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2d Session }

JOINT COMMITTEE PRINT

LEGISLATIVE HISTORY OF THE OLDER  
AMERICANS COMPREHENSIVE  
SERVICES AMENDMENTS  
OF 1972

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H.R. 15657—Not Approved—Pocket Vetoed  
By President, October 28, 1972

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PREPARED BY THE  
SUBCOMMITTEE ON AGING  
OF THE  
COMMITTEE ON LABOR AND  
PUBLIC WELFARE  
AND THE  
SPECIAL COMMITTEE ON AGING  
UNITED STATES SENATE



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Public Welfare and the Special Committee on Aging

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## FOREWORD

Congress had several major objectives when it passed the Older Americans Act in 1965.

An Administration on Aging was to act as a central spokesman at the Federal level.

Community-based programs were to deliver vitally needed social services, including employment referral assistance, meals-on-wheels, services to help older persons live independently in their own homes, and many others.

Research and demonstration programs were to test out innovative ideas.

Training grants were to provide the skilled personnel needed as programs on aging increased in size and number.

Congress acted in 1967<sup>1</sup> and in 1969<sup>2</sup> to strengthen the Administration on Aging and provide new programs to serve the elderly.

But, even though the Congress had clearly expressed its support for a broadened and powerful Administration on Aging, a number of actions taken since 1967 have raised serious doubts about the capability of AoA to fulfill the mission assigned to it by law.

AoA was placed within a new Social and Rehabilitation Service, slipping deeply down into the lower echelons of the Department of Health, Education, and Welfare bureaucracy. Programs were taken from AoA and placed elsewhere. And the AoA funding level request was slashed to the bone early in 1971—the year of the White House Conference on Aging. Fortunately, Congressional hearings and the White House Conference on Aging provided irresistible momentum for more adequate appropriations.

Even as Congress voted more funds for AoA, legislative units in both Houses worked all through 1971 to assure that the Older Americans Act would be considerably improved by new law when its authority expired by June 30, 1972.

In the Senate, the Subcommittee on Aging of the Committee on Labor and Public Welfare conducted joint hearings with the Special Committee on Aging to evaluate the performance of AoA and to consider proposals for change. These hearings were followed by extensive legislative hearings in the House and the Senate. All in all, the Congress gave meticulous and intensive attention to the bill which emerged as the Older Americans Comprehensive Services Amendments. In July the House passed the bill by a vote of 351 to 3. A similar measure was passed, 89-0 by the Senate in October; and differences were soon resolved in Conference.

<sup>1</sup> Public Law 90-42, approved July 1, 1967.

<sup>2</sup> Public Law 91-69, approved September 17, 1969.

The result of these labors was a bill which included these major provisions:

Upgrading the AoA by transferring it out of the welfare-oriented Social and Rehabilitation Service to the office of the HEW Secretary.

Establishing new model programs to focus on high priority problems of the aged, including housing, transportation, and improved social services for elderly handicapped persons.

Increasing funding authorizations for existing programs under the Older Americans Act.

Strengthening and improving the Foster Grandparent and Retired Senior Volunteer Programs.

Authorizing funding for the establishment of multipurpose senior centers.

Establishing a Senior Service Corps for low-income persons 55 or older.

Creating a midcareer development services program in the Department of Labor to provide training, counseling, placement, recruitment, and other supportive services for unemployed or underemployed individuals 45 or older.

Despite the strong bipartisan support for the Comprehensive Older Americans Services Amendments, President Nixon vetoed this bill in late October. Because the measure was disapproved after the Congress adjourned, there was no opportunity to pass the bill without the signature of the President.

Consequently, it will be necessary during the 93d Congress to consider legislation to amend the Older Americans Act; and it is absolutely essential to take action early in 1973 to resolve the mounting uncertainties in the field of aging because of the veto of the Comprehensive Older Americans Act.

Seven years of experience under the Older Americans Act have demonstrated beyond any doubt that the Nation is in need of the high-level agency on aging envisioned by Congress back in 1965. The legislation passed and vetoed in 1972 would have taken us a long way toward that goal. It is imperative that Congress give priority to consideration of those amendments soon after the session begins in January.

HARRISON A. WILLIAMS, Jr.,  
*Chairman, Committee on Labor and Public Welfare.*

THOMAS F. EAGLETON,  
*Chairman, Subcommittee on Aging of the Committee on Labor and Public Welfare.*

FRANK CHURCH,  
*Chairman, Special Committee on Aging.*

## OLDER AMERICANS ACT

OCTOBER 11, 1972.—Ordered to be printed

Mr. EAGLETON, from the committee of conference,  
submitted the following

### CONFERENCE REPORT

[To accompany H.R. 15657]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15657) to strengthen and improve the Older Americans Act of 1965, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

*That this Act may be cited as the "Older Americans Comprehensive Services Amendments of 1972".*

#### TITLE I—DECLARATION OF OBJECTIVES

##### FINDINGS AND PURPOSES

*SEC. 101. The Congress finds that millions of older citizens in this Nation are suffering unnecessary harm from the lack of adequate services. It is therefore the purpose of this Act, in support of the objectives of the Older Americans Act of 1965, to—*

*(1) make available comprehensive programs which include a full range of health, education, and social services to our older citizens who need them,*

*(2) give full and special consideration to older citizens with special needs in planning such programs, and, pending the availability of such programs for all older citizens, give priority to the elderly with the greatest economic and social need,*

*(3) provide comprehensive programs which will assure the coordinated delivery of a full range of essential services to our*

older citizens, and, where applicable, also furnish meaningful employment opportunities for many individuals, including older persons, young persons, and volunteers from the community, and

(4) insure that the planning and operation of such programs will be undertaken as a partnership of older citizens, parents, community, and community, State and local governments, with appropriate assistance from the Federal Government.

SEC. 102. Section 101(8) of the Older Americans Act of 1965 is amended by inserting after "services" the following: ", including access to low-cost transportation,".

## TITLE II—ADMINISTRATION ON AGING

SEC. 201. (a) Section 201 of the Older Americans Act of 1965 is amended to read as follows:

### "ESTABLISHMENT OF ADMINISTRATION ON AGING

"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 Older Americans Comprehensive Services Act of 1972, 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."

(b) (1) Section 202(4) of the Older Americans Act of 1965 is amended to read as follows:

"(4) develop plans, conduct and arrange for research 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;"

(2) Section 202 of the Older Americans Act of 1956 is amended by striking out "and" at the end of paragraph (7), by striking out

the period at the end of paragraph (8) and inserting in lieu thereof “; and”, and by adding at the end thereof the following new paragraphs:

“(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 non-profit 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 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.”

(3) Section 202 of the Act (as amended by the preceding provisions of this subsection) is further amended by inserting “(a)” after “Sec. 202.”, and by adding at the end thereof the following new subsection:

“(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.”

(c) Title II of the Older Americans Act of 1965 is further amended by adding at the end thereof the following new sections:



"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 not 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, 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 Governor and legislatures of the States, the results thereof and such recommendations as he deems necessary.

#### “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."

SEC. 202. Title VIII of the Older Americans Act of 1965 is hereby repealed.

### TITLE III—GRANTS FOR STATE AND AREA PROGRAMS

SEC. 301. The Older Americans Act of 1965 is amended by striking out title III and inserting in lieu thereof the following new title:

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

##### "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 \$100,000,000 for the fiscal year ending June 30, 1973, \$200,000,000 for the fiscal year ending June 30, 1974, and \$300,000,000 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 of 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 desig-*



*nating 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 for 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 \$100,000, 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, whichever 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 expenditures 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 reason-*

able 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, letter writing services, and other services designed to assist such individuals in leading a more independent life.

"(b) For the purpose of carrying out this section, there are authorized to be appropriated \$70,000,000 for the fiscal year ending June 30, 1973, \$105,000,000 for the fiscal year ending June 30, 1974, and \$140,000,000 for the fiscal year ending June 30, 1975."

#### **TITLE IV—TRAINING AND RESEARCH**

*SEC. 401. The Older Americans Act of 1965 is amended by striking out titles IV and V and by inserting immediately after title III the following new title:*

#### **"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 curricula and curricula 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.

**“SPECIAL STUDY AND DEMONSTRATION PROJECTS ON THE TRANSPORTATION PROBLEMS OF OLDER AMERICANS**

“**SEC. 412. (a)** *The Commissioner 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 practicable and can be implemented in a timely fashion. In conducting the study and survey, the Commissioner 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 improved procedures for obtaining motor vehicle insurance by older Americans to be implemented for use in a coordinated transportation system.*

“(b) *In connection with the study required by subsection (a), the Commissioner, in coordination with the Secretary of Transportation and the Secretary of Housing and Urban Development, shall conduct research and demonstration projects, either directly or by grants or contracts with public or private nonprofit agencies and organizations, in order to—*

“(1) *demonstrate possible solutions of economic and service aspect of furnishing adequate transportation to older persons in rural and urban areas including transportation services furnished by social service agencies;*

“(2) *demonstrate improvement of transportation services available to older persons with emphasis on (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) making payments directly to older persons to enable them to obtain reasonable and necessary transportation services;*

“(3) *demonstrate improved coordination between transportation systems and social service delivery systems; and*

"(4) demonstrate innovative solutions for other special transportation problems confronting older Americans.

"(c) At least half of the projects authorized under subsection (b) of this section shall be conducted in States that are predominantly rural in character.

"(d) Not later than June 30, 1975, the Commissioner shall prepare and transmit to the Secretary, to the President, and to the Congress, a report on his 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 not later than June 30, 1975, as he deems advisable.

"(e) In carrying out the study and survey, and the demonstration and research projects under this section, the Commissioner is authorized to—

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

"(2) 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 Commissioner upon request made by him.

"(f) There are authorized to be appropriated for the purposes of this section \$7,500,000 for the fiscal year ending June 30, 1973; \$15,000,000 for fiscal year ending June 30, 1974; and \$20,000,000 for fiscal year ending June 30, 1975.

#### "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 subprofessional 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 \$15,000,000 for the fiscal year ending June 30, 1973, \$20,000,000 for the fiscal year ending June 30, 1974, and \$25,000,000 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 (except section 412), \$20,000,000 for 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.

##### “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

SEC. 501. *The Older Americans Act of 1965 is further amended by inserting immediately after title IV the following new title:*

### “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 nonprofit 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, \$35,000,000 for the fiscal year ending June 30, 1973, and each succeeding 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 fund, 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 private 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 appropriation 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**

*SEC. 601. Section 601 of the Older Americans Act of 1965 is amended by adding at the end thereof the following new subsection:*

*"(d) Notwithstanding any other provision of law, no compensation provided to individual volunteers under this part shall be considered income for any purpose whatsoever."*

*SEC. 602. Section 603 of the Older Americans Act of 1965 is amended by inserting immediately before the period at the end thereof the following: "and \$20,000,000 for 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".*

*SEC. 603. (a) The heading of part B of title VI of the Older Americans Act of 1965 is amended to read as follows:*

**"FOSTER GRANDPARENT PROGRAM AND OLDER AMERICANS COMMUNITY SERVICE PROGRAMS".**

*(b) Section 611 of such Act is amended to read as follows:*

*"SEC. 611. (a) The Commissioner is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay part or all of the cost of 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.*

*"(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.*

*"(c) Payments under this part pursuant to a grant or contract may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, in such installments and on such 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."*

*(c) The first sentence of section 613 of such Act is amended to read as follows:*

*"In administering this part, the Commissioner shall consult with the Office of Economic Opportunity, the 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."*

*SEC. 604. Section 614 of the Older Americans Act is amended to read as follows:*

*"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."*

*SEC. 605. The authorities conferred upon the Commissioner of the Administration on Aging by the amendments made in this title shall be carried out pursuant to delegations of authority, reorganization plans, and transfers made effective prior to the date of enactment of*

*this Act with respect to authorities conferred upon the Secretary of the Department of Health, Education, and Welfare under title VI of the Older Americans Act of 1965, as amended.*

## TITLE VII—NUTRITION PROGRAM

### AVAILABILITY OF SURPLUS COMMODITIES

*SEC. 701. Section 707 of the Older Americans Act of 1965 is amended to read as follows:*

#### “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.”*

*SEC. 702. 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, 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.”*

#### STATE PLANNING

*SEC. 703. 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 spelling out “any fiscal year” in this section in lieu thereof “each fiscal”; 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.”*

#### CONFORMING AMENDMENT

*SEC. 704. (a) The first sentence of section 705(a) of the Older Americans Act of 1965 is amended by striking out “303” the first time it appears in such sentence and inserting in lieu thereof “304” and by striking out “303” the second time it appears in such sentence and inserting in lieu thereof “305”.*

(b) Section 705(a) (1) of the Older Americans Act of 1965 is amended by striking out "303" and inserting in lieu thereof "304".

(c) Title VII of the Older Americans Act of 1965 is amended by striking out "Secretary" wherever in such title the term refers to the Secretary of Health, Education, and Welfare, and inserting in lieu thereof "Commissioner".

## TITLE VIII—AMENDMENTS TO OTHER ACTS

### AMENDMENT TO LIBRARY SERVICES AND CONSTRUCTION ACT

SEC. 801. (a) *The Library Services and Construction Act (20 U.S.C. 351 et seq.) is amended by adding at the end thereof the following new title:*

#### "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."*

*(b) Section 4(a) of the Library Services and Construction Act is amended by adding at the end thereof the following new paragraph:*

*"(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."*

*(c) (1) Section 5(a) (1) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".*

*(2) Section 5(a) (2) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".*

*(3) Section 5(a) of such Act is amended by striking out the word "and" at the end of subparagraph (B) thereof, by striking out the period at the end of subparagraph (C) and inserting in lieu thereof a semicolon and the word "and", and by inserting after subparagraph (C) thereof the following:*

*"(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."*

*(4) The last sentence of section 5(a) (3) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".*

*(5) Section 5(b) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".*

*(c) Section 6(a) of such Act is amended by striking out "and III" and inserting in lieu thereof "III and IV".*

*(d) (1) Section 7(a) of such Act is amended by striking out "or (3)" and inserting in lieu thereof "(3), or (4)".*

*(2) Section 7(b) (1) of such Act is amended by inserting "and title IV" after "title III".*

*(e) The amendments made by subsections (a), (b), and (c) of this section shall be effective after June 30, 1972.*

**AMENDMENT TO NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT**

*SEC. 802. (a) Section 5(a) (2) of the National Commission on Libraries and Information Science Act is amended by striking out "and" after "areas" and inserting a comma in lieu thereof, and by inserting after "deprived persons," the following: "and of elderly persons,".*

(b) *The second sentence of section 6(a) (20 U.S.C. 1505(a)) of such Act is amended by inserting before the period at the end thereof the following: "and at least one other of whom shall be knowledgeable with respect to the library and information service and science needs of the elderly"*.

AMENDMENT TO HIGHER EDUCATION ACT OF 1965

*SEC. 803. Title I of the Higher Education Act of 1965 is amended by redesignating sections 110, 111 and 112 (and cross references thereto) as 111, 112 and 113, respectively, and by inserting after section 109 the following new section:*

"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."*

AMENDMENT TO ADULT EDUCATION ACT

*SEC. 804. (a) The Adult Education Act (20 U.S.C. 1201 et seq.) is amended by redesignating sections 310, 311, and 312 (and cross references thereto) as sections 311, 312, and 313, respectively, and by inserting after section 309 the following new section:*

"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 non-profit 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 transportation 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.”

(b) Section 313(a) of such Act, as redesignated, is amended by inserting before the period at the end thereof the following: “(other than section 310)”.

#### ADDITIONAL AUTHORIZATION FOR SENIOR OPPORTUNITIES AND SERVICES

SEC. 805. In addition to the amounts authorized to be appropriated and allocated pursuant to the Economic Opportunity Amendments of 1972, there is further authorized to be appropriated \$7,000,000 annually for the fiscal year ending June 30, 1973, and the succeeding fiscal year, to be used for the Senior Opportunities and Services program described in section 222(a)(7) of the Economic Opportunity Act of 1964.

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

#### SHORT TITLE

SEC. 901. This title may be cited as the “Older American Community Service Employment Act”.

#### OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT PROGRAM

SEC. 902. (a) In order to foster and promote useful part-time work opportunities in community service activities for unemployed low-income persons who are fifty-five years old or older and who have poor employment prospects, the Secretary of Labor (hereinafter referred to as the “Secretary”) is authorized to establish an older American community service employment program (hereinafter referred to as the “program”).

(b) In order to carry out the provisions of this title, the Secretary is authorized—

(1) to enter into agreements with public or private nonprofit agencies or organizations, agencies of a State government or a political subdivision of a State (having elected or duly appointed governing officials), or a combination of such political subdivisions, or Indian tribes on Federal or State reservations in order to further the purposes and goals of the program. Such agreements may include provisions for the payment of costs, as provided in subsection (c), of projects developed by such organizations and agencies in cooperation with the Secretary in order to make the program effective or to supplement it. No payments shall be made by the Secretary toward the cost of any project established or administered by any such organization or agency unless he determines that such project—

(A) will provide employment only for eligible individuals, except for necessary technical, administrative, and super-

visory personnel, but such personnel shall, to the fullest extent possible, be recruited from among eligible individuals;

(B) will provide employment for eligible individuals in the community in which such individuals reside, or in nearby communities;

(C) will employ eligible individuals in services related to publicly owned and operated facilities and projects, or projects sponsored by organizations exempt from taxation under the provisions of section 501(c)(3) of the Internal Revenue Code of 1954 (other than political parties), except projects involving the construction, operation, or maintenance of any facility used or to be used as a place for sectarian religious instruction or worship;

(D) will contribute to the general welfare of the community;

(E) will provide employment for eligible individuals whose opportunities for other suitable public or private paid employment are poor;

(F) will result in an increase in employment opportunities for eligible individuals, and will not result in the displacement of employed workers or impair existing contracts;

(G) will utilize methods of recruitment and selection (including, but not limited to, listing of job vacancies with the employment agency operated by any State or political subdivision thereof) which will assure that the maximum number of eligible individuals will have an opportunity to participate in the project;

(H) will include such training as may be necessary to make the most effective use of the skills and talents of those individuals who are participating, and will provide for the payment of the reasonable expenses of individuals being trained, including a reasonable subsistence allowance;

(I) will assure that safe and healthy conditions of work will be provided, and will assure that persons employed in public service jobs assisted under this title shall be paid wages which shall not be lower than whichever is the highest of (i) the minimum wage which would be applicable to the employee under the Fair Labor Standards Act of 1938, if section 6(a)(1) of such Act applied to the participant and if he were not exempt under section 13 thereof, (ii) the State or local minimum wage for the most nearly comparable covered employment, or (iii) the prevailing rates of pay for persons employed in similar public occupations by the same employer;

(J) will be established or administered with the advice of persons competent in the field of service in which employment is being provided, and of persons who are knowledgeable with regard to the needs of older persons;

(K) will authorize pay for necessary transportation costs of eligible individuals which may be incurred in employment in any project funded under this title in accordance with regulations promulgated by the Secretary; and



(L) will assure that to the extent feasible such projects will serve the needs of minority, Indian, and limited English-speaking eligible individuals in proportion to their numbers in the State;

(2) to make, issue, and amend such regulations as may be necessary to effectively carry out the provisions of this title.

(c) (1) The Secretary is authorized to pay not to exceed 90 per centum of the cost of any project which is the subject of an agreement entered into under subsection (b), except that the Secretary is authorized to pay all of the costs of any such project which is (A) an emergency or disaster project or (B) a project located in an economically depressed area as determined in consultation with the Secretary of Commerce and the Director of the Office of Economic Opportunity.

(2) The non-Federal share shall be in cash or in kind. In determining the amount of the non-Federal share, the Secretary is authorized to attribute fair market value to services and facilities contributed from non-Federal sources.

#### ADMINISTRATION

SEC. 903. (a) In order to effectively carry out the purposes of this title, the Secretary is authorized to consult with agencies of States and their political subdivisions with regard to—

(1) the localities in which community service projects of the type authorized by this title are most needed;

(2) consideration of the employment situation and the types of skills possessed by available local individuals who are eligible to participate; and

(3) potential projects and the number and percentage of eligible individuals in the local population.

(b) (1) The Secretary is authorized and directed to require agencies and organizations administering community service projects and other activities assisted under this title to coordinate their projects and activities with agencies and organizations conducting related manpower and unemployment programs receiving assistance under this Act and under other authorities such as the Economic Opportunity Act of 1964, the Manpower Development and Training Act of 1962, and the Emergency Employment Act of 1971. In carrying out the provisions of this paragraph, the Secretary is authorized to make necessary arrangements to include projects and activities assisted under this title within a common agreement and a common application with projects assisted under this Act and other provisions of law such as the Economic Opportunity Act of 1964, the Manpower Development and Training Act of 1962, the Emergency Employment Act of 1971.

(2) The Secretary is authorized to make whatever arrangements that are necessary to carry out the programs assisted under this title as part of any general manpower legislation hereafter enacted, except that appropriations for programs assisted under this title may not be expended for programs assisted under that title.

(c) In carrying out the provisions of this title, the Secretary is authorized to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reim-

bursement, and on a similar basis to cooperate with other public and private agencies, and instrumentalities in the use of services, equipment, and facilities.

(d) The Secretary shall establish criteria designed to assure equitable participation in the administration of community service projects by agencies and organizations eligible for payment under section 902(b).

(e) Payments under this title may be made in advance or by way of reimbursement and in such installments as the Secretary may determine.

(f) The Secretary shall not delegate his functions and duties under this title to any other department or agency of Government.

#### PARTICIPANTS NOT FEDERAL EMPLOYEES

SEC. 904. (a) Eligible individuals who are employed in any project funded under this title shall not be considered to be Federal employees as a result of such employment and shall not be subject to the provisions of part III of title 5, United States Code.

(b) No contract shall be entered into under this title with a contractor who is, or whose employees are, under State law, exempted from operation of the State workmen's compensation law, generally applicable to employees, unless the contractor shall undertake to provide either through insurance by a recognized carrier, or by self insurance, as allowed by State law, that the persons employed under the contract, shall enjoy workmen's compensation coverage equal to that provided by law for covered employment. The Secretary must establish standards for severance benefits, in lieu of unemployment insurance coverage, for eligible individuals who have participated in qualifying programs and who have become unemployed.

#### INTERAGENCY COOPERATION

SEC. 905. The Secretary shall consult and cooperate with the Office of Economic Opportunity, the Administration on Aging, the Department of Health, Education, and Welfare, and any other related Federal agency administering related programs, with a view to achieving optimal coordination with such other programs and shall promote the coordination of projects under this title with other public and private programs or projects of a similar nature. Such Federal agencies shall cooperate with the Secretary in disseminating information about the availability of assistance under this title and in promoting the identification and interests of individuals eligible for employment in projects funded under this title.

#### EQUITABLE DISTRIBUTION OF ASSISTANCE

SEC. 906. (a) (1) From the sums appropriated for any fiscal year under section 908 there shall be initially allotted for projects within each State an amount which bears the same ratio to such sum as the population, aged fifty-five or over in such State bears to the population aged fifty-five 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 fifty-five 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 allotted for projects within any State under subsection (a) for 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 may fix, to projects within other States in proportion to the original allotments to projects within 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 estimates that projects within such State need 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. 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 amount apportioned for projects within each State under subsection (a) shall be apportioned among areas within each such State in an equitable manner, taking into consideration the proportion which eligible persons in each such area bears to such total number of such persons, respectively, in that State.

#### DEFINITIONS

SEC. 907. As used in this title—

(a) "State" means any of the several States of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands;

(b) "eligible individual" means an individual who is fifty-five years old or older, who has a low income, and who has or would have difficulty in securing employment, except that pursuant to regulations prescribed by the Secretary any such individual who is sixty years old or older shall have priority for the work opportunities provided for under this Act;

(c) "community service" means 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.

#### AUTHORIZATION OF APPROPRIATIONS

SEC. 908. There are hereby authorized to be appropriated \$100,000,000 for the fiscal year ending June 30, 1973, and \$150,000,000 for fiscal year ending June 30, 1974, to carry out the provisions of this title.

## TITLE X—MIDDLE-AGED AND OLDER WORKERS TRAINING

### SHORT TITLE

*SEC. 1001. This title may be cited as the "Middle-Aged and Older Workers Training Act".*

### DECLARATION OF FINDINGS

*SEC. 1002. The Congress hereby finds and declares that—*

(1) *inflation has forced middle-aged and older persons to bear growing economic burdens, particularly if they are living on limited, fixed incomes;*

(2) *millions of middle-aged and older Americans wish to continue in or obtain employment in order to provide adequately for themselves and to contribute to the Nation as productive citizens;*

(3) *millions of middle-aged and older Americans are frustrated in these goals and find it increasingly difficult to retain or obtain employment of a remunerative and meaningful nature, as a result of their inability to keep pace with a dynamic economy and changing technology;*

(4) *without additional legislation, the Age Discrimination in Employment Act of 1967 cannot reasonably be expected to deal adequately with age discrimination in employment which acts to deny employment opportunities for middle-aged and older workers;*

(5) *as a result of the lack of full opportunity and adequate training and supportive services more than a million men and women between the ages of fifty-five and sixty-four have given up the active search for work and hundreds of thousands of men and women between the ages of sixty-two and sixty-four have been forced to retire, with inadequate benefits, resulting in individual frustration, impaired morale and loss of sense of worth and dignity;*

(6) *in addition to individual loss, the Nation as a whole loses the benefits which may be contributed by middle-aged and older persons and incurs needless costs in unemployment compensation and public assistance which can be reckoned in billions of dollars; and*

(7) *providing middle-aged and older workers training and educational opportunities and supportive services leading to remunerative and meaningful employment opportunities will increase their incomes and benefit their physical and mental well-being, as well as strengthen the Nation's economy.*

### STATEMENT OF PURPOSE

*Sec. 1003. It is the purpose of this title to establish and assist training programs and relative supportive services which will provide middle-aged and older workers a full opportunity for remunerative and meaningful employment; to assist further in eliminating discriminatory practices which deny work to qualified persons solely on ac-*

count of age; to improve and extend existing programs designed to facilitate training and the matching of skills and jobs; to assist middle-aged and older workers, and employers, labor unions, and educational institutions to prepare for and adjust to anticipated changes in technology in jobs, in educational requirements, and in personnel practices and to otherwise stimulate innovative approaches to make employment opportunities more accessible to middle-aged and older persons.

#### AUTHORIZATIONS

*SEC. 1004.* For the fiscal year ending June 30, 1973, the Secretary is authorized to carry out the provisions of this title from funds otherwise available for similar programs. There is authorized to be appropriated for the purpose of carrying out the provisions of this title, \$100,000,000 for the fiscal year ending June 30, 1974.

### PART A—MIDCAREER DEVELOPMENT SERVICE PROGRAM

#### PROGRAM ESTABLISHED

*SEC. 1011.* There is hereby established a comprehensive midcareer development service program, to be administered by the Manpower Administration in the Department of Labor, to assist middle-aged and older workers to retain and obtain remunerative employment by providing manpower training, counseling, and special supportive services to such workers.

#### TRAINING PROGRAMS

*SEC. 1012.* (a) The Secretary, through the Manpower Administration, is authorized to make loans and grants to public and private non-profit agencies, institutions, and organizations and to individuals for manpower training, including on-the-job, institutional, residential, and other training, designed to upgrade the work skills and capabilities of middle-aged and older persons.

(b) Any grant or loan made pursuant to this section may be used to pay all or part of the cost of training under any such program plus such stipends (including allowances for subsistence or other expenses) for such persons and their dependents as he may determine to be consistent with prevailing practices under comparable Federal programs.

(c) A grant or loan under this section shall be made on such terms and conditions as the Secretary shall prescribe and may be made only upon application to the Secretary at such time or times and containing such information as he deems necessary. The Secretary shall not approve an application unless it sets forth a program for training which meets criteria established by him, including training costs and tuition schedules.

(d) The Secretary shall pay to each applicant who has an application approved by him part or all of the cost of the program set forth in such application.

(e) Individuals receiving payments under the provisions of this section while undergoing training shall continue to receive such payments only during such period as the Secretary finds that they are maintaining satisfactory proficiency in such training program.

(f) The Secretary is authorized to enter into agreements to provide loan guarantees to lending institutions on such terms and conditions

as the Secretary shall prescribe in order to permit such institutions to make loans to middle-aged and older persons for training which qualifies under this section.

#### TRAINING PERSONS TO TRAIN AND RETRAIN MIDDLE-AGED AND OLDER WORKERS

SEC. 1013. *The Secretary is authorized to develop and carry out a program under which an adequate number of persons are trained to understand the manpower training and educational needs of middle-aged and older persons and to become qualified to train and retrain middle-aged and older workers in skills needed in the economy in the community in which such workers reside. Such programs shall emphasize developing innovative techniques for training middle-aged and older persons.*

#### SPECIAL SERVICES FOR MASS LAYOFFS

SEC. 1014. *The Secretary is authorized to recruit and train personnel within the Department of Labor to be made available to localities in which substantial numbers of middle-aged and older persons are unemployed as a result of the closing of a plant or factory or a permanent large-scale reduction in the work force in such locality. In carrying out the provisions of this section, the Secretary is authorized to provide such persons with recruitment, placement, and counseling services.*

#### SPECIALIZED SERVICES

SEC. 1015. (a) *The Secretary shall establish and carry out specialized services for middle-aged and older workers who desire to improve their employability, to receive manpower training to improve their capabilities at their present employment, or to obtain counseling in planning to maximize earning opportunities for the remainder of their working lives.*

(b) *The Secretary is authorized to recruit and train manpower specialists, including older and retired employment counselors and personnel directors to serve in programs authorized under this section.*

#### EMPLOYMENT SERVICES FOR PART-TIME EMPLOYMENT

SEC. 1016. *The Secretary may, where appropriate, make special provisions through the United States employment service, or with the advice and assistance of the employment service, by means of grants to or contracts with nonprofit volunteer agencies to assist such agencies in securing part-time or temporary employment for additional members of middle-aged and older persons who wish such employment.*

### PART B—SPECIAL REPORTS AND STUDIES

#### RESEARCH AND INFORMATION PROGRAMS

SEC. 1021. (a) *The Secretary is authorized to enter into grants, contracts, and other arrangements with public and private agencies and institutions to conduct such research and demonstration projects as he determines will contribute to carrying out the purposes of this title.*

(b) *In carrying out the purposes of this title the Secretary is authorized to publish and disseminate materials and other information relat-*

*ing to training and job opportunities for middle-aged and older individuals and to conduct such special informational and educational programs as he determines appropriate.*

#### MANPOWER STUDIES

*SEC. 1022. (a) The Secretary is authorized and directed to undertake, either directly or by way of grant or contract, a thorough study of manpower programs authorized by provisions of Federal law other than this title, and other federally assisted training programs to determine whether such programs are responsive to the needs of the middle-aged and older persons. The Secretary shall report the findings and recommendations of this study, and his own recommendations with respect to additional legislation, to the President for transmittal to the Congress not later than July 1, 1973.*

*(b) In conducting this study the Secretary shall not employ or contract with any individual, institution, organization, or agency providing advice or technical assistance for any program described in subsection (a) of this section.*

#### EXTENDED UNEMPLOYMENT COMPENSATION

*SEC. 1023. The Secretary shall study the feasibility of establishing a program of extended unemployment compensation benefits for unemployed older workers who have exhausted their unemployment compensation. On or before July 1, 1973, the Secretary shall report to the Congress and the President his findings and recommendations with respect to such a program of allowances.*

#### COMPENSATION AND DISABILITY INSURANCE

*SEC. 1024. The Secretary shall prepare and submit a report to the Congress not later than July 1, 1973, on means of eliminating the lack of coverage and other inadequacies in workmen's compensation and disability insurance programs, health insurance, and pension plans, particularly as they affect adversely the employment of middle-aged and older workers.*

#### FEDERAL EMPLOYMENT OPPORTUNITIES STUDY

*SEC. 1025. (a) The Comptroller General of the United States is authorized and directed to undertake a study of part-time employment in the executive branch of the Government of the United States and to make a report of his findings, together with any recommendations he considers appropriate or desirable, to the Congress on or before July 1, 1973. Such study shall include a determination of—*

*(1) the extent to which part-time employment exists in the executive branch;*

*(2) the limitations, if any, that are imposed by Federal statutes, regulations, or administrative policies or practices on such part-time employment, and the extent to which such limitations are justified; and*

*(3) the measures that may be taken to increase the number of part-time positions available in the executive branch which may be filled by older persons without resulting in the displacement of currently employed workers (including partial displacement*

such as a reduction in the hours of nonoverti. k or wages or employment benefits).

(b) *The Comptroller General is further authorized and directed to undertake a study of the feasibility of redesigning positions in the executive branch of the Government of the United States without impairing the effectiveness or efficiency of operations of any department agency, or independent establishment, with a view to increasing the number of positions which are available to older individuals at the subprofessional level. The Comptroller General shall make a report of his findings, together with any recommendations he considers appropriate or desirable, to the Congress on or before July 1, 1973. Such study shall include a determination of—*

(1) *the extent to which positions can be redesigned, resulting in an increase in the number of positions in the executive branch available to older individuals;*

(2) *the limitations, if any, imposed by Federal statutes, regulations, or administrative policies or practices on redesigning positions in the executive branch to increase the number of subprofessional positions available to older individuals and the extent to which such limitations are justified;*

(3) *the measures that may be taken to redesign positions so that the number of subprofessional positions available to older individuals may be increased; and*

(4) *the programs which would be needed to train older individuals to fill subprofessional positions created as a result of redesigning such position.*

## PART C—GENERAL PROVISIONS

### DEFINITIONS

SEC. 1031. *As used in this title—*

(1) *“middle-aged and older” means an individual who is forty-five years of age or older;*

(2) *“middle-aged” means an individual who is at least forty-five years of age but not older than fifty-four years of age;*

(3) *“older” means an individual who is at least fifty-five years of age;*

(4) *“Secretary” means the Secretary of Labor; and*

(5) *“State” means any of the several States of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands.*

### ADMINISTRATION

SEC. 1032. (a) *In order to carry out the purposes of this title the Secretary is authorized to—*

(1) *provide such rules and regulations as he deems necessary;*

(2) *employ experts and consultants in accordance with section 3109 of title 5, United States Code;*

(3) *appoint such advisory committees composed of private citizens and public officials who, by reason of their experience or training, are knowledgeable in the area of job opportunities for*



*middle-aged and older individuals, as he deems desirable to advise him with respect to his functions under this Act; and*

*(4) utilize, with their consent, the services, personnel, information, and facilities of other Federal and State agencies, with or without reimbursement therefor.*

*(b) Each member of a committee appointed pursuant to clause (3) of subsection (a) of this section who is not an officer or employee of the Federal Government shall receive an amount equal to the daily rate prescribed for GS-18 under section 5332 of title 5, United States Code, for each day on which he is engaged in the actual performance of his duties (including traveltime) as a member of the committee. All members shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently and receiving compensation on a per diem, when actually employed, basis.*

*(c) Each recipient of assistance under this title shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipients of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.*

*(d) The Secretary 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 of the recipients that are pertinent to the grants, agreements, or contracts entered into under this title.*

#### PROGRAM DEVELOPMENT AND COORDINATION

*SEC. 1033. (a) In addition to any other provisions for the administration of this title, the Secretary shall designate personnel to have responsibility for program leadership, development, and coordination. The Secretary shall provide for a central office for information on and special attention to the problems of middle-aged and older workers and the programs concerning such workers.*

*(b) No individual, institution, organization, or agency shall evaluate any program under this title if that individual, or any member of any such institution, organization, or agency, is associated with the program as a consultant, technical adviser, or in any other capacity.*

*(c) (1) The Secretary is authorized and directed to require agencies, institutions, and organizations administering training and other programs and activities assisted under this title to coordinate their activities with agencies and organizations conducting related manpower and employment programs receiving assistance under this Act and under other provisions of law, such as the Economic Opportunity Act of 1964, the Manpower Development and Training Act of 1962, and the Emergency Employment Act of 1971. In carrying out the provisions of this paragraph, the Secretary is authorized to make necessary arrangements to include projects and activities assisted under this title within a common agreement and a common application with projects assisted under this Act and under other provisions of law, such as the*

*Economic Opportunity Act of 1964, the Manpower Development and Training Act of 1962, the Emergency Employment Act of 1971.*

(2) *The Secretary is authorized to make whatever arrangements that are necessary to carry out the programs assisted under this title as part of any general manpower legislation hereafter enacted, except that appropriations for programs assisted under this title may not be expended for programs assisted under such legislation.*

EQUITABLE DISTRIBUTION OF ASSISTANCE

SEC. 1034. (a) *The amounts appropriated under the provisions of this title for any fiscal year shall be allocated by the Secretary in such manner that of such amounts—*

(1) *not less than 80 per centum shall be apportioned among the States in an equitable manner, taking into consideration the proportion which the total number of unemployed middle-aged and older persons in each such State bears to the total number of such persons in all States; and*

(2) *the remainder shall be available as the Secretary deems appropriate to carry out the purposes of this Act.*

(b) *The amount apportioned to each such State under paragraph (1) of subsection (a) shall be apportioned among areas within each such State in an equitable manner, taking into consideration the proportion which the total number of unemployed middle-aged and older persons in each such area bears to the total number of such persons, respectively, in that State.*

(c) *As soon as practicable after funds are apportioned to carry out this Act for any fiscal year, the Secretary shall publish in the Federal Register the apportionments required by subsections (a) (1) and (b) of this section.*

And the Senate agree to the same.

THOMAS F. EAGLETON,  
ALAN CRANSTON,  
EDWARD M. KENNEDY,  
JENNINGS RANDOLPH,  
HARRISON WILLIAMS,  
HAROLD E. HUGHES,  
ADLAI E. STEVENSON,  
J. GLENN BEALL,  
RICHARD S. SCHWEIKER,  
BOB TAFT, JR.  
BOB PACKWOOD,  
ROBERT T. STAFFORD,

*Managers on the Part of the Senate.*

CARL D. PERKINS,  
JOHN BRADEMAS,  
PATSY T. MINK,  
ALBERT H. QUIE,  
ORVAL HANSEN,

*Managers on the Part of the House.*

## JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15657) to strengthen and improve the Older Americans Act of 1965, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report :

### *Federal Council on the Aging*

The House bill establishes a National Council on the Aging, whose 15 members would be appointed by the President with the advice and consent of the Senate, and whose Chairman would be designated from among the membership. The Senate amendment establishes an independent 6 member Older Americans Advocacy Commission (modeled after the Civil Rights Commission).

The conference agreement provides for a 15 member Council, the structure of which is taken from the House bill, but which is empowered to exercise essentially the same functions as the Commission established by the Senate amendment in addition to those functions assigned to the Advisory Council by the House bill. It is the intention of 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.

### *Access to low-cost transportation*

The House bill adds a new objective to the Declaration of Objectives for Older Americans contained in section 101 of the Older Americans Act of 1965, relating to access to low-cost transportation. The Senate amendment contains no such amendment. The Senate recedes.

### *Administration on Aging*

The House bill provides that the Commissioner on Aging shall be the principal officer of the Department of Health, Education, and Welfare for carrying out the Act, and that he 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. The Senate amendment places the Administration on Aging in the Office of the Secretary, and provides that the Commissioner on Aging shall be directly responsible to the Secretary, and may delegate his functions only if the Secretary approves, notice of such delegation is published in the Federal Register, and an opportunity for comment afforded any interested party. The conference agreement adopts the Senate

language with regard to the placement of the Administration on Aging in the office of the Secretary. The House language was adopted with regard to the Commissioner reporting directly to the Secretary, and with regard to the delegation of his powers. The conferees construe the phrase "not to or through any other officer of the Department" to mean that the Commissioner shall not report to any other officer except the Secretary on essential policy matters affecting this Act.

The House bill also assigns six new functions to the Administration on Aging, and expands an existing function. The Senate amendment is the same, except that the new function relating to a continuing evaluation of the programs and activities related to the purpose of the Act does not appear, nor does the expansion of the function of planning and research to include programs for social services. The Senate recedes.

The House bill also authorizes the Commissioner to encourage voluntary organizations to become involved in programs for the aging. The Senate amendment is the same, but directs the Commissioner to take such steps together with the Director of ACTION. The conference agreement adopted the provision of the Senate amendment, with an amendment substituting "in consultation with" for "together with" the Director of ACTION.

The House bill establishes, within the Administration on Aging, a National Information and Resource Center for the Aging, which is authorized to act as a clearing house for referrals to and from the information and resource sources provided under title III of the House bill, and to coordinate and monitor the activities of such centers. The House bill authorizes \$750,000 for fiscal year 1973, and such sums as are necessary for fiscal years 1974 and 1975. The Senate amendment establishes, within the Administration on Aging, a National Older Americans Information Clearing House, which functions in the same manner as the Center in the House bill, except that it includes a program for information about consumer interests of older persons, and encourages the establishment of State and local information centers, to which the National Clearing House will provide technical assistance, instead of the information, referral, and coordination functions provided in the House bill. The House recedes, with an amendment to establish the name of the unit as the "National Information and Resource Clearing House for the Aging".

#### *Administration of the Act*

The House bill authorizes such sums as may be necessary for the administration of the Act, and authorizes the Commissioner to provide technical assistance and staff to the President's Council on Aging. The Senate amendment is the same, except that the Commissioner is authorized to provide technical assistance and staff to the Older Americans Advocacy Commission. The conference agreement substitutes "Federal Council on Aging" for the units referred to in the House bill and Senate amendment.

#### *Evaluation*

The House bill requires the Secretary to publish standards for evaluation of programs before funds are released for programs and projects under the Act, and requires the Secretary to publish results of

evaluations within 60 days of completion. The Senate amendment requires the Commissioner to publish standards for evaluation before funds can be released for activities under the Model Projects section of title III and under title IV of the Senate amendment, and requires that summaries of the results of evaluation of all programs and projects under the Act be published annually. The House recedes, with an amendment changing "Commissioner" to "Secretary".

#### *Joint funding of projects*

The House bill contains a joint funding provision which is the same as that contained in the existing Older Americans Act of 1965. The Senate amendment contains a joint funding provision which is similar to that in the House bill, but without reference to the establishment of a single non-Federal share requirement and a single set of contract or grant requirements. The House recedes.

#### *Repeal of Title VIII of the Older Americans Act of 1965*

The Senate amendment contains a section repealing title VIII of the Older Americans Act of 1965, which established an Advisory Committee on Older Americans, and various technical advisory committees. The House bill substituted another title for existing title VIII. The conference agreement adopted the Senate version.

#### *Area planning and social service grant allotments*

The House bill provides an allotment formula for area planning and social service grants based on each State's population of individuals aged sixty and over, with a minimum allotment of \$250,000 for each State, and of \$50,000 for each of the territories. The Senate amendment provides an allotment formula for such grants which is the same as that contained in title VII (Nutrition Program for the Elderly) of the Older Americans Act of 1965, except that the minimum for each State is one percent of the amount authorized, and the minimum for each territory is one-half of one percent of such sum, and except that a pro rata reduction is applied for any fiscal year in which the authorization is higher than the appropriation.

The conference agreement adopts the existing title III formula for fiscal year 1973, except that the base amount is reduced from one percent to one-half of one percent for States, and from one-half to one-fourth of one percent for territories. In succeeding fiscal years, the formula now contained in title VII of the Older Americans Act of 1965 is adopted, except that each State and territory is guaranteed, as a minimum, an amount equal to its fiscal year 1973 allotment.

#### *Planning, coordination, evaluation, and administration of State plans*

The House bill provides an allotment formula for grants for the administration of State plans which is based on the population aged sixty or over in each State, with a minimum allotment of one-half of one percent of the sum appropriated for the fiscal year, or \$200,000, whichever is greater, for each State, and with a minimum of one-fourth of one percent of such sum, or \$50,000, for each territory. The Senate amendment's allotment formula differs in that the minimum allotment for States and territories is triggered only if \$15,000,000 or more is appropriated for any one fiscal year. The Senate recedes, with an amendment reducing the base amount for States to \$100,000.

### *State organization*

The House bill provides that any unit of general purpose local government which has an existing office on aging and includes 25 percent of the State's population aged sixty and older shall be designated as a planning and service area. The Senate amendment provides that any unit of general purpose local government which has a population aged sixty or over of 50,000 or more, or which contains 15 percent or more of the State's population aged sixty or over, shall be designated as a planning and service area, but the State may designate other service areas which do not meet the above criteria. The Senate amendment also allows for the inclusion of adjacent areas as necessary in such designation. The House recedes. It is the understanding of the conferees that when, for the purposes of more effective administration, a State includes within a planning and services area, areas adjacent to a unit of general purpose local government which has a population aged sixty or over of 50,000 or more or which contains 15 percent or more of the State's population aged sixty or over, the State may, when the adjacent areas together with the unit of general purpose local government constitute a larger unit of general purpose local government, designate any agency within the entire unit which has the authority and the capability to serve the entire unit as the area agency.

### *Area organization*

The House bill sets forth criteria for the designation of area agencies on aging, with emphasis on units of general purpose local government. The Senate amendment sets forth criteria which differ by placing primary emphasis on designating an established office on aging within a planning and service area. The conference agreement provides that an established office of aging within a planning and service area, if such office exists, be given preference, and otherwise, a unit of general purpose local government, or other enumerated agencies may be designated.

### *Area plans*

The House bill provides for the development of an area plan and stipulates the content of such plan. The Senate amendment is the same as the House bill, but includes in the area plan the additional functions of establishing information and referral sources within the planning and service area covered by the plan, of providing legal services to older persons through established programs, of providing opportunities for the elderly to participate in day care services to children, and of establishing advisory councils. The House recedes, with technical changes.

### *State plans*

The House bill provides for an annual State plan and stipulates eight functions for such plan. The Senate amendment provides for the same annual State plan, but the function related to information and referral sources does not appear. The Senate amendment also adds provisions prohibiting the State agency from providing services unless such services are necessary, and providing that preference shall be given to persons aged sixty or over in hiring by State and area agencies. The Senate amendment does not contain the preference for areas with

large concentrations of older persons which is contained in the House bill. The House recedes, with an amendment changing the prohibition against providing services except where necessary, to a prohibition against "directly" providing such services, and with an amendment to retain the provision of the House bill providing for the establishment of information and referral sources.

*Planning, coordination, evaluation, and administration of State plans*

The Senate amendment provides that funds for the administration of the State plan may be used to supplement funds for the administration of area plans. The House bill contains no such provision. The House recedes.

The Senate amendment provides that a State's allotment for the administration of its State plan for fiscal year 1973 shall remain available until the close of the following fiscal year. The House bill contains no such provision. The House recedes.

*Payments*

The House bill requires that, beginning with fiscal year 1974, not less than 25 percent of the non-Federal share of the total expenditures under the State plan shall be met from funds from State or local public sources. The Senate amendment is the same as the House bill, except that the 25 percent requirement is effective in fiscal year 1975, rather than fiscal year 1974. The House recedes.

In addition, the Senate amendment sets a 3-year limit on funding for social service programs, except those of exemplary merit which cannot be funded from other sources. The House bill contains no such provision. The Senate recedes.

*Model projects*

The House bill authorizes funds for use in the discretion of the Commissioner to support model projects which would expand or improve social services to older persons. The Senate amendment raises the authorization amounts for this purpose, and provides that the special impact programs authorized under title VIII of the House bill be consolidated under a single authority in the Model Projects section. The conference agreement provides that the House recede with an amendment to insert the language of the House bill contained in section 802(a) (1)-802(a) (5), the list of special impact programs, in place of the corresponding language of the Senate amendment listing the model projects, and retains the project for the handicapped contained in the Senate amendment.

TITLE IV—TRAINING AND RESEARCH

*Appraising personnel needs in the field of aging*

The House bill authorizes the Commissioner to appraise the Nation's existing and future personnel needs in the field of aging, consulting with and utilizing information from the Department of Labor, the Office of Education, the National Foundation on the Arts and Humanities, State educational agencies, other State and local agencies concerned with the elderly, State employment security agencies, and other appropriate public and private agencies. The Senate amend-

ment is the same, except that it adds the Veterans' Administration and the Older Americans Advocacy Commission to the list of departments and agencies to be consulted and from which information shall be obtained. The House recedes with regard to the addition of the Veterans' Administration to such list, and the conference agreement substitutes the Federal Council on the Aging for the Older Americans Advocacy Commission.

*Special study and demonstration projects on the transportation problems of older Americans*

The Senate amendment adds a section to title IV which authorizes the Commissioner to conduct a comprehensive study and survey of transportation problems of the elderly, utilizing demonstration projects to study a variety of methods and techniques. The House bill contains no transportation section in title IV, but does contain a provision relating to transportation under the Special Impact Programs authorized under title VIII of the House bill, which was incorporated into the Model Projects section by the conference agreement. The House recedes.

*Authorization*

The House bill contains a combined authorization for part B, pertaining to research and development projects, and part C, pertaining to the Multidisciplinary Centers of Gerontology. The Senate amendment contains separate authorizations for section 411 of part B and for part C, which add up to the same total amounts as are contained in the House bill. The conference agreement provides that the authorizations for section 411 of part B and for part C shall be combined.

TITLE V.—MULTIPURPOSE SENIOR CENTERS

The House bill adds a new title to the Older Americans Act of 1965 which provides for the alteration, renovation, acquisition, or construction of Multipurpose Senior Centers, as well as for mortgage insurance, annual interest grants, and grant authorization for the staffing of such centers. The Senate amendment is the same as the House bill, except that grants for construction of such facilities are eliminated, and part A, pertaining to the acquisition, alteration, or renovation of such centers, is technically modified. The Senate amendment authorizes annual interest grants to assist only nonprofit private agencies, while the House bill authorizes such grants to assist States and public and nonprofit private agencies. The conference agreement provides that the Senate recede, with an amendment deleting the reference to annual interest grants to States and to public agencies.

TITLE VI.—NATIONAL OLDER AMERICANS VOLUNTEER PROGRAM

The House bill amends title VI of the Older Americans Act of 1965 to extend the authorization for the Retired Senior Volunteer Program and the Foster Grandparent Program. The Retired Senior Volunteer Program is further amended by a provision which prohibits compensation provided Volunteers from being considered income. The Foster Grandparent Program is extended to provide opportunities for per-



sons aged sixty or over to render supportive services to persons (other than children) having exceptional needs, as well as to children in their own homes or in community settings. The House bill also provides that the level of support for the Foster Grandparent Program will not be reduced as a result of the expanded functions described above. The Senate amendment changes the age of eligibility for programs authorized under title VI from sixty or over to fifty-five or over, and changes the title of part B from "Foster Grandparent Program and Other Senior Volunteer Programs", as contained in the House bill, to "Foster Grandparent Program and Older Americans Community Service Program". The Senate amendment broadens the scope of the Foster Grandparent Program to include support for volunteer services to children in areas of health, education, and welfare, as well as original "Foster Grandparent" services. The Senate amendment also authorizes grants or contracts to support the provision of opportunities for older persons to render volunteer services to persons other than children who have special needs. The Senate amendment places emphasis upon "Senior health aides". For the Foster Grandparents Program (subsection (a)) there are authorized \$35,000,000 for fiscal year 1973, \$45,000,000 for fiscal year 1974, and \$55,000,000 for fiscal year 1975. For the Community Services Programs (subsection (b)) there are authorized \$6,000,000 for fiscal year 1973, \$7,000,000 for fiscal year 1974, and \$8,000,000 for fiscal year 1975. For the Retired Senior Volunteer Program there are authorized \$20,000,000 for fiscal year 1973, \$30,000,000 for fiscal year 1974, and \$40,000,000 for fiscal year 1975. Title VI is also amended by the Senate amendment to provide that nothing in the Act shall modify, repeal, or affect the continuation of delegations of authority, transfers or reorganizations made effective before the enactment of the Act with respect to functions carried out under title VI.

The conference agreement provides that the House recede with an amendment to retain the present age sixty eligibility for participation in these programs.

#### TITLE VII.—NUTRITION PROGRAM

The House bill amends title VII to provide that wherever possible, nutrition projects funded under title VII shall be part of comprehensive and coordinated systems under title III, and wherever title VII is a part of a title III comprehensive system, the title III appropriations under section 306, shall pay for planning and administration of title VII.

The Senate amendment amends title VII to assure that the coordination of the Nutrition Program and the title III Comprehensive Services Program within a planning and service area will take place only when it is mutually agreed upon by both recipients of grants and area agencies. Section 705 is further amended to allow the 10 percent set-aside of a States' allotment for administrative costs only through fiscal year 1973. Thereafter, funds allotted for State Planning and Administration under title III (sec. 306) may be used for administration of the title VII State plan; except whenever a State

agency other than the agency set forth in title III (sec. 304) is designated to administer the Nutrition Program. In the latter case, the Secretary shall determine the portion of a State's title III allotment which will be available for administration of the Nutrition Program. Title VII is further amended by the Senate amendment to provide that wherever the same State agency is designed to administer both the title III and title VII programs, the title VII State plan shall constitute an amendment to the title III State plan. The other amendments are the same as the House bill. The House recedes.

#### AMENDMENTS TO OTHER ACTS

The House bill amends seven education statutes to provide opportunities for older people. The Senate amendment contains the same provisions as the House bill, but also contains an additional provision which extends the authorization for the Senior Opportunities and Services program, providing an additional \$7,000,000 for each of the fiscal years 1973 and 1974. The Senate amendment also deletes the amendment contained in the House bill amending the National Foundation on Arts and Humanities Act of 1965. The House recedes.

#### COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

The Senate amendment adds a new title to the Older Americans Act of 1965 which provides community service jobs for low-income persons who are fifty-five years of age or over, to be administered by the Department of Labor. The House bill contains no community services provision, other than as a special impact program under Title VIII.

The House recedes with an amendment retaining the eligibility age of fifty-five and over, but with language giving priority to the employment of individuals aged sixty and over. It is intended that the Secretary provide by regulation for the employment of individuals aged fifty-five to fifty-nine in circumstances of individual hardship; in economically distressed areas having substantial numbers of such individuals in need of such employment; and in cases where individuals are participating in existing programs which may be funded under this title.

#### MIDDLE-AGED AND OLDER WORKERS TRAINING

The Senate amendment adds a new title to the Older Americans Act of 1965 which provides manpower training programs and other services to increase job opportunities for middle-aged and older persons, to be administered by the Department of Labor. The House bill contains no manpower training provision. The conference agreement provides that the House recede, with an amendment authorizing the Secretary to carry out the provisions of this title from funds otherwise appropriated for similar programs. The conference agreement further provides that authorizations provided in the Senate amendment for fiscal years 1973 and 1974 shall be applicable to fiscal years 1974 and 1975.

*Federal agency cooperation*

The House bill requires consultation with the Administration on Aging by other agencies proposing to establish programs which are "related to the purposes of this Act. The Senate amendment requires such consultation only with respect to programs "to provide social and nutritional services to older Americans". The Senate recedes, with an amendment to insert the word "substantially" before the language "related to the purposes of this Act".

*Definitions*

The Senate amendment adds to the definition of the term "social services" those services which are designed to help avoid institutionalization, including pre-institutionalization screening, and home health care. The House bill has no comparable provision. The House recedes.

*Organization*

The Senate amendment adds the consideration of the numbers of low-income elderly in determining the need for social services in local areas. The House bill contains no comparable provisions. The House recedes.

*State plans*

The Senate amendment adds the failure of a State to qualify initially as one of the grounds for by-passing the State agency in allotting funds to agencies within the State submitting an approved plan. The House has no comparable provision. The Senate recedes, with an amendment to the language of section 305(d) (1) of the House bill to change "no longer eligible" to "not eligible".

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CARL D. PERKINS,  
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ALBERT H. QUIE  
ORVAL HANSEN,

*Managers on the Part of the House.*

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## THE COMPREHENSIVE OLDER AMERICANS SERVICES AMENDMENTS OF 1972

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JUNE 29, 1972.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

### REPORT

[To accompany H.R. 15657]

The Committee on Education and Labor, to whom was referred the bill (H.R. 15657) to amend the Older Americans Act of 1965 so as to extend its provisions, to strengthen and improve its programs and to amend other legislation in order to provide services to older persons, having considered the same, report favorably thereon without amendment and request that the bill (H.R. 15657) do pass.

#### PURPOSE

It is the purpose of H.R. 15657 to extend, strengthen and modify the grant programs authorized under the Older Americans Act of 1965 through Fiscal Year 1975. In addition H.R. 15657 seeks to:

1. Strengthen the role of the Administration on Aging as a focal point of Federal concern for older persons and upgrading its organizational status;
2. Create a National Advisory Council;
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 Center 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;

(1)

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

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

#### ACCOMPLISHMENTS

The Older Americans Act has been an important Federal vehicle for the development and coordination of social services for older Americans.

##### *State and Community Programs*

During 1971, 800,313 older persons were served by 1,721 projects under Title III of the Older Americans Act of 1965, as amended.

Services for independent living were offered in 235 community programs during 1971. 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 416 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 24,913 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.

Emphasis in 1971 was also placed on transportation to counteract mobility problems among the elderly. There were 247 projects with transportation as a component or a sole service of the program. Many programs had one or two mini-buses 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 160 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.

There is a total of 1,215 local agencies on aging, with 283 of these directly supported by Title III funds and the remaining 932 funded through other auspices. Over 75 percent of these agencies received start-up financial assistance from the State Agencies on Aging under the Title III Community Programs. These local agencies on aging were the focal point for planning, developing, and coordinating services for older persons in local communities.

With assistance under Title III, State agencies provided support for 474 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. These satellite centers provided and delivered services tailored to meet the special needs of the elderly in the community. These senior centers also trained 2,434 elderly for employment and provided opportunities for participation and active engagement in community life.

There were 335 community programs located in rural areas, 487 in urban areas and 119 located in Model Cities. Administration on Aging, through agreement between HEW and HUD, has moved ahead on programs for the elderly in concert with the Model Cities Administration.

The Areawide Model Project program was first implemented in June, 1971 with the award of \$2.2 million to 9 State Agencies on Aging. Preliminary indications are that this new program is contributing significantly to efforts on behalf of older people.

#### *Training Programs*

The training grant program, authorized by Title V of the Older Americans Act, was able to continue its support of 15 career training programs being conducted in 17 universities across the country, to add six new long-term programs, and to support six 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.

#### *Foster Grandparents Program*

One of the best known and most successful programs of service by older persons is the Foster Grandparent Program. 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 67 foster grandparent projects serving over 200 different child care programs in 40 States and Puerto Rico, are utilizing over 4,400 foster grandparents per day. Although no new projects were funded in 1971, the Fiscal Year 1972 appropriation provides for a very significant increase in the Foster Grandparent Program. This appropriation will provide funds for approximately 11,000 foster grandparents to serve 22,000 children each day and about 50,000 different children a year in over 450 child care settings.

#### *Retired Senior Volunteer Program*

The Retired Senior Volunteer Program was authorized by the Older American Act Amendments of 1969. An appropriation of \$500,000 was made at the end of 1970 permitting the funding of eleven programs before July 1971. On July 1, 1971, the RSVP program was transferred to ACTION. The Committee was advised that ACTION is expanding the funding of RSVP projects, while simultaneously making developmental grants to State agencies on the aging in order to assist in the rapid expansion of senior volunteer programs. By June 30th 1972, ACTION will have funded 51 developmental grants and 300 project grants. ACTION's projections indicate that these grants will support over 60,000 volunteers.

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.

#### BACKGROUND

The authorizations for the programs of the Older Americans Act expire 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. This bill responds to that call and the many Congressional initiatives introduced during the 92nd Congress by providing for a number of specific steps to strengthen, extend and improve the programs under the Older Americans Act.

1972 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. 15657 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. 15657 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. Since that time, 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. 15657 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.

H.R. 15657 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 Aged Discrimination 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. 15657 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. 15657 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 Center*

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

The proposed legislation would establish a National Information and Resource Center for the Aging as an integral organizational mechanism within the Administration on Aging. The major function of the Center 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 Center would be authorized to concern itself with a wide range of information and data, including: 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 Center 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 Center 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

Center, 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 Center.

Authorizations of appropriations of \$750,000 for fiscal year 1973 and such sums as may be necessary for fiscal years 1974 and 1975 are provided.

#### *National Advisory Council on the Aging*

The Older Americans Act of 1965 established an Advisory Committee on Older Americans in the Department of Health, Education, and Welfare to advise the Secretary on matters bearing on his responsibilities under the Act, and related activities in the Department of Health, Education, and Welfare. The Commissioner on Aging serves as chairman of the fifteen member committee, which is appointed by the Secretary. Members have been selected from among persons experienced in or having demonstrated particular interest in the special problems of the aging. The Advisory Committee has performed well on behalf of older people.

However, the Committee notes that the broad range of problems issues and recommendations developed by the White House Conference on Aging go far beyond the scope of activities conducted by the Department of Health, Education, and Welfare. The Committee believes that there should be a Presidential Advisory Committee established, and therefore, H.R. 15657 replaces this Advisory Committee with a National Advisory Council on the Aging which would advise and assist the President on matters relating to the special needs of older Americans.

By creating a Presidential Advisory Committee, the Committee does not intend to prohibit the Secretary of HEW, or other Secretaries, from establishing or maintaining departmental advisory committees.

The Council would be composed of fifteen members appointed by the President with the advice and consent of the Senate. The members would be representatives of older Americans, National organizations concerned with aging, business, labor, and the general public. The President would designate the chairman from among the members of the Council. The Secretary of the Department of Health, Education, and Welfare and the Commissioner on Aging would be ex-officio members of the Council.

The Council would:

- advise and assist the President as he may direct on matters relating to the special needs of older Americans.
- assist the Commissioner in making appraisals of the need for trained personnel;
- review and evaluate programs and activities conducted or assisted by departments and agencies of the Federal Government with particular emphasis upon identifying unsolved special problems of older Americans; and
- make recommendations to the President, to the Secretary, to the Commissioner, and to the Congress for the establishment of new programs and activities for older Americans in view of the evaluation conducted by the Council.

Beginning with the year 1974, the Council would make such interim reports as it deems advisable and an annual report of its findings and recommendations to the President not later than March 31, of each year. The President would transmit the report to the Congress together with his comments and recommendations.

In addition to its regular responsibilities, the Council is charged with the responsibility for undertaking two 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.

#### *Administration*

Under present law, provisions relating to administration are contained in Title VIII (As amended by P.L. 92-258). The bill would move these provisions intact to Title II.

In addition Section 206(c) of H.R. 15657 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. 15657 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 provides a new authority for advance funding by one year of the programs authorized by the Act in order to aid States and local area agencies in planning for their program.

## TITLE III—GRANTS FOR STATE AND AREA PROGRAMS

Of the some 1,700 community projects funded under Title III to date, approximately 1,000 are still receiving Federal support. These projects have had significant impact on the lives of many older persons. During 1971 alone, 800,313 Older Americans were served by a wide range of community projects. However, the lack of a specific goal orientation has frequently resulted in Title III funds being spread too thinly over too wide a variety of activities with consequently lessened impact.

The bill 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.

#### *Present Law*

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.

Present law also 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.

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).

#### *Amendments*

The amendments contained in this bill authorize appropriations of \$100,000,000 for fiscal year 1973, \$200,000,000 for fiscal year 1974, and \$300,000,000 for fiscal year 1975 for the Commissioner to make grants to States for the administration of State and area plans by State and area agencies on aging 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.

A new allotment formula provides that from the sums appropriated for any fiscal year, each State would be allotted an amount which bears the same ratio to such sum as the population aged sixty or over in such State bears to that population in all States, except that no State would be allotted less than \$250,000 and Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands would each be allotted an amount not less than \$50,000.

#### *Older Americans Act (60+ population and minimums of \$250,000 per State and \$50,000 per territory)*

Total.....	100, 000, 000
1. Alabama.....	1, 629, 720
2. Alaska.....	250, 000
3. Arizona.....	804, 923
4. Arkansas.....	1, 152, 724
5. California.....	8, 834, 277
6. Colorado.....	914, 233
7. Connecticut.....	1, 430, 974
8. Delaware.....	250, 000
9. District of Columbia.....	357, 743
10. Florida.....	4, 620, 853
11. Georgia.....	1, 868, 216
12. Hawaii.....	250, 000
13. Idaho.....	337, 869
14. Illinois.....	5, 395, 964
15. Indiana.....	2,404, 831
16. Iowa.....	1, 639, 657
17. Kansas.....	1, 262, 039
18. Kentucky.....	1, 689, 657
19. Louisiana.....	1, 540, 284
20. Maine.....	546, 552
21. Maryland.....	1, 520, 410
22. Massachusetts.....	3, 050, 757

*Older Americans Act (60+ population and minimums of \$250,000 per State and \$50,000 per territory)—Continued*

23. Michigan	3, 736, 432
24. Minnesota	1, 937, 777
25. Mississippi	1, 103, 042
26. Missouri	2, 693, 013
27. Montana	337, 869
28. Nebraska	864, 546
29. Nevada	250, 000
30. New Hampshire	377, 618
31. New Jersey	3, 468, 124
32. New Mexico	357, 743
33. New York	9, 659, 075
34. North Carolina	2, 106, 711
35. North Dakota	317, 994
36. Ohio	4, 899, 098
37. Oklahoma	1, 450, 848
38. Oregon	1, 103, 042
39. Pennsylvania	6, 290, 323
40. Rhode Island	506, 803
41. South Carolina	983, 794
42. South Dakota	377, 618
43. Tennessee	1, 907, 965
44. Texas	4, 938, 848
45. Utah	387, 555
46. Vermont	250, 000
47. Virginia	1, 848, 341
48. Washington	1,580, 034
49. West Virginia	953, 982
50. Wisconsin	2, 275, 646
51. Wyoming	250, 000
52. American Samoa	50, 000
53. Guam	50, 000
54. Puerto Rico	884, 421
55. Trust Territory	50, 000
56. Virgin Islands	50, 000

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 significant 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 needs within the State; the establishment of objectives 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. Consequently, 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 small States and rural States can often best be served by a single State agency and should not be subdivided. In such cases one area plan shall cover an entire State.

The bill also authorizes appropriations of \$12,000,000 for fiscal year 1973, \$15,000,000 for fiscal year 1974, and \$15,000,000 for fiscal year 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 formula provides that no State would receive less than \$200,000 and Guam, American Samoa, The Virgin Islands, and the Trust Territory of the Pacific Islands would not receive less than \$50,000. Funds not needed by a State would be reallocated to other States.

In addition, the bill authorizes appropriations of \$20,000,000 for fiscal year 1973, \$30,000,000 for fiscal year 1974, and \$40,000,000 for fiscal year 1975 for the Commissioner, after consultation with the State agency, 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 expand or improve social services or otherwise promote the well-being of older persons.

The authorizations for Title III are as follows:

	Fiscal year—		
	1973	1974	1975
State administration.....	\$12,000,000	\$15,000,000	\$15,000,000
Area planning and social service programs.....	100,000,000	200,000,000	300,000,000
Model projects.....	20,000,000	30,000,000	40,000,000
Total.....	132,000,000	245,000,000	355,000,000

#### 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 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 \$15,000,000 for fiscal year 1973, \$20,000,000 for fiscal year 1974, and \$25,000,000 for fiscal year 1975 for training.

The bill also authorizes appropriations of \$20,000,000 for fiscal year 1973, \$30,000,000 for fiscal year 1974, and \$40,000,000 for fiscal year 1975 for multidisciplinary centers and research.

#### TITLE V—MULTIPURPOSE SENIOR CENTERS

H.R. 15657 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 personal 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 \$35 million for fiscal year 1973 and for each succeeding fiscal year ending prior to July 1, 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 \$250,000 and not to exceed 90% of the estimated replacement cost of the construction project. 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.

Such sums as may be necessary are authorized to carry out this section.

Title V also authorizes the Commissioner to make grants for three years at a declining federal share of 75, 66 $\frac{2}{3}$  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 for fiscal year 1973-1975 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.

The amendments to the Foster Grandparent Program will provide new opportunities for low-income older Americans to render meaningful community service. It will permit low income persons, 60 years and over, to serve both children and adults with special needs in community settings. The expanded program would operate under regulations which are substantially similar to those which presently exist for the Foster Grandparent Program.

This expanded program would also include as a major component, services to assist needy elderly in their own homes, in nursing homes and in institutions. One of the key efforts will be to provide services to older persons in their own homes in an effort to delay or possibly avoid the necessity for placement in nursing care. Volunteers serving in this program will also expand the Foster Grandparent Program concept by serving children in their own homes or serving as tutors or teachers aides in schools or day care settings.

However, in expanding the areas into which the present Foster Grandparent program can move, the Committee took steps to assure that there would be no decrease in the support provided for the types of projects authorized under the present law. The Committee therefore provided that the total amount of Federal financial assistance for projects similar to those authorized under the present Foster Grandparent program would not be less than the total amount expended for such projects for the fiscal year ending June 30, 1972.

The bill authorizes appropriations of \$20,000,000 for fiscal year 1973, \$30,000,000 for fiscal year 1974, and \$40,000,000 for fiscal year 1975 for carrying out the Retired Senior Volunteer Program (RSVP).

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 are provided for the Foster Grandparent program and other volunteer programs.

#### TITLE VII—NUTRITION PROGRAM

Title VII of the bill makes minor amendments in the recently enacted nutrition program. Four objectives are sought by three amendments.

First, it is the intention of this bill that comprehensive services be planned and delivered for older Americans. In this connection, wherever possible, nutrition projects funded under Title VII shall be part of comprehensive and coordinated systems funded under Title III. The research and demonstration projects which provided nutrition for the elderly indicated that nutrition projects were more effective where they were part of a comprehensive service program.

Second, the amendments to Title VII seek to assure that commodities purchased by the Secretary of Agriculture, including dairy products, could 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.

Third, wherever Title VII programs operate as a part of a Title III comprehensive system, funds for planning and administration for Title VII programs may come from the Title III appropriations. It is the Committee's intent that by having wherever possible only one planning authority for such finding, Title VII funds can be used for providing additional nutrition services.

Fourth, 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—SPECIAL IMPACT PROGRAMS

H.R. 15657 contains a new Title VIII establishing special programs which are directed to the solution of critical problems confronting older persons in the areas of preretirement, housing, transportation, employment, and continuing education. These programs would be designed to be of sufficient size and scope to have an appreciable impact in meeting the needs of older persons in their communities and neighborhoods and to show promise of providing a solution to problems in the field of aging which are common to a number of communities. The program would also be designed to improve the quality and comprehensiveness of the comprehensive and coordinated systems established under the Title III program.

The Commissioner, after consultation with the Title III State agencies, would be authorized to make grants to public or nonprofit private agencies or organizations or contracts with other private agencies or organizations for not more than 90 percent of the costs (unless the Commissioner determines that assistance in excess of such percentage is required) of programs to improve the quality and comprehensiveness of any program established under Title III and designed to:

- assist in meeting the special housing needs of older persons by; providing financial assistance to such persons to enable them to make the repairs and renovations to their homes which are necessary for them to meet minimum standards; 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 demonstrating alternative methods of relieving older persons of the burden of real property taxes on their homes
- improve the transportation services available to older persons by; establishing special transportation subsystems for older persons or groups with similar mobility restrictions; providing portal-to-portal service and demand actuated services; 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; payments directly to older persons to enable them to obtain reasonable and necessary transporta-

tion services; programs to study the economic and service aspects of transportation for older persons living in urban or rural areas; programs to study transportation and social service delivery interface

- 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
- 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
- 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.

The Commissioner would not award any financial assistance for the cost of such programs in any State unless the Title III State agency had had not less than thirty days in which to review the program and make comments.

While the Committee believes that the Commissioner should have discretion in the selection of special impact models, it is also the Committee's intent to strengthen the role of State aging agencies over all aging programs within their respective States. Thus, the views of such agencies must be taken into account in the process of selecting grant recipients.

Each program for which payments were made under this title would provide for a thorough evaluation of the effectiveness of the program in achieving the goals of the Title. This evaluation would be conducted by public or private organizations designated by the Commissioner and up to 100 percent of the costs of the evaluation could be paid from funds appropriated to carry out this title. The results of the evaluations or a summary of them, together with the Commissioner's findings and recommendations concerning the program, would be included in the Administration on Aging's annual report.

Authorization of appropriations of \$50,000,000 for fiscal year 1973, \$75,000,000 for fiscal year 1974, and \$100,000,000 for fiscal year 1975 are provided.

In administering the program, the Commissioner would consult with the Office of Economic Opportunity, ACTION, the Department of Labor, and any other Federal agencies administering relevant programs with a view to achieving optimal coordination of the program with such other programs and would promote the coordination of these

programs with other public or private programs carried out at State and local levels.

TITLE IX—AMENDMENTS TO OTHER ACTS

*Library Services and Construction Act*

H.R. 15657 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. 15657 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. 15657 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 thereof) 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. 15657 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 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.

#### *National Foundation on the Arts and the Humanities Act of 1975*

H.R. 15657 would amend the National Foundation on the Arts and the Humanities Act of 1965 to provide a preference for projects and productions where a special effort has been made to bring the production to older persons. Where a production is presented primarily to older persons, a State's allotment for projects and productions could be used to pay up to 100 percent of the total cost.

#### *Legislative History*

The Select Subcommittee on Education held fourteen days of hearings on the following measures to extend and improve the Older Americans Act of 1965 and other statutes: H.R. 12017, H.R. 13925, H.R. 13451, H.R. 8908, H.R. 1543, H.R. 13268 and H.R. 601; H.R. 13467.

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.

A bill, H.R. 15657, was unanimously approved by the Select Subcommittee on Education and referred to the Committee on Education and Labor. On June 22, 1972, the full Education and Labor Committee reported the bill unanimously.

## ESTIMATES OF COST

[In accordance with clause 7 of rule 13 the committee estimates the cost which would be incurred in carrying out H.R. 15657]

	Fiscal year—				
	1973	1974	1975	1976	1977
Title I .....					
Title II:					
Information and resource center for aging.....	\$750,000	(1)	(1)		
Administration of act .....					
Title III:					
Area planning and social service programs.....	100,000,000	200,000,000	300,000,000		
Planning, coordination, evaluation and administration of State plan .....	12,000,000	15,000,000	15,000,000		
Model projects.....	20,000,000	30,000,000	40,000,000		
Title IV:					
Training .....	15,000,000	20,000,000	25,000,000		
Research .....	20,000,000	30,000,000	40,000,000		
Title V:					
Multipurpose centers .....	35,000,000	35,000,000	35,000,000		
Mortgage insurance for multipurpose senior centers.....					
Annual interest grants.....	1,000,000	3,000,000	5,000,000		
Personnel staffing grants.....	10,000,000	10,000,000	10,000,000		
Title VI:					
RSVP.....	20,000,000	30,000,000	40,000,000		
Foster grandparents and other senior volunteer programs.....	35,000,000	45,000,000	55,000,000		
Title VII: Nutrition program (authorized in P.L. 92-258).....	100,000,000	150,000,000			
Title VIII: Special impact programs.....	50,000,000	75,000,000	100,000,000		
Title IX:					
Older reader services.....	11,700,000	12,300,000	12,900,000	13,700,000	
Special programs and projects relating to problems of the elderly—title I, Higher Education Act.....	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000
Special projects for the elderly—Adult Education Act <sup>1</sup> .....					
Total.....	335,450,000	510,300,000	682,930,000	18,700,000	5,000,000

<sup>1</sup> Such sums as may be necessary.

## SECTION BY SECTION—THE COMPREHENSIVE OLDER AMERICANS SERVICES AMENDMENTS OF 1972

Section 1. Short Title.—This bill may be cited as the “Comprehensive Older Americans Services Amendments of 1972.”

### TITLE I—DECLARATION OF OBJECTIVES

Section 101. Findings and Purpose.—Section 101 states that the purpose of the amendments is to

- Make available comprehensive programs which include a full range of health, education, and social services to older people.
- Give special consideration to people with special needs in planning programs and give priority to the elderly with the greatest economic and social need.
- Provide comprehensive programs which will deliver a full range of essential services to older people and, where applicable, furnish meaningful employment opportunities for many individuals, including older persons, young persons, and volunteers from the community; and

—Insure that the planning and operation of programs will be undertaken as a partnership of parents, community, and State and local governments, with appropriate assistance from the Federal Government.

Section 102 amends Sec. 101(8) of the Older Americans Act's Declaration of Objectives to provide that community services include access to low cost transportation.

#### TITLE II—ADMINISTRATION ON AGING

Section 201. Administration and Functions.—Section 201 (a) amends *sec. 201 (b)* of the Act to provide 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 unless notice is first given to Congress for approval.

Section 201 (b) amends *sec. 202 (3)* of the Act by adding 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 conference of such authorities and officials of public and private nonprofit agencies or organizations concerned with the development and operation of programs for older persons as the Commissioner 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 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 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.

Sec. 201 (b) (2) and (3) amends Sec. 202 of the Act to broaden the functions of AOA to include the carrying out of programs designed to meet the needs of older persons for social services, including nutri-

tion, hospitalization, preretirement training, continuing education, and health services and encourages the use of voluntary groups.

Sec. 201 (c) adds the following new provisions:

*Federal Agency Cooperation.*—A new section 203 is added which 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 such programs shall cooperate with AOA in carrying them out.

*National Information and Resource Center for the Aging.*—A new section 204 is added which provides for the establishment within AOA, of a National Information and Resource Center for the Aging. The Center would collect, review, organize, publish, and disseminate information and data related to the particular problems caused by aging, including information describing measures which are or may be employed for meeting or overcoming such problems.

Each department or agency of the Federal Government would be authorized to make available to the Secretary, for use by the Center, any information or data which the Secretary 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 Center.

Appropriations of \$750,000 for fiscal year 1973 and such sums as may be necessary are authorized for fiscal years 1974 and 1975.

*National Advisory Council on the Aging.*—A new section 205 would establish a National Advisory Council on the Aging to be composed of 15 members appointed by the President with the advice and consent of the Senate. The Council would meet not less than four times a year and would—

Advise and assist the President,

Assist the Commissioner in making appraisals of the need for trained personnel,

Review and evaluate programs, and

Makes recommendations to the President, to the Secretary, to the Commissioner and to the Congress for the establishment of new programs and activities.

In addition the Council is directed to undertake a study of the inter-relationship of benefit programs for the elderly operated by Federal, state and local government agencies. The Council is also directed to make a study of the combined impact of all taxes on the elderly.

*Administration of the Act.*—A new section 206 moves the present provisions of the act now contained in Title VIII to Title II and would authorize such sums as may be necessary for the administration of the program.

*Evaluation.*—A new section 207 would move the provisions relating to evaluation now in Title VIII to Title II and make more explicit the type of evaluation to be conducted. It 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.

In addition, the Secretary would publish the results of evaluation research and 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 one percent of the funds appropriated under the Act or \$1,000,000, whichever is greater, to carry out such evaluations either directly or by grants or contracts.

*Reports.*—A new section 208 is added to require the Secretary to prepare and submit to the President for transmittal to Congress a full and complete report on the activities carried out under the Act not later than 120 days after the close of each fiscal year.

*Joint Funding of Projects.*—Provision of present law relating to joint funding of projects is moved from Title VIII to Title II by a new section 209.

*Advanced Funding.*—A new section 210 provides for advanced Federal funding in order to permit adequate notice of funding available under the Act. This permits appropriations to be made for the year preceding the year in which they are expended.

#### TITLE III—GRANTS FOR STATE AND AREA PROGRAMS

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.

The bill (Sec. 303(a)) authorizes appropriations of \$100,000,000 for fiscal year 1973, \$200,000,000 for fiscal year 1974, and \$300,000,000 for fiscal year 1975 for the Commissioner to make grants to States for the administration of area plans by area agencies on aging and the development of comprehensive and coordinated systems for the delivery of social services.

A new allotment formula (Sec. 303(b)) provides that from the sums appropriated for any fiscal year, each State would be allotted an amount which bears the same ratio to such sum as the population aged sixty or over in such States bears to that population in all States, except that no State would be allotted less than \$250,000 and Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Island would each be allotted an amount not less than \$50,000. Sec. 303(c) provides for reallocation.

Sec. 303(c) provides that from a State's allotment, funds, but not more than 15 percent, would be available for paying not more than 75 percent of the cost of the administration of area plans. Such amount as the State agency determined, but not more than 20 percent, would be available for paying not more than 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 such percentage as the State agency determined, but not more than 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.

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.

The bill in Sec. 306 further authorizes appropriations of \$12,000,000 for fiscal year 1973, \$15,000,000 for fiscal year 1974, and \$15,000,000 for fiscal year 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 nonprofit 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 formula provides that each State shall receive no less than  $\frac{1}{2}$  of 1 per centum of the sum appropriated but no State would receive less than \$200,000 and Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands would not receive less than \$50,000 or  $\frac{1}{2}$  of 1 per centum whichever is greater. Funds not needed by a State would be reallocated to other States.

The bill in Sec. 308 also authorizes appropriations of \$20,000,000 for fiscal year 1973, \$30,000,000 for fiscal year 1974, and \$40,000,000 for fiscal year 1975 for the Commissioner, after consultation with the State agency, 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 expand or improve social services or otherwise promote the well-being of older persons.

#### TITLE IV—TRAINING AND RESEARCH

Section 41 amends the act by striking *Title IV and V* and inserting a new Title IV. The purpose of Part A (Sec. 401) of the new title would be to improve the quality of service and to help meet critical

shortages of adequately trained personnel for programs in the field of aging by

- developing information on the actual needs for personnel to work in the field of aging;
- providing a broad range of quality training and retraining opportunities;
- attracting a greater number of qualified persons into the field of aging; and
- helping to make personnel training programs more responsive to the need for trained personnel in the field of the aging.

Under Sec. 402 the Commissioner would appraise the Nation's existing and future personnel needs in the field of aging and the adequacy of the Nation's efforts to meet these needs. He would prepare and publish annually a report on the professions dealing with the problems of the aging, in which he would present in detail his view on the state of such professions and the trends which he discerns with respect to the future needs for well-educated personnel. The report would indicate the Commissioner's plans concerning the allocation of Federal assistance under this program in relation to the plans and programs of other Federal agencies.

The Commissioner under Sec. 403 would be authorized to make grants to State agencies on aging, State or local educational agencies, institutions of higher education, or other public or nonprofit private agencies, organizations, or institutions, or to enter into contracts with any agencies, institutions, or organizations for—

- publicizing available opportunities for careers in the field of aging.
- encouraging qualified persons to enter or reenter the field of aging.
- 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.
- preparation and dissemination of materials for use in recruitment and training.

The Commissioner under Sec. 404 would be authorized to make grants to any public or nonprofit private agency, organization, or institution, and with State agencies on aging and 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 the Act. Assistance could be provided for—

- the cost of courses of training or study.
- establishing and maintaining fellowships.
- seminars, conferences, symposiums, and workshops in the field of aging.
- the provision of increased opportunities for practical experience.

The Commissioner could include in the terms of any grant or contract provisions authorizing the payment, to persons participating in training programs supported under this part, of such stipends as he may determine.



### *Research and Development Projects*

Part B (Sec. 411) of the new Title IV is similar to the *Research and Development program contained in Title IV* of present law except that the Commissioner rather than the Secretary is authorized to carry out the program.

### *Multidisciplinary Centers of Gerontology*

Part C (Sec. 421) of the new Title IV authorizes the Commissioner to make grants for the purpose of establishing multidisciplinary centers of gerontology or supporting such existing centers. These centers would

- recruit and train personnel at the professional and subprofessional level
- 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
- provide consultation to public and voluntary organizations with respect to the needs of older people and in planning and developing services for them
- serve as a repository of information and knowledge with respect to the areas for which it conducts basic and applied research
- stimulate the incorporation of information on aging into the teaching of biological, behavioral, and social sciences
- help to develop training programs on aging in schools of social work, public health, health care administration, education, and in other such schools
- create opportunities for innovative, multidisciplinary efforts, in teaching, research, and demonstration projects with respect to aging.

Part D (Sec. 431) of the bill authorizes appropriations of \$15,000,000 for fiscal year 1973, \$20,000,000 for fiscal year 1974, and \$25,000,000 for fiscal year 1975 for Part A.

The bill also authorizes appropriations of \$20,000,000 for fiscal year 1973, \$30,000,000 for fiscal year 1974, and \$40,000,000 for fiscal year 1975 for Parts B and C of this new title.

The new Sec. 432 contains language similar to that in present law providing that the Commissioner, to the extent he deems it appropriate, should require the recipient of any grant or contract to contribute money, facilities, or services for carrying out the project for which a grant or contract was made.

## TITLE V—MULTIPURPOSE SENIOR CENTERS

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

Part A (Sec. 501) provides that in order to provide a focal point in the community for the provision of comprehensive social services for older people. H.R. 15657 would authorize the Commissioner to make grants to public and private agencies and organizations and contracts with any agency or organization to pay not to exceed 75 percent of the cost of providing for multipurpose senior centers that are, whenever

possible, located within walking distance of the homes of older persons. The total of such financial assistance in any State for any fiscal year should not exceed 10 percent of the total amount appropriated for that year for the purposes of this part. Existing facilities are given preference. Funds for construction are available only if utilizing existing facilities is not feasible.

Sections 502-504 contains the usual provisions contained in legislation authorizing funds for use in construction. In addition, there is a provision to give preference to grants or contracts for construction of multipurpose senior centers in planning and service areas for which there is an area plan approved under the Title III community grant program.

Section 505 authorizes appropriations of \$35 million for fiscal year 1973 and for each succeeding fiscal year ending prior to July 1, 1975. Funds appropriated for construction in one fiscal year would remain available for obligation until the end of next fiscal year.

#### *Mortgage Insurance for Multipurpose Senior Centers*

The bill in Section 506 authorizes the Secretary to insure any mortgage which covers a new multipurpose senior center, including equipment to be used in its operation. Such mortgage should involve a principal obligation in an amount not to exceed \$250,000 and not to exceed 90 percent of the estimated replacement cost of the property or project, including equipment to be used in the operation of the multipurpose senior center.

A Multipurpose Senior Center Insurance Fund would be created to be used by the Secretary as a revolving fund for carrying out all the insurance provisions. Such sums as may be necessary would be authorized to be appropriated to provide initial capital for the Fund.

#### *Annual Interest Grants*

To assist States and public and nonprofit agencies to reduce the cost of borrowing from other sources for the construction of facilities, the bill under Sec. 507 authorizes the Secretary to make annual interest grants to such agencies.

Annual interest grants would be made over a fixed period not exceeding forty years. Each grant would be in an amount not greater than the difference between 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 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 percent per year. The amount on which a grant is based would have to be approved by the Secretary.

The bill authorizes appropriations of such sums as may be necessary. Contracts for annual interest grants could not be entered into in an aggregate amount greater than is authorized in the appropriation Act and, in any event, the total amount of annual interest grants in any year pursuant to contracts entered into should not exceed \$1,000,000, which would be increased by \$3,000,000 on July 1, 1974, and by \$5,000,000 on July 1, 1975.

Not more than 12 and one-half percent of the funds provided for could be used within any one State.

### *Initial Staffing of Multipurpose Senior Centers*

The bill under Part B, Sec. 511 authorizes the Commissioner to make grants to assist in meeting the costs of compensation of professional and technical personnel for the initial operation of new community centers for senior citizens and for the delivery of social services established therein.

Such grants would be limited to three years and could not exceed 75 percent of the costs for the first year, 66 $\frac{2}{3}$  percent for the second year, and 50 percent for the third year.

Authorizations of appropriations of \$10,000,000 for each fiscal year 1973-1975 are provided to carry out this part.

### *Definitions*

The bill under Sec. 512 defines "multipurpose senior center" to mean 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.

"Construction" is defined to include construction of new buildings, acquisition of existing buildings, and expansion, remodeling, alteration, and renovation of existing buildings, and initial equipment of such new, newly acquired, expanded, remodeled, altered, or renovated buildings.

The term "cost of construction" is defined to include 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

### *Retired Senior Volunteer Program*

Section 601 of the bill amends Title VI of the Act to extend the Retired Senior Volunteer Program by adding a new (d) which provides that no compensation provided to a volunteer shall be considered income for any purpose whatsoever. Section 602 amends *Sec. 603* of the Act to authorize appropriations of \$20,000,000 for fiscal year 1973, \$30,000,000 for fiscal year 1974, and \$40,000,000 for fiscal year 1975 for carrying out the program.

### *Foster Grandparent Programs*

Section 603 of the bill amends *part B to Title VI* of the Act by adding Sec. 611 to extend the authorization of Foster Grandparent Programs and expands the law to provide additional opportunities for low-income persons aged sixty or over to render supportive services to people having exceptional needs. In addition to the person-to-person services presently provided to children in institutions, the program would be expanded to permit low-income older people to work with children with exceptional needs in their own homes or with children and adults with exceptional needs in community setting. Priority would be given to the present Foster Grandparent Program. The Director would be authorized to make grants or contracts to pay part of all of the costs of the development and operation of projects.

H.R. 15657 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.

#### TITLE VII—NUTRITION PROGRAM

Title VII, Sec. 701-704 amends Sections 707, 705 (a) and (a) (2) (B) of the Act in order to make minor amendments in the recently enacted nutrition program. Four objectives are sought by three amendments.

First, it is the intention of this bill that comprehensive services be planned and delivered for older Americans. In this connection, wherever possible, nutrition projects funded under Title VII shall be part of comprehensive and coordinated systems under Title III. The research and demonstration projects which provided nutrition for the elderly indicated that nutrition projects were more effective where they were part of a comprehensive service program.

Second, the amendments to Title VII seek to assure that commodities purchased by the Secretary of Agriculture, including dairy products, could 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.

Third, wherever Title VII is a part of a Title III comprehensive system, funds for planning for Title VII programs may come from the Title III appropriations. It is the Committee's intent that by having wherever possible only one planning authority, Title VII funds can be used for providing additional nutrition services.

Fourth, 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—SPECIAL IMPACT PROGRAMS

Section 801 adds a new Title VIII, Section 801, establishes special programs which are directed to the solution of critical problems confronting older persons in the areas of preretirement, housing, transportation, employment, and continuing education. These programs would be designed to be of sufficient size and scope to have an appreciable impact in meeting the needs of older persons in their communities and neighborhoods and to show promise of providing a solution to problems in the field of aging which are common to a number of communities. The program would also be designed to improve the quality and comprehensiveness of the comprehensive and coordinated systems established under the Title III program.

Section 802 provides that the Commissioner, after consultation with the Title III State agencies, would be authorized to make grants to grants to public or nonprofit private agencies or organizations or con-

tracts with other private agencies or organizations for not more than 90 percent of the costs (unless the Commissioner determines that assistance in excess of such percentage is required) of programs to improve the quality and comprehensiveness of any program established under Title III and designed to—

- assist in meeting the special housing needs of older persons by providing financial assistance to such persons necessary to enable them to make the repairs and renovations to their homes which are necessary for them to meet minimum standards, 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 demonstrating alternative methods of relieving older persons of the burden of real property taxes on their homes.
- improve the transportation services available to older persons by establishing special transportation subsystems for older persons or similar groups with similar mobility restrictions, providing portal-to-portal service and demand actuated services, 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, payments directly to older persons to enable them to obtain reasonable and necessary transportation services, programs to study the economic and service aspects of transportation for older persons living in urban or rural areas, programs to study transportation and social service delivery interface.
- 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, conservation, beautification, and other fields of human betterment and community improvement,
- 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, and
- 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.

The Commissioner would not award any financial assistance for the cost of such programs in any State unless the Title III State agency had had not less than thirty days in which to review the program and make comments.

Section 803 provides that the Federal share shall not exceed 90 per centum of the cost. Section 804 provides for evaluation.

Authorizations of appropriations of \$50,000,000 for fiscal year 1973, \$75,000,000 for fiscal year 1974, and \$100,000,000 for fiscal year 1975 are provided under Section 805.

Section 806 provides that in administering the program, the Commissioner would consult with the Office of Economic Opportunity, ACTION, the Department of Labor, and any other Federal agencies administering relevant programs with a view to achieving optimal coordination of the program with such other programs and would promote the coordination of these programs with other public or private programs carried out at State and local levels.

#### TITLE IX—AMENDMENTS TO OTHER ACTS

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

Section 901(a) would add a new Title IV Sections 401-404 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.

Section 901(b) provides for 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.

Section 901(c) provides that 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.

Section 901(d) provides that the amendments to the *Library Services and Construction Act* would be effective after June 30, 1972.

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

Section 902 would amend Section 5(a)(2) of 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.

Section 902(b) would also amend *Section 6(a)* to 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.

Any State desiring to receive a grant from its allotment for the purpose 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.

#### *Higher Education Act of 1965*

Section 903 of the bill would amend *Title I of the Higher Education Act of 1965* by adding a new section 110 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*

Section 904 of the bill would amend the *Adult Education Act* by adding a new Sec. 310 to authorize the Commissioner of Education to make grants to State and local educational agencies or other public or private nonprofit agencies for 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 of 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.

#### *National Foundation on the Arts and the Humanities Act of 1975*

Section 905 of the bill would amend section 5(g)(2)(B) and 5(g)(4) of the National Foundation on the Arts and the Humanities Act of 1965 to provide a preference for projects and productions where a special effort has been made to bring the production to older persons. Where a production is presented primarily to older persons, a State's allotment for projects and production could be used to pay up to 100 percent of the total cost.

JUNE 27, 1972

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 italics, 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.

(37)



(8) Efficient community services 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

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. *The Commissioner on Aging shall be the principal officer of the Department of Health, Education, and Welfare 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 30 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 30 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 3 days to a day certain are excluded in the computation of the 30 day period. Under provisions contained in a reorganization plan, a provision of the plan may be effective at a time later than the date on which the plan otherwise is effective.*

## 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, *except for title VI thereof*;

(4) develop plans, conduct and arrange for research [and demonstration programs] in the field of [aging] 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 related to the purpose 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) 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;

(12) call conferences of such authorities and officials of public (including Federal, State, and local) and nonprofit private agencies or 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 related to the purposes of 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 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;

(15) provide information and assistance to private nonprofit agencies institutions 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 our 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 shall take all possible steps to encourage and permit voluntary groups active in social services, including youth organizations active at the high school and college levels, to participate and be involved individually and through representative groups in such programs and activities to the maximum extent feasible, through employment, through the performance of advisory or consultative functions, and in other appropriate ways.

#### FEDERAL AGENCY COOPERATION

SEC. 203. Federal agencies proposing to establish programs related to the purposes of this 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.

#### INFORMATION AND RESOURCE CENTER FOR THE AGING

SEC. 204. (a) There is hereby established, within the Administration on Aging, a National Information and Resource Center for the Aging (hereinafter referred to as the "Center"). The Center shall have a Director and such other personnel as may be necessary to enable the Center to carry out its duties and functions.

(b)(1) It shall be the duty and function of the Center to collect, review, organize, publish, and disseminate (through publications, conferences, workshops, or technical consultation) information and data related to the particular problems caused by aging, including information describing measures which are or may be employed for meeting or overcoming such problems, with a view to assisting older individuals, and organizations and persons interested in the welfare of older persons, in meeting problems which are peculiar to, or are made more difficult for, older individuals.

(2) The Center shall also (A) act as a clearinghouse for referrals to and from the information and referral services required by section 305(a)(8), (B) provide information on a case-by-case basis either directly to individuals or to individuals through such sources, and (C) coordinate the activities of such centers to assure their maximum effectiveness.

(3) The information and data with respect to which the Center shall carry out its duties and functions under paragraph (1) shall include (but not be limited to) information and data with respect to the following—

(A) medical and rehabilitation facilities and services, including medicare, medicaid, and other programs operating under the Social Security Act;

(B) education;

(C) vocational training;

(D) employment;

(E) transportation;

(F) architecture and housing (including household appliances and equipment);

(G) recreation;

(H) public or private programs established for, or which may be used in, solving problems of older persons; and

(I) methods of involving older persons in the planning and administration of programs designed to meet their needs.

(c)(1) *The Secretary shall make available to the Center all information and data, within the Department of Health, Education, and Welfare, which may be useful in carrying out the duties and functions of the Center.*

(2) *Each other department or agency of the Federal Government is authorized to make available to the Secretary, for use by the Center, any information or data which the Commissioner may request for such use.*

(3) *The Commissioner shall, to the maximum extent feasible, enter into arrangements whereby State and other public and private agencies and institutions having information or data which is useful to the Center in carrying out its duties and functions will make such information and data available for use by the Center.*

(d) *There is authorized to be appropriated \$750,000 for carrying out this section for the fiscal year ending June 30, 1973, and for each succeeding fiscal year ending before July 1, 1975, such sums as may be necessary.*

#### NATIONAL ADVISORY COUNCIL ON THE AGING

*SEC. 205. (a) There is established a National Advisory 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 rates not to exceed the rate specified at the times of such service 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 as he may direct 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 programs and activities conducted or assisted by departments and agencies of the Federal Government with*

particular emphasis upon identifying unsolved special problems of older Americans; and

(4) make recommendations to the President, to the Secretary, the Commissioner, and to the Congress for the establishment of new programs and activities for older Americans in view of the evaluation conducted by the Council.

(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 not 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 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, social security. 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.

#### ADMINISTRATION OF THE ACT

SEC. 206. (a) In carrying out the purposes of this Act, the Commissioner 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 Commissioner 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 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) Before funds are released for the programs and projects covered by this Act, the Secretary shall develop and publish general standards for evaluation of the program and project effectiveness in achieving the objectives of this Act. Reports submitted pursuant to section 208 shall describe the actions taken as a result of these evaluations.

(c) In carrying out evaluations under this title, 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 publish the results of evaluative research and evaluations of program and project impact and effectiveness no later than sixty days after the completion thereof.

(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 title shall be made available to him, upon request, by the agencies of the executive branch.

(g) The Secretary is authorized to use such sums as required, but not to exceed 1 percentum of the funds appropriated under this Act, or \$1,000,000 whichever is greater, to be available 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 Secretary 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, 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 according 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.

#### 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 year 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 nonprofit 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 ap-



propriate 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 nonprofit 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.]

## TITLE III—GRANTS FOR STATE AND AREA PROGRAMS

## PURPOSE

SEC. 301. It is the purpose of this title to encourage and assist State or 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; 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 "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 \$100,000,000 for the fiscal year ending June 30, 1973, \$200,000,000 for the fiscal year ending June 30, 1974, and \$300,000,000 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 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, for the fiscal year for which the determination is made, (A) the amount allotted to each State shall not be less than \$250,000, and (B) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted an amount of not less than \$50,000.*

*(2) The number of persons aged sixty or over in any State and for 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<sup>o</sup> + more other States to the extent he determines such other S<sup>o</sup> able to use such additional amount for carrying out such p<sup>o</sup> amount made available to a State from an appropriation 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.*

*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 sixty and over in the State, 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 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 an existing office on aging and includes 25 per centum of the State's population age sixty and older shall be designated as a planning and service area; 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) *In order to be eligible for designation under subsection (a), an area agency on aging—*

(1) *must be—*

(A) *an agency of a unit of general purpose local government,*

(B) *an agency designated to act on behalf of a combination of such units, or*

(C) *a public or nonprofit private agency or organization 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 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 that plan within the planning and service area.*

*In designating an area agency on aging, the State agency shall give preference to an agency of a unit of general purpose local government, unless the State agency finds that no such agency 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, 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; and*

*(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.*

#### **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 preference shall be given, in establishing objectives under the State plan, to areas with large concentrations of older persons;

(7) 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); and

(8) provides for establishing and maintaining information and referral sources in sufficient numbers to assure that all older persons in the State will have reasonably convenient access to such sources. For purposes of this section, an information and referral source is a location where the State or a political subdivision (1) 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 (2) 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.

(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 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 Commissioner, 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 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 may, in accordance with regulations he may prescribe, disburse the funds so withheld directly to any public or nonprofit private organization or agency or political subdivision of such State. 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) There are authorized to be appropriated \$12,000,000 for the fiscal year ending June 30, 1973, \$15,000,000 for the fiscal year ending June 30, 1974, and \$15,000,000 for the fiscal year ending June 30, 1975, to make grants to States for paying such percentage 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 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.

(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 an amount equal to one-fourth of 1 per centum of the sum appropriated for the fiscal year for which the determination is made, or \$50,000, whichever is greater. 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 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.*

#### 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 in the fiscal year ending June 30, 1974 not less than 25 per centum of the non-Federal share (pursuant to section 303(e)) of the total expenditures 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 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.*

*(b) For the purposes of carrying out this section, there are hereby authorized to be appropriated \$20,000,000 for 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.*

### [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 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 Office of Education, 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 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 is authorized to 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 is authorized to 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) the preparation and dissemination of 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 is authorized to 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 curricula and curricula 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 may determine which shall 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 the institution of higher education 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 is authorized to 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 identify 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 living 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 is authorized to make grants for the purpose of establishing multidisciplinary centers of gerontology or supporting such existing centers. A grant may be made under this section only if the application therefor is approved by the Commissioner upon his determination that the application—*

(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 such institution of higher education,*

(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 such institution of higher education, 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 an 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 \$15,000,000 for the fiscal year ending June 30, 1973, \$20,000,000 for the fiscal year ending June 30, 1974, and \$25,000,000 for the fiscal year ending June 30, 1975.*

(b) *For the purpose of making grants under part B and part C of this title, there are authorized to be appropriated \$20,000,000 for the fiscal year ending June 30, 1973, \$30,000,000 for the fiscal year ending June 30, 1974, \$40,000,000 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—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 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 or 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 the funds have been paid under this part—

(a) the owner of the facility ceases to be a public or nonprofit 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 APPROPRIATION

SEC. 505. (a) There is authorized to be appropriated for the purpose of making grants or contracts under section 501, \$35,000,000 for the fiscal year ending June 30, 1973, and each succeeding 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 fund, 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 States and public and nonprofit private 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 appropriation 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 purposes of this part, there is 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] Director 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] Director may determine.

(c) The [Secretary] Director 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 for 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 OTHER SENIOR VOLUNTEER PROGRAMS

[Sec. 611. (a) The Secretary is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay not to exceed 90 per centum 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.

【(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.】

*SEC. 611. (a) The Director is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay part or all of the cost of the development and operation of community projects designed to provide opportunities for low-income persons aged sixty or over to render supportive services to people having exceptional needs.*

*(b) For the purposes of subsection (a), grants or contracts shall be made principally for projects providing 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.*

*(c) The total amount of Federal financial assistance for projects described in subsection (b) shall not be less than the total amount expended for such projects for the fiscal year ending June 30, 1972.*

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

#### CONDITIONS OF GRANTS AND CONTRACTS

**SEC. 612. (a) (1)** In administering this part the 【Secretary】 *Director* 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】 *Director* 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]** Director 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 shall consult with the Office of Economic Opportunity, the Department of Labor, 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.] *Sec. 613. In administering this part, the Director shall consult with the Office of Economic Opportunity, the 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]** Director 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, and \$35,000,000 for the fiscal year ending June 30, 1973, \$45,000,000 for the fiscal year ending June 30, 1974, and \$55,000,000 for the fiscal year ending June 30, 1975.

#### MEANING OF DIRECTOR

SEC. 615. For purposes of this title, the term "Director" means the "Director of Action".



## 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]** *Commissioner* 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]** *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 **[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, [not to exceed an amount equal to 10 per centum of the amount allotted to the State unless a greater amount in any fiscal year is approved by the Secretary] *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, whenever the Governor of a 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.* 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, wherever possible, 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 Science-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 the 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 703 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 according 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.】

## TITLE VIII—SPECIAL IMPACT PROGRAMS

### STATEMENT OF PURPOSE

*SEC. 801. The purpose of this title is to establish special demonstration and model projects programs which (1) are directed to the solution of critical problems confronting older persons in the areas of preretirement, housing, transportation, employment, and continuing education, (2) are of sufficient size and scope to have an appreciable impact in meeting the needs of older persons in their communities and neighborhoods, (3) show promise of providing a solution to problems in the field of aging which are common to a number of communities, and (4) will improve the quality and comprehensiveness of the comprehensive and coordinated systems established under title III of this Act.*

### ESTABLISHMENT OF PROGRAM

*SEC. 802. (a) The Commissioner, after consultation with the State agencies designated under title III of this Act, is authorized to make grant to public or nonprofit private agencies or organizations or contracts with any agency or organizations for payments of part of the cost of programs to improve the quality and comprehensiveness of any program established under title III of this Act and are 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, (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; or

(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.

(b) The Commissioner shall not award any financial assistance under this section for the cost of a program in any State unless the appropriate State agency (referred to in subsection (a)) has had not less than thirty days in which to review the program and make comments thereon.

#### FEDERAL SHARE OF PROGRAM COSTS

SEC. 803. Federal grants to any program carried out pursuant to this title shall not exceed 90 per centum of the cost of such programs, including costs of administration, unless the Commissioner determines, pursuant to regulations adopted and promulgated by him establishing objective criteria for such determinations, that assistance in excess of such percentage is required in furtherance of the purposes of this title. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

#### EVALUATION

SEC. 804. Each program for which payments are made under this title shall provide for a thorough evaluation of the effectiveness of the program in achieving the goals of this title. This evaluation shall be conducted by such public or private organizations as the Commissioner may designate, and up to 100 per centum of the costs of evaluation may be paid from funds appropriated to carry out this title. The results of such evaluations or a summary of them, together with the Commissioner's findings and recommendations concerning the program, shall be included in the report required by section 208.

#### AUTHORIZATION OF APPROPRIATIONS

SEC. 805. There are authorized to be appropriated \$50,000,000 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, for providing assistance under this title.

## INTERAGENCY COOPERATION

SEC. 806. In administering this part, the Commissioner shall consult with the Office of Economic Opportunity, ACTION, the Department of Labor, and any other Federal agencies administering relevant programs with a view to achieving optimal coordination of the program under this part with such other programs and shall promote the coordination of programs 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 Commissioner in disseminating information about the availability of assistance under this part and in promoting the identification and interest of older persons whose services may be utilized in programs under this part.

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### The Library Services and Construction Act

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## 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) \* \* \*

\* \* \* \* \*

(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), [or] (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), [or] (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

(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), 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), 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 meeting 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, 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).

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## PAYMENTS TO STATES

SEC. 7. (a) From the allotments available therefor under section 5 from appropriations pursuant to paragraph (1), (2), [or] (3), or (4) of sections 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.

## TITLE I—LIBRARY SERVICES

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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 303. 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 302, 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 for the purpose of coordinating, where practicable, the programs assisted under this title with the programs assisted under the Older Americans Act of 1955.*

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**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], 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;

\* \* \* \* \*

#### 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, *and at least one other of whom shall be knowledgeable with respect to the library and information service and and science needs of the elderly*. 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,

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#### Higher Education Act of 1965

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#### TITLE I—COMMUNITY SERVICE AND CONTINUING EDUCATION PROGRAMS

\* \* \* \* \*

#### 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.

#### RELATIONSHIP TO OTHER PROGRAMS

SEC. [110] 111. 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. [111] 112. 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 the 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.

### Elementary and Secondary Education Amendments of 1966

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#### TITLE III—ADULT EDUCATION

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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 transportation 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 is 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.

(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 (*other than section 310*).

AN ACT To provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, 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 "National Foundation on the Arts and the Humanities Act of 1965".*

\* \* \* \* \*

## ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE ARTS

SEC. 5. (a) \* \* \*

\* \* \* \* \*

(g)(1) \* \* \*

\* \* \* \* \*

(2) In order to receive such assistance in any fiscal year, a State shall submit an application for such grants prior to the first day of such fiscal year and accompany such application with a plan which the Chairman finds—

(A) \* \* \*

\* \* \* \* \*

(B) provides that funds paid to the State under this subsection will be expended solely on projects and productions approved by the State agency which carry out one or more of the objectives of subsection (c), *with a preference in the case of productions referred to in subsection (c)(2) of this section with respect to which a special effort has been made to bring the production to older persons*; except that in the case of the first fiscal year in which the State is allotted

funds after the enactment of this Act, a plan may provide that not to exceed \$25,000 of such funds will be expended to conduct a study to plan the development of a State agency in the State and to establish such an agency; and

\* \* \* \* \*

(4) The amount of each allotment to a State for any fiscal year under this subsection shall be available to each State, which has a plan approved by the Chairman in effect on the first day of such fiscal year, to pay not more than 50 per centum of the total cost of any project or production described in paragraph (1), and to pay up to 100 per centum of the cost of conducting a study and establishing a State agency under paragraph (2)(B) of this subsection, *and up to 100 per centum of the total cost of a production referred to in subsection (c)(2) of this section where such production is presented primarily to older persons.*

## COMPREHENSIVE OLDER AMERICANS SERVICES AMENDMENTS

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SEPTEMBER 28, 1972.—Ordered to be printed

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MR. EAGLETON, from the Committee on Labor and Public Welfare,  
submitted the following

### REPORT

Together With

### SUPPLEMENTAL VIEWS

[To accompany S. 4044]

The Committee on Labor and Public Welfare, to which was referred the bill (S. 4044) to strengthen and improve the Older Americans Act of 1965, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### SUMMARY

This legislation extends and expands the Older Americans Act of 1965 to enlarge the scope of the services provided therein; it improves the organizational structure at the federal, state and local level of the agencies having responsibility for the delivery of such services; and it creates new programs to meet the demonstrated needs of older Americans. In addition, the bill creates an advocate for older persons to act on their behalf with all departments and agencies of the federal government whose policies and programs relate to or affect the particular problems and needs of the aging. More specifically, S. 4044 contains the following provisions:

(1) The Older Americans Advocacy Commission is created, composed of six members serving on a part-time basis and appointed by the President with the advice and consent of the Senate, no more than three of whom may be members of the same political party. The Commission is to—

Act as an advocate for the aging throughout the Federal government with respect to policies and programs relating to their particular needs and problems;

Evaluate existing programs intended to benefit the aging;

Make recommendations to the President, Congress, and to the heads of Federal departments and agencies regarding policies and programs affecting the aging;

By means of hearings, studies, publications, etc. inform the public about the problems and needs of the aging and activities of the Federal government designed to meet these problems and needs.

(2) The Administration on Aging is reorganized within the Department of Health, Education, and Welfare by removing it from its present location in the Social and Rehabilitation Service—which is oriented primarily toward income maintenance programs—and placing it in the Office of the Secretary of Health, Education, and Welfare and assigning primary responsibility for carrying out the Act to the Commissioner on Aging. In addition to his other duties, the Commissioner is directed to establish and operate a National Older Americans Information Clearinghouse to collect, maintain and disseminate information relating to the needs and interest of older persons and to render technical assistance to similar clearinghouse operations operated by state and local governments for the purpose of providing information and referral services related to the needs and interests of the aging in their respective jurisdictions.

(3) The existing program of formula grants to the states is substantially expanded and reorganized to provide that funds shall be granted the states to provide a range of social services to the aging in accordance with approved state plans. The legislation provides further that the delivery of such services shall be accomplished primarily by area planning and service agencies to be designated by the state agencies and operated in accordance with area plans approved by the state agencies. State agencies are required to designate those area agencies of highest priority, in order to concentrate limited resources, and in such priority areas 90% Federal funding is provided while 75% Federal funding is authorized for projects in non-priority areas. Area agencies are intended, primarily, to coordinate and fund existing service providers rather than to establish themselves as new providers of services to the aging.

(4) In addition to formula grants to states, funds are authorized for direct grants by the Commissioner on Aging to model projects which will expand or improve social services for the aging. In making such grants, the Commissioner is directed to give priority consideration to projects in the areas of housing, transportation, continuing education, pre-retirement training and services to the physically and mentally handicapped elderly.

(5) The Commissioner is authorized to make grants and contracts to conduct research in the field of aging and for training personnel for programs for the aging, including the establishment of multidisciplinary centers of gerontology. A special program of grants and contracts is authorized for the conduct of special demonstration programs for meeting the transportation needs of older Americans.

(6) Funds are authorized to make grants to pay up to 75% of the cost of acquiring or renovating facilities for use as multi-purpose senior centers. Also authorized is Federal loan insurance and interest subsidies to assist in such acquisition or renovation, and funds are authorized for initial staffing grants for the operation of such centers.

(7) The authorization for the Foster Grandparent and RSVP programs—previously conducted by the Administration on Aging and since transferred to the ACTION agency—is extended for an additional three years and a new program is established to permit the provision of services to individuals other than children.

(8) Title VII of the Older Americans Act, which provides nutrition services for the elderly, is amended to expand the range of surplus commodities available for the use in such programs, and to consolidate the state administration of Title VII and Title III programs.

(9) The Commissioner is authorized to make grants to the states for special library and education programs for the elderly.

(10) New programs are created in the Department of Labor to provide for the employment of individuals 55 and older in community service activities, and to provide special counseling and training programs for middle-aged and older workers.

#### BACKGROUND

The Older Americans Act was first enacted by the 89th Congress in 1965 and, thereafter, was amended 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 1,215 local agencies have been created to deal with the problems of the elderly. Of these, 283 are funded under Title III of the Act and another 932 are funded from other sources.

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

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 800,000 older persons were served by 1,721 projects funded under Title III.

Services for independent living were offered in 235 community programs during 1971. 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 416 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 24,913 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 247 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 160 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.

There is a total of 1,215 local agencies on aging, with 283 of these directly supported by Title III funds and the remaining 932 funded through other auspices. Over 75 percent of these agencies received start-up financial assistance from the State Agencies on Aging under the Title III Community Programs. These local agencies on aging were the focal point for planning, developing, and coordinating services for older persons in local communities.

With assistance under Title III, State agencies provided support for 474 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 2,434 elderly for employment and provided opportunities for participation and active engagement in community life.



## TITLE I—OLDER AMERICANS ADVOCACY COMMISSION

America's older citizens occupy a unique position. With some exceptions, they are not actively discriminated against. Rather, they are often subjected to an even more cruel condition—they are ignored. In a society which is preoccupied with concerns about youth; at the other end of the age spectrum the needs of the elderly tend to be overlooked by our public and private institutions. With respect to the Federal government, the elderly are also unique in that nearly every department or agency conducts some program or programs which relate directly to the needs and concerns of the aging. The following is a partial list of such activities:

## 1. Department of Health, Education and Welfare:

## a. Social and Rehabilitation Service:

- (1) Administration of Aging—State and community service programs, training in the field of aging, nutrition services.
- (2) Assistance Payments Administration—old age assistance payments.
- (3) Medical Services Administration—medical payments for people with low incomes under the Medicaid program.
- (4) Community Services Administration—social services for recipients of old age assistance and other needy individuals.
- (5) Rehabilitation Services Administration—vocational rehabilitation services.
- (6) Office of Research, Planning, and Training—research and demonstration projects in a wide range of areas.

## b. Public Health Service:

- (1) National Institutes of Health—research into the biological and psychological aspects of aging.
- (2) Health Services and Mental Health Administration—health services and mental health programs.

## c. Social Security Administration—benefits under the old-age, survivors, and disability insurance program, health insurance protection under the Medicare program, research relating to economic security for the aged.

## d. Office of Education—research and training activities, Library Services, University Community Services, and Adult Education.

## 2. Department of Labor:

## a. Manpower Administration—jobs for low-income older persons in Operation Mainstream.

## b. Employment Standards Administration—enforces the Age Discrimination in Employment Act.

## 3. Department of the Treasury: Assistance relating to the tax problems of senior citizens provided by the Internal Revenue Service.

## 4. Department of Defense: Payments under the military retirement program.

## 5. Department of the Interior: Issues a Golden Eagle Passport.

## 6. Department of Agriculture—

- a. Food and Nutrition Service—Food Stamps and Food Distribution Program.
  - b. Extension Service—educational programs including nutrition education, housing and continuing education.
  - c. Farmers Home Administration—loans for housing.
7. Department of Housing and Urban Development:
- a. Office of Housing Production and Mortgage Credit—low-rent public housing, section 236 program, rent supplements, congregate housing, section 235 program, nursing and intermediate care facilities.
  - b. Office of Housing Management—services in housing for the elderly.
  - c. Office of Community Development—programs for the elderly in Model Cities and grants for neighborhood centers under the Neighborhood Facilities program.
  - d. Office of Community Planning and Management—development of a national urban growth policy and new community projects.
8. Department of Transportation: Urban Mass Transportation Administration provides funding to assist in providing mass transportation facilities and services for elderly persons.
9. Federal Trade Commission: Action against unfair and deceptive practices such as in the sale of hearing aids.
10. Office of Economic Opportunity—
- a. Office of Operations: Senior Opportunities and Services and Community Action agency multi-generational programs.
  - b. Office of Legal Services: Legal problems of the elderly poor.
  - c. Office of Health Affairs: Emergency Food Assistance and Comprehensive Health Services.
11. Veterans' Administration:
- a. Department of Medicine and Surgery—comprehensive health care for older veterans.
  - b. Department of Veterans' Benefits—compensation, pension, and dependency and indemnity compensation.
12. Action: volunteer service opportunities through VISTA, Peace Corps, SCORE (Service Corps of Retired Executives), ACE (Active Corps of Executives), Foster Grandparent Programs, RSVP (Retired Senior Volunteer Program).
13. Railroad Retirement Board: payments under the Railroad Retirement program.
14. General Services Administration: enforcement of Architectural Barriers Act requiring Federal buildings and structures built with Federal aid to have ready access by handicapped.
15. Civil Service Commission: administers the Civil Service Retirement program and provides protection of older workers from age discrimination.
16. Department of Commerce: enforces the Flammable Fabrics Act.
17. Advisory Commission on Intergovernmental Relations: property tax relief studies.
18. Library of Congress: Division for the Blind and Physically Handicapped provides talking books and braille books.

Despite this display of seemingly active involvement with older persons by the Federal government, it is a commonplace that, "What is everyone's business is no one's business." This maxim is applicable to the Federal programs regarding the aging for they are spread thinly over virtually the entire range of the Federal establishment and too often fall between the cracks.

Efforts have been underway for sometime to provide a spokesman for the aging in the Federal government in an effort to overcome the diffusion of responsibility and corresponding lack of performance. At the time of the enactment of the Older Americans Act of 1965, it was anticipated that the Administration on Aging (AOA), created thereby, would serve as the long-sought advocate for the aging at the Federal level.

Unfortunately, this expectation has not been fulfilled by AOA. Testimony before this committee and before the Special Committee on Aging, as well as the proceedings of the White House Conference on Aging, reflect a widespread disillusionment with the activities of AOA in the advocacy role originally intended for it. The committee recognizes that the failure of AOA to act as an effective advocate stems largely from unrealistic expectations and structural infirmities. Quite clearly, a relatively low level agency within one department (HEW) has little standing in influencing the activities of other Cabinet level departments and independent agencies.

Moreover, the principal task of AOA in the years since 1965 has necessarily been the operation of programs under the Older Americans Act. Inevitably, an organization charged with the operation of such programs—particularly greatly expanded programs of the kind authorized by this bill—becomes a captive of those programs and its scope is limited by them. The bulk of the manpower, energy, and creative ideas available within the agency is directed toward the successful operation of the programs for which it is responsible.

As stated, the shortcomings of the Administration on Aging in fulfilling its advocacy role have been stressed by witnesses before this committee representing a wide range of organizations devoted to improving the lot of America's older citizens. The White House Conference on Aging emphasized the need to "pursue more vigorously the advocacy of older people interests" and urged that that public agencies be empowered to fill this function.

The Older Americans Advocacy Commission created by Title I of this bill is designed to meet these demonstrated needs. The bill provides that the Commission shall be composed of six members, appointed by the President with the advice and consent of the Senate, serving three-year staggered terms. Not more than three of the members are to be of the same political party and at least two of the members are themselves to be older persons. While the Commission is lodged in the executive branch, it is intended that it retain the independence necessary to fill its advocacy responsibility and thus it is empowered to employ its own staff.

As its name denotes, the Commission is charged, first and foremost, with the duty of advocating the interests of older Americans throughout the whole range of the Federal government. At those critical points in the development of policies and programs when older peoples' needs are so often ignored at present, the Commission should speak out.

Moreover, it is directed to evaluate and review existing programs affecting the aging to appraise their value and impact upon the lives of those who are intended to be benefitted by them. In connection with both its advocacy and evaluate functions, the Commission is empowered to request information in writing from the heads of Federal departments and agencies, which requests generally shall be answered within thirty days, unless the release of the requested information is barred by law or executive order.

It is also intended that the Commission shall serve to inform the public about the needs and concerns of the aging and about Federal activities concerning them. The Commission is further directed to make specific recommendations to the President, the Congress, and the heads of Federal departments and agencies with respect to aging problems.

In brief, the Older Americans Advocacy Commission is intended to be the principal spokesman in the executive branch for America's older citizens and to provide the visibility, identification, and advocacy that have so long been lacking in the relations between the elderly and their government.

The Administration has opposed the establishment of the Commission on several grounds. Primary reliance has been placed on the proposition that the establishment of such a spokesman for the aging creates a precedent that soon will be seized upon by other interest groups, resulting in a proliferation of such agencies. However, as pointed out above, the aging are indeed *sui generis* in this regard. No other group is affected by the activities of so many departments and agencies—with so few results. The committee considers that, in general, the needs of other groups can be met by a single department or agency administering the programs related to them. Quite clearly, this is not the case with regard to the aging.

The Administration contends further that the Commission will absorb funds that could be used for needed services to the elderly and will function as simply another layer of bureaucracy impeding the delivery of such services. It is not the committee's intention that large sums of money be devoted to the Commission's operations. While the authorization of appropriations is left open because of a lack of information about precise funding needs, the committee anticipates that the Commission should be able to operate effectively at a funding level of less than \$2 million. Further, the Commission will have no programs to operate, nor is it charged with a coordinating function; hence, it will not serve to hinder the operation of programs for the aging but rather to comment on their scope and effectiveness.

## TITLE II—ADMINISTRATION ON AGING

### REORGANIZATION OF ADMINISTRATION ON AGING

Title II of the bill substantially revises the existing Title II of the Older Americans Act, which provides for the establishment of an Administration on Aging (AOA) within the Department of Health Education, and Welfare, headed by a Commissioner on Aging appointed by the President with the advice and consent of the Senate.

In addition to broadening the functions of the Administration on Aging, Title II provides for a reorganization of AOA within HEW.

In enacting the Older Americans Act, Congress intended that AOA should act both as an advocate for the elderly in the entire Federal government and should be the principal agency for administering service programs for the aging within HEW. As the committee has explained in the section of this report devoted to Title I, AOA is incapable of exercising the full advocacy function intended by Congress from within HEW. For this reason, the Older Americans Advocacy Commission is established by this legislation.

This is not to say, however, that the committee intends that AOA should totally abandon its role, within HEW, of speaking out for the interests of the aging. Many other units within HEW conduct programs which relate to the needs of the elderly and the committee expects that AOA will play an active role in coordinating such programs.

Placement of AOA within the Social and Rehabilitation Service (SRS) in 1967, however, has lessened the effectiveness of AOA even within the HEW structure. 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.

For these reasons, the committee deems it advisable to remove AOA from the SRS and place it within the Office of the Secretary. We are gratified that the Administration has concurred in this judgment and supports the move of AOA provided in this legislation.

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.

#### THE NATIONAL OLDER AMERICANS INFORMATION CLEARINGHOUSE

In recent years, it has become obvious that many senior citizens have difficulty obtaining clear-concise information, in layman's terms, regarding the programs offered by the Federal government in their behalf. Various agencies of the Federal government operate programs which could be of tremendous benefit to our nation's senior citizens.

To provide for an information distribution system, the Committee recommends the establishment of a National Older Americans Information Clearing House. This Clearing House would be called upon to collect, analyze and disseminate information related to the needs and interests of Older Americans. This information would cover not only the activities directly under the control of the Administration on Aging but it would also include data on programs conducted by other agencies within the Department of Health Education and Welfare, and other Departments of the Government, related State and local agencies, and private organizations primarily responsible for serving the needs of Older Americans.

The Committee, as an example, could foresee the Clearing House, drawing upon the resources of the President's Special Assistant on Consumer Affairs, the Federal Trade Commission, etc., so as to provide senior citizens with information regarding the purchase of insurance,

real estate, the leasing of apartments and houses, major home repairs and other consumer areas which most directly affect senior citizens. Obviously, the National Clearing House cannot serve as an information and referral system or case processing organization for our nation's senior citizens, but it can place in their hands the type of general information that will assist Older Americans in avoiding some of the major economic pitfalls which may have such grave consequences on their fragile economic viability.

The Committee, in addition, recognizes the need of senior citizens to receive information explaining, to the greatest degree practicable, the complex benefits provided in medicare, medicaid, and other programs operating within the framework of the Social Security Act. Various government agencies are now conducting programs in the fields of continuing education, vocational training, special employment for senior citizens (a Title for which is provided in this Act), transportation, housing, recreation, nutritional programs, as well as a series of volunteer programs conducted by the ACTION Agency (see Title VI).

It is hoped, that the Clearing House will develop, as it becomes more established, the ability to channel technical information regarding various research programs, etc., to the appropriate medical, State, local, and private organizations. In this way the results of such research will quickly filter down to the operating agencies which are in the best position to utilize such information.

In addition, section 204 (a) (3) provides that this National Clearing House will encourage and assist the development of State and local information centers. The Clearing House will provide technical assistance for such centers including the information and referral centers established under Section 304(c) (3).

It is important to note, that the language contained in the Senate bill accomplishes the same objective as does that contained in H.R. 15657. It was felt advisable to grant to the Commissioner a great deal of latitude in regard to the establishment of this Clearing House, so as to provide the maximum flexibility to the Administration on Aging in developing this information distribution program. The recommendations contained in this report are solely to guide the Commissioner, and we would hope that the Commissioner does not feel that his mandate is limited solely to those areas outlined above. The Committee felt strongly that the vitality and resourcefulness of most of our senior citizens will enable them to successfully grapple with many of the problems confronting them if they have in their possession the proper kind of information.

#### ADMINISTRATION

This legislation moves the provision for administration of the Act from Title VIII of the existing law, to Title II. In addition, the bill consolidates the administrative provisions of Titles III and VII to reconcile provisions that otherwise would be inconsistent, particularly with respect to establishing a standard Federal share for state administration of 75%. When the State agency designated to administer Title VII is the same agency that administers Title III, the Title VII state plan will constitute an amendment to the state plan required to be submitted each fiscal year under Title III. In order to avoid disruption of programs to be operated under Title VII during the current

fiscal year, the consolidation of administration provisions is postponed until fiscal year 1974. Moreover, a separate authorization for administration of the Act is provided to make clear that Federal administration of these programs is not intended to be funded out of Title III funds.

**TITLE III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING  
STATE AND LOCAL GRANTS**

The bill substantially revises the present Title III state grant program in order to provide for a better organization scheme at state and local levels; to permit the targeting of limited resources to high priority areas; and to provide more specific direction for the operation of programs under this title.

To qualify for Federal funding, states are required to designate a sole state agency to prepare and submit a state plan to the Commissioner on Aging and to administer the operation of the plan throughout the state. States are required to divide the state into separate areas (referred to as "planning and service areas"); to determine for which areas an area plan for the establishment of a comprehensive and coordinated service system will be developed; and to designate an agency within such areas for the development of such plan. States are charged with the responsibility of approving plans developed by planning and service area agencies which provide for the establishment of a comprehensive and coordinated system for the delivery of a range of identified social services to the aging within the area. The committee recognizes that small states and rural states can often best be served by a single state agency and should not be subdivided into separate planning and service areas. In such cases one area plan may cover an entire state, under regulations to be prescribed by the Commissioner.

A major task set for the Area agencies on aging is the establishment and maintenance of an adequate number of information and referral sources in order that older persons can obtain information regarding opportunities and services that are available to them. The bill also provides that such information and referral sources shall develop current lists of older individuals in need of services and opportunities. The Committee intends that the information in these lists be used only by Area agencies and appropriate service providers to assist in the delivery of services to older residents of the planning and service area and that such information shall be held in the strictest confidence.

Special provision is made for the mandatory designation of particularly large units of government as area agencies when such units of government request such designation and meet stated population requirements.

Of the funds allotted to a state under this bill, up to 15% may be used for the payment of not more than 75% of the cost of administering area plans. In those planning and service areas with an approved plan the state may pay up to 90% of the cost of social services provided under the plan. In areas without an approved area plan, the state may pay up to 75% of the cost of providing social services but not more than 20% of the state's allotment may be used for this purpose.

The purpose of concentrating 80% of a state's funds in areas in

which an area agency on aging is established to develop an approved plan for a system of comprehensive, coordinated services for older persons is to achieve maximum impact of limited resources. The Title III funds will not be sufficient to fund such a system completely, but are intended to be used as an incentive and catalyst. Such funds should be able to draw in increasing commitments from public and private service providers. A three year limitation is provided on the use of Title III funds with respect to any individual project to emphasize this intent to draw in other funds to support the expansion, improvement, or initiation of services. If the state agency finds that a project is of exemplary merit and that resources are not available from other sources to continue the project, the project may be continued beyond three years. However, unless such a finding is made by the state pursuant to HEW guidelines, at the end of each three year period the Title III funds become available for recycling into additional expansions, improvements, or initiations of services within the area, or in other areas. Thus, a limited amount of funds can continue to build the service systems.

Support for area agencies on aging, however, will not be subject to the three year time limitation, since the Committee believes that once established, such agencies should be maintained in order to continue to close the gaps between needs of older persons within the planning and service area and the services available to meet those needs; to continue to improve the linkage of services into a comprehensive, coordinated network; and to act as an ongoing advocate for the needs of older persons within the area.

Authorizations for Title III programs have been substantially increased to reach \$100 million for FY 73, \$200 million for FY 74, and \$300 million for FY 75. In addition the bill provides for authorization for state administration of \$20 million in each of these three fiscal years. These authorizations have been determined after extensive testimony concerning the success of existing programs and the need for greatly expanded services to older Americans.

#### ALLOTMENTS

Funds are allotted to the states based essentially upon each states' proportionate share of the nation's population aged sixty and older. However, in order to assure that each state receives a minimum amount needed to operate such a program, the allotment formula provides that each state shall receive one percent of sums appropriated. In the case of territories and possessions, this amount is one-half of one percent of sums appropriated.

The same formula is provided under section 306 for allotment of funds to states for state administration. However, in the case of state administration funds, states will be allotted a minimum of either one-half of one percent of the total sum appropriated or, \$200,000 in any fiscal year for which at least \$15 million is appropriated for purposes of state administration, whichever is greater. The corresponding figures for territories and possessions are one-fourth of one percent of sums appropriated or \$50,000 whenever at least \$15 million is appropriated, whichever is greater.



## 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.

(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. Although such agencies primarily provide services oriented toward a vocational goal, the Committee notes that authority has been expanded in a bill recently passed by the Senate so that the agency may provide services oriented toward an independent living goal, and to provide a special target program for older blind individuals. 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.

With respect to the model projects authorized under section 308, the committee received testimony with regard to several pilot projects aimed at developing Personal Care Organizations. PCO's are patterned along the same lines as the Health Maintenance Organizations in that they agree to provide a certain package of services to their constituents for a set amount of money per person per year. It should be noted that the pilot projects of PCO's provide such services as transportation, nutrition, and certain social services. In its embryonic state, it has been felt unwise to include medical services because of the great expense involved in providing such services.

The Committee fully recognizes the limited state of the art with regard to the Personal Care Organizations but it feels that they may have sufficient potential to warrant further research and development and is hopeful that the Commissioner will make use of Section 308 funds for this purpose.

The Committee feels that, wherever practical, the appropriate Title III programs should be coordinated with organizations providing day care services, etc. so that senior citizens can participate on a voluntary basis. Such coordination of activities would benefit all of the parties concerned. The senior citizens would render valuable and constructive service to the children in the day care center, while the children, in addition to having their environment enriched by the presence and attention of the older citizens, would undoubtedly enrich the lives of the senior citizens involved.

The Committee included language that would provide for the hiring of senior citizens to fill staff positions in the administrative structure responsible for the Title III programs. It is felt that such a provision would help to involve senior citizens directly in the development and execution of the Title III projects, as well as increasing the responsiveness and sensitivity of the administrative structure responsible for delivering vital social services to senior citizens.

The programs authorized under the Older Americans Act have never depended upon income as the sole criterion for eligibility, and the Committee does not intend to impose income as the determining factor in eligibility for the comprehensive, coordinated services provided under Title III. However, in view of the fact that some five million older Americans have incomes which fall below the poverty threshold, the Committee intends that until such services are available for all older Americans, the State agencies, in dividing States into planning service areas and developing comprehensive, coordinated service programs, give special consideration to the needs of the low income elderly.

Similarly, since older members of minority groups tend to have special social problems and needs, these too warrant special consideration.

## 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 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.

Special provision is made for study and demonstration projects on the transportation problems of older Americans. The Commissioner, after consultation with the Secretary of Transportation and Housing and Urban Development, is directed to conduct a comprehensive study of the transportation problems of older Americans with emphasis upon solutions that are practicable and can be implemented in a timely fashion. Moreover, the Commissioner is directed to establish demonstration projects to test alternative methods for meeting transportation needs of the elderly. At least half of these projects are to be carried out in states predominantly rural in character, in recognition of special transportation problems of the elderly in rural areas.

## 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 \$15,000,000 for fiscal year 1973, \$20,000,000 for fiscal year 1974, and \$25,000,000 for fiscal year 1975 for training.

The bill also authorizes appropriations of \$20,000,000 for fiscal year 1973, \$30,000,000 for fiscal year 1974, and \$40,000,000 for fiscal year 1975 for multidisciplinary centers and research.

#### TITLE V—MULTIPURPOSE SENIOR CENTERS

S. 4044 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 personal 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 purchasing, 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.

The bill authorizes appropriations of \$35 million for fiscal year 1973 and for each succeeding fiscal year ending prior to July 1, 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 loans made for the acquisition, alteration or renovation of multipurpose senior centers, up to 90% of development costs. The Commissioner is also authorized to make annual interest grants to States and public and non-profit private agencies to reduce the costs 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.

Such sums as may be necessary are authorized to carry out this section.

Title V also authorizes the Commissioner to make grants for three years at a declining federal share of 75, 66 $\frac{2}{3}$  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 for fiscal year 1973-1975 are provided to carry out this section.

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

In retaining the basic language of Section 611(a) of the Older Americans Act (in Section 603(b) of this bill), the Committee bill made two changes: First, it 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. Second, the age of eligibility for entry into the program was reduced from 65 to 55, to reflect testimony before the Subcommittee on Aging, and the Special Subcommittee on Human Resources which indicated the desire and ability of persons 55 to 59 to participate in Foster Grandparent,

RSVP, and Senior Companion-type programs, and in accordance with the manpower provisions of Title IX of this bill.

The Committee recognizes that not all persons between the age of 55 and 59 seeking to participate will be able to do so, any more than there are opportunities for all those 60 and over to participate under present law. But the Committee thinks that the lower eligibility age is more realistic in today's job market and retirement situation.

In addition, there are two matters regarding language retained from the present law in Section 611(a) which require further clarification: 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" clause 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.

#### SPECIAL EMPHASIS CATEGORIES

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 fifty-five 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).

#### CONTINUATION OF DELEGATION OF AUTHORITY

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.

#### 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, as previously stated, Title II of this bill consolidates the State administration provisions of Title VII and Title III in order to provide the same Federal share and consolidated administration under both programs, effective in fiscal year 1974. 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

S. 4044 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. 15657 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. 15657 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 thereof) 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

S. 4044 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 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 years 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.

S. 4044 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.

## 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 \$100 million for fiscal year 1973 and \$150 million for fiscal year 1974 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 essen-

tial 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 Secretary 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.

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 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.

#### TITLE X—MIDDLE-AGED AND OLDER WORKERS EMPLOYMENT ACT

S. 4044 includes a provision sponsored by Senator Randolph, incorporated herein as Title X, to establish a comprehensive mid-career development services program in the Department of Labor to provide training, counseling, and special supportive services for persons 45 or older.

Several key indicators now strongly suggest that the critical years in the work lives of adults occurs during the middle 40's or early 50's. At this point in time, many clearly discernible trends become evident.

- Joblessness begins to rise;
- Duration of unemployment increases sharply;
- Labor force participation declines;
- Occupational mobility is seriously limited; and
- Poverty increases.

From January 1969 to August 1972, unemployment increased precipitously from 2.7 million to 4.9 million, for a 81 percent jump. All age groups have been victimized by the widespread joblessness, but middle-aged and older workers—persons 45 or over—have been particularly hard-pressed. Many have not only lost their jobs but their pension coverage as well, even though they may have worked several years for a little "nest egg" in retirement.

Yet, this is precisely the stage in life when the mature worker's family obligations may be the greatest. Typically, he is making payments on his car, home, furniture, or schooling for his children.

With the unemployment rate hovering at or near the 6 percent level during the past 3 years, pressures for earlier retirement have also

accelerated. Complicating everything else, job bias because of age still continues to be a formidable obstacle, despite the passage of the Age Discrimination in Employment Act more than four years ago. As a consequence, many persons 45 or older now find themselves in a "no-man's land." They are too old to hire, but too young to retire.

Recent unemployment statistics provide a grim reminder of the seriousness and magnitude of the problem for middle-aged and older persons. From January 1969 to August 1972, joblessness for this age group increased by 73 percent, from 596,000 to 1,045,000.

Once unemployed, the older worker runs a substantially greater risk of being without a job for a much longer period of time. Today one out of every three unemployed individuals 45 or older—in contrast to one in six for younger jobless persons—has been without work for 15 weeks or longer.

Compared with January 1969, long-term joblessness (15 weeks or longer) for middle-aged and older workers has risen by 233 percent, from 115,000 to 384,000. And, very long-term unemployment (27 weeks or longer) for persons 45 or older has increased by 346 percent, from 48,000 to 284,000.

Yet these unemployment figures—depressing as they may be—still only reflect the tip of the iceberg. They do not, for example, include the labor force "drop-outs": those who have given up the active search for work. More than 2.5 million men in the 45 to 64 age category have withdrawn from the work force, quite often involuntarily. Assuming that just 25 percent of this total—which is probably a conservative projection—wanted and needed employment, this would add more than 600,000 to the number of unemployed persons 45 or older. Moreover, there are more than 11.6 million women in this age category who are not in the labor force. Assuming that just 5 percent of this group—which is also a conservative estimate—were able and wanted to work, nearly 600,000 more individuals would be added to the "statistical unemployment" for persons 45 or older. The net impact is that the "real" unemployment for persons 45 or older may now exceed 2.2 million.

Equally alarming, the trend toward "easing" older workers out of the work force has continued to mount. During the past 19 months (from January 1971 to August 1972) the civilian labor force grew by 3.2 million. In sharp contrast, work force participation for persons 45 or older dropped by 200,000 during this same period.

Yet, our Nation still lacks a clearcut, effective policy to maximize job opportunities for mature workers. Persons 45 or older now account for 21 percent of the total unemployment in the United States; 39 percent of the long-term joblessness; 40 percent of the very long-term unemployment; and 36 percent of the civilian labor force. But, they constitute less than 4 percent of all first-time enrollees in our Nation's work and training programs.

## ENROLLEES IN MANPOWER PROGRAMS, BY AGE GROUP, FISCAL YEAR 1971

[Amounts in thousands]

Program	1st-time enrollments						
	Total	21 and under		45 and over		55 and over	
		Percent	Number	Percent	Number	Percent	Number
Job opportunities in the business sector .	92.6	45.0	41.7	5.0	4.6	(1)	(1)
On-the-job training.....	62.5	35.0	21.9	10.0	6.2	3.0	1.9
Public service careers.....	45.1	39.0	17.6	5.0	2.3	(1)	(1)
Institutional training.....	163.8	40.0	66.0	9.0	14.7	2.0	3.3
Job corps.....	49.8	100.0	49.8				
In-school.....	120.0	100.0	120.0				
Summer.....	464.0	100.0	464.0				
Operation Mainstream.....	21.9	5.0	1.1	40.0	8.8	25.0	5.5
Out-of-school.....	53.0	96.0	50.9				
Concentrated employment program.....	77.2	46.0	35.5	6.0	4.6	2.0	1.5
Work-incentive program.....	95.7	27.0	25.8	5.0	4.8	1.0	1.0
Total.....	1,245.6	7.18	894.3	3.7	46.0	1.1	13.2

<sup>1</sup> Information not available.

By whatever barometer one would choose to use, the older worker is underrepresented in our manpower programs. Without specific statutory authorization, the outlook for any major improvement is unlikely.

For these reasons, the Committee has added Title X to help assure that our Nation's training efforts will be more responsive to the special needs of individuals 45 or older. In meeting this objective Title X would authorize the Secretary of Labor to—

Make loans and grants to public and private nonprofit agencies and to individuals for training to upgrade the work skills and capabilities of persons 45 and older.

Train personnel for the purpose of training and retraining middle-aged and older workers to develop skills which are needed in the communities in which they reside.

Recruit and train personnel to provide placement, recruitment, and counseling services in communities where there are substantial numbers of individuals aged 45 or older who are unemployed because of a plant shutdown or other permanent reduction in the work force.

Establish specialized services for persons who desire to improve their employability or capabilities in their present jobs.

Make grants or enter into contracts with nonprofit volunteer agencies to assist such agencies in securing part-time or temporary employment for additional numbers of middle-aged and older persons.

Additionally, Title X directs the Secretary to undertake several special studies and prepare reports relating to—

The feasibility of establishing a program of extended unemployment compensation for jobless workers 55 and older who have exhausted their unemployment benefits;

Means to eliminate the lack of coverage and other inadequacies in workmen's compensation and disability insurance programs, health insurance, and pension plans, particularly as they adversely affect the employment of middle-aged and older workers; and

The extent to which Federal manpower and training programs are responsive to the needs of persons 45 and older.

Moreover, the bill directs the Comptroller General to undertake a study and make recommendations to (1) increase part-time employment opportunities for older persons without displaying currently employed workers and (2) determine the feasibility of redesigning positions in the Executive Branch to increase the number of positions available to older individuals at the subprofessional level.

To carry out these purposes, Title X would authorize \$100 million in funding for fiscal year 1973 and \$150 million for fiscal year 1974.

The need for a comprehensive and effective training policy to help maximize job opportunities for unemployed or underemployed persons 45 or older has long been needed. And the Committee strongly believes that Title X represents a sound and sensible approach to assure that adequate resources for training and supportive services are devoted to the pressing employment needs of mature workers.

#### ROLLCALL VOTES CASE

In accordance with the requirements of Section 133(b) of the Legislative Reorganization Act of 1946, as amended, the following rollcall votes were cast during Committee consideration of the bill:

(1) Amendment to add Title X to the bill. (Agreed, 10-4)

*Yeas*

Senator Williams  
 Senator Randolph  
 Senator Kennedy  
 Senator Nelson  
 Senator Mondale  
 Senator Eagleton  
 Senator Cranston  
 Senator Hughes  
 Senator Stevenson  
 Senator Schweiker

*Nays*

Senator Javits  
 Senator Dominick  
 Senator Taft  
 Senator Beall

(2) Amendment to strike Title I. (Defeated, 9-7)

*Yeas*

Senator Randolph  
 Senator Javits  
 Senator Dominick  
 Senator Schweiker  
 Senator Packwood  
 Senator Taft  
 Senator Beall

*Nays*

Senator Williams  
 Senator Pell  
 Senator Kennedy  
 Senator Nelson  
 Senator Mondale  
 Senator Eagleton  
 Senator Cranston  
 Senator Hughes  
 Senator Stevenson

(3) Motion to report a clean bill. (Agreed to, 17-0)

*Yeas*

Senator Williams  
 Senator Randolph  
 Senator Pell  
 Senator Kennedy  
 Senator Nelson  
 Senator Mondale  
 Senator Eagleton  
 Senator Cranston  
 Senator Hughes

Senator Stevenson  
 Senator Javits  
 Senator Dominick  
 Senator Schweiker  
 Senator Packwood  
 Senator Taft  
 Senator Beall  
 Senator Stafford

COST ESTIMATES (IN ACCORDANCE WITH SEC. 252(a) OF THE LEGISLATIVE REORGANIZATION ACT OF 1970  
(PUBLIC LAW 91-510))

	Fiscal years				
	1973	1974	1975	1976	1977
Title I: Advocacy Commission.....					
Title II:					
National Older Americans Informa- tion Clearing House.....	\$750,000	\$1,000,000	\$1,250,000		
Administration of the act <sup>1</sup> .....					
Title III:					
Area planning and social service pro- grams.....	100,000,000	200,000,000	300,000,000		
Planning, coordination, evaluation, and administration of State plan.....	20,000,000	20,000,000	20,000,000		
Model projects.....	70,000,000	105,000,000	140,000,000		
Title IV:					
Training.....	15,000,000	20,000,000	25,000,000		
Research.....	20,000,000	30,000,000	40,000,000		
Special transportation R. & D. pro- gram.....	7,500,000	15,000,000	20,000,000		
Title V:					
Multipurpose centers.....	35,000,000	35,000,000	35,000,000		
Loan insurance for multipurpose se- nior centers <sup>1</sup> .....					
Annual interest grants.....	1,000,000	3,000,000	5,000,000		
Personnel staffing grants.....	10,000,000	10,000,000	10,000,000		
Title VI:					
RSVP.....	20,000,000	30,000,000	40,000,000		
Foster grandparents and other senior volunteer programs.....	35,000,000	45,000,000	55,000,000		
Title VII: Nutrition program (authorized in Public Law 92-258).....					
Title VIII:					
Older readers services.....	11,700,000	12,300,000	12,900,000	\$13,700,000	
Special programs and projects re- lating to problems of the elderly— title I, Higher Education Act.....	5,000,000	5,000,000	5,000,000	5,000,000	\$5,000,000
Special projects for the elderly— Adult Education Act.....					
Senior opportunities and services program.....	7,000,000	7,000,000			
Title IX: Community service employment.....	100,000,000	150,000,000			
Title X: Middle aged and older workers training.....	100,000,000	150,000,000			
<b>Total.....</b>	<b>557,950,000</b>	<b>838,300,000</b>	<b>709,150,000</b>	<b>18,700,000</b>	<b>5,000,000</b>

<sup>1</sup> Such sums as may be necessary.

## TITLE BY TITLE SUMMARY OF S. 4044

### TITLE I—OLDER AMERICANS ADVOCACY COMMISSION

This title would create an Older Americans Advocacy Commission consisting of six members appointed by the President for staggered three year terms. No more than three of the members may be of the same political party and an effort would be made to provide representation for Older American National Organizations, as well as the general public. This Commission would be independent of any federal department or agency and it would be empowered to employ its own staff. The Commission would be charged with advocating senior citizen causes, advising the President, Congress and the public with regard to the policies and activities of the federal government in this area, and evaluating existing programs. It would have the power to hold hearings and to issue reports containing the results of its findings.

### TITLE II—THE 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 given primary responsibility for carrying out the programs authorized under this Act. Title II also creates a National Older Americans Information Clearing House which is designed to collect, analyze, prepare and disseminate information regarding the needs and interests of Older Americans.

#### TITLE III—GRANTS FOR STATE AND AREA PROGRAMS

Under the provisions of this title, the Administration on Aging would work with the State Aging Agencies to develop a state-wide plan for delivering services to senior citizens. Each state would be divided into planning and service areas which would bear the primary responsibility for developing the apparatus required to coordinate and deliver social and nutritional services to the elderly. These local aging units are designed to coordinate existing governmental services and or purchase such services in each area. It is not anticipated that they will directly provide services, except where no other source is available.

#### TITLE IV—TRAINING AND RESEARCH

The Commission on Aging is authorized to make grants for research and development projects in the field of aging. It may also undertake programs designed to attract qualified persons into the field of aging and to provide training programs for personnel in this field. There is also a provision for the establishment and support of multi-disciplinary centers of gerontology which will assist in the research and training programs as well as provide technical assistance for state and local aging units.

#### TITLE V—MULTI-PURPOSE SENIOR CENTERS

This provision provides for the acquisition, alteration, or renovation of multi-purpose senior citizen centers. Included in this section are provisions for loan insurance for senior citizen centers, grant authorizations for staffing of such centers, etc.

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

This title extends and expands the authorization for the Foster Grandparents Program and other Older Americans Community Service programs. These programs, which were previously transferred to the ACTION Agency, seek to involve Older Americans in a variety of programs designed to benefit persons, both children and adults, having exceptional needs.

#### 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—OLDER READERS SERVICES

This title amends the Higher Education Act and the Library Services and Construction Act to provide special Library programs and reading services for the Aging.

## TITLE IX—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

This title is aimed at providing community service jobs for low-income persons 55 years of age or older. It is estimated that as many as 40 to 60 thousand jobs could be created under the provisions of this title. Programs created within this title would be administered by the Department of Labor.

## TITLE X—THE MIDDLE-AGED AND OLDER WORKERS TRAINING ACT

This title is designed to complement Title IX in that it is designed to provide manpower training programs and other services to increase job opportunities for middle-aged and older persons.

## CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, 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, AS AMENDED

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 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

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.]

### ESTABLISHMENT OF ADMINISTRATION ON AGING

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 of Aging (hereinafter in this Act referred to as the 'Commissioner'). Except for title VI and as otherwise specifically provided by the Older Americans Comprehensive Services Act of 1972, the Administration shall be the principal agency for*

carrying out this Act. The Commissioner shall be directly responsible to the Secretary and shall not delegate any of his functions under this Act without first receiving the approval of the Secretary. Notice of any proposed delegation and the Secretary's approval of such delegation shall be published in the Federal Register and an opportunity shall be afforded to any interested party or agency to review and comment on the proposed delegation. No such delegation may become effective until at least thirty calendar days following the publication of such notice.

(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;
- (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) 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
- (15) develop, in coordination with other agencies, a national plan for meeting and 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.*

(2) Section 202 of the Act (as amended by the preceding provisions of this subsection) is further amended by inserting "(a)" after "SEC. 202.", and by adding at the end thereof the following new subsection:

*(b) In executing his duties and functions under this Act and carrying out the programs and activities provided for by this Act, the Commissioner, together 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 to provide social and nutritional services to older Americans 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 OLDER AMERICANS INFORMATION CLEARING HOUSE

*SEC. 204. (a) The Commissioner is authorized and directed to establish and operate a National Older Americans Information Clearing House 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), 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 Senior Citizen Information Clearing House.*

*(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.*

## ADMINISTRATION OF THE ACT

SEC. 205. (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 Older Americans Advocacy Commission.*

(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 private 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. 206. (a) *The Commissioner 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) *Before funds are released for the programs and projects authorized or assisted by this Act, the Commissioner shall develop and publish general standards for evaluation of the program and project effectiveness in achieving the objectives of this Act. Reports submitted pursuant to section 208 shall describe the actions taken as a result of these evaluations.*

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

(d) *The Commissioner 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 Commissioner 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 Commissioner 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 Commissioner 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. 207. 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. 208. 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. 209. (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 year 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) established 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 nonprofit 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 nonprofit 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 under 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.]

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

#### 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 \$100,000,000 for the fiscal year ending June 30, 1973, \$200,000,000 for the fiscal year ending June 30, 1974, and \$300,000,000 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 delivery of social services.

(b)(1) From the sum authorized to be 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 per centum of the sum authorized to be appropriated for such fiscal year; (B) Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall each be allotted an amount equal to one-half of one per centum of such sum; and (C) for any fiscal year for which the amount appropriated under subsection (a) is less than the amount authorized to be appropriated under such subsection, the allotment for each State based upon the preceding clauses of this paragraph shall be reduced to an amount equal to the product of such allotment and a

fraction whose numerator is the amount appropriated under subsection (a) for such fiscal year and whose denominator is the amount authorized to be appropriated under such subsection for such fiscal year. For purpose of clause (A) of the preceding sentence, the term "State" does not include Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific.

(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 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 amount available for carrying out such purpose to one or more other 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 no 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 50,000 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 of 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, where no established office of aging exists, 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, where no established office of aging exists in such combination, or

(4) any public or nonprofit private agency in a planning and service area for which there is no established office of aging, 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 agency of a unit of general purpose local government which has an office on aging, unless the State agency finds that no such agency 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 income 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, 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 would be used to provide legal services to older persons in the planning and service area through programs carried out under the Economic Opportunity Act of 1964, as amended, or through 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 that no social service will be 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

(8) 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 has failed to qualify under Sec. 304 or is no longer eligible under such section,

(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 for 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 percentage 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(f)(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 if \$15,000,000 or more is appropriated under this section for any one fiscal year, whichever is greater, 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, or \$50,000 if \$15,000,000 or more is appropriated under this section for any one fiscal year, whichever is greater. For the purpose of the exception contained in clause (A) of the preceding sentence, 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.

#### 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 expenditures 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.

(d) No allotments 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, unless the State agency, upon recommendation of the appropriate area agency, if any, determines for each fiscal year following such period that the program or project is of exemplary merit in solving the problems of older persons and that, due to the lack of available funds from other sources during such fiscal year, the program or project would be unable to continue unassisted under this title.

#### MODEL PROJECTS

SEC. 308. (a) The Commissioner may, after consultation with the 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. 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;
- (2) improve the transportation services available to older persons;
- (3) 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;

(4) 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

(5) 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, letter writing services, and other services designed to assist such individuals in leading a more independent life.

(b) For the purpose of carrying out this section, there is authorized to be appropriated \$70,000,000 for the fiscal year ending June 30, 1973,

*\$105,000,000 for the fiscal year ending June 30, 1974, and \$140,000,000 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 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 Older Americans Advocacy Commission, the Department of Labor, the Veterans' Administration, the Office of Education, 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, institutions, or organization for the purpose of—*

(1) *publicizing available opportunities for carriers 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) *the preparation and dissemination of 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 curricula and curricula 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 non-profit private agency, organizations, 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 identify 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.

**SPECIAL STUDY AND DEMONSTRATION PROJECTS ON THE TRANSPORTATION PROBLEMS OF OLDER AMERICANS**

SEC. 412. (a) The Commissioner 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 practicable and can be implemented in a timely fashion. In conducting the study and survey, the Commissioner 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 improved procedures for obtaining motor vehicle insurance by older Americans to be implemented for use in a coordinated transportation system.

(b) In connection with the study required by subsection (a), the Commissioner, in coordination with the Secretary of Transportation and the Secretary of Housing and Urban Development, shall conduct research and demonstration projects, either directly or by grants or contracts with public or private nonprofit agencies and organizations, in order to—

(1) demonstrate possible solutions of economic and service aspect of furnishing adequate transportation to older persons in rural and urban areas including transportation services furnished by social service agencies;

(2) demonstrate improvement of transportation services available to older persons with emphasis on (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) making payments directly to older persons to enable them to obtain reasonable and necessary transportation services;

(3) demonstrate improved coordination between transportation systems and social service delivery systems; and

(4) demonstrate innovative solutions for other special transportation problems confronting older Americans.

(c) At least half of the projects authorized under subsection (b) of this section shall be conducted in States that are predominantly rural in character.

(d) Not later than June 30, 1975, the Commissioner shall prepare and transmit to the Secretary, to the President, and to the Congress, a report on his 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 not later than June 30, 1975, as he deems advisable.

(e) In carrying out the study and survey, and the demonstration and research projects under this section, the Commissioner is authorized to—

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

(2) 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 Commissioner upon request made by him.

(f) There are authorized to be appropriated for the purposes of this section \$7,500,000 for the fiscal year ending June 30, 1973; \$15,000,000 for fiscal year ending June 30, 1974; and \$20,000,000 for fiscal year ending June 30, 1975.

#### 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 \$15,000,000 for the fiscal year ending June 30, 1973, \$20,000,000 for the fiscal year ending June 30, 1974, and \$25,000,000 for the fiscal year ending June 30, 1975.*

(b) *For the purposes of making grants under Sec. 411 there are authorized to be appropriated \$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 June 30, 1975.*

(c) *For the purposes of making grants under part C of this title there are authorized to be appropriated \$10,000,000 for the fiscal year ending June 30, 1973, \$15,000,000 for the fiscal year ending June 3, 1974, and \$20,000,000 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—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 V—MULTIPURPOSE SENIOR CENTERS

### PART A—ACQUISITION, ALTERATION, OR RENOVATION OF MULTIPURPOSE SENIOR CENTERS

#### GRANTS AUTHORIZED

*SEC. 501. (a) 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 acquiring, altering, or renovating existing facilities to serve as multipurpose senior centers (including the initial equipment of such facilities). 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.*

(b) *The total payments made pursuant to grants or contracts under this section 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.*

(c) *The term "multipurpose senior center" means a community facility for the organization and provision of a broad spectrum of social services and recreational opportunities for older persons.*

#### REQUIREMENTS FOR APPROVAL OF APPLICATIONS

SEC. 502. (a) *A grant or contract for purchase 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 purchase, the facility will be used for the purposes for which it is to be purchased, (B) sufficient funds will be available to meet the non-Federal share of the cost of purchase of the facility, (C) sufficient funds will be available, when purchase is completed, for effective use of the facility for the purpose for which it is being purchased, and (D) the facility will not be used and is not intended to be used for sectarian instruction or as a place for religious worship;*

(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;*

(3) *the plans and specifications are in accordance with regulations relating to minimum standards of construction and equipment (promulgated with particular emphasis on securing compliance with the requirements of the Architectural Barriers Act of 1968 (Public Law 90-480)); 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 facility will be paid wages at rates not less than those prevailing for similar work 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 acquisition 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 alteration or renovation.*

#### 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 reserved may be paid in advance or by way of reimbursement, and in such*

installments consistent with progress in alteration or renovation, 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 altering or renovating the facility.

#### RECAPTURE OF PAYMENTS

SEC. 504. If, within ten years after purchase of any facility for which funds have been paid under this part—

(a) the owner of the facility ceases to be a public or nonprofit private agency or organization, or

(b) the facility ceases to be used for the purposes for which it was purchased (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, \$35,000,000 for the fiscal year ending June 30, 1973, and each succeeding 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.

#### LOAN INSURANCE FOR MULTIPURPOSE SENIOR CENTERS

SEC. 506. (a)(1) In order to assist nonprofit private agencies and organizations to procure loans for the construction or purchase of multipurpose senior centers, the Commissioner may insure the payment of interest and principal on such loans if such agencies and organizations meet, with respect to such loans, criteria prescribed by the Commissioner.

(2) No loan insurance under paragraph (1) may apply to so much of the principal amount of any loan as exceeds 90 per centum of the development cost of the multipurpose senior center with respect to which such loan was made.

(b)(1) The United States shall be entitled to recover from any agency or organization to which loan insurance has been issued under this section the amount of any payment made pursuant to that insurance, unless the Commissioner for good cause waives its right of recovery. Upon making any such payment, the United States shall be subrogated to all of the rights of the recipient of the payment with respect to which the payment was made.

(2) Any insurance issued by the Commissioner pursuant to subsection (a) shall be incontestable in the hands of the agency or organization on whose behalf such insurance is issued, and as to any agency, organization, or individual who makes or contracts to make a loan to such agency or organization in reliance thereon, except for fraud or misrepresentation on

the part of such agency or organization or on the part of the agency, organization, or individual who makes or contracts to make such loan.

(c) Insurance may be issued by the Commissioner under subsection (a) only if he determines that the terms, conditions, maturity, security (if any), and schedule and amounts of repayments with respect to the loan are sufficient to protect the financial interests of the United States and are otherwise reasonable and in accord with regulations, including a determination that the rate of interest does not exceed such per centum per annum on the principal obligation outstanding as the Commissioner determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the United States. The Commissioner may charge a premium for such insurance in an amount reasonably determined by him to be necessary to cover administrative expenses and probable losses under subsections (a) and (b). Such insurance shall be subject to such further terms and conditions as the Commissioner determines to be necessary.

(d)(1) There is hereby created within the Treasury a separate fund for loan insurance for multipurpose senior centers (hereafter in this section called the "Multipurpose Senior Center Insurance Fund") which shall be available to the Commissioner without fiscal year limitation as a revolving fund for the purposes of insuring loans under this section. The total of any loans made from the Multipurpose Senior Center Insurance Fund in any fiscal year shall not exceed limitations specified in appropriations acts.

(2) The Commissioner shall transfer to the Multipurpose Senior Center Insurance Fund available appropriations provided under this section to provide capital for the fund, and the general expenses of the operations of the Department of Health, Education, and Welfare relating to loans 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 loans 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 loan under this section, the receipts derived from property covered by such loans 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 fund, cash insurance payments and adjustments, and expenses incurred in the handling, management, renovation, and disposal of properties acquired, in connection with loans 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 States and public and nonprofit private agencies to reduce the cost of borrowing from other sources for the acquisition, alteration or renovation of multipurpose senior centers, the Secretary may make annual interest grants to such agencies.

(b) Annual interest grants under this section with respect to any multipurpose senior center, 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 acquisition, alteration or renovation of such multipurpose senior centers, and (2) the average annual debt service which the multipurpose senior center 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 appropriation 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, 66½ 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 aged 60 and over.*

*(d) For the purposes 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.*

## 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]** *fifty-five* 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 AND 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 for 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

[SEC. 611. (a) The Secretary is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay not to exceed 90 per centum 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) 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.]

#### FOSTER GRANDPARENT PROGRAM AND OLDER AMERICANS COMMUNITY SERVICE PROGRAMS

SEC. 611. (a) *The Commissioner is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay part or all of the cost of development and operation of projects designed to provide opportunities for low-income persons aged fifty-five 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.*

(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.*



(c) *Payments under this part pursuant to a grant or contract may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, in such installments and on such 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 301(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 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 fiscal year ending June 30, 1973, \$7,000,000 for fiscal year ending June 30, 1974, \$8,000,000 for 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]** *Commissioner* 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]** *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 **【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 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 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. 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 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, 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, 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 Science-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 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 profit-making 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 703 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 according 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) \* \* \*

\* \* \* \* \*

(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), [or] (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), [or] (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

(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), 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), 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 meeting 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, 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), or (4) of sections 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.

## TITLE I—LIBRARY SERVICES

\* \* \* \* \*

### 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 training 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 302, 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.*

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**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], 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;

\* \* \* \* \*

## 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, *and at least one other of whom shall be knowledgeable with respect to the library and information service and science needs of the elderly.* 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,

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## Higher Education Act of 1965

\* \* \* \* \*

### TITLE I—COMMUNITY SERVICE AND CONTINUING EDUCATION PROGRAMS

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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.*

#### RELATIONSHIP TO OTHER PROGRAMS

**SEC. [110] 111.** 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. [111] 112.** 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 the 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.

### Elementary and Secondary Education Amendments of 1966

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### TITLE III—ADULT EDUCATION

\* \* \* \* \*



## 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 transportation 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 is 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.

(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 (*other than section 310*).

**SUPPLEMENTAL VIEWS OF MR. BEALL FOR HIMSELF  
TOGETHER WITH MESSRS. JAVITS, DOMINICK, PACK-  
WOOD AND TAFT.**

We support, with one reservation, the Amendments to the Older Americans Act of 1965, which were ordered reported by the Labor and Public Welfare Committee on September 22, 1972. We are all in agreement that the problems of the Aging deserve attention from the Federal government at the highest levels, and the goal of this legislation is to expand the authority of the Administration on Aging so that it can more effectively and extensively deliver social and nutritional services to older Americans. We believe that there is no constituency more deserving of assistance or more willing to help themselves than our senior citizens.

Substantial progress has been made in the past several years in bringing a higher degree of visibility and recognition within our government of the problems of the aging. The appointment of Dr. Arthur S. Flemming to serve as the Special Consultant to the President on Aging has brought a distinguished public servant and a vigorous advocate of senior citizen causes into a prominent position within the White House. Dr. Flemming's work, coupled with the efforts of the Committee on Aging within the President's Cabinet-level Domestic Council reflects a firm commitment to promote the interest of senior citizens at the highest level of our government.

S. 4044 revamps and upgrades the Administration on Aging by placing it in the Office of the Secretary of Health, Education, and Welfare. This reorganization give AOA a status far greater than it has ever possessed before. This will serve to guarantee that the problems of the Aging will receive the highest priority.

We are, however, concerned about Title I of this bill, which has been changed in the Senate to create an Older Americans Advocacy Commission. The House passed bill contains a provision establishing a "National Advisory Council on the Aging" which would advise the President, the Secretary of Health, Education, and Welfare, the Commissioner on Aging, and the Congress with regard to programs and activities involving Senior citizens. We believe that such an approach is a constructive one that would serve to provide both the Executive and Legislative Branches of the Federal Government with valuable inputs of information regarding the aging. It is our belief, that such a high level advisory council would provide valuable support for the President's efforts to mobilize the various agencies of the Executive Branch to meet the needs of Older Americans.

But, we remain fundamentally opposed to the inclusion of an Advocacy Commission within the framework of the Older Americans Act for the following reasons:

1. It tends to negate this bill which upgrades and strengthens the Administration on Aging by placing it in the Office of the Secretary as well as clearly establishing that it is "the principal agency for

carrying out this Act", thus, effectively increasing the visibility and effectiveness of the Administration on Aging.

Implicit in the creation of an independent Advocacy Commission such as this, is the belief that those who manage the Administration on Aging are of questionable competence and indeed, may be guilty of misfeasance in the performance of their responsibilities. This approach clearly contradicts the entire thrust of Title II which significantly strengthens the Administration on Aging, places it in the Office of the Secretary of Health, Education and Welfare, and determines that "the Administration shall be the principal agency for carrying out this Act." If we don't trust AOA to carry out the mandate Congress has given them, then why upgrade and expand its authority? We believe that if one looks at the record of the Aging Administration, one is inclined to come away with the impression that, in spite of a very limited manpower and very limited resources, a remarkable amount of good work has been undertaken on behalf of our senior citizens. The oversight commission concept as applied to this Act is ill-advised, ill-timed and creates a spirit of negativism totally inconsistent with the spirit that animated this Committee to strengthen Older Americans Programs.

2. Although Title I contains no specific authorization other than "such sums as may be necessary for carrying out this Title," it may be concluded that at least a million dollars a year or more will be "bled away" by the Advocacy Commission from vital nutritional and social services.

3. We are strongly of the opinion that the Older Americans Advocacy Commission would create permanent—disruptive tension within the Administrative apparatus designed to carry out programs for the elderly. Cooperation and coordination is what is needed to make Federal programs for older Americans work as Congress intended. The delivery of social services is not an adversary function and a Commission such as this would tend to create a great deal of distrust and disharmony which, in the long run, would prove counter-productive to the well-being of over 20 million senior citizens.

4. The creation of an Older Americans Advocacy Commission would clearly establish a precedent for similar "ombudsman" organizations supervising other government programs. This approach might be justifiable with regard to a regulatory body, but the Administration on Aging is primarily an operational agency designed to deliver social services.

In light of the progress we have made in recent years, as well as the adverse reaction inherent in the creation of such an Advocacy Commission, we have concluded that this proposal is not in the best interest of older Americans. As each of us knows, the task that needs to be done is the prompt and efficient delivery of services to people who need them. The goals are far too high for us to distract attention from the job that must be done.

It should be noted that the Administration is in general agreement with the position expressed in these views and we have received the

following letter from Honorable Elliot L. Richardson, Secretary of Health, Education and Welfare:

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE,  
Washington, D.C., September 27, 1972.

HON. J. GLENN BEALL, JR.,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR BEALL: On Friday, September 22, the Labor and Public Welfare Committee reported favorably the Comprehensive Older Americans Services Amendments of 1972. While I am pleased that the bill incorporated most of the provisions of the Administration's bill, S. 3391, I am very much concerned that the reported bill would create another agency with responsibilities for programs for the aged.

Title II would establish an Older Americans Advocacy Commission, a body of six members with permanent staff outside the Department of HEW, to act as an independent advocate on behalf of older Americans, to review and evaluate programs for the aged, and to disseminate information relevant to them. The proposed Commission would thus duplicate many of the functions already assigned by law to the Administration on Aging (AOA), which Title II would also upgrade organizationally within this Department.

The Federal government now has authority to mount programs to provide virtually every type of service older persons may need, and we also have significantly enlarged resources for fiscal year 1973 for these programs. What is needed now is effective management of these programs and resources. The proposed Commission would, instead, further fragment responsibility for these programs and make sound management more difficult. The bill explicitly lodges authority for policy development, program evaluation and information dissemination with both the Secretary of HEW (or the Commissioner of the AOA) and the new proposed Commission. The bill would thus fragment responsibility and result in less accountability to the public for these activities than at present. In addition, the duplication of authority is likely to result in wasted resources.

The creation of the proposed Commission will also set a dangerous precedent. Every interest group which is the beneficiary of a Federal program will demand the establishment of a similar independent advocacy body. Yet a proliferation of such bodies would not improve services to people. It would only further diffuse responsibility for real results and it would represent a major step away from the kind of Executive consolidation proposed by the long series of bipartisan studies culminating in the Ashe Council Report and embodied in the Administration's Executive reorganization bills.

I would strongly urge you and your colleagues to support deletion of this provision from the bill.

Sincerely,

ELLIOT RICHARDSON,  
Secretary.

Finally, we wish to express our gratification that Title VI of the Amendments to the Older Americans Act contains provisions that expand and improve the volunteer programs for senior citizens.

Programs such as Foster Grandparents, R.S.V.P., etc. have continued to grow and develop since their transfer to the Action Agency. The broader authority and the increased authorizations should make it possible for the Director of Action to develop new programs that will give older Americans additional opportunities to contribute to the well-being of their community.

J. GLENN BEALL, Jr.  
JACOB K. JAVITS  
PETER H. DOMINICK  
BOB PACKWOOD  
ROBERT TAFT, Jr.

**ADDITIONAL SUPPLEMENTAL VIEWS OF MR. JAVITS FOR HIMSELF TOGETHER WITH MESSRS. PACKWOOD, TAFT, AND BEALL**

We support title IX and title X of the Committee bill which contain new provisions for manpower training and public service jobs for middle-aged and older persons.

Title IX, "The Older Americans Community Service Employment Act", which passed the Senate on September 21, 1972, as a separate measure, would authorize \$100 million in fiscal year 1973 and \$150 million in fiscal year 1974 for programs under which low-income persons 55 years or older would be employed in rendering community service activities in social, health, welfare, education and other vital fields; it is estimated that as many as 40,000 and 60,000 jobs could be funded in fiscal year 1973 and fiscal year 1974 respectively.

Title X, "The Middle-aged and Older Workers Training Act", previously reported by the Committee as a separate measure, would authorize \$100 million in fiscal year 1973 and \$150 million in fiscal year 1974 for training opportunities and related activities for persons 45 years or older.

These two titles are intended to be complementary to each other: Title X focuses on manpower training efforts and other services to increase the opportunity of middle-aged and older persons to obtain "regular" jobs in the public and private sector. Title IX, will provide a significant quotient of community service jobs to be made available to those who have the greatest difficulty in obtaining "regular" jobs—low-income persons over 55 years of age.

These new measures constitute a necessary supplement to the provision made for middle-aged and older persons under existing manpower training, work experience, and employment programs.

The conditions of unemployment and job scarcity which affect many of our citizens are particularly harsh in their effect on middle-aged and older persons. Most vulnerable to technological change and subject as well to age discrimination, middle-aged and older workers are often at a disadvantage in competing for existing jobs in the labor market.

As a result, there are currently 959,000 persons 45 years or older who are unemployed and more than 6 million persons of that age living in poverty; in fact persons forty-five or older constitute more than 20 percent of the Nation's 25.9 million poor. There are presently more than 3 million Americans forty-five years or older receiving public assistance.

While the Administration has taken steps to increase opportunities for middle-aged and older persons through existing manpower training and employment programs, resources are still not adequate to meet the substantial needs of such persons.

According to information provided by the Department of Labor, in fiscal year 1972, \$264.4 million or approximately 7 percent of a total of \$3,620,012,000 in funds available through our basic manpower training and employment programs were used to provide opportunities for

persons 45 years or older; in that year 98,300 or approximately 6 percent of a total of 1,610,080 training slots were made available for such persons. In contrast, in August 1972, such persons constituted approximately 19 percent of the unemployed.

The Administration opposes these measures on the basis that they would establish "categorical" manpower programs and urges that the needs of middle-aged and older workers be met by the States, counties and cities through comprehensive manpower reform legislation, such as proposed by the Administration in S. 1243, the Manpower Revenue Sharing Act of 1971.

We understand the Administration's position and the desire for consolidation of existing programs through manpower reform. In that context, and the related review of the Emergency Employment Act, increased provision could be made for middle-aged and older persons without establishing new and separate programs.

But, unfortunately, fulfillment of the Committee's obligations with respect to the vital extension of the Economic Opportunity Act of 1964, under which many of the existing manpower training programs are conducted, has necessarily delayed consideration of comprehensive manpower training reform.

We believe that in the absence of such consideration, the manpower training and employment needs of persons forty-five years or older are of such importance as to require separate action. However, to alleviate the administrative effects of establishing new programs, we added to the Committee bill, in each case, special authority for the Secretary of Labor to coordinate these programs with each other and with existing programs and to integrate these programs into any comprehensive manpower legislation that may be subsequently enacted.

We anticipate the possibility that action by the Committee on manpower training reform and the Emergency Employment Act could commence prior to consideration of this bill by the full Senate. If so, then we reserve the right to have these titles reconsidered in that context, if it is determined that such reconsideration would not unduly delay the provision of manpower training and employment opportunities for middle-aged and older persons.

We firmly believe that the matter of training and employment programs for middle-aged and older workers deserves greater attention than has been accorded to date. As noted in recent interim recommendations of the 1971 White House Conference on Aging:

"The Nation's present manpower programs fail to take adequate account of the unemployment problems of older people. Experience proves that adequate funds must be earmarked to improve employment opportunities for older workers."

We share that assessment and believe that it applies to middle-aged persons as well. We support the Committee bill as one means of beginning more adequately to deal with the needs of these groups, which have earned the Nation's continued attention and concern.

JACOB K. JAVITS  
BOB PACKWOOD  
ROBERT TAFT, JR.  
J. GLENN BEALL, JR.



## OLDER AMERICANS COMMUNITY SERVICE EMPLOYMENT ACT

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SEPTEMBER 15 (Legislative day, SEPTEMBER 12), 1972.—Ordered to be printed

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Mr. EAGLETON, from the Committee on Labor and Public Welfare,  
submitted the following

### REPORT

together with

### SUPPLEMENTAL VIEWS

[To accompany S. 555]

The Committee on Labor and Public Welfare, to which was referred the bill (S. 555) to authorize the establishment of an older worker community service program, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

### BACKGROUND

S. 555, the Older Americans Community Service Act, was introduced on February 2, 1971, by Senator Kennedy for himself and other Senators. S. 555 is a revised version of S. 3604 which was introduced in the 91st Congress and on which hearings were held by the Subcommittee on Aging.

Hearings were held on S. 555 on July 29 and July 30, 1971. Testimony on the bill was taken from representatives of major national aging organizations, from administration witnesses, from witnesses having special expertise in the employment problems of older workers, and from older persons who are currently participating in senior community service programs.

B

## SUMMARY

This legislation establishes an Older American Community Service employment program in the Department of Labor and authorizes the appropriation of \$100 million for fiscal year 1973 and \$150 million for fiscal year 1974 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 Secretary 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.

## STATE ALLOCATIONS

Sums appropriated under this bill are to be initially allotted to projects within each State based on each State's proportionate share of the Nation's population aged 55 or older, except that each State—defined to include the District of Columbia and Puerto Rico—shall receive an initial allotment of at least one-half of 1 percent of the sums appropriated and Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific shall receive an initial allotment of at least one-fourth of 1 percent of sums appropriated. If the Secretary determines that the amounts initially allotted for projects within any State will not be required for use within such State during that fiscal year, the Secretary may reallocate such amounts to projects within other States in proportion to the original State allocations. Amounts allocated to each State shall be apportioned among areas within each State in an equitable manner, taking into consideration the proportion which eligible individuals in each such area bears to the total number of such persons in the State.

The following table shows the allocation by State of the funds authorized in accordance with the formula provided in the bill. The figures were prepared by the Department of Health, Education, and Welfare based upon the best available information with respect to number of persons 55 years or older in each State and in the Nation.

	Fiscal year 1973	Fiscal year 1974		Fiscal year 1973	Fiscal year 1974
Alabama.....	\$1,700,000	\$2,550,000	New Jersey.....	\$3,100,000	\$4,650,000
Alaska.....	540,000	910,000	New Mexico.....	770,000	1,155,000
Arizona.....	1,090,000	1,635,000	New York.....	7,610,000	11,415,000
Arkansas.....	1,320,000	1,980,000	North Carolina.....	2,090,000	3,135,000
California.....	7,060,000	10,590,000	North Dakota.....	730,000	1,095,000
Colorado.....	1,170,000	1,755,000	Ohio.....	4,130,000	6,195,000
Connecticut.....	1,570,000	2,355,000	Oklahoma.....	1,540,000	2,310,000
Delaware.....	670,000	1,005,000	Oregon.....	1,310,000	1,965,000
District of Columbia.....	770,000	1,155,000	Pennsylvania.....	5,160,000	7,740,000
Florida.....	3,670,000	5,505,000	Rhode Island.....	870,000	1,305,000
Georgia.....	1,900,000	2,850,000	South Carolina.....	1,250,000	1,875,000
Hawaii.....	680,000	1,020,000	South Dakota.....	770,000	1,155,000
Idaho.....	750,000	1,125,000	Tennessee.....	1,900,000	2,850,000
Illinois.....	4,500,000	6,750,000	Texas.....	4,150,000	6,225,000
Indiana.....	2,270,000	3,405,000	Utah.....	790,000	1,185,000
Iowa.....	1,660,000	2,490,000	Vermont.....	660,000	990,000
Kansas.....	1,390,000	2,085,000	Virginia.....	1,900,000	2,850,000
Kentucky.....	1,680,000	2,520,000	Washington.....	1,670,000	2,505,000
Louisiana.....	1,640,000	2,460,000	West Virginia.....	1,200,000	1,800,000
Maine.....	890,000	1,335,000	Wisconsin.....	2,140,000	3,210,000
Maryland.....	1,660,000	2,490,000	Wyoming.....	610,000	915,000
Massachusetts.....	2,710,000	4,065,000	American Samoa.....	250,000	375,000
Michigan.....	3,310,000	4,965,000	Guam.....	250,000	375,000
Minnesota.....	1,890,000	2,835,000	Puerto Rico.....	1,160,000	1,740,000
Mississippi.....	1,300,000	1,950,000	Trust Territory of Pacific Islands.....	270,000	405,000
Missouri.....	2,410,000	3,615,000	Virgin Islands.....	260,000	390,000
Montana.....	750,000	1,125,000			
Nebraska.....	1,160,000	1,740,000			
Nevada.....	640,000	960,000			
New Hampshire.....	770,000	1,155,000	Total.....	100,000,000	150,000,000

## NEED FOR THE BILL

The program of community service employment for older workers provided in this bill, the Older American Community Service Employment Act, 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. The principal experience to date has been with the programs operated pursuant to contracts with four national membership organizations that are oriented toward the problems of older Americans. These organizations, and the names given the community service program operated by each, are:

National Farmers Union—Green Thumb/Green Light.

National Council of Senior Citizens—Senior Aides.

National Council on Aging—Senior Community Service Project.

American Association of Retired Persons/National Retired Teachers Association—Senior Community Service Aides.

The several programs vary somewhat in individual focus—thus the Green Thumb/Green Light projects operated by the National Farmers Union are concentrated, understandably, in rural areas—but all share the common purpose of providing older men and women with the dual opportunities of earning vitally needed additional income while providing service to the communities in which they live. Most of the older Americans employed through these projects work on a part-time basis—usually about 4 hours a day, 5 days a week—and are paid, on the average, about \$2.15 an hour. The work they do varies widely and the committee heard testimony from several senior aides, who described their activities:

A 70-year-old Florida woman, herself a former migrant worker who lives in a small, isolated community inhabited largely by elderly former migrant workers, does all the shopping for about 100 persons who are unable to make the 80-mile round trip to the nearest major town. She cooks meals for those too infirm to help themselves and also arranges transportation to the clinic for those needing health care.

A retired insurance man in St. Louis, age 71, maintains a regular route covering some 30 nursing homes to aid in the placement of elderly State mental hospital patients in the homes and to follow up on the patients after placement. Many such patients had been confined in the mental hospital for a number of years—some as long as 50 years—and had no one to visit them, check on their condition, or call for State medical and social services when needed.

A 60-year-old widow in West Virginia works with retarded children in a sheltered workshop, teaching them crafts such as ceramics and woodworking, and assisting them in the personal care skills that must be acquired before they can be self-sufficient.

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. The National Council on Aging had eight applicants for every position available in the senior community service project. The National Council of Senior Citizens, the National Farmers Union, and the AARP/NRTA all report that many thousands more older people could be employed under the program if the necessary funds were available.

S. 555 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. Under this legislation \$100 million is authorized for fiscal year 1973 and \$150 million is authorized for fiscal year 1974 for the purpose of funding programs providing employment to older Americans. The bill authorizes the Secretary of Labor to enter into agreements with public or private nonprofit organizations, agencies of State and local governments, and Indian tribes on Federal and State reservations to provide for the sponsorship of these projects by such organizations with the Federal Government paying up to 90 percent of the costs of the project except in certain limited situations in which 100 percent of the cost may be paid. It is intended that the program would be conducted under the authority granted by this legislation shall be similar to the pilot program conducted in the past under Operation Mainstream with such changes as have been necessitated by the experience gained in the pilot program.

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 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.

Although the services to be performed by older Americans are designated as "community service" activities, it should be emphasized

that the committee does not view this as a volunteer program. The experience with the pilot program has demonstrated that the income earned from such service is often vital to the participants. Moreover, in a number of cases participants have been able to move into employment in the private sector after a period of time.

The administration's objections to this legislation are set forth in detail in the agency reports reprinted herein. Chief among the concerns expressed by the Department of Labor is that the Older American Community Service employment program is a categorical program which is inconsistent with the Department's philosophy of integrating manpower programs. For this reason, the committee has amended the bill to grant the Secretary broad authority for the coordination of this program with related manpower programs receiving assistance under the Economic Opportunity Act, the Manpower Development and Training Act, and the Emergency Employment Act. However, the Secretary is further authorized to make such arrangements as may be necessary to integrate this program into any comprehensive manpower legislation that may hereinafter be enacted.

The funds authorized under this bill would provide 40,000 job opportunities for older Americans in fiscal year 1973 and 60,000 slots in fiscal 1974. The need for such additional jobs was amply documented by the organizations presently engaged in operating the pilot program under contract with the Department of Labor. The experience heretofore, coupled with the 1970 census figures showing 6,816,000 persons aged 55 and older now living in poverty, is indicative of the enormous numbers of older Americans who would like to render service, who are in need of the income derived from such employment, and who are waiting to be reached by this program.

#### ROLLCALL VOTE

The following rollcall vote was taken:

Ayes	Nays
Senator Williams	None
Senator Randolph	
Senator Pell	
Senator Kennedy	
Senator Mondale	
Senator Eagleton	
Senator Cranston	
Senator Hughes	
Senator Stevenson	
Senator Javits	
Senator Dominick	
Senator Schweiker	
Senator Packwood	
Senator Taft	
Senator Beall	
Senator Stafford	

## COST ESTIMATES

In accordance with section 252(a) of the Legislative Reorganization Act of 1970 (Public Law 91-510), the committee estimates that the cost which would be incurred in carrying out this bill in fiscal years 1973 and 1974 would be \$100 and \$150 million, respectively.

## DEPARTMENTAL REPORTS

U.S. DEPARTMENT OF LABOR,  
OFFICE OF THE SECRETARY,  
*Washington, April 25, 1972.*

HON. THOMAS F. EAGLETON,  
*Committee on Labor and Public Welfare, Subcommittee on Aging,  
U.S. Senate, Washington, D.C.*

DEAR SENATOR EAGLETON: In your letter of December 9, 1971, you ask whether President Nixon's speech to the White House Conference on Aging—December 2, 1971—indicates that the administration has reconsidered its position with regard to the Older American Community Service Employment Act (S. 555). That position, and the reasoning that supports it, was set out in the testimony of Mr. Paul J. Fasser, Jr., before the Labor and Public Welfare Committee's Subcommittee on Aging on July 30, 1971. After surveying the employment situation for middle-aged and older workers and the ongoing programs now available to aid these persons, as well as proposed legislation, including the administration's welfare reform and manpower revenue-sharing proposals, Mr. Fasser stated:

"Despite the apparent success of several of the categorical programs such as the community senior service program, it is clear that, as a whole, because of the multiplicity of separate and distinct programs each vying for a share, the categorical approach of recent years has not fulfilled the expectations of manpower programs for older people or for anyone else. We believe it is time to stop proliferating categorical programs."

He continued: "The interests of older workers, as well as others, can best be served by giving the authority for manpower program administration to States and localities closest to the problem, to develop and adapt programs best suited to local needs at a given time and place."

Mr. Fasser explained that programs designed to meet the needs of older workers could be conducted by State and local governments under the public service employment section of S. 1243, the Manpower Revenue Sharing Act. He emphasized that current programs administered by this Department to create employment opportunities for older persons are utilizing funds at least equal to those that would be available under S. 555, and concluded that for those reasons, we could not support enactment of the bills then before the committee, including S. 555.

The President's speech to the White House Conference on Aging was not intended to imply support of the categorical approach of the older American community service employment program contemplated in S. 555. The President emphasized the administration's plans to alleviate problems faced by elderly Americans in a variety of areas, explaining planned or operational steps to provide income and



property tax relief, welfare reform, nursing home regulation, private pension plan reforms and vesting standards, and opportunities to contribute to the lives of others. With respect to the last, the President stated his intent to request expansion of the Retired Senior Volunteers program and related his directions to enlarge the scope of the Foster Grandparent program and employment programs for low income older workers. In his March 23, 1972, message to Congress on older Americans, the President explained that these initiatives have been taken. Appropriations have been requested to carry them out. He also told of his direction that I urge States and local communities to provide more part-time employment opportunities for older persons, in both private and public sectors, under the Emergency Employment Act of 1971 and through the State employment services.

These actions are but one aspect of this administration's commitment to easing the burdens on older persons in our society, but action to provide immediate aid should not be construed as any change in our opposition to the indefinite continuation of categorical programs. In addition to this immediate aid, alternatives to S. 555 and other categorical approaches are contained in the Manpower Revenue Sharing Act, under which State and local governments could utilize available manpower funds in the manner most suited to the need of their areas.

Sincerely,

J. D. HODGSON,  
*Secretary of Labor.*

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF MANAGEMENT AND BUDGET,  
*Washington, D.C., April 14, 1972.*

HON. HARRISON A. WILLIAMS, JR.  
*Chairman, Committee on Labor and Public Welfare, U.S. Senate,  
4230 New Senate Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your request of April 28, 1971, for the views of this Office on S. 1580, the Middle-Aged and Older Workers Employment and Community Service Act. This letter will also serve to communicate our views on two similar bills, S. 1307, the Middle-Aged and Older Workers Employment Act, and S. 555, the Older American Community Service Employment Act.

In reports and testimony presented to your committee, the Departments of Labor and Health, Education, and Welfare, and the ACTION agency have indicated their opposition to enactment of these bills.

As noted in those presentations, the bills would add to the present proliferation of categorical manpower programs, contrary to the comprehensive approach proposed in the President's manpower special revenue-sharing program.

S. 555, S. 1307, and S. 1580 would also duplicate activities currently carried out by the Department of Labor under existing legislative authorities. These include the recently expanded Mainstream projects which provide employment opportunities for older workers. In addition, under the Emergency Employment Act, State and local governments are providing thousands of meaningful employment opportunities for older workers.

In the ACTION agency, the Foster Grandparents program now offers opportunities for low-income elderly persons to provide voluntary service to needy children and receive stipends for their service. The President has recommended broadening the scope of this program to enable ACTION to develop new volunteer roles for low-income older Americans in serving people of all ages with exceptional needs. Legislation to carry out this recommendation has been introduced as S. 3450, and we support its enactment.

We believe the present and proposed programs noted above constitute a sounder basis than the bills before your committee for meeting our shared objective of expanding employment and service opportunities for older persons. Accordingly, we recommend against enactment of S. 555, S. 1307, and S. 1580.

Sincerely,

WILFRED H. ROMMEL,  
*Assistant Director for Legislative Reference.*

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,  
*September 6, 1971.*

HON. HARRISON A. WILLIAMS, JR.,  
*Chairman, Committee on Labor and Public Welfare, U.S. Senate,  
Washington, D.C.*

DEAR MR. CHAIRMAN: This letter is in response to your request of February 9, 1971, for a report on S. 555, a bill to authorize the establishment of an older worker community service program.

The bill would provide for the establishment of an "older American community service employment program," under which the Secretary of Labor would enter into agreements with public or private nonprofit agencies or organizations to pay up to 90 percent of the cost of projects providing useful part-time work opportunities in community service activities for unemployed low-income persons who are over 55, and who have poor employment prospects.

We are unable to support this measure in view of activities which are currently being carried out under present law to assist individuals of these ages with their employment problems, proposals pending before Congress, and new legislation being developed for early submission to Congress.

Programs administered by the Department of Labor are assisting Americans aged 55 and over with employment problems. The most recently enacted legislative authority of this type is the Emergency Employment Act, which became law on July 12. All State agencies on aging have been sent information on this new law, and the Administration on Aging of this Department will take steps to assure them of timely information on the implementation of the act. Some State agencies on aging are already making plans for assuring the elderly of their States a fair share of the jobs under the new law.

To the extent that H.R. 1, which has passed the House and is now before the Senate, would increase incomes of middle-aged and older persons, it would reduce the necessity to supplement retirement income as proposed in S. 555. The administration's manpower revenue-sharing proposal, introduced in the Senate as S. 1243, would result in improved

manpower services for all workers, including those who have reached the age of eligibility under S. 555.

The administration will, in the near future, transmit to Congress a recommendation for legislation strengthening the National Older Americans Volunteer program, which was authorized 2 years ago as title VI of the Older Americans Act of 1965. The administration will propose that one part of the present program, Foster Grandparents, be authorized to use low-income persons, age 60 or over, to meet a wide variety of community needs. The administering agency, ACTION, would, through grants or contracts with public and nonprofit private agencies and organizations, pay up to 90 percent of the cost of such projects. There are similarities between the proposal which will be recommended by the administration and S. 555, but there are also differences. We believe that the service orientation in the upcoming administration proposal is preferable to the employment orientation in S. 555. While the administration proposal will include compensation, the emphasis will be upon providing elderly participants with the nonmaterial rewards of serving, such as the satisfaction of engaging in interesting and useful activities, the resulting benefits to mental and physical health and morale, and the opportunity of escaping from loneliness and isolation and enjoying interacting with others who serve and with those who are served. In addition, the administration's proposal will be superior to S. 555 in that the emphasis will be upon providing needed services which would not otherwise be provided.

We would, therefore, recommend that S. 555 not be favorably considered.

We are advised by the Office of Management and Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

ELLIOT L. RICHARDSON, *Secretary.*

#### SECTION-BY-SECTION ANALYSIS

##### SECTION 1. Short title.

SEC. 2. (a) Authorizes the Secretary of Labor to establish an older Americans community service employment program for unemployed low-income persons who are 55 years old or older and who have poor employment prospects.

(b) The Secretary is authorized to—

(1) enter into agreements with public or private nonprofit agencies or organizations, State or local government agencies, or Indian tribes on Federal or State reservations for the establishment and payment of costs of projects to provide community service jobs for older persons. The Secretary shall require that each such project—

(A) will provide employment only for eligible individuals except for necessary administrative personnel;

(B) will employ such individuals in or near the communities in which they live;

(C) will provide such employment only on publicly owned facilities or on facilities of charitable organizations, so long as not used for sectarian purposes;

- (D) will contribute to the community welfare;
- (E) will provide employment only for eligible individuals whose prospects for other employment are poor;
- (F) will increase employment opportunities and not displace existing workers;
- (G) will utilize effective and equitable methods of recruitment and selection;
- (H) will include appropriate training;
- (I) will assure a safe workplace and wages no lower than the Federal minimum wage, the State or local minimum wage, or the prevailing wage, whichever is highest;
- (J) will be administered by competent and knowledgeable persons;
- (K) will pay necessary transportation costs;
- (L) will assure the equitable participation of minorities, Indian, and limited English-speaking persons.

(2) The Secretary is further authorized to issue necessary regulations.

(c) (1) Authorizes a Federal payment of up to 90 percent of project costs except that 100 percent of such costs is authorized to be paid in emergency or disaster projects or projects located in an economically depressed area.

(2) The local share may be in cash or kind.

SEC. 3. (a) Directs the Secretary to consult with State and local officials in determining the local of projects.

(b) Provides for coordination of projects established under this bill with related projects established under other authorities.

(c) Authorizes the Secretary to use the services, personnel, and facilities of other agencies, with their consent.

(d) Directs the Secretary to insure the equitable participation in the operation of projects of private agencies and organizations.

(e) Describes method of payment.

(f) Prohibits the Secretary from delegating functions under this act to any other department or agency.

SEC. 4. (a) Provides that project participants shall not be Federal employees.

(b) Provides for workmen's compensation coverage of project participants.

SEC. 5. Directs the Secretary to consult and cooperate with the Office of Economic Opportunity, the Administration on Aging, and the Department of Health, Education, and Welfare in the operation of the program.

SEC. 6. Establishes formula for the allotment and reallocation, by State, to projects within each State of sums appropriated under the bill.

SEC. 7. Defines the terms "State," "eligible individual," and "community service" as used in the bill.

SEC. 8. Authorizes the appropriation of \$100 million for fiscal year 1973 and \$150 million for fiscal year 1974.

## SUPPLEMENTAL VIEWS OF MR. JAVITS AND MR. BEALL

We support generally the Older American Community Service Employment Act, which would authorize \$100 million for fiscal year 1973 and \$150 million for fiscal year 1974, to provide public service employment opportunities to low-income persons fifty-five years and older.

The conditions of unemployment and job scarcity which affect many of our citizens are particularly harsh in their effect on older persons; most vulnerable to technological change and subject as well to age discrimination, and older worker is often at a disadvantage in competing for existing jobs in the labor market.

As a result, there are approximately 6 million persons aged fifty-five and older living in poverty—representing more than twenty percent of the Nation's 25.9 million poor; in fact 2.9 million Americans fifty-five or older are public assistance recipients.

Existing public service employment and work experience programs have not been adequate to meet the employment needs of such persons.

The Emergency Employment Act of 1971, the principal legislative source for public service jobs has brought only limited benefits to older persons. The Department of Labor reports that of the 177,528 persons employed under the Act as of July 31, 1972, 9,596, or less than six percent, were fifty-five years or older and the Department estimates that the same approximate number of employment opportunities for older persons will be available in fiscal 1973.

"Operation Mainstream" conducted under the Economic Opportunity Act of 1964, which provides work experience for older persons, is projected at a level of 29,800 opportunities for fiscal 1973.

Accordingly, it may be estimated that for fiscal 1973 an aggregate of approximately 40,000 public service employment and work experience opportunities will be available for older persons, a number less than one percent of the more than 6 million persons in that age group living in poverty.

The Older American Community Service Employment Act provides an authorization for the creation of an additional 40,000 jobs in fiscal year 1973 and for 60,000 jobs in fiscal year 1974, in public service areas of crucial importance to older persons as well as to others, such as health, transportation, housing, rural development and environmental action.

The Administration opposes this legislation on the basis that it would establish a new "categorical" manpower program and urges that the needs of older workers be met by the States, counties and cities through comprehensive manpower reform legislation, such as proposed by the Administration in S. 1243, the Manpower Revenue Sharing Act of 1971.

We understand the Administration's position and share the desire for consolidation of existing programs through manpower reform. In that context, and the related review of the Emergency Employment

Act, we believe that a quotient of public service jobs could be ensured for older persons without establishing a new and separate program.

Unfortunately, fulfillment of the Committee's obligations with respect to the extension of the Economic Opportunity Act of 1964, under which many of the existing manpower programs are conducted, has necessarily delayed consideration of manpower reform.

We believe that in the absence of such considerations the employment needs of persons fifty-five years or older are of such importance as to require separate action. However, to alleviate the administrative effects of establishing a new program, we added to the Committee bill special authority for the Secretary of Labor to coordinate with existing programs and to integrate this program into any comprehensive manpower legislation that may hereinafter be enacted.

We anticipate the possibility that action by the Committee on manpower reform and the Emergency Employment Act may commence prior to consideration of this bill by the full Senate. If so, then we reserve the right to have this legislation reconsidered in that context, if it is determined that such reconsideration would not unduly delay the provision of opportunities for older persons.

We firmly believe that the matter of employment problems for older workers, particularly those in the low-income category, deserves greater attention than has been accorded to date. As noted in recent interim recommendations of the 1971 White House Conference on Aging:

The Nation's present manpower programs fail to take adequate account of the unemployment problems of older people.

Experience proves that adequate funds must be earmarked to improve employment opportunities for older workers.

We share that assessment and support the Committee's bill as one means of beginning more adequately to deal with the needs of this group, which has earned the Nation's continued attention and concern.

JACOB K. JAVITS,  
J. GLENN BEALL, JR.

## TITLE-BY-TITLE SUMMARY OF H.R. 15657, THE OLDER AMERICANS COMPREHENSIVE SERVICES AMENDMENTS OF 1972

### 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.

Title II also creates a "National Information and Resource Clearing House for the Aging" which is designed to collect, analyze, prepare and disseminate information regarding the needs and interests of older Americans.

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.

### 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 state-wide plan for delivering social services to senior citizens. Each state will 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.

In addition, the Commissioner may undertake "model projects" within a state, giving special consideration to projects involving the housing needs of older persons, transportation needs, continuing education, pre-retirement information, and special services to the handicapped. It is hoped that these model projects will expand and improve the delivery of social services to older persons.

#### TITLE IV—TRAINING AND RESEARCH

The Commissioner on Aging is authorized to make grants for research and development projects in the field of aging. He may also undertake programs designed to attract qualified persons into the field of aging and to provide training programs for personnel in this field. 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.

#### TITLE V—MULTIPURPOSE SENIOR CENTERS

This provision provides for the acquisition, alteration, renovation and construction of multi-purpose senior citizen centers. Included in this section are provisions for loan insurance for senior citizen centers, grant authorizations for staffing of such centers, etc.

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

This Title extends and expands the authorization for the Foster Grandparents Program and other Older Americans Community Service Programs. 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.

#### 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, and the Adult Education Act, so as to provide expanded opportunities for older Americans to participate in programs of continuing education.



**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, recreational services, conservation, environmental restoration, economic development, etc. The programs created by Title IX are structured in such a way as 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 to 60 thousand jobs could be created under the provisions of this Title.

**TITLE X—MIDDLE-AGED AND OLDER WORKERS TRAINING ACT**

This Title is designed to provide manpower training programs and other services to increase job opportunities for middle-aged and older persons. The Secretary of Labor will carry out the provisions of this Title within the framework of existing programs during the remainder of fiscal year 1973.

