

Y 4  
.H 88  
N 72/977-31

95Y4  
H 88  
N 72  
977-31

# NOMINATION

GOVERNMENT

Storage

## DOCUMENTS

JUL 12 1978

### HEARING

FARRELL LIBRARY  
KANSAS STATE UNIVERSITY

BEFORE THE

## COMMITTEE ON HUMAN RESOURCES

## UNITED STATES SENATE

### NINETY-FIFTH CONGRESS

#### FIRST SESSION

ON

JOHN ROBERT LEWIS, OF GEORGIA, TO BE ASSOCIATE DIRECTOR FOR DOMESTIC AND ANTIPOVERTY OPERATIONS, ACTION; MARY FRANCES CAHILL LEYLAND, OF NEW YORK, TO BE ASSISTANT DIRECTOR OF ADMINISTRATION AND FINANCE, ACTION; AND IRENE TINKER, OF MARYLAND, TO BE ASSISTANT DIRECTOR FOR OFFICE OF POLICY AND PLANNING, ACTION

JULY 21, 1977



Printed for the use of the Committee on Human Resources

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1978

AY  
88 H.  
18-777-21

NOMINATION

DOCUMENTS

JUL 1 & 1978

FRANKLIN D. ROOSEVELT LIBRARY  
HARVARD UNIVERSITY

HEARING

HEARD THIS

COMMITTEE OF HUMAN RESOURCES

UNITED STATES SENATE

**COMMITTEE ON HUMAN RESOURCES**

**HARRISON A. WILLIAMS, Jr.,** *New Jersey, Chairman*

JENNINGS RANDOLPH, *West Virginia*  
CLAIBORNE PELL, *Rhode Island*  
EDWARD M. KENNEDY, *Massachusetts*  
GAYLORD NELSON, *Wisconsin*  
THOMAS F. EAGLETON, *Missouri*  
ALAN CRANSTON, *California*  
WILLIAM D. HATHAWAY, *Maine*  
DONALD W. RIEGLE, Jr., *Michigan*

JACOB K. JAVITS, *New York*  
RICHARD S. SCHWEIKER, *Pennsylvania*  
ROBERT T. STAFFORD, *Vermont*  
ORRIN G. HATCH, *Utah*  
JOHN H. CHAFEE, *Rhode Island*  
S. I. HAYAKAWA, *California*

**STEPHEN J. PARADISE,** *General Counsel and Staff Director*

**MARJORIE M. WHITTAKER,** *Chief Clerk*  
**DON A. ZIMMERMAN,** *Minority Counsel*  
**GREGORY FUSCO,** *Minority Staff Director*

(II)

## NOMINATION

---

THURSDAY, JULY 21, 1977

U.S. SENATE,  
COMMITTEE ON HUMAN RESOURCES,  
*Washington, D.C.*

The committee met, pursuant to notice, at 9:40 a.m., in room 4232, Dirksen Senate Office Building, Senator Harrison A. Williams, Jr. (chairman) presiding.

Present: Senators Williams, Pell, Cranston, Riegle, Javits, and Stafford.

The CHAIRMAN. The committee will come to order.

This morning the Human Resources Committee meets to consider the nominations of the ACTION Agency.

John Robert Lewis, to be Associate Director for Domestic and Anti-poverty Operations; Mary Frances Cahill Leyland, to be Assistant Director of Administration and Finance; and Irene Tinker, to be Assistant Director for Office of Policy and Planning.

Senator JAVITS.

Ms. Leyland is a native New Yorker, and hence my commendation of her to the committee. She was born at Hoosick Falls, N.Y., which is near Troy. I happen to have a very great interest in ACTION, as it was a development which as a member of another committee I had a great deal to do with, and I believe very deeply in these volunteer programs and also in the mission of the Director, Mr. Brown, and the Deputy Director, Ms. King.

Ms. Leyland comes to this appointment after 5 years with the Environmental Protection Agency and a rich experience in the Boston area in respect to the work of the EPA. And where she had an experience which is very much in line with the one that she will have if we confirm her here. She also has worked for the Commonwealth of Massachusetts, and before then has had business experience as a systems analyst for IBM. Her family has lived in New York for three generations and her husband is still with the City University of New York, and I commend her to the committee and in due course she will be called on to testify.

The CHAIRMAN. I see the Senators from Georgia are here.

### STATEMENT OF HON. HERMAN E. TALMADGE, A U.S. SENATOR FROM THE STATE OF GEORGIA

Senator TALMADGE. Thank you very much, Mr. Chairman. My statement will be very brief.

I join my colleague, Senator Nunn, in endorsing and presenting to this committee the nominee, John Lewis, for Associate Director of ACTION.

Mr. Lewis served as executive director of the voter education project in Atlanta, Ga., from 1970 through 1977. His responsibilities included the planning, directing, and implementation of voter education programs.

Prior to his appointment as executive director for VEP he served several years as community organization project director for the Southern Regional Council. His outstanding leadership qualities and organizational abilities are demonstrated in his efforts to organize self-help and cooperative efforts within 11 southern States in order to provide technical assistance. He also assisted in fundraising from public and private sources. Also, Mr. Lewis briefly served as director for the Field Foundation in New York.

Not only does John Lewis enjoy an outstanding record of public service and leadership, but also a reputation as an excellent writer whose work has appeared in numerous publications.

A few of his many honors and awards include: Who's Who in the South and Southeast 1972-73, Time magazine's "One of 200 Rising Leaders" July 1974, and honorary doctor of humane letters, Edward Waters College in 1976.

John Lewis has been a credit to both Georgia and the Nation. He is a hardworking and intelligent individual. He has been a public servant throughout his career. Moreover, in his role of leadership, he has demonstrated his dedication to efficiency and organization. Mr. Lewis is eminently qualified for this position, and I am confident he will do an excellent job.

I congratulate Mr. Lewis on his appointment and urge approval by this committee and confirmation by the Senate.

The CHAIRMAN. Thank you very much.

We are very pleased to have that strong and warm endorsement.

Senator Nunn.

Senator NUNN. Thank you, Mr. Chairman.

#### STATEMENT OF HON. SAM NUNN, A U.S. SENATOR FROM THE STATE OF GEORGIA

Senator NUNN. I join Senator Talmadge in expressing my thanks for the opportunity to appear before you today to introduce President Carter's nominee for the position of Associate Director of ACTION, my good friend, John Lewis.

I was particularly pleased to learn of John's appointment because of my confidence in his ability and my knowledge of his dedication to the principles which ACTION represents. In short, Mr. Chairman, I am honored to appear this morning to strongly endorse his nomination.

Born on a farm near Troy, Ala., John Lewis grew up in a South experiencing social transition. He made an early decision to use creative methods to increase black participation and acceptance in our society. Through his responsible leadership role, John became one of the most respected advocates of equal rights in this country. He has served as chairman of the Student Nonviolent Coordinating Committee, community organization project director for the Southern Regional Council, and as a member of President Johnson's White House Council "To Fulfill these Rights."

Over the past 7 years, John Lewis has been the executive director of the voter education project in Atlanta. In this capacity, he has directed the voter registration efforts and citizen education programs

which have resulted in significant increases in minority political participation.

ACTION's purpose is to strengthen the impact and appeal of citizen participation in programs providing personalized services to people whose needs are compelling, both at home and abroad. I believe that John Lewis' background evidences the fact that he is well qualified to assume the reins of the domestic side of ACTION's responsibilities. He has devoted a lifetime to the cause of involving disadvantaged Americans in the various facets of our society and, as Associate Director of Domestic Operations, he will have the programs, resources, and authority to achieve meaningful progress to this end.

In summary, Mr. Chairman, I know John Lewis to be a man of competence, integrity, dedication, and vision. His experience and capabilities are of the highest order and insure that he will prove to be a truly outstanding addition to the administrative team at ACTION. I have no doubt that John Lewis will do an outstanding job.

Therefore, Mr. Chairman, I commend him to you highly and I urge my colleagues on this committee and in the Senate as a whole, to expeditiously confirm John Lewis' nomination for this very important position.

The CHAIRMAN. We are very grateful for that statement, Senator Nunn.

I have a short statement.

John Robert Lewis comes before the committee needing little introduction.

He is well known for his active participation in the civil rights movement of the 1960's, as a former chairman of the Student Non-violent Coordinating Committee (SNCC), and most recently as executive director of the voter education project in Atlanta and as a candidate for Congress for the Georgia Fifth Congressional District. His wealth of experience in dealing with youth and the elderly in the voter education project and in his activities involving volunteer community and self-help organizations will be ample background for the position of Associate Director of ACTION for Domestic Programs.

Mary Frances Cahill Leyland has a broad range of experience in the area of State and Federal budgeting, finance, and management. As an executive officer to the Administrator of the Environmental Protection Agency, her responsibilities have included budgeting control, personnel and internal management, and administration of regional construction and program grants.

She worked for the Commonwealth of Massachusetts in the early 1970's on reorganization of welfare services and collection and reporting of statistics required for Federal programs.

Ms. Leyland, I apologize that I was not here at the beginning, but I understand Senator Javits is familiar with your work and spoke highly of you.

Now, turning to Ms. Tinker.

Since 1974, Irene Tinker has headed up the Office of International Science of the American Association for the Advancement of Science. She is a political scientist with knowledge and experience in international community development and holds degrees from Radcliffe College and the London School of Economics and Political Science. Ms. Tinker's field work as a teacher in the Peace Corps and her experience in India and Indonesia provide an expertise to the position of

Assistant Director of ACTION for Policy Planning that will be much appreciated.

We welcome all of you at this hearing.

If you have a statement—

Senator CRANSTON. Mr. Chairman, may I interrupt?

The CHAIRMAN. Surely.

Senator CRANSTON. I think it is very nice that the Director of the Agency, Sam Brown, has chosen to be present.

I understand he would like to say a few words of introduction at this time before we proceed.

The CHAIRMAN. I see Mr. Brown in the back of the room.

He is moving right up to the table.

Senator Cranston, I am glad you raised this.

#### STATEMENT OF HON. SAM BROWN, DIRECTOR, ACTION

Mr. BROWN. Thank you, Senator.

I will be very brief.

I want to say how pleased I am that the President has chosen the three nominees which you have today.

As has been suggested by their introductions, they bring a broad range of abilities to the agency.

Ms. Leyland comes from a career civil service position and is a rather unique nominee to the position of Assistant Director for Administration and Finance. I think her skills and background are particularly appropriate in the area of administration and finance where she will be responsible for computer services, contracting, and personnel within this federal system.

I think she brings strength to the agency which has been widely criticized at times for its administrative problems. We need and we welcome Ms. Leyland's experience.

Irene Tinker's background in international development as well as in women's involvement in development, and in a broad range of appropriate technological development questions, brings a skill which is transferable between domestic and international programs in the agency. Dr. Tinker will help us unify those programs in a way which too frequently has not been seen as unified.

I think John Lewis has exemplified over a period of years many of the values which this agency at its best should represent, and brings a strength to our agency which we welcome.

I am pleased to have a chance, having had the privilege of being here before, to be here again, and to say how pleased I am that the President has chosen to send these people to you, and hopefully you will in turn send them to me.

The CHAIRMAN. Thank you very much, Mr. Brown.

I wonder if you could stand by for a moment—

Mr. BROWN. Certainly.

The CHAIRMAN. The distinction of Mr. Lewis is certainly demonstrated by the number of board memberships he has—the list is so long, including such organizations as the American Civil Liberties Union, the African-American Institute, Atlanta Council for International Visitors, Martin Luther King Center for Social Change, the A. Philip Randolph Institute, and many others.

It takes a great man to be able to serve in this number of responsible situations and, I might add, the most impressive list of memberships I have ever seen before me of any nominee.

I might just raise this question of Mr. Lewis. How do you view the continuing board memberships here, first in terms of time demands and, second, in terms of any possibility of conflicts?

**STATEMENTS OF JOHN ROBERT LEWIS, NOMINATED TO BE ASSOCIATE DIRECTOR FOR ACTION AGENCY; MARY FRANCES CAHILL LEYLAND, NOMINATED TO BE ASSISTANT DIRECTOR, ACTION AGENCY; AND IRENE TINKER, NOMINATED TO BE ASSISTANT DIRECTOR, ACTION AGENCY**

Mr. LEWIS. I see this appointment as one way of getting off some of the boards.

I have resigned from a majority of the boards.

I do not see any conflict.

The CHAIRMAN. I would, myself.

We have had nominees who have been on boards and as I recall, there was a nomination proposed for the Federal Communications Commission and there was a board membership that was not to be relinquished, and that resulted in the end of the nomination.

We normally think of conflicts in terms of dollars and cents and economic conflicts.

I do not see any here. I just wanted to ask you, Sam, to see if you see any possibility of conflict?

Mr. BROWN. I have looked through those board memberships and discussed it, and it has been discussed in the White House counsel's office. There is, as far as I know, either from a financial or from a broader sort of philosophical or social standpoint, no conflict of interest between boards which John intends to remain a member of, and his position at ACTION.

From my own standpoint, I was privileged to have the opportunity to serve on a number of boards at the time of my nomination and confirmation as well, and I am sure that many of them would welcome John back at a future date if there was any sense that there was any conflict of interest.

We have looked at and believed there is none.

The CHAIRMAN. I appreciate that.

If we could have a letter reflecting this, a White House letter—

Mr. Lipshutz has done it in connection with another nomination we had this morning—if we could have this evaluation of no conflict, we would appreciate it for our records.

Mr. BROWN. We will be happy to provide that.

The CHAIRMAN. Thank you.

[The information referred to follows:]



OFFICE OF  
THE DIRECTOR

# ACTION

WASHINGTON, D.C. 20525

July 29, 1977

Honorable Harrison Williams  
Chairman  
Committee on Human Resources  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

This will confirm my statement to you, made at the confirmation hearing on the President's nomination of John Lewis to be Associate Director of ACTION for Domestic and Anti-Poverty Operations, that there is no conflict between Mr. Lewis continuing to serve on the Boards of Directors or Advisory Committees of certain organizations and his duties as Associate Director of ACTION.

The organizations with which Mr. Lewis will continue his association, and his positions, are:

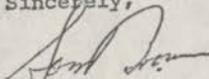
| Organization                                      | Position                   |
|---|----------------------------|
| 1. African-American Institute                     | Member, Board of Trustees  |
| 2. Martin Luther King Center<br>for Social Change | Member, Board of Directors |
| 3. Robert F. Kennedy Memorial<br>Foundation       | Member, Board of Directors |
| 4. Black Enterprise Magazine                      | Member, Advisory Board     |

None of these organizations is at present an ACTION contractor, grantee or program sponsor, and none is presently being considered for a grant, contract or other financial transaction with ACTION. Mr. Lewis has agreed to disqualify himself from participating in any way in the consideration or approval of any grant, contract or other arrangement with any of these organizations which may be proposed in the future, if his association with the organization is then current.

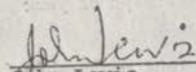
In the event Mr. Lewis is required to disqualify himself from considering or approving any such grant, contract or

other arrangement, the consideration or approval required will be performed by an official of ACTION of equal or higher rank.

Sincerely,

  
Sam Brown  
Director.

Agreed to

  
\_\_\_\_\_  
John Lewis  
Associate Director Designate

- 2 -

## THE WHITE HOUSE

WASHINGTON

August 1, 1977

Dear Mr. Lewis:

I acknowledge receipt of your Response to Outline of Information Requested of Prospective Nominees. I also acknowledge receipt of your letter of commitment to the President.

You have advised that it is your intention to resign your membership in the following organizations:

American Civil Liberties Union  
Atlanta Council for International  
Visitors  
Biracial Committee for Atlanta Board  
of Education  
Center for Community Change  
Institute for Southern Studies  
The Lamar Society  
Leg. 50/The Center for Legislative  
Improvement  
The National Education and Legal  
Assistance Foundation, Inc.  
Penn Community Services, Inc.  
A. Philip Randolph Institute  
The Southern Christian Leadership  
Conference  
Scholarship, Education and Defense  
Fund  
Southern Poverty Law Center

You have indicated that you intend to retain memberships in the following organizations:

The African-American Institute  
(member of Board of Trustees and  
The Martin Luther King, Jr. Center for  
Social Change  
NAACP  
Robert F. Kennedy Memorial

It appears to me that the organizations with which you expect to retain membership are nonprofit. You have advised that none of these organizations seeks grants, contracts or other financial support from ACTION, nor do they lobby before ACTION. I remind you of the need to be particularly careful that no conflict arises as a result of your responsibilities at ACTION and your membership in the above-listed organizations. Should you be concerned that any potential conflict may exist, or that there is an appearance of conflict, I urge you to consult the General Counsel of ACTION or the Office of Counsel to the President.

You have advised that you will resign from your position on the Advisory Board of Black Enterprises, Inc. You have been advised that it is the policy of the Carter Administration not to permit Administration appointees to maintain a relationship with a corporate board.

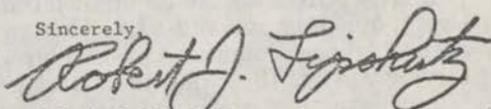
Pursuant to paragraph 2 of your letter of commitment to the President, you should disqualify yourself to act on any particular matter affecting the Voter Education Project for a limited period of time after you take office. I would suggest that you choose a period, perhaps 6 to 12 months, which will be sufficient to remove the possibility or appearance of possibility that you might be prejudiced in favor of any such party. Similarly, if your membership on the board of any of the organizations with which you were affiliated during the 12 months prior to your entering government service creates an actual conflict of interest or appearance of conflict, it will be appropriate for you to disqualify yourself on particular matters relating to those organizations for a limited period of time after you take office.

You have indicated that your wife is employed by Atlanta University. Should she continue to work there, you should disqualify yourself to act on any particular matter which will affect Atlanta University. If she changes her place of employment, the same disqualification should take place with respect to her new employer.

Based on the materials you have submitted and assuming you take the actions you indicate you will take and those that are suggested in this letter, it appears that you will have complied with the Guidelines on Conflicts of Interest.

I congratulate you on your appointment and know that you bring distinguished capabilities to bear in your important post at ACTION.

Sincerely,



Robert J. Lipschutz  
Counsel to the President

Mr. John R. Lewis  
Associate Director for  
Domestic Operations-Designate  
ACTION  
Washington, D.C.

The CHAIRMAN. I know that you all have statements.

So, we will proceed with you, Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman and members of the committee.

Since the early days of the civil rights movement, I have worked to open the doors of equality and to provide opportunity for the fulfillment of the human potential. I have tried to be sensitive to the needs of all people who suffer material, physical, and spiritual deprivation in the midst of plenty.

As Associate Director for Domestic and Anti-Poverty Operations of the ACTION Agency, I will continue my commitment to the neglected segments of our society that have been left out and left behind. I consider my appointment an opportunity to carry on my life's work to build a community based on love; a community at peace with itself.

For the first time in more than 10 years, I believe it is possible to begin achieving this on a nationwide scale. After years of national self-doubt and social upheaval, there is hope for a new climate of positive action. The time is ripe for a renewal of one of our greatest heritages: Responsible voluntary action. Inspiration is replacing cynicism in our country as people band together once again to take charge of their own lives to solve their mutual problems.

As the principal Federal agency for volunteers and volunteer programs, ACTION can and should help give form and substance to this spirit of renewal. Through such successful programs as the retired senior volunteers, foster grandparents, and the senior companion program, we will continue to try to alleviate the twin burdens of poverty and powerlessness that beset our elderly and our disadvantaged of all ages. VISTA volunteers will once again focus their energies on the fight against poverty as they strive to help people meet their most basic needs.

In addition, future ACTION domestic programs will attempt to broaden both the volunteer base and those segments of the population served by the volunteer. They will include others who now feel alienated from our society: The unemployed teenager, the forcibly retired, the displaced homemaker, and so forth.

If ACTION is to use its financial and human resources most effectively, our programs must be sensitive and responsive to the needs and desires of local communities. Our programs must effectively and creatively answer their questions and help solve their problems.

I believe that a rejuvenation of American values and accomplishments is possible. I know that it will take a lot of plain old-fashioned hard work. As a Nation, we are equal to the challenge and, more importantly, we are ready for it. I know it is possible for people to get together, to work hard, and to prevail.

In my new appointment, I will do everything in my power to help make this country a place where all citizens will have an opportunity to develop to her or his full potential.

Thank you, Mr. Chairman.

The CHAIRMAN. I appreciate your statement very much, Mr. Lewis. Ms. Tinker.

Ms. TINKER. I am Irene Tinker.

I want to thank you for being here on this crowded morning, just before you go on vacation—

The CHAIRMAN. Who is going on vacation?

I appreciate the thought that we deserve a vacation, but it is not in prospect, that I know of.

Ms. TINKER. We are in the middle of zero based budgeting and I think we feel it would be nice to go on vacation, too, but we are not going to be able to.

The CHAIRMAN. We have our No. 2 leader in here today, Senator Cranston, and is there any thought of vacation?

All I know is the majority leader and his deputy, Senator Cranston, are on our backs to get this bill out and every bill out, and right now we have two measures before the Senate today, the black lung bill, and after that the conference report on the youth employment bill.

Senator CRANSTON. Yes, that is right.

The CHAIRMAN. After that, there will probably be many more 8 and 9 and 10 o'clock night sessions.

Thank you for the suggestion that we take a vacation.

Ms. TINKER. At least the weather is supposed to be better this weekend.

As Assistant Director of Policy and Planning for ACTION, I will have an opportunity to apply my extensive experience in developmental theory and practice to problems with which the ACTION agency deals both domestically and internationally. The major objective of my office will be to support each of the separate ACTION programs and to encourage their interrelationship in order to meet the basic needs of the largest number of people.

My entire professional life has been devoted to understanding human adaptation in response to the complex demands of modern society. I have taught courses in international development as it relates to both Asia and Africa and, more recently, I have taught about such comparative urban problems as population, ethnic minorities, policies with regard to women, and technological transfer and cultural change.

From 1961 to 1971, I taught at both Howard University and the Federal City College where I focused on contemporary community and schooling issues as they applied to the least advantaged segments of our population. To give students perspective I included comparisons of U.S. society with those foreign cultures undergoing rapid modernization.

ACTION is unique in that it deals with these theoretical questions by attempting to answer them in practical ways. The agency understands that modern society is in need of human services and that Government alone cannot provide for them adequately even though stipend volunteer programs. Thus, in my appointment, I will work to see that ACTION's full-time volunteers spearhead efforts to create more and better opportunities for all people to help other people.

In my discussions with Sam Brown, we have agreed that ACTION's full-time volunteers can help to alleviate the causes of poverty and improve the community for all by concentrating on three different strategies:

Intervention, in which volunteers help with one-time solutions, such as immunization of infants, to long-term human problems, such as disease.

Organization, in which people are brought together through the mechanism of voluntary action to establish their own long-term projects, such as food or credit cooperatives.

Demonstration, in which VISTA volunteers provide the skills which allow community groups to set up permanent service centers that address community needs, such as rape crisis or family violence center.

In the long run, the success of community service depends upon the ability to recruit volunteers from all segments of the population. In fact, citizens of all types already give freely of their time to help their communities. ACTION intends to support these people in the future and to work for their increased recognition.

I look forward to the challenges which confront us and believe that organized voluntary action, both public and private, can be the key to future human advancement everywhere, both at home and abroad. Thank you.

The CHAIRMAN. Thank you very much, Ms. Tinker.

Mrs. Leyland.

Mrs. LEYLAND. Mr. Chairman and members of the committee, I may cover some of the grounds you are familiar with.

As a professional administrator in the Federal bureaucracy with a proven record of accomplishment, it is my intention to support ACTION as responsibly and responsively as possible.

Before my nomination as Assistant Director for Administration and Finance of the Action Agency, I served as executive officer to the Administrator of the Environmental Protection Agency, the highest ranking career position in the Administrator's immediate office. Previous to this, I worked in New York as Chief of the Construction Grants Program of the EPA, where I was responsible for the obligation and payment of some \$6 billion. I had come to New York from Boston, where I began my career with EPA as a planning analyst in 1972.

Since 1964, I have worked extensively with computers in areas ranging from data management and data quality control to systems design work. In particular, I worked for IBM as well as the Commonwealth of Massachusetts designing management information systems. Within my career in the Federal bureaucracy, I have gained important and valuable experience, especially in the areas of financial management, personnel, and computer systems development.

In the past, ACTION has encountered serious problems in the area of administration with which the Congress is familiar.

For instance, in accounting, there has been a great lack of communication and coordination between the regional offices and Washington. In addition, the Agency's computer operations currently make up a patchwork of programs that do not efficiently meet our needs.

I have discussed these and the other problems of the Agency with Sam Brown, and he has given me his commitment to provide all of the support I shall need to insure that the Office of Administration and Finance runs as professionally, efficiently, and responsively as possible.

Personally, members of my family serve in their communities as volunteers. In my home State of New York, my mother helped found the Tuberculosis Association of Rensselaer County; and my husband currently serves as a volunteer policeman in the city of New York. In 1962, my husband and I applied to the Peace Corps but, unfortunately, had to withdraw for family reasons.

As you can see, volunteer efforts are familiar and important to me. In my duties and responsibilities as Assistant Director of Administration and Finance, I will work hard to help the Agency attain its goals of alleviating poverty and meeting basic human needs. Thank you.

The CHAIRMAN. Thank you very much, Mrs. Leyland.

First of all, will all of you be available to come to the committee and testify if we need your statements?

Mrs. LEYLAND. Yes.

Mr. LEWIS. We would be delighted.

Ms. TINKER. Yes.

The CHAIRMAN. All have indicated a positive response. Thank you.

The question of holdings in IBM stock presents itself in your situation, Mrs. Leyland. Your disclosure statement indicates that you have shares in IBM which is wise and laudable, I would say.

I wonder if you see any possibility of conflict here?

Mrs. LEYLAND. I did not. It is a very small holding.

I will state, however, that I would disqualify myself from any matters that would address the IBM Corp. and me personally in my new job.

The CHAIRMAN. I cannot quite see how any contractor—or can you see any contracting possibilities with IBM that would be in your control?

Mrs. LEYLAND. Yes; as Assistant Director for Administration and Finance, I have the contracting function, and I will disqualify myself.

The CHAIRMAN. You would disqualify yourself? And there is somebody else there to make decisions?

Mrs. LEYLAND. Yes, indeed. There is the contracting officer in the Agency.

The CHAIRMAN. That is clear and sufficient, I would think. Do my colleagues agree?

Senator PELL. Does she have enough stock to really affect IBM?

The CHAIRMAN. Everything is relevant. I would think it would be viewed as substantial.

The present market value of the stock is \$10,000?

Mrs. LEYLAND. That is right.

My letter from Mr. Lipshutz indicated he did not think that there was a conflict.

The CHAIRMAN. Who said that?

Mrs. LEYLAND. Mr. Lipshutz did.

The CHAIRMAN. If he has a letter, that is the way he has been proceeding today—has he signed that letter?

Mrs. LEYLAND. Yes.

The CHAIRMAN. We have a signed letter.

One of the earlier letters had not been signed yet.

If we could have a copy of that for our record, we would appreciate it.

Senator PELL. As a matter of good judgment, should one really disqualify oneself from decisionmaking when one has maybe one-thousandth of 1 percent of the stock of the company?

I wonder if we are not going too far?

The CHAIRMAN. The fact of how you feel about it and how I feel about it is not particularly relevant.

The general feeling is, when it is not de minimis completely, that it is wise for the public to know that you have not made a decision in an area where you have a financial interest.

If we could have that letter, we would appreciate it.

Senator CRANSTON. It seems to me that there ought to be a policy person above you to handle that matter.

The CHAIRMAN. There is an officer there; there is a contracting officer.

Senator CRANSTON. I think somebody above rather than below ought to be put in charge.

That is a contracting officer under her.

I would suggest that that be taken a look at within the Agency.

The CHAIRMAN. The Director of the Agency is here, and it will go on the charts to the authority above rather than below Mrs. Leyland.

Senator CRANSTON. I would like to ask for a letter for the record from the Agency as to how this matter is resolved.

[The letter referred to follows:]



OFFICE OF  
THE DIRECTOR

**ACTION**

WASHINGTON, D.C. 20525

July 29, 1977

Honorable Harrison Williams  
Chairman  
Committee on Human Resources  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

This is to advise you, in connection with the questions you asked at my confirmation hearing, that I have today sold my entire holding of IBM stock.

Sincerely,

Mary F. Heyland  
Assistant Director, Designate

The CHAIRMAN. Now, the stipend programs within the ACTION Agency were mentioned earlier in the testimony.

What are the present stipend programs?

Ms. TINKER. ACTION has full-time stipend programs both nationally and internationally, that is, VISTA and the Peace Corps.

There are also part-time stipend programs for elderly Americans, the Foster Grandparent program and Senior Companion program.

The CHAIRMAN. What is your evaluation of how the stipend programs are working?

They are designed really to make it possible for people to be volunteers. Is that not what a stipend is all about?

Ms. TINKER. That is indeed true.

Full-time stipended volunteers we see as leading in affecting causes of poverty and in demonstrating change. They are 24-hour people. They are there all the time, and so, can help to mobilize the community. We see them as having a very important function, the cutting edge group to mobilize all types of volunteer activity in this country and abroad.

The CHAIRMAN. What areas do you have full-time people under the stipend approach?

Ms. TINKER. VISTA and the Peace Corps.

The CHAIRMAN. The Peace Corps would not be part time?

Ms. TINKER. At present, our volunteers are full time for both VISTA and the Peace Corps. Part time are just the two programs for older Americans, Foster grandparents and senior companion programs.

The CHAIRMAN. I did not appreciate that.

The part time are Foster Grandparents—

Ms. TINKER. Yes, they serve 20 hours a week. They are stipended; they do not serve full time, but only half time.

The CHAIRMAN. Are there any stipend activities in youth volunteers?

Ms. TINKER. The VISTA people are often very young.

We are now working on a new program, the Youth Community Service Corps, in connection with the Department of Labor is Youth Employment and Demonstrations Act of 1977, to give a demonstration of voluntary activities supplementing unemployment opportunities designed by the Department of Labor. Our efforts will be specifically aimed at providing opportunities for voluntary services of all youth who otherwise might be unemployed.

The CHAIRMAN. That legislation is through Congress—as a matter of fact, the next measure to be taken up in the Senate is the conference report on the youth employment bill. You are already working with Labor on this?

Ms. TINKER. I think we are negotiating with \$10 million of that for the voluntary program.

The CHAIRMAN. Excellent.

Senator Pell.

Senator PELL. As I understand it, you have supervision over both the Peace Corps activities, domestic and foreign activities, Mrs. Leyland and Ms. Tinker?

Ms. TINKER. Yes.

We are part of central support staff.

Senator PELL. Thank you.

No questions.

The CHAIRMAN. Senator Cranston.

Senator CRANSTON. John Lewis, I want to express my admiration for your very eloquent statement.

I know you are going to do great work.

What were your chief reasons for wanting to take on these responsibilities at the ACTION Agency?

Mr. LEWIS. As you well know, Senator, during the past few years I have been working primarily in 11 southern states from Virginia to Texas to enhance the quality of life for all people, black, white, Indian, Chicano, particularly that segment, as I said in the statement, that have been left out, with limited resources.

I think here we have an opportunity to use the power of the Federal Government and some of the resources to help people throughout this country.

I want to be a part of that effort.

I had an opportunity during the past few days to travel and visit some of the ACTION projects.

It is just fantastic what has happened.

There is a sense of optimism, that people really believe there is a new day with ACTION, and we can get something going.

Senator CRANSTON. Do you have any particular plans for future development of the older Americans program?

Mr. LEWIS. I am very committed to enhancing that program. I have visited the Foster Grandparent, RSVP, and Senior Companion programs, and my feeling is that older Americans have been treated like second-class citizens.

It is not enough just to give older Americans a role, a job, something to do, but we must give them something meaningful.

Many of the older Americans that I have talked with during the past few days, well, I get the feeling that they are living longer because they are involved in the ACTION program.

They are very happy. They are very proud.

There is a sense of dignity. I think the program should be expanded.

Senator CRANSTON. How soon do you anticipate a Deputy Associate Director for Older Americans—

Mr. LEWIS. We have interviewed several very good people, well qualified.

I would think the selection will be made within the next few days, within the next week.

Senator CRANSTON. What are your thoughts regarding the need for separate individuals to be given responsibility for the RSVP program on the one hand and the combined foster grandparent-senior companion program effort on the other hand?

Mr. LEWIS. I have not given that much thought.

I will be glad to give it some consideration and get back in touch with you.

Senator CRANSTON. Do you have any particular plans for VISTA at this point?

Mr. LEWIS. I would like to see the VISTA program become more identified with the problems and issues facing the people, that we do not deal in numbers and systems, but we deal with the needs of people.

Senator CRANSTON. What role do you expect to play influencing overall agency policy development, that is, what will your relationship be to the Office of Policy and Planning?

Mr. LEWIS. I plan to play a key role.

At ACTION, under the leadership of Sam Brown, we have key senior staff discussions on a regular basis.

We all make judgments and recommendations and I think that will continue.

Senator CRANSTON. Are you satisfied with the current organizational arrangement of the ACTION Agency in terms of your program responsibilities?

Mr. LEWIS. We are taking a serious look at the organizational structure. We are meeting and reviewing the structure of the organization, and the functions and responsibilities of different people on the domestic side.

Senator CRANSTON. Will you have control over recruitment, selection, training, and support operations for domestic volunteers?

Mr. LEWIS. Now, yes; under reorganization, I do not know.

Senator CRANSTON. If you could let us know about that.

Mr. LEWIS. I will be glad to let you know.

Senator CRANSTON. My office has been involved in a case recently concerning volunteer applications of an older couple from California, a man and his wife.

These two people were approved for the Peace Corps and rented their home and terminated activities in their community and then found that the Agency's medical office had inadvertently held up their papers. They were put through long, long delays that disrupted their lives and put them under a lot of strain.

They are in their seventies, and that kind of experience can be very, very difficult.

I gather that is not really an isolated incident, that there have been similar instances where applicants are left hanging in midair because of delays in the final processing of their papers.

Since your responsibilities will include overall recruitment, have you been aware of this problem and do you have any plans for dealing with it?

Mr. LEWIS. I am aware.

I think Mrs. Leyland is working on it now.

I think there is too much paperwork and redtape, and we are prepared to do something about it.

Mrs. LEYLAND. Yes; we are.

Senator CRANSTON. Good.

I understand that my committee staff talked with you regarding your assignment of recruiting responsibilities insofar as the Peace Corps is concerned, and the question is whether or not that is consistent with the statute.

Do you know how that problem is going to be dealt with?

The law in section 401 describing your duties says that the Associate Director shall carry out operational responsibilities for all programs authorized under the Domestic Volunteer Service Act.

The law makes no reference to other responsibilities, and it assigns the Associate Director for International Operations, Peace Corps Director "Operational Responsibilities for All Programs Authorized under the Peace Corps Act."

The act further assigns to the two statutory Assistant Directors "Such staff and support functions for such Associate Directors as the Director of the Agency shall from time to time prescribe."

That seems to me your recruiting responsibility insofar as the Peace Corps is concerned is not what was contemplated in the statute. That is a matter that should be looked into and I would like to hear from you on that.

Mr. LEWIS. I would be glad to get back in touch with you.

Senator CRANSTON. Thanks very much.

The CHAIRMAN. I wonder if you could tell us some more about the Agency plans regarding programs for displaced homemakers.

Ms. TINKER. Let me say first, that I personally come out of the women's movement and have been president of one of the larger organizations called the Federation of Organizations for Professional Women.

I am very concerned and interested in this whole area. However, since this program for displaced homemakers is the first demonstration program under my guidance, I am using it to revise the method of dealing with innovation. I have not been happy with some of the ways demonstration projects have been put in, because it has not been thought through how a successful program would, in fact, be institutionalized.

The tendency has been to hire a contractor to run a demonstration, and then if it is any good, you take the total package to the Peace Corps or VISTA or some other group.

It seems to me absolutely essential if we are going to have programs successfully absorbed into our programmatic sections we must involve them in planning and demonstration along the way.

Therefore, rather than having a third party run demonstration projects, we are trying to involve the relevant groups from the beginning. We are currently taking a look at the demonstration program for displaced homemakers now being set up and run in Baltimore.

We have had several meetings in order to assure that this effort is no longer an OPP program, but in fact an agencywide program.

One of the things I have insisted upon is that we begin to develop horizontal networks within our own agency and between agencies. In that way, we will know on any given program what different people are interested in and what different agencies are doing so that we can coordinate our efforts.

For example, on weatherization, which was mentioned earlier, we are talking about the possibility of recruiting volunteers in high schools to assist particularly the elderly in having weatherizing, and perhaps also protection devices, put into their homes.

We are talking with other groups that are interested, so that all of our programs are hopefully going to be planned with an idea of where they are going to go after they leave our own shop.

I think this is a very important change that will help unite our efforts on the program.

This has been particularly true on the displaced homemaker program.

We have had meetings with VISTA. VISTA volunteers have, in fact, been active in individual programs for displaced homemakers, for rape centers, and family violence centers.

We are leaning on their experience in setting up this new program in which we hope to include a variety of our programs, not only VISTA volunteers, but RSVP, and to use statewide moneys that we have, to encourage volunteers in the State.

The CHAIRMAN. What are the promising aspects of the displaced homemaker program?

The training?

Ms. TINKER. We have tended to think that perhaps a shelter is an important place. This tends to get us also into an overlap with programs for family violence.

The first thing that women need is a place to go, if they have been through a difficult separation or if they do not know where to go. We are talking about combining both a shelter, with a counseling center. Much of the counseling will be done by professionals, giving their time freely as volunteers.

The emphasis on displaced homemakers is to assess what they have done and what skills they already possess and what kind of training they can go into.

Most women have been involved in some kind of voluntary activity, especially women who have stayed home for some time.

So there is a very strong emphasis on analyzing their voluntary activity to see what kinds of skills they have already utilized.

The concept of voluntarism goes all the way up and down the economic scale. Yet many people do not consider themselves volunteers though they have done a lot of work.

We want to look at the kind of unpaid activity in which people have been involved and translate this into equivalencies for paid activity.

We are involved with that kind of program within our whole voluntary effort as well as in the homemaker sector.

So we feel we can provide advice, counseling, perhaps also short-term stipend voluntary programs, so that women themselves can gain self-confidence.

Some of them are often afraid to move into the outside world, if you will.

There sometimes needs to be a transitional stage, and we have been exploring the possibility of encouraging them to do additional stipended volunteer work while they are thinking about where they want to go next.

The CHAIRMAN. Is this still in the Washington planning stage?

Ms. TINKER. No; we are working with a group in Baltimore who has begun to do this themselves, to show how the addition of ACTION programs can make it a stronger effort.

They have gotten some money and support from the State government.

We would work with them to strengthen their efforts.

The CHAIRMAN. Have you established a formal relationship with the Baltimore group?

Ms. TINKER. They are writing a formal proposal now.

We have been discussing it for the last month and a half since I have been at the Agency.

The CHAIRMAN. You mentioned youth, and an effort that they might find interesting in the cities in terms of security for older people.

Ms. TINKER. Security and also assistance in weatherizing homes.

There is a suggestion to use high school students and give them training in high schools.

The CHAIRMAN. What is your assessment of youth attitudes about constructive voluntary programs within their community?

Any feeling about this?

Mr. LEWIS. I think young people today are much more hopeful. I visited some of the VISTA volunteers just a few days ago and saw them—

The CHAIRMAN. Where was that?

Mr. LEWIS. In Atlanta.

I saw them rebuilding a house, putting the roof on the house, gutting the house of an elderly person about 80 years old, taking everything out.

They are soliciting funds from local businesses and church groups, to buy the material.

I think the plan is to get people in the local community, the local neighborhoods, involved in rebuilding that neighborhood, rebuilding the airport or the city.

They are helping people to help themselves.

The CHAIRMAN. Did you say they are part of your VISTA program?

Mr. LEWIS. Yes.

Ms. TINKER. The idea here, again, is use the full-time volunteers who are already doing many of these things, to mobilize the rest of the community, because I think we feel there will never be enough VISTA volunteers to be involved in all the problems.

What we want to do is get a lot of other people involved who will give freely of their time, young and old. So you get students who are in high school doing this on weekends or perhaps working for a semester in an afternoon program. We hope this starts a lifetime of voluntary effort.

That is what is so interesting about the possibilities of ACTION. We can combine the people for whom volunteering is full time, if only for a few years, with people who contribute a few hours a week for a lifetime.

Mr. LEWIS. Another good thing about it, Senator.

When we get young people involved as volunteers, they develop the know-how, they develop some skills, and they can leave as VISTA volunteers and go out and get a job.

One of the problems we have all across this country in small towns, rural communities, and board rooms, is hundreds of thousands, literally millions of young people out of work.

They would like to do something in a very creative and meaningful way. I think ACTION provides that umbrella for so many young men and women.

Ms. TINKER. As you probably know, one of the parts of the legislation suggests that locally recruited volunteers should be provided with career development opportunities. We are looking again at our programs to be sure it happens. So this is, I think, seen as a very much an alternative to unemployment and to career development.

When you ask about youth, I want to say I am the mother of three teenage children, and they all do some volunteering in various ways.

Mr. LEWIS. I have a son only a year old—little too young.

The CHAIRMAN. We are all laymen sociologists in this work. When you look at the problems that New York faced with the blackout, a lot of the destructive acts were put at the doorstep of young people.

I am just guessing but, it appears that there is almost a total absence of constructive activity for young people in the areas that were devastated.

It would seem to me that these areas, areas of inactivity, little hope, and where few opportunities exist to accomplish something constructive in their young lives, is almost a guarantee of trouble of some kind or another.

This was the worse time to have expressed their frustrations, when the city was mechanically not working because all the power was off, and there it was.

Can you take your programs into city areas and feel that you have some ACTION effort that would really inspire young people with the hope that they do not have right now, that they could do something good, and feel good about themselves?

Mr. LEWIS. I think we can, Senator.

I think we can go in and channel frustrations and disappointment. I think we could do just that. It means an organization, an agency like ACTION, through VISTA volunteers, going in and creating neighborhood organizations, community groups, to give people a sense of involvement, to give people a role, to let people know somebody cares or somebody is thinking about them.

I think a great many people will want to know that someone or some group or some agency or somebody out there would like to see them playing a constructive role.

They are important in American society.

Ms. TINKER. We are already working with an interagency force under the White House mandate to develop a program utilizing schools as a focus for services to youth.

This is being done in New York already, as well as in Atlanta and Indianapolis.

We hope it spreads to other cities. It is an attempt to cut through some of the redtape that all other agencies have as vertical structures and combine them at local levels to service the youth and their families in the cities.

This actually is based on the Harlem Street Academy concept that came up several years ago, aimed at some of the people you were talking about.

The CHAIRMAN. We were adding a new element of opportunity through this youth employment program, too.

I am happy to hear you are sensitive to all these problems and have a proven record of accomplishment.

We are grateful, indeed, and—I understand Senator Cranston wants to come back for additional questions.

Senator CRANSTON. In a matter I brought up on the organizational responsibility, I want to make it clear that the plan was something that had been arranged by Sam Brown's predecessor. It is not something that Sam brought about.

I would like to suggest that we be given an organizational chart and the responsibility description on the way it will be henceforth.

Ms. TINKER, I would like to ask you what percentage of your efforts you will be devoting to each of the areas of responsibility assigned to you in this position.

Ms. TINKER. You mean internationally and nationally?

Or do you mean budget, evaluation, plus program development?

One hundred and fifty percent of my time at this point.

They interrelate so very well. I think it is important that the budget is part of the program development because it is a means to look at and budget for new programs. Then we have an evaluations section, so that in some ways I would not see those as pieces, as distinct efforts, but rather, as part of the whole.

We are, for example, going through a zero-based budgeting process, and at the same time we are looking at all of the programs as they relate to identified basic human needs.

We have divided our efforts into categories and are looking agency-wide at health, food and energy, so that we have a concept of how our own programs interrelate and where our strengths and weaknesses are.

It will be very hard for me to separate out from that, since one of its aspects is budget, one is program development, and one is evaluation.

Senator CRANSTON. Are you going to be spending more time on international programs?

Ms. TINKER. No. I think probably about half and half. I assume it would follow the budget line more or less.

Senator CRANSTON. What new directions would you like to see the experimental programs take?

Ms. TINKER. I have mentioned several this morning. I think in all cases we are interested in seeing to what extent stipended volunteers can be a leading group to mobilize community efforts.

I think the need to integrate that is in itself an experimental effort. We are trying, on the other hand, even to improve some of our very good programs.

For example, the Foster Grandparents program, which gives grandparents to mentally retarded children in institutions, is going to be adjusted in a few places to respond to the children who have been taken out of the institutions. Because, as you know, there is a move now to get people into a home environment.

Here again, we will do demonstration projects to see how feasible that kind of effort is.

Senator CRANSTON. What is being done with the evaluation responsibilities?

Ms. TINKER. We have had a very close look at evaluation. We are almost to the point of getting back to semantics as to what it means.

Very clearly there is great need within the agency for a series of data that will be useful for monitoring programs, for finding out the state of different problems within the programs as well as an outside scientific quantified view of the programs.

We have now been working to develop a total information gathering system that can be utilized all along the spectrum so that you do not wait 3 years to evaluate a program, but collect statistics and information as you go along.

We have particularly thought about using, especially overseas, but also in the States, some of the volunteers themselves, to help to begin to collect some of the data.

This is easy, for example, overseas with teachers who have long vacations, and we can begin to use this.

What we are trying to do is get usable information all along the spectrum without having it cost a lot.

We have had several meetings on this. This was part of the citizens' review program, that has been going on.

I think the problem among other things is that the word "evaluation" is used to cover the entire spectrum, and it becomes very unclear what people are asking about.

Senator CRANSTON. Thank you very much.

I have some very brief questions for Mrs. Leyland.

The CHAIRMAN. I have one question for Mrs. Leyland.

We know the agency has had some real difficulties in accounting for its expenditures.

The Office of Administration and Finance will play a key role in future directions of proper functioning of the ACTION agency.

Would you expand upon your ideas on how you intend to improve the financial management and operation of the office for which you will be responsible?

Mrs. LEYLAND. Yes, I will be glad to.

I have not been there very long, but I do have some ideas.

They are fairly simple.

First, I am going to take a hard look at manual accounting processes. Indeed I have hired somebody to start in 2 weeks, who will look into the manual accounting functions to see if we can streamline them, not computerize them, but streamline them.

I think the computer system for the accounting of our obligations and our disbursements, as I described, is a patchwork. It badly needs some enhancement. It does not need to be thrown out, nor be made a Rolls Royce. It needs to be enhanced.

We need to do more computer work on those programs that serve the accounting system.

Last but not least, I think we need a little more control.

I do not mean a rigid system, but cutoffs, at month end, so we get regional data input. The regions are out there obligating, disbursing funds. We need more rigorous control in getting that information in to us in a timely way.

Right now we do not have timely reports. We cannot tell 3 days after the close of business for any given month what the data are.

We have to wait until about the 10th, 12th or 15th.

I think if we could have better control and be more rigid with the regions, we could probably get better information.

The CHAIRMAN. You have read the GAO audit?

Ms. TINKER. No, I have not read it.

I have been briefed on it.

The CHAIRMAN. It would probably be a good idea.

Mrs. LEYLAND. Yes.

The CHAIRMAN. Senator Cranston.

Senator CRANSTON. I have some questions about volunteer allowance checks and the delay in getting them and the status of the overpayment issue concerning VISTA volunteers, and also the ACTION agency employee grievance claims that are pending, and I wonder how many are now pending, and your plans for bringing about a resolution of those claims.

I will submit those questions in writing to you.

I wonder, also, if you would be willing to give the committee quarterly reports on the status of the claims and your efforts to resolve them.

Also, I would like to ask you the status of the regional IX seasonal-permanent recruiter employment issue which was discussed earlier.

I will give you these in writing.  
Mrs. LEYLAND. Thank you.  
Senator CRANSTON. Thank you very much.  
The CHAIRMAN. Excellent.  
[The information referred to follows:]



OFFICE OF  
THE DIRECTOR

**ACTION**  
WASHINGTON, D.C. 20525

August 9, 1978

MEMO TO: Pat Markey

FROM: Nora Manning

SUBJECT: Mary Leyland's Responses to Senator Cranston's  
Questions

Please find attached Mary Leyland's responses to Senator Cranston's questions during her nomination hearings. There are two copies as requested. Thank you for forwarding them to Senator Cranston's staff.

QUESTION 1)(A)

What steps will you be taking to streamline the method for assuring that volunteer allowance checks are received in a timely and accurate manner?

RESPONSE 1)(A)

Some steps are now being taken. Most of the persistent problems have occurred at the beginning and end of a volunteer's service. One of these has been caused by a feature in the design of our automated Payroll System that required a computer file update and match with the automated Applicant System maintained by Domestic Operations. Payroll input on new volunteers was being rejected because the Applicant System was not kept as current as the pay system required. Our Computer Services Division has been asked to redesign that part of the Payroll System that requires reliance on the Applicant System. This task will be completed by August 1st. This will eliminate a major cause of late payments on the initial volunteer payroll checks. Another major cause of untimely payments is late receipt of input documents from the Regions. We have recently proposed to Domestic Operations that they require input by telephone on all volunteers that terminate early. As this information originates with sponsors, receipt by headquarters has taken several weeks on a major part of the documents and has resulted in the largest single cause of volunteer complaints and Congressional inquiries. We will be watching this closely to insure that the necessary coordination and follow-up is made between A&F and Domestic Operations to get this input on a timely basis and eliminate this source of poor service to volunteers.

QUESTION 1)(B)

What is the status of the resolution of last Fall's overpayment issue concerning VISTA volunteers?

RESPONSE 1)(B)

The Hearing Examiner, which was appointed by ACTION, A&F, as a result of the several volunteer grievances, has completed his investigation and submitted his report to the Director, Mr. Sam Brown. The Director has asked the General Counsel to review that report and make their recommendations. Mr. Brown will make the decision for the Agency after reviewing the General Counsel's recommendations.

Of the 361 volunteers that were originally overpaid 228 have paid back in full, either through direct payment or by deductions from their regular and stipend allowances.

QUESTION 2) (A)

When did you join the agency in an active capacity?

RESPONSE 2) (A)

May 9, 1977

QUESTION 2) (B)

How many ACTION Agency employee grievance or similar claims were there pending with the Agency or the Civil Service Commission? How many are now pending?

RESPONSE 2) (B) & (C)

Grievances before the Agency:

23 on hand on 2/28/77  
 16 filed since 2/28/77  
 26 pending as of 7/26/77 - 6 waiting arbitration  
 13 resolved since 2/28/77

1 RIF appeal before CSC - we made our rebuttal and are awaiting their decision.

QUESTION 2) (D)

What are your plans for bringing about a rapid resolution of these claims, many of which have been pending for years?

RESPONSE 2) (D)

We recently met with the President and Chief Steward of the ACTION Employees Union to discuss the cases that are still pending. In addition, the Director is having the cases reviewed by one of his immediate staff members, as well as by the General Counsel's office. As a result, decisions have been reached in some cases to proceed to binding, third-party arbitration for final decisions; in others we have agreed to assemble the principals involved to discuss and possibly resolve the issues.

We intend to continue to meet with the Union to try to work out settlements until all overdue cases are dealt with.

QUESTION 2) (E)

Would you be willing to provide this committee with quarterly reports on the status of those claims in terms of effort to resolve them?

RESPONSE 2) (E)

The Privacy Act limits the amount of claims information that the Agency can provide to you unless the concerned employee is notified and agrees. However, statistics such as number of grievances on hand, number pending arbitration, number resolved or withdrawn, can be provided on a scheduled basis or "as required".

QUESTION 3)

What is the status of the Region IX seasonal-permanent recruiter employment issue which was discussed during your recent meeting with the subcommittee staff?

RESPONSE 3)

There were no temporary recruiters hired in Region IX to perform the seasonal recruiters work during the July 16 to August 14 furlough. The furlough is necessary because the Agency does not have sufficient permanent ceiling to accommodate these employees on a full-time basis. This is a very unfortunate situation and we have petitioned OMB for ceiling relief for our recruiters. If OMB does not approve our request we will have to continue to furlough the recruiters for a month each year.

The CHAIRMAN. Thank you. Good luck.

We will expedite the nominations process as quickly as possible. The hearing is now adjourned.

[Whereupon, at 12:25 p.m., the committee was recessed, subject to the call of the Chair.]

○

The following information is provided for your information and is not to be disseminated outside your organization.

MEMORANDUM

TO: [Name] FROM: [Name] SUBJECT: [Subject]

On [Date], [Name] advised that [Subject] is currently [Status].

The [Subject] is currently [Status] and is expected to [Action].

It is recommended that [Action] be taken. [Reasoning].

