

Public Law 91-69

September 17, 1969
[H. R. 11235]

AN ACT

To amend the Older Americans Act of 1965, and for other purposes.

Older Americans
Act Amendments
of 1969.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Older Americans Act Amendments of 1969".

EXTENSION OF PROGRAMS

79 Stat. 220;
81 Stat. 106.

SEC. 2. (a) The second sentence of section 301 of the Older Americans Act of 1965 (42 U.S.C. 3021) is amended by striking "and for the fiscal year ending June 30, 1970, and the two succeeding fiscal years, such sums as the Congress may hereafter authorize by law" and inserting in lieu thereof "\$20,000,000 for the fiscal year ending June 30, 1970, \$25,000,000 for the fiscal year ending June 30, 1971, and \$30,000,000 for the fiscal year ending June 30, 1972".

(b) Section 603 of such Act (42 U.S.C. 3053) is amended by striking out "and for the fiscal year ending June 30, 1970, and the two succeeding fiscal years, such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "\$12,000,000 for the fiscal year ending June 30, 1970, \$15,000,000 for the fiscal year ending June 30, 1971, and \$20,000,000 for the fiscal year ending June 30, 1972".

EXTENSION OF DURATION OF PROJECT SUPPORT

79 Stat. 221.

SEC. 3. (a) Effective with respect to appropriations for fiscal years beginning after June 30, 1969, the last sentence of section 302(c) of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended:

(1) by inserting "such percentage of the cost of any project as the State agency (designated or established pursuant to section 303(a)(1)) may provide but not in excess of" before "75 per centum";

(2) by striking out "the third year of such project" and all that follows down to but excluding the period and inserting in lieu thereof "the third and any subsequent year of such project".

(b) Effective with respect to appropriations for fiscal years beginning after June 30, 1969, section 303(a)(2) (42 U.S.C. 3023) of such Act is amended by striking out "after termination of Federal financial support under this title".

STATE PLAN REQUIREMENTS FOR PLANNING, COORDINATION, AND EVALUATION

SEC. 4. (a) Effective with respect to appropriations for fiscal years beginning after June 30, 1969, section 303(a) of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended by striking out "and for coordinating the activities of such agencies and organizations to the extent feasible" in clause (3); by redesignating clauses (4) through (8) as clauses (5) through (9), respectively; and by adding the following new clause after clause (3):

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

(b) Effective for fiscal years beginning after June 30, 1969, section 304 of the Older Americans Act of 1965 (42 U.S.C. 3024) is amended to read as follows:

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

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

79 Stat. 222.
42 USC 3023.

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

Allotments.

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

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

“(4) In any case in which a State does not have authority under State law to expend the full amount of its allotment under this subsection in the fiscal year ending June 30, 1970, the amount of such allotment which the Secretary determines the State did not have such authority to expend during a part of that fiscal year shall remain available to such State until June 30, 1971, subject to reallocation after June 30, 1970, in accordance with the provisions of subsection (c) of this section, except as provided by the following sentence. In any case in which a State does not have authority under State law to expend the full amount of its allotment under this subsection, including any amount available pursuant to the preceding sentence, in the fiscal year ending June 30, 1971, the amount of such allotment which the Secretary determines the State did not have such authority to expend during a part of that fiscal year shall remain available to such State until June 30, 1972, subject to reallocation after June 30, 1971, in accordance with the provisions of subsection (c) of this section.

“(c) The amount of any allotment to a State under subsection (b) for any fiscal year which the Secretary determines will not be required

(i) for meeting the costs in such State referred to in subsection (a) and (ii) for the purposes set forth in paragraph (4) of subsection (b) shall be reallocated from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines (1) have need in meeting the costs referred to in subsection (a) for sums in excess of those previously allotted to them under subsection (b) and (2) will be able to use such excess amounts for meeting such costs during any period for which the allotment is available. Such reallocations shall be made on the basis of such need and ability, after taking into consideration the population aged sixty-five or over. Any amount so reallocated to a State shall be deemed part of its allotment under subsection (b).

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

(c) (1) The heading of title III of the Older Americans Act is amended to read “TITLE III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING”.

(d) Section 302 of such act is amended by—

(1) deleting the word “title” in subsection (a) (3) and inserting in lieu thereof “section”; and

(2) deleting the phrase “for carrying out the State plan (if any) approved under this title” in subsection (b) and inserting in lieu thereof “for grants with respect to projects in the State under this title”.

79 Stat. 221.
42 USC 3022.

AUTHORIZATION OF AREAWIDE MODEL PROJECTS UNDER TITLE III

SEC. 5. Title III of the Older Americans Act of 1965 is amended by redesignating section 305 as section 306, and inserting after section 304 the following new section:

79 Stat. 224.
42 USC 3025.

“AREAWIDE MODEL PROJECTS

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

42 USC 3023.

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

REALLOTMENT

SEC. 6. The first sentence of subsection (b) of section 302 of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended by striking out “the State notifies the Secretary will” and inserting in lieu thereof “the Secretary determines will”.

EXTENSION OF CONTRACT AUTHORITY FOR RESEARCH AND DEVELOPMENT
PROJECTS

SEC. 7. (a) Section 401 of the Older Americans Act of 1965 (42 U.S.C. 3031) is amended by striking out "any such agency" and inserting in lieu thereof "any agency".

79 Stat. 224.

(b) Such section is further amended by (1) striking out "or" at the end of paragraph (c); (2) striking out the period at the end of paragraph (d) and inserting in lieu thereof ";"; and (3) inserting at the end thereof the following new paragraphs:

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

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

TRAINING PROJECTS

SEC. 8. Section 501 of the Older Americans Act of 1965 (42 U.S.C. 3041) is amended to read as follows:

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

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

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

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

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

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

NATIONAL OLDER AMERICANS VOLUNTEER PROGRAM

SEC. 9. The Older Americans Act of 1965 is amended by redesignating title VI as title VII and sections 601, 602, and 603 as sections 701, 702, and 703, respectively, and by inserting after title V the following new title:

79 Stat. 225.
42 USC 3051-
3053.

"TITLE VI—NATIONAL OLDER AMERICANS VOLUNTEER
PROGRAM

"PART A—RETIRED SENIOR VOLUNTEER PROGRAM

"GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

"SEC. 601. (a) In order to help retired persons to avail themselves of opportunities for voluntary service in their community, the Secretary is authorized to make grants to State agencies (established or designated pursuant to section 303(a)(1)) or grants to or contracts with other public and nonprofit private agencies and organizations to pay part or all of the costs for the development or operation, or both,

79 Stat. 222.
42 USC 3023.

of volunteer service programs under this section, if he determines in accordance with such regulations as he may prescribe that—

“(1) volunteers shall not be compensated for other than transportation, meals, and other out-of-pocket expenses incident to their services;

“(2) only individuals aged sixty or over will provide services in the program (except for administrative purposes), and such services will be performed in the community where such individuals reside or in nearby communities either (a) on publicly owned and operated facilities or projects, or (b) on local projects sponsored by private nonprofit organizations (other than political parties), other than projects involving the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instruction or as a place for religious worship;

“(3) the program will not result in the displacement of employed workers or impair existing contracts for services;

“(4) the program includes such short-term training as may be necessary to make the most effective use of the skills and talents of those individuals who are participating, and provides for the payment of the reasonable expenses of trainees;

“(5) the program is being established and will be carried out with the advice of persons competent in the field of service being staffed, and of persons with interest in and knowledge of the needs of older persons; and

“(6) the program is coordinated with other related Federal and State programs.

Method of payment.

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

79 Stat. 222.
42 USC 3023.

“(c) The Secretary shall not award any grant or contract under this part for a project in any State to any agency or organization unless, if such State has a State agency established or designated pursuant to section 303 (a) (1), such agency is the recipient of the award or such agency has had not less than sixty days in which to review the project application and make recommendations thereon.

“AUTHORIZATIONS OF APPROPRIATIONS

“SEC. 603. There are authorized to be appropriated, for grants or contracts under this part, \$5,000,000 for the fiscal year ending June 30, 1970, \$10,000,000 for the fiscal year ending June 30, 1971, and \$15,000,000 for the fiscal year ending June 30, 1972.

“PART B—FOSTER GRANDPARENT PROGRAM

Grants and contracts.

“SEC. 611. (a) The Secretary is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay not to exceed 90 per centum of the cost of the development and operation of projects designed to provide opportunities for low-income persons aged sixty or over to render supportive person-to-person services in health, education, welfare, and related settings to children having exceptional needs, including services as “Foster Grandparents” to children receiving care in hospitals, homes for dependent and neglected children, or other establishments providing care for children with special needs.

Method of payment.

“(b) Payments under this part pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account

of previously made overpayments or underpayments) in advance or by way of reimbursement, in such installments and on such conditions, as the Secretary may determine.

“CONDITIONS OF GRANTS AND CONTRACTS

“SEC. 612. (a) (1) In administering this part the Secretary shall—

“(A) assure that the new participants in any project are older persons of low income who are no longer in the regular work force;

“(B) award a grant or contract only if he determines that the project will not result in the displacement of employed workers or impair existing contracts for services.

“(2) The Secretary shall not award a grant or contract under this part which involves a project proposed to be carried out throughout the State or over an area more comprehensive than one community unless—

“(A) the State agency (established or designated under section 303(a) (1)) is the applicant for such grant or contract or, if not, such agency has been afforded a reasonable opportunity to apply for and receive such award and to administer or supervise the administration of the project; and

79 Stat. 222.
42 USC 3023.

“(B) in cases in which such agency is not the grantee or contractor (including cases to which subparagraph (A) applies but in which such agency has not availed itself of the opportunity to apply for and receive such award), the application contains or is supported by satisfactory assurance that the project has been developed, and will to the extent appropriate be conducted in consultation with, or with the participation of, such agency.

“(3) The Secretary shall not award a grant or contract under this title which involves a project proposed to be undertaken entirely in a community served by a community action agency unless—

“(A) such agency is the applicant for such grant or contract or, if not, such agency has been afforded a reasonable opportunity to apply for and receive such award and to administer or supervise the administration of the project; and

“(B) in cases in which such agency is not the grantee or contractor (including cases to which subparagraph (A) applies but in which such agency has not availed itself of the opportunity to apply for and receive such award), the application contains or is supported by satisfactory assurance that the project has been developed, and will to the extent appropriate be conducted in consultation with, or with the participation of, such agency; and

“(C) if such State has a State agency established or designated pursuant to section 303(a) (1), such agency has had not less than 45 days in which to review the project application and make recommendations thereon.

“(b) The term ‘community action agency’ as used in this section, means a community action agency established under title II of the Economic Opportunity Act of 1964.

“Community
action agency.”

81 Stat. 690.
42 USC 2781
et seq.

“INTERAGENCY COOPERATION

“SEC. 613. In administering this part, the Secretary shall consult with the Office of Economic Opportunity, the Department of Labor, and any other Federal agencies administering relevant programs with a view to achieving optimal coordination with such other programs and shall promote the coordination of projects under this part with other public or private programs or projects carried out at State and local levels.

Such Federal agencies shall cooperate with the Secretary in disseminating information about the availability of assistance under this part and in promoting the identification and interest of low-income older persons whose services may be utilized in projects under this part.

“AUTHORIZATION OF APPROPRIATIONS

“SEC. 614. There are authorized to be appropriated for grants or contracts under this part, \$15,000,000 for the fiscal year ending June 30, 1970, \$20,000,000 for the fiscal year ending June 30, 1971, and \$25,000,000 for the fiscal year ending June 30, 1972.

TRUST TERRITORY OF THE PACIFIC ISLANDS

79 Stat. 219.

SEC. 10. (a) Section 102(3) of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended by striking “and American Samoa” and inserting in lieu thereof, “American Samoa, and the Trust Territory of the Pacific Islands”.

(b) Section 302(a)(1) of such Act (42 U.S.C. 3022) is amended by striking “and American Samoa” and inserting in lieu thereof “American Samoa and the Trust Territory of the Pacific Islands”.

PUBLIC ASSISTANCE

78 Stat. 534;
81 Stat. 722.
42 USC 2981.

Ante, p. 111.

81 Stat. 672.
42 USC 2711-
2771.

SEC. 11. For the purposes of section 701 of the Economic Opportunity Act of 1964, payments made to or on behalf of any person under a project (of the kind formerly carried on under the Economic Opportunity Act of 1964) assisted under the title VI of the Older Americans Act of 1965, added thereto by this Act, shall be deemed to be payments made to or on behalf of such person under title I of the Economic Opportunity Act of 1964.

EVALUATION

Ante, p. 111.

SEC. 12. The title of the Older Americans Act of 1965 herein redesignated as title VII is amended by adding at the end thereof the following new section:

“EVALUATION OF PROGRAMS

79 Stat. 220;
Ante, p. 110.
42 USC 3021-
3025.

“SEC. 704. Such portion of any appropriation under title III or VI or section 703 for any fiscal year ending after June 30, 1969, as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available to the Secretary for evaluation (directly or by grants or contracts) of the programs authorized by this Act and, in the case of allotments from such an appropriation, the amount available for such allotments (and the amount deemed appropriated therefor) shall be reduced accordingly.”

JOINT FUNDING OF PROJECTS

SEC. 13. The Older Americans Act is further amended by adding at the end thereof (after section 704, added by section 12 of this Act) the following new section:

“JOINT FUNDING OF PROJECTS

“SEC. 705. Pursuant to regulations prescribed by the President, where funds are advanced for a single project by more than one Federal agency to an agency, organization, institution, or person assisted under this Act, any one Federal agency may be designated to act for

all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each Federal agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose."

Approved September 17, 1969.

Public Law 91-70

JOINT RESOLUTION

September 17, 1969
[H. J. Res. 250]

Authorizing the President of the United States of America to proclaim September 17, 1969, General von Steuben Memorial Day for the observance and commemoration of the birth of General Friedrich Wilhelm von Steuben.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States of America is authorized and requested to issue a proclamation designating the 17th of September 1969 as General von Steuben Memorial Day, calling upon officials of the Government to display the flag of the United States on all governmental buildings, and inviting the people of the United States to observe the day with appropriate ceremonies and activities to commemorate the birth and services to the United States of General von Steuben.

General von
Steuben Memo-
rial Day.
Proclamation.

Approved September 17, 1969.

Public Law 91-71

JOINT RESOLUTION

September 22, 1969
[S. J. Res. 149]

To extend for three months the authority to limit the rates of interest or dividends payable on time and savings deposits and accounts.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of September 21, 1966, as amended (Public Law 89-597), is amended by striking out "September" and inserting in lieu thereof "December".

82 Stat. 856.
12 USC 461
note.

Approved September 22, 1969.

Public Law 91-72

JOINT RESOLUTION

September 24, 1969
[H. J. Res. 614]

Authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week".

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week" and calling upon the people of the United States to observe such week with appropriate ceremonies and activities designed to encourage the communication of ideas and cooperation between persons of different generations.

National Adult-
Youth Communi-
cations Week.
Proclamation.

Approved September 24, 1969.