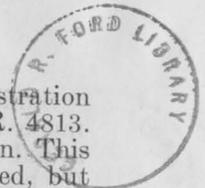
#### APPROPRIATIONS AUTHORIZED

SEC. [312.] 313. (a) There are authorized to be appropriated \$160,000,000 for the fiscal year ending June 30, 1970, \$200,000,000 for the fiscal year ending June 30, 1971, and \$225,000,000 for each of the fiscal years ending June 30, 1972, and June 30, 1973, for the purposes of this title (other than section 310).

(b) There are further authorized to be appropriated for each such fiscal year such sums, not to exceed 5 per centum of the amount appropriated pursuant to subsection (a) for such year, as may be necessary to pay the cost of the administration and development of State plans, and other activities required pursuant to this title. For the fiscal year ending June 30, 1970, and the succeeding fiscal year, nothing in this subsection shall be construed to prohibit the use of any amounts appropriated pursuant to this Act to pay such costs, subject to such limitations as the Commissioner may prescribe.

\* \* \* \* \*





Now let's consider the provisions to which I and the Administration object and which are contained in H.R. 71, but not in H.R. 4813. The three year authorization for H.R. 71 is over \$1.4 billion. This was reduced from almost \$2 billion in H.R. 71 as introduced, but the reduction shrinks to insignificance beside the vast over-promise implied by the authorizations in the reported bill. No President could in good conscience request, and no Congress could responsibly appropriate the amounts authorized. In short, the authorization levels are little more than a public relations gambit which reveal no effort to come to grips with the simple reality that neither the Federal budget nor the American taxpayer have unlimited resources.

The authorizations of "such sums as may be necessary" provided for in H.R. 4813, is a sounder managerial approach, and avoids the "expectation gap" that is created by excess authorizations.

Similarly, the organizational provisions of H.R. 71 reveal a failure to grasp reality (as well as, I might add, a true concern for the aged persons who would be affected by this act). They are unworkable and unnecessary. The Administration on Aging would be moved from the Social and Rehabilitation Services where it is administered with other service-providing programs, to the Office of the Secretary of HEW; authority for carrying AOA's responsibilities under the Act would be vested in the Commissioner on Aging, rather than with the Secretary; and the Commissioner would be prohibited from delegating any of his statutory authority to an officer not directly responsible to him unless he first submits to Congress a delegation plan to which neither House disapproved within 30 days.

Somewhere in this unrestrained interference in managerial matters the bill has lost sight of the fact that these provisions fragment accountability and authority and would gravely interfere with the Secretary's ability to manage and coordinate all the HEW programs that affect the elderly.

Finally, consider the categorical programs and duplicative functions authorized by H.R. 71, all of which are unnecessary and which contribute to the high authorization levels in the bill. There is an authorization for community service employment for those over 55 (Title IX); an authorization for a National Information and Resource Clearing House for the Aging; an authority for support to Multi-disciplinary Centers of Gerontology; an authorization for construction of and mortgage insurance for Multipurpose Senior Centers; and an authority for grants for initial staffing of Multipurpose Senior Centers. Not to mention that, thrown in among this hodgepodge, is a title (VIII) containing amendments to numerous other acts having little or no relation to the Older Americans Act.

What is the purpose of these tacked on, ornamental programs? Title IX, authorizing community service employment, is a manpower program duplicating existing authority administered by the Labor Department. Duplicating existing authority merely creates more bureaucracy and red tape, drastically raising costs without a commensurate improvement of services. The Subcommittee on Select Education apparently recognized this fact when it eliminated Title X, another manpower program duplicating existing authority. So what is the rationale for including Title IX?

## MINORITY VIEWS OF REPRESENTATIVE LANDGREBE ON H.R. 71

The amendments to the Older Americans Act of 1965, which were ordered reported by the Committee on Education and Labor on February 27, 1973, contain numerous highly objectionable provisions which are so irresponsible as to render it unworthy of my support.

H.R. 71 does have at its core a sensible and creative reworking of Title III, which authorizes formula grants to States for services to the elderly. These changes were proposed by the Department of Health, Education and Welfare, which administers the service programs. However, not all of the changes suggested by the Department were incorporated into the bill, while at the same time, many objectionable provisions were added.

Briefly, my objections can be broken down into three categories: (1) Excessive authorization levels, (2) Program reorganization which impedes the delivery of services, and (3) Unnecessary proliferation of categorical programs. It was because of just such provisions that the President vetoed last year's extension of the Older Americans Act, H.R. 15657.

I have, therefore, introduced H.R. 4813, a bill written by the Department of Health, Education and Welfare and supported by the Administration. This bill incorporates the Title III changes recommended by HEW which are not contained in H.R. 71, but does not include the objectionable provisions.

The essential Title III changes made by H.R. 4813 (in addition to, or in lieu of, those made by H.R. 71) are: (1) To provide a three year limitation on funding of social service projects and area plan administration, (2) To provide for a three year declining Federal matching rate on funding for social service projects not funded pursuant to an area plan, (3) To provide authority for regulating fees charged by providers of services, and (4) To change the authorization levels to "such sums as may be necessary."

The declining Federal matching rate (75%, 60%, and 50%) and the three-year limitation on funding of social service projects and area plan administration are an essential part of the Administration's Title III strategy. H.R. 71, on the other hand, would provide permanent Federal funding, rather than having States and localities assume financial responsibility for aging programs after an initial period of Federal financial assistance.

The time limitation contained in my bill would, in contrast, allow new funds to be channeled to new programs and new agencies at the end of three years. The declining Federal share would mean that the community would have to match at the three-year period, thus preparing each project and area to become self-sustaining.

The amendment regarding fee regulation would provide authority to charge fees for services based upon ability to pay, and is in keeping with the Administration's policy of focusing free services on the poorest recipients.

Similarly with the narrow categorical programs. They involve much bureaucracy and great additional cost, and, of course, they sound ever so nice when a politician needs evidence to demonstrate (?) his immense, altruistic concern for the elderly, but they do little in the way of providing any appropriate and needed services.

In addition, consider H.R. 71 in light of the record of the Nixon Administration's support of programs and legislation for the elderly. Under President Nixon, the budget for the Administration on Aging rose from \$24 million in fiscal 1969 to a budget request of \$244 million for fiscal 1974. In addition to these expenditures for services to the aged, I would like to note the projected fiscal 1974 level of other benefits for the aged. The President's fiscal 1974 budget reflects a total of \$69.1 billion in income security benefits for the aged. This figure includes over \$31 billion in annuities to primary beneficiaries and over \$37 billion in benefits to aged persons who are not primary beneficiaries.

These figures mean that approximately 20% of the entire Federal budget for fiscal 1974 will be devoted to benefits for the aged who make up about 10% of our population.

In light of all this, what possible justification is there for H.R. 71? I can think of only one: Many Members of Congress reflect little concern with the rising taxes and the inflation that is eating away at the earnings and savings of all Americans; nor do they reflect concern for the elderly, who would be misled by the excessive authorizations and the pretty sounding hodgepodge of categorical and duplicative programs; rather they seem concerned only with the political expediency of being "for" and not "against" the elderly—at the expense of all taxpaying Americans, including our elderly citizens.

I offered H.R. 4813 in committee as a substitute for H.R. 71. Although it was not adopted, the committee members were confronted with a choice: a bill extending and improving the Older Americans Act in accordance with the Nixon Administration's policy of generous support of the elderly; or a bill which, while extending and improving the Older Americans Act, also adds enormous and unnecessary costs, and an irresponsible proliferation of the bureaucracy, while dictating a restrictive, cost-inflating reorganization of HEW.

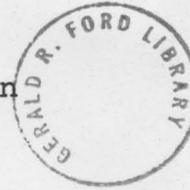
I chose the former; I regret that so many of my colleagues chose the latter.

EARL F. LANDGREBE.



3/6/73

Background Material  
Older Americans Legislation



Basic problems with the pending bills:

- Excessive appropriations authorizations, with differing versions of the bills authorizing appropriations ranging from \$373 million to \$653 million over the 1974 budget.
- Establishment of numerous new and separate categorical grant programs, duplicating present activities, impeding the efficient use of funds and tying the hands of State and local officials in dealing with local problems.
- Mandating by statute organizational and administrative arrangements which severely limit the efforts of the Secretary of HEW to assure effective management of the program and adequate coordination with related activities in HEW.

Assistance to the elderly has been a high priority objective of this Administration, a fact which is demonstrated by the trend of funding:

- Programs of the Administration on Aging will have risen from \$28 million in 1970 to \$196 million in 1974, a seven-fold increase in only four years.
- Social Security benefits rates have been increased by 51% in the last four years, and cash benefits paid to the elderly will have increased from \$22.5 billion in 1970 to \$41.5 billion in 1974.
- Medicare and Medicaid benefits for the elderly will have increased from \$7.8 billion in 1970 to \$11.5 billion in 1974.
- Total Federal outlays which benefit the elderly will have increased 71% from 1970 to 1974, rising from \$37.2 billion to \$63.8 billion.
- In 1974, Federal outlays to benefit the elderly represent almost 24% of the total Federal budget, up from less than 18% in 1970.

1970-28  
74-196

F.Y. 70 to 74 } 71% ↑

F.Y. 74