

104TH CONGRESS  
1ST SESSION

# S. 1447

To amend the Older Americans Act of 1965 to provide for Federal-State performance partnerships, to consolidate all nutrition programs under the Act in the Department of Health and Human Services, to extend authorizations of appropriations for programs under the Act through fiscal year 1998, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 5, 1995

Ms. MIKULSKI (for herself, Mr. KENNEDY, and Mr. PRYOR) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

To amend the Older Americans Act of 1965 to provide for Federal-State performance partnerships, to consolidate all nutrition programs under the Act in the Department of Health and Human Services, to extend authorizations of appropriations for programs under the Act through fiscal year 1998, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; REFERENCES IN ACT; TABLE OF**  
 2 **CONTENTS.**

3 (a) **SHORT TITLE.**—This Act may be cited as the  
 4 “Older Americans Act Amendments of 1995”.

5 (b) **REFERENCE.**—Except as otherwise expressly pro-  
 6 vided in this Act, whenever in this Act an amendment or  
 7 repeal is expressed in terms of an amendment to, or repeal  
 8 of, a section or other provision, the reference shall be con-  
 9 sidered to be made to a section or other provision of the  
 10 Older Americans Act of 1965 (42 U.S.C. 3001 et seq.).

11 (c) **TABLE OF CONTENTS.**—The Table of Contents  
 12 of this Act is as follows:

Sec. 1. Short title; references in Act.

**TITLE I—PERFORMANCE PARTNERSHIPS**

Sec. 101. Responsibilities of Assistant Secretary.

Sec. 102. Funding of performance partnership administrative costs and incentive awards.

Sec. 103. Responsibilities of States.

Sec. 104. Area plans: reorganization, streamlining, and incorporation of performance partnerships.

Sec. 105. State plans; reorganization, streamlining, and incorporation of performance partnerships.

Sec. 106. Effective date.

**TITLE II—OTHER AMENDMENTS TO THE OLDER AMERICANS ACT OF 1965**

**PART A—ADMINISTRATION ON AGING**

Sec. 201. National Eldercare Locator Service.

Sec. 202. Authorization of appropriations.

**PART B—STATE AND COMMUNITY PROGRAMS ON AGING**

Sec. 211. Clarification concerning services to non-elderly.

Sec. 212. Coordination of services for individuals with disabilities under area plans.

Sec. 213. Eligibility of older indians for services under area plans.

Sec. 214. State option for cost sharing.

Sec. 215. State option concerning consumer-directed services.

Sec. 216. Transfer of funds between programs.

- Sec. 217. Disaster relief.
- Sec. 218. Nutrition services incentive program.
- Sec. 219. Waivers of certain requirements for State programs.
- Sec. 220. Consolidation of authorities for supportive services and senior centers.
- Sec. 221. Consolidation of authorities for nutrition services.
- Sec. 222. Authorization of appropriations.

#### PART C—RESEARCH, DEVELOPMENT, AND DEMONSTRATIONS

- Sec. 231. Revision of title IV.

#### PART D—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

- Sec. 241. Transfer of authority.
- Sec. 242. Phased reduction of Federal share.
- Sec. 243. Authorization of appropriations.

#### PART E—GRANTS FOR NATIVE AMERICANS

- Sec. 251. Authorization of appropriations.

#### PART F—VULNERABLE ELDER RIGHTS PROTECTION

- Sec. 261. Assistance program for insurance and public benefits.
- Sec. 262. Authorization of appropriations.

#### PART G—TECHNICAL AMENDMENTS

- Sec. 271. Definitions.

#### PART H—EFFECTIVE DATE

- Sec. 281. Effective date.

#### TITLE III—WHITE HOUSE CONFERENCE ON AGING

- Sec. 301. White House Conference authorized.
- Sec. 302. Conference administration.
- Sec. 303. Policy Committee; related committees.
- Sec. 304. Report of the Conference.
- Sec. 306. Authorization of appropriations.

## 1 **TITLE I—PERFORMANCE PARTNERSHIPS**

### 2 **SEC. 101. RESPONSIBILITIES OF ASSISTANT SECRETARY.**

- 3 (a) FUNCTIONS OF ASSISTANT SECRETARY.—Section
- 4 202(a)(3) is amended by inserting before the semicolon
- 5 “, and to negotiate performance partnership agreements
- 6 with the States under titles III and VII”.

1 (b) PERFORMANCE PARTNERSHIPS.—Title II is  
2 amended by inserting after section 202 the following new  
3 section:

4 “PERFORMANCE PARTNERSHIPS

5 “SEC. 202A. (a) IN GENERAL.—The Assistant Sec-  
6 retary shall negotiate performance partnership agreements  
7 with States in accordance with the provisions of this sec-  
8 tion.

9 “(b) PERFORMANCE OBJECTIVES AND MEASURES.—

10 “(1) DESIGNATION OF OBJECTIVES.—The As-  
11 sistant Secretary, in consultation (as appropriate)  
12 with the States, local governments, tribal organiza-  
13 tions, and other entities, shall specify, by the end of  
14 September 1996 (and from time to time revise, as  
15 needed), with respect to the goals specified in sec-  
16 tions 305A and 704A—

17 “(A) a list of performance partnership ob-  
18 jectives to accomplish the goals of each such  
19 section, and

20 “(B) a core set for each such section of ob-  
21 jectives that address needs of older Americans  
22 national significance.

23 “(2) ELEMENTS OF PERFORMANCE PARTNER-  
24 SHIP OBJECTIVES.—Each performance partnership  
25 objective specified under paragraph (1) shall in-  
26 clude—

1           “(A) a performance indicator;

2           “(B) the specific population being ad-  
3 dressed;

4           “(C) a quantifiable performance target;  
5 and

6           “(D) a date by which the target level is to  
7 be achieved.

8           “(3) GENERAL CRITERIA FOR DESIGNATION OF  
9 OBJECTIVES.—In specifying the performance part-  
10 nership objectives, the Assistant Secretary shall be  
11 guided by the following principles:

12           “(A) objectives should be closely related to  
13 the goals of the section concerned, and be  
14 viewed as important by and understandable to  
15 State policymakers and the general public;

16           “(B) actions taken under the partnership  
17 agreement should be expected to have an im-  
18 pact on the objective;

19           “(C) measurable progress in achieving the  
20 objective should be expected over the period of  
21 the grant;

22           “(D) objectives should be results-oriented,  
23 including a suitable mix of outcome, process  
24 and capacity measures, and, if an objective  
25 measures process or capacity, it should be de-

1 monstrably linked to the achievement of a speci-  
 2 fied outcome for older Americans; and

3 “(E) data to track the objective shall, to  
 4 the extent practicable, be comparable for all  
 5 States, meet reasonable statistical standards for  
 6 quality, and be available in a timely fashion, at  
 7 appropriate periodicity, and at reasonable cost,  
 8 and, with respect to core objectives, shall in-  
 9 clude as appropriate the data specified in sec-  
 10 tion 202(a)(19), collected in accordance with  
 11 the uniform procedures established pursuant to  
 12 section 202(a)(29).

13 “(c) STATE PERFORMANCE PARTNERSHIP PRO-  
 14 POSAL.—

15 “(1) IN GENERAL.—In order to meet the re-  
 16 quirements of this subsection, a performance part-  
 17 nership proposal submitted to the Assistant Sec-  
 18 retary by a State agency under title III or VII shall  
 19 contain—

20 “(A) a list of one or more objectives (de-  
 21 rived from the performance partnership objec-  
 22 tives specified under subsection (b)) toward  
 23 which the State will work and a performance  
 24 target for each objective which the applicant  
 25 will seek to achieve by the end of the partner-

1 ship period (which shall be coterminous by the  
2 period covered by the State plan under section  
3 307);

4 “(B) a rationale for the applicant’s selec-  
5 tion of its objectives, including its performance  
6 targets, and timeframes;

7 “(C) a statement of the applicant’s strate-  
8 gies for achieving the objectives over the course  
9 of the grant period;

10 “(D) a statement of the estimated amount  
11 to be expended to carry out each strategy; and

12 “(E) an assurance that the State will re-  
13 port to the Assistant Secretary, not later than  
14 60 days after the end of each fiscal year, on  
15 progress in the State toward accomplishing core  
16 performance objectives specified under sub-  
17 section (b)(1)(B) (regardless of whether it is  
18 working toward those objectives) and the spe-  
19 cific objectives toward which the State is work-  
20 ing under the performance partnership.

21 A State may select an objective that is not a speci-  
22 fied performance partnership objective under sub-  
23 section (b)(1)(A) if it demonstrates to the Assistant  
24 Secretary that the objective relates to a significant  
25 concern of older Americans in the State that would

1 not otherwise be addressed appropriately (and that  
2 a suitable performance indicator exists to measure  
3 progress toward the objective).

4 “(2) ELEMENTS OF STATE PROPOSALS RELAT-  
5 ING TO SPECIAL POPULATIONS.—Each State pro-  
6 posal for a performance partnership under title III  
7 or VII shall, as appropriate, include objectives—

8 “(A) designed, in consultation with tribal  
9 governments (or their representatives) to ad-  
10 dress the needs of older Indians or Native Ha-  
11 waiians within the State and to ensure that an  
12 appropriate and equitable share of State fund-  
13 ing under such title is used to meet such needs;  
14 and

15 “(B) designed to give priority to activities  
16 addressing the needs of vulnerable older individ-  
17 uals in the State.

18 “(d) NEGOTIATIONS AND ADJUSTMENT.—

19 “(1) INITIAL NEGOTIATIONS.—In the negotia-  
20 tions concerning a proposed performance partner-  
21 ship agreement submitted under this section, the As-  
22 sistant Secretary shall—

23 “(A) consider the extent to which the  
24 State’s proposed objectives, performance tar-  
25 gets, timeframes, and strategies are likely to

1 address appropriately the most significant  
2 needs of older Americans (as measured by ap-  
3 plicable indicators) within the State, including  
4 the needs of vulnerable populations, and

5 “(B) give particular consideration to the  
6 State’s proposed performance partnership in  
7 addressing progress toward the core set of per-  
8 formance partnership objectives.

9 “(2) ADJUSTMENT.—The Assistant Secretary  
10 and a State may at any time in the course of a per-  
11 formance partnership renegotiate, and revise by mu-  
12 tual agreement, the elements of the partnership  
13 agreement in light of new information or changed  
14 circumstances (including information or changes  
15 identified during assessments or on-site reviews  
16 under subsection (e)).

17 “(e) ANNUAL ASSESSMENTS; PERIODIC ON-SITE RE-  
18 VIEWS.—

19 “(1) ASSESSMENTS.—The Assistant Secretary  
20 shall assess annually with respect to performance  
21 partnerships under each of titles III and VII, on the  
22 basis of the report submitted by a State under sub-  
23 section (c)(1)(E)—

1           “(A) the progress achieved nationally to-  
2           ward each of the objectives in the core set of  
3           performance partnership objectives; and

4           “(B) in consultation with each State, the  
5           State’s progress toward each objective agreed  
6           upon in the performance partnership under  
7           such title.

8           The Assistant Secretary shall make assessments  
9           publicly available.

10           “(2) PERIODIC ON-SITE REVIEWS.—The Assist-  
11           ant Secretary shall conduct an on-site review of each  
12           State’s adherence to its performance partnership  
13           agreement under title III or VII not less often than  
14           every five years.

15           “(f) INCENTIVE AWARDS FOR EFFECTIVE PERFORM-  
16           ANCE.—From amounts reserved under section 304(a), the  
17           Assistant Secretary may make an incentive award to any  
18           State determined, on the basis of assessments or on-site  
19           reviews under subsection (e) or other investigation, to have  
20           performed effectively under a performance partnership  
21           agreement under title III or VII and to have made signifi-  
22           cant progress toward meeting core national objectives. In-  
23           centive awards made to States shall be available only for  
24           use in furnishing additional services under the State’s  
25           agreement under such title.”.

1 (c) DEFINITIONS.—Section 102 is amended by add-  
 2 ing at the end the following new paragraph:

3 “(45)(A) The term ‘performance indicator’  
 4 means a quantifiable characteristic used as a meas-  
 5 urement.

6 “(B) The term ‘performance target’ means a  
 7 numerical value sought to be achieved within a spec-  
 8 ified period of time.”.

9 **SEC. 102. FUNDING OF PERFORMANCE PARTNERSHIP AD-**  
 10 **MINISTRATIVE COSTS AND INCENTIVE**  
 11 **AWARDS.**

12 (a) STATE ADMINISTRATIVE COSTS RELATED TO  
 13 PERFORMANCE PARTNERSHIPS.—Section 308 is amended  
 14 by adding at the end the following new subsection:

15 “(d) In addition to amounts otherwise available under  
 16 this section, each State may use, for costs relating to the  
 17 administration of performance partnerships under this  
 18 title and title VII, including costs of developing, negotiat-  
 19 ing, administering, monitoring, evaluating, and reporting  
 20 on performance under, such partnerships, such additional  
 21 amounts from the allotment to the State under section  
 22 304 (not to exceed 2 percent of such allotment) as the  
 23 Assistant Secretary may permit.”.

24 (b) SET-ASIDE FOR INCENTIVE AWARDS.—

25 (1) IN GENERAL.—Section 304 is amended—

1 (A) by redesignating subsections (a)  
2 through (e) as subsections (b) through (f); and

3 (B) by inserting after “SEC. 304.” The fol-  
4 lowing new subsection:

5 “(a) RESERVATION OF FUNDS FOR PERFORMANCE  
6 PARTNERSHIP INCENTIVE AWARDS.—From each of the  
7 sums appropriated under section 303 for each fiscal year,  
8 the Assistant Secretary may reserve up to 10 percent for  
9 performance incentive awards to States in accordance with  
10 section 205(f).”.

11 (2) CONFORMING AMENDMENT.—Section  
12 304(b), as redesignated by subsection (a), is amend-  
13 ed by striking “from the sums appropriated” and in-  
14 serting “from the amounts remaining, after applica-  
15 tion of subsection (a), from the sums appropriated”.

16 **SEC. 103. RESPONSIBILITIES OF STATES.**

17 (a) UNDER BASIC STATE GRANTS PROGRAM.—Title  
18 III is amended by inserting after section 305 the following  
19 new section:

20 “PERFORMANCE PARTNERSHIPS

21 “SEC. 304A. (a) GOALS.—The goals of this section  
22 are for the States and the Federal Government, working  
23 together in a partnership, to accomplish the purposes  
24 specified in section 301(a).

25 “(b) PERFORMANCE PARTNERSHIP AS ELEMENT OF  
26 STATE PLAN.—In order to be eligible to receive a grant

1 from its allotment under this title, except as provided in  
2 section 309(a), a State shall propose to and negotiate with  
3 the Assistant Secretary a performance partnership agree-  
4 ment in accordance with the provisions of this section and  
5 section 202A, and shall include such agreement as part  
6 of the State plan under section 307.

7 “(c) ADVISORY COUNCIL.—The State shall establish  
8 an Advisory Council, with members including representa-  
9 tives of other State agencies administering programs serv-  
10 ing the elderly, private entities providing services under  
11 the State plan, and older individuals (with appropriate ef-  
12 forts to include members of minority groups), whose re-  
13 sponsibilities shall include—

14 “(1) reviewing and commenting on the State’s  
15 proposed performance partnership agreement under  
16 this section (and such comments shall be included  
17 with the State plan submission under section 307);  
18 and

19 “(2) evaluating and reporting on the State’s  
20 performance under the final agreement negotiated  
21 with the Assistant Secretary.”.

22 (b) UNDER VULNERABLE ELDER RIGHTS PROTEC-  
23 TION PROGRAM.—Title VII is amended by inserting after  
24 section 704 the following new section:

1                   “PERFORMANCE PARTNERSHIPS

2           “SEC. 704A. (a) GOALS.—The goals of this section  
3 are for the States and the Federal Government, working  
4 together in a partnership, to protect the rights of vulner-  
5 able older individuals and to prevent elder abuse, neglect,  
6 and exploitation.

7           “(b) STATE PERFORMANCE PARTNERSHIP AS ELE-  
8 MENT OF STATE PLAN.—In order to be eligible to receive  
9 a grant from its allotment under this title, a State shall  
10 propose to and negotiate with the Assistant Secretary a  
11 performance partnership agreement in accordance with  
12 the provisions of this section and section 202A, and shall  
13 include such agreement as part of the State plan under  
14 section 307.

15           “(c) ADVISORY COUNCIL.—The responsibilities of the  
16 advisory council established by the State pursuant to sec-  
17 tion 305A(e) State shall include—

18                   “(A) reviewing and commenting on the State’s  
19 proposed performance partnership agreements under  
20 this title (and such comments shall be included with  
21 the State plan submission under section 307); and

22                   “(B) evaluating and reporting on the State’s  
23 performance under the final agreement negotiated  
24 with the Assistant Secretary under this title.”.

1 (c) STATE PLAN REQUIREMENT.—Section 307(a) is  
 2 amended in the first sentence by striking “which meets  
 3 such criteria” and inserting “which includes the perform-  
 4 ance partnership agreements under this title and title VII  
 5 negotiated with the Assistant Secretary under sections  
 6 202A, 305A, and 704A, and meets such other criteria”.

7 **SEC. 104. AREA PLANS: REORGANIZATION, STREAMLINING,**  
 8 **AND INCORPORATION OF PERFORMANCE**  
 9 **PARTNERSHIPS.**

10 (a) AREA PLAN REQUIREMENTS.—Section 306(a) is  
 11 amended—

12 (1) in the matter preceding paragraph (1), by  
 13 striking “Each such plan shall—” and inserting  
 14 “Each such plan shall comply with the following re-  
 15 quirements:”;

16 (2) in paragraph (1), to read as follows:

17 “(1) SERVICES PROVIDED.—The plan shall pro-  
 18 vide for the furnishing, through a comprehensive  
 19 and coordinated system, of services the need for  
 20 which has been determined pursuant to paragraph  
 21 (3), and which are designed to meet the performance  
 22 objectives specified under paragraph (4), including—

23 “(A) supportive services (including at least  
 24 the service specified in paragraph (2);

25 “(B) nutrition services; and

1           “(C) where appropriate, the establishment,  
2 maintenance, or construction of multipurpose  
3 senior centers.”;

4           (3) in paragraph (2)—

5           (A) by inserting “PRIORITY SERVICES.—  
6 The plan shall” after “(2)”;

7           (B) by striking “section 307(a)(22)” and  
8 inserting “section 307(a)(2)”;

9           (C) by striking “and specify annually in  
10 such plan, as submitted or as amended” and in-  
11 serting “and assurances that the area agency  
12 will report annually to the State agency”; and

13           (D) by striking the semicolon at the end  
14 and inserting a period;

15           (4) by striking paragraphs (3) (designation of  
16 focal points for service delivery in each community)  
17 and (4) (information and assistance services);

18           (5) by inserting after paragraph (2) the follow-  
19 ing new paragraphs:

20           “(3) DETERMINATION OF NEEDS.—The plan  
21 shall provide for determining the extent of need for  
22 the services specified in paragraphs (1) and (2) in  
23 the area taking into consideration, among other  
24 things—

1           “(A) the numbers of older individuals re-  
2           siding in such area—

3                   “(i) who have low incomes,

4                   “(ii) who have greatest economic need  
5                   (with particular attention to individuals  
6                   who are members of historically disadvan-  
7                   tagged groups),

8                   “(iii) who have greatest social need  
9                   (with particular attention to individuals  
10                   who are members of historically disadvan-  
11                   tagged groups), or

12                   “(iv) who are Indians; and

13           “(B) the effectiveness of use of resources  
14           (including efforts of volunteers and voluntary  
15           organizations) in meeting such need.

16           “(4) PERFORMANCE PARTNERSHIP OBJEC-  
17           TIVES.—The plan shall identify area objectives, for  
18           purposes of the performance partnership required  
19           under sections 305A and 704A, on the basis of the  
20           determinations under paragraph (3) (and including  
21           objectives required under paragraph (5)), and shall  
22           be amended as necessary to incorporate, as appro-  
23           priate, the objectives specified in the agreements ne-  
24           gotiated by the State agency under such sections  
25           305A and 704A.”;

1 (6) in paragraph (5)—

2 (A) by inserting “OBJECTIVES FOR SERV-  
3 ICES TO OLDER INDIVIDUALS WITH GREATEST  
4 NEED.—The plan shall” after “(5)”; and

5 (B) by striking the semicolon at the end  
6 and inserting a period;

7 (7) in paragraph (6)—

8 (A) by inserting “POLICY DEVELOP-  
9 MENT.—The plan shall—” after “(6)”; and

10 (B) by striking subparagraphs (A) (evalua-  
11 tions and public hearings) and (B) (technical  
12 assistance to providers);

13 (C) by relocating and redesignating sub-  
14 paragraph (D) as subparagraph (A);

15 (D) by relocating and redesignating sub-  
16 paragraph (F) as subparagraph (B);

17 (E) by striking the semicolon at the end of  
18 subparagraph (C) and inserting a period; and

19 (F) by striking subparagraphs (E) (ar-  
20 rangements with specified organizations), (G)  
21 (methods for determining priority services), (H)  
22 (coordination among programs), (J) (identifica-  
23 tion of protective services providers), (L) (co-  
24 ordination of services for Alzheimer’s patients),  
25 (M) (coordination of mental health services),

1 (O) (information on higher education), (Q) (co-  
2 ordination with housing providers), (R) (tele-  
3 phone listings of area agencies), and (S) (co-  
4 ordination of transportation services);

5 (8) by striking paragraphs (7) through (10)  
6 (assurances that funds will be spent for the purposes  
7 awarded);

8 (9) by striking subparagraphs (I) and (K) of  
9 paragraph (6) (community-based long-term care  
10 services) and inserting after paragraph (6) the fol-  
11 lowing new paragraph:

12 “(7) COMMUNITY-BASED LONG-TERM CARE  
13 SERVICES.—The plan shall provide that the area  
14 agency will facilitate the coordination of community-  
15 based, long-term care services designed to enable  
16 older individuals to remain in their homes, by means  
17 including—

18 “(A) development of case management  
19 services as a component of the long-term care  
20 services, consistent with the requirements of  
21 paragraph (8);

22 “(B) involvement of long-term care provid-  
23 ers in the coordination of such services; and

1           “(C) increasing community awareness of  
2           and involvement in addressing the needs of resi-  
3           dents of long-care facilities.”;

4           (10) by relocating and redesignating paragraph  
5           (20) as paragraph (8), and amending such para-  
6           graph by inserting “PROVISION OF CASE MANAGE-  
7           MENT SERVICES.—The plan shall” after “(8)”;

8           (11) by redesignating paragraph (11) as para-  
9           graph (9), and amending such paragraph—

10           (A) by inserting “MAINTENANCE OF EF-  
11           FORT FOR OMBUDSMAN PROGRAM.—The plan  
12           shall” after “(9)”;

13           (B) by striking “section 307(a)(12)” and  
14           inserting “section 307(a)(9)”;

15           (C) by striking the semicolon at the end  
16           and inserting a period;

17           (12) by redesignating and relocating paragraph  
18           (6)(P) as paragraph (10), and amending such para-  
19           graph—

20           (A) by inserting “GRIEVANCE PROCE-  
21           DURE.—The plan shall” after “(10)”;

22           (B) by striking the semicolon and inserting  
23           a period;

1           (13) by striking paragraphs (6)(N), (18), and  
2           (19), and inserting after paragraph (10) the follow-  
3           ing paragraph:

4           “(11) SERVICES TO NATIVE AMERICANS.—The  
5           plan shall provide the following assurances contain-  
6           ing services to older Native Americans:

7                   “(A) If there is a significant population of  
8                   older individuals who are Indians in the area,  
9                   the area agency will pursue activities, including  
10                  outreach, to increase access of such individuals  
11                  to programs and benefits under this title.

12                  “(B) The area agency will, to the maxi-  
13                  mum extent practicable, coordinate the services  
14                  it provides under this title with services pro-  
15                  vided under title VI.”;

16           (14) by striking paragraph (12) (area option  
17           concerning volunteer services coordinator);

18           (15) by striking paragraphs (13) through (16)  
19           (description of and assurances concerning activities  
20           of area agency); and

21           (16) by redesignating paragraph (17) as para-  
22           graph (12) and amending such paragraph—

23                   (A) by inserting “SPECIAL MENUS IN NU-  
24                   TRITION PROGRAMS.—” after “(12)”;

1 (B) by striking “section 307(a)(13)(G)”  
 2 and inserting “section 307(a)(10)(D)”; and

3 (C) by striking the semicolon and inserting  
 4 a period.

5 (b) STATE WAIVERS.—Section 306(b) is amended—

6 (1) by striking paragraph (2) (procedural re-  
 7 quirements for State agency waivers to area agen-  
 8 cies); and

9 (2) by striking “(1)” after “(b)”.

10 **SEC. 105. STATE PLANS: REORGANIZATION, STREAMLINING,**  
 11 **AND INCORPORATION OF PERFORMANCE**  
 12 **PARTNERSHIPS.**

13 (a) STATE PLAN REQUIREMENTS.—Section 307(a) is  
 14 amended—

15 (1) by striking paragraphs (1) and (2) and in-  
 16 serting the following:

17 “(1) AREA PLANS AND PERFORMANCE PART-  
 18 NERSHIPS.—The plan shall—

19 “(A) require each area agency designated  
 20 under section 305(a)(2)(A) to—

21 “(i) develop and submit to the State  
 22 agency for approval, in accordance with a  
 23 uniform format developed by the State  
 24 agency, an area plan meeting the require-  
 25 ments of section 306 which specifies area

1 objectives for purposes of performance  
2 partnerships under sections 305A and  
3 704A, as required by section 306(a)(4);  
4 and

5 “(ii) amend such area plan as nec-  
6 essary to incorporate, as appropriate, ob-  
7 jectives specified in the performance part-  
8 nership agreements negotiated by the State  
9 agency under such sections 305A and  
10 704A;

11 “(B) be based on such area plans; and

12 “(C) include the performance partnership  
13 agreements negotiated by the State agency with  
14 the Assistant Secretary under such sections  
15 305A and 704A.”;

16 (2) by striking paragraphs (3)(A) (evaluation of  
17 need for services), (9) (information and assistance  
18 services), and (22) (funding shares for priority serv-  
19 ices), and amending paragraph (2) to read as fol-  
20 lows:

21 “(2) DETERMINATION OF SERVICE NEEDS.—

22 The plan shall provide that the State agency will—

23 “(A) evaluate, using uniform procedures  
24 under section 202(a)(29) the need for support-  
25 ive services (including legal assistance, informa-

1           tion and assistance, and transportation serv-  
 2           ices), nutrition services, and multipurpose sen-  
 3           ior centers within the State;

4           “(B) determine the extent to which exist-  
 5           ing public or private programs and resources  
 6           (including volunteers and programs and services  
 7           of voluntary organizations) meet such need; and

8           “(C) specify a minimum percentage of the  
 9           funds received by each area agency for part B  
 10          to be expended (unless waived by the State  
 11          agency under section 306(b)) by such area  
 12          agency to provide each of the categories of serv-  
 13          ices specified in section 306(a)(2).”;

14          (3) by striking paragraphs (3)(B) (maintaining  
 15          rural funding), (29) and (37) (rural services and  
 16          costs thereof), and (33) (intra-State funding for-  
 17          mula), and adding after paragraph (2) the following  
 18          new paragraph:

19           “(3) INTRA-STATE FUNDING REQUIREMENTS.—

20          The plan shall—

21           “(A) include (and may not be approved un-  
 22           less the Assistant Secretary approves) the state-  
 23           ment and demonstration required by para-  
 24           graphs (2) and (4) of section 305(d) (concern-  
 25           ing intra-State distribution of funds); and

1           “(B) with respect to services to older indi-  
2           viduals residing in rural areas—

3           “(i) provide assurances that the State  
4           agency will spend for each fiscal year,  
5           under this title and titles V and VII, not  
6           less than 105 percent of the amount so ex-  
7           pended for fiscal year 1978;

8           “(ii) identify, for each fiscal year  
9           under the plan, the projected costs of pro-  
10          viding such services (including the cost of  
11          providing access to such services); and

12          “(iii) describe the methods used to  
13          meet the needs for such services in the fis-  
14          cal year preceding the first year to which  
15          such plan applies.”;

16          (4) by striking paragraph (4) (methods of ad-  
17          ministration, personnel standards);

18          (5) by striking paragraph (8) (evaluations and  
19          hearings) and inserting after paragraph (3) the fol-  
20          lowing paragraph:

21          “(4) EVALUATIONS.—The plan shall provide  
22          that the State agency will conduct periodic evalua-  
23          tions of, and public hearings on, activities and  
24          projects carried out under the State plan.”;

1           (5) by striking paragraph (43) (grievance pro-  
2           cedures) and amending paragraph (5) (hearing for  
3           area agencies and providers) to read as follows:

4           “(5) HEARINGS FOR AREA AGENCIES AND PRO-  
5           VIDERS; GRIEVANCE PROCEDURES.—The plan shall  
6           provide that the State agency will—

7                   “(A) afford an opportunity for a hearing  
8                   upon request, in accordance with published pro-  
9                   cedures, to any area agency submitting a plan  
10                  under this title, or to any provider of (or appli-  
11                  cant to provide) services under such a plan; and

12                   “(B) issue guidelines applicable to griev-  
13                   ance procedures required by section  
14                   306(a)(1).”;

15           (6) in paragraph (6), by inserting  
16           “REPORTS.—” after “(6)”;

17           (7) in paragraph (7)—

18                   (A) by inserting “FISCAL CONTROLS.—”  
19                   after “(7)”;

20                   (B) by striking subparagraph (C);

21           (8) by redesignating paragraph (10) as para-  
22           graph (8) and amending such paragraph by insert-  
23           ing “RESTRICTION ON DIRECT PROVISION OF SERV-  
24           ICES.—” after “(8)”;

1           (9) by striking paragraph (11) (hiring pref-  
2           erence for older individuals and individuals trained  
3           in field of aging);

4           (10)(A) by redesignating paragraph (12) as  
5           paragraph (9), and amending such paragraph—

6                   (i) by inserting “LONG-TERM CARE OM-  
7                   BUDSMAN PROGRAM.—” after “(9)”; and

8                   (ii) by adding before the period “, and will  
9                   expend for such purpose not less than the total  
10                  amount so expended by the State agency in fis-  
11                  cal year 1991”; and

12                  (B) by striking paragraph (21);

13           (11) by redesignating paragraph (13) as para-  
14           graph (10), and amending such paragraph—

15                   (A) by inserting “NUTRITION SERVICES.—  
16                   ” after “(10)”;

17                   (B) by striking subparagraphs (B) (pri-  
18                   mary consideration to congregate meals), (D)  
19                   (accessibility of congregate meal site), (E) (out-  
20                   reach), (H) (grandfathered providers of home-  
21                   delivered meals), and (M) (nonfinancial eligi-  
22                   bility criteria); and

23                   (C)(i) by inserting “and” at the end of  
24                   subparagraph (K);

1 (ii) by striking “; and” at the end of sub-  
2 paragraph (L) and inserting a period; and

3 (iii) by redesignating subparagraph (C)  
4 and the remaining subparagraphs as subpara-  
5 graphs (B) through (H);

6 (12) by striking paragraph (14) (restrictions on  
7 use of funds under the Act for acquisition, alter-  
8 ation, or construction of facilities);

9 (13)(A) by redesignating paragraph (15) as  
10 paragraph (11), and amending such paragraph—

11 (i) by inserting “LEGAL ASSISTANCE.—”  
12 after “(11)””; and

13 (ii)(I) by striking “and” at the end of sub-  
14 paragraph (D); and

15 (II) by striking the period at the end of  
16 subparagraph (E) and inserting “; and”; and

17 (B)(i) by amending paragraph (18) by striking  
18 all that precedes “assign personnel” and inserting  
19 “the State will”; and

20 (ii) by relocating and redesignating such para-  
21 graph (18) as paragraph (11)(F);

22 (14) by redesignating paragraph (16) as para-  
23 graph (12), and amending such paragraph by insert-  
24 ing “PREVENTION OF ABUSE.—” after “(12)”;

1           (15) by striking paragraph (17) (in-service per-  
2           sonnel training);

3           (16) by striking paragraph (19) (guarantees  
4           that area agencies may give grants or contracts to  
5           providers of education and training services);

6           (17) by redesignating paragraph (20) as para-  
7           graph (13), and amending such paragraph by insert-  
8           ing “OLDER INDIVIDUALS OF LIMITED ENGLISH-  
9           SPEAKING ABILITY.—”;

10          (18) by redesignating paragraph (23) as para-  
11          graph (14), and amending such paragraph by insert-  
12          ing “SPECIAL NEEDS POPULATIONS.—” after  
13          “(14)”;

14          (19) by redesignating paragraph (24) as para-  
15          graph (15), and amending such paragraph by insert-  
16          ing “OUTREACH.—” after “(15)”;

17          (20) by redesignating paragraph (25) as para-  
18          graph (16), and amending such paragraph by insert-  
19          ing “OLDER INDIVIDUALS WITH SEVERE DISABIL-  
20          ITIES.—” after “(15)”;

21          (21) by redesignating paragraph (26) as para-  
22          graph (17), and amending such paragraph—

23                  (A) by inserting “COMMUNITY-BASED  
24                  SERVICES.—

1 (A) LONG-TERM CARE SERVICES.—” after  
2 “(26)”;

3 (B) by striking “section 306(a)(6)(I)” and  
4 inserting “section 306(a)(6)(D)”;

5 (22) by relocating and redesignating paragraph  
6 (44) as paragraph (17)(B);

7 (23) by striking paragraph (27) (assurances  
8 concerning part D in-home services program);

9 (24) by striking paragraph (28) (assurances  
10 concerning part E special needs program);

11 (25) by redesignating paragraph (30) as para-  
12 graph (18), and amending such paragraph by insert-  
13 ing “TITLE VII PROGRAM.—” after “(18)”;

14 (26) by striking paragraph (31) (State volun-  
15 teer services coordinator);

16 (27) by redesignating paragraph (32) as para-  
17 graph (19), and amending such paragraph by insert-  
18 ing “TECHNICAL ASSISTANCE TO PROVIDERS.—”  
19 after “(19)”;

20 (28)(A) by redesignating paragraph (34) as  
21 paragraph (20), and amending such paragraph by  
22 inserting “OLDER NATIVE AMERICANS.—(A)” after  
23 “(34)”;

24 (B) by redesignating subparagraphs (A) and  
25 (B) of paragraph (35) as clauses (i) and (ii), and re-

1 designating and relocating such paragraph (35) as  
2 subparagraph (B) of paragraph (20);

3 (29) by redesignating paragraph (36) as para-  
4 graph (21), and amending such paragraph by insert-  
5 ing “CASE MANAGEMENT PROVIDERS.—” after  
6 “(21)”;

7 (30) by striking paragraphs (38) and (39) (as-  
8 surances concerning use of funds);

9 (31) by striking paragraph (40) (assurances  
10 concerning part G program for in-home caretakers);

11 (32) by striking paragraph (41) (efforts to co-  
12 ordinate services and provide multigenerational ac-  
13 tivities); and

14 (33) by striking paragraph (42) (coordination  
15 of transportation services).

16 **SEC. 106. EFFECTIVE DATE.**

17 The amendments made by this title shall become ef-  
18 fective with respect to a State on the effective date of the  
19 first State plan under section 307 of the Older Americans  
20 Act of 1965 that takes effect one year or later after the  
21 enactment of this Act.

1    **TITLE II—OTHER AMENDMENTS TO THE**  
2            **OLDER AMERICANS ACT OF 1965**  
3            **PART A—ADMINISTRATION ON AGING**

4    **SEC. 201. NATIONAL ELDERCARE LOCATOR SERVICE.**

5        Section 202(a)(24) is amended to read as follows:

6            “(24) develop and operate, either directly or  
7        through contracts, grants, or cooperative agree-  
8        ments, a National Eldercare Locator Service, provid-  
9        ing nationwide toll-free information and assistance  
10       services to identify community resources for older in-  
11       dividuals;”.

12   **SEC. 202. AUTHORIZATIONS OF APPROPRIATIONS.**

13        (a) FEDERAL COUNCIL ON THE AGING.—Section  
14   204(g) is amended by striking all that follows “to carry  
15   out this section” and inserting “\$226,000 for fiscal year  
16   1996 and such sums as necessary for each of fiscal years  
17   1997 and 1998.”.

18        (b) ADMINISTRATION ON AGING.—Section 215 is  
19   amended to read as follows:

20        “SEC. 215. There are authorized to be appropriated,  
21   for carrying out the responsibilities of the Administration  
22   on Aging under this title—

23            “(1) for fiscal year 1996, \$18,149,000, plus  
24        such additional sums as may be necessary to carry  
25        out responsibilities with respect to programs under

1 section 311 and title V transferred to the Adminis-  
 2 tration on Aging by the Older Americans Act  
 3 Amendments of 1995, and

4 “(2) such sums as may be necessary for each  
 5 of fiscal years 1997 and 1998,

6 of which up to \$1,000,000 for each such fiscal year shall  
 7 be available for operation of the National Eldercare Loca-  
 8 tor Service under section 202(a)(24).”.

9 **PART B—STATE AND COMMUNITY PROGRAMS ON**  
 10 **AGING**

11 **SEC. 211. CLARIFICATION CONCERNING SERVICES TO**  
 12 **NONELDERLY.**

13 Section 301 is amended by adding at the end of fol-  
 14 lowing new subsection:

15 “(d) SCOPE OF SERVICES; USE OF FUNDS.—

16 “(1) RESTRICTED USE OF RESOURCES UNDER  
 17 ACT.—Federal funds paid to States under this title,  
 18 and cash and in-kind contributions required by sec-  
 19 tion 304(e) (as redesignated by section 102 of this  
 20 Act) as the non-Federal share of expenditures under  
 21 this title, shall be used only for activities and serv-  
 22 ices to benefit older individuals and other individuals  
 23 as specifically provided in this title.

24 “(2) RESTRICTION INAPPLICABLE TO OTHER  
 25 RESOURCES.—Neither paragraph (1) nor any other

1 provision of this title shall be construed to prohibit  
 2 State or area agencies on aging from engaging in ac-  
 3 tivities or providing services to benefit individuals  
 4 not described in paragraph (1) using cash or in-kind  
 5 resources from sources not described in paragraph  
 6 (1).”.

7 **SEC. 212. COORDINATION OF SERVICES FOR INDIVIDUALS**  
 8 **WITH DISABILITIES UNDER AREA PLANS.**

9 Section 306(a) (as amended by section 104 of this  
 10 Act) is further amended by inserting after paragraph (3)  
 11 the following new paragraph:

12 “(4) provide assurances that the area agency on  
 13 aging will coordinate planning, identification, assess-  
 14 ment of needs, and service for older individuals with  
 15 disabilities, with particular attention to individuals  
 16 with severe disabilities, with agencies that develop or  
 17 provide services for individuals with disabilities.”.

18 **SEC. 213. ELIGIBILITY OF OLDER INDIANS FOR SERVICES**  
 19 **UNDER AREA PLANS.**

20 (a) UNDER AREA PLANS.—Section 306(a)(18) is  
 21 amended by inserting before the semicolon “, including as-  
 22 surances that, notwithstanding any provision of this Act  
 23 restricting eligibility for services to individuals aged 60 or  
 24 older, it will make services under the area plan available,  
 25 to the same extent as such services are available to older

1 individuals within the service area, to older Indians eligible  
 2 for services under an approved plan under title VI”.

3 (b) UNDER GRANTS FOR NATIVE AMERICANS.—Sec-  
 4 tions 602, 611, 613, and 614 are each amended by strik-  
 5 ing “individuals who are” each place it appears.

6 **SEC. 214. STATE OPTION FOR COST SHARING.**

7 (a) STATE PLAN REQUIREMENT.—Section 307(a) (as  
 8 amended by section 105 of this Act) is further amended  
 9 by adding at the end the following new paragraph:

10 “(31) If the State elects to require cost sharing by  
 11 recipients of services under the State plan (or to require  
 12 or permit area agencies on aging to require cost sharing  
 13 by recipients of services under area plans), the plan  
 14 shall—

15 “(A) provide that no cost sharing shall be  
 16 required for—

17 “(i) information and assistance, out-  
 18 reach, or case management services;

19 “(ii) ombudsman or other protective  
 20 services; or

21 “(iii) congregate or home-delivered  
 22 nutrition services; and

23 “(B)(i) exempt from cost-sharing require-  
 24 ments individuals with incomes below a low-in-  
 25 come threshold set by the State, and

1           “(ii) set cost-sharing rates for individuals  
2           with incomes above such threshold on a sliding-  
3           fee scale based on income.”.

4           (b) **AREA PLAN REQUIREMENT.**—Section 306(a) (as  
5 amended by section 104 of this Act) is further amended—

6           (1) by striking the period at the end of para-  
7           graph (11) and inserting a semicolon; and

8           (2) by adding at the end the following new  
9           paragraph:

10           “(12) provide assurances that any requirements  
11           for cost-sharing by recipients of services under the  
12           plan will be consistent with the provisions of the  
13           State plan under section 307(a)(31)”.

14 **SEC. 215. STATE OPTION CONCERNING CONSUMER-DI-**  
15 **RECTED SERVICES.**

16           Section 307(a) (as amended by sections 105 and 214  
17 of this Act) is further amended by adding at the end the  
18 following new paragraph:

19           “(32) the plan shall specify—

20           “(A) whether (and if so, with respect to  
21           which supportive or nutrition services) the State  
22           elects to permit area agencies on aging—

23           “(i) to provide services to older indi-  
24           viduals through direct contracts with the  
25           individuals delivering such services; or

1           “(ii) to provide vouchers or cash to  
2           older individuals to permit such older indi-  
3           viduals to contract with individuals or enti-  
4           ties for the delivery of such services (and,  
5           if so, any requirements for the setting of  
6           payment rates or amounts);

7           “(B) the qualifications and other require-  
8           ments that must be met by individuals and enti-  
9           ties providing services under such arrange-  
10          ments; and

11          “(C) whether (and, if so, the conditions  
12          under which) services may be provided to an  
13          older individual by a family member under such  
14          an arrangement.”.

15 **SEC. 216. TRANSFER OF FUNDS BETWEEN PROGRAMS.**

16          (a) STREAMLINING OF GENERAL RULES.—Section  
17 308(b) is amended—

18           (1) in paragraph (4)—

19           (A) by striking “(A)” after “(4)”; and

20           (B) by striking subparagraph (B) (Assist-  
21          ant Secretary’s discretion to permit State to  
22          transfer additional amounts between congregate  
23          and home-delivered meal programs); and

1           (2) in paragraph (5) (authority to transfer  
2 funds between nutrition and services programs), to  
3 read as follows:

4           “(5) Of the funds received by a State for a fiscal year  
5 from funds appropriated under subsections (a)(1), and (b)  
6 (1) and (2), of section 303, the State may elect to transfer  
7 not more than 20 percent between programs under part  
8 B and part C, for use as the State considers appropriate.”.

9           (b) WAIVER AUTHORITY.—For the Assistant Sec-  
10 retary’s authority to waive limitations on amounts trans-  
11 ferable between programs, see section 219 of this Act,  
12 adding a new section 314.

13 **SEC. 217. AVAILABILITY OF DISASTER RELIEF FUNDS TO**  
14 **TRIBAL ORGANIZATIONS.**

15 Section 310 is amended—

16           (1) in subsection (a)(1)—

17                   (A) by inserting “(or to any tribal organi-  
18 zation receiving a grant under title VI)” after  
19 “any State”; and

20                   (B) by inserting “(or used by such tribal  
21 organization)” before “for the delivery of sup-  
22 portive services”;

23           (2) in subsection (a)(2), by inserting “and trib-  
24 al organizations” after “States”; and

1           (3) in subsection (a)(3), by inserting “or tribal  
2           organization” after “State” each place it appears;  
3           and

4           (4) in subsections (b)(1) and (c), by inserting  
5           “and tribal organizations” after “States”.

6 **SEC. 218. NUTRITION SERVICES INCENTIVE PROGRAM.**

7           (a) ESTABLISHMENT OF PROGRAM.—Section 311, in-  
8           cluding the heading thereof, is amended to read as follows:

9           “NUTRITION SERVICES INCENTIVE PROGRAM  
10           “SEC. 311. (a) PURPOSE.—The purpose of the pro-  
11           gram under this section is to provide incentives to encour-  
12           age and reward effective performance by States and tribal  
13           organizations in the efficient delivery of nutritious meals  
14           to older Americans.

15           “(b) PAYMENTS TO TRIBAL ORGANIZATIONS.—

16           (1) FUNDING.—the Assistant Secretary shall  
17           reserve 3 percent of the total amount appropriated  
18           for a fiscal year under subsection (d) for payment to  
19           tribal organizations in accordance with paragraph  
20           (2).

21           “(2) ALLOTMENT AND PAYMENT.—The Assist-  
22           ant Secretary shall allot and pay, to each tribal or-  
23           ganization with a plan approved under title VI for  
24           a fiscal year, an amount bearing the same ratio to  
25           the total amount reserved under paragraph (1) as  
26           the number of meals served by such tribal organiza-

1       tion, under such plan approved for the preceding fis-  
2       cal year, bears to the total number of meals served  
3       by all tribal organizations under all such plans ap-  
4       proved for such preceding fiscal year.

5       “(c) PAYMENTS TO STATES.—

6           (1) FUNDING.—The Assistant Secretary shall  
7       allot among the States for each fiscal year, in ac-  
8       cordance with paragraph (2), the balance of  
9       amounts appropriated under subsection (d) remain-  
10      ing after application of subsection (b).

11          “(2) ALLOTMENT AND PAYMENT.—The Assist-  
12      ant Secretary shall allot and pay, to each State  
13      agency with a plan approved under this title for a  
14      fiscal year, an amount bearing the same ratio to the  
15      total amount reserved under paragraph (1) as the  
16      number of meals served in the State, under such  
17      plan approved for the preceding fiscal year, bears to  
18      the total number of meals served in all States under  
19      all such plans approved for such preceding fiscal  
20      year.

21          “(d) AUTHORIZATION OF APPROPRIATIONS.—For  
22      carrying out the purposes of this section, there are author-  
23      ized to be appropriated \$151,250,000 for fiscal year 1996  
24      and such sums as may be necessary for each of fiscal years  
25      1997 and 1998.”.

1 (b) ELIMINATION OF MAINTENANCE OF EFFORT.—  
 2 Section 339A is repealed.

3 **SEC 219. WAIVERS OF CERTAIN REQUIREMENTS FOR STATE**  
 4 **PROGRAMS.**

5 (a) GENERAL WAIVER AUTHORITY.—Part A of title  
 6 III is amended by adding at the end the following new  
 7 section:

8 “WAIVERS

9 “SEC. 315. (a) IN GENERAL.—The Assistant Sec-  
 10 retary may waive any of the provisions enumerated in sub-  
 11 section (b) with respect to a State, upon application by  
 12 the State agency containing or accompanied by docu-  
 13 mentation sufficient to establish, to the satisfaction of the  
 14 Assistant Secretary, that—

15 “(1) approval of the State legislature has been  
 16 obtained or is not required;

17 “(2) the State agency has consulted with area  
 18 agencies on aging with respect to the proposal for  
 19 which waiver is sought;

20 “(3) such proposal has been made available for  
 21 public review and comment within the State (and a  
 22 summary of comments received shall be included  
 23 with the application); and

24 “(4) the State agency has given adequate con-  
 25 sideration to the probable positive and negative con-  
 26 sequences of approval of the waiver application, and

1 the probable benefits for older individuals can rea-  
2 sonably be expected to outweigh any negative con-  
3 sequences, or particular circumstances in the State  
4 otherwise justify the waiver.

5 “(b) REQUIREMENTS SUBJECT TO WAIVER.—The  
6 provisions of this title that may be waived under this sec-  
7 tion are—

8 “(1) any provisions of sections 305, 306, and  
9 307 requiring statewide uniformity of programs  
10 under this title, to the extent necessary to permit  
11 demonstrations, in limited areas of a State, of inno-  
12 vative approaches to assist older individuals;

13 “(2) any area plan requirement under section  
14 306(a);

15 “(3) any State plan requirement under section  
16 307(a);

17 “(4) any restriction, under section 308(b) (4)  
18 or (5), on the amount that may be transferred be-  
19 tween programs under part B and part C, or be-  
20 tween programs under subpart 1 and subpart 2 of  
21 part C; and

22 “(5) all or any part of the reduction in allot-  
23 ment required under section 309(c) with respect to  
24 a State which reduces expenditures under its State  
25 plan (but only to the extent that the non-Federal

1 share of expenditures is not reduced below any mini-  
2 mum specified in section 304(d) or any other provi-  
3 sion of this title.”.

4 (b) CONFORMING AMENDMENT.—Section 307(b) is  
5 amended—

6 (1) by striking “paragraph (2) (waiver of main-  
7 tenance of effort for rural areas);” and

8 (2) by striking “(1)” after “(b)”.

9 **SEC. 220. CONSOLIDATION OF AUTHORITIES FOR SUPPORT-**  
10 **IVE SERVICES AND SENIOR CENTERS.**

11 (a) COMMUNITY-BASED CARE AND SERVICES.—Sec-  
12 tion 321(a)(5) is amended by striking “including” and all  
13 that follows and inserting “including—

14 “(A) client assessment, case management,  
15 and development and coordination of commu-  
16 nity services;

17 “(B) in-home services for frail older indi-  
18 viduals (including supportive services for vic-  
19 tims of Alzheimer’s disease and related dis-  
20 orders with neurological and organic brain dys-  
21 function, and for the families of such individ-  
22 uals);

23 “(C) supportive activities to meet the spe-  
24 cial needs of caregivers, including caretakers

1           who provide in-home services to frail older indi-  
2           viduals;

3           “(D) in-home and other community serv-  
4           ices, including home health, homemaker, shop-  
5           ping, escort, reader, and letter writing services,  
6           to assist older individuals to live independently  
7           in a home environment;”.

8           (b) DISEASE PREVENTION AND HEALTH PRO-  
9           MOTION.—Section 321(a)(8) is amended by inserting “dis-  
10          ease prevention and health promotion services and infor-  
11          mation, including” after “(8)”.

12          (c) GENERAL AUTHORITY.—Section 321(a)(22) is  
13          amended by inserting “necessary for the general welfare  
14          of older individuals” after “any other services”.

15          (d) RELOCATION OF DEFINITIONS.—

16               (1) Section 342 (definition of “in-home serv-  
17               ices”) is relocated and redesignated as paragraph  
18               (46) of section 102, and is amended by striking  
19               “For purposes of this part, the term” and inserting  
20               “The term”.

21               (2) Section 363 (definition of “disease preven-  
22               tion and health promotion services”) is relocated and  
23               redesignated as paragraph (47) of section 102, and  
24               is amended by striking “For purposes of this part,  
25               the term” and inserting “The term”.

1 (e) REPEAL OF SUPERSEDED AUTHORITIES.—

2 (1) SUBSTANTIVE AUTHORITY.—Part D (In-  
3 Home Services for Frail Older Individuals), part E  
4 (Additional Assistance for Special Needs of Older  
5 Individuals), part F (Disease Prevention and Health  
6 Promotion Services), and part G (Supportive Activi-  
7 ties for Caretakers Who Provide In-Home Services  
8 to Frail Older Individuals) are repealed.

9 (2) AUTHORIZATION OF APPROPRIATIONS.—(A)  
10 REPEALS; REDESIGNATION.—Section 303 is amend-  
11 ed by striking subsections (d), (e), (f), and (g), and  
12 by redesignating subsection (h) as subsection (d).

13 (B) CONFORMING AMENDMENT.—Sections  
14 202(a)(24) and 304(b)(2) are each amended by  
15 striking “303(h)” and inserting “303(d)”.

16 **SEC. 221. CONSOLIDATION OF AUTHORITIES FOR NUTRI-**  
17 **TION SERVICES.**

18 (a) SCHOOL-BASED MEALS AS CONGREGATE NUTRI-  
19 TION SERVICES.—

20 (1) Section 331 is amended by inserting “(a) IN  
21 GENERAL.—” after “331.”.

22 (2) Section 338(a) is relocated and redesignated  
23 as subsection (b) of section 331, and is amended, in  
24 the matter preceding paragraph (1), by striking all

1 that precedes “projects” and inserting instead the  
2 following:

3 “(b) SCHOOL-BASED MEALS AND MULTIGENERA-  
4 TIONAL PROGRAMS.—The State may include, in programs  
5 under this section,”.

6 (b) REPEAL OF SUPERSEDED AUTHORITY.—

7 (1) SUBSTANTIVE AUTHORITY.—Part C of title  
8 III is amended by striking subpart 3 and redesignat-  
9 ing subpart 4 as subpart 3.

10 (2) AUTHORIZATION OF APPROPRIATIONS.—  
11 Section 303(b)(3) is repealed.

12 **SEC. 222. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) SUPPORTIVE SERVICES AND SENIOR CENTERS.—  
14 Section 303(a)(1) is amended by striking all that precedes  
15 “for the purpose” and inserting “There are authorized to  
16 be appropriated \$306,711,000 for fiscal year 1996 and  
17 such sums as may be necessary for each of fiscal years  
18 1997 and 1998,”.

19 (b) CONGREGATE NUTRITION SERVICES.—Section  
20 303(b)(1) is amended by striking all that precedes “for  
21 the purpose” and inserting “There are authorized to be  
22 appropriated \$375,809,000 for fiscal year 1996 and such  
23 sums as may be necessary for each of fiscal years 1997  
24 and 1998,”.

1 (c) HOME-DELIVERED NUTRITION SERVICES.—Sec-  
 2 tion 303(b)(2) is amended by striking all that precedes  
 3 “for the purpose” and inserting “There are authorized to  
 4 be appropriated \$94,065,000 for fiscal year 1996 and  
 5 such sums as may be necessary for each of fiscal years  
 6 1997 and 1998,”.

7 **PART C—RESEARCH, DEVELOPMENT, AND**  
 8 **DEMONSTRATIONS**

9 **SEC. 231. REVISION OF TITLE IV.**

10 Title IV is amended by striking all that follows the  
 11 heading of the title and inserting the following:

12 “STATEMENT OF PURPOSE

13 “SEC. 401. (a) It is the purpose of this title to expand  
 14 the Nation’s knowledge and understanding of aging and  
 15 the aging process; to design, test, and promote utilization  
 16 of innovative ideas and best practices in programs and  
 17 services for older individuals; to help meet the needs for  
 18 trained personnel in the field of aging; and to increase  
 19 the awareness of citizens of all ages of the need to assume  
 20 personal responsibility for their own aging through—

21 “(1) education and training to develop an ade-  
 22 quately trained workforce to work with and on be-  
 23 half of older individuals;

24 “(2) research and policy analysis to improve ac-  
 25 cess to and delivery of services;

1           “(3) development of methods and practices to  
2 improve quality and effectiveness of services;

3           “(4) demonstration of new approaches to de-  
4 sign, delivery and coordination of programs and  
5 services;

6           “(5) technical assistance on planning, develop-  
7 ment, implementation, evaluation, and improvement  
8 of programs and services under this Act; and

9           “(6) dissemination of information on aging is-  
10 sues, their impact on individuals and society, and  
11 programs and services benefiting older individuals.

12       “(b) ACTIVITIES GIVEN SPECIAL ATTENTION.—The  
13 activities supported under this title are intended to fulfill  
14 the objectives for older Americans specified in section 101,  
15 with special attention to the service and advocacy goals  
16 expressed in section 301(a)(1) (A), (B), (C) and (D) and  
17 section 601, and to the special population groups identi-  
18 fied as vulnerable and at risk throughout the Act.

19           “Part A—Education and Training

20                           “PURPOSE

21       “SEC. 410. The purpose of this part is to improve  
22 the quality of service and to help meet critical shortages  
23 of adequately trained personnel for programs in the field  
24 of aging by activities including—



1 individual, for activities to achieve the purposes of this part,  
2 including—

3           “(1) development and improvement of multi-  
4 disciplinary education and training programs (in-  
5 cluding expansion and improvement of curricula, in-  
6 structional methods and materials, faculty and  
7 teacher development, and program administration)  
8 in academic institutions and other educational orga-  
9 nizations which prepare individuals for employment  
10 in programs and occupations serving older individ-  
11 uals;

12           “(2) development and improvement of continu-  
13 ing education and in-service training opportunities  
14 for individuals already working in the field of aging,  
15 including the personnel of State offices, area agen-  
16 cies on aging, senior centers, and nutrition, counsel-  
17 ing, ombudsman, adult protective services, and legal  
18 assistance programs; and

19           “(3) development of curriculum and guidance  
20 materials for students in secondary and vocational  
21 schools to encourage them to pursue employment  
22 and careers in the field of aging.

23           “(b) PROJECTS GIVEN SPECIAL CONSIDERATION.—  
24 To achieve the purposes of this title, the Assistant Sec-

1 retary shall give special consideration to the support of  
2 projects that—

3           “(1) improve opportunities for career training  
4           activities to ensure an adequate and competent  
5           workforce in aging;

6           “(2) increase the capacity of State and area  
7           agency and nonprofit service organizations to pro-  
8           vide short-term in-service training to staff and vol-  
9           unteers;

10           “(3) develop leadership knowledge and skills of  
11           managers and administrators of organizations and  
12           agencies which plan, advocate, and provide services  
13           to older individuals, through workshops, seminars,  
14           and training institutes;

15           “(4) provide in-service training opportunities  
16           for program directors and providers of services to  
17           older Indians under title VI through grants to tribal  
18           and other nonprofit Indian aging organizations; and

19           “(5) improve the training and preparation of  
20           the workforce (including professionals, paraprofes-  
21           sionals and volunteers) providing home and commu-  
22           nity services for older individuals with physical and  
23           cognitive disabilities and mental health disorders.

1 “Part B—Research, Development, and Demonstrations

2 “PURPOSE

3 “SEC. 420. The purpose of this part is to improve  
4 the quality and efficiency of programs serving older indi-  
5 viduals through research and development projects, and  
6 demonstration projects, designed to—

7 “(1) conduct research and policy analysis to—

8 “(A) develop and synthesize knowledge  
9 about aging programs, practices and policies  
10 from multidisciplinary perspectives; and

11 “(B) assess the effectiveness of services  
12 and practices designed to improve access to and  
13 delivery of service programs; and

14 “(2) develop, test, and evaluate innovative plan-  
15 ning, advocacy, and service practices and programs.

16 “RESEARCH AND DEVELOPMENT PROJECTS

17 “SEC. 421. (a) IN GENERAL.—The Assistant Sec-  
18 retary may make grants to any public or nonprofit private  
19 agency, organization, or institution, and may enter into  
20 contracts with any agency, organization, institution, or in-  
21 dividual for research or policy analysis related to the pur-  
22 poses of this part, including development of practices, as-  
23 sessment instruments, and applications involving—

24 “(1) use of technology for planning and delivery  
25 of services; and

1           “(2) use of interactive communication systems  
2           and assistive devices to maintain or increase the  
3           independence of older individuals.

4           “(b) CONSULTATION AND COLLABORATION WITH  
5 OTHER FEDERAL AGENCIES.—The Assistant Secretary  
6 may consult with, and may enter into formal agreements  
7 with, other Federal agencies supporting aging research  
8 and development activities, including agreements involving  
9 interagency transfer of funds to support collaborative re-  
10 search activities consistent with the conditions specified in  
11 section 451(b).

12                           “DEMONSTRATION PROJECTS

13           “SEC. 422. (a) IN GENERAL.—The Assistant Sec-  
14 retary may make grants to any public agency or nonprofit  
15 private organization or enter into contracts with any agen-  
16 cy or organization to design, test and demonstrate new  
17 approaches to planning and delivery of supportive services,  
18 nutrition services and other activities to maintain or in-  
19 crease the independence and improve the quality of life  
20 of older individuals.

21           “(b) PROJECTS GIVEN PRIORITY CONSIDERATION.—  
22 The Assistant Secretary shall give priority consideration  
23 to funding the following projects under this section:

24                           “(1) COMMUNITY SERVICES FOR FUNCTION-  
25 ALLY IMPAIRED INDIVIDUALS.—Planning, develop-  
26 ment, and implementation of new approaches to de-

1 livery of home and community-based supportive serv-  
2 ices for older individuals with disabilities limiting  
3 their ability to perform activities of daily living, in-  
4 cluding projects involving coordination and integra-  
5 tion of such services with those for nonelderly indi-  
6 viduals with similar disabilities, including approaches  
7 that—

8 “(A) promote individual choice in the selec-  
9 tion of services;

10 “(B) eliminate access barriers for popu-  
11 lations with greatest need;

12 “(C) reduce or eliminate duplication and  
13 fragmentation of services;

14 “(D) strengthen the quality, efficiency, and  
15 cost-effectiveness of nonprofit service providers;

16 “(E) improve the quality and effectiveness  
17 of personnel of public and private entities in-  
18 volved in service delivery; and

19 “(F) develop cooperative relationships with  
20 private entities to increase the effective use of  
21 available public and private resources.

22 “(2) PREVENTION OF CRIME, VIOLENCE, AND  
23 ABUSE.—Planning, development, implementation,  
24 and evaluation of comprehensive community, State,

1 and tribal models designed to prevent crime, vio-  
2 lence, and abuse against the elderly which include—

3 “(A) public education on prevention for  
4 older individuals;

5 “(B) supportive services for older individ-  
6 uals who have been victimized;

7 “(C) improvements in information and  
8 data reporting systems;

9 “(D) coordination of public and private  
10 sector services and resources; and

11 “(E) in-service and cross-service training  
12 of personnel in criminal justice, health, mental  
13 health, law enforcement, social and protective  
14 services, and aging and advocacy service sys-  
15 tems.

16 “(c) ADDITIONAL PROJECTS.—The Assistant Sec-  
17 retary may support under this section any project de-  
18 signed to achieve the purposes of this part, including the  
19 following:

20 “(1) COMPREHENSIVE COMMUNITY SERVICES  
21 TO INDIVIDUALS AT RISK OF LOSING INDEPEND-  
22 ENCE.—Projects to assist older individuals at risk of  
23 losing their independence without assistance in ac-  
24 complishing activities of daily living, including those  
25 disabled by Alzheimer’s Disease and related dis-

1 orders, physical disability, mental illness or emo-  
2 tional stress, and developmental disabilities, through  
3 comprehensive State and community model pro-  
4 grams for such supportive services to such individ-  
5 uals, their families and caregivers, including—

6 “(A) in-home health care;

7 “(B) social and medical adult day care;

8 “(C) homemaker aides and personal care  
9 attendants;

10 “(D) transportation to and from commu-  
11 nity health, mental health and social service fa-  
12 cilities;

13 “(E) respite care, caregiver education,  
14 training, and counseling and other supportive  
15 services for primary caregivers of persons with  
16 Alzheimer’s Disease, physical and developmen-  
17 tal disabilities, or other serious functional im-  
18 pairments; and

19 “(F) information and referral, outreach,  
20 counseling and other services to increase access  
21 to appropriate medical, nutritional, and sup-  
22 portive services.

23 “(2) HOUSING SERVICES.—Projects addressing  
24 the special housing needs of older individuals by ac-  
25 tivities including—

1           “(A) developing programs to enable or as-  
2           sist older homeowners—

3                   “(i) to maintain their residences  
4                   through repairs or renovations, and

5                   “(ii) to increase their physical safety  
6                   through structural modifications or alter-  
7                   ations and installation of security devices;

8           “(B) studying and demonstrating methods  
9           of adapting existing housing, or construction of  
10           new housing, to meet the needs of older individ-  
11           uals with functional impairments;

12           “(C) coordinating counseling services with  
13           those available to residents of Federal and  
14           State assisted housing facilities with high con-  
15           centrations of older residents;

16           “(D) developing information, counseling  
17           and referral programs for older renters and  
18           homeowners on housing options, including eligi-  
19           bility requirements; application processes; fi-  
20           nancing; and legal rights and responsibilities of  
21           tenancy and restricted ownership, including  
22           foreclosure and eviction.

23           “(3) EDUCATION AND TRAINING.—Projects to  
24           provide education and training to older individuals

1 designed to enable them to lead more productive  
2 lives through development and demonstration of—

3 “(A) older adult literacy programs, includ-  
4 ing use of peer tutoring;

5 “(B) pre-retirement counseling and edu-  
6 cation programs; and

7 “(C) older adult occupational training and  
8 employment placement and counseling activities  
9 not currently supported under title V or pro-  
10 grams administered by the Department of  
11 Labor.

12 “(4) TRANSPORTATION SERVICES.—Projects to  
13 improve and develop transportation systems which—

14 “(A) increase access of older individuals,  
15 especially low-income individuals and those liv-  
16 ing in rural areas, to community services essen-  
17 tial to independent living;

18 “(B) provide low-cost commuter transpor-  
19 tation for in-home personal care aides serving  
20 functionally impaired older individuals in under-  
21 served public transit areas; and

22 “(C) provide assisted transportation serv-  
23 ices for frail and disabled older individuals.

1           “(5) VOLUNTEER OPPORTUNITIES.—Projects  
2 developed in conjunction with the Corporation for  
3 National and Community Service to develop—

4           “(A) innovative opportunities for older vol-  
5 unteers to fulfill community needs which are  
6 not being met by existing programs (including  
7 volunteer programs), including opportunities to  
8 provide—

9           “(i) multigenerational services ad-  
10 dressing the needs of youth and children;  
11 and

12           “(ii) peer support and home and com-  
13 munity services to other older individuals  
14 with functional impairments or otherwise  
15 at risk of losing their ability to live inde-  
16 pendently; and

17           “(B) innovative multigenerational volun-  
18 teer programs affording opportunities for chil-  
19 dren, youth, and adults to serve unmet needs of  
20 functionally impaired older individuals regard-  
21 less of their living situation.

22           “(6) HEALTH-RELATED SERVICES.—Projects to  
23 demonstrate effective home and community rehabili-  
24 tative, health and mental health promotion, and dis-

1 ease prevention activities for older individuals at risk  
 2 of losing their ability to live independently.

3 “(7) CONSUMER PROTECTION.—Projects to de-  
 4 velop innovative approaches to consumer protection  
 5 for older individuals in home and community set-  
 6 tings, addressing consumer rights and protections  
 7 relating to auto, health, life, and other insurance  
 8 policies; mortgages, leases, and similar property and  
 9 housing rights; and personal loans and other finan-  
 10 cial transactions.

11 “Part C—Centers

12 “PURPOSE

13 “SEC. 431. The purpose of this part is to improve  
 14 the quality of services available to older individuals  
 15 through multi-function, multi-disciplinary centers and  
 16 other cross-cutting activities as resources for planners, ad-  
 17 ministrators, policy-makers and providers in the field of  
 18 aging.

19 “FUNCTIONS OF GRANTEES AND CONTRACTORS;

20 ADVISORY BOARDS

21 “SEC. 432. (a) FUNCTIONS.—Grantees and contrac-  
 22 tors under this part shall, as appropriate, perform the fol-  
 23 lowing functions:

24 “(1) Evaluate, analyze, and report on program  
 25 policies and practices to assess their effectiveness in  
 26 meeting the needs and improving the quality of life

1 of older individuals and their families and  
2 caregivers.

3 “(2) Compile, select, and make available re-  
4 search, evaluation and demonstration findings which  
5 provide useful guidance in determining the needs of  
6 older individuals and improving practices in the field  
7 of aging.

8 “(3) Develop strategies and models to improve  
9 the quality, efficiency, and effectiveness of service  
10 programs and activities.

11 “(4) Develop technical assistance and training  
12 materials and participate in workshops, conferences  
13 and events which promote transfer of useful infor-  
14 mation and practices.

15 “(5) Sponsor activities which enhance the edu-  
16 cation and training of a competent workforce in the  
17 field of aging.

18 “(6) Assist other grantees conducting dem-  
19 onstration or pilot projects under the Act by provid-  
20 ing documentation, assessment, and other assistance  
21 in the planning and implementation of such pilot  
22 projects.

23 “(7) Conduct information dissemination activi-  
24 ties in coordination with such activities of the Na-  
25 tional Aging Information Center.

1       “(b) ADVISORY BOARDS.—Each center supported by  
 2 a grant under this part shall establish an advisory board  
 3 which—

4               “(1) shall provide policy guidance with respect  
 5 to the planning and conduct of activities under such  
 6 grant; and

7               “(2) whose members shall include representa-  
 8 tives of—

9                       “(A) State and area agencies on aging;

10                      “(B) appropriate national, State, and local  
 11 service organizations; and

12                      “(C) other groups as appropriate.

13                      “GRANTS AND CONTRACTS

14       “SEC. 433. (a) NATIONAL CENTERS PROVIDING SUP-  
 15 PORT TO ADMINISTRATORS OF GRANT PROGRAMS.—

16               “(1) IN GENERAL.—The Assistant Secretary  
 17 may make grants to or enter into contracts with any  
 18 public or nonprofit private entities, for the purpose  
 19 of operating national centers serving primarily as in-  
 20 formational resources to State and area agencies ad-  
 21 ministering programs under titles III and VII, tribal  
 22 organizations and other organizations administering  
 23 programs under title VI, and providers of services  
 24 under such programs.

25               “(2) FUNCTIONS OF CENTERS.—Centers funded  
 26 under this subsection shall focus on selected subject-

1 matter areas (including all policy and program is-  
2 sues, such as development, delivery, financing, and  
3 coordination of services, concerning such subject-  
4 matter area) relating to programs under titles III,  
5 VI, and VII, and may include centers such as those  
6 focusing on the following program areas:

7 “(A) Comprehensive home and community-  
8 based services, including long-term care serv-  
9 ices, intended to enable functionally impaired  
10 elderly to remain in their homes and commu-  
11 nities.

12 “(B) Nutrition services, including con-  
13 gregate and home-delivered meals, dietary  
14 standards, and related matters.

15 “(C) Information and referral services.

16 “(D) Older Native Americans, including  
17 individuals living in tribal and in non-tribal  
18 areas.

19 “(E) Legal assistance.

20 “(3) NATIONAL OMBUDSMAN AND ELDER  
21 ABUSE CENTERS.—Funds available under this sub-  
22 section may be used, to the extent the Assistant Sec-  
23 retary finds necessary, to support the activities of  
24 the National Ombudsman Resource Center under

1 section 202(a)(21) and the activities of the National  
2 Center on Elder Abuse under section 202(d).

3 “(b) NATIONAL EDUCATION AND TRAINING CEN-  
4 TERS.—

5 “(1) IN GENERAL.—The Assistant Secretary  
6 may make grants to or enter into contracts with any  
7 public or nonprofit private entities, for the purpose  
8 of operating national centers to encourage leadership  
9 and improve education, training, and employment  
10 practices for the workforce needed to plan, admin-  
11 ister and provide services under this Act, and to pro-  
12 mote policy discussion and development to prepare  
13 the Nation for the increased and changing demands  
14 of its aging population.

15 “(2) FUNCTIONS OF CENTERS.—Centers funded  
16 under this subsection may include—

17 “(A) multidisciplinary academic centers of  
18 gerontology to conduct applied research, edu-  
19 cation, training, technical assistance and dis-  
20 semination activities with special attention to  
21 human resource and development issues affect-  
22 ing special population groups; and

23 “(B) a national leadership institute on  
24 aging to develop and conduct training activities  
25 for executive managers and senior officials of

1 government and nonprofit agencies, voluntary  
2 groups, professional associations, and other or-  
3 ganizations responsible for planning, financing,  
4 and providing programs and services for older  
5 individuals.

6 “(c) CROSS-CUTTING POLICY CENTERS.—

7 “(1) IN GENERAL.—In addition to the grants  
8 and contracts authorized under subsections (a) and  
9 (b), the Assistant Secretary may make grants to or  
10 enter into contracts with any public or nonprofit pri-  
11 vate entities, for research, policy analysis, technical  
12 assistance, information dissemination or training ac-  
13 tivities, as appropriate on any area or areas of broad  
14 national interest (including social, economic, health,  
15 mental health, and environmental issues) affecting  
16 older individuals.

17 “(2) ISSUES ADDRESSED.—Issues that may be  
18 addressed under a grant under this subsection in-  
19 clude—

20 “(A) broad societal issues addressed in sec-  
21 tion 101, including transportation, housing, em-  
22 ployment, income security, public safety, health,  
23 and mental health; and

24 “(B) concerns of special population groups  
25 among older individuals, including low income,





1           “(2) Sponsorship and cosponsorship with other  
2           Federal agencies and other public and private orga-  
3           nizations of national and regional conferences and  
4           other meetings which disseminate discretionary  
5           project findings and information related to issues  
6           and concerns affecting the well-being of older indi-  
7           viduals.

8           “(3) A National Academy on Aging to serve as  
9           a forum for policy analysis and debate on current  
10          and emerging issues and for informing policy offi-  
11          cials and the public about such issues.

12                   “PART E—GENERAL PROVISIONS

13                   “AUTHORIZATION OF APPROPRIATIONS

14          “SEC. 451. (a) AUTHORIZATION.—There are author-  
15          ized to be appropriated to carry out the provisions of this  
16          title \$44,384,000 for fiscal year 1996, and such sums as  
17          necessary for each of fiscal years 1997 and 1998.

18          “(b) RESTRICTIONS.—No funds appropriated under  
19          this title—

20                 “(1) may be transferred to any office or other  
21                 authority of the Federal Government which is not  
22                 directly responsible to the Assistant Secretary, un-  
23                 less those funds are used for purposes authorized  
24                 under this title in accordance with conditions speci-

1       fied by formal interagency agreements with other  
2       Federal agencies;

3               “(2) may be used for any program or activity  
4       which is not specifically authorized by this title (ex-  
5       cept as specifically authorized by this Act); or

6               “(3) may be combined with funds appropriated  
7       under any other Act if the purpose of combining  
8       funds is to make a single discretionary grant or a  
9       single discretionary payment, unless such funds ap-  
10      propriated under this title are separately identified  
11      in such grant or payment and are used for the pur-  
12      poses of this title.

13                               “PAYMENTS OF GRANTS

14               “SEC. 452. (a) CONTRIBUTIONS BY GRANTEES AND  
15      CONTRACTORS.—To the extent the Assistant Secretary  
16      deems appropriate, the Assistant Secretary shall require  
17      the recipient of any project grant or contract under this  
18      title to contribute money, facilities, or services for carrying  
19      out the project for which such grant or contract is made.

20               “(b) METHOD OF PAYMENT.—Payments under this  
21      title pursuant to a grant or contract may be made (after  
22      necessary adjustment, in the case of grants, on account  
23      of previously made overpayments or underpayments) in  
24      advance or by way of reimbursement, and in such install-  
25      ments and on such conditions, as the Assistant Secretary  
26      may determine.

1                                   “ADMINISTRATION

2           “SEC. 453. (a) ADMINISTRATION ON AGING.—In  
3 order to carry out the provisions of this title effectively,  
4 the Assistant Secretary shall administer this title through  
5 the Administration on Aging.

6           “(b) ASSISTANCE FROM OTHER AGENCIES.—In car-  
7 rying out the provisions of this title, the Assistant Sec-  
8 retary may request the technical assistance and coopera-  
9 tion of other agencies and departments of the Federal  
10 Government as may be appropriate.

11          “(c) OUTREACH TO APPLICANTS.—The Assistant  
12 Secretary shall ensure that applications from agencies, or-  
13 ganizations, and institutions representing minorities, are  
14 encouraged in the writing of grant proposal solicitations  
15 and contract requests for proposals.

16          “(d) CONSULTATION.—The Assistant Secretary shall,  
17 in developing priorities, consistent with the requirements  
18 of this title, for awarding grants under this title, consult  
19 with State agencies on aging, area agencies on aging, re-  
20 cipients of grants under title VI, institutions of higher  
21 education, organizations representing beneficiaries of serv-  
22 ices under this Act, and other organizations and individ-  
23 uals with expertise in aging issues.

1       “(e) EVALUATIONS AND REPORTS.—The Assistant  
2 Secretary shall ensure that grants and contracts awarded  
3 under this title—

4           “(1) conduct evaluation and prepare reports in-  
5 dicating their benefit to older individuals, and to  
6 programs under this Act; and

7           “(2) comply with the requirements under this  
8 Act.

9       “(f) REPORT TO CONGRESS.—The Assistant Sec-  
10 retary shall submit, to the Speaker of the House of Rep-  
11 resentatives and the President pro tempore of the Senate,  
12 a report for each fiscal year that describes activities for  
13 which funds were provided under this title including—

14           “(1) an abstract describing the purpose and ac-  
15 tivities of each grant or contract awarded or contin-  
16 ued;

17           “(2) the name and address of the organiza-  
18 tional recipient;

19           “(3) the name and affiliation of the project di-  
20 rector;

21           “(4) the period of project performance; and

22           “(5) the amount of Federal funds awarded in  
23 the fiscal year on which the report is made.

24       “(g) EXTERNAL REVIEW.—The Assistant Secretary  
25 shall establish by regulation and implement an external

1 review process to evaluate applications for discretionary  
2 grant awards under this title.”.

3 **PART D—COMMUNITY SERVICE EMPLOYMENT**  
4 **FOR OLDER AMERICANS**

5 **SEC. 241. TRANSFER OF AUTHORITY.**

6 (a) IN GENERAL.—Section 502(a) is amended by  
7 striking “Secretary of Labor (hereinafter in this title re-  
8 ferred to as the ‘Secretary’)” and inserting “Assistant  
9 Secretary”.

10 (b) TRANSFER OF CONTRACTS, GRANTS, ETC.—

11 (1) IN GENERAL.—There are transferred from  
12 the Department of Labor to the Department of  
13 Health and Human Services any contracts, grants,  
14 records, and unexpended balances of appropriations,  
15 authorizations, allocations, and other funds em-  
16 ployed, held, or used in connection with or arising  
17 from the administration of the program under title  
18 V of the Older Americans Act of 1965.

19 (2) INTERAGENCY ARRANGEMENTS.—The Sec-  
20 retaries of Labor and Health and Human Services  
21 shall enter into and implement such arrangements  
22 as they find reasonable and necessary for the orderly  
23 transfer of such program in accordance with this  
24 section.

1           (3) CONTINUATION OF REGULATIONS, GRANTS,  
2           CONTRACTS, ETC.—All rules, regulations, adminis-  
3           trative directives, grants, contracts, and other deter-  
4           minations and agreements in effect under such title  
5           V on the effective date of this section shall remain  
6           in effect until modified, terminated, suspended, set  
7           aside, or repealed by the Secretary of Health and  
8           Human Services or the Assistant Secretary. Ref-  
9           erences to the Secretary of Labor in such determina-  
10          tions and agreements shall be considered references  
11          to the Secretary of Health and Human Services or  
12          the Assistant Secretary for Aging, as appropriate.

13          (4) CONTINUATION OF AUDITS.—Audits relat-  
14          ing to such title V pending on the effective date of  
15          this section shall be unaffected by the enactment of  
16          this section.

17          (5) CONTINUATION OF SUITS.—Judicial pro-  
18          ceedings and proceedings before administrative law  
19          judges under or with respect to such title V pending  
20          on the effective date of this section shall be unaf-  
21          fected by the enactment of this section, except that  
22          the Secretary of Health and Human Services and  
23          the Assistant Secretary for Aging shall be sub-  
24          stituted for the Secretary of Labor as parties to  
25          such proceedings.

1 (c) CONFORMING AMENDMENTS.—

2 (1) Section 502(b)(1)(P) is amended by striking  
3 “Department of Labor” and inserting “Department  
4 of Health and Human Services”.

5 (2) Section 502(e)(1) is amended by striking  
6 “Health and Human Services” and inserting  
7 “Labor”.

8 (3) Section 503(a)(1) is amended by striking  
9 “the Secretary shall, through the Assistant Sec-  
10 retary for Aging,” and inserting “the Assistant Sec-  
11 retary shall”.

12 (4) Section 503(a)(2) is amended by striking  
13 “The Secretary of Labor and the Assistant Sec-  
14 retary for Aging” and inserting “The Assistant Sec-  
15 retary”.

16 (5) Section 503(b)(1) is amended—

17 (A) in the first sentence, by striking “The  
18 Secretary” and inserting “The Assistant Sec-  
19 retary and the Secretary of Labor”; and

20 (B) in the second sentence—

21 (i) by striking “The Secretary” and  
22 inserting “The Assistant Secretary”, and

23 (ii) by striking “by the Assistant Sec-  
24 retary for Aging,”.

25 (6) Section 505(a) is amended—

1 (A) by striking “The Secretary” and in-  
2 serting “The Assistant Secretary”; and

3 (B) by striking “the Assistant Secretary  
4 for Aging” and inserting “the Secretary of  
5 Labor”.

6 (7) Section 505(b) is amended by striking “Sec-  
7 retary of Health and Human Services” and inserting  
8 “Secretary of Labor”.

9 (8) Title V is further amended throughout by  
10 striking “Secretary” each place it appears (except  
11 where preceded by “Assistant” or followed by “of”)  
12 and inserting “Assistant Secretary”.

13 **SEC. 242. PHASED REDUCTION OF FEDERAL SHARE.**

14 Section 502(c) is amended—

15 (1) in paragraph (1), by striking “90 percent”  
16 and inserting “the Federal share, as specified in  
17 paragraph (2),”;

18 (2) by redesignating paragraphs (2) and (3) as  
19 paragraphs (3) and (4); and

20 (3) by adding after paragraph (1) the following  
21 new paragraph:

22 “(2) the Federal share, for purposes of this  
23 subsection, shall be—

24 “(A) 90 percent for fiscal year 1996,

25 “(B) 89 percent for fiscal year 1997,

1                   “(C) 87.5 percent for fiscal year 1998,  
 2                   “(D) 86.5 percent for fiscal year 1999,  
 3                   and  
 4                   “(E) 84 percent for fiscal year 2000 and  
 5                   each succeeding fiscal year.”.

6 **SEC. 243. AUTHORIZATION OF APPROPRIATIONS.**

7           Section 508(a) is amended to read as follows:

8           “(a) There are authorized to be appropriated to carry  
 9 out this title such sums as may be necessary for each of  
 10 fiscal years 1996, 1997, and 1998.”.

11           **PART E—GRANTS FOR NATIVE AMERICANS**

12 **SEC. 251. AUTHORIZATION OF APPROPRIATIONS.**

13           Section 633(a) is amended by striking all that pre-  
 14 cedes “to carry out this title” and inserting “There are  
 15 authorized to be appropriated \$18,402,000 for fiscal year  
 16 1996, and such sums as may be necessary for each of fis-  
 17 cal years 1997 and 1998”.

18           **PART F—VULNERABLE ELDER RIGHTS**

19   **PROTECTION**

20 **SEC. 261. ASSISTANCE PROGRAM FOR INSURANCE AND**  
 21 **PUBLIC BENEFITS.**

22           (a) CLARIFICATION OF IMPLEMENTATION OP-  
 23 TIONS.—Section 741(d) is amended by adding at the end  
 24 the following new sentence: “If the State elects to award  
 25 funds under this section to area agencies on aging or other

1 local entities, it shall give priority to local areas which  
 2 have high concentrations of older individuals with greatest  
 3 economic or social need, and in which outreach activities,  
 4 application assistance, and benefits counseling are inad-  
 5 equate.”.

6 (b) REPEAL OF INCONSISTENT PROVISION.—Section  
 7 705(a) is amended—

8 (1) by adding “and” at the end of paragraph  
 9 (6);

10 (2) by striking paragraph (7); and

11 (3) by redesignating paragraph (8) as para-  
 12 graph (7).

13 **SEC. 262. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) OMBUDSMAN PROGRAM.—Section 702(a) is  
 15 amended by striking all that follows “chapter 2,” and in-  
 16 serting \$4,449,000 for fiscal year 1996, and such sums  
 17 as may be necessary for each of fiscal years 1997 and  
 18 1998.”.

19 (b) PREVENTION OF ELDER ABUSE, NEGLECT, AND  
 20 EXPLOITATION.—Section 702(b) is amended by striking  
 21 all that follows “chapter 3,” and inserting \$6,232,000 for  
 22 fiscal year 1996, and such sums as may be necessary for  
 23 each of fiscal years 1997 and 1998.”.

24 (c) STATE ELDER RIGHTS AND LEGAL ASSISTANCE  
 25 DEVELOPMENT PROGRAM.—Section 702(c) is amended by

1 striking all that follows “chapter 4,” and inserting such  
 2 sums as may be necessary for each of fiscal years 1996,  
 3 1997, and 1998.”.

4 (d) OUTREACH, COUNSELING, AND ASSISTANCE PRO-  
 5 GRAM.—Section 702(d) is amended by striking all that fol-  
 6 lows “chapter 5,” and inserting \$1,976,000 for fiscal year  
 7 1996, and such sums as may be necessary for each of fis-  
 8 cal years 1997 and 1998.”.

9 (e) NATIVE AMERICAN PROGRAMS.—Section 751(d)  
 10 is amended by striking all that follows “this section,” and  
 11 inserting “such sums as may be necessary for each of fis-  
 12 cal years 1996, 1997, and 1998.”.

## 13 **PART G—TECHNICAL AMENDMENTS**

### 14 **SEC. 271. DEFINITIONS.**

15 (a) RELOCATION, REORDERING, AND REDESIGNA-  
 16 TION OF DEFINITIONS.—

17 (1)(A) Paragraphs (1) and (2) of section 302  
 18 are relocated and redesignated as paragraphs (48)  
 19 and (49) of section 102.

20 (B) Paragraph (3) of section 302 is repealed.

21 (2)(A) Section 102(5) is amended by inserting  
 22 “(A)” after “(5)”.

23 (B) Section 102(6) is amended—

24 (i) by striking “(A)” and “(B)” and insert-  
 25 ing “(i)” and “(ii)”; and

1 (ii) by striking “(6)” and inserting “(B)”.

2 (C) Section 102(7) is amended by striking  
3 “(7)” and inserting “(C)”.

4 (3)(A) Section 102(8) is amended—

5 (i) by striking the subparagraph designa-  
6 tions “(A)” through “(H)” and inserting clause  
7 designations “(i)” through “(viii); and

8 (ii) by inserting “(A)” after “(8)”.

9 (B) Section 102(9) is amended—

10 (i) by striking the subparagraph designa-  
11 tions “(A)” and “(B)” and inserting the clause  
12 designations “(i)” and “(ii)”; and

13 (ii) by striking “(9)” and inserting “(B)”.

14 (4) The paragraphs of section 102 are reor-  
15 dered in alphabetical order by term defined, and re-  
16 numbered accordingly.

17 **PART H—EFFECTIVE DATE**

18 **SEC. 281. EFFECTIVE DATE.**

19 Except as otherwise specifically provided, the amend-  
20 ments made by this title shall become effective October  
21 1, 1995.

1     **TITLE III—WHITE HOUSE CONFERENCE**  
2                                     **ON AGING**

3     **SEC. 301. WHITE HOUSE CONFERENCE AUTHORIZED.**

4             (a) **AUTHORITY TO CALL CONFERENCE.**—Not later  
5 than December 31, 2005, the President shall convene the  
6 White House Conference on Aging in order to develop rec-  
7 ommendations for additional research and action in the  
8 field of aging which will further the policy set forth in sub-  
9 section (b).

10            (b) **PLANNING AND DIRECTION.**—The Conference  
11 shall be planned and conducted under the direction of the  
12 Secretary in cooperation with the Assistant Secretary for  
13 Aging and the heads of such other Federal departments  
14 and agencies as are appropriate. Such assistance may in-  
15 clude the assignment of personnel.

16            (c) **PURPOSE OF THE CONFERENCE.**—The purpose  
17 of the Conference shall be—

18                    (1) to increase the public awareness of the  
19 interdependence of generations and the essential  
20 contributions of older individuals to society for the  
21 well-being of all generations:

22                    (2) to identify the problems facing older individ-  
23 uals and the commonalities of the problems with  
24 problems of younger generations;

1           (3) to examine the well-being of older individ-  
2 uals, including the impact the well-being of older in-  
3 dividuals has on our aging society;

4           (4) to develop such specific and comprehensive  
5 recommendations for executive and legislative action  
6 as may be appropriate for maintaining and improv-  
7 ing the well-being of the aging;

8           (5) to develop recommendations for the coordi-  
9 nation of Federal policy with State and local needs  
10 and the implementation of such recommendations;  
11 and

12           (6) to review the status and multigenerational  
13 value of recommendations adopted at previous White  
14 House Conferences on Aging.

15       (d) CONFERENCE PARTICIPANTS AND DELE-  
16 GATES.—

17           (1) PARTICIPANTS.—In order to carry out the  
18 purposes of this section, the Conference shall bring  
19 together—

20               (A) representatives of Federal, State, and  
21 local governments,

22               (B) professional and lay people who are  
23 working in the field of aging, and

24               (C) representatives of the general public,  
25 particularly older individuals.

1           (2) SELECTION OF DELEGATES.—The delegates  
2 shall be selected without regard to political affili-  
3 ation or past partisan activity and shall, to the best  
4 of the appointing authority’s ability, be representa-  
5 tive of the spectrum of thought in the field of aging.  
6 Delegates shall include individuals who are profes-  
7 sionals, individuals who are nonprofessional, minor-  
8 ity individuals, and individuals from low-income fam-  
9 ilies. A majority of delegates shall be aged 55 or  
10 older.

11 **SEC. 302. CONFERENCE ADMINISTRATION.**

12           (a) ADMINISTRATION.—In administering this section,  
13 the Secretary shall—

14           (1) provide written notice to all members of the  
15 Policy Committee of each meeting, hearing, or work-  
16 ing session of the Policy Committee not later than  
17 48 hours before the occurrence of such meeting,  
18 hearing, or working session,

19           (2) request the cooperation and assistance of  
20 the heads of such other Federal departments and  
21 agencies as may be appropriate in the carrying out  
22 of this section,

23           (3) furnish all reasonable assistance, including  
24 financial assistance, to State agencies on aging and  
25 to area agencies on aging, and to other appropriate

1 organizations (including organizations representing  
2 older Indians), to enable them to organize and con-  
3 duct conferences and other activities in conjunction  
4 with the Conference (including activities in advance  
5 of the Conference, as part of the process of planning  
6 for the Conference, and activities subsequent to the  
7 Conference in connection with dissemination, discus-  
8 sion, and implementation of recommendations of the  
9 Conference);

10 (4) make available for public comment a pro-  
11 posed agenda, prepared by the Policy Committee, for  
12 the Conference which will reflect to the greatest ex-  
13 tent possible the major issues facing older individ-  
14 uals consistent with the provisions of subsection (a),

15 (5) prepare and make available background ma-  
16 terials for the use of delegates to the Conference  
17 which the Secretary deems necessary, and

18 (6) engage such additional personnel as may be  
19 necessary to carry out the provisions of this section  
20 without regard to provisions of title 5, United States  
21 Code, governing appointments in the competitive  
22 service, and without regard to chapter 51 and sub-  
23 chapter III of chapter 53 of such title relating to  
24 classification and General Schedule pay rates.

1 (b) DUTIES.—The Secretary shall, in carrying out  
2 the Secretary’s responsibilities and functions under this  
3 section, and as part of the White House Conference on  
4 Aging, ensure that—

5 (1) the conferences under subsection (a)(3)  
6 shall—

7 (A) include a conference on older Indians  
8 to identify conditions that adversely affect older  
9 Indians, to propose solutions to ameliorate such  
10 conditions, and to provide for the exchange of  
11 information relating to the delivery of services  
12 to older Indians, and

13 (B) be so conducted as to ensure broad  
14 participation of older individuals,

15 (2) the agenda prepared under subsection  
16 (a)(4) for the Conference is published in the Federal  
17 Register not later than 30 days after such agenda  
18 is approved by the Policy Committee, and the Sec-  
19 retary may republish such agenda together with the  
20 recommendations of the Secretary regarding such  
21 agenda,

22 (3) the personnel engaged under subsection  
23 (a)(5) shall be fairly balanced in terms of points of  
24 views represented and shall be appointed without re-

1       gard to political affiliation or previous partisan ac-  
2       tivities,

3           (4) the recommendations of the Conference are  
4       not inappropriately influenced by any appointing au-  
5       thority or by any special interest, but will instead be  
6       the result of the independent judgment of the Con-  
7       ference, and

8           (5) current and adequate statistical data, in-  
9       cluding decennial census data, and other information  
10      on the well-being of older individuals in the United  
11      States are readily available, in advance of the Con-  
12      ference, to the delegates of the Conference, together  
13      with such information as may be necessary to evalu-  
14      ate Federal programs and policies relating to aging.  
15      In carrying out this paragraph, the Secretary is au-  
16      thorized to make grants to, and enter into coopera-  
17      tive agreements with, public agencies and nonprofit  
18      private organizations.

19      (c) GIFTS.—The Secretary may accept, on behalf of  
20      the United States, gifts (in cash or in kind, including vol-  
21      untary and uncompensated services), which shall be avail-  
22      able to carry out this title. Gifts of cash shall be available  
23      in addition to amounts appropriated to carry out this title.

24      (d) RECORDS.—The Secretary shall maintain records  
25      regarding—

1 (1) the sources, amounts, and uses of gifts ac-  
2 cepted under subsection (c); and

3 (2) the identity of each person receiving assist-  
4 ance to carry out this title, and the amount of such  
5 assistance received by each such person.

6 **SEC. 303. POLICY COMMITTEE; RELATED COMMITTEES.**

7 (a) POLICY COMMITTEE.—

8 (1) ESTABLISHMENT.—There is established a  
9 Policy Committee comprised of 25 members to be se-  
10 lected, not later than 90 days after the enactment  
11 of the Older Americans Act of 1995, as follows:

12 (A) PRESIDENTIAL APPOINTEES.—13  
13 members shall be selected by the President and  
14 shall include—

15 (i) 3 members who are officers or em-  
16 ployees of the United States; and

17 (ii) 10 members with experience in the  
18 field of aging, who may include representa-  
19 tives of public aging agencies, institution-  
20 based organizations, and minority aging  
21 organizations, and shall include a member  
22 of the Federal Council on the Aging.

23 (B) HOUSE APPOINTEES.—4 members  
24 shall be selected by the Speaker of the House  
25 of Representatives, after consultation with the

1 minority leader of the House of Representa-  
2 tives, and shall include members of the Com-  
3 mittee on Economic and Educational Opportu-  
4 nities and the Committee on Ways and Means  
5 of the House of Representatives. Not more than  
6 3 members selected under this subparagraph  
7 may be associated or affiliated with the same  
8 political party,

9 (C) SENATE APPOINTEES.—Four members  
10 shall be selected by the majority leader of the  
11 Senate, after consultation with the minority  
12 leader of the Senate, and shall include members  
13 of the Committee on Labor and Human Re-  
14 sources and the Special Committee on Aging of  
15 the Senate. Not more than 3 members selected  
16 under this subparagraph may be associated or  
17 affiliated with the same political party.

18 (D) JOINT APPOINTEES.—Four members  
19 shall be selected jointly by the Speaker of the  
20 House of Representatives and the majority  
21 leader of the Senate, after consultation with the  
22 minority leaders of the House and Senate, and  
23 shall include representatives with experience in  
24 the field of aging, who may include representa-  
25 tives described in subsection (a)(1)(A)(ii). Not

1 more than 2 members selected under this sub-  
2 paragraph may be associated or affiliated with  
3 the same political party.

4 (2) DUTIES OF THE POLICY COMMITTEE.—The  
5 Policy Committee shall initially meet at the call of  
6 the Secretary, but not later than 30 days after the  
7 last member is selected under subsection (a). Subse-  
8 quent meetings of the Policy Committee shall be  
9 held at the call of the chairperson of the Policy  
10 Committee. Through meetings, hearings, and work-  
11 ing sessions, the Policy Committee shall—

12 (A) make recommendations to the Sec-  
13 retary to facilitate the timely convening of the  
14 Conference;

15 (B) formulate and approve a proposed  
16 agenda for the Conference not later than 60  
17 days after the first meeting of the Policy Com-  
18 mittee;

19 (C) make recommendations for partici-  
20 pants and delegates of the Conference;

21 (D) establish the number of delegates to be  
22 selected under section 301(d)(2); and

23 (E) formulate and approve the initial re-  
24 port of the Conference in accordance with sec-  
25 tion 304.

1           (3) QUORUM; COMMITTEE VOTING; CHAIR-  
2           PERSON.—

3           (A) QUORUM.—Thirteen members shall  
4           constitute a quorum for the purpose of conduct-  
5           ing the business of the Policy Committee, ex-  
6           cept that 17 members shall constitute a quorum  
7           for purposes of approving the agenda required  
8           by paragraph (2)(B) and the report required by  
9           paragraph (2)(E).

10          (B) VOTING.—The Policy Committee shall  
11          act by the vote of the majority of the members  
12          present.

13          (C) CHAIRPERSON.—The President shall  
14          select a chairperson from among the members  
15          of the Policy Committee. The chairperson may  
16          vote only to break a tie vote of the other mem-  
17          bers of the Policy Committee.

18          (b) OTHER COMMITTEES.—The Secretary may estab-  
19          lish such other committees, including technical commit-  
20          tees, as may be necessary to assist in the planning, con-  
21          ducting, and reviewing of the Conference.

22          (c) COMPOSITION OF COMMITTEES.—Each commit-  
23          tee established under subsection (b) shall be composed of  
24          professionals and public members, and shall include indi-  
25          viduals from low-income families, and individuals who are

1 Native Americans. Appropriate efforts shall be made to  
2 include individuals who are members of minority groups.  
3 A majority of the public members of each such committee  
4 shall be 55 years of age or older.

5 (d) COMPENSATION.—Appointed members of any  
6 such committee (other than any officers or employees of  
7 the Federal Government), while attending conferences or  
8 meetings of the committee or otherwise serving at the re-  
9 quest of the Secretary, shall be entitled to receive com-  
10 pensation at a rate to be fixed by the Secretary, but not  
11 to exceed the daily prescribed rate for GS–18 under sec-  
12 tion 5332 of title 5, United States Code (including travel  
13 time). While away from their homes or regular places of  
14 business, such members may be allowed travel expenses,  
15 including per diem in lieu of subsistence, as authorized  
16 under section 5708 of such title for persons employed  
17 intermittently in Federal Government service.

18 **SEC. 304. REPORT OF THE CONFERENCE.**

19 (a) PROPOSED REPORT.—A proposed report of the  
20 Conference, which shall include a statement of comprehen-  
21 sive coherent national policy on aging together with rec-  
22 ommendations for the implementation of the policy, shall  
23 be published and submitted to the chief executive officers  
24 of the States not later than 90 days following the date  
25 on which the Conference is adjourned. The findings and

1 recommendations included in the published proposed re-  
2 port shall be immediately available to the public.

3 (b) RESPONSE TO PROPOSED REPORT.—The chief  
4 executive officers of the States, after reviewing and solicit-  
5 ing recommendations and comments on the report of the  
6 Conference, shall submit to the Policy Committee, not  
7 later than 90 days after receiving the report, their views  
8 and findings on the recommendations of the Conference.

9 (c) REPORTS.—

10 (1) INITIAL REPORT.—The Policy Committee  
11 shall, after reviewing the views and recommenda-  
12 tions of the chief executive officers of the States,  
13 prepare and approve an initial report of the Con-  
14 ference, which shall include a compilation of the ac-  
15 tions of the chief executive officers of the States and  
16 take into consideration the views and findings of  
17 such officers.

18 (2) PUBLICATION OF INITIAL REPORT; FINAL  
19 REPORT.—Not later than 60 days after such initial  
20 report is transmitted by the Policy Committee, the  
21 Secretary shall publish such initial report in the  
22 Federal Register. The Secretary shall republish a  
23 final report together with such additional views and  
24 recommendations as the Secretary considers to be  
25 appropriate.

1 (d) RECOMMENDATIONS OF THE POLICY COMMIT-  
2 TEE.—The Policy Committee shall, within 90 days after  
3 submission of the views of the chief executive officers of  
4 the States, publish and transmit to the President and to  
5 the Congress recommendations for the administrative ac-  
6 tion and the legislation necessary to implement the rec-  
7 ommendations contained within the report.

8 **SEC. 305. DEFINITIONS.**

9 For the purposes of this title—

10 (1) the term “area agency on aging” has the  
11 meaning given the term in section 102 of the Older  
12 Americans Act of 1965,

13 (2) the term “State agency on aging” means  
14 the State agency designated under section 305(a)(1)  
15 of the Act,

16 (3) the term “Secretary” means the Secretary  
17 of Health and Human Services,

18 (4) the term “Conference” means the White  
19 House Conference on Aging, and

20 (5) the term “State” means any of the several  
21 States, the District of Columbia, the Commonwealth  
22 of Puerto Rico, Guam, American Samoa, the Virgin  
23 Islands, the Commonwealth of the Northern Mari-  
24 ana Islands, and the Trust Territory of the Pacific  
25 Islands.

1 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

## 2 (a) AUTHORIZATION.—

3 (1) IN GENERAL.—There are authorized to be  
 4 appropriated such sums as may be necessary for fis-  
 5 cal years 2005 through 2007 to carry out this title.

6 (2) CONTRACTS.—Authority to enter into con-  
 7 tracts under this title shall be effective only to the  
 8 extent, or in such amounts as are, provided in ad-  
 9 vance in appropriation Acts.

## 10 (b) AVAILABILITY OF FUNDS.—

11 (1) IN GENERAL.—Except as provided in para-  
 12 graph (3), funds appropriated to carry out this title  
 13 and funds received as gifts under section 303(c)  
 14 shall remain available for obligation or expenditure  
 15 until the expiration of the one-year period beginning  
 16 on the date the Conference adjourns.

17 (2) UNOBLIGATED FUNDS.—Except as provided  
 18 in paragraph (3), any such funds neither expended  
 19 nor obligated before the expiration of the one-year  
 20 period beginning on the date the Conference ad-  
 21 journals shall be available to carry out the Older  
 22 Americans Act of 1965.

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