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105TH CONGRESS
1ST SESSION

H. R. 1671

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 2000, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1997

Mr. MARTINEZ (for himself, Mr. GREEN, Mr. KENNEDY of Massachusetts, and Mr. FILNER) introduced the following bill; which was referred to the Committee on Education and the Workforce

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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 2000, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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

(a) SHORT TITLE.—This Act may be cited as the "Older Americans Act Amendments of 1997".

(b) REFERENCE.—Except as otherwise expressly provided in this Act, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.).

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

TITLE I—PERFORMANCE PARTNERSHIPS

SEC. 101. RESPONSIBILITIES OF ASSISTANT SECRETARY.

(a) DEFINITIONS.—Section 102 (42 U.S.C. 3002) is amended by adding at the end the following new paragraph:

"(45)(A) The term 'performance indicator' means a quantifiable characteristic used as a measurement.

"(B) The term 'performance target' means a numerical value that a State seeks to achieve within a specified period of time.".

(b) FUNCTIONS OF ASSISTANT SECRETARY.—Section 202(a)(3) (42 U.S.C. 3012(a)(3)) is amended by inserting before the semicolon ", and negotiate and enter into performance partnership agreements with the States under sections 305A and 704A".

(c) PERFORMANCE PARTNERSHIPS.—Title II is amended by inserting after section 202 (42 U.S.C. 3012) the following new section:

"SEC. 202A. PERFORMANCE PARTNERSHIPS.

"(a) IN GENERAL.—The Assistant Secretary shall negotiate and enter into performance partnership agreements under sections 305A and 704A with States in accordance with this section.

"(b) PERFORMANCE OBJECTIVES AND MEASURES.—

"(1) SPECIFICATION OF OBJECTIVES.—The Assistant Secretary, in consultation (as appropriate) with States, local governments, tribal organizations, governing bodies for Native Hawaiians, and other entities, shall specify by September 30, 1998 (and from time to time revise, as the Assistant Secretary determines to be necessary), with respect to the goals specified in sections 305A and 704A—

"(A) a list of performance partnership objectives, from which the States shall derive objectives specified in the agreements, to accomplish the goal of each such section; and

"(B) for each such section, a core set of such specified objectives (referred to individually in this section as a 'core objective') that address needs of older individuals that are needs of national significance.

"(2) ELEMENTS RELATED TO PERFORMANCE PARTNERSHIP OBJECTIVES.—For each performance partnership objective specified under paragraph (1), the Assistant Secretary shall specify—

"(A) a performance indicator;

"(B) the specific population addressed by the objective;

"(C) a quantifiable performance target; and

"(D) a date by which the target is to be achieved.

"(3) GENERAL PRINCIPLES FOR SPECIFICATION OF OBJECTIVES.—In specifying such a performance partnership objective, the Assistant Secretary shall be guided, to the extent the Assistant Secretary determines appropriate, by the following principles:

"(A) RELATED TO GOALS; IMPORTANT; UNDERSTANDABLE.—The objective should be closely related to the goal of section 305A or 704A, as appropriate, and be viewed as important by and understandable to State policymakers and the general public.

"(B) RELATIONSHIP TO AGREEMENT.—Based on consultation with State agencies, the Assistant Secretary should expect that the Assistant Secretary will enter into a performance partnership agreement that specifies actions that will have an impact on the objective.

"(C) MEASURABLE PROGRESS.—Based on consultation with State agencies, the Assistant Secretary should expect that the parties to the agreement will be able to make measurable progress in achieving the objective over the period of the grant to be made to carry out the agreement.

"(D) RESULTS-ORIENTED.—The objective should be results-oriented. Collectively, the objectives specified under paragraph (1) should include a suitable mix of outcome, process, and capacity measures. If such an objective includes a process or capacity measure, the objective should be demonstrably linked to the achievement of a specified outcome for older individuals.

"(4) DATA.—The Assistant Secretary shall specify data to be collected and submitted to the Assistant Secretary by a State agency entering into such an agreement, to measure the extent to which the objectives specified in the agreement achieve the performance targets for the objectives. The data shall, to the extent practicable, be comparable for all States, meet reasonable statistical standards for quality, and be available in a timely fashion, at appropriate intervals, and at reasonable cost, and, with respect to core objectives, shall include as appropriate the data specified in section 202(a)(19), collected in accordance with the uniform procedures established pursuant to section 202(a)(29).

"(c) STATE PERFORMANCE PARTNERSHIP PROPOSAL.—

"(1) IN GENERAL.—A State agency shall include, in the State plan submitted under section 307, a proposal for a performance partnership agreement that shall contain—

"(A) a list of 1 or more objectives (derived from the performance partnership objectives specified under subsection (b) or selected under paragraph (2)) toward which the State will work;

"(B) for each objective specified under subparagraph (A)—

"(i) a performance indicator;

"(ii) the specific population addressed by the objective;

"(iii) a quantifiable performance target; and

"(iv) a date by which the target is to be achieved, which shall be not later than the end of the period of the partnership agreement (referred to in this section as the 'partnership period') (which shall be coterminous with the period covered by the State plan under section 307);

"(C) a rationale for the selection of the objectives, including a rationale for the performance targets and dates described in clauses (iii) and (iv) of subparagraph (B);

"(D) a statement of the strategies of the agency for achieving the objectives over the course of the partnership period;

"(E) a statement of the estimated amount to be expended to carry out each such strategy; and

"(F) an assurance that the State agency will report to the Assistant Secretary, not later than 60 days after the end of each fiscal year, on progress in the State toward achieving—

"(i) core objectives (regardless of whether the State is working toward such objectives); and

"(ii) the specific objectives toward which the State is working under the performance partnership agreement.

"(2) SELECTION OF ADDITIONAL OBJECTIVES.—In selecting objectives for the proposal described in paragraph (1), a State agency may select an objective that is not a performance partnership objective specified under subsection (b)(1)(A) if the State agency demonstrates to the Assistant Secretary that—

"(A) the objective selected relates to a significant concern of older individuals in the State that would not otherwise be addressed appropriately; and

"(B) a suitable performance indicator exists to measure progress toward the objective.

"(3) ELEMENTS OF STATE PROPOSALS RELATING TO SPECIAL POPULATIONS.—Each State proposal described in paragraph (1) that is submitted with respect to activities carried out under title III or VII shall include, as appropriate, objectives—

"(A) designed, in consultation with a tribal organization or a governing body for Native Hawaiians (or a representative of such an organization or such a body) to address the needs of older American Indians, older Alaskan Natives, and older Native Hawaiians, as appropriate, within the State and to ensure that an appropriate and equitable share of State funding under such title is used to meet such needs; and

"(B) designed to give priority to activities addressing the needs of vulnerable older individuals in the State.

"(d) NEGOTIATIONS AND ADJUSTMENT.—

"(1) INITIAL NEGOTIATIONS.—The Assistant Secretary shall enter into negotiations with a State agency regarding the proposal for a performance partnership agreement submitted by the State in accordance with subsection (c)(1). In the negotiations concerning the agreement, the Assistant Secretary shall—

"(A) consider the extent to which the proposed objectives, performance targets, dates, and strategies described in the proposal are likely to address appropriately the most significant needs of older individuals (as measured by applicable performance indicators) within the State, including the needs of vulnerable populations; and

"(B) give particular consideration to the effectiveness of the activities described in the proposal in addressing progress toward achieving the core objectives.

"(2) ADJUSTMENT.—The Assistant Secretary and the State agency may at any time in the course of the partnership period renegotiate, and revise by mutual agreement, the elements of the partnership agreement in light of new information or changed circumstances (including information or changes identified during assessments or on-site reviews conducted under subsection (e)).

"(e) ANNUAL ASSESSMENTS; PERIODIC ON-SITE REVIEWS.—

"(1) ASSESSMENTS.—

"(A) IN GENERAL.—The Assistant Secretary shall annually conduct an assessment with respect to the performance partnerships carrying out activities under title III or VII, on the basis of the reports submitted by State agencies under subsection (c)(1)(F), in order to determine—

"(i) the progress achieved collectively by the partnerships toward each of the core objectives; and

"(ii) in consultation with each State, the progress in the State toward achieving each objective in the performance partnership agreement relating to activities carried out under such title.

"(B) AVAILABILITY.—The Assistant Secretary shall make the assessments publicly available.

"(2) PERIODIC ON-SITE REVIEWS.—Not less often than once every 5 years, the Assistant Secretary shall conduct an on-site review of the adherence of each State to the performance partnership agreement of the State entered into under section 305A or 704A, as appropriate.

"(f) INCENTIVE AWARDS FOR EFFECTIVE PERFORMANCE.—

"(1) IN GENERAL.—From amounts reserved under section 304(a)(5), the Assistant Secretary may make an incentive award to any State that the Assistant Secretary determines, on the basis of assessments or on-site reviews conducted under subsection (e) or of other investigation, has performed effectively under a performance partnership agreement entered into under section 305A or 704A and to have made significant progress toward achieving the core objectives.

"(2) USE OF FUNDS.—An incentive award made to a State under paragraph (1) shall be available only for use in furnishing additional services under the performance partnership agreement of the State entered into under such section.''.

SEC. 102. FUNDING OF INCENTIVE AWARDS.

(a) IN GENERAL.—Section 304(a) (42 U.S.C. 3024(a)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking '', from the sums appropriated'' and inserting '', from the amounts remaining (after the Assistant Secretary makes such reservation as the Assistant Secretary determines to be appropriate under paragraph (5)) of the sums appropriated''; and

(B) in each of subparagraphs (A), (B), and (C), by striking ''sum appropriated'' and inserting ''remaining amounts''; and

(2) by adding at the end the following:

''(5) From each of the sums appropriated under section 303 for each fiscal year, the Assistant Secretary may reserve not more than 10 percent to make incentive awards to States in accordance with section 202A(f).''.

(b) TECHNICAL AMENDMENT.—Section 304 (42 U.S.C. 3024) is amended by striking subsection (e).

SEC. 103. RESPONSIBILITIES OF STATES.

(a) BASIC STATE GRANTS PROGRAM.—Title III is amended by inserting after section 305 (42 U.S.C. 3025) the following new section:

"SEC. 305A. PERFORMANCE PARTNERSHIPS.

"(a) GOALS.—The goal of this section is for the States and the Federal Government, working together in a partnership, to accomplish the purpose specified in section 301(a).

"(b) PERFORMANCE PARTNERSHIP AS ELEMENT OF STATE PLAN.—In order to be eligible to receive a grant from the allotment of a State under this title, except as provided in the second sentence of section 309(a), the State agency shall propose to, negotiate with, and enter into with, the Assistant Secretary a performance partnership agreement in accordance with this section and section 202A, and shall include the proposal for such agreement as part of the State plan submitted under section 307.

"(c) ADVISORY COUNCIL.—The State agency shall establish an Advisory Council that—

"(1) shall have members including representatives of—

"(A) other State agencies administering programs serving older individuals;

"(B) private entities providing services under the State plan; and

"(C) older individuals (with appropriate efforts to include minority older individuals); and

"(2) shall have responsibilities that shall include—

"(A) reviewing and commenting on the proposal of the State for a performance partnership agreement to be negotiated and entered into under this section (which comments shall be submitted with the State plan submitted under section 307) during the development of the proposal; and

"(B) evaluating and reporting on the performance of the State under the final performance partnership agreement negotiated and entered into with the Assistant Secretary under this section.".

(b) VULNERABLE ELDER RIGHTS PROTECTION PROGRAM.—Title VII is amended by inserting after section 704 (42 U.S.C. 3058c) the following new section:

"SEC. 704A. PERFORMANCE PARTNERSHIPS.

"(a) GOALS.—The goal of this section is for the States and the Federal Government, working together in a partnership, to protect the rights of vulnerable older individuals and to prevent elder abuse, neglect, and exploitation.

“(b) STATE PERFORMANCE PARTNERSHIP AS ELEMENT OF STATE PLAN.—In order to be eligible to receive a grant from the allotment of a State under this title, the State agency shall propose to, negotiate with, and enter into with, the Assistant Secretary a performance partnership agreement in accordance with this section and section 202A, and shall include the proposal for such agreement as part of the State plan submitted under section 307.

“(c) ADVISORY COUNCIL.—The responsibilities of the advisory council established by the State pursuant to section 305A(c) shall include—

“(1) reviewing and commenting on the proposal of the State for a performance partnership agreement to be negotiated and entered into under this section (which comments shall be submitted with the State plan submitted under section 307) during the development of the proposal; and

“(2) evaluating and reporting on the performance of the State under the final performance partnership agreement negotiated and entered into with the Assistant Secretary under this section.”.

SEC. 104. AREA PLANS: REORGANIZATION, STREAMLINING, AND INCORPORATION OF PERFORMANCE PARTNERSHIPS.

(a) AREA PLAN REQUIREMENTS.—Section 306(a) (42 U.S.C. 3026(a)) is amended—

(1) in the third sentence, in the matter preceding paragraph (1), by striking ''Each such plan shall—'' and inserting ''Each such plan shall comply with the following requirements:'';

(2) by striking paragraph (1) and inserting the following:

''(1) The plan shall provide for furnishing, through a comprehensive and coordinated system, services that—

''(A) are services for which a need has been determined pursuant to paragraph (3);

''(B) are designed to meet the performance objectives specified under paragraph (4); and

''(C) include—

''(i) supportive services (including at least the services specified in paragraph (2));

''(ii) nutrition services; and

''(iii) where appropriate, the establishment, maintenance, or construction of multipurpose senior centers.'';

(3) in paragraph (2)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting ‘‘The plan shall’’ after ‘‘(2)’’; and

(ii) by striking ‘‘section 307(a)(22)’’ and inserting ‘‘section 307(a)(2)(C)’’; and

(B) in the matter following subparagraph (C)—

(i) by striking ‘‘and specify annually in such plan, as submitted or as amended,’’ and inserting ‘‘and an assurance that the area agency on aging will report annually to the State agency’’; and

(ii) by striking the semicolon at the end and inserting a period;

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

(5) by inserting after paragraph (2) the following new paragraphs:

‘‘(3) The plan shall provide for determining the extent of need for the services specified in subparagraphs (B) and (C) of paragraph (1), and the services specified in paragraph (2), in the area taking into consideration, among other things—

"(A) the numbers of older individuals residing in such area—

"(i) who have low incomes;

"(ii) who have the greatest economic need (with particular attention to individuals who are members of historically disadvantaged groups);

"(iii) who have the greatest social need (with particular attention to individuals who are members of historically disadvantaged groups); or

"(iv) who are older American Indians, older Alaskan Natives, or older Native Hawaiians; and

"(B) the effectiveness of the use of resources (including efforts of volunteers and voluntary organizations) in meeting such need.

"(4) The plan shall—

"(A) identify, for purposes of the performance partnerships required under sections 305A and 704A—

"(i) area objectives, which shall be identified on the basis of the determinations made under paragraph (3) and shall include objectives required under paragraph (5); and

"(ii) for each area objective—

"(I) a performance indicator;

"(II) the specific population addressed by the objective;

"(III) a quantifiable performance target; and

"(IV) a date by which the target is to be achieved; and

"(B) be amended as necessary to incorporate, as appropriate, the objectives specified in the performance partnership agreements negotiated and entered into by the State agency under sections 305A and 704A.";

(6) in paragraph (5)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) by inserting "The plan shall" after "(i)"; and

(II) by striking the semicolon and inserting a period;

(ii) in clause (ii)—

(I) by inserting ‘‘The plan shall’’ after ‘‘(ii)’’; and

(II) in subclause (III), by striking ‘‘; and’’ and inserting a period; and

(iii) in clause (iii)—

(I) by inserting ‘‘The plan shall,’’ after ‘‘(iii)’’;

(II) in subclause (I), by striking the semicolon and inserting ‘‘; and’’;

(III) by striking subclause (II);

(IV) by redesignating subclause (III) as subclause (II); and

(V) in subclause (II) (as redesignated in subclause (IV)), by striking the semicolon and inserting a period;

(B) in subparagraph (B)—

(i) by inserting ‘‘The plan shall’’ after ‘‘(B)’’;

(ii) in clause (i), by indenting the subclauses and aligning the margins of the subclauses with the margins of subclause (I) of paragraph (6)(E)(ii);

(iii) by indenting the clauses and aligning the margins of the clauses with the margins of subparagraph (A) of paragraph (6);

(iv) by indenting subparagraph (B) and aligning the margins of the subparagraph with the margins of subparagraph (C); and

(v) in clause (ii), by striking "; and" and inserting a period; and

(C) in subparagraph (C)—

(i) by inserting "The plan shall" after "(C)"; and

(ii) by striking the semicolon and inserting a period;

(7) in paragraph (6)—

(A) by inserting "The plan shall" after "(6)";

(B) by striking subparagraphs (A) (relating to evaluations and public hearings) and (B) (relating to technical assistance to providers);

(C)(i) by redesignating subparagraph (D) as subparagraph (A); and

(ii) moving such subparagraph (A) so that such subparagraph precedes subparagraph (C);

(D)(i) by redesignating subparagraph (F) as subparagraph (B);

(ii) by moving such subparagraph (B) so that such subparagraph precedes subparagraph (C); and

(iii) by striking the semicolon at the end of such subparagraph (B) and inserting "; and";

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

(F) by striking subparagraphs (E) (relating to arrangements with specified organizations), (G) (relating to methods for determining priority services), (H) (relating to coordination among programs), (J) (relating to identification of protective services providers), (L) (relating to coordination of services for victims of Alzheimer's disease), (M) (relating to coordination of mental health services), (O) (relating to information on higher education), (Q) (relating to coordination with housing providers), (R) (relating to telephone listings of area agencies on aging), and (S) (relating to coordination of transportation services);

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

(9)(A) by striking subparagraphs (I) and (K) of paragraph (6) (relating to community-based long-term care services); and

(B) by inserting after paragraph (6) the following new paragraph:

"(7) The plan shall provide that the area agency on aging will facilitate the coordination of community-based, long-term care services designed to enable older individuals to remain in their homes, by means including—

"(A) developing case management services as a component of the long-term care services, consistent with the requirements of paragraph (8);

"(B) involving long-term care providers in the coordination of such services; and

"(C) increasing community awareness of, and involvement in addressing, the needs of residents of long-term care facilities.";

(10)(A) by redesignating paragraph (20) as paragraph (8);

(B) by moving such paragraph (8) so that such paragraph follows paragraph (7) (as inserted in paragraph (9)); and

(C) in such paragraph (8), by inserting ''The plan shall'' after ''(8)'';

(11)(A) by redesignating paragraph (11) as paragraph (9); and

(B) in such paragraph (9)—

(i) by inserting ''The plan shall'' after ''(9)'';

(ii) by striking ''section 307(a)(12)'' and inserting ''section 307(a)(9)''; and

(iii) by striking the semicolon at the end and inserting a period;

(12)(A) by redesignating paragraph (6)(P) as paragraph (10);

(B) by moving such paragraph (10) so that such paragraph follows paragraph (9) (as redesignated in paragraph (11));

(C) by indenting such paragraph (10) and aligning the margins of such paragraph with the margins of such paragraph (9); and

(D) in such paragraph (10)—

(i) by inserting ''The plan shall'' after ''(10)''; and

(ii) by striking the semicolon and inserting a period;

(13)(A) by striking paragraphs (6)(N), (18), and (19) (relating to services for older American Indians, older Alaskan Natives, and older Native Hawaiians); and

(B) by inserting after such paragraph (10) the following paragraph:

"(11) The plan shall provide the following assurances concerning services to individuals who are older American Indians, older Alaskan Natives, or older Native Hawaiians:

"(A) If there is a significant population of older American Indians, older Alaskan Natives, or older Native Hawaiians in the area, the area agency on aging will pursue activities, including outreach, to increase the access of such individuals to programs and benefits under this title.

"(B) The area agency on aging will, to the maximum extent practicable, coordinate the services the agency provides under this title with services provided under title VI.";

(14) by striking paragraphs (12) (relating to an area option concerning a volunteer services coordinator) and (13) through (16) (relating to description of and assurances concerning activities of an area agency on aging); and

(15)(A) by redesignating paragraph (17) as paragraph (12); and

(B) in such paragraph (12)—

(i) by inserting ‘‘The plan shall’’ after ‘‘(12)’’;

(ii) by striking ‘‘section 307(a)(13)(G)’’ and inserting ‘‘section 307(a)(10)(D)’’; and

(iii) by striking the semicolon and inserting a period.

(b) STATE WAIVERS.—Section 306(b) (42 U.S.C. 3026(b)) is amended—

(1) by striking paragraph (2) (relating to procedural requirements for State agency waivers to area agencies on aging); and

(2) by striking ‘‘(1)’’ after ‘‘(b)’’.

SEC. 105. STATE PLANS: REORGANIZATION, STREAMLINING, AND INCORPORATION OF PERFORMANCE PARTNERSHIPS.

(a) IN GENERAL.—Section 307(a) (42 U.S.C. 3027(a)) is amended—

(1) by striking paragraph (1) and inserting the following:

‘‘(1) The plan shall—

“(A) provide that each area agency on aging designated under section 305(a)(2)(A) will—

“(i) develop and submit to the State agency for approval, in accordance with a uniform format developed by the State agency, an area plan that meets the requirements of section 306, including the requirement of section 306(a)(4) that the plan identify area objectives for purposes of the performance partnerships required under sections 305A and 704A; and

“(ii) amend such area plan as necessary to incorporate, as appropriate, objectives specified in the performance partnership agreements negotiated and entered into by the State agency under such sections 305A and 704A;

“(B) be based on such area plans; and

“(C) include the proposed performance partnership agreements to be negotiated and entered into with the Assistant Secretary under such sections 305A and 704A (in accordance with section 202A).”;

(2)(A) by striking paragraphs (3)(A) (relating to evaluation of need for services), (9) (relating to information and assistance services), and (22) (relating to funding shares for priority services); and

(B) by amending paragraph (2) to read as follows:

''(2) The plan shall provide that the State agency will—

''(A) evaluate, using uniform procedures specified in section 202(a)(29), the need for supportive services (including legal assistance, information and assistance, and transportation services), nutrition services, and multipurpose senior centers, within the State;

''(B) determine the extent to which public or private programs and resources (including volunteers and programs and services of voluntary organizations) meet such need; and

''(C) specify minimum percentages, of the funds received by each area agency on aging to carry out activities under part B, to be expended by such area agency on aging to provide each of the categories of services specified in section 306(a)(2) (unless the State agency waives the expenditure requirement specified in this subparagraph for a category under section 306(b)).'';

(3)(A) by striking paragraphs (3)(B) (relating to maintaining rural funding), (29) (relating to rural services), (33) (relating to intrastate distribution of funds), and (37) (relating to the costs of rural services); and

(B) by inserting after paragraph (2) the following new paragraph:

``(3) The plan shall—

``(A) include (and may not be approved unless the Assistant Secretary approves) the statement and demonstration required by paragraphs (2) and (4) of section 305(d) (relating to intrastate distribution of funds); and

``(B) with respect to services for older individuals residing in rural areas—

``(i) provide assurances that the State agency will expend for such services for each fiscal year, under this title and titles V and VII, not less than 105 percent of the amount expended for such services by the State for fiscal year 1978 under this Act;

"(ii) include information identifying, for each fiscal year for which the plan applies, the projected costs of providing such services (including the cost of providing access to such services) in the State under this Act; and

"(iii) describe the methods used to meet the needs for such services in the State in the fiscal year preceding the first year for which such plan applies.";

(4) by striking paragraph (4) (relating to methods of administration and personnel standards);

(5)(A) by striking paragraph (8) (relating to evaluations and hearings); and

(B) by inserting after paragraph (3) the following paragraph:

"(4) The plan shall provide that the State agency will conduct periodic evaluations of, and public hearings on, activities and projects carried out under the State plan.";

(6)(A) by striking paragraph (43) (relating to grievance procedures); and

(B) by amending paragraph (5) (relating to a hearing for area agencies on aging and providers) to read as follows:

''(5) The plan shall provide that the State agency will—

''(A) afford an opportunity for a hearing on request, in accordance with published procedures, to any area agency on aging submitting a plan under this title and to any provider of (or applicant seeking to provide) services under such a plan; and

''(B) issue guidelines applicable to grievance procedures required by section 306(a)(10).'';

(7) in paragraph (7), by striking subparagraph (C) (relating to contractual and commercial relationships);

(8)(A) by redesignating paragraph (10) as paragraph (8); and

(B) in such paragraph (8), by striking ''(as defined in section 342)'';

(9) by striking paragraph (11) (relating to a hiring preference for older individuals and individuals trained in the field of aging);

(10)(A) by redesignating paragraph (12) as paragraph (9);

(B) in such paragraph (9), by adding before the period '', and will expend to carry out such program not less than the total amount so expended by the State agency for fiscal year 1991 under this Act''; and

(C) by striking paragraph (21) (relating to maintenance of effort for the long-term care ombudsman program);

(11)(A) by redesignating paragraph (13) as paragraph (10); and

(B) in such paragraph (10)—

(i) by striking subparagraphs (B) (relating to primary consideration to congregate meals), (D) (relating to accessibility of congregate meal site), (E) (relating to outreach), (H) (relating to continued use of providers of home-delivered meals), and (M) (relating to nonfinancial eligibility criteria); and

(ii)(I) in subparagraph (K), by inserting ''and'' after the semicolon;

(II) in subparagraph (L), by striking ''; and'' and inserting a period; and

(III) by redesignating subparagraphs (C), (F), (G), and (I) through (L) as subparagraphs (B) through (H), respectively;

(12) by striking paragraph (14) (relating to restrictions on use of funds for acquisition, alteration, renovation, or construction of facilities);

(13)(A) by redesignating paragraph (15) as paragraph (11);

(B) in such paragraph (11)—

(i) in subparagraph (D), by striking ‘‘and’’ after the semicolon; and

(ii) in subparagraph (E), by striking the period and inserting ‘‘; and’’; and

(C)(i) in paragraph (18), by striking all that precedes ‘‘assign personnel’’ and inserting ‘‘(18) the State will’’;

(ii) by redesignating such paragraph (18) as subparagraph (F);

(iii) by moving such subparagraph (F) so that the subparagraph follows subparagraph (E) of paragraph (11) (as redesignated in subparagraph (A)); and

(iv) by indenting such subparagraph (F) and aligning the margins of such subparagraph with the margins of subparagraph (E) of such paragraph (11);

(14) by redesignating paragraph (16) as paragraph (12);

(15) by striking paragraph (17) (relating to in-service personnel training);

(16) by striking paragraph (19) (relating to assurances that area agencies on aging may give grants or contracts to providers of education and training services);

(17) by redesignating paragraphs (20), (23), (24), and (25) as paragraphs (13), (14), (15), and (16), respectively;

(18)(A) by redesignating paragraph (26) as paragraph (17); and

(B) in such paragraph (17)—

(i) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively; and

(ii) in the matter preceding clause (i) (as redesignated in clause (i))—

(I) by inserting ''(A)'' after ''(17)''; and

(II) by striking ''section 306(a)(6)(I)'' and inserting ''section 306(a)(7)'';

(19)(A) by redesignating paragraph (44) as subparagraph (B); and

(B) by moving such subparagraph (B) so that such subparagraph follows subparagraph (A) of paragraph (17) (as designated in paragraph (18));

(20) by striking paragraph (27) (relating to assurances concerning part D in-home services);

(21) by striking paragraph (28) (relating to assurances concerning part E special needs assistance);

(22) by redesignating paragraph (30) as paragraph (18);

(23) by striking paragraph (31) (relating to a State volunteer services coordinator);

(24) by redesignating paragraph (32) as paragraph (19);

(25)(A) by redesignating paragraph (34) as paragraph (20); and

(B) in such paragraph (20), by inserting ''(A)'' after ''(20)'';

(26)(A) in paragraph (35)—

(i) in subparagraph (A), by striking ''older individuals who are Native Americans'' and inserting ''older American Indians, older Alaskan Natives, and older Native Hawaiians''; and

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively; and

(B) by redesignating paragraph (35) as subparagraph (B) of such paragraph (20);

(27)(A) by redesignating paragraph (36) as paragraph (21); and

(B) in such paragraph (21), by striking "306(a)(20)" and inserting "306(a)(8)"; and

(28) by striking paragraphs (38) (relating to use of funds), (39) (relating to a restriction on preferences), (40) (relating to the part G program for in-home caretakers), (41) (relating to efforts to coordinate services and provide multigenerational activities), and (42) (relating to coordination of transportation services).

(b) TECHNICAL AMENDMENT.—Section 307(f) (42 U.S.C. 3027(f)) is amended—

(1) in paragraph (1), by striking "(1)"; and

(2) by striking paragraph (2).

SEC. 106. STATE ADMINISTRATIVE COSTS RELATED TO PERFORMANCE PARTNERSHIPS.

Section 308 (42 U.S.C. 3028) is amended by adding at the end the following new subsection:

"(d) In addition to amounts otherwise available under this section, each State may use such additional amounts from the allotment to the State under section 304 (not to exceed 2 percent of such allotment) as the Assistant

Secretary may permit, for costs relating to the administration of activities carried out through performance partnerships under this title and title VII, including the costs of developing and negotiating performance partnership agreements and of administering, monitoring, evaluating, and reporting on activities carried out through such partnerships.''.

SEC. 107. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this title shall take effect on the date of enactment of this Act.

(b) APPLICATION.—The amendments made by this title shall apply with respect to a State on the effective date of the first State plan submitted under section 307 of the Older Americans Act of 1965 (42 U.S.C. 3027) that takes effect 1 year or later after the date of enactment of this Act.

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

Subtitle A—Administration on Aging

SEC. 201. OFFICE FUNCTIONS.

(a) OFFICE FOR AMERICAN INDIAN, ALASKAN NATIVE, AND NATIVE HAWAIIAN PROGRAMS.—Section 201(c)(3) (42 U.S.C. 3011(c)(3)) is amended—

(1) in subparagraphs (A)(i), (B), (E), and (G), by striking ‘‘older individuals who are Native Americans’’ and inserting ‘‘older American Indians, older Alaskan Natives, and older Native Hawaiians’’;

(2) in subparagraph (A), by inserting ‘‘older’’ before ‘‘Native Hawaiians;’’;

(3) in subparagraph (B), by striking ‘‘to Native Americans’’ and inserting ‘‘to American Indians, Alaskan Natives, and Native Hawaiians’’;

(4) in subparagraph (F)—

(A) by striking ‘‘older Native Americans’’ and inserting ‘‘older American Indians, older Alaskan Natives, or older Native Hawaiians’’;

(B) by striking ‘‘older individuals who are Native Americans’’ and inserting ‘‘older American Indians, older Alaskan Natives, or older Native Hawaiians’’; and

(C) by striking ‘‘to Native Americans’’ and inserting ‘‘to American Indians, Alaskan Natives, or Native Hawaiians’’; and

(5) in subparagraph (J), by striking ‘‘older individuals who are Indians, Alaskan Natives, and Native Hawaiians’’ and inserting ‘‘older American Indians, older Alaskan Natives, and older Native Hawaiians’’.

(b) OFFICE OF LONG-TERM CARE OMBUDSMAN PROGRAMS.—Subparagraphs (C)(ii) and (J) of section 201(d)(3) are amended by striking "307(a)(12)" and inserting "307(a)(9)".

SEC. 202. NATIONAL ELDERCARE LOCATOR SERVICE AND OTHER FUNCTIONS OF ASSISTANT SECRETARY.

(a) IN GENERAL.—Section 202(a)(24) (42 U.S.C. 3012(a)(24)) is amended to read as follows:

"(24) develop and operate, either directly or through contracts, grants, or cooperative agreements, a National Eldercare Locator Service, providing nationwide toll-free information and assistance services to identify community resources for older individuals;".

(b) TECHNICAL AMENDMENTS.—

(1) Section 202(a)(26) (42 U.S.C. 3012(a)(26)) is amended by striking "307(a)(18)" and inserting "307(a)(11)(F)".

(2) Section 202(c) (42 U.S.C. 3012(c)) is amended—

(A) in paragraph (1), by striking "(1)"; and

(B) by striking paragraph (2).

(3) Section 202(e)(1)(A) (42 U.S.C. 3012(e)(1)(A)) is amended—

(A) in clause (iv), by striking ", and the information provided by the Resource Centers on Native American Elders under section 429E"; and

(B) in clause (vi), by striking the semicolon and inserting a period.

SEC. 203. AUTHORIZATION OF APPROPRIATIONS FOR FEDERAL COUNCIL ON THE AGING.

Section 204(g) (42 U.S.C. 3015(g)) is amended by striking all that follows "to carry out this section" and inserting "$226,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 and 2000.".

SEC. 204. ADMINISTRATION AND EVALUATION.

(a) ADMINISTRATION.—Section 205(a)(2)(A) (42 U.S.C. 3016(a)(2)(A)) is amended by striking "subparts 1, 2, and 3" and inserting "subparts 1 and 2".

(b) EVALUATION.—Section 206(g) (42 U.S.C. 3017(g)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (L), by striking "311(a)" and inserting "311"; and

(B) in subparagraphs (N) and (P), by striking ''331'' and inserting ''331(a)''; and

(2) in paragraph (2), by striking ''subparts 1, 2, and 3'' and inserting ''subparts 1 and 2''.

SEC. 205. REPORTS.

Section 207 (42 U.S.C. 3018) is amended—

(1) in subsection (a)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(2) in subsection (b)(3)(A), by striking ''Finance'' and inserting ''Financing''.

SEC. 206. NUTRITION EDUCATION.

Section 214 (42 U.S.C. 3020e) is amended by striking ''307(a)(13)(J)'' and inserting ''307(a)(10)(F)''.

SEC. 207. AUTHORIZATION OF APPROPRIATIONS FOR ADMINISTRATION ON AGING.

Section 215 (42 U.S.C. 3020f) is amended to read as follows:

''SEC. 215. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated, for carrying out the responsibilities of the Administration under this Act, $18,149,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 and 2000.

"(b) NATIONAL ELDERCARE LOCATOR SERVICE.—Not more than $1,000,000 of the amount made available under subsection (a) for each fiscal year shall be available for the operation of the National Eldercare Locator Service under section 202(a)(24).".

Subtitle B—State and Community Programs on Aging

SEC. 211. CLARIFICATION CONCERNING SERVICES TO INDIVIDUALS WHO ARE NOT OLDER INDIVIDUALS.

(a) TECHNICAL AMENDMENTS.—

(1) Section 301(b) (42 U.S.C. 3021(b)) is amended—

(A) in paragraph (1), by striking "(1)"; and

(B) by striking paragraph (2).

(2) Section 301(c) (42 U.S.C. 3021(c)) is amended by striking "307(a)(12)" and inserting "307(a)(9)".

(b) SERVICES TO INDIVIDUALS WHO ARE NOT OLDER INDIVIDUALS.—Section 301 (42 U.S.C. 3021) is amended by adding at the end the following new subsection:

"(d)(1) Federal funds paid to States under this title, and cash and in-kind contributions required by section 304(d)(2) as the non-Federal share of expenditures made under this title, shall be used only for activities and services to benefit older individuals and other individuals as specifically provided in this title.

"(2) Neither paragraph (1) nor any other provision of this title shall be construed to prohibit State agencies or area agencies on aging from engaging in activities or providing services to benefit individuals not described in paragraph (1) using cash or in-kind contributions that are not Federal funds described in paragraph (1) and are not cash or in-kind contributions required by section 304(d).".

SEC. 212. AUTHORIZATION OF APPROPRIATIONS.

(a) SUPPORTIVE SERVICES AND SENIOR CENTERS.—Section 303(a)(1) (42 U.S.C. 3023(a)(1)) is amended by striking all that precedes "for the purpose" and inserting "(1) There are authorized to be appropriated $306,711,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 and 2000,".

(b) CONGREGATE NUTRITION SERVICES.—Section 303(b)(1) (42 U.S.C. 3023(b)(1)) is amended by striking all that precedes "for the purpose" and inserting "(1) There are authorized to be appropriated $375,809,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 and 2000,".

(c) HOME-DELIVERED NUTRITION SERVICES.—Section 303(b)(2) (42 U.S.C. 3023(b)(2)) is amended by striking all that precedes ''for the purpose'' and inserting ''(2) There are authorized to be appropriated $94,065,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 and 2000,''.

(d) ELIMINATION OF AUTHORIZATION FOR REPEALED PROGRAMS.—Section 303 (42 U.S.C. 3023) is amended—

(1) in subsection (b), by striking paragraph (3); and

(2) by striking subsections (c) through (g).

SEC. 213. ALLOTMENT.

(a) ELIMINATION OF MINIMUM ALLOTMENT FOR SUPPORTIVE ACTIVITIES FOR CARETAKERS.—Section 304(a) (42 U.S.C. 3024(a)) (as amended in section 102(a)(2)) is further amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(b) TECHNICAL AMENDMENT.—Section 304(d)(1)(B) (42 U.S.C. 3024(d)(1)(B)) is amended by striking ''307(a)(12)'' and inserting ''307(a)(9)''.

SEC. 214. ORGANIZATION.

Section 305 (42 U.S.C. 3025) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ", in accordance with regulations of the Assistant Secretary,"; and

(ii) in subparagraph (E)—

(I) by striking ", in accordance with guidelines issued by the Assistant Secretary,"; and

(II) by striking "older individuals who are Indians" and inserting "older Indians"; and

(B) in paragraph (2)—

(i) in subparagraph (C), by striking "in accordance with guidelines issued by the Assistant Secretary,";

(ii) by redesignating subparagraphs (E) through (G) as subparagraphs (F) through (H), respectively;

(iii) by inserting after subparagraph (D) the following:

"(E) include, in the publication for review and comment required by subparagraph (C)—

"(i) a descriptive statement of the assumptions and goals relating to the funding formula, and the application of the definitions of greatest economic need and greatest social need;

"(ii) a numerical statement of the funding formula to be used;

"(iii) a listing of the population, economic, and social data to be used for each planning and service area in the State; and

"(iv) a demonstration of the allocation of funds, pursuant to the funding formula, to each planning and service area in the State;"; and

(iv) in subparagraph (G) (as redesignated in clause (iii))—

(I) by striking "provide assurances that the State agency will"; and

(II) by striking "307(a)(24)" and inserting "307(a)(15)";

(2) in subsection (b)—

(A) in paragraph (2), by striking "in carrying out the requirement" and all that follows through "subsection (a)(1), and" and inserting ", in carrying out subsection (a)(1),"; and

(B) in paragraph (5)—

(i) in subparagraph (B), by striking "after the date" and all that follows through "of 1984"; and

(ii) in subparagraph (C)(i)(III), by striking "services" and inserting "service"; and

(3) by striking subsection (d).

SEC. 215. AREA PLANS.

(a) ELIGIBILITY OF OLDER AMERICAN INDIANS, OLDER ALASKAN NATIVES, AND OLDER NATIVE HAWAIIANS FOR SERVICES UNDER AREA PLANS.—Subparagraph (B) of section 306(a)(11) (42 U.S.C. 3026(a)(11)) (as amended in section 104(a)(13)) is further amended by inserting before the period the following: ", and will, notwithstanding any provision of this Act restricting eligibility for services to individuals aged 60 or older, make services under the area plan available, to the same extent as such services are available to older individuals within the service area, to older American Indians, older Alaskan Natives, and older Native Hawaiians".

(b) COORDINATION OF SERVICES FOR INDIVIDUALS WITH DISABILITIES UNDER AREA PLANS.—Section 306(a) (42 U.S.C. 3026(a)) (as amended in section 104(a)) is further amended by adding at the end the following new paragraph:

"(13) The plan shall provide assurances that the area agency on aging will coordinate planning, identification, assessment of needs, and services, for older individuals with disabilities, with particular attention given to older individuals with severe disabilities, with the activities of agencies that develop or provide services for individuals with disabilities.".

SEC. 216. STATE OPTION FOR COST-SHARING.

(a) AREA PLAN REQUIREMENT.—Section 306(a) (42 U.S.C. 3026(a)) (as amended in section 215(b)) is further amended by adding at the end the following new paragraph:

"(14) The plan shall provide an assurance that any requirement for cost-sharing by recipients of services under the plan will be consistent with the provisions of the State plan described in section 307(a)(22).".

(b) STATE PLAN REQUIREMENT.—Section 307(a) (42 U.S.C. 3027(a)) (as amended in section 105) is further amended by adding at the end the following new paragraph:

"(22) If the State elects to require cost-sharing by recipients of services under the State plan (or to require or permit area agencies on aging in the

State to require cost-sharing by recipients of services under area plans), the plan shall—

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

“(i) information and assistance, outreach, or case management services;

“(ii) ombudsman or other protective services; or

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

“(B)(i) exempt from the cost-sharing requirements individuals with incomes below a low-income threshold set by the State; and

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

SEC. 217. STATE PLANS.

(a) STATE OPTION CONCERNING CONSUMER-DIRECTED SERVICES.—Section 307(a) (42 U.S.C. 3027(a)) (as amended in section 216(b)) is further amended by adding at the end the following new paragraph:

“(23) The plan shall specify—

“(A) whether the State elects to permit area agencies on aging—

"(i) to provide services under this title or title VII to older individuals through direct contracts with the individuals delivering such services; or

"(ii) to provide vouchers or cash to older individuals to permit such older individuals to contract with individuals or entities for the delivery of such services; and

"(B) if the State elects to permit area agencies on aging to provide services under this title or title VII through an arrangement described in subparagraph (A)—

"(i) which supportive services or nutrition services may be provided through such an arrangement;

"(ii) the qualifications and other requirements that shall be met by individuals and entities providing services under such an arrangement;

"(iii) the conditions (if any) under which services may be provided to an older individual by a family member under such an arrangement; and

"(iv) if the arrangement is an arrangement specified in subparagraph

(A)(ii), the requirements (if any) for setting payment rates or amounts for services provided through such an arrangement.''.

(b) CONFORMING AMENDMENT.—Section 307(b) (42 U.S.C. 3027(b)) is amended—

(1) in paragraph (1), by striking ''(1)''; and

(2) by striking paragraph (2) (relating to a waiver of maintenance of effort for rural areas).

SEC. 218. TRANSFER OF FUNDS BETWEEN PROGRAMS.

Section 308(b) (42 U.S.C. 3028(b)) is amended—

(1) in paragraphs (1)(A) and (2)(A), by striking ''clause (ii)'' and inserting ''subparagraph (B)'';

(2) in paragraph (4)—

(A) by striking ''(A)'' after ''(4)'';

(B) by striking ''and except as provided in subparagraph (B)'';

(C) by striking ''307(a)(13)'' and inserting ''307(a)(10)''; and

(D) by striking subparagraph (B) (relating to the discretion of the Assistant Secretary to permit a State to transfer additional amounts between congregate and home-delivered nutrition service programs);

(3) by striking paragraph (5) (relating to the authority of a State to transfer funds between nutri-

tion service and other programs), and inserting the following:

"(5) Of the funds received by a State for a fiscal year from funds appropriated under subsection (a)(1), or under paragraphs (1) and (2) of subsection (b), of section 303, the State may elect to transfer not more than 20 percent between programs carried out under part B and programs carried out under part C, for use as the State considers appropriate."; and

(4) in paragraphs (6) and (7)—

(A) by striking "(4)(A)" each place it appears and inserting "(4)"; and

(B) by striking "(5)(A)" each place it appears and inserting "(5)".

SEC. 219. AVAILABILITY OF DISASTER RELIEF FUNDS TO ORGANIZATIONS.

Section 310 (42 U.S.C. 3030) is amended—

(1) in subsection (a)(1)—

(A) by inserting "(or to any organization receiving a grant under title VI)" after "any State"; and

(B) by inserting "(or for funds used by the organization)" before "for the delivery of supportive services";

(2) in subsection (a)(2), by inserting ''and organizations'' after ''States'';

(3) in subsection (a)(3), by inserting ''or organization'' after ''State'' each place it appears; and

(4) in subsections (b)(1) and (c), by inserting ''and organizations'' after ''States'' each place it appears.

SEC. 220. NUTRITION SERVICES INCENTIVE PROGRAM.

Section 311 (42 U.S.C. 3030a) is amended to read as follows:

''SEC. 311. NUTRITION SERVICES INCENTIVE PROGRAM.

''(a) PURPOSE.—The purpose of the program carried out under this section is to provide incentives to encourage and reward effective performance by States and organizations in the efficient delivery of nutritious meals to older individuals.

''(b) ASSISTANCE.—The Secretary of Agriculture shall provide assistance under this section—

''(1) to States, to enable the States to provide meals under plans approved under this title; and

''(2) to organizations, to enable the organizations to provide meals under applications approved under title VI.

''(c) STATES.—

"(1) REQUEST.—Each State that seeks assistance under this section for a fiscal year shall request—

"(A) a payment made under paragraph (2);

"(B) commodities distributed under paragraph (3); or

"(C)(i) a percentage of the assistance through such a payment; and

"(ii) the remainder of the assistance through such commodities.

"(2) PAYMENTS.—

"(A) FUNDING.—The Secretary of Agriculture shall allot, in accordance with subparagraph (B), a sum equal to 97 percent of the amount appropriated for a fiscal year under subsection (f) to State agencies that—

"(i) request assistance described in subparagraph (A) or (C)(i) of paragraph (1) for the fiscal year; and

"(ii) have plans approved under this title for the fiscal year.

"(B) ALLOTMENT AND PAYMENT.—The Secretary of Agriculture shall allot and pay for the fiscal year, to each State agency described in subparagraph (A), an amount that bears the same ratio to the sum described in subparagraph (A) as the number of meals served in the State, under a plan approved under this title for the preceding fiscal year, bears to the total number of meals served in all States under all such plans approved for the preceding fiscal year.

"(C) DETERMINATION.—For purposes of subparagraph (B), if a State requests assistance described in paragraph (1)(C)(i) for a fiscal year, the number of meals served in the State for the preceding fiscal year shall be considered to be the product of—

"(i) the number of the meals; and

"(ii) the percentage described in paragraph (1)(C)(i).

"(3) COMMODITIES.—

"(A) ELIGIBLE AGENCIES.—The Secretary of Agriculture shall make commodities available under this subsection to State agencies that—

"(i) request commodities described in subparagraph (B) or (C)(ii) of paragraph (1) for the fiscal year; and ''(ii) have plans approved under this title for the fiscal year.

''(B) DISTRIBUTION.—The Secretary of Agriculture shall distribute commodities to State agencies described in subparagraph (A), through authorities including section 32 of the Act entitled ''An Act to amend the Agricultural Adjustment Act, and for other purposes'', approved August 24, 1935 (7 U.S.C. 612c), section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431), and section 709 of the Food and Agriculture Act of 1965 (7 U.S.C. 1446a–1). The Secretary of Agriculture shall distribute sufficient commodities to a State agency under this paragraph to enable the State agency to carry out the plan described in subparagraph (A)(ii), taking into account any payment made to the State under paragraph (2).

''(d) PAYMENTS TO ORGANIZATIONS.—

''(1) FUNDING.—The Secretary of Agriculture shall allot, in accordance with paragraph (2), a sum equal to 3 percent of the amount appropriated for a fiscal year under subsection (f) to organizations that have applications approved under title VI for the fiscal year.

"(2) ALLOTMENT AND PAYMENT.—The Secretary of Agriculture shall allot and pay for the fiscal year, to each organization described in paragraph (1), an amount that bears the same ratio to the sum described in paragraph (1) as the number of meals served by the organization, under an application approved under title VI for the preceding fiscal year, bears to the total number of meals served by all such organizations under all such applications approved for the preceding fiscal year.

"(e) REPORTS.—Each State or organization that seeks assistance under this section for a fiscal year shall submit, in the reports required by section 307(a)(6), 614(a)(3), or 624(a)(4), as appropriate, information on the number of meals served in the State under a plan approved under this title, or by the organization under an application approved under title VI, for the preceding fiscal year.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $151,250,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 and 2000.".

SEC. 221. WAIVERS OF CERTAIN REQUIREMENTS FOR STATE PROGRAMS.

Part A of title III (42 U.S.C. 3021 et seq.) is amended by adding at the end the following new section:

"SEC. 315. WAIVERS.

"(a) IN GENERAL.—The Assistant Secretary may waive any of the requirements specified in subsection (b) with respect to a State, on submission of an application by the State agency containing or accompanied by documentation sufficient to establish, to the satisfaction of the Assistant Secretary, that—

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

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

"(3) such proposal has been made available for public review and comment within the State (and a summary of the comment received is submitted with the application); and

"(4)(A) the State agency has given adequate consideration to the probable positive and negative consequences of approval of the application; and

"(B)(i) the probable benefits for older individuals can reasonably be expected to outweigh any such negative consequences; or "(ii) particular circumstances in the State otherwise justify the waiver.

"(b) REQUIREMENTS SUBJECT TO WAIVER.—The requirements of this title that may be waived under this section are—

"(1) any provisions of sections 305, 306, and 307 requiring statewide uniformity of programs under this title (to the extent necessary to permit a demonstration, in a limited area of a State, of an innovative approach to assist older individuals);

"(2) any area plan requirement under section 306(a);

"(3) any State plan requirement under section 307(a);

"(4) any restriction, under paragraph (4) or (5) of section 308(b), on the amount that may be transferred between programs carried out under part B and programs carried out under part C, or between programs carried out under subpart 1, and programs carried out under subpart 2, of part C; and

"(5) all or any part of the reduction in allotment required under section 309(c) with respect to a State that reduces expenditures under the State plan of the State (but only to the extent that the non-Federal share of expenditures under this title is not reduced below any minimum specified in section 304(d) or any other provision of this title).''.

SEC. 222. CONSOLIDATION OF AUTHORITIES FOR SUPPORTIVE SERVICES AND SENIOR CENTERS.

(a) COMMUNITY-BASED CARE AND SERVICES.—Section 321(a)(5) (42 U.S.C. 3030d(a)(5)) is amended by striking ''including'' and all that follows and inserting ''including—

''(A) client assessment, case management services, and development and coordination of community services;

''(B) in-home services for frail older individuals (including supportive services for individuals with Alzheimer's disease or related disorders and with neurological or organic brain dysfunction) and for the families of such frail older individuals;

''(C) supportive activities to meet the special needs of caregivers, including caretakers who provide in-home services to frail older individuals; and

''(D) in-home services and other community services, including home health, homemaker, shopping, escort, reader, and letter writing services, to assist older individuals to live independently in a home environment;''.

(b) DISEASE PREVENTION AND HEALTH PROMOTION.—Section 321(a)(8) (42 U.S.C. 3030d(a)(8)) is amended by inserting ''disease prevention and health promotion services and provision of information regarding such services, including'' after ''(8)''.

(c) TECHNICAL AMENDMENT.—Section 321(a)(15) (42 U.S.C. 3030d(a)(15)) is amended by striking ''307(a)(16)'' and inserting ''307(c)(12)''.

(d) GENERAL AUTHORITY.—Section 321(a)(22) (42 U.S.C. 3030d(a)(22)) is amended by inserting ''necessary for the general welfare of older individuals'' after ''any other services''.

SEC. 223. CONSOLIDATION OF AUTHORITIES FOR NUTRITION SERVICES.

(a) SCHOOL-BASED MEALS AS CONGREGATE NUTRITION SERVICES.—

(1) IN GENERAL.—Section 331 (42 U.S.C. 3030e) is amended by striking all that precedes ''Assistant Secretary'' and inserting the following:

''SEC. 331. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The''.

(2) SCHOOL-BASED MEALS AND MULTIGENERATIONAL PROGRAMS.—

(A) AMENDMENT.—Section 338 (42 U.S.C. 3030g–11) is amended—

(i) by striking subsection (b); and

(ii) in the matter preceding paragraph (1) of subsection (a), by striking all that precedes "projects" and inserting the following:

"(b) SCHOOL-BASED MEALS AND MULTI-GENERATIONAL PROGRAMS.—The State may include, in projects carried out under this section,".

(B) PLACEMENT.—Title III is amended by moving subsection (b) of section 338 (as designated in subparagraph (A)) to the end of section 331.

(b) REPEAL OF SUPERSEDED AUTHORITY.—Part C of title III is amended by repealing subpart 3 (42 U.S.C. 3030g–11 et seq.) (other than section 342 (42 U.S.C. 3030i)) and redesignating subpart 4 (42 U.S.C. 3030g–21 et seq.) as subpart 3.

(c) ELIMINATION OF MAINTENANCE OF EFFORT.—Section 339A (42 U.S.C. 3030g–22) is repealed.

SEC. 224. REPEAL OF SUPERSEDED AUTHORITIES.

Parts D (relating to in-home services for frail older individuals), E (relating to additional assistance for special needs of older individuals), F (relating to disease prevention and health promotion services) (other than section 363 (42 U.S.C. 3030o)), and G (relating to supportive activities for caretakers who provide in-home services to frail older individuals) of title III (42 U.S.C. 3030h et seq., 3030l, 3030m et seq., and 3030p et seq.) are repealed.

Subtitle C—Research, Development, and Demonstrations

SEC. 231. REVISION OF TITLE IV.

The Act is amended by striking title IV (42 U.S.C. 3030aa et seq.) and inserting the following:

“TITLE IV—TRAINING, RESEARCH, AND DISCRETIONARY PROJECTS AND PROGRAMS

“SEC. 401. PURPOSES.

“(a) IN GENERAL.—The purposes of this title are—

“(1) to expand the knowledge and understanding of the Nation regarding aging and the aging process;

“(2) to design, test, and promote utilization of innovative ideas and best practices in programs and services for older individuals;

“(3) to help meet the needs for trained personnel in fields related to aging;

"(4) to increase the awareness of individuals of all ages of the need to assume personal responsibility for their aging; and

"(5) to achieve the purposes described in paragraphs (1) through (4) through—

"(A) education and training to develop an adequately trained workforce to work with and on behalf of older individuals;

"(B) research and policy analysis to improve access to and delivery of programs and services provided under this Act;

"(C) development of methods and practices to improve the quality and effectiveness of programs and services provided under this Act;

"(D) demonstration of new approaches to the design, delivery, and coordination of programs and services provided under this Act;

"(E) provision of technical assistance on the planning, development, implementation, evaluation, and improvement of programs and services under this Act; and

"(F) dissemination of information on aging issues, impact of the issues on individuals and society, and programs and services benefiting older individuals.

''(b) ACTIVITIES GIVEN SPECIAL ATTENTION.—The purposes of this title include supporting activities under this title to fulfill the objectives for older individuals specified in section 101, with special attention given to—

''(1) the service and advocacy objectives expressed in subparagraphs (A), (B), (C), and (D) of section 301(a)(1) and in section 601; and

''(2) the special population groups identified as vulnerable or at risk in this Act.

"Subtitle A—Education and Training

"SEC. 411. PURPOSE.

''The purpose of this subtitle is to improve the quality of services provided by, and to help meet critical shortages of adequately trained personnel for, programs in fields related to aging by supporting activities, including—

''(1) identifying workforce training and development needs in the fields related to aging;

''(2) developing a broad range of educational and training programs and activities for professionals, paraprofessionals, administrators, technicians, and service workers;

''(3) encouraging recruitment, training, and placement of minority trainees in key positions within agencies and organizations that provide services related to aging;

"(4) improving academic gerontology training and education programs to make the programs more responsive to changing requirements;

"(5) increasing the capacity of planning and service organizations that provide services related to aging in order to improve the performance of the staff of such organization and other providers of such services through training and other developmental activities; and

"(6) improving the knowledge and skills of teachers, instructors, trainers, guidance counselors, and other personnel development staff concerning aging concepts and workforce opportunities and practices.

"SEC. 412. GRANTS AND CONTRACTS.

"(a) IN GENERAL.—The Assistant Secretary may make grants to and enter into contracts with public or nonprofit private agencies, organizations, institutions, and individuals, to support activities that achieve the purposes of this subtitle, including—

"(1) development and improvement of multidisciplinary education and training programs (including expansion and improvement of curricula, instructional methods and materials, faculty and teacher development, and program administration) in academic institutions and other educational organizations, that prepare individuals for employment in programs and occupations serving older individuals;

"(2) development and improvement of continuing education and in-service training opportunities for individuals working in fields related to aging, including the personnel of State offices, area agencies on aging, senior centers, nutrition, counseling, ombudsman, and adult protective services, and legal assistance programs; and

"(3) development of curriculum and guidance materials for students in secondary or vocational schools to encourage the students to pursue employment and careers in fields related to aging.

"(b) PROJECTS GIVEN SPECIAL CONSIDERATION.—To achieve the purposes of this title, the Assistant Secretary shall give special consideration to the support of projects that—

"(1) improve opportunities for career training activities to ensure an adequate and competent workforce in fields related to aging;

"(2) increase the capacity of State agencies, area agencies on aging, and nonprofit service organizations, to provide short-term in-service training to staff and volunteers;

"(3) develop leadership knowledge and skills of managers and administrators of organizations and agencies that, collectively, plan, advocate, and provide services to older individuals, through workshops, seminars, and training institutes;

"(4) provide in-service training opportunities for program directors and providers of services to older American Indians, older Alaskan Natives, and older Native Hawaiians under title VI through grants to organizations with applications approved under title VI; and

"(5) improve the training and preparation of the workforce (including professionals, paraprofessionals, and volunteers) providing home and community services for older individuals with physical or cognitive disabilities or mental health disorders.

"Subtitle B—Research, Development, and Demonstrations

"SEC. 421. PURPOSE.

"The purpose of this subtitle is to improve the quality and efficiency of programs serving older individuals through research and development projects, and demonstration projects, designed to—

"(1) conduct research and policy analysis to—

"(A) develop and synthesize knowledge about aging programs, practices, and policies from multidisciplinary perspectives; and

"(B) assess the effectiveness of services and practices designed to improve access to and delivery of service programs; and

"(2) develop, test, and evaluate innovative planning, advocacy, and service practices and programs.

"SEC. 422. RESEARCH AND DEVELOPMENT PROJECTS.

"(a) IN GENERAL.—The Assistant Secretary may make grants to and enter into contracts with public or nonprofit private agencies, organizations, institutions, and individuals, to support research or policy analysis related to the purpose of this subtitle, including development of practices, assessment instruments, and applications involving—

"(1) use of technology for planning and delivery of services; and

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

"(b) CONSULTATION AND COLLABORATION WITH OTHER FEDERAL AGENCIES.—The Assistant Secretary may consult with, and may enter into formal agreements with, other Federal agencies to support aging research and development activities, including agreements involving interagency transfer of funds to support collaborative research activities consistent with the conditions specified in section 451(b).

“SEC. 423. DEMONSTRATION PROJECTS.

“(a) IN GENERAL.—The Assistant Secretary may make grants to and enter into contracts with public or nonprofit private agencies and organizations, to design, test, and demonstrate new approaches to planning and delivery of supportive services, nutrition services, and other activities to maintain or increase the independence and improve the quality of life of older individuals.

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

“(1) Projects for planning, development, and implementation of new approaches to delivery of home and community-based supportive services for older individuals with disabilities that limit the ability of such individuals to perform activities of daily living, including projects involving the coordination and integration of such services with services for individuals with similar disabilities who are not older individuals, and including approaches that—

"(A) promote individual choice in the selection of services;

"(B) eliminate access barriers to services for populations with the greatest economic need or the greatest social need;

"(C) reduce or eliminate duplication and fragmentation of services;

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

"(E) improve the quality and effectiveness of personnel of public and private entities involved in service delivery; and

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

"(2) Projects for planning, development, implementation, and evaluation of comprehensive community, State, and tribal models that are designed to prevent crime, violence, and abuse against older individuals and that include—

"(A) public education on such prevention for older individuals;

"(B) supportive services for older individuals who have been victimized;

"(C) improvements in information and data reporting systems;

"(D) coordination of public and private sector services and resources; and

"(E) in-service and cross-service training of personnel concerning criminal justice, health, mental health, and law enforcement fields, social and protective services, and aging and advocacy service systems.

"(c) ADDITIONAL PROJECTS.—The Assistant Secretary may support under this section any project designed to achieve the purposes of this subtitle, including the following:

"(1) Projects to assist older individuals who are at risk of losing their ability to live independently without assistance in accomplishing activities of daily living, including older individuals who, collectively, are disabled by Alzheimer's disease or related disorders, physical disabilities, mental illnesses, emotional stress, and developmental disabilities, through comprehensive State and community model programs providing supportive services to such at-risk older individuals and their families and caregivers, including—

"(A) in-home health care;

''(B) social and medical adult day-care;

''(C) assistance provided by homemaker aides and personal care attendants;

''(D) transportation to and from community health, mental health, and social service facilities;

''(E) respite care, caregiver education, training, and counseling and other supportive services, for primary caregivers of persons who, collectively, are disabled by Alzheimer's disease or related disorders, physical and developmental disabilities, and other serious functional impairments; and

''(F) information and referral, outreach, counseling, and other services to increase access of such older individuals to appropriate medical, nutritional, and supportive services.

''(2) Projects addressing the special housing needs of older individuals through activities including—

''(A) developing programs to enable or assist older individuals who are homeowners—

''(i) to maintain their residences through repairs or renovations; and "(ii) to increase their physical safety through structural modifications to, alterations of, and installation of security devices for, their residences;

"(B) studying and demonstrating methods of adapting existing housing, or constructing new housing, to meet the needs of older individuals with functional impairments;

"(C) coordinating counseling services for older individuals with counseling services available to residents of Federal- and State-assisted housing facilities with high concentrations of older individuals who are residents of such facilities; and

"(D) developing information, counseling, and referral programs for older individuals who are renters or homeowners on housing options, including information, counseling, and referral programs relating to—

"(i) eligibility requirements;

"(ii) application processes;

"(iii) financing; and

"(iv) legal rights and responsibilities of tenancy and restricted ownership, including rights and responsibilities related to foreclosure and eviction.

"(3) Projects to provide education and training to older individuals, designed to enable the older individuals to lead more productive lives through development and demonstration of—

"(A) literacy programs for older individuals, including programs that use peer tutoring;

"(B) pre-retirement counseling and education programs; and

"(C) occupational training and employment placement and counseling activities for older individuals, that are not supported under title V or through programs administered by the Department of Labor.

"(4) Projects to improve and develop transportation systems that—

"(A) increase access of older individuals, especially low-income older individuals and older individuals living in rural areas, to community services essential to independent living;

"(B) provide low-cost commuter transportation for in-home personal care aides serving functionally impaired older individuals in underserved public transit areas; and

"(C) provide assisted transportation services for frail or disabled older individuals.

"(5) Projects, developed in conjunction with the Corporation for National and Community Service, to develop—

"(A) innovative opportunities for older individuals who are volunteers to fulfill community needs that are not being met by programs (including volunteer programs) in existence on the date of such development, including opportunities to provide—

"(i) multigenerational services addressing the needs of youth and children; and

"(ii) peer support and home and community services to other older individuals who have functional impairments or are otherwise at risk of losing their ability to live independently; and

"(B) innovative multigenerational volunteer programs affording opportunities for children, youth, and adults to serve unmet needs of functionally impaired older individuals regardless of their living situation.

''(6) Projects to demonstrate effective home and community rehabilitative, health and mental health promotion, and disease prevention activities for older individuals who are at risk of losing their ability to live independently.

''(7) Projects to develop innovative approaches to consumer protection for older individuals in home or community settings, addressing consumer rights and protections relating to—

''(A) automobile, health, life, and other insurance policies;

''(B) mortgages and leases (and similar property and housing rights); and

''(C) personal loans and other financial transactions.

"Subtitle C—Centers

"SEC. 431. PURPOSE.

''The purpose of this subtitle is to improve the quality of services available to older individuals through multifunction, multidisciplinary centers and other multifaceted activities, which may be used as resources for planners, administrators, policymakers, and providers in fields related to aging.

“SEC. 432. GRANTS AND CONTRACTS.

“(a) NATIONAL CENTERS PROVIDING SUPPORT TO ADMINISTRATORS OF GRANT PROGRAMS.—

“(1) IN GENERAL.—The Assistant Secretary may make grants to and enter into contracts with public or nonprofit private agencies and organizations, for the purpose of operating national centers serving primarily as informational resources to State agencies and area agencies on aging administering programs under titles III and VII, organizations administering programs under title VI, and providers of services under any program described in this paragraph.

“(2) FUNCTIONS OF CENTERS.—A center funded under this subsection shall focus on selected subject matter areas (including all policy and program issues, such as development, delivery, financing, and coordination of services, concerning such subject matter areas) relating to programs under titles III, VI, and VII, and may focus on program areas such as any of the following:

“(A) Comprehensive home and community-based services, including long-term care services, intended to enable functionally impaired older individuals to remain in their homes and communities.

"(B) Nutrition services, including provision of congregate and home-delivered meals, development of dietary standards, and related matters.

"(C) Information and referral services.

"(D) Services for older American Indians, older Alaskan Natives, or older Native Hawaiians, including older individuals living in tribal areas and older individuals living in nontribal areas.

"(E) Legal assistance.

"(3) NATIONAL OMBUDSMAN AND ELDER ABUSE CENTERS.—Funds available to carry out this subsection may be used, to the extent the Assistant Secretary finds such use to be necessary, to support the activities of the National Ombudsman Resource Center established under section 202(a)(21) and the activities of the National Center on Elder Abuse established under section 202(d).

"(b) NATIONAL EDUCATION AND TRAINING CENTERS.—

"(1) IN GENERAL.—The Assistant Secretary may make grants to and enter into contracts with public or nonprofit private agencies and organizations for the purpose of operating national centers to encourage leadership and improve education, training, and employment practices for the workforce needed to plan, administer, and provide services under this Act, and to promote policy discussion and development to prepare the Nation for the increased and changing demands of the aging population of the Nation.

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

"(A) multidisciplinary academic centers of gerontology that conduct applied research, education, and training, and provide technical assistance and dissemination activities, with special attention given to human resource and development issues affecting special population groups; and

"(B) a national leadership institute on aging that develops and conducts training activities for executive managers and senior officials of government and nonprofit agencies, voluntary groups, professional associations, and other organizations responsible for planning, financing, and providing programs and services for older individuals.

"(c) MULTIFACETED POLICY CENTERS.—

"(1) IN GENERAL.—In addition to the grants and contracts authorized under subsections (a) and (b), the Assistant Secretary may make grants to and enter into contracts with public or nonprofit private agencies and organizations, for research, policy analysis, technical assistance, information dissemination, or training activities, as appropriate in areas of broad national interest (including areas involving social, economic, health, mental health, or environmental issues) affecting older individuals.

"(2) ISSUES ADDRESSED.—A recipient of a grant or contract under this subsection may use funds made available through the grant or contract to address issues including—

"(A) broad societal objectives described in section 101, including issues related to transportation, housing, employment, income security, public safety, health, or mental health; and

"(B) concerns of special population groups of older individuals, including low-income older individuals, older individuals who are women, older individuals residing in rural areas, minority older individuals, and older individuals with disabilities.

"SEC. 433. FUNCTIONS OF GRANT AND CONTRACT RECIPIENTS; ADVISORY BOARDS.

''(a) FUNCTIONS.—In operating a Center, or carrying out activities, described in section 432, a recipient of a grant or contract under this subtitle shall, as appropriate—

''(1) evaluate, analyze, and report on the policies and practices of programs for older individuals to assess the effectiveness of the policies and practices in meeting the needs and improving the quality of life of older individuals and their families and caregivers;

''(2) compile, select, and make available research, evaluation, and demonstration project findings that provide useful guidance in determining the needs of older individuals and improving practices in fields related to aging;

''(3) develop strategies and models to improve the quality, efficiency, and effectiveness of service programs and activities for older individuals;

''(4) develop technical assistance and training materials and participate in workshops, conferences, and events that promote the transfer of useful information and practices concerning older individuals;

"(5) sponsor activities that enhance the education and training of a competent workforce in fields related to aging;

"(6) assist other recipients of grants or contracts who are conducting demonstration or pilot projects under this Act, by providing documentation, assessment, and other assistance in the planning and implementation of such demonstration or pilot projects; and

"(7) conduct information dissemination activities in coordination with such activities of the National Aging Information Center established in section 202(e).

"(b) ADVISORY BOARDS.—Each center supported by a grant made or contract entered into under this subtitle shall establish an advisory board that—

"(1) shall provide policy guidance with respect to the planning and conduct of activities under such grant or contract; and

"(2) whose members shall include representatives of—

"(A) State agencies and area agencies on aging;

"(B) appropriate national, State, and local service organizations; and

"(C) other groups, as appropriate.

"Subtitle D—Information Dissemination and Related Activities

"SEC. 441. PURPOSE.

"(a) IN GENERAL.—The purpose of this subtitle is to improve the quality, efficiency, availability, and accessibility of services for older individuals through support of information dissemination and utilization activities that—

"(1) collect, preserve, and disseminate, publish, or otherwise make available, relevant materials concerning matters such as research and demonstration findings, and training and technical assistance materials;

"(2) synthesize, publish, and disseminate information concerning completed projects carried out under this title that are of demonstrated value, including information relating to—

"(A) technical assistance and training in the implementation and adaptation of methods used in such projects; and

"(B) the development of additional materials that increase the awareness and acceptance of the results of such projects;

"(3) locate, publicize, and make available practical self-help information for older individuals and their families and encourage the development of appropriate public education activities;

"(4) support conferences, forums, and other meetings designed to identify, disseminate, and promote utilization of research findings, policy practices, and best practices; and

"(5) provide technical assistance to recipients of grants or contracts that receive support under this title and other recipients of support under this Act on the design, development, and promotion of products and information materials.

"(b) COORDINATION WITH OTHER INFORMATION SOURCES.—Such recipients of grants or contracts will coordinate activities supported under this subtitle with the information dissemination activities of centers authorized under subtitle C and other Federal information clearinghouses and document repositories.

"SEC. 442. GRANTS AND CONTRACTS.

"The Assistant Secretary may make grants to and enter into contracts with public or nonprofit private agencies and organizations for activities to carry out the purpose of this subtitle, including—

"(1) activities of the National Aging Information Center established under section 202(e);

"(2) sponsorship and co-sponsorship with other Federal agencies and other public and private organizations of national and regional conferences and other meetings in which the participants disseminate project findings and information related to issues and concerns affecting the well-being of older individuals; and

"(3) establishment and administration of a National Academy on Aging to serve as a forum for policy analysis and debate on current and emerging issues affecting the well-being of older individuals and for informing policy officials and the public about such issues.

"Subtitle E—General Provisions

"SEC. 451. AUTHORIZATION OF APPROPRIATIONS.

"(a) AUTHORIZATION.—There are authorized to be appropriated to carry out this title $44,384,000 for fiscal year 1998, and such sums as may be necessary for each of fiscal years 1999 and 2000.

"(b) RESTRICTIONS.—No funds appropriated under this title—

"(1) may be transferred to any office or other authority of the Federal Government that is not directly responsible to the Assistant Secretary, unless the funds are used for purposes authorized under this title in accordance with conditions specified by a formal interagency agreement with the other office or authority;

''(2) may be used for any program or activity that is not specifically authorized by this title (except as specifically authorized by this Act); or

''(3) may be combined with funds appropriated under any other Act if the purpose of combining funds is to make a single discretionary grant or a single discretionary payment, unless such funds appropriated under this title are separately identified in such grant or payment and are used for the purposes of this title.

''SEC. 452. PAYMENTS OF GRANTS.

''(a) CONTRIBUTIONS BY RECIPIENTS OF GRANTS OR CONTRACTS.—To the extent the Assistant Secretary determines to be appropriate, the Assistant Secretary shall require the recipient of any grant or contract under this title to contribute money, facilities, or services for carrying out the project for which such grant or contract is made.

''(b) METHOD OF PAYMENT.—Payments made under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Assistant Secretary may determine to be appropriate.

"SEC. 453. ADMINISTRATION.

''(a) ADMINISTRATION ON AGING.—In order to carry out the provisions of this title effectively, the Assistant Secretary shall administer this title through the Administration.

''(b) ASSISTANCE FROM OTHER AGENCIES.—In carrying out this title, the Assistant Secretary may request the technical assistance and cooperation of such other agencies and departments of the Federal Government as may be appropriate.

''(c) OUTREACH TO APPLICANTS.—In writing proposal solicitations for grants made under this title and requests for proposals for contracts made under this title, the Assistant Secretary shall encourage the submission of applications from agencies, organizations, and institutions, that represent minorities.

''(d) CONSULTATION.—In developing priorities, consistent with the requirements of this title, for making grants and entering into contracts under this title, the Assistant Secretary shall, consult with State agencies, area agencies on aging, recipients of financial assistance under title VI, institutions of higher education, organizations representing beneficiaries of services under this Act, and other organizations and individuals with expertise on aging issues.

"(e) EVALUATIONS AND REPORTS.—The Assistant Secretary shall ensure that recipients of grants and contracts under this title—

"(1) conduct evaluations and prepare reports indicating the benefit of the activities carried out under the grants and contracts to older individuals and to programs carried out under this Act; and

"(2) comply with the requirements under this Act.

"(f) REPORT TO CONGRESS.—The Assistant Secretary shall prepare and submit, to the Speaker of the House of Representatives and the President pro tempore of the Senate, a report for each fiscal year that describes activities for which funds were provided under this title and that includes—

"(1) an abstract describing the purpose and activities of each grant or contract awarded or continued for such year;

"(2) the name and address of the recipient of the grant or contract;

"(3) the name and affiliation of the project director of the project carried out under the grant or contract;

"(4) the period of project performance; and

"(5) the amount of Federal funds awarded for the project in the fiscal year for which the report is made.

"(g) EXTERNAL REVIEW.—The Assistant Secretary shall establish by regulation and implement an external review process to evaluate applications for grants made and contracts entered into under this title.".

Subtitle D—Community Service Employment for Older Americans

SEC. 241. PHASED REDUCTION OF FEDERAL SHARE.

Section 502(c) (42 U.S.C. 3056(c)) is amended—

(1) in paragraph (1), by striking "90 percent" and inserting "the Federal share, as specified in paragraph (2),";

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(3) by inserting after paragraph (1) the following new paragraph:

"(2) The Federal share, for purposes of this subsection, shall be—

"(A) 90 percent for fiscal year 1998;

“(B) 89 percent for fiscal year 1999;

“(C) 87.5 percent for fiscal year 2000;

“(D) 86.5 percent for fiscal year 2001; and

“(E) 84 percent for fiscal year 2002 and each succeeding fiscal year.”.

SEC. 242. AUTHORIZATION OF APPROPRIATIONS.

Section 508(a) (42 U.S.C. 3056f(a)) is amended to read as follows:

“(a) There are authorized to be appropriated to carry out this title such sums as may be necessary for each of fiscal years 1998, 1999, and 2000.”.

Subtitle E—Grants for Native Americans

SEC. 251. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TERMINOLOGY.—

(1) Section 602 (42 U.S.C. 3057a) is amended by striking “that older” and all that follows through “Native Hawaiians” and inserting “that older American Indians, older Alaskan Natives, and older Native Hawaiians”.

(2) Sections 611, 613, and 614(a) (42 U.S.C. 3057b, 3057d, and 3057e(a)) are amended by striking “older individuals who are Indians” each place it appears and inserting “older Indians”.

(b) TECHNICAL AMENDMENT.—Section 611 (42 U.S.C. 3057b) is amended by striking ''(a)''.

(c) CONFORMING AMENDMENT.—Section 614(a) (42 U.S.C. 3057e(a)) is amended—

(1) by striking paragraph (9); and

(2) by redesignating paragraphs (10) through (12) as paragraphs (9) through (11), respectively.

SEC. 252. AUTHORIZATION OF APPROPRIATIONS.

Section 633(a) (42 U.S.C. 3057n(a)) is amended by striking all that precedes ''to carry out this title'' and inserting ''(a) There are authorized to be appropriated $18,402,000 for fiscal year 1998, and such sums as may be necessary for each of fiscal years 1999 and 2000,''.

Subtitle F—Vulnerable Elder Rights Protection

SEC. 261. AUTHORIZATION OF APPROPRIATIONS.

(a) OMBUDSMAN PROGRAM.—Section 702(a) (42 U.S.C. 3058a(a)) is amended by striking all that follows ''chapter 2,'' and inserting ''$4,449,000 for fiscal year 1998, and such sums as may be necessary for each of fiscal years 1999 and 2000.''.

(b) PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION.—Section 702(b) (42 U.S.C. 3058a(b)) is amended by striking all that follows ''chapter 3,'' and inserting ''$6,232,000 for fiscal year 1998, and such sums as may be necessary for each of fiscal years 1999 and 2000.''.

(c) STATE ELDER RIGHTS AND LEGAL ASSISTANCE DEVELOPMENT PROGRAM.—Section 702(c) (42 U.S.C. 3058a(c)) is amended by striking all that follows ''chapter 4,'' and inserting ''such sums as may be necessary for each of fiscal years 1998, 1999, and 2000.''.

(d) OUTREACH, COUNSELING, AND ASSISTANCE PROGRAM.—Section 702(d) (42 U.S.C. 3058a(d)) is amended by striking all that follows ''chapter 5,'' and inserting ''$1,976,000 for fiscal year 1998, and such sums as may be necessary for each of fiscal years 1999 and 2000.''.

SEC. 262. TECHNICAL AND CONFORMING AMENDMENTS.

(a) REPEAL OF INCONSISTENT PROVISION.—Section 705(a) (42 U.S.C. 3058d(a)) is amended—

(1) in paragraph (6)(C)(iii), by adding ''and'' after the semicolon;

(2) by striking paragraph (7);

(3) by redesignating paragraph (8) as paragraph (7); and

(4) in paragraph (7) (as redesignated in paragraph (3)), by striking ''through (7)'' and inserting ''through (6)''.

(b) TECHNICAL AMENDMENTS.—

(1) Section 712(a)(5)(B)(i) (42 U.S.C. 3058g(a)(5)(B)(i)) is amended by inserting a comma after ''welfare''.

(2) Section 731(b)(4) (42 U.S.C. 3058j(b)(4)) is amended by striking ''Service'' and inserting ''Services''.

SEC. 263. ASSISTANCE PROGRAM FOR INSURANCE AND PUBLIC BENEFITS.

Section 741(d) (42 U.S.C. 3058k(d)) is amended by adding at the end the following new sentence: ''If the State elects to award funds under this section to area agencies on aging or other local entities, the State shall give priority to agencies or entities serving planning and service areas that have high concentrations of older individuals with the greatest economic need or with the greatest social need, and in which outreach activities, application assistance, or benefits counseling are inadequate.''.

SEC. 264. NATIVE AMERICAN PROGRAM.

Section 751 (42 U.S.C. 3058aa) is amended—

(1) in subsection (c)(2), by striking ''older individuals who are Native Americans'' and inserting ''older American Indians, older Alaskan Natives, or older Native Hawaiians''; and

(2) in subsection (d), by striking all that follows ''this section,'' and inserting ''such sums as may be

necessary for each of fiscal years 1998, 1999, and 2000.''.

SEC. 265. GENERAL PROVISIONS.

Section 761(2) (42 U.S.C. 3058bb(2)) is amended by striking ''this title'' and inserting ''subtitle A''.

Subtitle G—Technical Amendments

SEC. 271. DEFINITIONS.

(a) RELOCATION OF DEFINITIONS.—

(1) Section 302 (42 U.S.C. 3022) (relating to definitions of comprehensive and coordinated system, unit of general purpose local government, and education and training service) is amended—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (46), (47), and (48), respectively; and

(B) by striking all that precedes ''(46)''.

(2) Section 342 (42 U.S.C. 3030i) (relating to a definition of in-home services) is amended—

(A) in paragraph (5)—

(i) by striking ''under other programs'' and inserting '', other than under part B of title III''; and

(ii) by striking ''this part'' and inserting ''title III'';

(B) in paragraph (7), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(C) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively; and

(D) by striking all that precedes ‘‘term’’ and inserting the following:

‘‘(49) The’’.

(3) Section 363 (42 U.S.C. 3030o) (relating to a definition of disease prevention and health promotion services) is amended—

(A) in paragraph (5), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively;

(B) by redesignating paragraphs (1) through (12) as subparagraphs (A) through (L), respectively;

(C) in subparagraph (L) (as redesignated in subparagraph (B)), by striking ‘‘paragraphs (1) through (11)’’ and inserting ‘‘subparagraphs (A) through (K)’’;

(D) in the second sentence, by striking all that precedes ‘‘term’’ and inserting the following:

"The"; and

(E) by striking all that precedes "term" the first place it appears and inserting the following:

"(50) The".

(4)(A) The Act is amended—

(i) by moving paragraphs (46), (47), and (48) (as redesignated in paragraph (1)) to the end of section 102 (as amended in section 101(a)) (42 U.S.C. 3002); and

(ii) by moving paragraphs (49) and (50) (as designated in paragraphs (2) and (3)) to the end of section 102.

(B) Such paragraphs (49) and (50) are amended—

(i) by indenting the clauses in such paragraphs and aligning the margins of such clauses with the margins of clause (i) of section 102(22)(A) (42 U.S.C. 3002(22)(A)); and

(ii) by indenting the subparagraphs in such paragraphs and aligning the margins of such subparagraphs with the margins of subparagraph (B) of section 102(28) (42 U.S.C. 3002(28)).

(5)(A) Section 102 (as amended in paragraph (4)) is further amended by adding at the end the following:

"(51)(A) The term 'older Alaskan Native' means an older individual who is an Alaskan Native.

"(B) The term 'older American Indian' means an older individual who is an American Indian.

"(C) The term 'older Indian' means an older individual who is an Indian.

"(D) The term 'older Native Hawaiian' means an older individual who is a Native Hawaiian.

"(52) The term 'Alaskan Native' means a person who is a member of an Alaska Native village or regional or village corporation referred to in paragraph (28)(B).

"(53) The term 'American Indian' means an Indian who is not an Alaskan Native.

"(54) The term 'Native Hawaiian' means any individual any of whose ancestors were natives, prior to 1778, of the area that consists of the Hawaiian Islands.".

(B) Section 625 (42 U.S.C. 3057k) is repealed.

(b) REDESIGNATION OF DEFINITIONS.—

(1) Section 102(5) (42 U.S.C. 3002(5)) is amended by inserting "(A)" after "(5)".

(2) Section 102(6) (42 U.S.C. 3002(6)) is amended—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively; and

(B) by striking ‘‘(6)’’ and inserting ‘‘(B)’’.

(3) Section 102(7) (42 U.S.C. 3002(7)) is amended by striking ‘‘(7)’’ and inserting ‘‘(C)’’.

(4) Section 102(8) (42 U.S.C. 3002(8)) is amended—

(A) by redesignating subparagraphs (A) through (I) as clauses (i) through (ix), respectively; and

(B) by inserting ‘‘(A)’’ after ‘‘(8)’’.

(5) Section 102(9) (42 U.S.C. 3002(9)) is amended—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) in clause (ii) (as redesignated in subparagraph (A)), by striking ‘‘subparagraphs (A) through (G) of paragraph (8)’’ and inserting ‘‘clauses (i) through (vii) of subparagraph (A)’’; and

(C) by striking ‘‘(9)’’ and inserting ‘‘(B)’’.

(c) TECHNICAL AMENDMENT.—Section 102(34)(C) (42 U.S.C. 3002(34)(C)) is amended by striking ‘‘307(a)(12)’’ and inserting ‘‘307(a)(9)’’.

(d) ALPHABETICAL ORDER.—Section 102 (42 U.S.C. 3002) is amended—

(1) by redesignating paragraphs (13), (14), (15), (16), (52), (53), (17), (18), (2), (10), (19), (20), (21), (22), (46), (23), (8), (50), (48), (24), (25), (26), (27), (28), (29), (30), (49), (5), (31), (11), (32), (33), (34), (35), (36), (54), (37), (4), (51), (38), (45), (39), (40), (41), (42), (1), (3), (43), (44), (12), and (47) as paragraphs (1) through (51), respectively; and

(2) by moving each of paragraphs (1) through (51) (as redesignated in paragraph (1)), respectively, to the end of such section.

SEC. 272. TECHNICAL AND CONFORMING AMENDMENTS TO OTHER ACTS.

(a) NATIONAL SCHOOL LUNCH ACT.—Section 14(c) of the National School Lunch Act (42 U.S.C. 1762a(c)) is amended by striking ‘‘section 311(a)(4) of the Older Americans Act of 1965 (42 U.S.C. 3030(a)(4)) or for cash payments in lieu of such donations under section 311(b)(1) of such Act (42 U.S.C. 3030(b)(1))’’ and inserting "section 311 of the Older Americans Act of 1965 (42 U.S.C. 3030a)".

(b) ENERGY CONSERVATION IN EXISTING BUILDINGS ACT OF 1976.—Section 412(6) of the Energy Conservation in Existing Buildings Act of 1976 (42 U.S.C. 6862(6)) is amended by striking "paragraphs (4), (5), and (6), respectively, of".

SEC. 273. OVERALL TECHNICAL AMENDMENTS.

(a) RECOMMENDED LEGISLATION.—The Secretary of Health and Human Services shall prepare and submit to Congress recommended legislation containing technical and conforming amendments to reflect the changes made by this Act.

(b) SUBMISSION TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, the Secretary of Health and Human Services shall submit the recommended legislation referred to in subsection (a).

Subtitle H—Effective Date

SEC. 281. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this title shall take effect on the date of enactment of this Act.

(b) APPLICATION.—The amendments made by this title shall apply with respect to a State on the effective date of the first State plan submitted under section 307 of the Older Americans Act of 1965 (42 U.S.C. 3027) that takes effect 1 year or later after the date of enactment of this Act.

TITLE III—WHITE HOUSE CONFERENCE ON AGING

SEC. 301. DEFINITIONS.

In this title:

(1) AREA AGENCY ON AGING.—The term ''area agency on aging'' has the meaning given the term in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

(2) CONFERENCE.—The term ''Conference'' means the White House Conference on Aging.

(3) OLDER AMERICAN INDIAN; OLDER ALASKAN NATIVE; OLDER NATIVE HAWAIIAN.—The terms ''older American Indian'', ''older Alaskan Native'', and ''older Native Hawaiian'' have the meanings given the terms in section 102 of the Older Americans Act of 1965.

(4) OLDER INDIVIDUAL.—The term ''older individual'' has the meaning given the term in section 102 of the Older Americans Act of 1965.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(6) STATE.—The term ''State'' means any of the several States of the United States, the District

of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

(7) STATE AGENCY.—The term ''State agency'' has the meaning given the term in section 102 of the Older Americans Act of 1965.

SEC. 302. WHITE HOUSE CONFERENCE AUTHORIZED.

(a) AUTHORITY TO CALL CONFERENCE.—Not later than December 31, 2005, the President shall convene a White House Conference on Aging in order to develop recommendations for additional research and action in the fields related to aging, which will further the purposes specified in subsection (c).

(b) PLANNING AND DIRECTION.—The Conference shall be planned and conducted under the direction of the Secretary in cooperation with the Assistant Secretary for Aging and the heads of such other Federal departments and agencies as may be appropriate. In cooperating with the Assistant Secretary for aging, the head of such a department or agency may detail any Federal Government employee to the Assistant Secretary without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(c) PURPOSES OF THE CONFERENCE.—The purposes of the Conference shall be—

(1) to increase the public awareness of the interdependence of generations, and the essential contributions of older individuals to society, for the well-being of all generations;

(2) to identify the problems facing older individuals and the commonalities of the problems with problems of younger generations;

(3) to examine the well-being of older individuals, including the impact the well-being of older individuals has on the aging society of the United States;

(4) to develop such specific and comprehensive recommendations for executive and legislative action as may be appropriate for maintaining and improving the well-being of older individuals;

(5) to develop—

(A) recommendations for the coordination of Federal policy with State and local needs, regarding older individuals; and

(B) recommendations for the implementation of the recommendations described in subparagraph (A); and

(6) to review the status and multigenerational value of recommendations adopted at previous Conferences, regarding older individuals.

(d) CONFERENCE PARTICIPANTS AND DELEGATES.—

(1) PARTICIPANTS.—In order to carry out the purposes described in subsection (c), the Conference shall bring together—

(A) representatives of Federal, State, and local governments;

(B) professional and other people who are working in fields related to aging; and

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

(2) SELECTION OF DELEGATES.—The delegates to the Conference shall be selected without regard to political affiliation or past partisan activity and shall, to the best of the ability of the appointing authority, be representative of the points of view of persons in fields related to aging. The delegates shall include individuals who are professionals, minority individuals, individuals from low-income families, and other individuals. A majority of the delegates shall be age 55 or older.

SEC. 303. CONFERENCE ADMINISTRATION.

(a) ADMINISTRATION.—In administering this title, the Secretary shall—

(1) provide written notice to all members of the Policy Committee established in section 304 of each meeting, hearing, or working session of the Policy Committee not later than 48 hours before the occurrence of such meeting, hearing, or working session;

(2) request the cooperation and assistance of the heads of such other Federal departments and agencies as may be appropriate to carry out this title;

(3) furnish all reasonable assistance, including financial assistance, to entities that are State agencies, area agencies on aging, or other appropriate organizations (including organizations representing older American Indians, older Alaskan Natives, or older Native Hawaiians), to enable the entities to organize and conduct conferences and other activities in conjunction with the Conference, including—

(A) activities carried out in advance of the Conference, as part of the process of planning for the Conference; and

(B) activities carried out subsequent to the Conference in connection with dissemination, discussion, and implementation of recommendations of the Conference;

(4) make available for public comment a proposed agenda, prepared by the Policy Committee, for the Conference that will reflect to the greatest extent possible the major issues facing older individuals;

(5) prepare and make available, for the use of delegates to the Conference, background materials that the Secretary determines to be necessary; and

(6) engage such additional personnel as may be necessary to carry out the provisions of this title without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification of positions and General Schedule pay rates.

(b) DUTIES.—The Secretary, in carrying out the responsibilities and functions of the Secretary under this title, and as part of the Conference, shall ensure that—

(1) the conferences described in subsection (a)(3)—

(A) include a conference on individuals who are older American Indians, older Alaskan Natives, and older Native Hawaiians to identify conditions that adversely affect such individuals, to propose solutions to ameliorate such conditions, and to provide for the exchange of information relating to the delivery of services to such individuals; and

(B) are conducted so as to ensure broad participation of older individuals;

(2) the agenda prepared under subsection (a)(4) for the Conference is published in the Federal Register not later than 30 days after the agenda is approved by the Policy Committee, and the Secretary may republish such agenda together with the recommendations of the Secretary regarding the agenda;

(3) the personnel engaged under subsection (a)(6) are fairly balanced in terms of points of views represented, and are appointed without regard to political affiliation or past partisan activity;

(4) the recommendations of the Conference are not inappropriately influenced by any appointing authority or by any special interest, but are the result of the independent judgment of the Conference; and

(5) recent and adequate statistical data, including decennial census data, and other information on the well-being of older individuals in the United

States are readily available, in advance of the Conference, to the delegates of the Conference, together with such information as may be necessary to evaluate Federal programs and policies relating to aging.

(c) GRANTS AND CONTRACTS.—In carrying out subsection (b)(5), the Secretary may make grants to, and enter into cooperative agreements with, public or nonprofit private agencies and organizations.

(d) GIFTS.—The Secretary may accept, on behalf of the United States, gifts (in cash or in kind, including voluntary and uncompensated services), and may use or dispose of such gifts to carry out this title. Such gifts shall be available in addition to amounts appropriated to carry out this title.

(e) RECORDS.—The Secretary shall maintain records regarding—

(1) the sources, amounts, and uses of gifts accepted under subsection (d); and

(2) the identity of each person receiving assistance to carry out this title and the amount of such assistance received by each such person.

SEC. 304. POLICY COMMITTEE; RELATED COMMITTEES.

(a) POLICY COMMITTEE.—

(1) ESTABLISHMENT.—There is established a Policy Committee comprised of 25 members to be se-

lected, not later than 90 days after the date of enactment of the Older Americans Act Amendments of 1997, as follows:

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

(i) 3 members who are officers or employees of the United States; and

(ii) 10 members with experience in fields related to aging, who may include representatives of public aging agencies, institution-based organizations, and minority aging organizations, and shall include a member of the Federal Council on the Aging.

(B) HOUSE APPOINTEES.—Four members shall be selected by the Speaker of the House of Representatives, after consultation with the Minority Leader of the House of Representatives, and shall include at least 1 member of the Committee on Education and the Workplace, and at least 1 member of the Committee on Ways and Means, of the House of Representatives. Not more than 3 members selected under this subparagraph may be associated or affiliated with the same political party.

(C) SENATE APPOINTEES.—Four members shall be selected by the Majority Leader of the Senate, after consultation with the Minority Leader of the Senate, and shall include at least 1 member of the Committee on Labor and Human Resources, and at least 1 member of the Special Committee on Aging, of the Senate. Not more than 3 members selected under this subparagraph may be associated or affiliated with the same political party.

(D) JOINT APPOINTEES.—Four members shall be selected jointly by the Speaker of the House of Representatives and the Majority Leader of the Senate, after consultation with the Minority Leaders of the House of Representatives and Senate, and shall include representatives with experience in fields related to aging, who may include representatives described in subparagraph (A)(ii). Not more than 2 members selected under this subparagraph may be associated or affiliated with the same political party.

(2) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Policy Committee. Any vacancy in the Policy Committee shall not affect the powers of the Policy Committee, but shall be filled in the same manner as the original appointment.

(3) DUTIES OF THE POLICY COMMITTEE.—

(A) MEETINGS.—The Policy Committee shall initially meet at the call of the Secretary, but not later than 30 days after the last member is selected under paragraph (1). Subsequent meetings of the Policy Committee shall be held at the call of the chairperson of the Policy Committee.

(B) DUTIES.—Through meetings, hearings, and working sessions, the Policy Committee shall—

(i) make recommendations to the Secretary to facilitate the timely convening of the Conference;

(ii) formulate and approve a proposed agenda for the Conference not later than 60 days after the first meeting of the Policy Committee;

(iii) make recommendations for participants and delegates of the Conference;

(iv) establish the number of delegates to be selected under section 302(d)(2); and

(v) formulate and approve the initial report of the Conference in accordance with section 305.

(4) QUORUM; COMMITTEE VOTING; CHAIRPERSON.—

(A) QUORUM.—Thirteen members of the Policy Committee shall constitute a quorum for the purpose of conducting the business of the Policy Committee, except that 17 members of the Policy Committee shall constitute a quorum for purposes of approving the agenda required by paragraph (3)(B)(ii) and the report required by paragraph (3)(B)(v).

(B) VOTING.—The Policy Committee shall act by the vote of the majority of the members of the Policy Committee who are present.

(C) CHAIRPERSON.—The President shall select a chairperson from among the members of the Policy Committee. The chairperson may vote only to break a tie vote of the other members of the Policy Committee.

(b) OTHER COMMITTEES.—The Secretary may establish such other committees, including technical committees, as may be necessary to assist in planning, conducting, and reviewing the Conference.

(c) COMPOSITION OF COMMITTEES.—Each committee established under subsection (b) shall be composed of professionals and other members, and shall include individuals from low-income families, and individuals who are American Indians, Alaskan Natives, or Native Hawaiians. The Secretary shall make appropriate efforts to include individuals who are members of minority groups. A majority of the public members of each such committee shall be age 55 or older.

(d) COMPENSATION OF MEMBERS.—

(1) IN GENERAL.—Each member of a committee described in this section who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Policy Committee. All members of the Policy Committee who are officers or employees of the United States shall serve

without compensation in addition to that received for their services as officers or employees of the United States.

(2) TRAVEL EXPENSES.—The members of the Policy Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Policy Committee.

(e) TERMINATION.—The Policy Committee shall terminate on the later of—

(1) the date of submission of the initial report described in section 305(c); and

(2) the date of submission of the recommendations described in section 305(d).

SEC. 305. REPORT OF THE CONFERENCE.

(a) PROPOSED REPORT.—The Secretary shall ensure that a proposed report of the Conference, which shall include a statement of comprehensive coherent national policy on aging together with findings and recommendations for the implementation of the policy, shall be published and submitted to the chief executive officers of the States not later than 90 days after the date on which the Conference is adjourned. The Secretary shall ensure that the findings and recommendations included in the published proposed report shall be immediately available to the public.

(b) RESPONSE TO PROPOSED REPORT.—The chief executive officers of the States, after reviewing, and soliciting recommendations and comments on, the proposed report of the Conference, shall submit to the Policy Committee, not later than 90 days after receiving the report, their views and findings on the recommendations of the Conference.

(c) REPORTS.—

(1) INITIAL REPORT.—The Policy Committee shall, after reviewing the views and findings of the chief executive officers of the States, prepare, approve, and submit to the Secretary an initial report of the Conference, which shall include a compilation of the actions of the chief executive officers of the States in response to the Conference and take into consideration the views and findings of such officers.

(2) PUBLICATION OF INITIAL REPORT; FINAL REPORT.—Not later than 60 days after the Policy Committee submits the initial report, the Secretary shall publish the initial report in the Federal Register. The Secretary shall republish as a final re-

port, the initial report together with such additional views and recommendations as the Secretary considers to be appropriate.

(d) RECOMMENDATIONS OF THE POLICY COMMITTEE.—The Policy Committee shall, not later than 90 days after submission of the views and findings of the chief executive officers of the States, prepare, publish, and submit to the President and to Congress recommendations for the administrative action and the legislation necessary to implement the recommendations contained within the final report.

SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this title such sums as may be necessary for fiscal years 2005 through 2007.

(2) CONTRACTS.—Authority to make grants or enter into contracts under this title shall be effective only to the extent, or in such amounts as are, provided in advance in appropriation Acts.

(b) AVAILABILITY OF FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), funds appropriated to carry out this title and funds received as gifts under section 303(d)

shall remain available for obligation or expenditure until the expiration of the 1-year period beginning on the date the Conference adjourns.

(2) UNOBLIGATED FUNDS.—Any funds described in paragraph (1) that are neither obligated nor expended before the expiration of the 1-year period beginning on the date the Conference adjourns shall be available to carry out the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.).

SEC. 307. CONFORMING AMENDMENT.

Title II of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is repealed.

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