

The original documents are located in Box 33, folder “11/28/75 HR3922 Older Americans Amendments of 1975 (1)” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Exact duplicates within this folder were not digitized.

THE WHITE HOUSE
WASHINGTON

November 28, 1975

MR PRESIDENT:

If you approved the attached bill, a
small signing ceremony has been
suggested. Do you approve this
suggestion?

YES _____

NO *ARC*

Jim Connor

H.R. 3922

APPROVED

NOV 28 1975

Statement issued
11/28/75

Signed
11/28/75

THE WHITE HOUSE


WASHINGTON

ACTION

Last Day: December 3, 1975

November 28, 1975

MEMORANDUM FOR: THE PRESIDENT

FROM: JIM CANNON 

SUBJECT: Enrolled Bill H.R. 3922, Older Americans Amendments of 1975

This is to present for your action H.R. 3922, the Older Americans Amendments of 1975. The enrolled bill memorandum from OMB with the agency views letters is attached at Tab A. The bill is attached at Tab B.

PURPOSE

This bill extends appropriation authorizations and amends the Older Americans Act of 1965 (OAA), the national older American volunteer programs carried out under the Domestic Volunteer Service Act of 1973, the Older American Community Service Employment Act, and other statutes involving programs for the elderly; and prohibits age discrimination in Federal programs and activities.

DISCUSSION

This legislation has strong Congressional support; the conference report was adopted in the House 404-6 and in the Senate 89-0.

The enrolled bill is a compromise between the House and Senate versions. The authorization levels have been trimmed, and some of the Administration's other objections have been taken into account. Although H.R. 3922 still contains objectionable provisions, HEW believes that "the bill is in consonance in most respects with the Administration's proposals in this area."

The most controversial issue addressed by the conferees was the proposed Age Discrimination Act of 1975, which would prohibit "unreasonable" discrimination on the basis of age in all programs or activities receiving Federal financial assistance, including general revenue sharing. The Administration strongly opposed earlier versions of these

To archive
12/1



provisions and favored only a study. HEW is concerned about the lack of hearings before adoption of the age discrimination provisions and the lack of guidance provided for the development of regulations. The Department notes, however, that the enrolled bill does require a study and would allow ample time for the issues to be deliberated.

BUDGET IMPACT

The appropriations authorizations in H.R. 3922 for the various titles of the Older Americans Act are substantially in excess of the appropriations requests for FY 77. The recent history of appropriations actions, however, indicates that actual funding runs significantly below authorizations. The only element of mandatory cost in the bill is the provision increasing the level of assistance of donated commodities for elderly nutrition programs. Agriculture estimates that this provision will cost about \$8 million in FY 76 and \$10 million in FY 77.

OMB concludes that "we do not believe the authorization levels need be an overriding concern in your action on this legislation."

ARGUMENTS FOR APPROVAL

1. The elderly population is growing faster than the general population. An expansion of the services provided to this group, as in H.R. 3922, is needed to address the special problems faced by the growing numbers of elderly Americans.
2. A wide array of State and local services, many federally funded, can be coordinated through the planning and referral network established in the Older Americans Act and strengthened by this bill. This network enables the coordination of service delivery systems, avoiding creation of a completely age-segregated service delivery system or agency.
3. Added emphasis on services that delay or avoid institutionalization of the aged could result in reduced Federal outlays under Medicare or Medicaid.
4. Although the authorization levels are much higher than your planned requests, the amounts appropriated may well be more in line with Administration requests. HEW feels that the authorizations are sufficiently reasonable that the budgetary problems can be dealt with through the appropriation process.

5. Prohibition of age discrimination in Federal programs is a Federal responsibility. The provisions in the bill for a study would allow time to deliberate and reconsider any issues arising in this area before regulations and enforcement mechanisms are scheduled to take effect.

ARGUMENTS FOR DISAPPROVAL

1. The mandatory setaside for priority elderly services would reduce State flexibility and could grow into substantial categorical programs. These services duplicate existing authorities, as do training authorities and the Older American Community Service Employment Act.
2. The increased authorization levels for Titles III, VII, and IX of the OAA generate pressure for higher appropriations.
3. The age discrimination provisions in H.R. 3922 would require the Executive Branch to interpret a vague prohibition against "unreasonable discrimination" on account of age. They presuppose unreasonable age discrimination in Federal programs although no evidence has been presented. A complicated new series of Federal regulations would have to be issued and enforced.
4. Increasing Agriculture's level of assistance for donating commodities to elderly nutrition programs and requiring the Department to purchase and distribute food expands the Federal role in elderly nutrition. The provisions would divide program responsibility and oversight between USDA and HEW, adding to the administrative complexity of the program.
5. The conference committee directive to ACTION to continue to provide Foster Grandparent services to persons aged 21 for an indefinite period does not appear legally permissible and, if done, could require additional funds.

RECOMMENDATIONS

OMB

Approval. "[The bill] will provide for continued planning and coordination of a wide array of State, local, and private resources for the delivery of services to older persons. ...there are mitigating factors with respect to the [undesirable] provisions."

HEW	Approval. With the exception of the age discrimination provisions, "the bill is in many respects similar to the Administration's proposal in this area."
Commission on Civil Rights	Approval.
Agriculture	Disapproval.
ACTION	Disapproval (Portion related to ACTION).
Labor	Opposes Title IX; defers on remainder.
GSA	Opposes joint funding provision.
Justice	No objection (age discrimination provisions).
HUD	No objection to age discrimination provisions; defers on remainder.
DOT	No objection.
Interior	Defers to HEW.
Treasury	No recommendation.
Max Friedersdorf	Approval.
Ted Marrs	Approval.
Phil Buchen (Chapman)	No objection to signing.

RECOMMENDATION

To affirm your support of the elderly and of the Older Americans Act and because of the almost certain override of a veto, I recommend that you sign H.R. 3922. The bill as finally enacted is much improved over earlier versions as a result of compromises following Administration objections. Through the budget process you can show that you will not seek funding for unnecessary programs and that you propose to concentrate available resources on meeting the priority needs of the low-income elderly.

DECISION

1. GRY APPROVE H.R. 3922
2. _____ DISAPPROVE H.R. 3922

If your decision is to approve the bill, we would recommend a small signing ceremony for late this afternoon. Congressman John Rhodes has a request in to Max Friedersdorf to be present. In addition, we could get Arthur Fleming, Secretary Mathews or Under Secretary Marge Lynch, Bertha Atkins and two or three of the leaders of the aging groups based here in Washington to be present for a photo which we would make available to all the aging publications.

Attached at Tab C for your review is an approved Paul Theis signing statement which we would issue if you decide to approve the bill.



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

NOV 26 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 3922 - Older Americans Amendments
of 1975
Sponsor - Rep. Brademas (D) Indiana and 24 others

Last Day for Action

December 3, 1975 - Wednesday

Purpose

Extends appropriation authorizations and amends the Older Americans Act of 1965, the national older American volunteer programs carried out under the Domestic Volunteer Service Act of 1973, the Older American Community Service Employment Act, and other statutes involving programs for the elderly; and prohibits age discrimination in Federal programs and activities.

Agency Recommendations

Office of Management and Budget	Approval
Department of Health, Education, and Welfare	Approval
Commission on Civil Rights	Approval
Department of Agriculture	Disapproval
ACTION	Disapproval (Portion related to ACTION)
Department of Labor	Opposes Title IX; defers on remainder
General Services Administration	Opposes joint funding provision
Department of Justice	No objection (Title III)
Department of Housing and Urban Development	No objection to Title III; defers on remainder (Inform)
Department of Transportation	No objection
Department of the Interior	Defers to HEW
Department of the Treasury	No recommendation

Discussion

The Older Americans Act (OAA) of 1965 authorizes Federal grants for a variety of services to elderly Americans. The principal focus of activity under the OAA is Title III, under which grants are made to State and area aging agencies to plan, coordinate, and deliver services at the community level. Title III contains a special authorization for "model projects," with emphasis on housing, continuing education, retirement planning, and needs of physically and mentally impaired older persons.

The OAA Title VII nutrition program for the elderly provides formula grants to States for low-cost, nutritious meals, with supportive social services, to persons 60 or over and their spouses.

Under present law, the appropriation authorizations in the OAA expired on June 30, 1975, except for the authorization for Title VII, which extends through fiscal year 1977.

On January 30, 1975, HEW submitted a draft bill to the Congress which would have extended appropriations authorizations for most OAA titles through fiscal year 1977, and made a few technical amendments to the Act. Authorizations would not have been extended for programs which duplicate existing authorities and those for which the Administration has never requested funding.

As described further below, H.R. 3922 would extend and amend the OAA and other laws concerned with older people, and would enact provisions concerned with age discrimination in Federal programs and activities.

This legislation has strong congressional support; the conference report was adopted in the House 404-6 and in the Senate 89-0.

The enrolled bill is a compromise between the House and Senate versions. The authorization levels have been trimmed, and some of the Administration's other objections have been taken into account. Although H.R. 3922 still contains objectionable provisions, HEW believes that "the bill is in consonance in most respects with the Administration's proposals in this area."

The attached views letters of several other agencies, however, voice strong objections to various of its provisions.

Summary of the enrolled bill

Amendments to the Older Americans Act--H.R. 3922 would extend through fiscal year 1978, and increase substantially, the appropriation authorizations under Titles III and VII, making them co-terminous as the Administration had recommended.

The enrolled bill would also extend through fiscal year 1978 "such sums" authorizations for (1) the National Information and Resource Clearing House for the Aging (part of Title II), (2) Title III model projects, (3) training and research (Title IV), and (4) acquisition or modernization of multipurpose senior centers (Title V). The authorizations for transportation projects in Title II and for initial staffing of multipurpose senior centers in Title V would not be extended.

The Administration proposed terminating the authorizations for: training; research through disciplinary centers of gerontology; transportation projects; and multipurpose senior centers.

Other significant amendments to the OAA would:

-- require States to earmark at least 20% of their Title III grants for services for some or all of four new services including related training: (1) transportation services; (2) home services; (3) legal and other counseling services, including tax and financial counseling; and (4) residential repair and renovation programs.

-- broaden the definition of eligible social services provided by State and local aging agencies to include legal services, tax and financial counseling, and programs of regular physical activity and exercise.

-- add three new priority activities under the model projects authority: ombudsman services for nursing home residents; assistance to help older persons remain out of institutions; and improved delivery of services to low-income, minority, Indian, limited-English speaking individuals and the rural elderly.

-- require the Commissioner on Aging to reserve a portion of a State's funds for direct grants to Indian tribal organizations if he determines that (1) Indians are not receiving benefits equivalent to those provided to other older persons, and (2) tribal members would be better served by direct grants.

-- amend the Title III area plan requirements to authorize State or area agencies to enter into agreements and pool funds with rehabilitation and social service agencies to meet transportation needs of older persons.

-- expand the training grant authority to include training of lawyers and paraprofessionals to deal with legal problems of the elderly and monitor OAA administration.

-- amend the Title VII nutrition program to increase the present mandatory level of Agriculture commodity assistance from 10¢ per meal to 15¢ in fiscal year 1976 and to 25¢ in fiscal year 1977, and require the Secretary of Agriculture through September 30, 1976 to purchase and distribute to Title VII projects high protein foods, meat, and meat alternates. Such sums as may be necessary would be authorized to be appropriated for this latter purpose.

-- amend, extend with greatly enlarged authorizations, and add as a new Title IX to the OAA, the Older American Community Service Employment Act which authorizes the Secretary of Labor to fund projects that promote part-time work opportunities for unemployed low-income persons aged 55 or older. The main amendments to present law in this Title would (1) provide that funding for current national contractors (such as the National Council of Senior Citizens, the American Association of Retired Persons, and the National Farmers Union) would not be reduced and (2) adjust the allocation formula to provide greater funding for States with lower per capita incomes.

-- exempt programs and activities under the OAA from provisions of the Joint Funding Simplification Act of 1974 (JFSA), P.L. 93-510.

In letters to the conferees on H.R. 3922, the Administration expressed strong opposition to the older workers employment program, the nutrition amendments, and various duplicative authorities contained in the House or Senate versions. Some of these concerns were accommodated by the conferees, but Labor continues to oppose the provision of a categorical manpower program for persons who should be served under the broad authority of the Comprehensive Employment and Training Act (CETA). Agriculture believes that the nutrition provisions would add to the administrative complexities of Title VII and opposes the expansion of the food donation requirements. GSA is opposed to the exclusion of any programs from the JFSA.

Amendments to other Acts--H.R. 3922 would extend and amend a number of other laws concerned with the elderly.

The Domestic Volunteer Service Act of 1973 would be amended mainly to:

-- extend through fiscal year 1978 the appropriation authorizations for older American volunteer programs operated by ACTION: The Foster Grandparent and Senior Companions Program and the Retired Senior Volunteer Program. These programs are currently authorized through fiscal year 1976.

-- require the Director of ACTION to designate an aging resource specialist in each State to coordinate ACTION's older volunteer programs with the Titles III and VII programs under the OAA.

ACTION's views letter expresses concern that the latter provision may require the stationing of specialists in States which do not now have them because a single ACTION office covers more than one State. Of much greater concern to the agency, however, is a directive in the Conference Report that ACTION continue to provide Foster Grandparent services to persons who reach age 21 until a replacement service can be provided under another program. ACTION does not believe it can legally carry out this directive under its present statutory authority.

Several education acts would be amended to (1) extend through fiscal year 1978 the "such sums" authorizations for grants to colleges for programs concerned with the elderly and grants for education programs for elderly persons with limited ability in the English language and (2) require special consideration for the elderly in vocational education, consumer and homemaking programs. HEW had opposed these amendments.

The Community Services Act of 1974 would be amended to extend through fiscal year 1979 the "such sums" authorization for the Senior Opportunities and Services Program administered by the Community Services Administration, which the Administration does not wish to continue.

Age Discrimination Act of 1975--The most controversial issue addressed by the conferees on H.R. 3922 was this proposed new Act, which would prohibit "unreasonable" discrimination on the basis of age in all programs or activities receiving Federal financial assistance, including general revenue sharing.

The Commission on Civil Rights would be directed to study this subject and, within eighteen months (June 1977) report its findings and make any recommendations for statutory change to the Congress, the President, and affected heads of departments and agencies. An authorization of "such sums" would be provided for this purpose.

Agency heads would then have 45 days to submit comments and recommendations on the report to the President and congressional committees, which could then conduct hearings on the report and agency recommendations.

Within one year of the completion of the report, but no more than two and a half years after enactment of H.R. 3922 (June 1978), the Secretary of HEW would have to submit to appropriate congressional committees and then publish, general regulations prohibiting discrimination based on age in federally assisted programs.

Each Federal agency would have to publish regulations covering its programs, consistent with HEW's regulations. The sanction for noncompliance with the regulations would be termination or withholding of financial assistance after due process procedures. No enforcement action could be taken until 30 days after a written report was submitted to the committees of the House and Senate having appropriate jurisdiction. The agency regulations and enforcement sanctions would not take effect before January 1, 1979.

These provisions would not affect the Age Discrimination in Employment Act of 1967 nor apply to employment practices (except for federally assisted public service employment) and would not apply to any action which "reasonably takes into account age as a factor" necessary to normal program operation, differentiates "based upon reasonable factors other than age", or is part of an activity established under authority of any law which provides benefits based on age.

The Administration strongly opposed earlier versions of these provisions and favored only a study provision to explore the extent of the problem, if any. HEW is concerned about the lack of hearings before adoption of the age discrimination provisions and the lack of guidance provided for the development of regulations. The Department notes, however, that the enrolled bill does require a study and would allow ample time for the issues to be deliberated.

Justice does not now object, due to the bill's reliance on future study for establishment of enforcement mechanisms.

Budget impact

The table below summarizes the specific dollar authorizations provided in H.R. 3922 and those already enacted for fiscal years 1975-1978, compared with appropriation levels already provided for 1975 and requested for 1976.

(Fiscal years. \$ in millions)						
	1975 Auth.	Actual. Appn..	1976 Auth.	Request	1977 Auth.	1978 Auth.
OAA programs						
Title III	130	97	180	91	231	287
Title VII	150	125	<u>1</u> /200	100	<u>1</u> /250	275
Title IX	100	12	100	<u>2</u> / --	150	200
ACTION programs	60	46	<u>1</u> / 60	46	65	65
Totals	440	280	540	237	696	827

1/ Already authorized.

2/ Continuing resolution includes a specific appropriation of \$30 million.

The amounts authorized in H.R. 3922 for the various titles of OAA are substantially in excess of the appropriation requests for fiscal year 1976 and currently planned for fiscal year 1977. The recent history of appropriation actions, however, indicates that actual funding of Titles III and VII runs significantly below the authorizations.

The authorization for Title VII for fiscal year 1978 is not substantially higher than that already authorized for fiscal year 1977 in present law. The rising trend in the authorizations for Title III does present cause for concern, but if past actions continue, appropriations may not be substantially in excess of budgeted amounts.

The Administration has never requested funds for the OAA Title IX program, and current budget plans call for no funds to be requested for this program for fiscal year 1977. Although the authorization level has been \$100 million for each of the fiscal years 1975 and 1976, the Congress appropriated only \$12 million for 1975 and included \$30 million for 1976 in the continuing resolution for this program.

The only element of mandatory cost in the bill is the provision increasing the level of assistance of donated commodities for elderly nutrition programs. Agriculture estimates that this provision will cost about \$8 million in fiscal year 1976 and \$10 million in fiscal year 1977. These amounts are linked to Title VII funding.

Considering all these factors, we do not believe the authorization levels need be an overriding concern in your action on this legislation.

Arguments for Approval

1. The elderly population, which consumes a disproportionately large amount of Government services, is growing faster than the general population. By 1990 the age group over 64 will increase by 7.1 million or 32.6% over 1974. An expansion of the services provided to this group, as in H.R. 3922, is needed to address the special problems faced by the growing numbers of elderly Americans.

2. A wide array of State and local services, many federally funded, can be coordinated through the planning and referral network established in the OAA and strengthened by this bill. This network will enable the coordination of service delivery systems, avoiding creation of a completely age-segregated service delivery system or agency.

3. Added emphasis on services provided under Title III that delay or avoid institutionalization of the aged could result in reduced Federal outlays under Medicare or Medicaid.

4. Although the authorization levels are much higher than the Administration plans to request, the amounts appropriated may well be more in line with Administration requests. HEW feels that the authorizations are sufficiently reasonable that the budgetary problems can be dealt with through the appropriation process.

5. Prohibition of age discrimination in Federal programs is a Federal responsibility which must be addressed by every agency and department to ensure compliance. The provision in the bill for a study would allow ample time to deliberate and reconsider any issues arising in this area before regulations and enforcement mechanisms are scheduled to take effect.

Arguments for disapproval

1. The mandatory setaside for priority elderly services (transportation, legal services, home repairs, and home services) would reduce State flexibility and could grow into substantial categorical programs. These services duplicate existing authorities, as do training authorities and the Older American Community Service Employment Act which duplicates authority under the Comprehensive Employment and Training Act (CETA).

2. The increased authorization levels for Titles III, VII, and IX of the OAA generate pressure for higher appropriations.

3. The Age Discrimination provisions in H.R. 3922 would require the Executive Branch to interpret a vague prohibition against "unreasonable discrimination" on account of age. They presuppose unreasonable age discrimination in Federal programs although no evidence has been presented. A complicated new series of Federal regulations would have to be issued and enforced.

4. Increasing the Department of Agriculture's level of assistance for donating commodities to elderly nutrition programs and requiring the Department to purchase and distribute high protein food, meat and meat alternatives expands the Federal role in elderly nutrition. The provisions would divide program responsibility and oversight between USDA and HEW adding to the administrative complexity of the program. Increased donation of foods by USDA is less efficient than an expanded cash grant program entirely administered by HEW.

5. The conference committee directive to ACTION to continue to provide Foster Grandparent services to persons aged 21 for an indefinite period does not appear legally permissible and, if done, could require additional funds.

Recommendations

HEW recommends approval of H.R. 3922, stating that with the exception of the age discrimination provisions, "the bill is in many respects similar to the Administration's proposal in this area."

Agriculture recommends disapproval because the nutrition provisions would add to the administrative complexities of the program by further dividing program responsibility and oversight between Agriculture and HEW. Moreover, compelling Agriculture to purchase on the open market foods to be donated to a segment of the population disturbs the normal channels of trade and commerce, if their food needs can be met through existing commercial suppliers. Agriculture has attached a partial draft veto message to its letter.

ACTION states:

"If Section 205 of the bill, which relates to ACTION, stood alone in a separate bill, we would recommend its veto. This recommendation would be based both on the provisions of the bill, and on the Conference Committee Report, which appears to direct the agency to take actions which we believe are not authorized by legislation. We recognize that other considerations are involved, and restrict our recommendations to those provisions of the bill which directly affect this agency."

Labor opposes extension of the Older American Community Service Employment program as a categorical manpower program for a group of persons who should be served under CETA.

GSA is strongly opposed to the provision of the enrolled bill excluding OAA programs from the Joint Funding Simplification Act, and offers suggested language on this point for a possible veto message.

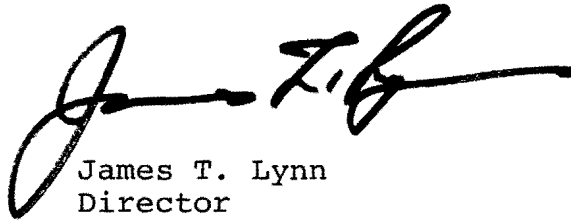
DOT has no objection to approval but notes that care must be exercised in implementing the transportation provisions to "assure that they do not result in a multiplicity of duplicative transportation services."

* * * * *

Although the bill contains several objectionable provisions, notably the Age Discrimination Act, authorizations above potential budget levels, and continuance of duplicative programs,

it will provide for continued planning and coordination of a wide array of State, local, and private resources for delivery of services to older persons. As indicated above, there are mitigating factors with respect to the provisions we have considered undesirable. Moreover, the bill as finally enacted is much improved over earlier versions as a result of compromises following Administration objections.

On balance, therefore, we recommend you sign H.R. 3922. The 1977 budget can show that you will not seek funding for duplicative and unnecessary programs and propose to take administrative steps to target available resources on meeting the priority needs of the low-income elderly.

A handwritten signature in black ink, appearing to read "James T. Lynn", with a long horizontal flourish extending to the right.

James T. Lynn
Director

Enclosures



THE GENERAL COUNSEL OF THE TREASURY
WASHINGTON, D.C. 20220

NOV 24 1975

Director, Office of Management and Budget
Executive Office of the President
Washington, D. C. 20503

Attention: Assistant Director for Legislative
Reference

Sir:

Reference is made to your request for the views of this Department on the enrolled enactment of H.R. 3922, the "Older Americans Amendments of 1975."

The enrolled enactment would amend the Older Americans Act of 1965 to extend the authorization of appropriations for programs in that Act and to establish certain social services programs for older Americans. Title III of the enrolled enactment would prohibit discrimination based on age in programs receiving Federal financial assistance, including programs or activities receiving funds under the State and Local Fiscal Assistance Act of 1972.

On June 13, 1975 the Department submitted for clearance a voluntary report to the Senate Committee on Labor and Public Welfare on H.R. 3922. The report recommended that the revenue sharing amendment be made to the revenue sharing Act. The report was not cleared.

In view of the foregoing, the Department has no recommendation to make concerning the enrolled enactment.

Sincerely yours,

General Counsel

Richard R. Albrecht



OFFICE OF THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

NOV 24 1975

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

Dear Mr. Lynn:

You have asked for our comments on sections 105 and 106 of H.R. 3922, an enrolled bill

"To amend the Older Americans Act of 1965 to establish certain social services programs for older Americans and to extend authorizations of appropriations contained in such Act, to prohibit discrimination on the basis of age, and for other purposes."

Section 105(a) of the enrolled bill, which amends section 304(c)(4) of the Older Americans Act (Act) is of interest to this Department. Section 105(a) would add a new provision to the Act which would authorize the Secretary of Health, Education, and Welfare to enter into agreements with State and area aging agencies for the purpose of developing and implementing plans for meeting the need for transportation services of persons receiving benefits under the Rehabilitation Act of 1973 and the Social Security Act. Under this provision, monies provided under the Older Americans Act, the Rehabilitation Act of 1973, and the Social Security Act may be pooled for the provision of transportation services to older people.

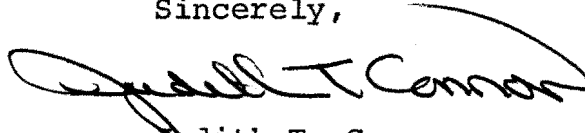
Section 106(a) of the enrolled bill would add a new provision to section 305(a) of the Act which would require that not less than 20 percent of the funds allotted to States during any fiscal year for implementing State aging plans shall be used during that fiscal year for such services as transportation, home services, legal and counseling services, and residential repair.

Section 106(b) of the enrolled bill would amend section 305(a) of the Act by adding a new provision requiring each State to provide for the establishment and maintenance of programs (including related training) for some or all of the following services: transportation; home services; legal and counseling services; and residential repair.

The Department of Transportation has no objection to the provision of sections 105, 106(a), and 106(b) of this enrolled bill. They will result in a desirable augmentation of ongoing efforts to improve transportation services for older Americans. However, care must be taken in implementing these provisions to assure that they do not result in a multiplicity of duplicative transportation services.

The Department has no objection to the President signing the enrolled bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Judith T. Connor". The signature is fluid and cursive, with a large loop at the end.

Judith T. Connor
Assistant Secretary for
Environment, Safety, and
Consumer Affairs



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

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

NOV 25 1975

Dear Mr. Lynn:

This is in response to your request for a report on H.R. 3922, an enrolled bill "To amend the Older Americans Act of 1965 to establish certain social services programs for older Americans and to extend the authorizations of appropriations contained in such Act, to prohibit discrimination on the basis of age, and for other purposes."

The enrolled bill would extend, through fiscal year 1978, the appropriation authorizations for programs under the Older Americans Act of 1965, enact provisions concerned with age discrimination, and make certain changes in programs under the Older Americans Act of 1965 and other programs concerned with older persons. A detailed description of the bill is enclosed.

We recommend that the President sign the enrolled bill; the bill is in consonance in most respects with the Administration's proposals in this area, although we have some reservations as to the age discrimination provisions.

The enrolled bill extends the programs under the Older Americans Act of 1965 without major change, as we recommended. It would synchronize, for the first time, the expiration dates of the two major programs in the Act, the social services and nutrition programs, so that in the future they could be considered by the Congress together as related parts of an overall service program for the elderly. Although the authorizations were extended for an additional year beyond the Administration's request, and although the level of the authorization for fiscal year 1976 for the social services program is \$180 million, as contrasted with the Administration's request of \$91 million, we feel that the authorizations are

sufficiently reasonable that we can deal with the budgetary problems through the appropriation process.

The provisions concerned with age discrimination on the part of all Federal grantees have been substantially modified from the original House version to meet many, but not all, of our objections. The delineation of what constitutes unreasonable age discrimination is so imprecise as to give little guidance in the development of regulations to prohibit such discrimination. In addition, the provisions raise a question as to the extent to which the Federal Government should seek to regulate private activity, particularly without holding hearings on the subject to permit affected persons and institutions to be heard.

On the other hand, the bill would provide for a careful study of the problem of age discrimination by the Commission on Civil Rights, and allows ample time for these issues to be deliberated thoroughly and for Congress to reconsider them, if it chooses to do so. Enforcement of the regulations which will eventually emerge is vested exclusively in the Federal agencies, eliminating the major problems associated with earlier proposals to permit aggrieved individuals to initiate separate actions.

With the exception of the age discrimination provisions, the bill is in many respects similar to the Administration's proposals in this area. On balance, we recommend that the President approve the bill, but that he issue a signing statement criticizing the way in which the Congress has sought to regulate age discrimination, without hearings and without guidance to either the public or the departments and agencies which will have to enforce the new law.

Sincerely,

A handwritten signature in black ink, appearing to read "David Watkins". The signature is written in a cursive, somewhat stylized script.

Secretary

Enclosures

DETAILED DESCRIPTION OF H.R. 3922

The enrolled bill would extend, through fiscal year 1978, the appropriation authorizations for programs under the Older Americans Act of 1965, enact provisions concerned with age discrimination, and make certain changes in programs under the Older Americans Act of 1965 and other programs concerned with older persons.

Specifically, the enrolled bill would do the following;

1. Appropriation authorizations. All appropriation authorizations in the Older Americans Act of 1965 expired in June, 1975, except the authorizations for the nutrition program for the elderly, which do not expire until 1977. The enrolled bill would extend the appropriation authorizations for grants for State and community programs on aging at levels of \$180 million for fiscal year 1976, \$57.75 million for the transition quarter, \$231 million for FY 1977, and \$287.2 million for FY 1978. The nutrition program appropriation authorizations would be extended at \$275 million for FY 1978, so as to expire at the same time as all the other provisions in the Act. The "such sums as may be necessary" authorizations for the following activities would be extended through FY 1978: National Information and Resource Clearing House for the Aging, model projects, training and research, and acquisition or modernization of multipurpose senior centers. The authorizations for transportation projects and for initial staffing of multipurpose senior centers would not be extended.

The President's Budget allows, for FY 1976, \$91 million for grants for State and community programs on aging, \$99.6 million for nutrition programs for the elderly, \$0.2 million for the Clearing House, \$5 million for model projects, \$7 million under the research and training authority, but restricted to research and development projects (no funding for either training or multidisciplinary centers of gerontology), and no funding for transportation projects, acquisition or modernization of multipurpose senior centers, or initial staffing of such centers. The Budget would permit transition quarter funding at one-fourth the level of FY 1976 funding for each of the activities discussed above.

2. Age discrimination provisions. The Commission on Civil Rights would be directed to complete, within eighteen months of enactment of the enrolled bill, a study of "unreasonable discrimination based on age" in all activities receiving Federal assistance (including activities receiving Revenue Sharing funds). Within one year of the completion of the report (but no more than 2 1/2 years after enactment of the enrolled bill) the Secretary of Health, Education, and Welfare would be required to publish proposed general regulations to prohibit such discrimination in federally assisted programs. After the Secretary published final general regulations, each Federal agency would publish specific regulations regarding age discrimination to cover the programs to which that agency extended financial assistance. Violations of those agency regulations would be dealt with exclusively through agency-initiated hearings (withholding of financial assistance would be the sanction employed) or through other agency action authorized by law. The regulations (and enforcement procedure) would not take effect before January 1, 1979. The age discrimination provisions would not affect the Age Discrimination in Employment Act of 1967 nor apply to employment practices (except for federally assisted public service employment), and would not apply to any action which "reasonably takes into account age as a factor necessary to the normal operation or the achievement of any statutory objective" of any activity, differentiates "based upon reasonable factors other than age", or is part of an activity established under authority of any law which provides benefits based on age, or "establishes criteria for participation in age-related terms or describes intended beneficiaries or target groups in such terms."

3. Other provisions.

A. Each State would be required to utilize, from the funds allotted to it for a fiscal year for social services, either one-third of those funds, or one-half of the amount by which the funds allotted exceeded the allotment to that State for FY 1975, but in no case less than one-fifth of those funds, for at least one of the following: transportation services, home services, legal and other counselling services, and residential repair and renovation programs.

B. The Commissioner of the Administration on Aging would be directed to provide funds for social services directly to an Indian tribe if he found that (1) the State in which the tribe was located was not providing older persons in the tribe the same benefits provided to other older persons, and (2) the tribe would be better served by direct grants.

C. An additional three-fourths of one percent of social services funds and nutrition funds could be used for the administration of State plans.

D. Special consideration, under the model projects authority, would be given to projects to (1) develop ombudsman services in nursing homes, (2) improve the delivery of services to persons not receiving adequate services under other provisions of the Act, with emphasis on low-income, minority, Indian, limited-English speaking individuals, and the rural elderly, and (3) assist older persons to remain out of institutions.

E. Explicit mention would be made, under the authority for training of persons in the field of aging, of the training of persons to deal with legal problems of the elderly.

F. The Federal Council on the Aging would be given until January 1, 1976, to complete two presently overdue reports.

G. The Secretary would be given until May 31, 1976, to complete his plan for research on aging, which was due on May 31, 1975.

H. Provisions for grants to colleges for programs concerned with problems of the elderly would be extended from 1977 to 1978, and provisions for grants for educational programs for persons with limited ability to speak and read English would be extended from 1975 to 1978.

I. Provisions administered by other Departments (Donation of surplus commodities--Agriculture, Community Service Employment for Older Americans--Labor, the Older

Americans Volunteer Programs--ACTION, and the Senior Opportunities and Services Program--Community Services Administration) would be extended and modified.

UNITED STATES COMMISSION ON CIVIL RIGHTS
WASHINGTON, D. C. 20425



STAFF DIRECTOR

November 24, 1975

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

Dear Mr. Frey:

This is in response to your request for the Commission's comments regarding the Older Americans Amendments of 1975. More specifically you wish to receive comments relative to Title III - Prohibition of Discrimination Based on Age; in which the Act would require the Commission on Civil Rights to, among other things, conduct a study and hold public hearings on the extent to which discrimination based on age is being practiced by any entity in programs or activities that are federally assisted.

When the Commission was queried by the Subcommittee on Aging of the Senate Committee on Labor and Public Welfare as to its position on conducting such a study we replied in the affirmative provided sufficient funds were appropriated by the Congress specifically for that purpose. Section 306(d) of Title III requires, among other things, that the Commission submit a report of its findings and recommendations to the Congress and the President "not later than eighteen months after the date of the enactment of this Act...". The Act does not condition the requirement of the Commission's involvement in the development of a report on the appropriation of funds specifically for that purpose. The Act merely states in Section 307(g) of Title III "There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section."

Based upon our prior understanding with the Senate Subcommittee the Commission, while willing to conduct the study and the open hearings, cannot begin that process until funds appropriated for that purpose are available. Within the next forty-eight hours I shall transmit to the Office of Management and Budget an estimate of the funds needed for that purpose. If funds are not made available in time to conduct such a study and hold such public hearings in time to comply with the requirement of the Act, the Commission shall ask the appropriate committees of the Congress to extend the time to a more appropriate period.

With the above noted reservation the Commission is pleased to recommend the bill for the signature of the President.

Sincerely,


JOHN A. BUGGS
Staff Director



DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

WASHINGTON, D. C. 20250

November 26, 1975

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

Dear Mr. Lynn:

In reply to the request of your office, the following report is submitted on the enrolled enactment H.R. 3922, "Older Americans Amendments of 1975." The bill amends the Older Americans Act of 1965 to establish certain social services programs for older Americans, extend the authorizations of appropriations contained in such act, prohibit discrimination on the basis of age, and for other purposes.

This Department recommends that the President disapprove the bill because of the provisions of section 111.

This section requires the Secretary of Agriculture to increase by five cents during fiscal year 1976 and by 15 cents during fiscal year 1977 the annually programmed per meal level of commodity assistance for nutrition programs for the elderly which are funded under title VII of the Older Americans Act. The bill also provides that during fiscal years 1975 and 1976 and the period ending September 30, 1976, the Secretary of Agriculture shall purchase and donate, in addition to the above level of commodity assistance, high protein foods, meat, and meat alternatives out of funds authorized to be appropriated for this purpose.

Title VII now authorizes the Secretary of Agriculture to donate foods available under section 32 of the Act of August 24, 1935, section 416 of the Agricultural Act of 1949, and section 709 of the Food and Agriculture Act of 1965 to recipients of grants or contracts. In donating such foods, the Department is required to maintain an annually programmed level of assistance of not less than 10 cents per meal, adjusted to the nearest one-fourth cent on an annual basis after June 30, 1975, to reflect changes in the series for food away from home of the Consumer Price Index published by the Bureau of Labor Statistics, Department of Labor. It has been determined, based on these changes for the period May 1974 to May 1975, that the level of donated foods to be provided in the program during fiscal year 1976 shall not be less than 11 cents per meal. Title VII also requires the Department, in making foods available for distribution, to "give special emphasis to high protein foods, meat, and meat alternates."

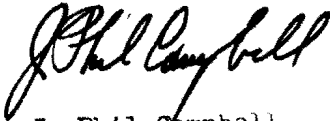
By increasing the level of food donations to be provided for each meal served in the Title VII Program, we estimate that the cost to the Depart-

ment would be about \$14 million for fiscal year 1976 and assuming no further program expansion or increases in food-away-from-home costs--nearly \$20 million for fiscal year 1977.

H.R. 3922 would require the Secretary to make purchases on the open market of high protein foods, meat, and meat alternates for distribution in the Title VII Program during Fiscal Year 1975 and 1976 and during the transitional period between June 30, 1976 and October 1, 1976. (Note: the fiscal years referred to here are the same as identified in section 111(c) (1) of H.R. 3922, as enrolled.) Since, for the purposes of the bill, these high protein items would not be considered "donated commodities," the purchases would be in addition to the commodity assistance level of 15 cents per meal in FY '76 and 25 cents per meal in FY '77. Thus, the Department's additional costs for food distribution for the program would increase by whatever amount is appropriated for meat and protein purchases.

The Department believes that the bill would add to the administrative complexities of the Nutrition Program for the Elderly by further dividing program responsibility and oversight between USDA and HEW. Since operating costs for the program are already funded nationally almost entirely by the latter agency, it would appear that donation of foods by USDA is less efficient than an expanded cash grant program entirely administered by HEW. We believe that State and local agencies are better able to determine the nutritional needs of the elderly and availability and economic purchase of foods on the open market.

Sincerely,



J. Phil Campbell
Acting Secretary

ACTION

WASHINGTON, D.C. 20525

November 25, 1975

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

Dear Mr. Lynn:

In accordance with OMB Circular A-19, this letter constitutes our views and recommendations with respect to H. R. 3922, the "Older Americans Amendments of 1975."

Section 205 of the bill amends certain sections of the Domestic Volunteer Service Act of 1973 (P.L. 93-113) (the "Act").

Section 205(a) of the bill authorizes appropriations for the Retired Senior Volunteer Program (RSVP), the Foster Grandparent Program (FGP), and the Senior Companions Program (SCP), for the July 1 - September 30, 1976 interim period, and for fiscal years 1977 and 1978, as follows:

	<u>Interim Period</u>	<u>FY 1977</u>	<u>FY 1978</u>
RSVP	\$6,000,000	\$22,000,000	\$22,000,000
FGP	8,750,000	35,000,000	35,000,000
SCP	2,000,000	8,000,000	8,000,000

While we feel that it would have been more appropriate if funds for these programs were authorized together with other programs under P.L. 93-113, we have no objection to their authorization in this bill. We note however that the authorization levels are somewhat lower, in the case of the Foster Grandparents and Senior Companions Programs, than the levels requested in our FY 1977 budget request.

Section 205(b) of the bill substitutes the word "individuals" for the word "volunteers" in several places in Section 211 of

the Act (42 U.S.C. §5011). Although we object to this change, we do not believe it is significant enough to request disapproval.

Section 205(c) of the bill requires the designation in each State of an aging resource specialist with respect to the Older Americans Volunteer Programs. ACTION has already moved to comply with this requirement. We are concerned, however, that this provision may require the stationing of aging resource specialists within States where none are presently stationed because a single ACTION State office serves more than one State. There are presently seven States (including the District of Columbia and the Virgin Islands) in which this would be the case.

We also wish to draw your attention to certain material contained in the Conference Committee Report which accompanied this bill. The report discusses matters not contained in the bill, and which appear to direct ACTION to take certain steps which are in violation of our authorizing legislation.

The portions of the report which give us greatest concern relate to the interpretation of the word "children" in Section 211(a) of the Domestic Volunteer Service Act of 1973, which authorizes the Foster Grandparents Program. There is general agreement that "children," as used in the Act, refers to chronological age. The report, however, directs ACTION to continue to provide foster grandparent services to persons who reach age 21 for an indefinite period, until a similar replacement service can be provided under another program. While we agree that a temporary arrangement of this type is permissible to permit an orderly transition for persons who have already reached age 21, we do not agree that a long-continued program of support for foster grandparent services for persons over 21 is legally permissible. In the absence of sufficient funds under the Senior Companions Program authorized by Section 211(b) of the Act, it may not be possible for this Agency to provide funds for the continuation of these services for all who may desire them.

If Section 205 of the bill, which relates to ACTION, stood alone in a separate bill, we would recommend its veto. This recommendation would be based both on the provisions of the bill, and on the Conference Committee Report, which appears to direct the agency to take actions which we believe are not authorized by legislation. We recognize that other considerations are involved, and restrict our recommendations to those provisions of the bill which directly affect this agency.

Sincerely,

A handwritten signature in black ink that reads "Ronald E. Gerevas". The signature is written in a cursive style with a large initial 'R' and a long, sweeping tail on the 's'.

Ronald E. Gerevas
Associate Director
Domestic Operations

Department of Justice
Washington, D.C. 20530

November 25, 1975

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

Dear Mr. Lynn:

This is in response to your request for the views of the Department of Justice on H.R. 3922, the Older Americans Amendments of 1975, which was passed by the Congress and forwarded to the President.

We noted, in comments sent to the Conference Committee on July 9, 1975, 1/ that we were concerned about Title III of the House bill, the "Age Discrimination Act of 1975", which would have enacted a statutory prohibition against age discrimination in federal programs. We concurred in the Senate version of that Title (in S. 1425), which the United States Commission on Civil Rights would have been directed to study the problem of age discrimination and make recommendations to the Congress and President for appropriate corrective action (See 121 Cong. Rec. at S. 11740 (daily ed. June 26, 1975)).

Although this bill, by including a statute prohibiting unreasonable age discrimination in federal programs (Sec. 303), goes further than S. 1425, it still relies on the Commission for a study of age discrimination in federal programs and for recommendations on possible regulatory action. (Sec. 307). The regulatory provisions of the bill (Sec. 304, 305) will come into effect only after the Commission study is completed and affected federal agencies have issued regulations after having studied the report's recommendations and the preliminary general regulations issued by the Secretary of Health, Education, and Welfare. (Sec. 304(a)). In any event, no regulations will be effective before January 1, 1979 (Sec. 304(a)(5)).

1/ We also sent comments on the House bill to the Senate Labor and Public Welfare Committee on June 12, 1975.

Presumably, if the Commission were to find that unreasonable age discrimination in federal programs does not exist to a degree to warrant regulatory action, an appropriate recommendation would be made and the need for implementation of specific enforcement procedures obviated. Although the bill can be read as establishing the fact of age discrimination and leaving to the Commission the job of uncovering specific instances and recommending enforcement procedures, we do not interpret the bill in this manner. Our first interpretation is, in our view, more reasonable, and would allow for the possibility that the Commission's report may indicate federal regulation to be unnecessary. 2/

As indicated, the Department did not recommend the establishment, at this time, of a statutory prohibition against age discrimination. However, due to the bill's reliance on future study for establishment of specific enforcement mechanisms, we do not feel that the differences between our recommendations on Title III and the final provisions of that Title are of such a nature to justify rejection of the entire bill; accordingly, the Department of Justice does not object to implementation of this legislation.

Sincerely,



Michael M. Uhlmann

2/ In fact, Sec. 307(d) states that the "Commission shall transmit a report of its findings and its recommendations for statutory changes (if any) and administrative action . . ." This "if any" language suggests that Congress is not directing the Commission only to make recommendations on enforcement, but to discover whether regulatory measures are in fact necessary.

U. S. DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

WASHINGTON

NOV 26 1975

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

Dear Mr. Lynn:

This is in response to your request for our views on the enrolled enactment of H.R. 3922, the "Older Americans Amendments of 1975."

Section 113 of H.R. 3922 would extend the Older American Community Service Employment Act through fiscal year 1978 with authorizations totalling \$487,500,000. If all such funds were appropriated a considerable expansion of this program would result. Outlays for this program in the current fiscal year are only expected to be about \$42,000,000. Aside from extending the Act and increasing its funding authority H.R. 3922 would make the following major changes in the program: (1) legal counselling is made an eligible community service; (2) funding for current national contractors will not be decreased; (3) adjustments in the allocation formula are made which are intended to provide greater funding for states with lower per capita incomes; and (4) this Department is required to consult with State and area agencies on aging through the HEW Commissioner on Aging. This program was originally enacted over the Administration's objections, and this Department has consistently and strongly opposed its extension. Authority and adequate funding for this type of activity are available under the Comprehensive Employment and Training Act (CETA).

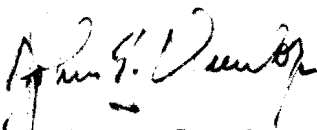
As long as a limited, categorical program for older workers continues to be funded, state and local officials will try to ignore older workers when they allocate the major block of revenues available under CETA. Therefore, contrary to the goal of the program, the needs of older workers will not be met as effectively as they should be.

Further, we note that title III of H.R. 3922 has been modified to take cognizance of at least some of the concerns we raised with respect to the original House-passed version. Title III would prohibit unreasonable age discrimination in certain federally assisted programs. HEW would be responsible for issuing general implementing regulations, while each agency would be responsible for enforcement with respect to its own programs. Title III would not apply to employment practices, except under the CETA public service employment programs, and the Act also specifies that it is not intended to modify the Age Discrimination in Employment Act (ADEA) administered by this Department. In addition, implementation of this title would be delayed pending a study by the U.S. Commission on Civil Rights, and an evaluation of that study by HEW, the other Federal agencies involved and by the Congress itself. In any event full implementation would be delayed until 1979.

With respect to other provisions of this legislation, we defer to those agencies more directly involved.

As stated above, we continue to oppose extension of the Older American Community Service Employment program (title IX) as a categorical manpower program for a group of persons that should be served under the broad authority of CETA. We believe that CETA should be the primary program for providing manpower services and the continuation of a separate categorical manpower program is both unnecessary and undesirable. While no final decision has been reached on the fiscal year 1977 budget, our discussions with your staff at this point have concluded that the fiscal year 1977 budget will not include funds for this program. If H.R. 3922 is signed into law this strategy will be made more difficult. However, we also recognize that our opposition to providing manpower services for older Americans through a separate categorical program must be balanced against the fact that H.R. 3922 contains many other widely supported provisions designed to meet the various needs of older Americans.

Sincerely,


Secretary of Labor

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION
WASHINGTON, DC 20405



NOV 26 1975

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

Dear Mr. Frey:

By letter of November 21, 1975, you requested the views of the General Services Administration (GSA) on enrolled bill H.R. 3922. GSA has completed its review of the subject bill and offers these comments.

Section 102 of the bill, by itself, is not sufficient to warrant veto of the bill by the President. However, if the President decides on other grounds to veto the bill, we believe the following statement should be included as part of the Veto Message:

"In addition to the above reasons, section 102 of the bill seeks to exclude programs authorized under the Act from the provisions of the Joint Funding Simplification Act of 1974 (P.L. 93-510). This exclusion is apparently based on a misunderstanding by the conferees of the purposes of the Joint Funding Simplification Act. That Act authorizes agencies to enter into jointly funded projects which would be administered uniformly. It does not authorize the transfer of programs from one Federal agency or department to another Federal agency or department, as the conference report on H.R. 3922 indicates. We have viewed the Joint Funding Simplification Act as a useful tool for improving the administration of related Federal assistance projects and are opposed to excluding individual programs from its provisions."

Sincerely,

Robert J. Yock
Acting Assistant Administrator



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

NOV 20 1975

Dear Mr. Lynn:

This responds to your request for our views on sections 104 and 108 of enrolled bill H.R. 3922, "To amend the Older Americans Act of 1965 to establish certain social services programs for older Americans and to extend the authorizations of appropriations contained in such Act, to prohibit discrimination on the basis of age, and for other purposes."

The matters which affect this Department are contained in sections 104, 108, and 902 (b)(1)(M). With regard to these matters, we recommend that the President approve the enrolled bill. However, with respect to the merits of the remainder of the bill, we defer in our views to the Department of Health, Education and Welfare.

Section 104 of the enrolled bill would amend the allotment provision in title III of the Older Americans Act of 1965. Section 104 would permit direct allotment of a State's title III funds to an Indian tribal organization serving Indians of that State, if the Commissioner on Aging determines that members of such tribe in that State are not receiving title III benefits equivalent to benefits provided to other older persons in the State and that members of the tribe would be better served by grants made directly to the tribal organization. If the Commissioner decides to make such direct grants, he would reserve from sums which would otherwise be allotted to the State involved not less than 100 percent nor more than 150 percent of an amount which bears the same ratio to the State's allotment for the fiscal year concerned as the population of all Indians aged 60 or over in the State for which he made such determinations bears to the total aged 60 plus population of that State. Then, he would directly allot the amount thus taken out of the State's allotment to the Indian tribal organizations. Section 104, for the purposes of this provision, defines the terms, "Indian", "Indian tribe", and "tribal organization".

Section 108 of the enrolled bill would amend title III of the Older Americans Act to provide for certain new model project requirements. In making model project grants and contracts, the Commissioner on Aging would be required to give special consideration to projects designed to meet three additional needs (above



those 4 now required by the Act). Among these three new needs would be: projects to meet the needs of older Americans who are not receiving adequate services under other provisions of the Act, with emphasis on the needs of low-income, minority, Indian, and limited-English speaking individuals, and elderly persons residing in rural areas.

The principle focus of activities under the Older Americans Act of 1965 has been the title III program of grants to the States under which the States were authorized to use the funds so allotted to make project grants, usually for projects such as senior centers.

The 1973 amendments to the Act introduced a new concept by directing the establishment of a nationwide network of area agencies on aging so as to provide for a better organizational scheme at State and local levels and to provide for better planning and coordination of resources at the local level. Each State was required to divide itself into separate areas and develop a plan for the establishment of a comprehensive and coordinated system of services to the aged, and to designate an agency within each area for the development and implementation of the plan.

Section 104 of the bill was included as an amendment to title III because of the concern of many Indian groups that some State agencies on aging, in States with large Indian populations, were providing little or no assistance or services to older Indians.

Many States have long regarded provision of services to Indians as a Federal rather than a State responsibility because of the trust relationship between the Federal Government and Indian tribes. While this is not the case in all States, a mechanism is necessary to ensure equitable services for Indians in States which are not meeting their responsibility in this area. The provisions of section 104 of the enrolled bill would allow the Commissioner on Aging, upon making the necessary findings, to take such action to ensure that older Indians who are members of Federally-recognized tribes or who are located on, or near, a Federal reservation or rancheria or a State reservation, receive title III benefits, at least to the extent that equivalent services are provided to other older persons in the State.

Section 108 of the enrolled bill amends the model project provisions under title III of the Older Americans Act whereby the Commissioner on Aging is given discretionary authority to make grants to improve social services or otherwise promote the

well-being of older persons. In addition to projects operated by the State and Area Agencies on Aging, the Commissioner may directly fund certain projects under title III. Section 108 adds three new areas to which the Commissioner is required to give special consideration in awarding grants and projects. Among these three new areas is that area of projects to assist certain under-served and low-income and minority individuals, including Indians.

Title III of the Older Americans Act does not limit the provision of services to low-income or minority individuals. However, with regard to older Indians, there are instances in which the needs of these individuals are so great, and the ability of existing agencies to serve them is so limited, that direct model project funds for Indians under section 108 of this bill can be critical in filling these gaps.

Title IX of the enrolled bill amends the Older American Community Service Employment Act of 1973. This program provides part-time jobs to low-income elderly who have few prospects for employment, and this Act is commonly referred to as "Title IX". Under section 902 (b)(1) of the enrolled bill the Secretary of Labor is authorized to enter into agreements with public and private organizations, and with tribal organizations, to carry out the purposes of "Title IX". Under this section tribal organizations would become eligible recipients under "Title IX". The Secretary of Labor may not make payments to any project unless he determines that such project, inter alia, will serve the needs of minority, Indian and limited English-speaking eligible individuals.

For the reasons set forth above, we recommend that the President approve section 104, 108 and 902(b)(1)(M) of enrolled bill H.R. 3922.

Sincerely yours,



Commissioner of Indian Affairs

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

11/28

Mr. J.

—

KT



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

DATE: 11-28-75

TO: Bob Linder

FROM: Jim Frey

Attached are the HUD views letter on H.R. 3922 and the Treasury views letter on H.R. 9472. Please have included in the enrolled bill files. Thanks.



THE GENERAL COUNSEL OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D. C. 20410

November 26, 1975

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

Attention: Miss Martha Ramsey

Dear Mr. Frey:

Subject: H. R. 3922, 94th Congress
Enrolled Enactment

This is in response to your request for our views on the enrolled enactment of H. R. 3922, the "Older Americans Amendments of 1975."

The enrolled enactment would extend through fiscal year 1978 programs under the Older Americans Act of 1965, including area planning and social service programs, training and research programs, the nutrition program, and the multipurpose senior center program, as well as programs for the elderly under other laws such as the Higher Education Act of 1965 and the Domestic Volunteer Service Act of 1973.

The enactment would, among other things, require State plans for comprehensive services for the elderly under title III of the 1965 Act to provide for programs in "some or all" of the following services: transportation, home services, legal and counseling services, and residential repair and renovation. In this connection, the enactment would require States to use at least 20 percent of their title III State plan allotment for these purposes beginning with fiscal year 1977, and would also require all States which are spending less than 33 1/2%

of their title III funds for such purposes to use for the provision of these services at least half of the amount by which their State plan allotment exceeds the allotment for fiscal year 1975. Area plans would be required to be consistent with State plans in this regard. While we would otherwise have some concern that the requirement with respect to repair and renovation might tend to duplicate activities under HUD programs, we believe that this could be avoided by proper interagency coordination. In this connection, we would note that the Conference Report accompanying H. R. 3922 indicates the intent that States are to be encouraged but not required to provide services in all four of the specified categories (Report No. 94-610, p. 29). In addition, the Report stresses that the requirement "does not mean that State and area agencies on aging must provide them [the services] directly. Their funds may continue to be used for stimulating and coordinating the provision of services so long as the required amounts are used in the four service areas described above." (p. 28)

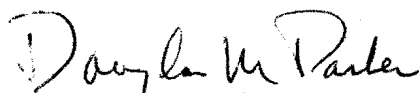
Title III of the enactment would prohibit discrimination based on age in Federally assisted programs or activities and direct the Civil Rights Commission to undertake a study of age discrimination in such programs and activities. After Congressional consideration of the Commission's report on the study, together with related Federal agency comments, the Department of Health, Education and Welfare would be directed to issue general regulations -- not to become effective before January 1, 1979 -- prohibiting such discrimination. Federal agencies extending Federal financial assistance, other than by contract of insurance or guaranty, would be directed to issue regulations consistent with the HEW general regulations. Title III would specifically except from the prohibition actions which reasonably take into account age as a factor necessary to the normal operation of a program, differentiations based on factors other than age, as well as programs or activities established by law which provide benefits or assistance on the basis of age.

The enactment also contains a number of other provisions unrelated to the activities of this Department. These would include amendments to existing HEW authorities regarding training personnel in the field of aging and model projects for the aging, amendments to existing provisions under the "Older Americans Act" regarding purchase and donations of commodities and products by the Secretary of Agriculture, and provisions establishing an older americans community service employment program in the Department of Labor

The Department of Housing and Urban Development defers to the Department of Health, Education and Welfare regarding the necessity for and desirability of the proposed program extensions, the new requirements for State plans, and other proposed amendments to the programs under its jurisdiction. We defer to the Departments of Labor and Agriculture, respectively, regarding the proposed community service employment program and the proposed changes in Agriculture's responsibilities under the nutrition program.

With respect to the prohibition against age discrimination in Federally assisted programs, we would have no objection to such provisions to the extent that they would apply to functions of this Department, particularly in view of the proposed safeguards and since these prohibitions would not apply to HUD-insured mortgage loans.

Sincerely,


for Robert R. Elliott

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: November 26

Time: 730pm

FOR ACTION: *Sarah Massengale*
David Lissy
Max Friedersdorf *sign*
Ken Lazarus *ok sign*
Paul Theis

cc (for information):

Jack Marsh
Jim Cavanaugh

Ted Marres sign + signing ceremony

FROM THE STAFF SECRETARY

DUE: Date: November 28

Time: 1100am

SUBJECT:

H.R. 3922 - Older Americans Amendments of 1975

ACTION REQUESTED:

- | | |
|---|---|
| <input type="checkbox"/> For Necessary Action | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

The attached bill must be to the President Friday afternnon.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

K. R. COLE, JR.
For the President

STATEMENT BY THE PRESIDENT

I have given my approval today to H.R. 3922, "Older Americans Amendments of 1975".

Ten years ago, as a member of the House of Representatives, I voted for the Older Americans Act when it was enacted by the Congress. I also voted for subsequent amendments to the act. I am pleased now to give my approval to this bill which amends the act and extends it for three years. These latest amendments were the result of ten years of experiences in administering the act.

Incorporated in the Older Americans Act, as amended, are certain principles to guide the administration of the act:

- Emphasis will be placed on making services available which will enable older persons to live at home as long as possible.
- Community leaders who best know the needs of their own areas will determine the services for older persons to be started or strengthened.
- The needs of low income, older persons, including minorities, will be given priority in use of Federal funds.
- Efforts will be made to enlist volunteers from all age groups to assist in serving older persons.
- The resources now available to meet the needs of older persons will continue to be coordinated through programs administered by a number of Federal departments and agencies.
- Emphasis will be placed on opening opportunities for older persons to continue to participate constructively in the life of our nation.

I endorse the concept of the Older Americans Act which establishes a system to deliver coordinated comprehensive services at the community level and which is designed to enable older persons to live independent lives in their own residences and to participate in the life of their community.

There are, however, provisions of this act with which I disagree. The provisions concerned with age discrimination on the part of all Federal grantees have been modified to meet many, but not all, objections. The delineation of what constitutes unreasonable age discrimination is so imprecise that it gives little guidance in the development of regulations to prohibit such discrimination. Also, the provisions raise a question on the extent to which the Federal Government should seek to regulate private activity, particularly without holding hearings to permit affected persons and institutions to be heard.

The bill does provide, however, for study of the problems of age discrimination by the Commission on Civil Rights, and allows for these issues to be discussed thoroughly. I urge the Congress to reconsider these problems.

At a time when we are struggling to restrain growth in the Federal budget, I am not pleased to see the high authorization levels included in this bill. The authorization for social service programs for fiscal year 1976, for example, is almost twice that of my budget request. I am confident the members of the Congress share my concern about the impact of inflation on the elderly. I look forward to working with the Congress in determining appropriations levels for this act which will be adequate, equitable and not inflationary.

TO THE HOUSE OF REPRESENTATIVES:

I return herewith, without my approval, H.R. 3922, entitled "Older Americans Act of 1975."

This bill amends the Older Americans Act of 1965, extends the authorizations contained in the Act, establishes certain social services programs for older Americans, prohibits discrimination on the basis of age, and contains other provisions relating to the field of aging.

Section III of the bill increases the per meal level of commodity assistance to be provided annually by the Department of Agriculture for nutrition programs for the elderly. I am opposed to further dividing program responsibility and administration between the USDA and HEW. I do not favor any legislation which compels the USDA to purchase in the open market foods to be donated to a segment of the population, thus disturbing the normal channels of trade and commerce, if their food needs can be met through existing commercial suppliers.

Of special concern to me is the concern which all of us must show for inhibiting any further increase in the already awesome Federal deficit.

THE WHITE HOUSE,

TO THE HOUSE OF REPRESENTATIVES:

I return herewith, without my approval, H.R. 3922, entitled "Older Americans Act of 1975."

This bill amends the Older Americans Act of 1965, extends the authorizations contained in the Act, establishes certain social services programs for older Americans, prohibits discrimination on the basis of age, and contains other provisions relating to the field of aging.

Section III of the bill increases the per meal level of commodity assistance to be provided annually by the Department of Agriculture for nutrition programs for the elderly. I am opposed to further dividing program responsibility and administration between the USDA and HEW. I do not favor any legislation which compels the USDA to purchase in the open market foods to be donated to a segment of the population, thus disturbing the normal channels of trade and commerce, if their food needs can be met through existing commercial suppliers.

Of special concern to me is the concern which all of us must show for inhibiting any further increase in the already awesome Federal deficit.

THE WHITE HOUSE,

To the House of Representatives:

I return herewith, without my approval, H.R. 3922, entitled "Older Americans Act of 1975."

This bill amends the Older Americans Act of 1965, extends the authorizations contained in the Act, establishes certain social services programs for older Americans, prohibits discrimination on the basis of age, and contains other provisions relating to the field of aging.

Section 111 of the bill increases the per meal level of commodity assistance to be provided annually by the Department of Agriculture for nutrition programs for the elderly. I am opposed to further dividing program responsibility and administration between the USDA and HEW. I do not favor any legislation which compels the USDA to purchase in the open market foods to be donated to a segment of the population, thus disturbing the normal channels of trade and commerce, if their food needs can be met through existing commercial suppliers.

Of special concern to me is the concern which all of us must show for inhibiting any further increase in the already awesome Federal deficit.

ok/ok

I have given my approval today to H.R. 3922, "Older Americans Amendments of 1975".

7-14-65
C. Q. Adams
Pg. 947
Fy. 1978

Ten years ago, as a member of the House of Representatives, I voted for the Older Americans Act when it was enacted by the Congress. I also voted for subsequent amendments to the act. I am pleased now to give my approval to this bill which amends the act and extends it for three years. These latest amendments were the result of ten years of experiences in administering the act.

Incorporated in the Older Americans Act, as amended, are certain principles which ~~should~~ guide the Federal Government:

administration of the Act

1. -- Emphasis ~~is to~~ ^{will} be placed on making services available which will enable older persons to live at home as long as possible.
2. -- Community leaders who best know the needs of their own areas ~~are to~~ ^{will} determine the services for older persons to be started or strengthened.
3. -- The needs of low income, older persons, including minorities, ~~are to~~ ^{will} be given priority in use of Federal funds.
4. -- Efforts ~~are to~~ ^{will} be made to enlist volunteers from all age groups to assist in serving older persons.
5. -- ~~We are to continue to coordinate~~ ^{will continue to be coordinated} the resources now available to meet the needs of older persons through programs administered by a number of Federal departments and agencies.
6. -- Emphasis ~~is to~~ ^{will} be placed on opening opportunities for older persons to continue to participate constructively in the life of our nation.

I endorse the concept of the Older Americans Act which establishes a system to deliver coordinated comprehensive services at the community level and which is designed to enable older persons to live independent lives in their own residences and to participate in the life of their community.

There are, however, provisions of this act with which I disagree. The provisions concerned with age discrimination on the part of all Federal grantees have been modified to meet many, but not all, objections. The delineation of what constitutes unreasonable age discrimination is so imprecise

55 no
2 adms

[Handwritten signature]

that it gives little guidance in the development of regulations to prohibit such discrimination. Also, the provisions raise a question on the extent to which the Federal Government should seek to regulate private activity, particularly without holding hearings to permit affected persons and institutions to be heard.

99. 19 The bill does provide, however, for study of the problems of age discrimination by the Commission on Civil Rights, and allows for these issues to be discussed thoroughly. I urge the Congress to reconsider these problems.

At a time when we are struggling to restrain growth in the Federal budget, I am not pleased to see the high authorization levels included in this bill. The authorization for social service programs for fiscal year 1976, for example, is almost twice that of my budget request. I am confident the members of the Congress share my concern about the impact of inflation on the elderly. I look forward to working with the Congress in determining appropriations levels for this act which will be adequate, equitable and not inflationary.

STATEMENT BY THE PRESIDENT

I have given my approval today to H.R. 3922, "Older Americans Amendments of 1975".

Ten years ago, as a member of the House of Representatives, I voted for the Older Americans Act when it was enacted by the Congress. I also voted for subsequent amendments to the act. I am pleased now to give my approval to this bill which amends the act and extends it for three years. These latest amendments were the result of ten years of experiences in administering the act.

Incorporated in the Older Americans Act, as amended, are certain principles to guide the administration of the act:

- Emphasis will be placed on making services available which will enable older persons to live at home as long as possible.
- Community leaders who best know the needs of their own areas will determine the services for older persons to be started or strengthened.
- The needs of low income, older persons, including minorities, will be given priority in use of Federal funds.
- Efforts will be made to enlist volunteers from all age groups to assist in serving older persons.
- The resources now available to meet the needs of older persons will continue to be coordinated through programs administered by a number of Federal departments and agencies.
- Emphasis will be placed on opening opportunities for older persons to continue to participate constructively in the life of our nation.

I endorse the concept of the Older Americans Act which establishes a system to deliver coordinated comprehensive services at the community level and which is designed to enable older persons to live independent lives in their own residences and to participate in the life of their community.

There are, however, provisions of this act with which I disagree. The provisions concerned with age discrimination on the part of all Federal grantees have been modified to meet many, but not all, objections. The delineation of what constitutes unreasonable age discrimination is so imprecise that it gives little guidance in the development of regulations to prohibit such discrimination. Also, the provisions raise a question on the extent to which the Federal Government should seek to regulate private activity, particularly without holding hearings to permit affected persons and institutions to be heard.

The bill does provide, however, for study of the problems of age discrimination by the Commission on Civil Rights, and allows for these issues to be discussed thoroughly. I urge the Congress to reconsider these problems.

At a time when we are struggling to restrain growth in the Federal budget, I am not pleased to see the high authorization levels included in this bill. The authorization for social service programs for fiscal year 1976, for example, is almost twice that of my budget request. I am confident the members of the Congress share my concern about the impact of inflation on the elderly. I look forward to working with the Congress in determining appropriations levels for this act which will be adequate, equitable and not inflationary.

I have given my approval today to H.R. 3922, "Older Americans Amendments of 1975".

Ten years ago, as a member of the House of Representatives, I voted for the Older Americans Act when it was enacted by the Congress. I also voted for subsequent amendments to the act. I am pleased now to give my approval to this bill which amends the act and extends it for three years. These latest amendments were the result of ten years of experiences in administering the act.

Incorporated in the Older Americans Act, as amended, are certain principles which should guide the Federal Government:

1. Emphasis is to be placed on making services available which will enable older persons to live at home as long as possible.
2. Community leaders who best know the needs of their own areas are to determine the services for older persons to be started or strengthened.
3. The needs of low income, older persons, including minorities, are to be given priority in use of Federal funds.
4. Efforts are to be made to enlist volunteers from all age groups to assist in serving older persons.
5. We are to continue to coordinate the resources now available to meet the needs of older persons through programs administered by a number of Federal departments and agencies.
6. Emphasis is to be placed on opening opportunities for older persons to continue to participate constructively in the life of our nation.

I endorse the concept of the Older Americans Act which establishes a system to deliver coordinated comprehensive services at the community level and which is designed to enable older persons to live independent lives in their own residences and to participate in the life of their community.

There are, however, provisions of this act with which I disagree. The provisions concerned with age discrimination on the part of all Federal grantees have been modified to meet many, but not all, objections. The delineation of what constitutes unreasonable age discrimination is so imprecise

Levin

that it gives little guidance in the development of regulations to prohibit such discrimination. Also, the provisions raise a question on the extent to which the Federal Government should seek to regulate private activity, particularly without holding hearings to permit affected persons and institutions to be heard.

The bill does provide, however, for study of the problems of age discrimination by the Commission on Civil Rights, and allows for these issues to be discussed thoroughly. I urge the Congress to reconsider these problems.

At a time when we are struggling to restrain growth in the Federal budget, I am not pleased to see the high authorization levels included in this bill. The authorization for social service programs for fiscal year 1976, for example, is almost twice that of my budget request. I am confident the members of the Congress share my concern about the impact of inflation on the elderly. I look forward to working with the Congress in determining appropriations levels for this act which will be adequate, equitable and not inflationary.

STATEMENT BY THE PRESIDENT

I have given my approval today to H.R. 3922, "Older Americans Amendments of 1975".

Ten years ago, as a member of the House of Representatives, I voted for the Older Americans Act when it was enacted by the Congress. I also voted for subsequent amendments to the act. I am pleased now to give my approval to this bill which amends the act and extends it for three years. These latest amendments were the result of ten years of experiences in administering the act.

Incorporated in the Older Americans Act, as amended, are certain principles which should guide the Federal Government:

1. Emphasis is to be placed on making services available which will enable older persons to live at home as long as possible.
2. Community leaders who best know the needs of their own areas are to determine the services for older persons to be started or strengthened.
3. The needs of low income, older persons, including minorities, are to be given priority in use of Federal funds.
4. Efforts are to be made to enlist volunteers from all age groups to assist in serving older persons.
5. We are to continue to coordinate the resources now available to meet the needs of older persons through programs administered by a number of Federal departments and agencies.
6. Emphasis is to be placed on opening opportunities for older persons to continue to participate constructively in the life of our nation.

I endorse the concept of the Older Americans Act which establishes a system to deliver coordinated comprehensive services at the community level and which is designed to enable older persons to live independent lives in their own residences and to participate in the life of their community.

There are, however, provisions of this act with which I disagree. The provisions concerned with age discrimination on the part of all Federal grantees have been modified to meet many, but not all, objections. The delineation of what constitutes unreasonable age discrimination is so imprecise that it gives little guidance in the development of regulations to prohibit such discrimination. Also, the provisions raise a question on the extent to which the Federal Government should seek to regulate private activity, particularly without holding hearings to permit affected persons and institutions to be heard.

The bill does provide, however, for study of the problems of age discrimination by the Commission on Civil Rights, and allows for these issues to be discussed thoroughly. I urge the Congress to reconsider these problems.

At a time when we are struggling to restrain growth in the Federal budget, I am not pleased to see the high authorization levels included in this bill. The authorization for social service programs for fiscal year 1976, for example, is almost twice that of my budget request. I am confident the members of the Congress share my concern about the impact of inflation on the elderly. I look forward to working with the Congress in determining appropriations levels for this act which will be adequate, equitable and not inflationary.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

NOV 26 1975

To: J. Casper
11-26-75
7:15 p.m.

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 3922 - Older Americans Amendments of 1975
Sponsor - Rep. Brademas (D) Indiana and 24 others

Last Day for Action

December 3, 1975 - Wednesday

Purpose

Extends appropriation authorizations and amends the Older Americans Act of 1965, the national older American volunteer programs carried out under the Domestic Volunteer Service Act of 1973, the Older American Community Service Employment Act, and other statutes involving programs for the elderly; and prohibits age discrimination in Federal programs and activities.

Agency Recommendations

Office of Management and Budget

Approval

Department of Health, Education, and Welfare

Approval

Commission on Civil Rights

Approval

Department of Agriculture

Disapproval

ACTION

Disapproval (Portion related to ACTION)

Department of Labor

Opposes Title IX; defers on remainder

General Services Administration

Opposes joint funding provision

Department of Justice

No objection (Title III)

Department of Housing and Urban Development

No objection to Title III defers on remainder

Department of Transportation

No objection

Department of the Interior

Defers to HEW

Department of the Treasury

No recommendation

THE WHITE HOUSE
WASHINGTON

Original memo given to Sarah
Massengale 11/27 for coordination.

Judy

THE WHITE HOUSE
WASHINGTON
November 26, 1975

MEMORANDUM FOR: JUDY JOHNSTON
THROUGH: THEODORE C. MARRS *JCM*
FROM: PATRICIA LINDH *PL*
SUBJECT: Proposed Signing Ceremony
for H.R. 3299, Older American
Amendments of 1975

It is my understanding that H.R. 3299 is awaiting the President's signature prior to the China visit.

In view of the importance of this piece of legislation to older Americans both male and female, we feel it would be appropriate to hold a signing ceremony on Friday, November 28, 1975.

Not only would this ceremony serve to increase the level of attention being paid to our older citizens, but would pay tribute to Bertha Atkins, Director of the Federal Council on Aging and the first woman to hold the position of Undersecretary of the Department of Health, Education and Welfare as well.

We further feel that it would be an ideal opportunity to highlight the past and current achievements of older Americans as we approach the Bicentennial year and begin to conclude International Women's Year.

Should you concur that this ceremony should be held, Bertha Atkins would be glad to assist in the planning. During the Thanksgiving holiday, she can be reached at her home number in Oxford, Maryland, (301) 226-5548.

Thank you.

THE WHITE HOUSE

WASHINGTON

November 28, 1975

MEMORANDUM FOR:

JIM CAVANAUGH

FROM:

MAX FRIEDERSDORF *M.F.*

SUBJECT:

H.R. 3922 - Older Americans
Amendments of 1975

The Office of Legislative Affairs recommends subject
bill be signed.

Date: November 26

Time: 730pm

FOR ACTION:

- Sarah Massengale
- Max Friedersdorf
- Ken Lazarus ✓
- Paul Theis

cc (for information):

- Jack Marsh
- Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: November 28

Time: *[Signature]*
1100am

SUBJECT:

H.R. 3922 - Older Americans Amendments of 1975

ACTION REQUESTED:

- | | |
|---|---|
| <input type="checkbox"/> For Necessary Action | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

The attached bill must be to the President Friday afternnon.

No objection. -- Dudley Chapman for Ken Lazarus
11/28/75

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

Jason W. Cavanaugh
For the President

Date: November 26

Time: 730pm

FOR ACTION:

Sarah Massengale
Max Friedersdorf
Ken Lazarus
Paul Theis

cc (for information):

Jack Marsh
Jim Cavanaugh

Ted Marrs

FROM THE STAFF SECRETARY

DUE: Date: November 28

Time: 1100am

SUBJECT:

H.R. 3922 - Older Americans Amendments of 1975

ACTION REQUESTED:

- | | |
|---|---|
| <input type="checkbox"/> For Necessary Action | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

The attached bill must be to the President Friday afternnon.

*Concise
Recommendations
Cavanaugh
J. Marrs*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

James H. Cavanaugh
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: November 26

Time: 730pm

FOR ACTION:

Sarah Massengale
Max Friedersdorf
Ken Lazarus
Paul Theis

cc (for information):

Jack Marsh
Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: November 28

Time: 1100am

SUBJECT:

H.R. 3922 - Older Americans Amendments of 1975

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

The attached bill must be to the President Friday afternnon.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

James E. Cavanaugh
For the President