

Mr. PUCINSKI. Wait a minute. Do I understand that you went ahead and set up certain programs and now you are coming to Congress and asking us to write into the books, legislation that will help you or make it possible for you to run the programs?

Mr. KLORES. No, sir.

Mr. PUCINSKI. Clear the record quickly.

Mr. KLORES. It is my understanding of the legislative process that Congress legislates in broad terms.

Mr. PUCINSKI. Too broad.

Mr. KLORES. And within these terms the agency must set up regulations. When Congress said you will carry out a community action program, and I don't have the legislation in front of me, it was up to us to define what a community was; was it a city, a State, a county, or a multicounty, or a Federal Indian reservation; and that is where the regulations came in.

Back in 1964 we sat down and said it could be a city, it could be a multicounty unit; it could be a county; and so on.

Mr. PUCINSKI. Forgive my failure to understand this, but in section 210 of the title that we are now discussing, regarding Indian reservations, it says:

The director shall encourage communities to establish public or private non-profit agencies to be known as Community Action Agencies. The Community Action Agency shall be responsible for and be capable of planning, coordinating, evaluating and administering a program known as a Community Action Program. The Community Action Program is a community action based and operated program.

And so on.

How does this language in this bill before us now, and applied to Indian reservations as part C of this, differ from what is in the law now, because I am trying to understand what is the change that you are proposing in H.R. 8311?

Mr. SHRIVER. I think you had probably better wait for an analysis of that until the general counsel returns, but substantively there will be no difference in the operation so far as the Indian programs are concerned if the new bill is passed than has been the actual circumstance under the old bill.

Mr. PUCINSKI. Do I understand then—and again I hope that we can use this testimony for that purpose to clear up any misunderstanding that may be here—that under this provision if there is now a community action board operating on an Indian reservation and doing a job, that under the proposed change to section 210, conceivably a private not-for-profit agency could substitute for this board?

Mr. SHRIVER. No. If there is a community action agency in existence now it has to be on a reservation, it has to be either a public or a private not-for-profit agency because that language was in the statute to begin with.

Mr. PUCINSKI. That is in the statute now?

Mr. SHRIVER. That was in the statute from the very beginning. Therefore, any existing community action agency on an Indian reservation has to be one or the other. It has to have already received approval, and therefore would not be subject to change unless there was some great inefficiency or ineffectiveness in the program which urged