

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2056

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 HOUSE OF REPRESENTATIVES

JULY 18, 1995

Mr. MARTINEZ introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities

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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,*

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

5 (a) This Act may be cited as the “Older Americans  
6 Act Amendments of 1995”.

1 (b) Except where otherwise specifically provided, ref-  
 2 erences in this Act shall be considered to be made to the  
 3 Older Americans Act of 1965, or to a section or other pro-  
 4 vision thereof.

5 (c) The table of contents 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 nonelderly.

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**  
 2                           **PARTNERSHIPS**

3   **SEC. 101. RESPONSIBILITIES OF ASSISTANT SECRETARY.**

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

8           (b) PERFORMANCE PARTNERSHIPS.—Title II is  
 9 amended by inserting after section 202 the following new  
 10 section:

11                           “PERFORMANCE PARTNERSHIPS

12           “SEC. 202A. (a) IN GENERAL.—The Assistant Sec-  
 13 retary shall negotiate performance partnership agreements  
 14 with States in accordance with the provisions of this sec-  
 15 tion.

1 “(b) PERFORMANCE OBJECTIVES AND MEASURES.—

2 “(1) DESIGNATION OF OBJECTIVES.—The As-  
3 sistant Secretary, in consultation (as appropriate)  
4 with the States, local governments, tribal organiza-  
5 tions, and other entities, shall specify, by the end of  
6 September 1996 (and from time to time revise, as  
7 needed), with respect to the goals specified in sec-  
8 tions 305A and 704A—

9 “(A) a list of performance partnership ob-  
10 jectives to accomplish the goals of each such  
11 section, and

12 “(B) a core set for each such section of ob-  
13 jectives that address needs of older Americans  
14 of national significance.

15 “(2) ELEMENTS OF PERFORMANCE PARTNER-  
16 SHIP OBJECTIVES.—Each performance partnership  
17 objective specified under paragraph (1) shall in-  
18 clude—

19 “(A) a performance indicator;

20 “(B) the specific population being ad-  
21 dressed;

22 “(C) a quantifiable performance target;  
23 and

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

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

5           “(A) objectives should be closely related to  
6 the goals of the section concerned, and be  
7 viewed as important by and understandable to  
8 State policymakers and the general public;

9           “(B) actions taken under the partnership  
10 agreement should be expected to have an im-  
11 pact on the objective;

12           “(C) measurable progress in achieving the  
13 objective should be expected over the period of  
14 the grant;

15           “(D) objectives should be results-oriented,  
16 including a suitable mix of outcome, process  
17 and capacity measures, and, if an objective  
18 measures process or capacity, it should be de-  
19 monstrably linked to the achievement of a speci-  
20 fied outcome for older Americans; and

21           “(E) data to track the objective shall, to  
22 the extent practicable, be comparable for all  
23 States, meet reasonable statistical standards for  
24 quality, and be available in a timely fashion, at  
25 appropriate periodicity, and at reasonable cost,

1 and, with respect to core objectives, shall in-  
2 clude as appropriate the data specified in sec-  
3 tion 202(a)(19), collected in accordance with  
4 the uniform procedures established pursuant to  
5 section 202(a)(29).

6 “(c) STATE PERFORMANCE PARTNERSHIP PRO-  
7 POSAL.—

8 “(1) IN GENERAL.—In order to meet the re-  
9 quirements of this subsection, a performance part-  
10 nership proposal submitted to the Assistant Sec-  
11 retary by a State agency under title III or VII shall  
12 contain—

13 “(A) a list of one or more objectives (de-  
14 rived from the performance partnership objec-  
15 tives specified under subsection (b)) toward  
16 which the State will work and a performance  
17 target for each objective which the applicant  
18 will seek to achieve by the end of the partner-  
19 ship period (which shall be coterminous by the  
20 period covered by the State plan under section  
21 307);

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

1           “(C) a statement of the applicant’s strate-  
2           gies for achieving the objectives over the course  
3           of the grant period;

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

6           “(E) an assurance that the State will re-  
7           port to the Assistant Secretary, not later than  
8           60 days after the end of each fiscal year, on  
9           progress in the State toward accomplishing core  
10          performance objectives specified under sub-  
11          section (b)(1)(B) (regardless of whether it is  
12          working toward those objectives) and the spe-  
13          cific objectives toward which the State is work-  
14          ing under the performance partnership.

15          A State may select an objective that is not a speci-  
16          fied performance partnership objective under sub-  
17          section (b)(1)(A) if it demonstrates to the Assistant  
18          Secretary that the objective relates to a significant  
19          concern of older Americans in the State that would  
20          not otherwise be addressed appropriately (and that  
21          a suitable performance indicator exists to measure  
22          progress toward the objective).

23           “(2) ELEMENTS OF STATE PROPOSALS RELAT-  
24          ING TO SPECIAL POPULATIONS.—Each State pro-

1       posal for a performance partnership under title III  
2       or VII shall, as appropriate, include objectives—

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

10              “(B) designed to give priority to activities  
11              addressing the needs of vulnerable older individ-  
12              uals in the State.

13       “(d) NEGOTIATIONS AND ADJUSTMENT.—

14              “(1) INITIAL NEGOTIATIONS.—In the negotia-  
15              tions concerning a proposed performance partner-  
16              ship agreement submitted under this section, the As-  
17              sistant Secretary shall—

18              “(A) consider the extent to which the  
19              State’s proposed objectives, performance tar-  
20              gets, timeframes, and strategies are likely to  
21              address appropriately the most significant  
22              needs of older Americans (as measured by ap-  
23              plicable indicators) within the State, including  
24              the needs of vulnerable populations, and

1           “(B) give particular consideration to the  
2           State’s proposed performance partnership in  
3           addressing progress toward the core set of per-  
4           formance partnership objectives.

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

13          “(e) ANNUAL ASSESSMENTS; PERIODIC ON-SITE RE-  
14          VIEWS.—

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

20                         “(A) the progress achieved nationally to-  
21                         ward each of the objectives in the core set of  
22                         performance partnership objectives; and

23                         “(B) in consultation with each State, the  
24                         State’s progress toward each objective agreed

1           upon in the performance partnership under  
2           such title.

3           The Assistant Secretary shall make assessments  
4           publicly available.

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

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

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

23                 “(45)(A) The term ‘performance indicator’  
24                 means a quantifiable characteristic used as a meas-  
25                 urement.

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

4 **SEC. 102. FUNDING OF PERFORMANCE PARTNERSHIP AD-**  
5                   **MINISTRATIVE COSTS AND INCENTIVE**  
6                   **AWARDS.**

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

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

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

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

21                   (A) by redesignating subsections (a)  
22                   through (e) as subsections (b) through (f); and

23                   (B) by inserting after “SEC. 304.” the fol-  
24                   lowing new subsection:

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

7           (2) CONFORMING AMENDMENT.—Section  
8 304(b), as redesignated by subsection (a), is amend-  
9 ed by striking “from the sums appropriated” and in-  
10 sserting “from the amounts remaining, after applica-  
11 tion of subsection (a), from the sums appropriated”.

12 **SEC. 103. RESPONSIBILITIES OF STATES.**

13       (a) UNDER BASIC STATE GRANTS PROGRAM.—Title  
14 III is amended by inserting after section 305 the following  
15 new section:

16           “PERFORMANCE PARTNERSHIPS

17       “SEC. 305A. (a) GOALS.—The goals of this section  
18 are for the States and the Federal Government, working  
19 together in a partnership, to accomplish the purposes  
20 specified in section 301(a).

21       “(b) PERFORMANCE PARTNERSHIP AS ELEMENT OF  
22 STATE PLAN.—In order to be eligible to receive a grant  
23 from its allotment under this title, except as provided in  
24 section 309(a), a State shall propose to and negotiate with  
25 the Assistant Secretary a performance partnership agree-  
26 ment in accordance with the provisions of this section and

1 section 202A, and shall include such agreement as part  
2 of the State plan under section 307.

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

10 “(1) reviewing and commenting on the State’s  
11 proposed performance partnership agreement under  
12 this section (and such comments shall be included  
13 with the State plan submission under section 307);  
14 and

15 “(2) evaluating and reporting on the State’s  
16 performance under the final agreement negotiated  
17 with the Assistant Secretary.”.

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

21 “PERFORMANCE PARTNERSHIPS

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

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

9       “(c) ADVISORY COUNCIL.—The responsibilities of the  
10       advisory council established by the State pursuant to sec-  
11       tion 305A(c) State shall include—

12               “(1) reviewing and commenting on the State’s  
13       proposed performance partnership agreements under  
14       this title (and such comments shall be included with  
15       the State plan submission under section 307); and

16               “(2) evaluating and reporting on the State’s  
17       performance under the final agreement negotiated  
18       with the Assistant Secretary under this title.”.

19       (c) STATE PLAN REQUIREMENT.—Section 307(a) is  
20       amended in the first sentence by striking “which meets  
21       such criteria” and inserting “which includes the perform-  
22       ance partnership agreements under this title and title VII  
23       negotiated with the Assistant Secretary under sections  
24       202A, 305A, and 704A, and meets such other criteria”.

1 **SEC. 104. AREA PLANS: REORGANIZATION, STREAMLINING,**  
2 **AND INCORPORATION OF PERFORMANCE**  
3 **PARTNERSHIPS.**

4 (a) AREA PLAN REQUIREMENTS.—Section 306(a) is  
5 amended—

6 (1) in the matter preceding paragraph (1), by  
7 striking “Each such plan shall—” and inserting  
8 “Each such plan shall comply with the following re-  
9 quirements.”;

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

11 “(1) SERVICES PROVIDED.—The plan shall pro-  
12 vide for the furnishing, through a comprehensive  
13 and coordinated system, of services the need for  
14 which has been determined pursuant to paragraph  
15 (3), and which are designed to meet the performance  
16 objectives specified under paragraph (4), including—

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

19 “(B) nutrition services; and

20 “(C) where appropriate, the establishment,  
21 maintenance, or construction of multipurpose  
22 senior centers.”;

23 (3) in paragraph (2)—

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

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

3 (C) by striking “and specify annually in  
4 such plan, as submitted or as amended” and in-  
5 serting “and assurances that the area agency  
6 will report annually to the State agency”; and

7 (D) by striking the semicolon at the end  
8 and inserting a period;

9 (4) by striking paragraphs (3) (designation of  
10 focal points for service delivery in each community)  
11 and (4) (information and assistance services);

12 (5) by inserting after paragraph (2) the follow-  
13 ing new paragraphs:

14 “(3) DETERMINATION OF NEEDS.—The plan  
15 shall provide for determining the extent of need for  
16 the services specified in paragraphs (1) and (2) in  
17 the area taking into consideration, among other  
18 things—

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

21 “(i) who have low incomes,

22 “(ii) who have greatest economic need  
23 (with particular attention to individuals  
24 who are members of historically disadvan-  
25 taged groups),

1           “(iii) who have greatest social need  
2           (with particular attention to individuals  
3           who are members of historically disadvan-  
4           taged groups), or

5           “(iv) who are Indians; and

6           “(B) the effectiveness of use of resources  
7           (including efforts of volunteers and voluntary  
8           organizations) in meeting such need.

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

19          (6) in paragraph (5)—

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

23                 (B) by striking the semicolon at the end  
24                 and inserting a period;

25          (7) in paragraph (6)—

1 (A) by inserting “POLICY DEVELOP-  
2 MENT.—The plan shall—” after “(6)”;

3 (B) by striking subparagraphs (A) (evalua-  
4 tions and public hearings) and (B) (technical  
5 assistance to providers);

6 (C) by relocating and redesignating sub-  
7 paragraph (D) as subparagraph (A);

8 (D) by relocating and redesignating sub-  
9 paragraph (F) as subparagraph (B);

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

12 (F) by striking subparagraphs (E) (ar-  
13 rangements with specified organizations), (G)  
14 (methods for determining priority services), (H)  
15 (coordination among programs), (J) (identifica-  
16 tion of protective services providers), (L) (co-  
17 ordination of services for Alzheimer’s patients),  
18 (M) (coordination of mental health services),  
19 (O) (information on higher education), (Q) (co-  
20 ordination with housing providers), (R) (tele-  
21 phone listings of area agencies), and (S) (co-  
22 ordination of transportation services);

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

1           (9) by striking subparagraphs (I) and (K) of  
2 paragraph (6) (community-based long-term care  
3 services) and inserting after paragraph (6) the fol-  
4 lowing new paragraph:

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

11           “(A) development of case management  
12 services as a component of the long-term care  
13 services, consistent with the requirements of  
14 paragraph (8);

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

17           “(C) increasing community awareness of  
18 and involvement in addressing the needs of resi-  
19 dents of long-term care facilities.”;

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

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

1 (A) by inserting “MAINTENANCE OF EF-  
2 FORT FOR OMBUDSMAN PROGRAM.—The plan  
3 shall” after “(9)”;

4 (B) by striking “section 307(a)(12)” and  
5 inserting “section 307(a)(9)”; and

6 (C) by striking the semicolon at the end  
7 and inserting a period;

8 (12) by redesignating and relocating paragraph  
9 (6)(P) as paragraph (10), and amending such para-  
10 graph—

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

13 (B) by striking the semicolon and inserting  
14 a period;

15 (13) by striking paragraphs (6)(N), (18), and  
16 (19), and inserting after paragraph (10) the follow-  
17 ing paragraph:

18 “(11) SERVICES TO NATIVE AMERICANS.—The  
19 plan shall provide the following assurances concern-  
20 ing services to older Native Americans:

21 “(A) If there is a significant population of  
22 older individuals who are Indians in the area,  
23 the area agency will pursue activities, including  
24 outreach, to increase access of such individuals  
25 to programs and benefits under this title.

1           “(B) The area agency will, to the maxi-  
2           mum extent practicable, coordinate the services  
3           it provides under this title with services pro-  
4           vided under title VI.”;

5           (14) by striking paragraph (12) (area option  
6           concerning volunteer services coordinator);

7           (15) by striking paragraphs (13) through (16)  
8           (description of and assurances concerning activities  
9           of area agency); and

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

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

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

16                 (C) by striking the semicolon and inserting  
17                 a period.

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

19                 (1) by striking paragraph (2) (procedural re-  
20                 quirements for State agency waivers to area agen-  
21                 cies); and

22                 (2) by striking “(1)” after “(b)”.

1 **SEC. 105. STATE PLANS: REORGANIZATION, STREAMLINING,**  
2 **AND INCORPORATION OF PERFORMANCE**  
3 **PARTNERSHIPS.**

4 (a) STATE PLAN REQUIREMENTS.—Section 307(a) is  
5 amended—

6 (1) by striking paragraphs (1) and (2) and in-  
7 sserting the following:

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

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

12 “(i) develop and submit to the State  
13 agency for approval, in accordance with a  
14 uniform format developed by the State  
15 agency, an area plan meeting the require-  
16 ments of section 306 which specifies area  
17 objectives for purposes of performance  
18 partnerships under sections 305A and  
19 704A, as required by section 306(a)(4);  
20 and

21 “(ii) amend such area plan as nec-  
22 essary to incorporate, as appropriate, ob-  
23 jectives specified in the performance part-  
24 nership agreements negotiated by the State  
25 agency under such sections 305A and  
26 704A;

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

2 “(C) include the performance partnership  
3 agreements negotiated by the State agency with  
4 the Assistant Secretary under such sections  
5 305A and 704A.”;

6 (2) by striking paragraphs (3)(A) (evaluation of  
7 need for services), (9) (information and assistance  
8 services), and (22) (funding shares for priority serv-  
9 ices), and amending paragraph (2) to read as fol-  
10 lows:

11 “(2) DETERMINATION OF SERVICE NEEDS.—  
12 The plan shall provide that the State agency will—

13 “(A) evaluate, using uniform procedures  
14 under section 202(a)(29) the need for support-  
15 ive services (including legal assistance, informa-  
16 tion and assistance, and transportation serv-  
17 ices), nutrition services, and multipurpose sen-  
18 ior centers within the State;

19 “(B) determine the extent to which exist-  
20 ing public or private programs and resources  
21 (including volunteers and programs and services  
22 of voluntary organizations) meet such need; and

23 “(C) specify a minimum percentage of the  
24 funds received by each area agency for part B  
25 to be expended (unless waived by the State

1 agency under section 306(b)) by such area  
2 agency to provide each of the categories of serv-  
3 ices specified in section 306(a)(2).”;

4 (3) by striking paragraphs (3)(B) (maintaining  
5 rural funding), (29) and (37) (rural services and  
6 costs thereof), and (33) (intrastate funding for-  
7 mula), and adding after paragraph (2) the following  
8 new paragraph:

9 “(3) INTRASTATE FUNDING REQUIREMENTS.—  
10 The plan shall—

11 “(A) shall include (and may not be ap-  
12 proved unless the Assistant Secretary approves)  
13 the statement and demonstration required by  
14 paragraphs (2) and (4) of section 305 (d) (con-  
15 cerning intra-State distribution of funds); and

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

18 “(i) provide assurances that the State  
19 agency will spend for each fiscal year,  
20 under this title and titles V and VII, not  
21 less than 105 percent of the amount so ex-  
22 pended for fiscal year 1978;

23 “(ii) identify, for each fiscal year  
24 under the plan, the projected costs of pro-

1           viding such services (including the cost of  
2           providing access to such services); and

3           “(iii) describe the methods used to  
4           meet the needs for such services in the fis-  
5           cal year preceding the first year to which  
6           such plan applies.”;

7           (4) by striking paragraph (4) (methods of ad-  
8           ministration, personnel standards);

9           (5) by striking paragraph (8) (evaluations and  
10          hearings) and inserting after paragraph (3) the fol-  
11          lowing paragraph:

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

16          (6) by striking paragraph (43) (grievance pro-  
17          cedures) and amending paragraph (5) (hearing for  
18          area agencies and providers) to read as follows:

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

22                  “(A) afford an opportunity for a hearing  
23                  upon request, in accordance with published pro-  
24                  cedures, to any area agency submitting a plan

1 under this title, or to any provider of (or appli-  
2 cant to provide) services under such a plan; and

3 “(B) issue guidelines applicable to griev-  
4 ance procedures required by section  
5 306(a)(10).”;

6 (7) in paragraph (6), by inserting “RE-  
7 PORTS.—” after “(6)”;

8 (8) in paragraph (7)—

9 (A) by inserting “FISCAL CONTROLS.—”  
10 after “(7)”;

11 (B) by striking subparagraph (C);

12 (9) by redesignating paragraph (10) as para-  
13 graph (8) and amending such paragraph by insert-  
14 ing “RESTRICTION ON DIRECT PROVISION OF SERV-  
15 ICES.—” after “(8)”;

16 (10) by striking paragraph (11) (hiring pref-  
17 erence for older individuals and individuals trained  
18 in field of aging);

19 (11)(A) by redesignating paragraph (12) as  
20 paragraph (9), and amending such paragraph—

21 (i) by inserting “LONG-TERM CARE OM-  
22 BUDSMAN PROGRAM.—” after “(9)”;

23 (ii) by adding before the period “, and will  
24 expend for such purpose not less than the total

1 amount so expended by the State agency in fis-  
2 cal year 1991”; and

3 (B) by striking paragraph (21);

4 (12) by redesignating paragraph (13) as para-  
5 graph (10), and amending such paragraph—

6 (A) by inserting “NUTRITION SERV-  
7 ICES.—” after “(10)”;

8 (B) by striking subparagraphs (B) (pri-  
9 mary consideration to congregate meals), (D)  
10 (accessibility of congregate meal site), (E) (out-  
11 reach), (H) (grandfathered providers of home-  
12 delivered meals), and (M) (nonfinancial eligi-  
13 bility criteria); and

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

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

18 (iii) by redesignating subparagraph (C)  
19 and the remaining subparagraphs as subpara-  
20 graphs (B) through (H);

21 (13) by striking paragraph (14) (restrictions on  
22 use of funds under the Act for acquisition, alter-  
23 ation, or construction of facilities);

24 (14) by redesignating paragraph (15) as para-  
25 graph (11), and amending such paragraph—

1 (A) by inserting “LEGAL ASSISTANCE.—”  
2 after “(11)”; and

3 (B)(i) by striking “and” at the end of sub-  
4 paragraph (D); and

5 (ii) by striking the period at the end of  
6 subparagraph (E) and inserting “; and”; and

7 (C)(i) by amending paragraph (18) by  
8 striking all that precedes “assign personnel”  
9 and inserting “the State will”; and

10 (ii) by relocating and redesignating such  
11 paragraph (18) as paragraph (11)(F);

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

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

17 (17) by striking paragraph (19) (guarantees  
18 that area agencies may give grants or contracts to  
19 providers of education and training services);

20 (18) by redesignating paragraph (20) as para-  
21 graph (13), and amending such paragraph by insert-  
22 ing “OLDER INDIVIDUALS OF LIMITED ENGLISH-  
23 SPEAKING ABILITY.—”;

24 (19) by redesignating paragraph (23) as para-  
25 graph (14), and amending such paragraph by insert-

1 ing “SPECIAL NEEDS POPULATIONS.—” after  
2 “(14)”;

3 (20) by redesignating paragraph (24) as para-  
4 graph (15), and amending such paragraph by insert-  
5 ing “OUTREACH.—” after “(15)”;

6 (21) by redesignating paragraph (25) as para-  
7 graph (16), and amending such paragraph by insert-  
8 ing “OLDER INDIVIDUALS WITH SEVERE DISABIL-  
9 ITIES.—” after “(16)”;

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

12 (A) by inserting “COMMUNITY-BASED  
13 LONG-TERM CARE SERVICES.—” after “(17)”;

14 and

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

17 (23) by relocating and redesignating paragraph  
18 (44) as paragraph (17)(B);

19 (24) by striking paragraph (27) (assurances  
20 concerning part D in-home services program);

21 (25) by striking paragraph (28) (assurances  
22 concerning part E special needs program);

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

1           (27) by striking paragraph (31) (State volun-  
2           teer services coordinator);

3           (28) by redesignating paragraph (32) as para-  
4           graph (19), and amending such paragraph by insert-  
5           ing “TECHNICAL ASSISTANCE TO PROVIDERS.—”  
6           after “(19)”;

7           (29)(A) by redesignating paragraph (34) as  
8           paragraph (20), and amending such paragraph by  
9           inserting “OLDER NATIVE AMERICANS.—(A)” after  
10          “(20)”; and

11          (B) by redesignating subparagraphs (A) and  
12          (B) of paragraph (35) as clauses (i) and (ii), and re-  
13          designating and relocating such paragraph (35) as  
14          subparagraph (B) of paragraph (20);

15          (30) by redesignating paragraph (36) as para-  
16          graph (21), and amending such paragraph by insert-  
17          ing “CASE MANAGEMENT PROVIDERS.—” after  
18          “(21)”;

19          (31) by striking paragraphs (38) and (39) (as-  
20          surances concerning use of funds);

21          (32) by striking paragraph (40) (assurances  
22          concerning part G program for in-home caretakers);

23          (33) by striking paragraph (41) (efforts to co-  
24          ordinate services and provide multigenerational ac-  
25          tivities); and

1 (34) by striking paragraph (42) (coordination  
2 of transportation services).

3 **SEC. 106. EFFECTIVE DATE.**

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

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

12 **PART A—ADMINISTRATION ON AGING**

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

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

15 “(24) develop and operate, either directly or  
16 through contracts, grants, or cooperative agree-  
17 ments, a National Eldercare Locator Service, provid-  
18 ing nationwide toll-free information and assistance  
19 services to identify community resources for older in-  
20 dividuals;”.

21 **SEC. 202. AUTHORIZATIONS OF APPROPRIATIONS.**

22 (a) FEDERAL COUNCIL ON THE AGING.—Section  
23 204(g) is amended by striking all that follows “to carry  
24 out this section” and inserting “\$226,000 for fiscal year

1 1996 and such sums as necessary for each of fiscal years  
2 1997 and 1998.”.

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

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

8 “(1) for fiscal year 1996, \$18,149,000, plus  
9 such additional sums as may be necessary to carry  
10 out responsibilities with respect to programs under  
11 section 311 and title V transferred to the Adminis-  
12 tration on Aging by the Older Americans Act  
13 Amendments of 1995, and

14 “(2) such sums as may be necessary for each  
15 of fiscal years 1997 and 1998,  
16 of which up to \$1,000,000 for each such fiscal year shall  
17 be available for operation of the National Eldercare Loca-  
18 tor Service under section 202(a)(24).”.

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

21 **SEC. 211. CLARIFICATION CONCERNING SERVICES TO**  
22 **NONELDERLY.**

23 Section 301 is amended by adding at the end the fol-  
24 lowing new subsection:

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

1           “(1) RESTRICTED USE OF RESOURCES UNDER  
2           ACT.—Federal funds paid to States under this title,  
3           and cash and in-kind contributions required by sec-  
4           tion 304(e) (as redesignated by section 102 of this  
5           Act) as the non-Federal share of expenditures under  
6           this title, shall be used only for activities and serv-  
7           ices to benefit older individuals and other individuals  
8           as specifically provided in this title.

9           “(2) RESTRICTION INAPPLICABLE TO OTHER  
10          RESOURCES.—Neither paragraph (1) nor any other  
11          provision of this title shall be construed to prohibit  
12          State or area agencies on aging from engaging in ac-  
13          tivities or providing services to benefit individuals  
14          not described in paragraph (1) using cash or in-kind  
15          resources from sources not described in paragraph  
16          (1).”.

17 **SEC. 212. COORDINATION OF SERVICES FOR INDIVIDUALS**  
18 **WITH DISABILITIES UNDER AREA PLANS.**

19          Section 306(a) (as amended by section 104 of this  
20          Act) is further amended by inserting after paragraph (3)  
21          the following new paragraph:

22                 “(4) provide assurances that the area agency on  
23                 aging will coordinate planning, identification, assess-  
24                 ment of needs, and service for older individuals with  
25                 disabilities, with particular attention to individuals

1 with severe disabilities, with agencies that develop or  
2 provide services for individuals with disabilities.”.

3 **SEC. 213. ELIGIBILITY OF OLDER INDIANS FOR SERVICES**  
4 **UNDER AREA PLANS.**

5 (a) UNDER AREA PLANS.—Section 306(a)(18) is  
6 amended by inserting before the semicolon “, including as-  
7 surances that, notwithstanding any provision of this Act  
8 restricting eligibility for services to individuals aged 60 or  
9 older, it will make services under the area plan available,  
10 to the same extent as such services are available to older  
11 individuals within the service area, to older Indians eligible  
12 for services under an approved plan under title VI”.

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

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

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

20 “(31) If the State elects to require cost sharing  
21 by recipients of services under the State plan (or to  
22 require or permit area agencies on aging to require  
23 cost sharing by recipients of services under area  
24 plans), the plan shall—

1           “(A) provide that no cost sharing shall be  
2 required for—

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

5                   “(ii) ombudsman or other protective  
6 services; or

7                   “(iii) congregate or home-delivered  
8 nutrition services; and

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

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

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

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

19           (2) by adding at the end the following new  
20 paragraph:

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

1 **SEC. 215. STATE OPTION CONCERNING CONSUMER-DI-**  
2 **RECTED SERVICES.**

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

6 “(32) The plan shall specify—

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

10 “(i) to provide services to older indi-  
11 viduals through direct contracts with the  
12 individuals delivering such services; or

13 “(ii) to provide vouchers or cash to  
14 older individuals to permit such older indi-  
15 viduals to contract with individuals or enti-  
16 ties for the delivery of such services (and,  
17 if so, any requirements for the setting of  
18 payment rates or amounts);

19 “(B) the qualifications and other require-  
20 ments that must be met by individuals and enti-  
21 ties providing services under such arrange-  
22 ments; and

23 “(C) whether (and, if so, the conditions  
24 under which) services may be provided to an  
25 older individual by a family member under such  
26 an arrangement.”.

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

2 (a) STREAMLINING OF GENERAL RULES.—Section  
3 308(b) is amended—

4 (1) in paragraph (4)—

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

6 (B) by striking subparagraph (B) (Assist-  
7 ant Secretary’s discretion to permit State to  
8 transfer additional amounts between congregate  
9 and home-delivered meal programs); and

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

13 “(5) Of the funds received by a State for a fis-  
14 cal year from funds appropriated under subsections  
15 (a)(1), and (b)(1) and (2), of section 303, the State  
16 may elect to transfer not more than 20 percent be-  
17 tween programs under part B and part C, for use  
18 as the State considers appropriate.”.

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

23 **SEC. 217. AVAILABILITY OF DISASTER RELIEF FUNDS TO**  
24 **TRIBAL ORGANIZATIONS.**

25 Section 310 is amended—

26 (1) in subsection (a)(1)—

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

4 (B) by inserting “(or used by such tribal  
5 organization)” before “for the delivery of sup-  
6 portive services”;

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

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

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

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

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

17 “NUTRITION SERVICES INCENTIVE PROGRAM

18 “SEC. 311. (a) PURPOSE.—The purpose of the pro-  
19 gram under this section is to provide incentives to encour-  
20 age and reward effective performance by States and tribal  
21 organizations in the efficient delivery of nutritious meals  
22 to older Americans.

23 “(b) PAYMENTS TO TRIBAL ORGANIZATIONS.—

24 “(1) FUNDING.—The Assistant Secretary shall  
25 reserve 3 percent of the total amount appropriated  
26 for a fiscal year under subsection (d) for payment to

1 tribal organizations in accordance with paragraph  
2 (2).

3 “(2) ALLOTMENT AND PAYMENT.—The Assist-  
4 ant Secretary shall allot and pay, to each tribal or-  
5 ganization with a plan approved under title VI for  
6 a fiscal year, an amount bearing the same ratio to  
7 the total amount reserved under paragraph (1) as  
8 the number of meals served by such tribal organiza-  
9 tion, under such plan approved for the preceding fis-  
10 cal year, bears to the total number of meals served  
11 by all tribal organizations under all such plans ap-  
12 proved for such preceding fiscal year.

13 “(c) PAYMENTS TO STATES.—

14 “(1) FUNDING.—The Assistant Secretary shall  
15 allot among the States for each fiscal year, in ac-  
16 cordance with paragraph (2), the balance of  
17 amounts appropriated under subsection (d) remain-  
18 ing after application of subsection (b).

19 “(2) ALLOTMENT AND PAYMENT.—The Assist-  
20 ant Secretary shall allot and pay, to each State  
21 agency with a plan approved under this title for a  
22 fiscal year, an amount bearing the same ratio to the  
23 total amount reserved under paragraph (1) as the  
24 number of meals served in the State, under such  
25 plan approved for the preceding fiscal year, bears to

1 the total number of meals served in all States under  
2 all such plans approved for such preceding fiscal  
3 year.

4 “(d) AUTHORIZATION OF APPROPRIATIONS.—For  
5 carrying out the purposes of this section, there are author-  
6 ized to be appropriated \$151,250,000 for fiscal year 1996  
7 and such sums as may be necessary for each of fiscal years  
8 1997 and 1998.”.

9 (b) ELIMINATION OF MAINTENANCE OF EFFORT.—  
10 Section 339A is repealed.

11 **SEC. 219. WAIVERS OF CERTAIN REQUIREMENTS FOR**  
12 **STATE PROGRAMS.**

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

16 “WAIVERS

17 “SEC. 315. (a) IN GENERAL.—The Assistant Sec-  
18 retary may waive any of the provisions enumerated in sub-  
19 section (b) with respect to a State, upon application by  
20 the State agency containing or accompanied by docu-  
21 mentation sufficient to establish, to the satisfaction of the  
22 Assistant Secretary, that—

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

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

4           “(3) such proposal has been made available for  
5 public review and comment within the State (and a  
6 summary of comments received shall be included  
7 with the application); and

8           “(4) the State agency has given adequate con-  
9 sideration to the probable positive and negative con-  
10 sequences of approval of the waiver application, and  
11 the probable benefits for older individuals can rea-  
12 sonably be expected to outweigh any negative con-  
13 sequences, or particular circumstances in the State  
14 otherwise justify the waiver.

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

18           “(1) any provisions of sections 305, 306, and  
19 307 requiring statewide uniformity of programs  
20 under this title, to the extent necessary to permit  
21 demonstrations, in limited areas of a State, of inno-  
22 vative approaches to assist older individuals;

23           “(2) any area plan requirement under section  
24 306(a);



1           “(A) client assessment, case management,  
2           and development and coordination of commu-  
3           nity services;

4           “(B) in-home services for frail older indi-  
5           viduals (including supportive services for vic-  
6           tims of Alzheimer’s disease and related dis-  
7           orders with neurological and organic brain dys-  
8           function, and for the families of such individ-  
9           uals);

10           “(C) supportive activities to meet the spe-  
11           cial needs of caregivers, including caretakers  
12           who provide in-home services to frail older indi-  
13           viduals; and

14           “(D) in-home and other community serv-  
15           ices, including home health, homemaker, shop-  
16           ping, escort, reader, and letter writing services,  
17           to assist older individuals to live independently  
18           in a home environment;”.

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

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

1 (d) RELOCATION OF DEFINITIONS.—

2 (1) Section 342 (definition of “in-home serv-  
3 ices”) is relocated and redesignated as paragraph  
4 (46) of section 102, and is amended by striking  
5 “For purposes of this part, the term” and inserting  
6 “The term”.

7 (2) Section 363 (definition of “disease preven-  
8 tion and health promotion services”) is relocated and  
9 redesignated as paragraph (47) of section 102, and  
10 is amended by striking “For purposes of this part,  
11 the term” and inserting “The term”.

12 (e) REPEAL OF SUPERSEDED AUTHORITIES.—

13 (1) SUBSTANTIVE AUTHORITY.—Part D (In-  
14 Home Services for Frail Older Individuals), part E  
15 (Additional Assistance for Special Needs of Older  
16 Individuals), part F (Disease Prevention and Health  
17 Promotion Services), and part G (Supportive Activi-  
18 ties for Caretakers Who Provide In-Home Services  
19 to Frail Older Individuals) are repealed.

20 (2) AUTHORIZATION OF APPROPRIATIONS.—

21 (A) REPEALS; REDESIGNATION.—Section  
22 303 is amended by striking subsections (d), (e),  
23 (f), and (g), and by redesignating subsection  
24 (h) as subsection (d).

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

4 **SEC. 221. CONSOLIDATION OF AUTHORITIES FOR NUTRI-**  
5 **TION SERVICES.**

6 (a) SCHOOL-BASED MEALS AS CONGREGATE NUTRI-  
7 TION SERVICES.—

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

10 (2) Section 338(a) is relocated and redesignated  
11 as subsection (b) of section 331, and is amended, in  
12 the matter preceding paragraph (1), by striking all  
13 that precedes “projects” and inserting instead the  
14 following:

15 “(b) SCHOOL-BASED MEALS AND  
16 MULTIGENERATIONAL PROGRAMS.—The State may in-  
17 clude, in programs under this section,”.

18 (b) REPEAL OF SUPERSEDED AUTHORITY.—

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

22 (2) AUTHORIZATION OF APPROPRIATIONS.—  
23 Section 303(b)(3) is repealed.

1 **SEC. 222. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) SUPPORTIVE SERVICES AND SENIOR CENTERS.—  
3 Section 303(a)(1) is amended by striking all that precedes  
4 “for the purpose” and inserting “There are authorized to  
5 be appropriated \$306,711,000 for fiscal year 1996 and  
6 such sums as may be necessary for each of fiscal years  
7 1997 and 1998,”.

8 (b) CONGREGATE NUTRITION SERVICES.—Section  
9 303(b)(1) is amended by striking all that precedes “for  
10 the purpose” and inserting “There are authorized to be  
11 appropriated \$375,809,000 for fiscal year 1996 and such  
12 sums as may be necessary for each of fiscal years 1997  
13 and 1998,”.

14 (c) HOME-DELIVERED NUTRITION SERVICES.—Sec-  
15 tion 303(b)(2) is amended by striking all that precedes  
16 “for the purpose” and inserting “There are authorized to  
17 be appropriated \$94,065,000 for fiscal year 1996 and  
18 such sums as may be necessary for each of fiscal years  
19 1997 and 1998,”.

20 **PART C—RESEARCH, DEVELOPMENT, AND**  
21 **DEMONSTRATIONS**

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

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

1                                   “STATEMENT OF PURPOSE

2           “SEC. 401. (a) It is the purpose of this title to expand  
3 the Nation’s knowledge and understanding of aging and  
4 the aging process; to design, test, and promote utilization  
5 of innovative ideas and best practices in programs and  
6 services for older individuals; to help meet the needs for  
7 trained personnel in the field of aging; and to increase  
8 the awareness of citizens of all ages of the need to assume  
9 personal responsibility for their own aging through—

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

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

15                   “(3) development of methods and practices to  
16 improve quality and effectiveness of services;

17                   “(4) demonstration of new approaches to de-  
18 sign, delivery and coordination of programs and  
19 services;

20                   “(5) technical assistance on planning, develop-  
21 ment, implementation, evaluation, and improvement  
22 of programs and services under this Act; and

23                   “(6) dissemination of information on aging is-  
24 sues, their impact on individuals and society, and  
25 programs and services benefiting older individuals.

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

8               “PART A—EDUCATION AND TRAINING

9                       “PURPOSE

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

14               “(1) identifying workforce training and develop-  
15 ment needs in the field of aging;

16               “(2) developing a broad range of educational  
17 and training programs and activities for profes-  
18 sionals, paraprofessionals, administrators, techni-  
19 cians and service workers;

20               “(3) encouraging recruitment, training and  
21 placement of minority trainees in key positions with-  
22 in agencies and organizations of the aging network;

23               “(4) improving academic gerontology training  
24 and education programs to make them more respon-  
25 sive to changing requirements;

1           “(5) increasing the capacity of aging planning  
2           and service organizations to improve the perform-  
3           ance of their staff and other providers through  
4           training and other developmental activities; and

5           “(6) improving the knowledge and skills of  
6           teachers, instructors, trainers, guidance counselors  
7           and other personnel development staff in aging con-  
8           cepts and workforce opportunities and practices.

9                           “GRANTS AND CONTRACTS

10          “SEC. 411. (a) IN GENERAL.—The Assistant Sec-  
11          retary may make grants to any public or nonprofit private  
12          agency, organization or institution, and may enter into  
13          contracts with any agency, organization, institution, or in-  
14          dividual, for activities to achieve the purposes of this part,  
15          including—

16                 “(1) development and improvement of multi-  
17                 disciplinary education and training programs (in-  
18                 cluding expansion and improvement of curricula, in-  
19                 structional methods and materials, faculty and  
20                 teacher development, and program administration)  
21                 in academic institutions and other educational orga-  
22                 nizations which prepare individuals for employment  
23                 in programs and occupations serving older individ-  
24                 uals;

25                 “(2) development and improvement of continu-  
26                 ing education and in-service training opportunities

1 for individuals already working in the field of aging,  
2 including the personnel of State offices, area agen-  
3 cies on aging, senior centers, and nutrition, counsel-  
4 ing, ombudsman, adult protective services, and legal  
5 assistance programs; and

6 “(3) development of curriculum and guidance  
7 materials for students in secondary and vocational  
8 schools to encourage them to pursue employment  
9 and careers in the field of aging.

10 “(b) PROJECTS GIVEN SPECIAL CONSIDERATION.—  
11 To achieve the purposes of this title, the Assistant Sec-  
12 retary shall give special consideration to the support of  
13 projects that—

14 “(1) improve opportunities for career training  
15 activities to ensure an adequate and competent  
16 workforce in aging;

17 “(2) increase the capacity of State and area  
18 agency and nonprofit service organizations to pro-  
19 vide short-term in-service training to staff and vol-  
20 unteers;

21 “(3) develop leadership knowledge and skills of  
22 managers and administrators of organizations and  
23 agencies which plan, advocate, and provide services  
24 to older individuals, through workshops, seminars,  
25 and training institutes;



1           “RESEARCH AND DEVELOPMENT PROJECTS

2           “SEC. 421. (a) IN GENERAL.—The Assistant Sec-  
3 retary may make grants to any public or nonprofit private  
4 agency, organization, or institution, and may enter into  
5 contracts with any agency, organization, institution, or in-  
6 dividual for research or policy analysis related to the pur-  
7 poses of this part, including development of practices, as-  
8 sessment instruments, and applications involving—

9           “(1) use of technology for planning and delivery  
10 of services; and

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

14           “(b) CONSULTATION AND COLLABORATION WITH  
15 OTHER FEDERAL AGENCIES.—The Assistant Secretary  
16 may consult with, and may enter into formal agreements  
17 with, other Federal agencies supporting aging research  
18 and development activities, including agreements involving  
19 interagency transfer of funds to support collaborative re-  
20 search activities consistent with the conditions specified in  
21 section 451(b).

22           “DEMONSTRATION PROJECTS

23           “SEC. 422. (a) IN GENERAL.—The Assistant Sec-  
24 retary may make grants to any public agency or nonprofit  
25 private organization or enter into contracts with any agen-  
26 cy or organization to design, test and demonstrate new

1 approaches to planning and delivery of supportive services,  
2 nutrition services and other activities to maintain or in-  
3 crease the independence and improve the quality of life  
4 of older individuals.

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

8 “(1) COMMUNITY SERVICES FOR FUNCTION-  
9 ALLY IMPAIRED INDIVIDUALS.—Planning, develop-  
10 ment, and implementation of new approaches to de-  
11 livery of home and community-based supportive serv-  
12 ices for older individuals with disabilities limiting  
13 their ability to perform activities of daily living, in-  
14 cluding projects involving coordination and integra-  
15 tion of such services with those for nonelderly indi-  
16 viduals with similar disabilities, including approaches  
17 that—

18 “(A) promote individual choice in the selec-  
19 tion of services;

20 “(B) eliminate access barriers for popu-  
21 lations with greatest need;

22 “(C) reduce or eliminate duplication and  
23 fragmentation of services;

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

1           “(E) improve the quality and effectiveness  
2 of personnel of public and private entities in-  
3 volved in service delivery; and

4           “(F) develop cooperative relationships with  
5 private entities to increase the effective use of  
6 available public and private resources.

7           “(2) PREVENTION OF CRIME, VIOLENCE, AND  
8 ABUSE.—Planning, development, implementation,  
9 and evaluation of comprehensive community, State,  
10 and tribal models designed to prevent crime, violence  
11 and abuse against the elderly which include—

12           “(A) public education on prevention for  
13 older individuals;

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

16           “(C) improvements in information and  
17 data reporting systems;

18           “(D) coordination of public and private  
19 sector services and resources; and

20           “(E) in-service and cross-service training  
21 of personnel in criminal justice, health, mental  
22 health, law enforcement, social and protective  
23 services, and aging and advocacy service sys-  
24 tems.

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

5           “(1) COMPREHENSIVE COMMUNITY SERVICES  
6 TO INDIVIDUALS AT RISK OF LOSING INDEPEND-  
7 ENCE.—Projects to assist older individuals at risk of  
8 losing their independence without assistance in ac-  
9 complishing activities of daily living, including those  
10 disabled by Alzheimer’s Disease and related dis-  
11 orders, physical disability, mental illness or emo-  
12 tional stress, and developmental disabilities, through  
13 comprehensive State and community model pro-  
14 grams for such supportive services to such individ-  
15 uals, their families and caregivers, including—

16                   “(A) in-home health care;

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

18                   “(C) homemaker aides and personal care  
19 attendants;

20                   “(D) transportation to and from commu-  
21 nity health, mental health and social service fa-  
22 cilities;

23                   “(E) respite care, caregiver education,  
24 training, and counseling and other supportive  
25 services for primary caregivers of persons with

1 Alzheimer’s Disease, physical and developmen-  
2 tal disabilities, or other serious functional im-  
3 pairments; and

4 “(F) information and referral, outreach,  
5 counseling and other services to increase access  
6 to appropriate medical, nutritional, and sup-  
7 portive services.

8 “(2) HOUSING SERVICES.—Projects addressing  
9 the special housing needs of older individuals by ac-  
10 tivities including—

11 “(A) developing programs to enable or as-  
12 sist older homeowners—

13 “(i) to maintain their residences  
14 through repairs or renovations, and

15 “(ii) to increase their physical safety  
16 through structural modifications or alter-  
17 ations and installation of security devices;

18 “(B) studying and demonstrating methods  
19 of adapting existing housing, or construction of  
20 new housing, to meet the needs of older individ-  
21 uals with functional impairments;

22 “(C) coordinating counseling services with  
23 those available to residents of Federal and  
24 State assisted housing facilities with high con-  
25 centrations of older residents; and

1           “(D) developing information, counseling  
2           and referral programs for older renters and  
3           homeowners on housing options, including eligi-  
4           bility requirements; application processes; fi-  
5           nancing; and legal rights and responsibilities of  
6           tenancy and restricted ownership, including  
7           foreclosure and eviction.

8           “(3) EDUCATION AND TRAINING.—Projects to  
9           provide education and training to older individuals  
10          designed to enable them to lead more productive  
11          lives through development and demonstration of—

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

14                 “(B) pre-retirement counseling and edu-  
15                 cation programs; and

16                 “(C) older adult occupational training and  
17                 employment placement and counseling activities  
18                 not currently supported under title V or pro-  
19                 grams administered by the Department of  
20                 Labor.

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

23                 “(A) increase access of older individuals,  
24                 especially low-income individuals and those liv-

1 ing in rural areas, to community services essen-  
2 tial to independent living;

3 “(B) provide low-cost commuter transpor-  
4 tation for in-home personal care aides serving  
5 functionally impaired older individuals in under-  
6 served public transit areas; and

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

9 “(5) VOLUNTEER OPPORTUNITIES.—Projects  
10 developed in conjunction with the Corporation for  
11 National and Community Service to develop—

12 “(A) innovative opportunities for older vol-  
13 unteers to fulfill community needs which are  
14 not being met by existing programs (including  
15 volunteer programs), including opportunities to  
16 provide—

17 “(i) multigenerational services ad-  
18 dressing the needs of youth and children;  
19 and

20 “(i) peer support and home and com-  
21 munity services to other older individuals  
22 with functional impairments or otherwise  
23 at risk of losing their ability to live inde-  
24 pendently; and



1 administrators, policy-makers and providers in the field of  
2 aging.

3 “FUNCTIONS OF GRANTEES AND CONTRACTORS;

4 ADVISORY BOARDS

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

8 “(1) evaluate, analyze, and report on program  
9 policies and practices to assess their effectiveness in  
10 meeting the needs and improving the quality of life  
11 of older individuals and their families and  
12 caregivers;

13 “(2) compile, select, and make available re-  
14 search, evaluation and demonstration findings which  
15 provide useful guidance in determining the needs of  
16 older individuals and improving practices in the field  
17 of aging;

18 “(3) develop strategies and models to improve  
19 the quality, efficiency, and effectiveness of service  
20 programs and activities;

21 “(4) develop technical assistance and training  
22 materials and participate in workshops, conferences  
23 and events which promote transfer of useful infor-  
24 mation and practices;

1           “(5) sponsor activities which enhance the edu-  
2 cation and training of a competent workforce in the  
3 field of aging;

4           “(6) assist other grantees conducting dem-  
5 onstration or pilot projects under the Act by provid-  
6 ing documentation, assessment, and other assistance  
7 in the planning and implementation of such pilot  
8 projects; and

9           “(7) conduct information dissemination activi-  
10 ties in coordination with such activities of the Na-  
11 tional Aging Information Center.

12          “(b) ADVISORY BOARDS.—Each center supported by  
13 a grant under this part shall establish an advisory board  
14 which—

15           “(1) shall provide policy guidance with respect  
16 to the planning and conduct of activities under such  
17 grant; and

18           “(2) whose members shall include representa-  
19 tives of—

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

21           “(B) appropriate national, State, and local  
22 service organizations; and

23           “(C) other groups as appropriate.

24           “GRANTS AND CONTRACTS

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

1           “(1) IN GENERAL.—The Assistant Secretary  
2           may make grants to or enter into contracts with any  
3           public or nonprofit private entities, for the purpose  
4           of operating national centers serving primarily as in-  
5           formational resources to State and area agencies ad-  
6           ministering programs under titles III and VII, tribal  
7           organizations and other organizations administering  
8           programs under title VI, and providers of services  
9           under such programs.

10           “(2) FUNCTIONS OF CENTERS.—Centers funded  
11           under this subsection shall focus on selected subject-  
12           matter areas (including all policy and program is-  
13           sues, such as development, delivery, financing, and  
14           coordination of services, concerning such subject-  
15           matter area) relating to programs under titles III,  
16           VI, and VII, and may include centers such as those  
17           focusing on the following program areas:

18                   “(A) Comprehensive home and community-  
19                   based services, including long-term care serv-  
20                   ices, intended to enable functionally impaired  
21                   elderly to remain in their homes and commu-  
22                   nities.

23                   “(B) Nutrition services, including con-  
24                   gregate and home-delivered meals, dietary  
25                   standards, and related matters.

1           “(C) Information and referral services.

2           “(D) Older Native Americans, including  
3 individuals living in tribal and in nontribal  
4 areas.

5           “(E) Legal assistance.

6           “(3) NATIONAL OMBUDSMAN AND ELDER  
7 ABUSE CENTERS.—Funds available under this sub-  
8 section may be used, to the extent the Assistant Sec-  
9 retary finds necessary, to support the activities of  
10 the National Ombudsman Resource Center under  
11 section 202(a)(21) and the activities of the National  
12 Center on Elder Abuse under section 202(d).

13          “(b) NATIONAL EDUCATION AND TRAINING CEN-  
14 TERS.—

15           “(1) IN GENERAL.—The Assistant Secretary  
16 may make grants to or enter into contracts with any  
17 public or nonprofit private entities, for the purpose  
18 of operating national centers to encourage leadership  
19 and improve education, training, and employment  
20 practices for the workforce needed to plan, admin-  
21 ister and provide services under this Act, and to pro-  
22 mote policy discussion and development to prepare  
23 the Nation for the increased and changing demands  
24 of its aging population.

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

3           “(A) multidisciplinary academic centers of  
4 gerontology to conduct applied research, edu-  
5 cation, training, technical assistance and dis-  
6 semination activities with special attention to  
7 human resource and development issues affect-  
8 ing special population groups; and

9           “(B) a national leadership institute on  
10 aging to develop and conduct training activities  
11 for executive managers and senior officials of  
12 government and nonprofit agencies, voluntary  
13 groups, professional associations, and other or-  
14 ganizations responsible for planning, financing,  
15 and providing programs and services for older  
16 individuals.

17           “(C) CROSS-CUTTING POLICY CENTERS.—

18           “(1) IN GENERAL.—In addition to the grants  
19 and contracts authorized under subsections (a) and  
20 (b), the Assistant Secretary may make grants to or  
21 enter into contracts with any public or nonprofit pri-  
22 vate entities, for research, policy analysis, technical  
23 assistance, information dissemination or training ac-  
24 tivities, as appropriate on any area or areas of broad  
25 national interest (including social, economic, health,

1 mental health, and environmental issues) affecting  
2 older individuals.

3 “(2) ISSUES ADDRESSED.—Issues that may be  
4 addressed under a grant under this subsection in-  
5 clude—

6 “(A) broad societal issues addressed in sec-  
7 tion 101, including transportation, housing, em-  
8 ployment, income security, public safety, health,  
9 and mental health; and

10 “(B) concerns of special population groups  
11 among older individuals, including low income,  
12 older women, rural elderly, minorities, and dis-  
13 abled populations.

14 “PART D—INFORMATION DISSEMINATION AND RELATED  
15 ACTIVITIES

16 “PURPOSE

17 “SEC. 441. (a) IN GENERAL.—The purpose of this  
18 part is to improve the quality, efficiency, availability, and  
19 accessibility of services for older individuals through sup-  
20 port of information dissemination and utilization activities  
21 which—

22 “(1) collect, preserve, and disseminate, publish,  
23 or otherwise make available relevant materials con-  
24 cerning matters such as research and demonstration

1 findings, and training and technical assistance mate-  
2 rials;

3 “(2) synthesize, publish, and disseminate infor-  
4 mation concerning completed projects under this  
5 title which are of demonstrated value, including—

6 “(A) technical assistance and training in  
7 the implementation and adaptation of project  
8 methods; and

9 “(B) the development of additional mate-  
10 rials which increase the awareness and accept-  
11 ance of such project results;

12 “(3) locate, publicize, and make available prac-  
13 tical self-help information for older individuals and  
14 their families and encourage development of appro-  
15 priate public education activities;

16 “(4) support conferences, forums, and other  
17 meetings designed to identify, disseminate and pro-  
18 mote utilization of research findings, policy prac-  
19 tices, and best practices; and

20 “(5) provide technical assistance to grantees  
21 under this title and other recipients of support  
22 under this Act on the design, development and pro-  
23 motion of products and information materials.

24 “(b) COORDINATION WITH OTHER INFORMATION  
25 SOURCES.—Activities supported under this part will be co-

1 ordinated with the information dissemination activities of  
2 Centers authorized under part C and other Federal infor-  
3 mation clearinghouses and document repositories.

4 “GRANTS AND CONTRACTS

5 “SEC. 442. (a) IN GENERAL.—The Assistant Sec-  
6 retary may make grants to any public agency or nonprofit  
7 private organization or enter into contracts with any agen-  
8 cy or organization for activities to carry out the purposes  
9 of this part, including the following:

10 “(1) activities of the National Aging Informa-  
11 tion Center established under section 202(e).

12 “(2) sponsorship and co-sponsorship with other  
13 Federal agencies and other public and private orga-  
14 nizations of national and regional conferences and  
15 other meetings which disseminate discretionary  
16 project findings and information related to issues  
17 and concerns affecting the well-being of older indi-  
18 viduals; and

19 “(3) A National Academy on Aging to serve as  
20 a forum for policy analysis and debate on current  
21 and emerging issues and for informing policy offi-  
22 cials and the public about such issues.

23 “PART E—GENERAL PROVISIONS

24 “AUTHORIZATION OF APPROPRIATIONS

25 “SEC. 451. (a) AUTHORIZATION.—There are author-  
26 ized to be appropriated to carry out the provisions of this

1 title \$44,384,000 for fiscal year 1996, and such sums as  
2 necessary for each of fiscal years 1997 and 1998.

3 “(b) RESTRICTIONS.—No funds appropriated under  
4 this title—

5 “(1) may be transferred to any office or other  
6 authority of the Federal Government which is not  
7 directly responsible to the Assistant Secretary, un-  
8 less those funds are used for purposes authorized  
9 under this title in accordance with conditions speci-  
10 fied by formal inter-agency agreements with other  
11 Federal agencies;

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

15 “(3) may be combined with funds appropriated  
16 under any other Act if the purpose of combining  
17 funds is to make a single discretionary grant or a  
18 single discretionary payment, unless such funds ap-  
19 propriated under this title are separately identified  
20 in such grant or payment and are used for the pur-  
21 poses of this title.

22 “PAYMENTS OF GRANTS

23 “SEC. 452. (a) CONTRIBUTIONS BY GRANTEES AND  
24 CONTRACTORS.—To the extent the Assistant Secretary  
25 deems appropriate, the Assistant Secretary shall require  
26 the recipient of any project grant or contract under this

1 title to contribute money, facilities, or services for carrying  
2 out the project for which such grant or contract is made.

3 “(b) METHOD OF PAYMENT.—Payments under this  
4 title pursuant to a grant or contract may be made (after  
5 necessary adjustment, in the case of grants, on account  
6 of previously made overpayments or underpayments) in  
7 advance or by way of reimbursement, and in such install-  
8 ments and on such conditions, as the Assistant Secretary  
9 may determine.

10 “ADMINISTRATION

11 “SEC. 453. (a) ADMINISTRATION ON AGING.—In  
12 order to carry out the provisions of this title effectively,  
13 the Assistant Secretary shall administer this title through  
14 the Administration on Aging.

15 “(b) ASSISTANCE FROM OTHER AGENCIES.—In car-  
16 rying out the provisions of this title, the Assistant Sec-  
17 retary may request the technical assistance and coopera-  
18 tion of other agencies and departments of the Federal  
19 Government as may be appropriate.

20 “(c) OUTREACH TO APPLICANTS.—The Assistant  
21 Secretary shall ensure that applications from agencies, or-  
22 ganizations, and institutions representing minorities, are  
23 encouraged in the writing of grant proposal solicitations  
24 and contract requests for proposals.

25 “(d) CONSULTATION.—The Assistant Secretary shall,  
26 in developing priorities, consistent with the requirements

1 of this title, for awarding grants under this title, consult  
2 with State agencies on aging, area agencies on aging, re-  
3 cipients of grants under title VI, institutions of higher  
4 education, organizations representing beneficiaries of serv-  
5 ices under this Act, and other organizations and individ-  
6 uals with expertise in aging issues.

7 “(e) EVALUATIONS AND REPORTS.—The Assistant  
8 Secretary shall ensure that grants and contracts awarded  
9 under this title—

10 “(1) conduct evaluation and prepare reports in-  
11 dicating their benefit to older individuals, and to  
12 programs under this Act; and

13 “(2) comply with the requirements under this  
14 Act.

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

20 “(1) an abstract describing the purpose and ac-  
21 tivities of each grant or contract awarded or contin-  
22 ued;

23 “(2) the name and address of the organiza-  
24 tional recipient;

1           “(3) the name and affiliation of the project di-  
2 rector;

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

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

6           “(g) EXTERNAL REVIEW.—The Assistant Secretary  
7 shall establish by regulation and implement an external  
8 review process to evaluate applications for discretionary  
9 grant awards under this title.”.

10       **PART D—COMMUNITY SERVICE EMPLOYMENT**  
11                               **FOR OLDER AMERICANS**

12       **SEC. 241. TRANSFER OF AUTHORITY.**

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

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

18               (1) IN GENERAL.—There are transferred from  
19 the Department of Labor to the Department of  
20 Health and Human Services any contracts, grants,  
21 records, and unexpended balances of appropriations,  
22 authorizations, allocations, and other funds em-  
23 ployed, held, or used in connection with or arising  
24 from the administration of the program under title  
25 V of the Older Americans Act of 1965.

1           (2) INTERAGENCY ARRANGEMENTS.—The Sec-  
2           retaries of Labor and Health and Human Services  
3           shall enter into and implement such arrangements  
4           as they find reasonable and necessary for the orderly  
5           transfer of such program in accordance with this  
6           section.

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

19          (4) CONTINUATION OF AUDITS.—Audits relat-  
20          ing to such title V pending on the effective date of  
21          this section shall be unaffected by the enactment of  
22          this section.

23          (5) CONTINUATION OF SUITS.—Judicial pro-  
24          ceedings and proceedings before administrative law  
25          judges under or with respect to such title V pending

1 on the effective date of this section shall be unaf-  
2 fected by the enactment of this section, except that  
3 the Secretary of Health and Human Services and  
4 the Assistant Secretary for Aging shall be sub-  
5 stituted for the Secretary of Labor as parties to  
6 such proceedings.

7 (c) CONFORMING AMENDMENTS.—

8 (1) Section 502(b)(1)(P) is amended by striking  
9 “Department of Labor” and inserting “Department  
10 of Health and Human Services”.

11 (2) Section 502(c)(1) is amended by striking  
12 “Health and Human Services” and inserting  
13 “Labor”.

14 (3) Section 503(a)(1) is amended by striking  
15 “the Secretary shall, through the Assistant Sec-  
16 retary for Aging,” and inserting “the Assistant Sec-  
17 retary shall”.

18 (4) Section 503(a)(2) is amended by striking  
19 “The Secretary of Labor and the Assistant Sec-  
20 retary for Aging” and inserting “The Assistant Sec-  
21 retary”.

22 (5) Section 503(b)(1) is amended—

23 (A) in the first sentence, by striking “The  
24 Secretary” and inserting “The Assistant Sec-  
25 retary and the Secretary of Labor”; and

1 (B) in the second sentence—

2 (i) by striking “The Secretary” and  
3 inserting “The Assistant Secretary”, and

4 (ii) by striking “by the Assistant Sec-  
5 retary for Aging.”.

6 (6) Section 505(a) is amended—

7 (A) by striking “The Secretary” and in-  
8 serting “The Assistant Secretary”; and

9 (B) by striking “the Assistant Secretary  
10 for Aging” and inserting “the Secretary of  
11 Labor”.

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

15 (8) Title V is further amended throughout by  
16 striking “Secretary” each place it appears (except  
17 where preceded by “Assistant” or followed by “of”)  
18 and inserting “Assistant Secretary”.

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

20 Section 502(c) is amended—

21 (1) in paragraph (1), by striking “90 percent”  
22 and inserting “the Federal share, as specified in  
23 paragraph (2),”;

24 (2) by redesignating paragraphs (2) and (3) as  
25 paragraphs (3) and (4); and

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

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

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

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

7                   “(C) 87.5 percent for fiscal year 1998,

8                   “(D) 86.5 percent for fiscal year 1999,

9           and

10                   “(E) 84 percent for fiscal year 2000 and

11           each succeeding fiscal year.”.

12 **SEC. 243. AUTHORIZATION OF APPROPRIATIONS.**

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

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

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

18 **SEC. 251. AUTHORIZATION OF APPROPRIATIONS.**

19           Section 633(a) is amended by striking all that pre-  
20 cedes “to carry out this title” and inserting “There are  
21 authorized to be appropriated \$18,402,000 for fiscal year  
22 1996, and such sums as may be necessary for each of fis-  
23 cal years 1997 and 1998”.

1           **PART F—VULNERABLE ELDER RIGHTS**

2                           **PROTECTION**

3   **SEC. 261. ASSISTANCE PROGRAM FOR INSURANCE AND**  
4                           **PUBLIC BENEFITS.**

5           (a) CLARIFICATION OF IMPLEMENTATION OP-  
6 TIONS.—Section 741(d) is amended by adding at the end  
7 the following new sentence: “If the State elects to award  
8 funds under this section to area agencies on aging or other  
9 local entities, it shall give priority to local areas which  
10 have high concentrations of older individuals with greatest  
11 economic or social need, and in which outreach activities,  
12 application assistance, and benefits counseling are inad-  
13 equate.”.

14           (b) REPEAL OF INCONSISTENT PROVISION.—Section  
15 705(a) is amended—

16                   (1) by adding “and” at the end of paragraph

17                   (6);

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

19                   (3) by redesignating paragraph (8) as para-  
20                   graph (7).

21   **SEC. 262. AUTHORIZATION OF APPROPRIATIONS.**

22           (a) OMBUDSMAN PROGRAM.—Section 702(a) is  
23 amended by striking all that follows “chapter 2,” and in-  
24 serting “\$4,449,000 for fiscal year 1996, and such sums  
25 as may be necessary for each of fiscal years 1997 and  
26 1998.”.

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

6 (c) STATE ELDER RIGHTS AND LEGAL ASSISTANCE  
7 DEVELOPMENT PROGRAM.—Section 702(c) is amended by  
8 striking all that follows “chapter 4,” and inserting “such  
9 sums as may be necessary for each of fiscal years 1996,  
10 1997, and 1998.”.

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

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

## 20 **PART G—TECHNICAL AMENDMENTS**

### 21 **SEC. 271. DEFINITIONS.**

22 (a) RELOCATION, REORDERING, AND REDESIGNA-  
23 TION OF DEFINITIONS.—

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

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

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

7           (B) Section 102(6) is amended—

8                 (i) by striking “(A)” and “(B)” and insert-  
9                 ing “(i)” and “(ii)”; and

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

11           (C) Section 102(7) is amended by striking  
12           “(7)” and inserting “(C)”.

13           (3)(A) Section 102(8) is amended—

14                 (i) by striking the subparagraph designa-  
15                 tions “(A)” through “(H)” and inserting clause  
16                 designations “(i)” through “(viii)”; and

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

18           (B) Section 102(9) is amended—

19                 (i) by striking the subparagraph designa-  
20                 tions “(A)” and “(B)” and inserting the clause  
21                 designations “(i)” and “(ii)”; and

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

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

1                                   **PART H—EFFECTIVE DATE**

2   **SEC. 281. EFFECTIVE DATE.**

3           Except as otherwise specifically provided, the amend-  
4   ments made by this title shall become effective October  
5   1, 1995.

6                                   **TITLE III—WHITE HOUSE**  
7                                   **CONFERENCE ON AGING**

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

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

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

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

23               (1) to increase the public awareness of the  
24               interdependence of generations and the essential  
25               contributions of older individuals to society for the  
26               well-being of all generations:

1           (2) to identify the problems facing older individ-  
2 uals and the commonalities of the problems with  
3 problems of younger generations;

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

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

11           (5) to develop recommendations for the coordi-  
12 nation of Federal policy with state and local needs  
13 and the implementation of such recommendations;  
14 and

15           (6) to review the status and multigenerational  
16 value of recommendations adopted at previous White  
17 House Conferences on Aging.

18           (d) CONFERENCE PARTICIPANTS AND DELE-  
19 GATES.—

20           (1) PARTICIPANTS.—In order to carry out the  
21 purposes of this section, the Conference shall bring  
22 together—

23                   (A) representatives of Federal, State, and  
24                   local governments,

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

3 (C) representatives of the general public,  
4 particularly older individuals.

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

15 **SEC 302. CONFERENCE ADMINISTRATION.**

16 (a) ADMINISTRATION.—In administering this section,  
17 the Secretary shall—

18 (1) provide written notice to all members of the  
19 Policy Committee of each meeting, hearing, or work-  
20 ing session of the Policy Committee not later than  
21 48 hours before the occurrence of such meeting,  
22 hearing, or working session,

23 (2) request the cooperation and assistance of  
24 the heads of such other Federal departments and

1 agencies as may be appropriate in the carrying out  
2 of this section,

3 (3) furnish all reasonable assistance, including  
4 financial assistance, to State agencies on aging and  
5 to area agencies on aging, and to other appropriate  
6 organizations (including organizations representing  
7 older Indians), to enable them to organize and con-  
8 duct conferences and other activities in conjunction  
9 with the Conference (including activities in advance  
10 of the Conference, as part of the process of planning  
11 for the Conference, and activities subsequent to the  
12 Conference in connection with dissemination, discus-  
13 sion, and implementation of recommendations of the  
14 Conference);

15 (4) make available for public comment a pro-  
16 posed agenda, prepared by the Policy Committee, for  
17 the Conference which will reflect to the greatest ex-  
18 tent possible the major issues facing older individ-  
19 uals consistent with the provisions of subsection (a),

20 (5) prepare and make available background ma-  
21 terials for the use of delegates to the Conference  
22 which the Secretary deems necessary, and

23 (6) engage such additional personnel as may be  
24 necessary to carry out the provisions of this section  
25 without regard to provisions of title 5, United States

1 Code, governing appointments in the competitive  
2 service, and without regard to chapter 51 and sub-  
3 chapter III of chapter 53 of such title relating to  
4 classification and General Schedule pay rates.

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

9 (1) the conferences under subsection (a)(3)  
10 shall—

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

17 (B) be so conducted as to ensure broad  
18 participation of older individuals,

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

1           (3) the personnel engaged under subsection  
2           (a)(5) shall be fairly balanced in terms of points of  
3           views represented and shall be appointed without re-  
4           gard to political affiliation or previous partisan ac-  
5           tivities,

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

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

22          (c) GIFTS.—The Secretary may accept, on behalf of  
23          the United States, gifts (in cash or in kind, including vol-  
24          untary and uncompensated services), which shall be avail-

1 able to carry out this title. Gifts of cash shall be available  
2 in addition to amounts appropriated to carry out this title.

3 (d) RECORDS.—The Secretary shall maintain records  
4 regarding—

5 (1) the sources, amounts, and uses of gift ac-  
6 cepted under subsection (c); and

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

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

11 (a) POLICY COMMITTEE.—

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

16 (A) PRESIDENTIAL APPOINTEES.—13  
17 members shall be selected by the President and  
18 shall include—

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

21 (ii) 10 members with experience in the  
22 field of aging, who may include representa-  
23 tives of public aging agencies, institution-  
24 based organizations, and minority aging

1 organizations, and shall include a member  
2 of the Federal Council on the Aging.

3 (B) HOUSE APPOINTEES.—4 members  
4 shall be selected by the Speaker of the House  
5 of Representatives, after consultation with the  
6 Minority Leader of the House of Representa-  
7 tives, and shall include members of the Com-  
8 mittee on Economic and Educational Opportu-  
9 nities and the Committee on Ways and Means  
10 of the House of Representatives. Not more  
11 than 3 members selected under this subpara-  
12 graph may be associated or affiliated with the  
13 same political party,

14 (C) SENATE APPOINTEES.—4 members  
15 shall be selected by the Majority Leader of the  
16 Senate, after consultation with the Minority  
17 Leader of the Senate, and shall include mem-  
18 bers of the Committee on Labor and Human  
19 Resources and the Special Committee on Aging  
20 of the Senate. Not more than 3 members se-  
21 lected under this subparagraph may be associ-  
22 ated or affiliated with the same political party.

23 (D) JOINT APPOINTEES.—4 members shall  
24 be selected jointly by the Speaker of the House  
25 of Representatives and the Majority Leader of

1 the Senate, after consultation with the minority  
2 leaders of the House and Senate, and shall in-  
3 clude representatives with experience in the  
4 field of aging, who may include representatives  
5 described in subsection (a)(1)(A)(ii). Not more  
6 than 2 members selected under this subpara-  
7 graph may be associated or affiliated with the  
8 same political party.

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

17 (A) make recommendations to the Sec-  
18 retary to facilitate the timely convening of the  
19 Conference;

20 (B) formulate and approve a proposed  
21 agenda for the Conference not later than 60  
22 days after the first meeting of the Policy Com-  
23 mittee;

24 (C) make recommendations for partici-  
25 pants and delegates of the Conference;

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

3 (E) formulate and approve the initial re-  
4 port of the Conference in accordance with sec-  
5 tion 304.

6 (3) QUORUM; COMMITTEE VOTING; CHAIR-  
7 PERSON.—

8 (A) QUORUM.—13 members shall con-  
9 stitute a quorum for the purpose of conducting  
10 the business of the Policy Committee, except  
11 that 17 members shall constitute a quorum for  
12 purposes of approving the agenda required by  
13 paragraph (2)(B) and the report required by  
14 paragraph (2)(E).

15 (B) VOTING.—The Policy Committee shall  
16 act by the vote of the majority of the members  
17 present.

18 (C) CHAIRPERSON.—The President shall  
19 select a chairperson from among the members  
20 of the Policy Committee. The chairperson may  
21 vote only to break a tie vote of the other mem-  
22 bers of the Policy Committee.

23 (b) OTHER COMMITTEES.—The Secretary may estab-  
24 lish such other committees, including technical commit-

1 tees, as may be necessary to assist in the planning, con-  
2 ducting, and reviewing of the Conference.

3 (c) COMPOSITION OF COMMITTEES.—Each commit-  
4 tee established under subsection (b) shall be composed of  
5 professionals and public members, and shall include indi-  
6 viduals from low-income families, and individuals who are  
7 Native Americans. Appropriate efforts shall be made to  
8 include individuals who are members of minority  
9 groups. A majority of the public members of each such  
10 committee shall be 55 years of age or older.

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

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

2 (a) PROPOSED REPORT.—A proposed report of the  
3 Conference, which shall include a statement of comprehen-  
4 sive coherent national policy on aging together with rec-  
5 ommendations for the implementation of the policy, shall  
6 be published and submitted to the chief executive officers  
7 of the States not later than 90 days following the date  
8 on which the Conference is adjourned. The findings and  
9 recommendations included in the published proposed re-  
10 port shall be immediately available to the public.

11 (b) RESPONSE TO PROPOSED REPORT.—The chief  
12 executive officers of the States, after reviewing and solicit-  
13 ing recommendations and comments on the report of the  
14 Conference, shall submit to the Policy Committee, not  
15 later than 90 days after receiving the report, their views  
16 and findings on the recommendations of the Conference.

17 (c) REPORTS.—

18 (1) INITIAL REPORT.—The Policy Committee  
19 shall, after reviewing the views and recommenda-  
20 tions of the chief executive officers of the States,  
21 prepare and approve an initial report of the Con-  
22 ference, which shall include a compilation of the ac-  
23 tions of the chief executive officers of the States and  
24 take into consideration the views and findings of  
25 such officers.

1           (2) PUBLICATION OF INITIAL REPORT; FINAL  
2           REPORT.—Not later than 60 days after such initial  
3           report is transmitted by the Policy Committee, the  
4           Secretary shall publish such initial report in the  
5           Federal Register. The Secretary shall republish a  
6           final report together with such additional views and  
7           recommendations as the Secretary considers to be  
8           appropriate.

9           (d) RECOMMENDATIONS OF THE POLICY COMMIT-  
10          TEE.—The Policy Committee shall, within 90 days after  
11          submission of the views of the chief executive officers of  
12          the States, publish and transmit to the President and to  
13          the Congress recommendations for the administrative ac-  
14          tion and the legislation necessary to implement the rec-  
15          ommendations contained within the report.

16          **SEC. 305. DEFINITIONS.**

17          For the purposes of this title—

18                 (1) the term “area agency on aging” has the  
19                 meaning given the term in section 102 of the Older  
20                 Americans Act of 1965,

21                 (2) the term “State agency on aging” means  
22                 the State agency designated under section 305(a)(1)  
23                 of the Act,

24                 (3) the term “Secretary” means the Secretary  
25                 of Health and Human Services,

1           (4) the term “Conference” means the White  
2 House Conference on Aging, and

3           (5) the term “State” means any of the several  
4 States, the District of Columbia, the Commonwealth  
5 of Puerto Rico, Guam, American Samoa, the Virgin  
6 Islands, the Commonwealth of the Northern Mari-  
7 ana Islands, and the Trust Territory of the Pacific  
8 Islands.

9 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) AUTHORIZATION.—

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

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

18 (b) AVAILABILITY OF FUNDS.—

19           (1) IN GENERAL.—Except as provided in para-  
20 graph (3), funds appropriated to carry out this title  
21 and funds received as gifts under section 303(c)  
22 shall remain available for obligation or expenditure  
23 until the expiration of the 1-year period beginning  
24 on the date the Conference adjourns.

1           (2) UNOBLIGATED FUNDS.—Except as provided  
2           in paragraph (3), any such funds neither expended  
3           nor obligated before the expiration of the 1-year pe-  
4           riod beginning on the date the Conference adjourns  
5           shall be available to carry out the Older Americans  
6           Act of 1965.

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