



Legislation Text

File #: Res 1613-2000, Version: *

Res. No. 1613

Resolution calling upon the Congress of the United States to reauthorize the Older Americans Act ("OAA") and to include support for legal assistance and elder rights advocacy programs in the reauthorized legislation.

By Council Members Leffler, Carrion, Malave-Dilan, Eisland, Henry, Marshall, Nelson, Perkins, Quinn, Reed, Wooten and Fiala; also Council Members Fisher, Harrison, Michels, Povman and Robinson

Whereas, Congress is considering the reauthorization of the Older Americans Act ("OAA") this year, and the American Bar Association "ABA" has expressed its concern that any authorization continue to provide support for legal assistance and elder rights advocacy programs; and

Whereas, The OAA was enacted in 1965 and established the federal Administration on Aging which plans, advocates and delivers services and provides funding to states, which then distribute such funding to local agencies responsible for allocating it in ways that meet community needs; and

Whereas, While funding provided by the OAA serves the elderly regardless of income level, OAA programs targets those with the greatest social and economic need; and

Whereas, The last authorization for the OAA expired in September 1995, but Congress continues to fund its programs through appropriations; and

Whereas, Partisan differences over targeting services to low-income minority elders and providing free nutrition services prevented final action to reauthorize the OAA during the 104th and 105th Congress; and

Whereas, The sponsors of both the House and the Senate bills predict that the reauthorization will be sent to the President before the 106th Congress adjourns at the end of 2000; and

Whereas, The OAA requires that local area agencies on aging expend a certain portion of their funds under Title III-B on legal assistance programs targeted to people in greatest social and economic need and that programs providing advice, counseling and representation on a number of issues be maintained; and

Whereas, Title IV funding supports several statewide senior legal hotlines, the National Center on Elder Abuse, the Long Term Care Ombudsman Resource Center and five national legal-assistance support centers, including one maintained by the American Bar Association ("ABA") on Legal Problems of the Elderly; and

Whereas, Under a proposed House bill, aging agencies would no longer be required to spend an adequate proportion of funds received via Title III-B on legal assistance; and

Whereas, The ABA fears that withdrawing the requirement would deny many elderly people their only entry to the legal system; and

Whereas, The proposed bill also would abolish Title VII legal aid and elder rights coordination provisions, including the role of state legal assistance developers, considered by the ABA to be essential components of the comprehensive elder rights system the OAA requires; and

Whereas, The Senate reactivated the reauthorization issue in July when its Committee on Health, Education, Labor and Pensions approved a bill to require funding for national legal assistance support, maintaining that continued legal services to the elderly was deemed a priority; and

Whereas, The bill would only reduce financial support for legal services if volunteer services could meet older people's legal needs; and
Whereas, The ABA asserts that, while the Senate bill on legal services and advocacy provisions is an improvement over the House measure, it is still concerned about provisions that would curtail the responsibilities of state legal assistance developers by deleting all references to their role in advocating for elder rights; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Congress of the United States to reauthorize the Older Americans Act ("OAA") and to include support for legal assistance and elder rights advocacy programs in the reauthorized legislation.

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