

MINORITY ELDERLY: ECONOMICS AND HOUSING IN THE 80's

HEARING BEFORE THE SPECIAL COMMITTEE ON AGING UNITED STATES SENATE

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MINORITY ELDERLY: ECONOMICS AND HOUSING IN THE 80's

WEDNESDAY, MAY 7, 1980

U.S. SENATE,
SPECIAL COMMITTEE ON AGING,
Philadelphia, Pa.

The committee met, pursuant to notice, at 9:50 a.m., in the grand ballroom of the Sheraton Hotel, Philadelphia, Pa., Hon. John Heinz, presiding.

Present: Senator Heinz.

Also present: David A. Rust, minority staff director; Tony Arroyos and Eileen M. Winkelman, minority professional staff members; Eileen Barbera, legislative assistant to Senator Heinz; and Kathleen L. Makris, minority office manager.

Senator HEINZ. Good morning.

I introduce the Honorable Gorham Black, secretary, Department of Aging, State of Pennsylvania.

Mr. Black.

WELCOMING REMARKS BY GORHAM L. BLACK, JR., HARRISBURG, PA., SECRETARY, DEPARTMENT OF AGING, COMMONWEALTH OF PENNSYLVANIA

Mr. BLACK. Thank you, Senator Heinz. Good morning, ladies and gentlemen.

It is a pleasure to welcome Senator Heinz and members of his staff to conduct a hearing of the U.S. Senate Special Committee on Aging on the minority elderly, focusing on economics and housing in the 1980's.

As the Senator has mentioned, I am Gorham L. Black, Jr., secretary of the Pennsylvania department of aging. On behalf of the nearly 2 million Pennsylvanians over 60 years of age, I welcome the Senate Special Committee on Aging to Pennsylvania. Older Pennsylvanians are grateful for all of the work this committee has done on their behalf over the years and are happy that you can be here now to help them celebrate Older Americans Month.

This hearing is to deal with minority aging issues, with a particular focus on the area of housing and income. I would like this morning to relate to you how Pennsylvania and the Department of Aging have responded to these minority concerns. I leave the presentation of supporting statistical data to the experts who will follow me. Suffice it to say that, by and large, minority older persons often have a great need for services but, for a variety of reasons, are less likely than others to receive them.

"Racism" coupled with "ageism" conspire to perpetuate discriminatory human service delivery systems which existed for blacks,

Hispanics and other minority groups in the years of the 1930's, 1940's, 1950's, 1960's and, yes, the 1970's and now the 1980's.

The aging program in Pennsylvania has historically been responsive to the issues of income and housing for minority elderly. The Pennsylvania Department of Aging, which has been created at cabinet level by the Pennsylvania General Assembly and operational only since July 1, 1979, has adopted the policy that priority in service delivery is to be given to older persons with one or more of the following characteristics: Minority racial status, low income, and inadequate housing. We also give priority to persons with functional disability, advanced age, and who are living alone. Our 49 area agencies on aging have operationalized this policy across the Commonwealth.

The Thornburgh administration is firmly committed to the eradication of any distinction in services delivered to our older citizens of Pennsylvania because of race. Our commitment is further emphasized, I feel, by my appointment and our cosponsoring of the present conference of the National Center on the Black Aged, Inc.

Minority older persons have lower incomes than whites, a fact that is known to all of us, and in understanding that fact, we have addressed the issues of economic well being, income and job opportunities as follows:

We provide employment opportunities through the senior community service employment program under title V of the Older Americans Act. Moreover, we plan in the months ahead to place emphasis on generating unsubsidized placement in the private sector. In fiscal year 1978-79, 21 percent of all enrollees in the title V program were minorities.

We have issued proposed regulations requiring employment preference for older Pennsylvanians for positions within the department and in the area agencies on aging. Beyond this, we are working with other State agencies to augment employment opportunities and are providing public education on the general benefits of hiring older workers.

We are aware that other factors affect the income of older Pennsylvanians and to this end:

The administration has established the Pennsylvania Tax Committee to study the effects of State, county, and local taxes upon the elderly and to evaluate proposals to relieve their tax burden.

The department will initiate a senior citizens discount card program, which we hope will be effective July 1 of this year.

Pennsylvania has provided property tax relief for older persons since 1971 and financed this program since 1972 from the proceeds of the Pennsylvania lottery. Recent amendments to the Property Tax/Rent Rebate Act have expanded benefits and broadened eligibility for the rebate.

Lottery funds also finance the free transportation program, by which persons over 65 ride fixed-route public transportation free during nonpeak hours.

This year the administration proposed, and the general assembly adopted, the older persons inflation needs—OPIN—act, providing \$28 million in additional State assistance to older persons. Lottery funds provide inflation dividends ranging from \$15 to \$95 to 38,000

older Pennsylvanians who currently receive property tax or rent rebates.

The department will research the potential costs and benefits for increasing the State contribution to the SSI program and to establish a cost-of-living escalator in Pennsylvania's SSI program.

The department will comment on all proposals at the national level to alter the benefits provided through the social security system and/or other benefit program—that is, food stamps, energy assistance, and so forth—or to change the present income tax structure.

In the field of housing, with the cost of both home and new construction rising precipitously, it is becoming very difficult for older Pennsylvanians to keep or find adequate, safe, comfortable, and affordable housing. To help keep present owner-occupied and multifamily dwellings available, every area agency on aging offers services such as chore, home repair, and housing assistance, and cooperate with other State and community agencies to offer weatherization and winterization services.

The department is developing cooperative relationships with HUD, Farmers Home Administration, the State departments of agriculture and community affairs, and local groups. In addition, the department intends to:

Advocate for increased funding for home repair/rehabilitation programs.

Encourage AAA's to have a staff person specialist to assist older persons find solutions to their housing problems.

Conduct a survey to determine what specialized housing services are available in Pennsylvania and compile a directory of housing resources and services.

Provide technical assistance to AAA's on their role in local planning efforts to increase housing.

Begin to develop a comprehensive elderly housing services plan for the Commonwealth.

Advocate for the passage of legislation protecting the low-income elderly from the frequently disrupting effects of condominium conversion of rental units.

Give increased attention, through the A-95 review process, to reviewing plans for the construction of multiunit elderly housing, in order to insure that the social service needs of older Pennsylvanians are an integral part of the overall housing plan; and

Continue to identify a departmental staff person with overall responsibility in the area of housing.

This concludes my testimony. Again thank you for the opportunity both to welcome this committee to Pennsylvania and to share with you some of our accomplishments and plans for the future. As we continue to improve our programs for all of our 2 million older Pennsylvanians, we will exercise vigilance to insure that no minority group member is denied those benefits which we believe everyone is entitled to.

I will be happy to answer any questions members of the committee may have with regard to my testimony.

Senator HEINZ. Secretary Black, thank you very much.

Let me say I personally believe you are an outstanding choice to serve as the very first secretary of aging that Pennsylvania has

ever had and I compliment you in the job you are doing and I compliment Governor Thornburgh on his choice. You have made an excellent statement that has touched on a wide variety of concerns and indicates, in some detail, a number of the initiatives the State of Pennsylvania has been engaged in and plans to engage in.

I have a question related to the fact that 2 years ago we authorized and appropriated some \$20 million, a very modest amount, for demonstration programs for congregate housing services. Do you know to what extent those congregate housing services, aimed at section 202 housing for the elderly, have been requested? Specifically, to what extent have they been requested by the State of Pennsylvania and to what extent have they been made available by HUD?

Mr. BLACK. Senator, my recollection on that point is that the program has not taken off with the velocity that we would have hoped, and currently housing specialists with whom I identified in this testimony, along with our nutrition people, are looking into that point. I will be happy to give you our estimate of its progress.

Senator HEINZ. I would appreciate that. The Congress appropriated the money in fiscal year 1979 and 1980 and, as of today, only about \$3.5 million has been spent. The irony is that the services money we are talking about will help keep the frail elderly out of more expensive institutions by allowing them to live much healthier and more productive lives in their own apartments. We will, as a society, save money in this instance by spending a little bit of money. It is of great concern to all of us who have initiated and followed this program that more is not being done with it.

This demonstration program should be fully implemented. There are people who are willing to provide the kinds of services we have in mind. Why it should take 2 years to obligate and spend less than 20 percent of that money is, at this point, a mystery to me. Any information or statistics regarding the way the people have asked for that money would be very, very valuable to us.

[Subsequent to the hearing, Secretary Black supplied the following information]

Congress appropriated \$20 million in 1978 for the congregate housing services program, \$10 million of this amount for fiscal year 1979 awards and \$10 million for fiscal year 1980 awards. HUD headquarters reserved 10 percent (\$1 million) in each fiscal year for possible inflationary adjustments, leaving \$9 million for grant awards in 1979, and in 1980. Of that amount, \$4.5 million was earmarked to fund public housing authority projects and \$4.5 million for section 202 projects in each fiscal year.

During each fiscal year, HUD headquarters received recommendations from their own regional and area offices regarding projects that they believe should be considered for the program. Using these recommendations, HUD headquarters invited select public housing authority projects and section 202 projects to submit applications. Because of the short timetable between issuance of program guidelines and the date for the invitation to submit applications, HUD did not request applications from all potential projects. However, in both fiscal years, our department contacted local area agencies on aging to make them aware of the opportunities for funding. The area agencies on aging assisted potential project applicants in submitting "letters of interest" to HUD staff in Federal region III. It is our understanding that these "letters of interest" were considered by HUD in making decisions about which projects were invited to submit applications. The Congregate Housing Services Act of 1978 mandates that projects submitting applications must consult with their local area agency on aging and that each application package must contain review comments by that agency.

One project was selected from Pennsylvania for an award in fiscal year 1979. It is the Germantown House, operated by the Philadelphia Housing Authority. The award amount was \$96,031 annually for a 3-year period.

HUD has not made final decisions on the fiscal year 1980 grant awards. However, the projects in Pennsylvania invited by HUD headquarters to submit applications for a 5-year grant period are as follows: Lebanon County Housing Authority, Washington Arms Apartments; Allegheny County Housing Authority, Homestead Apartments, and F. D. Roosevelt Apartments: OIC of America, Opportunity Housing Inc., of Philadelphia; St. Francis Hospital, New Castle, Pa.

Both the Pennsylvania Department of Aging and its area agencies on aging will cooperate with HUD-CHSP staff in coordinating services on a local level with the project applicants.

Senator HEINZ. Mr. Secretary, I thank you very much and I look forward to continuing to work closely with you.

Mr. BLACK. Thank you very much, Senator.

OPENING STATEMENT BY SENATOR JOHN HEINZ, PRESIDING

Senator HEINZ. Let me say for those who have just arrived, this is a hearing of the U.S. Senate Special Committee on Aging. It is indeed a pleasure not only to be here but to welcome all of you to this hearing as we convene it in conjunction with the 10th annual conference of the National Center on the Black Aged. I want to take this opportunity to commend the National Center on the Black Aged and particularly Aaron Henry, your chairman, and Dolores Davis, your executive director, for the efforts you have made to shape public policy and to better meet the needs and the concerns of our Nation's black and minority elderly.

Today's hearing of the Senate Special Committee on Aging will focus attention on several areas which affect all older persons but which impact far more heavily on our minority elderly citizens' economic well-being and housing.

In exploring these issues the committee recognizes that:

Minority elderly persons have a disproportionately high percentage of incomes below the poverty level.

Minority elderly are living longer, a fact which will change the future composition of our elderly population.

Women have a longer average lifespan than men and are more likely to experience poverty in their later years.

Federal housing policies are designed for the elderly based solely on age and income characteristics. They rarely, if ever, take into consideration racial or cultural background.

Providing housing for elderly persons, and especially for minority persons, cannot be viewed as merely a matter of building additional dwelling units. Our housing and social service programs must be designed to enable elderly individuals to remain active participating members of their communities.

In setting up its 1980 work plan, the Special Committee on Aging committed itself to exploring three broad areas of concern to the elderly: One, work, retirement, income and inflation; two health and services; and three, energy and housing. Today's hearing, as I indicated at the outset, will touch upon two of these areas and fits into the overall thrust of what our committee is trying to achieve during this year.

Let me take just an additional moment or two to explore the problems as I see them. Older Americans constitute 11 percent of our total population, but they comprise 14 percent of the poverty

population. The situation for the minority elderly is far worse. Thirty-three percent of the black elderly and 23 percent of the Hispanic elderly have incomes below the poverty level. The overwhelming majority of the elderly poor receive all of their income from social security benefits or other government payments.

The nonwhite elderly population is projected to grow by approximately 300 percent between now and the year 2035, as compared with a growth of only 115 percent for the total aging population. Therefore, the economic plight and racial composition of the elderly population of the United States will change significantly in future years. This is a factor which public policymakers must take into consideration in shaping future economic and social policies.

Women constitute a large and growing proportion of the elderly population. Women now, on the average, may be expected to live longer than their male counterparts. For example, in 1975, there were 69 males for every 100 females over the age of 65. These trends, combined with the past inequities in the treatment of men and women under the social security program and many private pension plans, helps to explain why more older women live in poverty today. In the same year, 1975, over 18 percent of all women age 65 and over had incomes below the poverty level as compared with 12 percent for elderly men. An even more striking statistic is that women comprised over 69 percent of the aged poverty population in 1975. When we look at poverty among older Americans who are 72 years of age or older we find 72 percent of the women in this group have incomes below the poverty level.

In tackling this problem, we are going to need a broad-based public policy that recognizes the indispensable role of the private sector. We will seek to strengthen government programs which provide services and incomes to older persons. At the same time, we need to work with the private sector to strengthen and expand pension plans so that retirement income will not be based solely on social security. We must also significantly expand job opportunities for older workers who want to continue working and have the ability and the skill to do so.

Let me emphasize that I am not proposing, in any way, that we force anyone to stay in the work force longer than he or she wishes. In periods of high inflation and economic uncertainty, many older workers may wish to continue in the work force or return to the work force after retirement. For this reason, we must overcome the barriers of age discrimination. During the course of this morning's hearing we will receive testimony from witnesses from the Department of Labor and from the Economic Employment Opportunity Commission. These Government agencies have specific responsibilities under the Age Discrimination Act of 1975 and the Age Discrimination in Employment Act of 1967 to see that this kind of unacceptable discrimination is eliminated from our land.

The second part of this morning's hearing will focus on the housing needs of older Americans. I might add that as a member of the Housing Subcommittee of the Banking, Housing, and Urban Affairs Committee, I have become increasingly concerned about our failure, as a Nation, to provide adequate housing and support services for older persons. It is my firm belief that we should do

everything we can to assist older Americans to remain active and independent participants in their own communities. We should seek to eliminate unnecessary and premature institutionalization; hence, my question to Mr. Black earlier.

I recently sent a letter, along with a number of my colleagues, to the Secretary of Housing and Urban Development inquiring about the Department's failure to expend in a reasonable fashion the funds appropriated for congregate services that I mentioned a moment ago. To date, HUD has spent approximately \$3 million of the \$20 million appropriated by Congress. The Department is stymieing the development of this demonstration program, in spite of the fact that it is supported by all the budget cutters. By that I mean to say, both Republicans and Democrats on the Budget Committee who are trying to cut the budget have joined us in writing to HUD. Our letter stressed that it is a false economy for HUD not to spend these funds on congregate services. The result is that Congress is prevented from accurately determining how effective these services can be in meeting the needs of older persons.

It seems to me we need to shape a housing policy which will allow the elderly members of all minority groups to remain in their communities and to maintain, to the greatest degree possible, their unique cultural and racial identities.

The Senate Special Committee on Aging recognizes that during the 1980's we may witness an intensification of the already critical economic and housing problems confronting our Nation's minority elderly. It is my hope the testimony we receive today will give us further insight into the nature of these problems and the best possible ways of addressing them. I look forward to hearing the testimony we are about to receive and I can assure all of our witnesses that their input will be helpful to us in shaping future public policies.

May I ask our first panel of witnesses, the Honorable Ethel Bent Walsh, Commissioner, Equal Employment Opportunity Commission, Washington, D.C.; Steven K. Puterbaugh, Special Assistant to the Administrator, Office of National Programs, Department of Labor, Washington, D.C.; Anna Brown, executive director, Mayor's Commission on Aging, Cleveland, Ohio; and Victorina Peralta, director, Adult Services Division, Department of Public Welfare, Philadelphia, Pa., to come forward at this time.

Let me ask as you assemble yourselves that you try and keep your statements to between 5 and 7 minutes. There are two other speakers scheduled to address this conference before lunch and we want to preserve some time for them. We want to adjourn the hearing no later than 11:45. I would like to leave some time for questions, and we have a second panel. So let me ask you to please try to observe the 5- to 7-minute rule.

We are delighted that you are all here.

Ms. Walsh, if you will proceed.

**STATEMENT OF HON. ETHEL BENT WALSH, WASHINGTON, D.C.,
COMMISSIONER, EQUAL EMPLOYMENT OPPORTUNITY COM-
MISSION**

Ms. WALSH. Thank you.

I have already submitted my prepared statement for the record¹ so I will just summarize that testimony in the interest of time. However, I will be happy to expand on any issues that might be of interest to the committee.

I would like to start by saying I do appreciate this opportunity to appear before you today concerning minority elderly issues and share with you the status of the Equal Employment Opportunity Commission's enforcement of the Age Discrimination in Employment Act. Additionally, I would like to address some areas which, in my judgment, demand the immediate attention of EEOC as well as all groups concerned with the issues of the aging.

As you know, on July 1, 1979, the Equal Employment Opportunity Commission assumed jurisdiction over the Age Discrimination in Employment Act of 1967, as amended. During that year, Labor and EEOC combined, received 5,300 charges of which close to 2,000 were received by EEOC between July 1 and September 30 of that year. On this basis, it is projected that EEOC will receive between 8,000 and 9,000 charges in fiscal 1980. There is no way of ascertaining whether this increase reflects complainants' awareness and adjustment to EEOC's assumption of jurisdiction or an increased sensitivity to the remedy due to the publicity given the 1978 amendments to the ADEA.

EEOC's litigation efforts also compare favorably. In 1977, Labor initiated 86 lawsuits under the ADEA; in 1978, 40; and in 1979, 9. EEOC, since assuming jurisdiction, has instituted 23; 16 in fiscal 1979; and 7 thus far in 1980.

Now there have been some differences in EEOC's litigation practices. For example, most of the cases filed by EEOC are one-on-one cases. The reason that we are pursuing those cases that Labor left to the resources of the individual is to put employers on notice that all employers, not only the very large, are subject to the Commission's enforcement actions. An offshoot of trying cases affecting one or few individuals is the utilization of a jury trial. Labor never utilized that option; no doubt because large, complex pattern and practice suits were more suitable to trial before a judge. The converse is that smaller, individual cases are appropriate for jury trial where juries are apt to be sympathetic to rejection on the basis of age. EEOC has requested a jury trial in approximately three-quarters of the cases it has filed.

Another difference between Labor's and EEOC's enforcement strategy is that EEOC is intervening in more cases than Labor. Since enactment of the ADEA Labor has intervened in but three cases while EEOC has intervened in six cases in the 6 months it has had jurisdiction. Since class actions cannot be filed by individuals under the ADEA, only by Government intervention can relief be expanded to those similarly situated. A discreet use of this procedure not only benefits more persons and saves EEOC investigation and conciliation resources, but also portends a ripple effect upon the employer community. So far, it is EEOC's experience that cases which have lingered are accelerated at possible Commission intervention.

This focus is easily explained because: One, the middle-aged white male composes the greatest percentage of the work force

¹ See page 10.

protected by the act; two, the greatest employment discrimination problem facing a white male in the protected age group is mandatory retirement or dismissal on the basis of age; and three, the middle-aged white male is more apt to be aware of his rights and have resources for relief.

It is imperative that this focus on the ADEA be expanded to embrace minorities and women. These groups are jeopardized at both ends of the employment cycle. Too often, they were late entries onto the employment rolls, only to face further barriers to training and promotion because of age. Women's groups must recognize that age discrimination in employment is a woman's problem; civil rights groups must recognize that age discrimination in employment is a minority problem.

I urge all groups who deal with the problems of the aging to embark on a program to sensitize these victims to recognize and reject facile justifications of BFOQ for what they are, age discrimination. Youth oriented requirements for many jobs seldom have anything to do with job skills. We must recognize and reject employer myths that diminished manual dexterity and intellectual flexibility afflict the older worker. These myths are often used to reject the older worker for a job for which training is required when the employer would not hesitate to train a younger person. This reluctance to train or retrain an older worker particularly affects minorities whose minority status may have impeded entrance into the job market. Thus, civil rights groups must seek EEOC recognition of this problem and remedies under the ADEA.

I can assure you that the Commission is totally receptive to the scope of the act. Most recently, the Commission has addressed the issues raised by certain sections of Labor's interpretative bulletin on employee benefit plans. Labor's interpretation provides that employers under defined contribution and defined benefit plans do not have to provide additional retirement benefits to employees retiring after the pension plan's designated normal retirement age. In other words, if a plan provides that normal retirement age be age 65 and the employee did not retire until age 70, at age 70 he or she would receive the exact same amount that he or she was entitled to receive at age 65. Thus the employee may not reap the benefits of additional length of service, raises in salary or improvements in benefits, if any, or even interest on the entitlement at age 65, which is not received until age 70, at actual retirement.

This inequitable position is in the process of correction. In April, the Commission voted to circulate proposed revised interpretations to affected agencies, prior to publication in the Federal Register for comment. A prospective issue that the Commission will most likely grapple with is how to deal with Government legislative and administrative rules and private employer policies establishing maximum hiring and minimum retirement ages as a bona fide occupational qualification under the 4(f)(1) exception to the act.

The BFOQ exception has always been interpreted narrowly under title VII by the Commission and by the courts. However, the courts have tended to interpret a BFOQ exception on the basis of age much more broadly. The FAA age-60 rule is one example of a safety rule being argued successfully as a BFOQ, justifying mandatory retirement and maximum hiring ages. In addition, the courts

have upheld maximum hiring ages in regard to busdrivers in two circuits.

A number of States and localities have maximum hiring and minimum retirement ages. Partially because of these facts, Congress has recognized that age may be a BFOQ in occupations, such as law enforcement on which public safety depends and urged that means other than litigation be explored for determining the validity of age as a bona fide occupational qualification. Now it becomes imperative that this issue command the immediate attention of the Commission.

In closing, Mr. Chairman, I would like to reemphasize the importance of educating minorities of their rights under the ADEA. Emphasis to date, and quite rightly, has been placed on housing, nursing facilities, social security benefits, and other important concerns of the aging and elderly. Equal emphasis must be placed on employment opportunities for this group.

Too often minorities—because they have been accepted into the work force later than their white counterparts, because they have labored at low paying jobs, because they have not been given the opportunity to build adequate pension benefits—don't retire. They can't afford to. For minorities and women, the economic answer is continued employment opportunity during later years.

Thank you, Mr. Chairman.

Senator HEINZ. Ms. Walsh, thank you for a very thorough statement. Your prepared statement will be entered into the record at this point.

[The prepared statement of Ms. Walsh follows:]

PREPARED STATEMENT OF ETHEL BENT WALSH

Mr. Chairman and members of the committee, I appreciate this opportunity to appear before you, concerning minority elderly issues and share with you the status of the Equal Employment Opportunity Commission's enforcement of the Age Discrimination in Employment Act. Additionally, I would like to address some areas which, in my judgment, demand the immediate attention of EEOC as well as all groups concerned with the issues of the aging.

As you know, on July 1, 1979, the Equal Employment Opportunity Commission (EEOC) assumed jurisdiction over the Age Discrimination in Employment Act of 1967, as amended (ADEA), pursuant to Reorganization Plan No. 1 of 1978 (43 Fed. Reg. 19807, May 9, 1978). The purpose of Congress and the administration in transferring this, as well as other functions, to EEOC was to end fragmentation of enforcement authority for employment discrimination laws existing among a number of Federal agencies, eliminate duplicative investigations, and the burden of duplicative and conflicting regulations upon employers, and facilitate the filing of charges by employees who have been discriminated against under more than one act.

Transition activities between the Department of Labor and EEOC began in the fall of 1978. Staff was detailed both from the Wage and Hour Division and the Solicitor's Office of the Department of Labor to EEOC to plan for and facilitate the organizational integration of the programs, the staffing needs and transfers, the data requirements of the programs, and the training needed both by EEOC personnel and those transferring from the Department of Labor.

The interests of the administration and Congress in the integration of the ADEA function with the title VII function were primarily eliminating overlap and duplication, while at the same time preserving the integrity of the ADEA program which had been effectively enforced by the Department of Labor. Therefore separate units were established to handle the age and equal pay functions, both in EEOC headquarters, and in the 22 district offices, and in 3 area offices. Only at the intake level in the field offices have the programs been merged. This separation is to insure a continued high level of attention to these two programs and to avoid any danger that title VII concerns and its higher caseload might swallow ADEA concerns and resources.

The charge filing process under ADEA works as follows. An individual filing an age discrimination charge in the field files it at the same place and with the same person as an individual filing a title VII charge. The EEOC intake personnel have been specifically trained to take ADEA charges and to counsel complainants regarding both title VII and ADEA options where the charge includes title VII and ADEA allegations such as age/sex. Counselors advise charging parties in regard to differing remedies, as well as in regard to differing provisions regarding confidentiality.

Initially EEOC, after intake, adopted Labor's procedures for the processing of charges in the field. This was done to familiarize EEOC with Labor's procedures as well as to assess the demands of both title VII and ADEA programs for their uniformities and their differences. Thus, after an individual charge is received by intake personnel, it is referred to the age unit. At this time the investigator informs the respondent of the charge and institutes conciliation attempted under section 7(d) of the act. If the complainant and respondent agree to a settlement, the case is closed without an investigation or finding of a violation of the ADEA. If conciliation is not successful, an investigation may be made and an informal finding of whether or not there has been a violation of the ADEA.

Note that under the ADEA, unlike title VII, the Commission is given the power but is not mandated to undertake an investigation. After conciliation failure, a judgment is made as to the likelihood of a violation and an administrative decision is made whether to investigate. After investigation, when a violation is found, full relief is sought. If respondent does not comply, the case proceeds to litigation.

Transitional activity also took place in regard to litigation enforcement by the General Counsel's Office of EEOC and the Solicitor's Office of the Department of Labor to develop procedures for the transfer of litigation to assure minimal disruption of the processing of cases. A memorandum of understanding embodying these procedures was executed June 6, 1979 (44 Fed. Reg. 39304, July 5, 1979). For example, major pattern and practice cases in which the Solicitor's Office has invested a substantial amount of time as well as cases scheduled for trial shortly before July 1, in most instances continued to be processed at Labor but under the supervision of the EEOC Office of General Counsel. In addition, the Solicitor's Office provided a training program for attorneys in the office of EEOC's General Counsel. The Labor Department transferred to EEOC background and reference materials on ADEA such as legislative histories, appellate briefs, opinion letters, and so forth. The memorandum provided for a permanent liaison committee to assure consistency in the interpretations of the ADEA, EPA, and other wage and hour provisions. The Solicitor's Office also agreed to update the ADEA regulations and interpretations in accord with amendments made to ADEA.

Separate units were not established in the General Counsel's Office for age (and equal pay) enforcement, although attorneys either transferred from the Solicitor's Office or were hired to initially perform litigation enforcement of the two acts. The Commission, however, did not adopt the Department of Labor's litigation procedures. In Labor, initiation of litigation with the exception of national cases and cases having precedential importance was at the regional level. The Commission has reserved to itself the approval of the initiation of all litigation by the General Counsel (see 44 Fed. Reg. 37974, June 29, 1979). With the transfer of the responsibilities for the enforcement of the ADEA (and the EPA), came approximately 200 positions for the investigative units and 60 positions for attorney slots. Although relatively few attorneys transferred from the Department of Labor to EEOC, over one-half of the investigative staff transferred from the Department of Labor. This included approximately the 4 staff whose positions were dedicated solely to enforcement of the ADEA (and the EPA) including the Division Director of Equal Pay and Employment Standards and the Chief of the Branch of Age Discrimination, Wage and Hour Division.

EEOC charge and litigation experience to date indicates that the decrease in the number of offices where a complainant can file a charge has not seemed to have affected the number of charges filed since ADEA enforcement was transferred from Labor to EEOC. In fiscal 1977, Labor received about 5,000 complaints; in 1978, 4,300; in 1979, Labor and EEOC received 5,374 charges of which 1,989 were received by EEOC from July 1 to September 30, 1979. On this basis it is projected that EEOC will receive between 8,000 and 9,000 charges in fiscal 1980. There is no way of ascertaining whether this increase reflects complainants' awareness and adjustment to EEOC's assumption of jurisdiction or an increased sensitivity to the remedy due to the publicity given the 1978 amendments to the ADEA. EEOC, cognizant of the problem of accessibility, is exploring working with the States to broaden the enforcement structure for the ADEA similar to the work-sharing agreements EEOC has with the State fair employment practices agencies. These work-sharing agreements provide moneys to the State agencies to process charges filed under title VII.

Such a mechanism would necessitate congressional approval, since, unlike title VII, the ADEA does not provide for predicate for such agreements.

EEOC's litigation efforts also compare favorably. In 1977, Labor initiated 86 lawsuits under the ADEA; in 1978, 40; and in 1979, 9. EEOC, since assuming jurisdiction, has instituted 23; 16 in fiscal 1979, and 7 thus far in 1980, as of March 31, 1980. The great majority of these cases are mandatory retirement, or demotion, or discharge on the basis of age. In addition, 40 in various stages of litigation were transferred from Labor to EEOC.

There have been some differences in EEOC's litigation practices than those of Labor. For example, most of the cases filed by EEOC are one-on-one cases. Most cases filed by Labor were large pattern and practice cases. The reason that EEOC is pursuing those cases that Labor left to the resources of the individual, is to familiarize EEOC attorneys quickly with the enforcement of the ADEA and the trial of cases before a jury, and to put employers on notice that all employers, not only the very large, are subject to the Commission's enforcement actions. An offshoot of trying cases affecting one or few individuals, is the utilization of a jury trial. Labor never utilized that option; no doubt because large, complex pattern and practice suits were more suitable to trial before a judge. The converse is that smaller, individual cases are appropriate for jury trial where juries are apt to be sympathetic to rejection on the basis of age. EEOC has requested a jury trial in approximately three-fourths of the cases it has filed.

Another difference between Labor's and EEOC's enforcement strategy is that EEOC is intervening in more cases than Labor. Since enactment of the ADEA, Labor has intervened in but three cases, while EEOC has intervened in six cases in the 6 months it has had jurisdiction. Since class actions cannot be filed by individuals under the ADEA, only by Government intervention can relief be expanded to those similarly situated. A discreet use of this procedure not only benefits more persons and saves EEOC investigation and conciliation resources, but also portends a ripple effect upon the employer community. So far it is EEOC's experience that cases which have lingered are accelerated at possible Commission intervention.

Although EEOC, as outlined above, has made some changes in Labor's procedures, interpretations, and litigation strategy, the focus within the protected group on the middle-aged white male has not changed. Most of the cases filed have been in the area of mandatory retirement and dismissals because of age affecting middle-aged white males and this is true of the two biggest cases filed by the Commission. The suit filed against Consolidated Edison of New York, Inc., concerns the termination of older management workers, and that against American Can Co., concerns the refusal to transfer employees eligible for early retirement in a plant that was closing to another plant. The interpretations regarding the accrual of benefits past normal retirement age, the FAA age-60 rule and the crop of cases concerning the application of the BFOQ exception, impact primarily upon the middle-aged white male.

This focus is easily explained because (1) the middle-aged white male composes the greatest percentage of the work force protected by the act; (2) the greatest employment discrimination problem facing a white male in the protected age group is mandatory retirement or dismissal on the basis of age; and (3) the middle-aged white male is more apt to be aware of his rights and have resources for relief.

It is imperative that this focus on the ADEA be expanded to embrace minorities and women. These groups are jeopardized at both ends of the employment cycle. Too often, they were late entries onto the employment rolls, only to face further barriers to training and promotion because of age. Women's groups must recognize that age discrimination in employment is a woman's problem; civil rights groups must recognize that age discrimination in employment is a minority problem. I urge all groups who deal with the problems of the aging to embark on a program to sensitize their victims to recognize and reject facile justifications of BFOQ for what they are, age discrimination. Youth-oriented requirements for many jobs seldom have anything to do with job skills. We must recognize and reject employer myths that diminished manual dexterity and intellectual flexibility afflict the older worker. These myths are often used to reject the older worker for a job for which training is required when the employer would not hesitate to train a younger person. This reluctance to train or retrain an older worker particularly affects minorities whose minority status may have impeded entrance into the job market. Thus, civil rights groups must seek EEOC recognition of this problem and remedies under the ADEA.

I can assure you that the Commission is totally receptive to the scope of the act. Most recently, the Commission has addressed the issues raised by certain sections of Labor's interpretative bulletin on "employee benefit plans." Labor's interpretation provides that employers under defined contribution and defined benefit plans do not have to provide additional retirement benefits to employees retiring after the pen-

sion plan's designated normal retirement age. If a plan provides that normal retirement age be age 65 and the employee did not retire until age 70, at age 70 s/he would receive the exact same amount that s/he was entitled to receive at age 65. Thus the employee may not reap the benefits of additional length of service, raises in salary, or improvements in benefits, if any, or even interest on the entitlement at age 65 which is not received until age 70 at actual retirement. This inequitable position is in the process of correction. In April, the Commission voted to circulate proposed revised interpretations to affected agencies, prior to publication in the Federal Register for comment. A prospective issue that the Commission will most likely grapple with is how to deal with government legislative and administrative rules and private employer policies establishing maximum hiring and minimum retirement ages as a BFOQ under the 4(f)(1) exception to the act. The BFOQ exception has always been interpreted narrowly under title VII by the Commission and by the courts. However, the courts have tended to interpret a BFOQ exception on the basis of age much more broadly. The FAA age-60 rule is one example of a safety rule being argued successfully as a BFOQ justifying mandatory retirement and maximum hiring ages. In addition, the courts have upheld maximum hiring ages in regard to busdrivers in two circuits. A number of States and localities have maximum hiring and minimum retirement ages. Partially because of these facts, Congress has recognized that age may be a BFOQ in occupations such as law enforcement on which public safety depends, and urged that means other than litigation be explored for determining the validity of age as a BFOQ. It becomes imperative that this issue command the immediate attention of the Commission.

In closing, Mr. Chairman, I would like to reemphasize the importance of educating minorities of their rights under the ADEA. Emphasis to date, and quite rightly, has been placed on housing, nursing facilities, social security benefits, and other important concerns of the aging and elderly. Equal emphasis must be placed on employment opportunities for this group.

Too often minorities—because they have been accepted into the work force later than their white counterparts—because they have labored at low-paying jobs—because they have not been given the opportunity to build adequate pension benefits—don't retire. They can't afford to. For minorities and women, the economic answer is continued employment opportunity during later years.

Thank you, Mr. Chairman.

Senator HEINZ. Steven K. Puterbaugh, Special Assistant to the Administrator, Office of National Programs, Department of Labor, Washington, D.C., we welcome you. Please proceed.

**STATEMENT OF STEVEN K. PUTERBAUGH, WASHINGTON, D.C.,
SPECIAL ASSISTANT TO THE ADMINISTRATOR, OFFICE OF
NATIONAL PROGRAMS, U.S. DEPARTMENT OF LABOR**

Mr. PUTERBAUGH. Thank you, Mr. Chairman.

I appreciate the opportunity to appear before this committee today to discuss Department of Labor programs which address the employment-related needs of older Americans.

The Department of Labor is responsible for a number of programs which affect the well being of older Americans in the work force. These responsibilities include the administration of training and other employment related programs for older workers under the Comprehensive Employment and Training Act—CETA—and under title V of the Older Americans Act and the enforcement of significant provisions of the Employee Retirement Income Security Act, which protects retirees who are receiving benefits from private sector pension plans.

Before I begin to describe specific projects and programs, I think it would be helpful if I briefly reviewed trends in labor force participation by older Americans and outline what the future might hold in this area.

Since the turn of the century, the number of people in our Nation's population aged 65 and over has increased at an extraordinarily fast rate. In the year 1900, people in this age group com-

prised only 4 percent of our entire population. Today, there are about 25 million living Americans who have reached their 65th birthday and they represent fully 11 percent of our population. This trend will continue into the future. By the year 2000, it is projected that there will be 33 million Americans in this age group and three decades later, when the "baby boom" generation reaches what we now regard as retirement age, the number may swell to nearly 58 million, or about 20 percent of our total population.

In contrast to the trend toward a larger elderly population, a further examination of the statistics shows a steady decline in the representation of older people in our Nation's work force. For example, in 1950, more than 45 percent of all men aged 65 and over still held jobs. By 1965, this figure dropped to 28 percent, and today it stands at less than 20 percent. If you look at our labor force itself, you will see that all workers, male and female, aged 65 and over represent a mere 3 percent of all workers in this country.

I am sure these figures come as no surprise. They reflect an all too often erroneous notion in this country that once a person reaches age 65, he or she is supposed to retire from gainful employment.

Older Americans who have worked hard for decades and shared their ability with this country, should not be obliged to work, but they should surely have the option to continue to work if they so desire. If they don't or can't, this Nation owes them the security and benefit programs to insure that their retirement years are free from poverty and illness. This, I believe, is a fundamental policy we see in the social security system, the supplemental security income program, the medicare and medicaid program, and in laws requiring better and more equitable management of private pension plans—to name a few examples.

In recent years, we have begun to recognize the fact that there continue to be many older Americans who need to supplement their retirement incomes through employment in order to maintain an adequate standard of living. Thus, we now have a number of Federal laws and programs that are designed to help older people find, obtain, or keep jobs. A good example of this is the senior community service employment program which is conducted by the Department of Labor under title V of the Older Americans Act. Implemented on a relatively small scale in the early 1970's, this program now offers more than 52,000 part-time, community service jobs to low income people aged 55 and over.

We also have new provisions in CETA that authorize the Department of Labor to explore new types of programs and new ways to help older people prepare for and find employment. This authority was added to CETA in 1978 in the form of section 308, entitled "Projects for Middle-Aged and Older Workers." Also in 1978, new provisions were added to the law requiring that CETA prime sponsors take specific account of the employment-related needs of low-income older people in their jurisdictions as part of their local planning process.

In addition to this new concern about the millions of older Americans for whom employment would provide a much needed supplement to inadequate retirement incomes, I think we also have to recognize that large numbers of older people work because they

find great joy and satisfaction in work. Their employment is of great benefit both to themselves and to society as a whole.

The contributions that older Americans can make by continuing to work are vividly demonstrated within the senior community service employment program. I have had the privilege of viewing how this program operates at the local level. It is very heartening to see the dedication, enthusiasm, and wisdom that the program participants bring to their community service jobs.

We have heard in the past, as we hear even today, the notion that older people should leave their jobs to make way for younger generations. This attitude, I am happy to note, is falling into greater disfavor with each passing year. The Age Discrimination in Employment Act makes such forced retirement illegal in most instances, prohibiting mandatory retirement before the age of 70 in the private sector and State and local government employment, and virtually eliminating mandatory retirement within the Federal Government. I expect that in a few years mandatory retirement based on chronological age will no longer exist.

While I am not able to predict the exact course our national policy will take as we approach the 21st century, it is highly probable that events will dictate some dramatic shifts. It may well happen that the Federal Government will need to adopt aggressive policies and programs to encourage older Americans to remain at work longer. In this regard, we have already gained valuable experience in administering employment-related programs for older Americans, and the Congress has given us the legislative mandate to refine our knowledge and expertise through experimentation with new approaches and techniques. This, combined with the ever greater attention that the Department is focusing on the employment-related concerns of the elderly, will provide a solid foundation for whatever new policies might be needed to help older Americans reenter or remain in the work force.

As to the firmness of the Department's commitment to forge ahead with job related programs for older Americans, I would like to point out that none of our existing programs for the elderly, including the senior community service employment program, have been targeted for reduction. Indeed, we have definite plans to expand our efforts under section 308 of CETA in the next fiscal year. I would also like to mention that we have just created a new office within the Employment and Training Administration that will focus exclusively on the implementation of training and employment-related programs for older workers. The creation of this office, which has no precedent within the Department, is a significant sign that we are extremely serious about issues related to older Americans and employment.

This concludes my prepared statement, Mr. Chairman. I would now be happy to address whatever questions you might have.

Senator HEINZ. Mr. Puterbaugh, thank you very much for a very helpful statement outlining the views of the Department of Labor. I am going to reserve questions until each member of the panel has had a chance to make their statement.

I want to welcome Anna Brown, executive director, Mayor's Commission on Aging, Cleveland, Ohio. We welcome you from Cleveland, Ohio, Mrs. Brown, and thank you for joining us.

**STATEMENT OF ANNA V. BROWN, EXECUTIVE DIRECTOR,
MAYOR'S COMMISSION ON AGING, CLEVELAND, OHIO**

Mrs. BROWN. Thank you very much, Senator Heinz.

We are appreciative of this opportunity to speak to some of the issues that have to do with the displaced homemaker and the old woman in our society and particularly the economic outlook for her.

I am so glad that my colleagues are here this morning with me because there are certain areas in which they are far more expert than I. I will cross over some of the salient points and point out some of the things that do concern the minority community as far as older women are concerned.

Our remarks will concern all minority women which is to include blacks, Indians, Spanish-speaking, and Asian women. Indeed, our appearance, and this hearing, would be better served were these events taking place 2 years hence when the demographics may show some marked shifts based on the census just taken and now in process of compilation.

Among older women who are black, 8 percent were 65 and older in 1978; the number of elderly black women having increased by 26 percent since 1970. And, although the life expectancy differential between black and white women—72.6 years for blacks compared with 77.3 for whites—the life expectancy for blacks increased by 3.2 years in the 6-year period between 1970-76. The shortened life expectancy of black males accounts for the disproportionate number and early widowhood of black women.

In the case of Indian women—as of 1970—there were 388,000 American Indian women, 12 percent of whom were 55 years and over compared with 21 percent of all women. The American Indian women of today are more likely to be never married. They were more likely to be divorced, but less likely to be widowed than all women.

Among Asian women in 1970, the Japanese women—317,000—was the largest grouping followed by the Chinese—205,000—and Filipino at 154,000. The early immigrants from Asia in the early 1900's were male laborers, such were the immigration laws at the time, supported by the infamous anthropological and sociological racist writings of Madison Grant-Lothrop Stoddard, that is, "Rising Tide of Color." Due to the early almost all-male migration, men outnumbered women in the Asian population in every census until 1960. However, in 1970 males outnumbered females in the Chinese and Filipino populations. In 1970, 8 percent of Japanese women were 65 years and over, compared with 6 percent of Chinese women and 3 percent of Filipino women. In 1970 Asian women were more urbanized than the overall female population. Asian women were more likely to graduate from high school and college than women in the total population.

Among Spanish origin women in 1978, the proportion of never married Spanish was greater than for all women; divorce among them was about the same as for all other women. About 561,000 Spanish families were maintained by a woman with no husband present. In 1978, the families maintained by a woman head of household were larger than the corresponding families in the total population.

From these rather sketchy comparisons, let us look at the employment picture of minority women to better understand what the economic need must be in the later years and why the displaced homemaker will be a liability unless through training and job opportunities this potential labor resource can become an asset.

Of black women, educationally, at 65 and over, only 16 percent were high school graduates in 1978. The educational levels for Indians and Asians were not given in the age category of older women. Among Spanish origin 15 percent of older women had completed high school. The comparative tables are based on black and white women only. Participation in the labor force and an analysis of the kinds of jobs—blue or white collar—are indicators of the economic well being as recipients of social security benefits in late years and after retirement.

Unemployment is more prevalent among black women. In 1978, 13.1 percent of black women were unemployed. Among those employed the majority of black women in white-collar jobs were clerical; at the same time, 33 percent of black women were in service jobs—blue collar. In 1979, 37 percent of Indian women 45 to 64 years old were in the labor force, representing 8.5 percent of the population of 1970. In this same comparable census analysis, Japanese women 65 and over were 12 percent of the work force. The Chinese were the same with the Filipinos representing 11.4 percent.

Certainly, we can see some general indication of the facts as they are.

Minority women live shorter lives, are likely to be heads of families, are widowed, are poor, have lessened educational opportunities, and if employed have predominantly less attractive and lower paying jobs. The median income is less during the prime of life.

Upon retirement, when the husband is likely to be deceased, the children grown to adulthood, the need for more income worsened by a spiraling double digit inflation, what are the chances to work? How do we get the homemaker back into the work force or really do we need to? Sir, we feel that we must address the need of thousands of women. The elderly black widow, living as she does in the core city of our larger metropolitan areas, is the poorest of the poor in our society.

The urgency to meet the need of the older woman in need of job opportunities, driven by her poverty, is best evidenced by the upsurge in effort in many quarters, notably in the academic community and through the innovative and creative efforts of social agencies to provide training for new careers and placement in jobs.

Such programs have been undertaken in my own home city of Cleveland, Ohio, where our community college has packaged a complete program for the displaced homemaker. The curriculum offerings are varied, backed by individual and group counseling. Currently a newsletter discusses danger points in the lives of older women who are again involved outside the home; that is, "most common mistakes widows make."

Placement in jobs hopefully in our city is being accomplished by two agencies, one geared to the more professional needs of the corporate community and the other to the less skilled which is

rather discriminating since the level of income—poverty—is the criteria for consideration. We repeatedly equate economic status with brains and ability, and minorities suffer enormously from this fetish. The program with the financial guideline requirements is supported by the Labor Department. This is a godsend to agencies working with older persons since the age is 55 upward. Persons are placed with agencies for tasks—clerical, busdriving, whatever—with the understanding that the agency will absorb the salary of the enrollee after 1 year. This program out of the Labor Department is a tremendous help to agencies and to the participants themselves. These two examples address a minuscule segment of the older worker population aged 45 and up.

Finally, if the predictions are true that over the next decade, 10,000 high schools will close across the country because there are not enough young people ready for high school to keep them open, we will surely have this phenomena reflected in the available labor force at a later date. The present statistics, which place women as being anywhere from 47 to 51 percent of the labor force would forecast that another source of manpower will be our need in the 1990's. The older worker is that source. The raising of the retirement age to 70 is the first step in that direction, and although perhaps really accomplished as another transfusion for a social security system beset with inequities as to minorities and women we can look forward to longer work years and increased emphasis on after marriage and parenting employment and careers. We hope the Congress will be receptive to efforts to meet the needs of thousands of women whose needs are acute, whose capabilities need updating to reenter the exciting world of work and creativity.

Thank you, Mr. Chairman.

Senator HEINZ. Thank you. That was indeed an excellent statement. I will reserve further comment and questions until Mrs. Peralta has given her testimony.

STATEMENT OF VICTORINA A. PERALTA, DIRECTOR, ADULT SERVICES DIVISION, PHILADELPHIA, PA., DEPARTMENT OF PUBLIC WELFARE

Mrs. PERALTA. Thank you very much. It is nice to have you with us, Senator Heinz.

Senator HEINZ. Thank you.

Mrs. PERALTA. My testimony today will deal with seven issues that impact on the economic well-being of the minorities. I will submit for the record a complete text of my testimony with a documentation on the "Needs and Potentialities of Asian-American Elderly in Greater Philadelphia"—a study I did in 1977.

Senator HEINZ. Without objection, your entire statement will be made a part of the record.¹

Mrs. PERALTA. I will just give you the highlights of my testimony. My format will raise the issues, but at the same time, I will give you recommendations pertinent to the issues that are being raised in my testimony.

At the outset, I would like to define minority as minorities of color; namely, the American Indians, the Asian Americans, the blacks, and the Hispanics.

¹ See page 21.

There are seven issues I would like to bring to your kind attention, Senator Heinz, and they are, namely, issue 1, the 5-year residency requirement policy. Asian-American immigrants who have not fulfilled the 5-year residency requirement to be naturalized, find that they cannot obtain basic social and health services that are federally funded because such are open only to U.S. citizens. As a result, many Asian Americans have met with subhuman treatment by some government officials.

In some instances such abrasive treatment is more pronounced in the case of Asian Americans than those experienced by other minority groups. For instance, take the way some Asian Americans live in constant fear of harassment and even deportation. To wit: Asian American restaurant workers are hoarded like cattle and grilled to check if they are legal aliens. Most of these are older men and women working as cooks or waiters in restaurants.

My recommendations, regarding this issue; I propose a threefold recommendation; namely, I recommend that the Government—Federal, State, and local—be mandated not to withhold services to their future taxpaying citizens. In this connection, I call attention to the precedent that has already been set in the Supreme Court decision on the *Graham v. Richardson* case "That aliens are entitled to equal rights in the receipt of State welfare benefits based on the 14th Amendment." Please refer to my full testimony for the other two recommendations, as time does not permit me to get them in the 5 minutes allotted me.

Issue 2, fund allocation and appropriation formula. Allocation and appropriations in this country are based on demographic and other statistical data. The Census Bureau has acknowledged an undercount in minority population during the 1970 census and yet the allocation and appropriation of funds have continued to be based on the 1970 census.

My recommendation regarding this is that since the Census Bureau has acknowledged an undercount in minority population, the 1970 census should not be the basis of appropriations. I recommend the use of the current population survey, the CPS, which is done monthly rather than the 1970 census. It would be helpful to policymakers to collect the current population survey on a pure cumulative basis up to 1980, so that a more adequate indicator related to minorities and social conditions can be accurately collected upon which to base decisions in the allocations of funds for the neglected minority groups.

The third issue, the SSM's, the boxing-in approach by the Government. I am sure that my colleagues in the field of social service are familiar with the social service memorandums that come down to us. They are addressed more to the administrative framework and the minorities' needs become secondary.

My recommendation is that studies be conducted and funded by Government agencies to determine the scope, depth, and complexities of the needs of the minorities in general and particularly of Asian Americans who are the minority among the minorities, so that those SSM's can begin to address the unique needs of Asian Americans.

Issue 4, public health services. Title VI of the Civil Rights Act of 1964 states:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

In theory, this Civil Rights Act of 1964 is a lovely rhetoric. It is easy to read and indeed sweet to the ears. But in reality, many minorities are unable to utilize health services because they are not able to communicate their health needs to health providers, due to language barrier. Further, health providers are not conversant and/or sensitive to the culture, traditions, values, and beliefs of Asian Americans. These factors have value in the provision of health care.

In this connection, I recommend the creation of a minority social service and health council by Executive order of the President to insure that the minorities—the American Indians, Asian Americans, blacks, Hispanic speaking—are not deprived of social and health services which will respect their beliefs, culture, tradition, and values.

Issue 5 is the restrictive and discriminatory licensing and hiring practices and policies. Take, for instance, the Administration on Aging. If you look at its staffing pattern, it does not reflect the intent and principle of the affirmative action plan nor the EEO. The Administration on Aging does not have any Asian Americans in its staffing pattern as of date. We call this to the attention of the committee so that it can help monitor the recruiting pattern as well as the hiring pattern and policies of the Administration on Aging.

The sixth issue is the application for funds process. This is quite a tortuous process and usefully because of the democratic system and a process to which the allocation for funds are processed. Take, for instance, the Asian Americans. The word minority is not clearly defined so minority can be justified by any definition and that is why, in my statement, I have made a clarification of what we mean by minority. Many organizations are questioned. Many Asian American organizations are not considered legitimate. Even the JACL, the Japanese American Citizen League, having 96 chapters with over 30,000 members, is not considered legitimate.

Lack of identity to the Asian American's diversity, invisibility, and ethnocentricism makes it very hard for them to acquire some of the funds.

My recommendation is the recruitment and training of minorities for decisionmaking positions within the various government agencies that allocate funds for various projects and services. As decisionmakers, these minorities can help balance the unequitable and discriminatory distribution of funds.

The seventh issue is other unmet needs of Asian American elderly. In highlighting the needs of the Asian American elderly, I do not mean to minimize the needs of the other minorities. The reason I am highlighting these is because we Asian Americans are the minority among the minorities. To be an Asian American elderly in the United States is quadruple jeopardy—it means old, poor, nonwhite, non-English speaking.

Take, for instance, our experience in Philadelphia. In 1969, we were applying for some funds and we were told, "but where are the Asian American elderly?" So in 1969 we organized and again ap-

plied for funds. We were denied again, and the next question asked was, "but where are your data?" So we secured funding from Chicago and did a survey. We had our data. The next reply was, "but there are no additional funds."

Our experience in Philadelphia is duplicated all over the country and we are not getting the services that we are entitled to. As a result, services are not available, accessible, and accountable to Asian Americans. These services, my dear friends and colleagues, are not charity, they are a matter of justice and right. In highlighting our needs we do not mean to minimize the needs of other elderly because we do not want to put one age group against another age group, neither one minority against another minority: The blacks against the Asians, the Hispanics against the whites, and vice versa. We live in a rich and powerful country. There is enough for everyone to share if we adjust and arrange our priorities. The Asian American elderly's needs must be addressed and met as a matter of right and justice.

Thank you very much. [Applause.]

Senator HEINZ. Thank you, Mrs. Peralta. Your prepared statement will be entered into the record at this point.

[The prepared statement of Mrs. Peralta follows:]

PREPARED STATEMENT OF VICTORINA A. PERALTA

My name is Victorina Peralta, and I present my testimony today as a naturalized Asian American older person who is employed as director of adult and aging services, Philadelphia Department of Public Welfare.

Within the 5 minutes allotted me to present this testimony, I shall focus my testimony on the problems confronting minority older Americans in general; Asian Americans in particular. However, I want to put on record that this approach does not in any way indicate that I am not concerned about the needs and interests of the nonminorities; neither do I intend to pit minority against nonminority. We live in a rich and powerful country and I sincerely believe that there are enough resources we can share in an equitable and just manner if we rearrange and adjust our priorities.

DEFINITIONS

By minorities, I mean minorities of color, namely, American Indians, Asian Americans, blacks, and Hispanics. By Asian American I mean, Chinese, Japanese, Koreans, Filipinos, Vietnamese, Laotians, Thailanders, etc. These four minorities of color, share a common band—they have all been victims of racial prejudice, abuse, and exploitation. Being a minority of color is triple jeopardy: old, poor and black, brown or yellow.

GENERAL PROBLEMS

The problems confronting that four elderly minorities of color are the same as those of the nonminority elderly, namely, housing, transportation, health services, nutrition, employment, better income, education, etc. These needs have been articulated with great depths in the 1961 and 1971 White House Conference on Aging. The litany of needs of the elderly is like a bead of rosary to a Catholic like me—we in the aging field and older people themselves know them by heart—yet, there is seemingly a lack of meaningful response from the government, both State and Federal, in particular to the unique needs of Asian American elderly.

SPECIAL NEEDS OF ASIAN AMERICANS

The Asian American elderly are the minority among the minorities; thus, they are not only in triple jeopardy but in quadruple jeopardy: old, poor, nonwhite, and mostly non-English speaking.

At this point of my presentation, I will cite some samples of how, we the Pacific/Asian Americans, are victims of unfair government (Federal, State, and local) policies in terms of access and availability of resources, as well as, social and health supports.

Because of the time limit allotted to me, I will confine my presentation to only seven issues although there are a lot more and they are:

Issue No. 1: The 5-year residency requirement policy.

Issue No. 2: Fund allocation and appropriation formula.

Issue No. 3: The SSM's—"the boxing-in" approach by government.

Issue No. 4: Public health services.

Issue No. 5: Restrictive and discriminatory licensing and hiring practices and policies.

Issue No. 6: Application for fund process.

Issue No. 7: Unmet needs of Asian American Elderly.

Issue No. 1: The 5-year residency requirement policy

Pacific/Asian American immigrants who have not fulfilled the 5-year residency requirement to naturalize, find that they cannot obtain basic social and health services that are federally funded because such are open only to U.S. citizens.

As a result many Pacific/Asian Americans have met with subhuman treatment by some government officials. In some instances, such abrasive treatment is more pronounced than those experienced by other immigrant groups. As a result, many Pacific/Asian Americans live in constant fear of harassment and even deportation.

Take for instance the way some Oriental restaurant workers are "hoarded like cattle" and "grilled" to check if they are legal aliens. The INS provide no community services to immigrants except processing their papers and checking their eligibility.

Recommendations.—Regarding this issue I propose a threefold recommendation, namely:

I recommend that the government (Federal, State, and local) be mandated not to withhold services to their future taxpaying citizens. In this connection, I call attention to the precedent that has already been set in the Supreme Court decision of the *Graham v. Richardson* case, "That aliens are entitled to equal rights in the receipt of State welfare benefits based on the 14th amendment."

Second, I propose that a national Asian American advisory board be created, be properly staffed and funded to enable it to do its job effectively; so that the INS, as well as the Departments of State and Labor will be more humane in processing and treating Pacific/Asian Americans through the advice and counsel of the national Asian American advisory board.

I further recommend that the INS create a Human Service Division within its structure to provide followup human services to immigrants to insure that they are not abused, neglected, or exploited.

Issue No. 2: Fund allocation and appropriate formula

Allocation and appropriations in this country are based on demographic and other statistical data. The Census Bureau has acknowledged an undercount in minority population enumeration during the 1970 census, yet the allocation and appropriation of funds have continued to be based on the 1970 census. Thus, due to the acknowledged undercount in the minority population in general, of the Pacific/Asian Americans in particular, it is a fact that where allocation and appropriation of funds be it Federal, State, or local, for services and other supports, the Pacific/Asian Americans are shortchanged in a countless number of ways.

Another factor is the community input process; let us take the community development funds for instance:

The law requires that a public hearing be conducted on how to allocate these funds. The hearing notices are published in English and the hearings are conducted in English.

How can non-English speaking Pacific/Asian Americans become a part of that process? In the Pacific/Asian Americans culture, public hearings are alien to most of us. We shy away from those hearings, because public hearings are not a way of life for Pacific/Asian Americans, and many are scared of them for fear of being ridiculed, harassed, and embarrassed at those hearings.

Another example I can cite is in relation to the allocation of title XX funds. Again, the law requires that community input be sought in determining allocation of said funds. Public hearings are used as a tool to allow community input.

Again, the hearings are announced in English and they are conducted in English. Further, the title XX regulations are written in such a highly technical language, so that even those of us who are fortunate enough to speak, write, read, and understand English, find them rather difficult to interpret, in terms of services as related to the equitable allocation of funds.

Recommendations.—I recommend that, since the Census Bureau has acknowledged an undercount in minority population, the 1970 census should not be the basis of determining allocation and appropriation of funds. Instead, Pacific/Asian

American community self-help groups should be funded not based on that census, but based on current studies made by Pacific-Asian Americans on the socioeconomic and health needs of the Pacific/Asian Americans. I further recommend the use of current population survey (CPS) which is done monthly, rather than the 1970 census. It would be helpful for policymakers to collect the CPS on a cumulative basis up to 1980 so that a more adequate indicator related to the Pacific/Asian American social statistics; social conditions and societal goals can be accurately collected upon which to base decisions in the allocation of funds for this neglected minority group.

Further, public hearings should not be the only tool for community input in determining how public funds should be used. I recommend town meetings with non-English speaking groups conducted by bilingual government staff (Federal, State, and local) to be conducted in a manner that is conversant to and respectful to the culture and traditions of Pacific/Asian Americans. Further, I recommend that announcements for hearings and/or town meetings should be multilingual.

Issue No. 3: The SSM's—the boxing-in approach by Government

I'm sure that my colleagues in the field of social work practice are familiar with the SSM's, those social service memorandums which we get from time to time that stipulate the ever-changing guidelines in the provision of services, as well as, in the allocation of funds.

Many of these SSM's tend to "box in" clients into the administrative framework, rather than respond to client's needs; and where the needs and wants of the Pacific/Asian Americans are concerned, these SSM's do not only "box them in" rather, they "wipe them out." This is so because government (Federal, State, and local) are just not convinced that we are a minority. They seem not to define us as such, because many Pacific/Asian American groups are very small and do not have central facilities; therefore, their bona fide existence is highly and unreasonably questioned.

Recommendations.—I recommend that studies be conducted and funded by government agencies to determine the scope, depth and complexities of the Pacific/Asian American needs. Such studies will no doubt help and enable government from "boxing in" people in their administrative framework.

Issue No. 4: Public health services

Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." Therefore, activities of the Public Health Service, like every program or activity receiving financial assistance from the Department of Health, Education, and Welfare, must be operated in compliance with this law.

In theory, this Civil Rights Act of 1964 is lovely rhetoric. It is pleasing to read and indeed sweet to the ears. But in reality, many Pacific/Asian Americans are unable to utilize health services because they are unable to communicate with non-Asian health service providers. Further, many non-Asian health providers do not have any concept about Pacific/Asian health problems.

Recommendations.—I recommend the creation of a Pacific/Asian American social service and health council by Executive order of the President, to insure that Pacific/Asian American social service and health needs are not neglected in the establishment of the country's political, social, and health priorities. I highly recommend the integration of social service and health functions into a unified Pacific/Asian American Council to prevent a fragmented approach, that is, health versus social service.

Issue No. 5: Restrictive and discriminatory licensing and hiring practices and policies

Many recent immigrant Pacific/Asian Americans were admitted under occupational preferences and are of professional backgrounds. Yet language and cultural barriers, coupled with licensing restrictions are preventing them from being able to practice in their professional capabilities. As a result, many are forced to work in menial low-skilled, low-paying jobs. For instance, the affirmative action plan; when Pacific/Asian Americans are concerned is a farce. To wit, I would like to emphasize that no Asian Americans have been selected for long-term training by State, AID, or ICA for at least the past 6 to 7 years—training which is generally a steppingstone to higher responsibility.

The AoA, for instance, is as of date in noncompliance with the affirmative action plan. To my knowledge, as of date, it does not have any Asian American in its staffing pattern and so far, no Asian American, as of date, has been appointed to any of the technical advisory committees.

Recommendations.—I recommend programs in language training (reading, writing, and comprehension); job training and vocational education geared towards Pacific/Asian American needs be designed, funded, and implemented on an ongoing basis. Least restrictive alternatives for licensing and hiring practices must be developed with input from Pacific/Asian Americans.

I also recommend that the U.S. Senate Special Committee on Aging examine closely and monitor the staffing pattern of AoA; as well as its various Technical Advisory Committee to insure full participation of Asian Americans in AoA.

Issue No. 6: Application for funds process

This is quite a tortuous process and to illustrate my point, I share with you the experience of one of my Pacific/Asian American colleagues, Dr. Leslie Hiraoka from the JACL, New York chapter.

Sometime in 1976, he applied to the ethnic heritage studies program of the Office of Education for a grant to enable him to study Japanese Americans and Japanese nationals in New York metropolitan area—his project was not funded, yet it is interesting to note that some Japanese corporations funded part of the study, even though the study was primarily of Japanese Americans in New York area. As a matter of fact, very few Asian American projects are funded by the Federal, State or local government, as well as foundations.

I can think of four reasons why this is so, namely:

- (1) Definition of minority—what is a minority?
- (2) Legitimacy question—many Asian American organizations are not considered legitimate—even the JACL with 96 chapters and with over 30,000 members, is not considered legitimate.
- (3) Lack of identity due to the Pacific/Asian American's diversity, invisibility, ethnocentricism.
- (4) The myth that "Asian Americans have got it made."

Recommendations.—I recommend the recruitment and training of Pacific/Asian Americans for decisionmaking positions within the various government agencies that allocate funds for various projects and services. As decisionmakers, these Pacific/Asian Americans can help balance the inequitable and discriminatory distribution of funds.

I further recommend that minority be defined as "minorities of color." By confining the definition of minority to "minorities of color," there can be a good safeguard in guaranteeing that the Pacific/Asian Americans are given an even chance. By minorities of color, I suggest: Black Americans, American Indians, Pacific/Asian Americans, Puerto Ricans/Mexican Americans.

Issue No. 7: Other unmet needs of Asian American elderly

It is hard for me to be nice and polite when I speak of this subject because of my emotional and geographical proximity to these concerns. I said this because, since 1970, I have been calling attention to government about the needs of our Asian/American elderly in Greater Philadelphia.

In 1969, I was told, "but where are those Asian American elderly." So in 1969, with the help of some Filipino leaders in Philadelphia, I organized and founded the Delaware Valley Association of Filipinos (DVAP) with a senior citizen program for our Filipino elderly. We were told that we cannot be funded because DVAP is not a legitimate organization.

Thus, in January 1972, I organized the Asian American Council with specific concerns for the Asian American elderly in Greater Philadelphia. Later on, in October 1972, Dr. Marshall Jung joined efforts with us and Dr. Jung expanded the council to include other concerns. In 1974, the council was duly incorporated and finally, with a juridical personality, we approached our area agency on aging (PCA) to secure some funds for services to Asian American elderly. We were asked for some data. Where are they? How many are they?

Thus in 1977-78, we did a study of the "Potentialities and Needs of Asian American Elderly in Greater Philadelphia" (V. Peralta and H. Horikawa, 1978), which documented the need for services to 3,500 Asian American elderly in Greater Philadelphia. A copy of this study is attached herewith for the record.¹

As of date, there are in Philadelphia, 32 multiservice centers funded by the Philadelphia Corporation on Aging. The Philadelphia Corporation on Aging has a \$12 million budget, yet as of date, the needs of Asian American elderly in Greater Philadelphia are not yet being addressed nor being met. Reasons: the same four reasons why Dr. Leslie Hiraoka's project from the JACL in New York was not being funded, I suspect, are the basis for nonfunding in spite of the documented needs.

¹ Retained in committee files.

Our Philadelphia experience is replicated in other parts of the east coast where older Pacific/Asian Americans are not receiving their services.

Recommendations.—I recommend that the Administration on Aging immediately recognize the needs of older Pacific/Asian Americans and fund special programs on their behalf. The Administration on Aging should take special effort to recruit and employ older Asian Americans, particularly in Washington, D.C., offices, which, to my knowledge as of date employ none!

I recommend more government funding for research and demonstration projects to determine how older Pacific/Asian Americans can be effectively assisted based on their needs, cultural differences, values, traditions, and desires.

CONCLUSION

Thank you for the privilege of presenting my testimony, and I sincerely hope that this hearing will have a meaningful impact in the lives of all older Americans in general; of Asian American elderly, in particular.

Senator HEINZ. I think our four panelists have done a marvelous job in covering the wide range of topics and points of view that we want to explore in this hearing. I am very particularly pleased with the focus of Commissioner Walsh's statement on the activities of the Federal Government, and I have some questions for her.

I have a number of questions for Mr. Puterbaugh, who examined in some detail what the Department of Labor, through CETA, is doing or would like to do.

I think Mrs. Brown gave us excellent testimony with respect to a significant population group, the displaced homemaker, particularly the minority displaced homemaker. As she indicated, the minority displaced homemaker has obtained lower educational levels and yet is obviously a person on whom we will increasingly be relying as we come to a period, around 1985, of labor shortage in the United States. It is hard to believe that here in Philadelphia, there is currently 14 or 15 percent minority unemployment and 50 percent minority youth unemployment.

I thank Mrs. Peralta for bringing to us the special needs and concerns, of what she described appropriately, as the minority among the minorities.

Let me start, if I may, with Commissioner Walsh. I was rather interested in your statistics on EEOC's enforcement responsibilities under the Age Discrimination in Employment Act. You noted that EEOC had intervened in six cases since it assumed responsibility for ADEA. That is three more than the total number of cases that the Department of Labor entered into when it was responsible for combating age discrimination in the workplace. So while we commend you, it seems to me that six is still a low number. Can you explain why so very few cases have merited EEOC intervention?

Ms. WALSH. Well, the six may seem like a low number, but you must remember that intervention is not our primary litigation strategy. We intervene on those cases that are brought to our attention that have already been filed in court by the individual, so that in effect the Government is now giving that little extra push to the case. We are hoping to up this. Our primary enforcement and direct litigation strategy continues, of course, and we will be getting more and more into what under Labor, was known as a Secretary's charge and, in the Commission is known as a Commissioner's charge. In that way we can get at the class actions. I know those charges have been signed. Unfortunately, I cannot divulge any more information about that. Also I reemphasize that Labor intervened in three cases in the 11 or so years it had jurisdiction

over the ADEA; EEOC intervened in six in its first 6 months of jurisdiction.

Senator HEINZ. Before EEOC inherited responsibility for enforcing the Age Discrimination in Employment Act, EEOC had a very large backlog of other cases. To what extent does that backlog of unresolved cases complicate your ability to enforce ADEA, or vice versa? To what extent did the ADEA complicate your ability to enforce all the other responsibilities that you already had at EEOC?

Ms. WALSH. That was a concern that had been expressed by many people when this reorganization was being considered. I first would like to point out that the backlog of EEOC that has received so much publicity is well under control. Chairman Norton has brought new initiatives to the agency. But leaving that aside, this was a concern and what we have done, we have kept the staffing on all areas of age discrimination totally separate from title VII staffing. That is both at the headquarters level and at the field office level.

Now the only area where we merge the two functions is at the intake area. In other words, when a person feels they have been discriminated against on the basis of age and comes to our office to file a charge, at that moment the same person would be counseling them as counsels persons seeking relief under title VII because very often age claims are mixed. They are on the basis of both age and race. Very often, particularly minorities who are so used to being discriminated against on the basis of race, it does not occur to them that age is a factor, so they will come in to file a claim on the basis of race, when very often the charge is on the basis of age discrimination, or sometimes both, so in that one area we do have a combined effort. In all other areas we have the staffing separate and of course Congress has given us additional staff for that precise purpose.

Senator HEINZ. In your testimony, you mentioned that the people who availed themselves of your enforcement powers in age discrimination in employment were middle-aged white males?

Ms. WALSH. That is right.

Senator HEINZ. All of our testimony this morning has suggested that, relatively, they probably have the least problem—not that they don't have a problem—but that they have the least problem of all the people you have talked about today.

Now some have suggested that there is almost a built-in barrier; it is not just a question that you suggested of an awareness of rights. There may be a conflict between, let us say, older persons seeking a job or seeking to retain a job—and somebody else seeking a job—a woman, a younger person, or a minority individual. In testimony before our committee 2 weeks ago, researcher and author Dr. Harold Sheppard, who has just been appointed Counselor to the President for Aging, said that there is no evidence that forced retirement of the aged brings any benefit to those other groups I just mentioned. He also noted that by 1990 women and minority groups will comprise the largest groups between the ages of 40 and 65 in the work force, the very group that the Age Discrimination in Employment Act is intended to benefit.

Now my question to you is, given your experience, on the Equal Employment Opportunity Commission, where you served with great distinction, Ms. Walsh, would you agree with Dr. Sheppard, or would you disagree with Dr. Sheppard, that enforcement of the Age Discrimination in Employment Act does not jeopardize employment opportunities for minorities and women?

Ms. WALSH. I absolutely agree with him. I think this whole area of either/or has never made any sense, has always been an early concern when another class suddenly required recognition. There are places for everybody in this economy, and the thing we have got to do is make sure there is room for all. I think particularly in the area of minorities there is no jeopardy, there is no tradeoff between the young and the old. It is unfortunate that the greatest percentage of unemployed, as we know, are the young minorities.

Now, too often, the minorities get into the workplace later than their counterparts. Then to ask them to bow out early after they have had maybe only 10, maybe only 15 years of on-the-job paychecks, to then ask them to bow out to make way for somebody else, certainly would seem to me the height of unfairness.

Senator HEINZ. Is there anybody on the panel who disagrees with that statement? I happen to believe it is true but this is not an either/or situation. Does anybody disagree with that?

Mrs. BROWN. No, I don't think any of us disagree, Senator. I think there is one other tiny little facet there that perhaps we ought to look at, and that is the attitudes that can arise, not so much that you displace a person, but at what wage level also needs to be looked at because conceivably if you have large numbers of older persons taken, for example, into industry, what are prime-life workers going to think, in terms of the fact, that many older workers would not want to make enough money to jeopardize their social security, for example, if they were coming in as a part-time person, and therefore would there be any tendency—and I think this is something we need to watch—for the general public to get an idea that older people depress wages, is what I am saying, and I think that is a very dangerous thing, so far as the mass of general workers is concerned.

Senator HEINZ. That is a good point, and I am glad you raised it. One of the points brought out in our hearing 2 weeks ago was that we must have a much more flexible approach toward work. Not everybody wants to work on the assembly line 40 hours a week, and there is no need to restrict people to that kind of limited choice. So your point is well taken. One of the things we have to do is to work with employers to have a more flexible approach to employment, which becomes absolutely essential to the country, as we all know.

Mr. Puterbaugh, your department has the responsibility for our CETA programs, and some of those programs, as you mentioned, are targeted. We are trying to acquire some experience as to how we can effectively reintegrate, or integrate in the case of displaced homemakers, people into our labor force. You indicated in your statement that you felt that a considerable amount of progress had been made in that regard. You mentioned, in fact, section 308 of the 1978 CETA law where prime sponsors take specific account of needs of older people.

I have two questions. The first is, as I understand it, in fiscal year 1980, only 89 of some 473 prime sponsors had established older workers' programs, and only a total of 1.2 percent of title II funds for prime sponsors is being used for these programs.

The second point that I would like you to respond to is that under section 308, the law says that the Department of Labor may spend up to 5 percent of the total title III appropriation, which would be approximately \$25 million in fiscal year 1980, on programs designed to aid older workers. It says you may spend it, you don't have to. According to the information I have, DOL has decided thus far, and we are pretty well into the fiscal year, to expend only \$2 million for a maximum of four section 308 projects. How do you reconcile those statistics with what you characterize as substantial progress?

Mr. PUTERBAUGH. Those are kind of difficult questions to answer, Senator, but I will do the best I can with them.

Your first question—

Senator HEINZ. Maybe my statistics are incorrect.

Mr. PUTERBAUGH. No, sir, the statistics you read to me are accurate, they certainly are.

The first question went to the low degree to which older persons are being served by CETA prime sponsors. The Senator pointed out that of the 470 prime sponsors we have under CETA, only 90 of them had implemented special projects for older persons in their communities. That is not quite the full picture, however, because many of the other prime sponsors do serve older persons within their regular programs, even though these are not programs that are going exclusively to older persons.

What we have seen under CETA in the last 3 or 4 years is a small increase in the representation of older persons among the participants who are being served by CETA prime sponsors. Now this improvement admittedly, is marginal. What we see is that it can't be denied that the CETA system has an overriding orientation to the problems of younger persons. This is not to say, however, that the Department of Labor's CETA prime sponsors should focus exclusively on young people to the detriment of older Americans. We are taking steps, as time goes by, to make CETA prime sponsors aware of the employment-related needs of older persons. I think this will take a number of years to bring about, that is, to reach a point where we have a level of services to older people in CETA that is equitable. We are getting there as time goes by.

Senator HEINZ. Let me suggest this. If the Department of Labor under title III, spent a little bit more of what it could spend for section 308, it might set an example to the CETA prime sponsors. I have the feeling that your heart is in the right place but your hands are not acting in accordance with your heart.

Mr. PUTERBAUGH. I take that as a compliment.

Senator HEINZ. Take it as encouragement.

Mr. PUTERBAUGH. Encouragement. Well, sir, the CETA title III budget is not boundless. Each year we are working with a fixed dollar amount under title III, and this amount has gone down overall over the course of the last 2 years. I think it is very significant to note that while we are cutting the funding levels for many other programs that are conducted under CETA title III we

have under section 308 the projects for middle-aged and older workers where we are actually increasing the funding level. This is a brand new effort, and we are starting off on a relatively small scale, and hopefully in years to come and as budget conditions allow, we will be able to expand and build up these programs even further.

Senator HEINZ. Mr. Puterbaugh, I would like to ask this question for the record. I would like you to give me an answer in writing because we are running out of time.

Please tell the committee the status of the Department of Labor's regulations regarding the Age Discrimination Act—not ADEA but ADA—and your progress in fully implementing this act, particularly as it applies to the CETA program. I might indicate to you that some people are concerned that the Department of Labor, unlike HEW, has yet to write its regulations implementing that act internally. Let us know how you are doing and when you think you are going to be able to complete your mandate under ADA. You will answer that in writing?

Mr. PUTERBAUGH. Yes, sir.

Senator HEINZ. Thank you very much.

[Subsequent to the hearing, Mr. Puterbaugh supplied the following information:]

These proposed regulations, which will implement the statutory requirements and responsibilities under the Age Discrimination Act of 1975, have been forwarded to the Department of Justice for their review.

They were submitted to the Attorney General's office, January 1980, as one section in the Department of Labor's regulations implementing title VI of the Civil Rights Act of 1964, as amended (29 CFR part 31).

These proposed amendments cover title VI as well as other nondiscrimination statutes applicable to programs receiving financial assistance from the Department of Labor.

The proposed regulations prohibiting discrimination on the basis of age is entitled as follows in the title VI document: Subpart E—nondiscrimination on the basis of age—Age Discrimination Act of 1975, as amended, section 31.91 through 31.98.

There is nothing in these proposed regulations as now written which would impact negatively on CETA participants. Section 132 of the Comprehensive Employment and Training Act prohibits discrimination on the basis of race, color, religion, sex, national origin, age, handicap, political affiliation or belief, and citizenship, and applies to services and benefits as well as employment practices in CETA programs.

On the other hand there are age distinctions made by DOL statutes and regulations. In CETA title III, "older workers," title IV job corps and summer youth programs, title VIII young adult conservation corps, apprenticeship programs (29 CFR part 29) WIN and the senior community service employment program.

HEW's general regulations, nondiscrimination on the basis of age in programs or activities receiving federal financial assistance (45 CFR Part 90), does permit age distinctions "established under authority of any law."

We expect to hear from the Department of Justice regarding their assessment of out title VI material within the near future.

Senator HEINZ. I think it is most appropriate to direct this question to Mrs. Brown. Recently, there has been more focus on the displaced homemaker and it has, as I understand it, been directed toward consciousness raising. While that is important, I am told by some that there is a serious shortcoming in skills training. You mentioned that only 15 percent of these women have a high school education. It would seem to me that the question of the extent to which we should focus on skills training is a legitimate one. Do you think there is enough, too much, or not enough skills training?

Mrs. BROWN. There is entirely too little skills training, Senator. What is more, there is that whole area of readjusting our minds

and our programs to include those women who can come back into the work force if they have training. Unfortunately, I think many of our efforts—for example, our own skills available in Cleveland, which is the agency for the displaced homemaker who wants to go back and has some skills—they have a tremendous track record of placing people. They recruit and they place well, but there are drawers of people in the files who never get called and never get placed. My contention is that for those people who never make it back, there ought to be some definition of why they don't get back, so that we can tailor the training to help those people who never get called back into jobs.

One further point in this regard is that by so training and upping their skills, we will certainly create a labor force that is articulate, that is aware. One of the other areas of our concern, and hopefully it will become a concern of yours, is not only giving them a job, but under what conditions shall they work? For example, in many of our restaurant industries older women are used as waitresses. However, the proportion of tables that older women have to sometimes assume the responsibility for, is far in excess of what any young waitress would put up with, and because of their need for the money, the older woman takes it and takes it without complaining. The point is that we want you to work, but we want you to work under the optimum American standards of decency and dignity. [Applause.]

Senator HEINZ. Mrs. Peralta, I want to compliment you on doing a fine job in making some extremely concrete recommendations. They are most helpful to all of us and I want to thank you.

I would like to take advantage of this occasion to thank each and every one of you for being here. I will be corresponding with each of you, if I may, on other issues that may come up.

I thank you for your time, your interest, your excellent testimony, and your elucidation on these important issues.

Thank you very much. I think we are all very grateful to you. [Applause.]

I would like to call the next panel of witnesses.

Cushing Dolbeare, president, Low Income Housing Coalition, Washington, D.C.; Jose Garza, president, Hispanic Housing Coalition, Washington, D.C.; Drayton S. Bryant, Drayton S. Bryant AIP & Associates, Philadelphia, Pa.; and Louise Brookins, chairperson emeritus, Welfare Rights Organization, Philadelphia, Pa.

We welcome you and we thank you for coming. I would ask once again that you try to keep your statements to 5 to 7 minutes; otherwise, we are going to run out of time.

I want to call first on Cushing Dolbeare who is here, and I might add back in Philadelphia, for she is a native of the Delaware Valley. She is an expert in housing in her own right. She is representing the chairman of the Low Income Housing Coalition, my former colleague and good friend, Senator Ed Brooke, who has chosen wisely in having Cushing represent him. We wish him well and we miss him a great deal in the U.S. Senate.

STATEMENT OF CUSHING N. DOLBEARE, PRESIDENT, NATIONAL LOW INCOME HOUSING COALITION, WASHINGTON, D.C.

Ms. DOLBEARE. Senator Brooke asked me to express his personal regret for not being able to be here and also our appreciation for giving the Low Income Housing Coalition the opportunity to testify.

I would like to request that my full statement be entered into the record¹ so that I can summarize it today.

I think we all know that when it comes to housing that elderly minority people are even more disadvantaged than other people. Moreover, the very limited housing programs that we have, don't work as well for minority people as they do for others.

Minority households, blacks and Hispanics, comprise 11 percent of all elderly households, but almost 30 percent of those in physically inadequate housing. Now there is no data, unfortunately, on housing conditions of elderly Asian Americans or Native Americans, but we know that they also suffer from very serious, critical housing problems.

Fifty-eight percent of all black elderly households and 54 percent of all Hispanic elderly households are homeowners. Yet we have in this country no housing programs to assist elderly homeowners, with one small exception, and that is the section 504 grant program, a very tiny program of the Farmers Home Administration. Last year, it served about 7,500 elderly households. There are millions of elderly households living in rural areas needing assistance with home repairs. The discriminatory impact of this is evident because, while more elderly households overall live in rural areas than in cities or suburbs, three-quarters of the minority homeowners live in areas where this Farmers Home program does not operate.

Some communities have used their community development block grant funds to assist homeowners with rehabilitation, but this has been unfortunately spotty and not adapted to elderly housing needs. CDBG programs tend to be loans rather than grants. Many older people cannot pay off loans, so they need a grant program.

Indeed, the most serious gap in housing policy and in our array of housing programs, in my opinion, is the lack of adequate programs to assist low-income people to purchase and live in their own housing. By virtue of providing only rental housing assistance for very low-income people, we are forced to a more expensive set of solutions to our housing problems, and we have made it impossible to adequately serve the 70 percent of all minority households who are homeowners.

Moreover, there has been a tendency to consider elderly housing in terms of the smallest of the assisted elderly housing programs. Most people know about the section 202 program; they say that is elderly housing. That is fine. That is what the elderly organizations focus on when they consider elderly housing. Yet fewer than 50,000 occupied 202 units have been developed from the beginning of the program 20 years ago. There are 10 times as many public housing

¹ See page 33.

units occupied by elderly families. There are probably twice as many Farmers Home units occupied by elderly families. So we need to focus not only on improving and expanding the section 202 program, but we need to focus on making the other programs, which serve a larger number of elderly people, more adequate in scale and more responsive to elderly needs.

We are going through a moratorium by attrition in all of our assisted housing programs. It looks as though the administration choose not to continue, when it slightly increased its 1981 housing request, Congress may well continue, because the Senate has before it today a budget resolution which would impose a very deep cut in assisted housing programs. I know, Senator Heinz, you have been very helpful to us in working to restore the level of assisted housing to closer to where it should be.

Recently the Low Income Housing Coalition held a national conference on what to do about low-income housing problems, including elderly problems. We adopted a series of proposals for the elderly, and I would like to briefly summarize them.

First and foremost, our basic principle is that elderly people have a basic human right to live in dignity, safety, and security, in housing of their choice in a variety of settings, including the housing which they now occupy if they want to stay there. That is very important, as it relates to site selection standards for assisted housing, as it relates to antidisplacement efforts, as it relates to entitlements to housing assistance.

We need to have a major expansion in the construction of housing for elderly people. We need to provide a program of in-place housing assistance, and this could be done very simply, conceptually, by making section 8 housing assistance an entitlement for all eligible households. Section 8 existing certificates should be available for elderly households now forced to pay more than 25 percent of its income for shelter, whether that be in rental housing or owned housing. It would probably cost a couple billion dollars a year, but far less than homeowners are now able to gain from the Federal tax expenditures which elderly people are unable to take because of their low income and because their mortgages are paid off.

We need to prevent displacement of elderly people. A lot of attention has been focused on the condominiums being forced on elderly people. Condominium conversions are primarily a non-minority housing problem. The displacing forces for minority elderly people are inflation, increasing housing costs, and what we now call gentrification: The purchase, often at scandalously low prices, of owner-occupied housing by speculators, who then rehabilitate the housing and turn around and sell it, making hundreds of percent profit on their sales. We need to have measures to deal with this kind of problem for elderly people.

Finally, we need to provide assistance to elderly homeowners, through a program not just limited to elderly people, but for all low-income people. There are a great many elderly people now whose house represents really their only savings, their only sense of income security. Those houses may be too big, but we have not provided other opportunities with financial security in neighborhoods where elderly people live. We could free up a great many of

those housing units if we provided elderly housing, because people would choose to move into housing units for elderly people. Those housing units could be made available to younger purchasers.

One of the big constraints on elderly housing now is the so-called proportionality requirement. We have only rental assistance in urban areas. HUD quite rightly is saying assistance has to be provided in accordance with need. That means less elderly housing because families need housing. But owner-occupied housing is better housing for families, by and large, than rental housing is. So if we had an adequate homeownership program, we could help alleviate the problems not only of large minority families who are not yet elderly but also of elderly households.

Thank you very much.

Senator HEINZ. Thank you very much, Ms. Dolbeare. Your prepared statement will be inserted into the record at this point. [The prepared statement of Ms. Dolbeare follows:]

PREPARED STATEMENT OF CUSHING N. DOLBEARE

The National Low Income Housing Coalition appreciates this opportunity to testify on the housing needs of low income, minority, elderly people. As you know, we have a coalition of individuals and public interest organizations devoted to seeing that all low-income housing needs are met. This will take intensified attention and commitment, and will require comprehensive approaches to address both elderly and nonelderly housing needs. Critical as the housing needs of elderly people are, they are less likely to be neglected than those of others, particularly large, low income, minority families.

In meeting the housing needs of minority elderly people, other programs must be both adequate in scale and sensitive to their special needs and values. Because minority people have long suffered from discrimination in housing, education, and in employment, their housing problems have always been more acute than others. This is also true of elderly people. Minority households—blacks and Hispanics—comprise 11 percent of all elderly households, but they are almost 30 percent of inadequately housed elderly (see tables included with this testimony).

Moreover, in 1977, the median income of single minority women, the most disadvantaged group, was less than \$3,000. For whites, blacks, and Hispanics, incomes were lower for elderly people and lower for women.

Most elderly people are homeowners: 71 percent of all elderly, 58 percent of black elderly, and 54 percent of Hispanic elderly.

Significantly, assisted housing programs for low-income people focus on rental housing. The only programs serving elderly homeowners are the tiny Farmers Home very low-income home repair loan and grant program, which assisted about 7,500 to 10,000 households last year. This is available only to elderly owners living in rural areas.

Some communities have used their community development block grant funds to assist elderly owners, but this is spotty and small-scale.

In 1978, the Senate approved an amendment which would have permitted section 8 assistance to be used by elderly owners to pay off rehabilitation loans. This provision died in conference. It was reintroduced last year by Representative Parren Mitchell, but has not been pressed in the Senate.

While the best known elderly housing program is the so-called 202 program (named after section 202 of the Housing Act of 1959), which is operated by nonprofit sponsors, the largest elderly program is the low-rent public housing program. Its successor, section 8, also is providing substantial numbers of elderly people with decent shelter at costs they can afford.

At least 45 percent of public housing's 1,192,000 dwelling units—536,000 units—are occupied by elderly households. According to HUD, the proportion of elderly households in section 8 is similar to that in public housing. Therefore, elderly households rent at least 400,000 of the 900,000 occupied section 8 units.

No comparable figures are available for the rural programs of the Farmers Home Administration, but the proportion of elderly households served is probably much lower—in part because the major FmHA program is low-interest loans for home purchase. FmHA's one program that is targeted to elderly people is its home repair grant program for very low-income elderly. But this program is still at a level of only 7,500 units for the entire country.

In contrast to the levels of housing assistance available stand the needs of elderly people. Five million of the fifteen million households identified by HUD as in need of housing assistance are elderly. Their problems include both physically deficient housing—a threat to health or, sometimes, life—and housing which costs more than low-income people can afford. Moreover, a steadily increasing number of elderly households are being displaced by condominium conversions.

Elderly households comprise 17 percent of all renter households, but they account for 74 percent of those with incomes now below \$3,000. In 1977, 1,100,000 elderly renters, including 305,000 blacks and 59,000 Hispanics, were at this very low-income level. Similarly, elderly households are 25 percent of all owners, but 99 percent of all owners with incomes below \$3,000. In 1977, there were 1,300,000 elderly owners, including 195,000 blacks and 30,000 Hispanics, with incomes below \$3,000.

Some 10 days ago, the National Low Income Housing Coalition and 29 other national, State, and local organizations sponsored a national low-income housing conference. The conference considered low-income housing needs comprehensively—elderly, families, blacks, Hispanics, Native Americans, rural people, and urban people. I would like to share with this committee the conclusions and recommendations of the group which considered elderly housing needs:

Elderly people have a basic human right to live in dignity, safety, and security. They should be provided with housing opportunities to live, as they choose, in a variety of settings: in their own homes, in their neighborhoods, in housing built and operated with the special needs of elderly people in mind.

We call for a major expansion in construction of housing for elderly people, in developments on one or more sites, and large enough to be economically feasible and socially desirable, insuring that elderly people are not isolated from the communities and neighborhoods of which they are a part.

Elderly people unable to afford their present housing should be given assistance, in place unless they wish to move. This assistance should be available as a right for all elderly people needing it to reduce their housing costs to 25 percent of their incomes, and should be provided from a separate appropriation made in addition to any other appropriations of funds for housing assistance. The assistance should be made available to homeowners as well as tenants. Unless substantial repairs are necessary, the subsidy limits of the section 8 existing program should be followed.

Displacement. Security of tenure is even more important to elderly people than to others. Elderly people should not be forced to leave their homes because of condominium conversions or for other reasons. Programs should be developed to assure that the elderly are either allowed to remain as tenants or provided assistance to buy their units.

Homeowner assistance. The elderly housing shortage makes it imperative that assistance be provided to homeowners to maintain and rehabilitate their homes. The homes of elderly people are often their principal source of security and savings. In providing assistance to elderly homeowners, the needs of rural elderly should be taken into consideration in proportion to their numbers and needs. As part of a cohesive approach to overall housing needs, homes vacated by elderly people should be obtained, rehabilitated if necessary, and made available with appropriate subsidy to lower income families. In light of the long-term energy crisis confronting this country, the energy crisis assistance program for the elderly must be made an ongoing and permanent assistance program for older persons who find themselves increasingly unable to meet the inflationary and skyrocketing fuel and utility costs.

Social services. Social services linked to housing is an integral part of the aging policy of this country. Comprehensive funding must be provided to congregate housing services, serving both urban and rural communities, in order to eliminate the inappropriate and premature placement of elderly persons in nursing homes. The program must be expanded beyond the sections 202, 515, and public housing programs to impact on those elderly people living in other housing facilities.

Innovative housing alternatives. Present program regulations penalize individuals who elect to live in nontraditional housing—such as single-room occupancy, roominghouses, living with their families or nonrelated individuals—in order to cope with rising housing costs. Laws and regulations must be made so that programs providing benefits to the elderly can continue to be utilized by older persons despite nontraditional living arrangements. In order to allow the elderly to remain in their own homes and to make available more low-income tenancy, assistance should be given in the development of accessory apartments. The tenants of those units should be eligible for rental assistance. Incentives must be provided to State and local governments to provide property tax relief to elderly homeowners and property tax rebates to elderly renters. To meet cultural preferences and lifestyle needs, a program should be developed which would allow the elderly to receive assistance in order to live at home with their families in an extended family situation.

In contrast to these far-reaching recommendations—which should apply to all elderly people but which are particularly important for minority elderly—stand the proposals now under active consideration by the Congress.

The 1981 housing budget, now before the Congress, proposes funding for an officially estimated 441,840 additional units of assisted housing for low- and moderate-income people: 258,000 units of section 8, of which 18,800 will also be assisted under the 202 program of housing for elderly and handicapped people; 42,000 units of public housing; 25,000 units for moderate-income homeownership under HUD's section 235 program (4 percent mortgage interest); 62,200 units for moderate-income rural homeownership under FmHA's 502 program (down to a 1 percent interest rate); 30,515 low- and moderate-income rural rental housing units under the FmHA 515 program (1 percent interest rate, with some additional rental assistance available); 1,590 units of housing for migrant farm workers; 15,000 very low-income rural home repair loans under FmHA's section 504; and 7,535 very low-income home repair grants for elderly people under the FmHA 504 program.

The HUD budget request is an increase over this year's level of 240,000 units of section 8/public housing, but the real increase of \$3 billion in budget authority does not offset last year's \$4.3 billion cut. Moreover, this is only the second time since 1974 that any administration has proposed fewer than 400,000 units. It does not even offset the growing housing problems inflation is causing for low-income people, elderly people, and families.

The budget's impact on elderly housing lies both in what it does and what it fails to do. There are major needs to assist elderly owners to maintain their homes and to pay utilities and taxes—but the budget makes no moves to do this. There are major needs to build housing designed for elderly occupancy, and to provide elderly people with the same kind of tenure security that they would have in their own homes—but the budget makes no moves in this direction.

Instead the budget reduces the Nation's commitment to providing housing assistance to elderly people, by reducing the 202 program and the FmHA very low-income home repair grant program. It provides fewer units, not more. Perhaps worse, it limits the capacity of present programs to provide adequate services and maintenance in already occupied units. Public housing operating subsidies are far below need. The congregate services program is halted.

It would be a mistake, however, to examine the budget's impact on elderly people apart from its impact on housing needs as a whole. Inadequate as housing assistance for elderly people is and has been, they have been somewhat better served than others with critical housing needs.

The solution is not to pit elderly people against others with equal needs. The solution is to provide adequately for all of our housing needs. We urge this committee to approach the housing problems of minority elderly people in this context and we would be happy to consult with you further about specific programs and approaches.

ELDERLY HOUSEHOLDS AND TOTAL HOUSEHOLDS, BY LOCATION, 1977

(Numbers of households in thousands)

	Total	City	Suburb	Nonmetro
All households:				
Number	75,280	23,151	28,163	23,966
Percent		30.8	26.8	31.8
Owners	48,765	11,346	19,940	17,479
Renters	26,515	11,805	8,223	6,487
Percent owners	64.8	49.0	70.8	72.9
Elderly households:				
Number	15,035	4,770	4,674	5,591
Percent		31.7	31.1	37.2
Owners	10,631	2,704	3,501	4,426
Renters	4,404	2,006	1,173	1,165
Percent owners	70.7	56.7	74.9	79.2
All black households:				
Number	7,956	4,722	1,455	1,779
Percent		59.4	18.3	22.4
Owners	3,470	1,713	729	1,028
Renters	4,486	3,009	726	751
Percent owners	43.6	36.3	50.1	57.8
Elderly black households:				
Number	1,280	655	176	448

ELDERLY HOUSEHOLDS AND TOTAL HOUSEHOLDS, BY LOCATION, 1977—Continued

[Numbers of households in thousands]

	Total	City	Suburb	Nonmetro
Percent		51.2	13.8	35.0
Owners.....	745	315	123	305
Renters.....	535	340	53	143
Percent owners	58.2	48.1	69.9	68.1
All Hispanic households:				
Number	3,614	1,837	1,150	626
Percent		50.8	31.8	17.3
Owners.....	1,558	626	553	379
Renters.....	2,056	1,211	597	247
Percent owners	43.1	34.1	48.1	60.5
Elderly Hispanic households:				
Number	374	179	110	86
Percent		47.9	29.4	23.0
Owners.....	204	80	52	72
Renters.....	170	99	58	14
Percent owners	54.5	44.7	47.3	83.7

Source: Calculated from 1977 Annual Housing Survey.

MEDIAN INCOMES OF ELDERLY HOUSEHOLDS, 1977

	Total	City	Suburb	Nonmetro
All owners.....	\$16,000	\$15,900	\$18,800	\$12,900
Husband/wife, head 65-plus.....	9,200	10,000	9,900	8,200
Male head, 65-plus.....	9,700	10,100	12,900	7,300
Female head, 65-plus.....	7,800	6,300	6,700	6,700
Single men, 65-plus.....	4,900	5,600	5,700	4,500
Single women, 65-plus.....	4,300	4,600	4,500	3,900
All renters.....	8,800	8,100	10,600	7,700
Husband/wife, head 65-plus.....	7,100	7,900	7,600	5,800
Male head, 65-plus.....	6,500	7,500	7,300	4,700
Female head, 65-plus.....	5,000	4,800	6,100	4,700
Single men, 65-plus.....	4,900	4,900	4,500	3,600
Single women, 65-plus.....	3,700	3,700	4,100	3,200
Black owners.....	11,000	12,600	14,900	7,600
Husband/wife, head 65-plus.....	6,200	7,200	6,900	4,900
Male head, 65-plus.....	7,200	.....	.....	.....
Female head, 65-plus.....	5,100	6,000	.....	4,100
Single men, 65-plus.....	4,400	.....	.....	.....
Single women, 65-plus.....	-3,000	-3,000	.....	-3,000
Black renters.....	6,100	6,000	8,200	4,600
Husband/wife, head 65-plus.....	4,900	5,400	.....	4,000
Male head, 65-plus.....	.....	.....	.....	.....
Female head, 65-plus.....	4,000	4,000	.....	.....
Single men, 65-plus.....	3,400	3,700	.....	.....
Single women, 65-plus.....	-3,000	-3,000	.....	-3,000
Hispanic owners.....	13,900	13,300	16,500	11,700
Husband/wife, head 65-plus.....	8,200	8,200	8,700	7,500
Male head, 65-plus.....	.....	.....	.....	.....
Female head, 65-plus.....	.....	.....	.....	.....
Single men, 65-plus.....	.....	.....	.....	.....
Single women, 65-plus.....	3,700	.....	.....	.....
Hispanic renters.....	8,000	7,600	8,800	7,200
Husband/wife, head 65-plus.....	6,200	.....	.....	.....
Male head, 65-plus.....	.....	.....	.....	.....
Female head, 65-plus.....	.....	.....	.....	.....
Single men, 65-plus.....	.....	.....	.....	.....
Single women, 65-plus.....	-3,000	.....	.....	.....

Source: 1977 Annual Housing Survey.

CHARACTERISTICS OF HOUSEHOLDS LIVING IN INADEQUATE HOUSING, 1977

Household group	Number of households (millions)	Number in inadequate dwellings (millions)	Percent of group in inadequate dwellings	Percent in inadequate dwellings income-eligible for sec. 8	Percent in inadequate dwellings that are minorities	Percent in inadequate dwellings that are homeowners	Percent in inadequate dwellings metropolitan areas
Husband-wife, no children.....	13.9	0.6	4	45	25	39	60
Husband-wife, under 30 with children.....	5.5	.5	9	62	30	28	60
Husband-wife between 30 and 61 years, with children.....	19.2	1.0	5	48	31	52	57
Female (or male) headed, with children, nonelderly.....	5.0	.7	15	85	58	19	72
Nonelderly individuals or household of single persons.....	11.6	1.5	13	69	33	15	69
Husband-wife, elderly.....	9.0	.5	5	74	28	56	43
Other elderly households.....	9.1	1.0	11	87	29	42	52
Total.....	73.3	5.7	8	80	34	33	61

Source: Urban Institute, cited in hearings of Task Force on Assisted Housing, Subcommittee on Housing and Community Development, House Committee on Banking, Finance and Urban Affairs, 1978, Part 2, p. 1533.

Senator HEINZ. Mr. Garza.

STATEMENT OF JOSE S. GARZA, PRESIDENT, NATIONAL HISPANIC HOUSING COALITION, WASHINGTON, D.C.

Mr. GARZA. Our testimony today will attempt to provide you with an insight into the Hispanic community and, specifically, the conditions which affect the physical and social well-being of the Hispanic elderly. We will also try to highlight those issues relating to the level of participation of Hispanics in housing programs for the elderly and provide recommendations on how the housing needs and problems of the hispanic older person can be addressed.

Hopefully, more accurate data on the Hispanic American population will soon be available from the results of the 1980 census. It is estimated that the size of America's Hispanic population in the upcoming decade will be from 16 to 20 million individuals. The Hispanic population is growing much more rapidly than the rest of the United States, and it is almost certain that this trend will continue in future years. The Hispanic community is becoming the largest minority in this country. Hispanics are no longer only concentrated in Miami, New York City, and parts of the Southwest, but in every State of the Union. In fact, some States in the Midwest and the East have a larger Hispanic population than Arizona or Colorado. Contrary to popular belief, Hispanics are no longer concentrated in rural areas and on the farms. The representation of the Chicano as a farmworker is not an accurate one since less than 10 percent of Mexican Americans now live on farms. The majority of Hispanics presently live in metropolitan areas, which points to the increasing urbanization and dispersal of our community throughout the United States.

I now want to turn my attention to the specific issue of housing and how it impacts on the Hispanic individual.

In spite of their large numbers, Hispanics are not yet fully aware of the importance of housing. They are, however, gradually recognizing that housing is an extremely vital issue that impacts on a person's daily life and, probably next to income, has the greatest

influence on an individual's development. Various factors contribute to the reason of why Hispanics are inadequately housed.

As stated before, Hispanics are more likely to reside in the inner city than the total U.S. population. The most recent data shows that 84 percent of the Hispanic population live in metropolitan areas, with 51 percent residing in the inner cities.

Approximately 13 percent of the American people live in substandard housing. On the other hand, the rate of substandard housing for Hispanics is 29 percent. This means that the substandard rate for Hispanic families is between two and three times higher than that of the rest of the U.S. population.

Hispanics are less likely to own the housing unit that they occupy. In 1974, only 42 percent of all year-round housing units occupied by Hispanics were owned by them, as compared to 65 percent for the total population. These facts become particular and significant when one considers that the simple economic factors of income and housing restrict the average Hispanic from owning his/her home.

One in four Hispanic families has an income below the low-income level. In 1976, the median Hispanic income was only \$10,200, barely two-thirds the median income of non-Hispanics. This is important in light of the fact that the price of a median-priced home rose from \$23,400 in 1970 to \$65,000 in 1979. This means that a family must earn over \$35,000 per year in order to afford a median-priced home today.

Moreover, the chances of an Hispanic household living in deficient housing are more than twice that of the general population. Physical inadequacies in housing—that is, flaws in structural soundness, availability of heating, plumbing, sewage disposal systems, and sound electrical systems, and so forth—were evidenced in 20 percent of the units inhabited by Hispanics in 1975.

Overcrowding is much more severe for Hispanics than for the overall population. Not only are the units occupied by Hispanics smaller, but the median number of persons per unit is higher.

Ostensibly, our society is reactive, and one would think that some form of amelioration would result as a direct outgrowth of the frustrations faced by Hispanics in the field of housing. Regrettably, only one national organization appears to be addressing Hispanic housing needs: the National Hispanic Housing Coalition—NHHC received an \$800,000 grant from the Department of Housing and Urban Development in 1978, the largest grant the Department issued that year. The coalition is a multicultural, nonprofit organization established to improve the quality of life for the Hispanic community in the areas of housing and community development. By the end of 1980, the coalition will have established chapters throughout the Nation and trained Hispanics to deal with their unique and urgent housing needs.

Hispanic housing professionals have long recognized the need to confront the severe housing problems which stem from a multitude of political, cultural, and socioeconomic factors. Of these factors, three of immediate importance surface as basic issues:

There is a lack of national, State, and local awareness concerning the housing needs of Hispanics; there is a need to increase the involvement of Hispanics in housing; and there is a need to re-

search and document Hispanic housing problems in order to become effective politically and influence policy decisions.

I now want to address the plight of the Hispanic elderly in relation to their housing needs. In order to place in better perspective the housing needs of the Hispanic older person, it is necessary to state first some generally accepted facts and characteristics about the Hispanic elderly. The number of Hispanic older persons has been growing at a very fast rate. In the last two decades, their numbers have tripled. From 1970 to 1975, this rate has grown 23 percent. By the year 2000, a large proportion of the U.S. population will be over the age of 65. It is likewise projected that the Hispanic community will mirror this growth and correspondingly will have a large percentage of its population in the over-65 age group. Hispanic elderly are generally younger than nonminority elderly, and fewer of their peers have achieved their age because the lifespan for Hispanics is 57.6 years compared to 73.5 for whites.

Despite courageous attempts by the community to preserve the culturally preferred extended family concept, the majority of the Hispanic elderly—80 percent—do not live with their children. The Hispanic older person is three times as likely to live alone than in someone else's home. This is due in part to economic pressures, the high mobility of U.S. society, and the nonsupportive posture of Federal programs to the concept of the extended family.

The Hispanic older population also has the second highest illiteracy rate—American Indian elderly have the highest—in this country. The average number of school years completed is 6.3 for males and 5 for elderly females.

In addition, the Hispanic older population has the least ability of functioning in an English language environment since most older Hispanics cannot speak nor have a functional fluency in English. As a matter of fact, Spanish is likely to be the preferred language of everyday usage for about 90 percent of the Hispanic elderly.

Hispanic older persons are less likely than other elderly to be retired since they have little, if any, savings, with social security as their only income. Some foreign-born elderly, Cubans especially, would not even qualify for social security.

Outside of the data that I just made reference to, no hard data reflecting the housing status of Hispanic elderly in this country is available, and it is not available for Hispanics across the board. It is not available because policymakers and service providers have neglected to consider the Hispanic in their planning, in their analysis of need, and in their measurement of the fulfillment of that need. The lack of data evidences their lack of understanding and their inability to plan.

The lack of data relative to the housing of elderly Hispanics cannot obscure the truths that are relative to the nonparticipation of the elderly in housing programs. Housing programs for the elderly, with a few exceptions, fail to understand the needs of the Hispanics and therefore cannot begin to tap their strengths. Thus, the elderly Hispanics do not participate.

There are approximately 1 million elderly Hispanics, and I think that we need to begin planning right now. The number of Hispanic elderly, coupled with the fact that we are the youngest and fastest growing minority group, will place us in a much more difficult

position in the next few years. We must, therefore, start planning for the future today.

The Hispanic elderly tend to live in homes that they have inhabited throughout the major portion of their lives. The elderly tend to rely on an informal network of support that is consistent, in spite of the fact that fiscal and material resources are too often strained. An elderly Hispanic often lives with the fear that medical and nutritional care may not be readily available, but seldom do they have to live with the fear of being completely alone, although he may live by himself. Because the institutional support systems have not traditionally been accessible to Hispanics, Hispanic elderly are less likely to trade the informal community support network for the institutional systems which underlie today's housing programs.

The Hispanic elderly are not casually excluded from an extended family system. The extended family represents for many Hispanics a strong, viable, and effective institution for meeting a variety of human and social needs. Unfortunately, for the most part, social planning has responded inappropriately to this reality, and my own personal experience attests to that fact. I have been both a service provider and a social planner and have constantly had the problem of trying to get the decisionmakers to understand our special needs.

Misunderstanding about both the reality and the myth of the extended family tends to penalize doubly the Hispanic elderly. Social planners and service providers seem to be caught in one of two traps: One, they either assume that the extended family renders the provision of additional services unnecessary, or two, they ignore the family and design services which are incompatible with extended family values. The extended family is a supportive and flexible structure. It assumes such functions as dealing with the environmental and with the emotional and psychological aspects of the family unit.

This type of family pattern has had a positive effect on the elderly. The family shares the physical or emotional needs of any member. Thus, Hispanic elderly, regardless of physical or mental capabilities, continue to be part of the extended family. This pattern does not allow the isolation of the elderly, but retains them within both the physical and social life of the family. The Hispanic elderly in the extended family hold high status and have the respect and obedience of younger family members.

Current housing programs threaten the Hispanic by attempting to transform Hispanic social culture to that of the general society. The changes and adjustments in family patterns have serious implications for the Hispanic elderly. It is imperative that we strive to maintain the strong familial relationships that still exist. Thus, we should plan and develop housing programs and services within Hispanic communities whenever possible to insure that family traditions are maintained.

From our extensive nationwide consultation with Hispanics concerned with housing, we have identified what we consider to be three factors which we think impede the participation of Hispanics in housing programs, such as HUD section 202 housing. These are sponsorship, site location and management.

The lack of participation by Hispanic nonprofit organizations as sponsors of 202 housing projects appears to be a reflection of the lack of participation of Hispanic elderly. Section 202 housing serves mainly white, elderly females who have middle socioeconomic status backgrounds and current incomes which, while low in absolute terms, are in the moderate to middle income range of elderly incomes. Thus, again Hispanic elderly are less frequently served. Information from several sources have provided the Department of Housing and Urban Development with statistics showing that minorities constitute as little as 2.8 percent of section 202 tenants, and one wonders what percentage of that is Hispanic. Most elderly housing projects, including 202 projects, tend to be located in neighborhoods which had, when the project was built, and continue to have, predominately white residents. In addition, Hispanic nonprofit organizations are impeded from pursuing section 202 grants by a lack of information, lack of expertise, and lack of capital.

Closely linked to sponsorship, site selection is also intrinsically related to the successful participation of elderly Hispanics. The location of a project within a reasonable distance from the immediate family and within a familiar neighborhood, especially for the Hispanic elderly, allows for the maintenance of family ties. Hispanic elderly who have never lived in an integrated environment would experience great difficulty in adjusting to a new life, particularly at their age.

A racially, economically, and socially homogeneous project provides an atmosphere in which the Hispanic elderly feel more secure, more comfortable, and willing to become or remain residents. Due to the need to improve the availability of section 202 housing to Hispanic elderly, factors such as project sponsorship, site location, and management, and provision of technical assistance require your immediate attention.

The type of sponsor is linked to the neighborhood chosen for a project, and location appears to be a factor in determining the types of elderly persons who are attracted. The single most important determinant of a site selection appears to be project sponsorship.

In summary, tenant composition is determined primarily by two factors: site location and project sponsor. The first of these is very closely linked with the second determinant: sponsorship.

Effective management of housing for the Hispanic elderly must not only possess the customary skills of project management, but must also exhibit the language and cultural skills responsive to the population it serves. Again, project sponsorship is the primary determinant of management.

Working within the above-mentioned framework, program regulations and procedures can be developed which better target section 202 benefits to the Hispanic elderly. In addition, strategies can be formulated which focus on the informative, technical assistance, and capital accumulation of Hispanic nonprofit organizations.

Lack of information among Hispanic nonprofit organizations can be ameliorated by extending outreach efforts to Hispanic nonprofit organizations, particularly as it relates to the availability of section 106(b) funds. We conducted a survey and 75 percent of the people had never heard of the program. We recommend training of His-

panics and Hispanic nonprofit organizations relative to the development and influencing of the local housing assistance plans—HAP—developed in conjunction with the community development block grant program.

The HAP document is a statement of the housing needs and strategies of localities throughout the country to erase housing problems. The tragedy is that the document is developed from raw data or windshield surveys by far removed professional planners with little or no input from the low- and moderate-income community. Furthermore, options, alternatives and strategies are seldom communicated to local groups or the community. Too often, Hispanics accept what is presented because they are not aware of different alternatives.

This information is of key importance as it relates to potential 202 sponsors. Based on an improper identification of needs, local governments, for example, have consistently made land, facilities, structures, and so forth, available to middle- and upper-income groups and organizations for social or cultural activities, most of which are \$1-a-year leases and often for 99 years. In one Southwestern city, a neighborhood development project was developed at a cost of several million dollars and leased to the local symphony society for 99 years at \$1 a year. This project continues to drain the city's budget while a large minority elderly population still is not benefiting from any type of programing. That makes it very difficult for an organization such as ours to understand how a city government can spend that kind of money and ignore the housing needs of the poor.

Likewise, potential 202 sponsors could pursue similar alternatives with localities if they were aware of options and possibilities available to them. I offer this example to stress that there is a tremendous potential for increasing Hispanic participation in 202 housing if Hispanics are knowledgeable and skilled in impacting local housing assistance plans.

In view of the ongoing problems, we recommend that the 106(b) seed loan program for sponsors of section 202 projects should be made available to minority nonprofit organizations at levels of 90 to 100 percent of development costs rather than the current 80 percent.

Under appropriate conditions, we should provide for the formation of joint ventures between local and national nonprofit sponsors to allow for the syndication of the property through limited partnerships. I am especially interested in that because our national housing group, the only one of its kind in America, possesses a small amount of funding, whereas we have been mandated to become self-sufficient in 2½ years. Under current conditions, this task borders on the impossible, in that it is proven that it takes anywhere from 10 to 12 years, if it is at all possible, to become self-sufficient. I think this type of allowance would give us an opportunity to begin working toward becoming self-sufficient.

The ability to form limited partnership provides usually undercapitalized minority organizations the opportunity to raise 15 to 20 percent of the mortgage by selling the tax shelter on the property.

All revenues would be pumped back into the nonprofit in a joint venture. The local nonprofit would serve local needs; the national

would provide nationally needed services, such as "seed money," loans and technical assistance to other sponsors throughout the United States. Within the context of this valuable and productive relationship, the ability of community-based nonprofits to respond to local sensitivities is not jeopardized.

In a hypothetical \$3 million 202 project, the nonprofits in joint venture can raise approximately \$500,000.

Thus, a local nonprofit could reinvest one-quarter of \$1 million in additional services—that is, social services—in the local project, while a national nonprofit such as NHHC would utilize a similar amount to increase participation in housing programs throughout the country.

Thus, Hispanic and other minority nonprofit groups could begin to eliminate their dependency on Federal categorical money for responding to a very real social need.

Lack of expertise is a problem which can be overcome at a relatively low cost. The law should require full and affirmative disclosure to Hispanic nonprofit organizations on the part of all governmental entities involved in the administration of this program. An organization like NHHC can do much to avail Hispanics of the expertise necessary in the development of the projects, but it cannot begin to effect the coverage that would result from Federal and local authorities operating with a mandate to support Hispanic nonprofit organizations.

Training and technical assistance specifically focused on improving the quality and quantity of Hispanic participation in all aspects of the housing program should be supported by this legislation. Ideally, training and technical assistance would focus on the development of expertise in minority communities at levels beyond just the elementary. This is an ideal situation. Organizations like NHHC would be involved in training nonprofit organizations, and we would like to train in packaging, financing, and management of projects. To date, we find the needs are for much more elementary information. However, since we also find that the need, the interest and the desire is real, we cannot turn away from providing that information.

I would like, before closing, to state that the mandate to us, the NHHC is to go out and develop the housing skills and expertise for local communities across the Nation. We are supposed to do that with a grant of \$800,000 for 2 years. We discovered through our efforts that the needs of local groups across the country are extremely basic. Surveys show that approximately 66 percent of the Hispanic population had not even heard of HUD. So, if they have not heard of the Department, they certainly have not heard of the 202 program. We strongly push for somehow developing a mechanism so that we can begin to get those skills and expertise out there.

Perhaps one of the ways to do that would be the reinstatement of the 106[a] training and technical assistance funds. Even though the law already provides for that, HUD has refused to implement this provision. Perhaps what we need to do is to pressure Congress into pressing HUD to implement the congressional mandate.

Underlying the housing difficulties of America's elderly are forces which are often misunderstood. A declining real income,

increased health, maintenance, and energy costs, and an unwillingness to move away from the past are just a few of the factors which complicate any approaches to elderly housing problems. The NHHHC recommends that the much documented economic, social, and cultural dimensions be incorporated directly into Federal housing programs. In order to expedite this approach, full and continued funding must be provided to the congregate housing services program. Along with this program, innovative devices should be designed that protect the security of tenure among America's elderly. We should not allow overzealous real estate agents to continue to exploit the "disadvantaged" elderly by forcing them to leave their homes because of condominium conversions. The elderly should be granted very low-interest loans, thus enabling them to purchase their units, if they wish to do so, in return for deeding a proportionate share of the monetary return on their home upon their death.

As part of this cohesive approach to overall housing needs, homes vacated by elderly people should be obtained, rehabilitated if necessary, and made available with appropriate subsidies to lower income families.

Finally, in light of the long-term energy crisis confronting this country, the energy crisis assistance program for the elderly must be made an ongoing and permanent program for older persons who find themselves increasingly unable to meet inflationary and skyrocketing fuel and utility costs.

Thank you.

Senator HEINZ. Thank you, Mr. Garza. Your statement was extremely helpful and I think you made some excellent points about these problems. As you may know, here in Philadelphia there are, under section 202, a total of 125 units reserved. That is enough for one sponsor's application to be honored and there are at least eight or nine sponsors that are competing for that one. When you have that low a level of reservation, it is obvious that we are not doing enough in that area.

Let me call on Mr. Bryant next and then Miss Brookins. You know, you always put the best batter No. 4.

**STATEMENT OF DRAYTON S. BRYANT, PHILADELPHIA, PA.,
DRAYTON S. BRYANT AIP & ASSOCIATES**

Mr. BRYANT. I have several observations about the minority elderly. These come out of my four decades of work in housing and planning, including new towns, low-income public housing, cooperative, middle-income, neighborhood based, nonprofit housing, and especially housing for the elderly where services have been performed as consultant to two dozen developments and about 15 other varying developments. So I am speaking as a worker in the middle of process, and there are several special things that I think could come out of that.

We are all aware of the long-time basic needs of the elderly, the largest poverty group, and in particular the realities and statistics of the minority elderly—having a shorter life, more health needs, lower income, and poorer housing conditions. I want to point out one thing, however, and emphasize it, that we are witnessing a shrinking supply of rental housing for everyone, and especially low

income and especially elderly, and of course, the hardest hit is now on the minority elderly.

This shrinking in physical supply goes along with the sharply accelerating costs in facilities and repairs. Commercial enterprise is increasingly falling behind these acute needs for many reasons—abandoning maintenance, management, and morality in many instances—and then the houses and apartments, and then safety, appearance, and taxes.

I might mention that I have worked in 12 States and have projects in Puerto Rico. I am not speaking just for Philadelphia, I also worked in California and Washington, D.C., for some time.

The present capital blockade and diversion to high interest and high speculation is bearing most widely upon housing, small business, and consumer loans, and particularly restricting the supply of money available for housing-related uses. The conversion of capital drastically affects many elderly persons, and most keenly the minority elderly whose income, savings, and credit were already least.

One builder said to me a few days ago that the decline in new housing construction in the last 12 months is already more than four times as great as the total volume of work by the Chrysler Corp., but nobody is rushing in to do anything about the decline in housing.

Government programs in housing are useful, contain special problems, and could accomplish more where most needed, but are certainly not bridging the growing gap between supply and most urgent needs. We are slipping backward.

Elderly homeowners face growing financial difficulties in finding funds for repairs. Small housing defects grow into major system failures—then into abandonment, or last-ditch misery. But the facts of inertia in changing energy systems and in foundering public transit, and the growing avalanche of collapse in new housing, all point to the urgent need to save present housing stock, blocks, and neighborhoods. Suggested actions are briefly outlined below.

Elderly homeowners with psychic equity or actually paid off mortgages are 70 percent of all elderly nationally. Minority elderly have a lower proportion of owners but still substantial in numbers, particularly in Philadelphia, with its many small row homes. Elderly persons in Pennsylvania get real estate tax aid payments in modest amounts related to low and moderate incomes.

Cooperative forms of tenure are a useful tool, stronger than rental and more economical, but little has been done here to aid this useful part of a full housing program. There is growing national interest, including proposed legislation for mutual housing associations, and there is the recently activated National Consumer Cooperative Bank.

I want to review quickly the various Government programs and then the section 202 and some of the gaps that relate to the elderly, in particular the minority elderly.

The small amounts of section 221(d)(3) and 236 housing which have been built, relative to and accessible to elderly, have generally done little to meet the most urgent needs. The instability of the whole economy and extra inflation in both capital and operating

costs of multifamily housing in particular, have prevented or sapped economies in even this small production.

Major problems which have produced considerable supply in this region have been section 202 and public low-rent housing. Several developments in all, or nearly all-black neighborhoods have been occupied by black elderly. But a major nonaccomplishment in the section 202(8)—income subsidy—program has been the net result of almost no minority occupancy in such projects built by private nonprofit sponsors in white city and suburban areas.

The sponsorship and location is crucial, as has just been said about Hispanics. Minority neighborhood organizations have no track record, and I know for a fact, from recent experience, that their applications are simply discarded by the HUD area offices if the applications are made. HUD staff said, said they didn't open several applications because they said, "These people are in a bad neighborhood," "They don't know anything about organization." I don't know where the Geno Baroni section of HUD was during the 1979 review of 202 applications in the Philadelphia area office of HUD. I thought they were going to take a closer look at the neighborhood.

I have been in the middle with nonprofit sponsors and especially the timing of receiving applications for occupancy. Of course the first people notified are those within the same church or synagogue or within the same labor union or fraternal organization. By the time the minorities hear about it, there are often 1,000 or 2,000 on the waiting list, so it means that there will be almost no late ones accepted.

There is a gap in communications. I have watched suburban decent white sponsors go through the motions, maybe place a little advertisement, maybe send a couple of letters to the Urban League and the NAACP and then no minority applicants show up. They really do not make a sustained effort, but more than that, even though they should understand their responsibility, the HUD staff, beyond spending a lot of time and energy in getting the right words in the right slots of affirmative marketing plans, do not guide, endorse, look in, contact, or really work on what happens. They don't know what happens.

One special point which I am happy to make to this committee is the lack of data by HUD. On repeated occasions I have requested area officers, and in the national data control centers of HUD, for data on actual minority occupancy in 202's, and have either been told that it was partial or way out of date, or simply didn't exist. I have been told the same thing repeatedly.

Now I think this is a major gap and it is easily correctable. There are annual and quarterly reports submitted, and they darn well ought to know what the occupancy is. This is also true of the handicapped, including elderly handicapped. The law says elderly and handicapped. I could not find out from anyone in HUD how many handicapped persons were living in 202 projects or elderly handicapped. They may exist. I didn't ask one person one time. This question of data responsibility is part of the general accountability of a public agency.

In public housing, many small apartments have been built and minority elderly housed. Three shortcomings are noted. I spent

many years on this, so it is a little hard to describe it in 15 seconds. Security problems are severe for varied reasons, including inept design, like no enclosing of first floors of high rise buildings, leaving complete access to stairways. Those are simple things that could be corrected.

Second, minimanagement. I participated in supervision of 25 managers for several years, after managing six projects, and I know something about management. Most American housing management and public housing management is really minimal. There is little concept of positive management, a generative style of management emphasizing work with people. I will let it go with that. It is our greatest failure. We know how to get dollars together and how to spend them, we know how to put bricks together, but we have not learned how to work with people.

The question of congregate services is of interest to this committee, and I am happy to hear about it. I worked to try to pass the legislation, and I can say that over 18 months ago, Senator, I inquired about where were the procedures for applying for congregate services on behalf of some of my sponsors, and I was always told the procedures aren't out yet, they are not ready. I don't know where they were, I could not locate them, and I didn't have time to run around HUD then to find them.

Senator HEINZ. I am glad you told me that because some of the money is getting out in spite of that.

Mr. BRYANT. I did not get ahold of any procedures in 1979.

Senator HEINZ. Can you get it now?

Mr. BRYANT. I would have to say I have not had occasion to try, in the last several months, so I cannot answer that question.

Senator HEINZ. If anyone here has tried and has gotten an answer, let us know.

Please proceed.

Mr. BRYANT. These last services are for older people. As I have mentioned, I have worked on about 35 projects, including two in Puerto Rico which are Hispanic, of course, but not a minority there, and three all-black developments. The question of group services, congregate services, working with people in a process, seems to be essential to the major task of our various housing programs, and that is creating human communities in and around the developments. They are not vegetable bins and we are not just parking people.

I think we have had inadequate concepts. It is not just rent collection and janitorial work and nagging tenants. Quality, quantity, is a major question in our cooperative housing and a great deal of our private housing, too. What to do? Each recommendation here requires a lengthy analysis, but I think there is a value in stating them briefly.

Senator HEINZ. Mr. Bryant, let me make a request at this point. I have been informed that the Senate is going back into session early this afternoon. The pending budget resolution affects a lot of these issues so I am going to have to catch a plane around noon. I want to hear what Miss Brookins has to say. I think in 1975 she testified—do you remember that, Louise—and I didn't give you enough time.

Miss BROOKINS. Yes.

Senator HEINZ. I felt very badly about it and I don't want the same thing to happen this time. After I leave though I am going to ask David Rust, the minority staff director, to continue on, and whatever is presented will be made a part of the record. There will be an opportunity for further questioning and anything you want to add at that time.

Mr. BRYANT. I am glad to yield the floor, Senator. I would like to have 2 minutes at a later time.

Senator HEINZ. Let us return to you after Miss Brookins testifies.

Mr. BRYANT. All right.

Senator HEINZ. Miss Brookins.

**STATEMENT OF LOUISE BROOKINS, CHAIRPERSON EMERITUS,
PHILADELPHIA, PA., WELFARE RIGHTS ORGANIZATION**

Miss BROOKINS. Thank you, Senator Heinz.

Senator HEINZ. It is nice to see you.

Miss BROOKINS. Nice to see you, too, Senator. I am certainly pleased with the testimony, because there is a whole lot of things that I certainly would have liked to have said if there were time, because when I was asked to participate, my mind really runs on housing and talking about housing for the elderly. Where you live depends on what your income is and whether you stay there or not, so I tried to quickly draw something together to stick to the point, I hope.

In 1979, a study of elderly housing in the country was issued by the U.S. Department of Housing and Urban Development. The study's conclusion is that the poor black and Hispanic elderly have much greater chance of living in substandard housing than the total elderly population.

There are 14.8 million housing units for the elderly. Of this total, 1.3 million are seriously flawed. The highest proportion of defects were found in plumbing, kitchen, and sewage facilities.

The study found that race, ethnicity, and sex were the factors that, more than age, affect the chances of a poor household living in physically deficient housing. Of all the elderly housing in the country, there is a 1-out-of-10 chance of being housed in an inadequate dwelling. However, the chances that a black or Hispanic elderly family will be poorly housed are 1-out-of-5. For the poor, elderly black, or Hispanic single male, the chances are 1-out-of-2 that he will be living in substandard housing.

It is also clear that the elderly have to pay higher portions of their incomes for housing than does the population in general.

The traditional rule of thumb makes 25 percent of one's current income the standard amount to spend on housing. For example, 53 percent of all renters in the country pay less than 25 percent of income on living accommodations. However, 65 percent of elderly renters pay more than 25 percent of income. For all the elderly, regardless of whether they rent or own, the proportion paying a fourth or more of their income for housing was 35 percent.

The study found that 80 percent of all U.S. households find decent living accommodations for a fourth or less of income. But the picture for the elderly is different. Barely 59 percent of elderly households can be expected to find adequate housing for a fourth of

income and only 66.5 percent can find adequate housing for 30 percent of income.

Whether elderly rent these dwellings or their own homes, unflawed, uncrowded housing costs them a much larger proportion of their incomes than it costs the total population. It is estimated that 42 percent of the elderly—but only 20 percent of the total population—would have to spend over a quarter of their cash incomes to obtain decent, safe, sanitary housing in the market.

The country is currently in the midst of a housing crisis caused by loss of existing units through abandonment, demolition, and conversion to condominiums. Other factors such as rapidly escalating operating costs and the increasing age of the existing housing stock are also having a detrimental effect. It can readily be seen from the above statistics that the burden of the crisis falls heaviest on the poor elderly minorities.

One solution to this problem may be that the emphasis should be placed on preserving the stock of existing housing. Given the preponderance of low-income tenancy, including the elderly occupying such housing, this country must place a high priority on assuring that the existing stock remains viable and continues to be available and affordable to lower income tenants. Although new construction plays an important role in the housing market, housing problems cannot be solved solely through this mechanism—the public and private sectors' ability to preserve the existing stock, both physically and financially, must also be improved.

It should be kept in mind throughout that a resolution of the housing problems that face both the elderly and the families is not necessarily incompatible with the interests of both groups. Too often, it is erroneously assumed that the elderly wish to live in isolation from the other part of the population. In Philadelphia, for example, the Philadelphia Housing Authority has emptied families out of several high-rise projects while announcing intentions to repopulate the high rises with the elderly. This and hundreds of potential dwellings remain vacant.

Although some elderly may prefer to live in an environment solely populated by other elderly, there are many elderly who do not share that sentiment. Several elderly groups have protested to the Philadelphia Housing Authority that they did not want isolation and that they were more than content to live in family neighborhoods as long as the housing was decent. Had PHA listened to these sentiments, those hundreds of units might be filled today.

Senator, I just want to say off the top of my head there are many, many elderly persons who are living in one room that do not have any place to go, and they are even living next door to homes that have been renovated under the program, but no one is telling these individuals because they cannot find out, they don't know where to turn, that they could also be entitled to such a program. That is why I welcome what you are saying.

The programs in Philadelphia have to gear their attention to be reaching these folks. They are not that hard to find. We have summertime now but the plumbing is very necessary in the wintertime. The welfare offices are filled with older people who do not have heat, and it is a very serious situation.

Senator HEINZ. Mrs. Brookins, thank you very, very much.

One observation I would like to make which I think is a common thread running through much of the testimony that all of you have given us. Many of you have emphasized that there should be more attention to preserving our existing housing stock—while there seems to be an effort to cut back on section 312 money which is for rehabilitation. Some have proposed, such as Cushing Dolbeare, that we should give a great deal more flexibility to local jurisdictions to tailor the Federal resources, which is principally money, and some expertise in HUD, to local housing needs. In the city of Philadelphia the most important priority may be to preserve a great deal more of the existing housing stock, while perhaps in other areas of the country, it might not be.

One of the things that I am going to do this afternoon when I get back to Washington and the Housing Subcommittee goes back into session to consider the Housing and Community Development Act, is to propose that HUD give us an alternative proposal to study on how they would implement a housing block grant approach. We want it in proposed form, because as we all recognize there are some potential problems in going to what is essentially a freer approach.

Not every jurisdiction, as Philadelphia learned under the previous past 8 years, is terribly sensitive, to put it mildly, to minority concerns. We want to be sure if we find a better approach it does not have additional weaknesses with it. I think a study of a block grant approach is an appropriate attempt to find out how we might successfully do something like this in a way that will allow us more flexibility, more ability to innovate, and more opportunity to meet the needs of particular urban areas.

Having said that, I want to take this opportunity to thank you. I want to apologize for having to run to the airport. I want to introduce to you David Rust, the minority staff director of this committee.

I thank all of you for joining us in the audience today. I hope you have found this hearing as useful as I have.

I want to reiterate my thanks to all the people who made the hearing a success. I am delighted and thankful to Aaron Henry for having us here. We are indebted to you and to the organization that you so ably chair, for having given us the opportunity to make this inquiry on the thoughtful basis that has been possible today.

Thank you all very much.

I turn the gavel over to David Rust.

Thank you.

Mr. RUST [presiding]. Mr. Bryant, do you want to continue?

Mr. BRYANT. Yes; I would like to go through nine recommendations, and I will do it in about 3 minutes, if I may.

The first is gaining and keeping control over the rental costs and supply of standard housing, which is the largest volume of crucial need. Rent control, with effective administration and flexibility, appears to be the real and immediate way to accomplish this. What are the alternatives to rent control? Widespread land banking, capital rationing. Nobody has raised that yet, but that is what will happen. If we run out of oil, we ration it. Subsidy, which is very expensive, or new construction, more efficient in time flow and costs, are possible alternates if there is the political, administra-

tive, and popular will to carry them out, alone or in combination. Mr. Romney was broken by the bureaucracy when he tried to build housing fast in a new way.

A dependable capital flow and new administrative mechanisms are needed to halt deterioration and abandonment of houses by undertaking effective area home repair programs for elderly homeowners and renters. One of the beginnings of erosion in the neighborhood is the older person who cannot fix the little things on the porch, and pretty soon it rots away, and the house really gets poorer and poorer. The poorest are often grouped in the worst and oldest housing areas. Title I rehab loans, FHA insured, would be useful except that commercial lenders generally say they can make more money elsewhere, and do. Most elderly could not get the loans anyway.

Community development block grants should include stated proportions for light and major rehabilitation and much more effective mechanisms to carry these out, particularly for elderly homeowners and renters after they mastered the homeowner aspect of it. These new programs should be administered on both neighborhood and citywide bases.

More of the CD funds—loans and grants—should be used for grants for repairs, as many elderly have little or no creditability or ability to repay loans. It is ridiculous. They need small- to modest-sized grants and we know it.

Tax stability for persons over 65 should be possible by local legislation. This could hold taxes level, even with increased tax assessments, by a deferment of the increased payments until sale of a property so occupied by an elderly household. I think we must come to that, because of the need for revitalization—certainly we cannot just dump them out as in the Society Hill area here in Philadelphia and many other sections of the city.

Security problems should be analyzed and acted upon, especially in public low-rent housing. Abandoned high-rise public housing should be used for elderly, but not to be redesigned only by architects. That is not the real problem. The real problem is how do people work together. The architects should be brought in to carry out goals that are already clearly stated. I am very surprised when architects are hired to think about these management and social things. I wish them the best.

Fair housing legislation, H.R. 5280, regarding civil rights and the right of HUD to issue cease-and-desist orders of enforcement, will assist in serving more elderly persons with the most acute need—self-worth and dignity among that large group of minority elderly who need such added strength the most.

A special demonstration action in several areas by HUD to carry out home repair services for elderly, especially in minority areas, would be a contribution of great value right now. There is a question of where that kind of service should be funded, how large should smaller repairs be. Limits of \$50, or \$500, maybe \$5,000 is small, but let's not settle that today.

The ninth recommendation I want to make in watching neighborhood groups struggle to develop housing programs, including housing for the elderly, is the need for a sustained, available technical assistance center. Calling a HUD official who is busy and

always 3 to 9 months late and "terribly overworked," at least that is the story I get—that does not really give steady, usable assistance to new neighborhood groups.

There are various organizations in the cities who have tried to give a little bit here, a little bit there. Meeting with a neighborhood group and developing them to the point of application to HUD and getting that application through HUD is usually 1 to 4 years. It needs a real sustaining power. Consultants can't carry that, and most social agencies have other things to do, too.

Whether that technical assistance center should be in a city office of housing or should be separately funded, could be tried out by HUD, but it seems to me that is a very important ingredient to get them rolling, to keep them moving. The key to getting something through HUD, I can say from long experience, is incredible persistence. That is the ultimate ingredient. [Applause.] Somebody has been through it.

Finally, I throw one thing at the audience. We are facing an abandonment of people, as well as housing, in this area. Some of you will know what agency I am going to talk about, but I prefer not to give the name. In this area, a major service facility serving blacks and older persons, which has been operating housing for elderly people for over 100 years, and has done an outstanding job, is going into financial paralysis. It is reported to be steadily falling behind further financially. This is in spite of widespread small citizen contributions, decades of stretching each dollar, large volunteer direct services, a deeply concerned and respected board, and dedicated staff. They are going down the drain.

Nobody has said this publicly, but the basic problem is that there are long waiting lists and much evidence of need—but it services blacks. Almost all of their black elderly have low incomes and they are all on medicaid. Since medicaid pays \$27 a day and this well-run home and its nursing beds costs them \$39 a day, they are falling further and further behind.

Such an institution must not go out of existence.

A State official asked, "How can you stay open?" The answer was, "Because we have to stay open." There is nobody else giving such a broad and substantial service. The lowest income elderly with the greatest needs are about to be triply burdened if such an institution is allowed to go under. No one can presently find a way to continue to give this excellent service. All of the shortages will combine—money, old people, minority persons, housing, and public responsibility.

Housing shortage is a growing disaster to the poor, the elderly, the about to be displaced, and in always larger measure the minority elderly. New concepts, value systems, actions, and leadership are increasingly needed to serve this major resource and responsibility of the Nation, some of which are being squandered, and possible actions in all people services. This is a major measure of our civilization, and perhaps part of our survival.

Mr. RUST. We have run over our time, and I don't want to unnecessarily disrupt the afternoon schedule for the conference, so I am going to make two suggestions. One, we have distributed to everyone in the room a town meeting form. We had hoped to have an open forum, but we simply don't have time to do that.

If any of you have comments you would like to have included as part of the record, please submit them on the town meeting form. If any of you have questions which you think should have been directed to some of the witnesses that were not asked, please forward them to us, and we will submit them to each of these witnesses in writing.

Would any of the panelists like an extra minute or so just to wrap up? Then we will have to adjourn.

Ms. DOLBEARE. I just would like to make three points which I left out of my oral statement.

First of all, the gap between the number of low-income families and the number of units they can afford is increasing at the rate of at least a half a million a year, so that even if we fully funded all the programs we would still be falling behind. It seems to me that is an important element to keep in mind in approaching this, particularly as Congress is now considering shifting some of those resources away from serving low-income people into a moderate-income construction program.

Second, Mr. Garza dealt very well with the need to provide assistance for elderly people in extended family situations. Another problem for Asian Americans is the lack of assistance or the lack of availability of public housing and section 8 in single room occupancy dwellings in which a lot of Asian Americans live. It seems to me that is an important kind of program to be considered.

Finally, I think Drayton Bryant dealt awfully well with the question of what management is, but management without adequate funds is impossible regardless of what kinds of human values are involved. As long as we skimp on the modernization funds for public housing, we are not going to be able to provide public housing or adequate programs for the elderly or anybody else.

Mr. RUST. Does anyone else have a comment?

We thank you all for attending and for being patient.

The hearing is adjourned.

Mr. HENRY. We thank the panel for having brought such an interesting and wholesome informational session to us. We are deeply indebted to you. We ask you for an allegiance with us and us with you so that together we might build an even better opportunity for the older citizens in the area.

Thank you very kindly.

[Whereupon, at 12:15 p.m., the hearing adjourned.]

A P P E N D I X E S

Appendix 1

MATERIAL RELATED TO HEARING

ITEM 1. LETTER AND ENCLOSURE FROM BARBARA J. SABOL, SECRETARY, KANSAS STATE DEPARTMENT ON AGING, TO SENATOR NANCY LANDON KASSEBAUM, DATED APRIL 30, 1980

DEAR SENATOR KASSEBAUM: I notice in the newsletter from the Special Senate Committee on Aging that you will be dealing with issues related to minority elderly. I thought the attached information might be helpful. When our minority profile is completed, we will send a copy.

Sincerely

BARBARA J. SABOL.

Enclosure.

KANSAS DEPARTMENT ON AGING STATEMENT ON MINORITY ELDERLY

In general, the conditions of life experienced by the older segments of minority populations in the United States reflect the discrimination those older persons experienced in their younger days. For example, the lower life expectancy of 8-12 years for most minorities reflects the much higher infant mortality that exists among blacks, Hispanics, and Native Americans, as well as the greater hazards throughout life because of environment, places and types of work, less medical attention, lowered nutrition keyed to lower take-home pay.

The income of older minority persons also reflects the work patterns of younger years. For example, a recent survey of persons 60 years of age and over in Kansas shows:

46 percent of "other than Caucasian" (hereafter referred to as "minority") are totally dependent on social security for income, while this was true for only 22 percent of Caucasians. Fifty-one percent of the minorities had incomes less than \$4,800, and 18 percent had less than \$2,400. Seventeen percent of minority persons 60 and over were still working, and an additional 9 percent wanted to work; 67 percent were employed either as laborers or domestics.

Although most of the literature points to a much lower health picture for minorities than for the general population, among Kansas minorities the differences appeared to be primarily related to income differentials. For example, 29 percent of minorities as compared to 10 percent of nonminority said "lack of money" or insurance prevented them from seeing a doctor; 6 percent said they needed glasses; another 6 percent needed dentures. Forty-six percent of minorities indicated they were covered by insurance, but 8 percent had no health coverage at all. Only 52 percent said they eat three meals a day.

"Lack of knowledge" of programs due to poor communications between dominant and minority segments of the population is often referred to as a barrier to participation. This certainly seems to be the case in Kansas. Thirty-three percent had not heard of the \$20 food sales tax rebate provided to those within certain income levels; 30 percent didn't know if they were eligible for food stamps; 46 percent knew of no community meals, although 22 percent said if they had more money to spend they would spend it for food. Ten percent had never heard of homestead tax refunds.

Housing for Kansas minorities appears to be a problem. Forty-four percent live in housing built before 1929; 33 percent said their houses were difficult to heat; and 27 percent indicated dissatisfaction with their house; and 22 percent said if they had more money to spend, it would be for housing. (Both Carp and Jackson have

indicated that minority elderly are not given an equal opportunity to obtain space in elderly housing units.) No question we asked about this in the Kansas survey.

Insulation is also a problem for elderly minority persons in Kansas. Twenty-eight percent said that they had no one visit them once a week, and 11 percent said they were called on the telephone less than once a week. More seriously, 19 percent said they knew of no one they could call on if sick or disabled.

Although in some cases, the minority elderly may fare better in Kansas than they do elsewhere, the fact remains that income is low, especially for minority women; there does seem to be less adequate housing available; and medical needs that are not covered by medicaid go unmet; and the degree to which they seem cut off from other social contacts is serious.

In addition, most States do not have adequate information about the minorities to allow appropriate planning to address some of these issues. One of the things that we have done in Kansas is to develop a minority profile and hope to refine that with a needs assessment specifically geared to minority elderly. The needs assessment that we recently completed in Kansas, for example, because of the low number of minorities that ended up in the sample, is not statistically valid just for minorities. Two important questions that have to be thought about in any kind of planning are:

- (1) Are we adequately gathering information about minorities?
- (2) Are we meeting their special needs?

ITEM 2. STATEMENT OF ESTELLE GREENWOOD, DIRECTOR OF SENIOR SERVICES, SOUTHSIDE COMMUNITY CHURCH-CENTER, PHILADELPHIA, PA.

I have been actively involved in the area of working with the elderly, particularly the black elderly in this community. The church-center is located in a predominately black, low-to-moderate-income community which is undergoing extensive recycling, a situation which seriously affects the elderly both economically and socially.

The elderly at all levels today are facing great problems in an effort to just survive in this time of great inflation. But the black and minority elderly have a doubly difficult problem in that many have not had the opportunities offered to others and have had to face great socioeconomic pressures.

In our work here at Southside, we have found that the problems such as dealing with city and other officials, getting responses to needs, and attempting to get needed services has been a great problem. The elderly in our community seem to be "cast out" from the mainstream of society. The sad part of this is that they have made so many great contributions to our society in these many years during which they have lived in this community, some having been here for as long as 80 years.

Certainly, increased government programs are not a solution to any problem, but while there have been attempts to deal with the issue of the elderly in our society, these have only been Band-aids, and quite frankly a seeming way to alleviate the guilt we must as a Nation feel about our treatment of the elderly. While on the one hand we provide a degree of independent living through the social security and medicare programs, on the other hand we assume that all elderly are infirmed and cannot take care of themselves. We assume that all elderly persons mean that at age 60 we automatically become senile and incapable of meaningful work or thought. We assume that the need for minor help in providing home repair means inability to do anything for oneself. The facts are that the achievement of a chronological age does not mean automatic removal from society.

In our work with the senior adults in our area, we have found some bright, alert, skillful people who seek help in further utilization of these skills. Also, we have found many elderly who, through no fault of their own, find themselves in deplorable living conditions and who are in need of immediate and meaningful help. To site the problems would no doubt be repetitious to you since many will have already dealt with this both in written and verbal statements. But what is essential is that the Federal Government realize that as it owes the veterans of our past wars something for their "commitment to duty" so do we as a Nation owe our older adults a great deal for their contribution to the development of our Nation and to its future.

ITEM 3. STATEMENT OF REV. EDWIN L. ELLIS, COCHAIRPERSON, SOUTH
INTRA-CITY IMPROVEMENT ASSOCIATION, INC., PHILADELPHIA, PA.

This statement is brief and represents my experience both as a pastor in a largely minority, low-income community and as a community worker and leader in this same community.

The needs and concerns of the elderly are many and reflect the problems and conditions of our society; lack of adequate housing, limited income, physical and sometimes even emotional limitations, and so on. The problems of the minority elderly are increased by virtue of their limited mobility. In the area in which I serve and in which this community organization exists, the needs are magnified. Services which should be provided are often not available; i.e., loans and grants to elderly to aid them in fixing their homes and remaining in the community, accessibility to various services, etc.

We must start now to find ways to meet the needs of these long-time contributors to our society. Programs in housing, health care, increased income opportunities must be acted upon now. When we speak about the "wisdom of the ages," these are not just mere words. If our young people are to really learn and grow and develop, it is from this base and past contributions that they will truly learn. Providing a sense of self-worth and dignity to any one is a life-sustaining gift; but to an older person it is doubly important—it is like adding years on to their lives.

I urge the consideration of providing means of assistance not only to existing organizations to offer direct help to elderly, but directly helping the elderly, particularly the minority elderly themselves.

Appendix 2

STATEMENTS SUBMITTED BY THE HEARING AUDIENCE

During the course of the hearing, a form was made available by the committee to those attending who wished to make suggestions and recommendations but were unable to testify because of time limitations. The form read as follows:

DEAR SENATOR HEINZ: If there had been time for everyone to speak at the hearing on "Minority Elderly: Economics and Housing in the 80's," in Philadelphia, Pa., on May 7, 1980, I would have said:

The following replies were received:

THELMA W. ADAMS, TOLEDO, OHIO

This is a conference of the "Black Aged," not a conference on all the minorities in the United States. Black Americans have enough visible problems that need to be solved, then we can support each other after some of the problems for the aged have been solved. I respect all minorities, but my first concerns are the black aged Americans: Need a homestead law for elderly in the United States.

The hearing was very informative.

GEORGIA ALLEN, LIMA, OHIO

There are not enough CETA job slots being awarded to the older worker in minority communities, especially in rural areas.

Older citizens are as vulnerable to job loss as they are to being victims of crime. Age discrimination is so frequent, especially in smaller communities, both in the hiring practices and in the continuation of employment in various agencies.

FRANK ATLAS, CHICAGO, ILL.

There is a desire by senior citizens to retain their apartments at all cost. Their rent has increased in the last 3 years from \$145 to \$185-\$195. With a minimum income guaranteed by SSI of less than \$210, that leaves a mere \$15 to \$20 on what they must survive. That amount will not take care of transportation to the grocery store or a medical facility. Yet they must survive. How? They cannot, and the net result is there are thousands of senior citizens starving to death and going without needed and essential medical help.

JOHNNIE M. BOOKER, KANSAS CITY, KANS.

The black do enjoy living with dignity in clean whole some neighborhoods. Most of the housing projects for blacks arise in the rundown areas of cities. Why not build projects and housing for blacks in beautifully landscaped areas. This would encourage self-worth, self-esteem, and a feeling of being a part of the best and a desire to be involved in community affairs with a purpose. The black vote counts, so why not the black person himself be counted worthy of the best things in America.

Living in blighted areas, poor environment, certainly lend for a cureless depressed neighborhood. Give the blacks an opportunity to live as decent people and less crime, illness, and deaths will be prevalent in our U.S.A.

Working with elderly in Kansas City, Kans., Area Agency on Aging, has taught me that all people yearn for the good things in life.

RALPH E. BREWSTER, BROOKLYN, N.Y.

It is gratifying to know of the focus economics and housing in the 1980's, of the Senate Special Committee on Aging. However, I wonder if I may bring to your attention the focus of crime as it pertains to the following statement: The elderly, particularly the urban elderly, are among the most vulnerable victims of crime. Millions of the aged are virtual prisoners in their own homes, self-confined potential victims afraid to go into the streets. The lives of the elderly are demeaned, not only by the violations of property and person that occur, but also by the threat of such crimes. The 1974 NCOA/Harris survey revealed that those over 65 rated crime or the fear of crime as their most serious personal problem.

Also, because police are often confronted with social problems beyond their responsibility, particularly in the case of the isolated elderly, police departments should work more closely with the social service agencies which address such problems.

SANDRA H. BROWN, PHILADELPHIA, PA.

There needs to be some discussion and concern around minority elderly, who because of advanced age and emotional problems and decreased productivity due to age, as well as a lack of social support systems, must live in group settings and boarding homes, foster homes, etc. Although legislation has been enacted in the State of Pennsylvania to address and hopefully rectify the inequalities of boarding homes, what, if anything, is being done on a national level. To my current knowledge, very little if anything is in process to alleviate the problem.

CLARENCE L. DATCHER, PHILADELPHIA, PA.

The hearing was very informative and enlightening. I enjoyed attending very much.

LAURA M. EVANS, PHILADELPHIA, PA.

What vehicle is being used to equalize or close the income group that now exist between black aged and white?

What method will be used to disseminate information about programs and laws that affect or help the elderly blacks?

T. C. FLETCHER, LOS ANGELES, CALIF.

A reflection of the role and function of the older who work in our worklife. Attitudes of funding agents and from contractors must tolerate the worklife of the workers in employment planning and enforcement.

Youth and employees must be sensitive to the valuable resources inherent in sharing their worklife with older workers.

Intergenerational contributions to the GNP could become a poignant effort in our changing society.

EUNICE GALE, PHILADELPHIA, PA.

That I disagree with the statement of Victorina Peralta that Asian Americans are the most discriminated against of all the minority groups. We as black Americans have seen the government's action in giving (Asian Americans) that recently came to this country get immediate welfare benefits, housing in all areas of the country, and jobs setting up their own business that were originally owned by whites. This attitude of Federal, State, and city governments of accepting groups of people from other countries with open arms, except black nations, creates a feeling of distrust and ill feeling that we as blacks brought here to America not by our own free choice over 200 years ago, and according to the Constitution of the United States, supposed to receive all the equal rights and opportunities guaranteed by this constitution, has been a fallacy in regards to black Americans. Since we provided free labor to build this country for others to benefit by, we as black Americans are still waiting for the promised 40 acres and a mule since the Civil War, and we continue to see injustice and unequal opportunities to the present day, and have not enjoyed all the fruits of our labors.

I also would like for all agencies that are giving testimony to spell out the different agencies and laws instead of using abbreviations because everyone present do not know what these abbreviations stand for.

HAZELLE J. HARDING, TOLEDO, OHIO

More persons like Anna Brown should be asked to speak on the needs of black aged. When persons who are black and elderly come to a conference such as this one it is at a sacrifice, both financial and healthwise. They need someone who relates to their problems and young officials like Senator Heinz who have both the power and the will to speak to their community needs.

There should be more outreach to inform minority elderly of available services in housing.

DARLENE Y. HENSON, WASHINGTON, D.C.

The elderly population needs more housing and care because if we as people, can't provide for the elderly population that has paved the way for us in the future. We need more time to care for the elderly needs. Ask questions and get some feedback from the elderly population.

VIRGINIA V. HICKS, PHILADELPHIA, PA.

A lot has been said about the elderly, but what about 45 to 65? The ones who worked at jobs that does not provide social security or any other kind of compensation. How do they get help?

JANICE M. KELLY, KANSAS CITY, MO.

The Federal Government (all departments) should re-educate, via sensitivity (emphatic), their own staff regarding the unique concerns, ethnic/cultural injustice experiences by minority elderly population and other minorities, etc. Also the handicapped and women.

JUANITA KING, PITTSBURGH, PA.

I'm concerned about public housings inability to provide adequate services to those persons in need of them in order to stay in public housing. The Pittsburgh Public Housing Authority offer limited social services, homemaking service, and congregate feeding services due to limited funding from the Federal Government. The lack of adequate supportive services in Pittsburgh Housing force those elderly people who suffer some type of illness or hospitalization to give up their apartments. These disloved persons most often end up in boarding homes or nursing homes. They are not given the opportunity to exercise the preference of remaining in their own apartments.

SHIRLEY WESLEY KING, DE SOTA, TEX.

There is a tremendous need for an enforced monitoring system at the local level for all social service programs, particularly OAA title III and CETA section 308 programs. Specifically, the issue of minority elderly access and use of these services is greatly hindered due to operating practices at the local levels. Frequently, much of the budget is squelched by administrative expenses to the disadvantage of intended recipients. These inequities and injustices will not be corrected without such monitoring and power for corrective actions. The question arises: Whose needs are really meant to be served, the needy elderly or the basically middle-class providers of services?

JUANITA McCARTER, PITTSBURGH, PA.

My concern is with the frail elderly.

Why can't families get adequate supportive services and moneys to help them keep those frail elderly at home? It would be cheaper to both those persons cared for in their homes rather than in institutions.

Communities should have the services and support from the government, State and Federal, to assist with day care programs in the community to aid families who choose to keep the frail elderly at home.

WALTER MOODY, CLEVELAND, OHIO

Something about the importance of the 1980 census, as it relates and impacts on the senior community, and encourage them to be counted in the 1980 census.

SHERRY PENNY, WASHINGTON, D.C.

It is necessary to have the commission encourage Congress to have legislation that would eliminate tax on pension income.

EVELYN L. RHODES, DETROIT, MICH.

Guidelines and information on the three labor class action suits—EEOC.

ANNE B. TRUPEAN, WASHINGTON, D.C.

A new housing program is needed to meet the special needs of single elderly women and men. Mutual housing (group) with some congregate services could be attempted in large dwellings. Offsite management could include maintenance and other needed services (e.g., transportation, visiting nursing care). Group homes could be sponsored by various types of organizations and agencies, with public moneys available for renovation, services, and management.

B. TRUSTY, PHILADELPHIA, PA.

It is unfortunate that Pennsylvania does not recognize geriatric mental health as a mandatory service, and thus provides no funds for such. Already several community mental health centers which were providing services primarily for the elderly's particular needs and concerns, have been discontinued because of lack of financial support. Presently, one of the centers which provides a comprehensive mental health evaluation and treatment service through outpatient and day hospital programs is facing threats of curtailing or decreasing these needed services to aid inner city population of minority elderly.

BARBARA TRUSTY, PHILADELPHIA, PA.

There is a critical need for emergency housing for the elderly. There ought to be allocations for one or two folding beds in nursing homes for those situations which warrant temporary or emergency housing because of illness of care provided or for the independent persons who suddenly finds himself physically or mentally debilitated. It has been my experience that oftentimes the elder in such a situation ends up spending 2 or 3 days in the hospital emergency room.

GERRI UDDYBACK, MSW, PHILADELPHIA, PA.

I urge our legislators, planners, and directors of programs for aging people to recognize the dynamics of time. The slow process in which already allocated funds trickle down to the consumer (via services or assistance programs), denies the immediacy of need for this population who may vast survive a long wait.

I am impressed by your concerns as expressed during the hearing and expectation and accountability from government agencies.

