

irresponsibility have resulted in higher interest rates and our Nation's students having to pay for the mistakes of this administration and this Congress.

Last year the House leadership chose to cut student loans to the tune of \$12 billion through the Deficit Reduction Act. With those cuts in the budget reconciliation bill, and now with higher interest rates on student loans, we are sending a message to America's students and their families that they are no longer among this Nation's top priorities.

As high school graduates and their proud parents calculate how they can squeeze college costs into their budget, they are discovering that it is an uphill climb for most families, made tougher by new higher interest rates.

Mr. Speaker, I support this extension that we are considering here today, but I do not support the direction and actions of this Congress as it relates to higher education. We must do more to ensure that every qualified student has the chance to go to college.

Mr. KILDEE. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, the last couple of weeks and months have been times of mixed emotions for a lot of American families. Many people got the thick envelope in the mail that told them they were accepted to the school they really want to get into. And then it became time to figure out how to pay for it.

Now, a few families were fortunate enough, very few families were fortunate enough, they have enough income to meet the tuition payment. Others immediately went down to the bank and made a home equity loan application to figure out a way to borrow enough money to send their son or daughter to school. Others weren't so fortunate and had to decide some other course, maybe including not going to school at all. And then others who are themselves already parents who are raising children and working full time just can't figure out a way to do it without putting themselves so far in debt that it makes no sense to get an education.

This bill is a missed opportunity to address that problem. There were significant savings generated in the student loan programs that were thrown away by the reconciliation bill, the budget-cutting bill passed by this Congress late in 2005. Money that could have been used to raise loan limits, eliminate origination fees, expand programs where people can pay back their loan as a function of their income, money that could have been used to increase Pell Grants was instead put into the economic priorities of this majority: tax cuts for the very wealthy, subsidies for corporate America and misadventures around the world. So here we are feebly extending existing terms

of this bill, while millions of American families struggle with the very real problem of how to pay for a higher education.

This is a missed opportunity. It calls for a radical change in the country's priorities away from tax breaks for the wealthy, away from welfare for corporate America, away from misadventures around the world, toward educating and investing in the people of this country. Those changes in priorities are coming.

Mr. KILDEE. Mr. Speaker, I have no further requests for time and yield back the balance of my time.

Mr. KELLER. Mr. Speaker, I also yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. KELLER) that the House suspend the rules and pass the bill, H.R. 5603.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4755

Mr. McKEON. Mr. Speaker, I ask unanimous consent to remove my name as cosponsor from the bill, H.R. 4755.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

SENIOR INDEPENDENCE ACT OF 2006

Mr. McKEON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5293) to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2007 through 2011, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5293

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “Senior Independence Act of 2006”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Establishment of Administration on Aging.

Sec. 4. Functions of the Assistant Secretary.

Sec. 5. Federal agency consultation.

Sec. 6. Administration.

Sec. 7. Evaluation.

Sec. 8. Reports.

Sec. 9. Contractual, commercial and private pay relationships; appropriate use of Act funds.

Sec. 10. Nutrition education.

Sec. 11. Pension counseling and information programs.

Sec. 12. Authorization of appropriations.

Sec. 13. Purpose; administration.

Sec. 14. Authorization of appropriations; uses of funds.

Sec. 15. Organization.

Sec. 16. Area plans.

Sec. 17. State plans.

Sec. 18. Payments.

Sec. 19. Nutrition services incentive program.

Sec. 20. Consumer contributions.

Sec. 21. Supportive services and senior centers program.

Sec. 22. Nutrition service.

Sec. 23. Congregate nutrition program.

Sec. 24. Home delivered nutrition services.

Sec. 25. Criteria.

Sec. 26. Nutrition.

Sec. 27. Evaluation of nutrition projects.

Sec. 28. Improving indoor air quality to build-ings where seniors congregate.

Sec. 29. Caregiver support program definitions.

Sec. 30. Caregiver support program.

Sec. 31. Activities of national significance.

Sec. 32. Title IV grant programs.

Sec. 33. Career preparation for the field of aging.

Sec. 34. Health care service demonstration projects in rural areas.

Sec. 35. Demonstration projects for multigenerational activities.

Sec. 36. Native American programs.

Sec. 37. Multidisciplinary centers.

Sec. 38. Responsibilities of Assistant Secretary.

Sec. 39. Community service employment-based training for older Americans.

Sec. 40. Native Americans caregiver support program.

Sec. 41. Vulnerable elder rights protection activities.

Sec. 42. Native American organization provisions.

Sec. 43. Elder abuse, neglect, and exploitation prevention.

Sec. 44. Technical amendments.

SEC. 2. DEFINITIONS.

Section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended—

(1) by amending paragraph (10) to read as follows:

“(10) The terms ‘assistive device’, ‘assistive technology’, and ‘assistive technology service’ have the meanings given such terms in section 3 of the Assistive Technology Act of 1998 (29 U.S.C. 3002).”.

(2) by amending paragraph (12)(D) to read as follows:

“(D) evidence-based health promotion programs, including programs related to the prevention and mitigation of the effects of chronic disease (including osteoporosis, hypertension, obesity, diabetes, and cardiovascular disease), alcohol and substance abuse reduction, smoking cessation, weight loss and control, stress management, falls prevention, physical activity, and improved nutrition through the consumption of a healthful diet and multivitamin-mineral supplementation.”.

(3) in paragraph (29)(E)—

(A) in clause (i) by striking “and” at the end,

(B) in clause (ii) by striking the period at the end and inserting “; and” , and

(C) by adding at the end the following:

“(iii) older individuals at risk for institutional placement.”.

(4) by amending paragraph (24) to read as follows:

“(24) The term ‘exploitation’ means the fraudulent or otherwise illegal, unauthorized, or improper act or process of an individual that uses the resources of an older individual for monetary or personal benefit, profit, or gain, or that results in depriving an older individual of right-ful access to, or use of, benefits, resources, belongings, or assets.”.

(5) by amending paragraph (34) to read as follows:

“(34) The term ‘neglect’ means—

“(A) the failure of a caregiver or fiduciary to provide goods or services that are necessary to maintain the health or safety of an elder; or

“(B) self neglect.”.

(6) by redesignating paragraphs (1) through (43) as paragraphs (43), (7), (48), (37), (25), (26), (52), (13), (46), (8), (28), (12), (1), (2), (3), (5), (6), (10), (24), (35), (11), (14), (15), (17), (19), (20), (21), (22), (27), (29), (30), (32) (33), (36), (38), (39), (40), (41), (42), (49), (51), (18), and (47), respectively,

(7) by transferring such paragraphs so as to arrange them in numerical order as so redesignated,

(8) by inserting after paragraph (3), as so redesignated the following:

“(4) The term ‘Aging and Disability Resource Center’ means a program established by a State as part of the State’s system of long-term care, to provide a coordinated system for providing—

“(A) comprehensive information on available public and private long-term care programs, options, and resources;

“(B) personal counseling to assist individuals in assessing their existing or anticipated long-term care needs, and developing and implementing a plan for long-term care designed to meet their specific needs and circumstances; and

“(C) consumer access to the range of publicly-supported long-term care programs for which they may be eligible, by serving as a convenient point of entry for such programs.”,

(9) by inserting after paragraph (8), as so redesignated, the following:

“(9) The term ‘at risk for institutional placement’ means, with respect to an older individual, that such individual is unable to perform at least two activities of daily living without substantial human assistance (including verbal reminding, physical cuing, or supervision) and is determined by the State to be in need of placement in a long-term care facility.”,

(10) by inserting after paragraph (15), as so redesignated, the following:

“(16) The term ‘elder justice’ means efforts to prevent, detect, treat, intervene in, and respond to elder abuse, neglect, and exploitation and to protect elders with diminished capacity while maximizing their autonomy.”,

(11) by inserting after paragraph (22), as so redesignated, the following:

“(23) The term ‘Hispanic serving institution’ has the meaning as defined in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101A).”,

(12) by inserting after paragraph (30), as so redesignated, the following:

“(31) The term ‘long-term care’ means any services, care, or items (including assistive devices), including disease prevention and health promotion services, in-home services, and case management service—

“(A) intended to assist individuals in coping with, and to the extent practicable compensate for, functional impairments in carrying out activities of daily living;

“(B) furnished at home, in a community care setting (including a small community care setting as defined in subsection (g)(1), and a large community care setting as defined in subsection (h)(1), of section 1929 of the Social Security Act (42 U.S.C. 1396t)), or in a long-term care facility; and

“(C) not furnished to prevent, diagnose, treat, or cure a medical disease or condition.”,

(13) by inserting after paragraph (33), as so redesignated, the following:

“(34) The term ‘multivitamin-mineral supplement’ means a dietary supplement that provides at least two-third’s of the essential vitamins and minerals at 100 percent of the daily value levels as determined by the Food and Drug Administration.”,

(14) by inserting after paragraph (43), as so redesignated, the following:

“(44) The term ‘self-directed care’ means an approach to providing services (including programs, benefits, supports, and technology) under this Act intended to an older individual to assist such individual with activities of daily living, in which

“(A) such services (including the amount, duration, scope, provider, and location of such

services) are planned, budgeted, and purchased under the direction and control of such individual;

“(B) such individual is provided with such information and assistance as necessary and appropriate to enable such individual to make informed decisions about his or her care options;

“(C) the needs, capabilities, and preferences of such individual with respect to such services, and such individual’s ability to direct and control his or her receipt of such services, are assessed by the area agency on aging (or other agency designated by the area agency on aging);

“(D) based on the assessment made under subparagraph (C), the area agency on aging (or other agency designated by the area agency on aging) develops together with such individual and his or her family, caregiver, or legal representative—

“(i) a plan of services for such individual that specifies which services such individual will be responsible for directing;

“(ii) a determination of the role of family members (and others whose participation is sought by such individual) in providing services under such plan; and

“(iii) a budget for such services; and

“(E) the area agency on aging or State agency provides for oversight of such individual’s self-directed receipt of services, including steps to ensure the quality of services provided and the appropriate use of funds under this Act.

“(45) The term ‘self-neglect’ means an adult’s inability, due to physical or mental impairment or diminished capacity, to perform essential self-care tasks including—

“(A) obtaining essential food, clothing, shelter, and medical care;

“(B) obtaining goods and services necessary to maintain physical health, mental health, or general safety; or

“(C) managing one’s own financial affairs.”,

(15) by inserting after paragraph (49), as so redesignated, the following:

“(50) The term ‘State system of long-term care’ means the Federal, State, and local programs and activities administered by a State that provide, support, or facilitate access to long-term care to individuals in such State.”.

SEC. 3. ESTABLISHMENT OF ADMINISTRATION ON AGING.

Section 201 of the Older Americans Act of 1965 (42 U.S.C. 3011) is amended by adding at the end the following:

“(e)(1) The Assistant Secretary may designate within the Administration responsibility for elder abuse prevention and services.

“(2) It shall be the duty of the assistant secretary, acting through the person designated with responsibility for elder abuse prevention and services, to develop objectives, priorities, policy, and a long-term plan for—

“(A) carrying out elder justice programs and activities relating to—

“(i) elder abuse prevention, detection, treatment, and intervention, and response;

“(ii) training of individuals regarding the matters described in clause (i); and

“(iii) the improvement of the elder justice system in the United States;

“(B) collecting and disseminating data relating to the abuse, neglect, and exploitation of older individuals;

“(C) disseminating information concerning best practices regarding, and providing training on, carrying out activities related to abuse, neglect, and exploitation of older individuals;

“(D) conducting research related to abuse, neglect, and exploitation of older individuals;

“(E) providing technical assistance to States and other eligible entities under title VII;

“(F) assisting States and other eligible entities under title VII to develop strategic plans to better coordinate elder justice activities, research, and training; and

“(G) promoting collaborative efforts and diminishing duplicative efforts in the development

and carrying out of elder justice programs at the Federal, State, and local levels.

“(f)(1) The Assistant Secretary may designate an officer or employee who shall be responsible for the administration of mental health services authorized under this Act;

“(2) It shall be the duty of the Assistant Secretary, acting through the individual designated in paragraph (1), to develop objectives, priorities, and a long-term plan for supporting State and local efforts involving education, prevention, detection, and treatment of mental disorders, including age-related dementia, depression, and Alzheimer’s disease and related neurological disorders.”.

SEC. 4. FUNCTIONS OF THE ASSISTANT SECRETARY.

Section 202 of the Older Americans Act of 1965 (42 U.S.C. 3012) is amended—

(1) in subsection (a)—

(A) in paragraph (5) by inserting “assistive technology,” after “housing,”,

(B) in paragraph (12)—

(i) by striking “(12)” and inserting the following:

“(12)(A) consult and coordinate activities with the Centers for Medicare & Medicaid Services and other federal entities to implement and build awareness of programs providing benefits affecting older individuals; and

“(B)”.

(C) in paragraph (20)—

(i) by striking “and area agencies on aging” and inserting “, area agencies on aging, and service providers”;

(ii) by striking “and benefits” and inserting “benefits”;

(iii) by inserting “benefits under any other applicable Federal program, or any other service (including technology and internet-based decision support tools) to assist consumers to learn about, to receive benefits under, and to participate in programs for which they may be eligible” after “(7 U.S.C. 2011 et seq.)”.

(iv) by inserting “(A)” after “(20)”, and

(v) by adding at the end the following:

“(B) provide technical assistance and support for benefits enrollment assistance and outreach to support efforts to inform and enroll low-income older individuals who may be eligible to participate, but who are not participating, in Federal and State programs for which they are eligible, and may in cooperation with Federal partners, make grants or contracts to establish a National Center on Senior Benefits Outreach and Enrollment, which shall—

“(i) maintain and update web-based decision supports and enrollment tools and integrated, person-centered systems designed to inform older individuals about the full range of benefits for which they may be eligible;

“(ii) utilize cost-effective strategies to find and enroll those with greatest economic need;

“(iii) create and support efforts for Aging and Disability Resource Centers, and other public and private State and community-based organizations and coalitions, including faith-based organizations, to serve as enrollment benefit centers;

“(iv) develop and maintain an information clearinghouse on best practices and cost-effective methods for identifying and enrolling limited income older Americans in benefits for which they are eligible; and

“(v) provide, in collaboration with Federal partners administering programs, training and technical assistance on effective outreach, screening, enrollment and follow-up strategies.”.

(D) in paragraph (26)—

(i) in subsection (D)—

(I) by striking “gaps in”, and

(II) by inserting “(including services that would permit such individuals to receive long-term care in home and community-based settings)” after “individuals”, and

(ii) in subsection (E) by striking “and” at the end,

(E) in paragraph (27)—

(i) in subparagraph (B) by adding “and” at the end,

(ii) in subparagraph (C) by striking the semicolon and inserting a period, and

(iii) by striking subparagraph (D), and

(F) by adding at the end the following:

“(28) make available to States, area agencies on aging, and service providers information and technical assistance to support the provision of evidence-based disease prevention and health promotion services.”, and

(2) by striking subsections (b) and (c), and inserting the following:

“(b) To promote the development and implementation of comprehensive, coordinated systems at Federal, State, and local levels for providing long-term care in home and community-based settings, in a manner responsive to the needs and preferences of older individuals and their family caregivers, the Assistant Secretary shall, consistent with the applicable provisions of this title—

“(1) collaborate, coordinate, and consult with other Federal agencies and departments responsible for formulating and implementing programs, benefits, and services related to providing long-term care, and may make grants, contracts, and cooperative agreements with funds received from other Federal entities;

“(2) conduct research and demonstration projects to identify innovative, cost-effective strategies for modifying State systems of long-term care to—

“(A) respond to the needs and preferences of older individuals and family caregivers; and

“(B) target services to individuals at risk for institutional placement, to permit such individuals to remain in home and community-based care settings;

“(3) establish criteria and promote the implementation (through area agencies on aging, service providers, and such other entities as the Assistant Secretary determines to be appropriate) of evidence-based programs to assist older individuals and their family caregivers in learning about and making behavioral changes intended to reduce the risk of injury, disease, and disability among older individuals;

“(4) facilitate, in coordination with the Centers for Medicare & Medicaid Services, the Cash and Counseling National Program Office, and other Federal entities as appropriate, the provision of long-term care in home and community-based settings, including the provision of self-directed care models that—

“(A) provide for the assessment of the needs and preferences of an individual at risk for institutional placement to help such individual avoid unnecessary nursing home placement and depletion of income and assets to qualify for Medicaid eligibility;

“(B) respond to the needs and preferences of such individual and provide the option for the individual (or representative, as appropriate) to direct and control the receipt of support services provided;

“(C) assist an older individual (or a representative, as appropriate) develop a plan for long-term support, including the selecting, budgeting, and purchasing of home and community-based long-term care and supportive services;

(for purposes of this paragraph, the term ‘representative’ means a person appointed by the eligible individual, or legally acting on the individual’s behalf, to represent or advise the individual in financial or service coordination matters);

“(5) provide for the Administration to play a lead role with respect to issues concerning home and community-based long-term care, including—

“(A) directing (as the Secretary or the President determines to be appropriate) or otherwise participating in departmental and interdepartmental activities concerning long-term care;

“(B) reviewing and commenting on departmental rules, regulations, and policies related to providing long-term care; and

“(C) making recommendations to the Secretary with respect to home and community-based long-term care, including recommendations based on findings made through projects conducted under paragraph (2);

“(6) promote, in coordination with other appropriate Federal agencies, enhanced awareness by the public of the importance of planning in advance for long-term care and the availability of information and resources to assist in such planning;

“(7) implement in all States Aging and Disability Resource Centers—

“(A) to serve as visible and trusted sources of information on the full range of long-term care options that are available in the community, including both institutional and home and community-based care;

“(B) to provide personalized and consumer friendly assistance to empower people to make informed decisions about their care options;

“(C) to provide coordinated and streamlined access to all publicly supported long-term care options so that consumers can obtain the care they need through a single intake, assessment and eligibility determination process;

“(D) to help people to plan ahead for their future long-term care needs; and

“(E) to assist, in coordination with the State Health Insurance Assistance Program, Medicare beneficiaries in understanding and accessing the Prescription Drug Coverage and preventative health benefits available under the Medicare Modernization Act;

“(8) establish, either directly or through grants or contracts, national technical assistance programs to assist State agencies, area agencies on aging, and community-based service providers funded under this Act in implementing—

“(A) such home and community-based long-term care systems, including evidence-based programs; and

“(B) such evidence-based health promotion and disease prevention programs;

“(9) develop, in collaboration with the Administrator of the Centers for Medicare & Medicaid Services, performance standards and measures for use by States to determine the extent to which their systems of long-term care fulfill the objectives described in this subsection; and

“(10) conduct such other activities as the Assistant Secretary determines to be appropriate.

“(c) The Assistant Secretary, in consultation with the Corporation for National and Community Service, shall—

“(1) encourage and permit voluntary groups active in supportive services and civic engagement, including youth organizations active at the secondary or postsecondary levels, to participate and be involved individually or through representative groups, in such programs or activities to the maximum extent feasible;

“(2) develop a comprehensive strategy for utilizing older individuals to address critical local needs of national concern, including the engagement of older individuals in the activities of public and nonprofit organizations such as community-based and faith-based organizations; and

“(3) encourage other community capacity building initiatives involving older individuals, with particular attention to initiatives that demonstrate the effectiveness and cost savings in meeting critical needs.”.

SEC. 5. FEDERAL AGENCY CONSULTATION.

Section 203 of the Older Americans Act of 1965 (42 U.S.C. 3013) is amended—

(1) in subsection (a)(3)(A) by striking “(with particular attention to low-income minority older individuals and older individuals residing in rural areas)” and inserting “(with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas)”, and

(2) in subsection (b)—

(A) in paragraph (17) by striking “and” at the end,

(B) in paragraph (18) by striking the period at the end and inserting “; and”, and

(C) by adding at the end the following:

“(19) sections 4 and 5 of the Assistive Technology Act of 1998 (29 U.S.C. 3003–3004).”.

SEC. 6. ADMINISTRATION.

Section 205 of the Older Americans Act of 1965 (42 U.S.C. 3016) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (C) by adding “and” at the end,

(ii) in subparagraph (D) by striking the semicolon at the end and inserting a period, and

(iii) by striking subparagraph (E), and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by amending clause (i) to read as follows: “(i) designing, implementing, and evaluating evidence-based programs to support improved nutrition and regular physical activity for older individuals;”,

(II) by amending clause (iii) to read as follows:

“(iii) conducting outreach and disseminating evidence-based information to nutrition service providers about the benefits of healthful diets and regular physical activity, including information about the most current Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341), the Food Guide Pyramid published jointly by the Secretary and the Secretary of Agriculture, and advances in nutrition science;”,

(III) in clause (vii) by striking “and” at the end, and

(IV) by striking clause (viii) and inserting the following:

“(viii) disseminating guidance that describes strategies for improving the nutritional quality of meals provided under title III, particularly strategies for increasing the consumption of whole grains, lowfat dairy products, fruits and vegetables;

“(ix) developing and disseminating guidelines for conducting nutrient analyses of meals provided in subparts 1 and 2 of part C, including guidelines for averaging key nutrients over an appropriate period of time; and

“(x) providing technical assistance to the regional offices of the Administration with respect to each duty described in clauses (i) through (viii).”, and

(ii) by amending subparagraph (C)(i) to read as follows:

“(i) have expertise in nutrition, energy balance, and meal planning; and”.

SEC. 7. EVALUATION.

The 1st sentence of section 206(g) of the Older Americans Act of 1965 (42 U.S.C. 3017(g)) is amended to read as follows:

“From the total amount appropriated for each fiscal year to carry out title III, the Secretary may use such sums as may be necessary, but not to exceed 1/2 of 1 percent of such amount, for purposes of conducting evaluations under this section, either directly or through grants or contracts.”.

SEC. 8. REPORTS.

Section 207(b)(2) of the Older Americans Act of 1965 (42 U.S.C. 3018(b)(2)) is amended—

(1) in subparagraph (B) by striking “Labor” and inserting “the Workforce”, and

(2) in subparagraph (C) by striking “Labor and Human Resources” and inserting “Health, Education, Labor, and Pensions”.

SEC. 9. CONTRACTUAL, COMMERCIAL AND PRIVATE PAY RELATIONSHIPS; APPROPRIATE USE OF ACT FUNDS.

(a) PRIVATE PAY RELATIONSHIPS; APPROPRIATE USE OF ACT FUNDS.—Section 212 of the Older Americans Act of 1965 (42 U.S.C. 3020c) is amended to read as follows:

“SEC. 212. CONTRACTING AND GRANT AUTHORITY; PRIVATE PAY RELATIONSHIPS; APPROPRIATE USE OF FUNDS.

“(a) IN GENERAL.—Subject to subsection (b), this Act shall not be construed to prevent a recipient of a grant or a contract from entering into an agreement—

“(1) with a profitmaking organization;

“(2) under which funds provided under such grant or contract are used to pay part or all of a cost (including an administrative cost) incurred by such recipient to carry out a contract or commercial relationship for the benefit of older individuals or their family caregivers, whether such relationship is carried out to implement a provision of this Act or to conduct activities inherently associated with implementing such provision; or

“(3) under which any individual, regardless of age or income (including the family caregiver of such individual), who seeks to receive 1 or more services pays, at their own private expense, to receive such services based on the fair market value of such services.

“(b) ENSURING APPROPRIATE USE OF FUNDS.—An agreement described under subsection (a) may not—

“(1) be made without the prior approval of the State agency (or, in the case of a grantee under title VI, without the prior recommendation of the Director of the Office for American Indian, Alaska Native, and Native Hawaiian Aging and the prior approval of the Assistant Secretary);

“(2) directly or indirectly provide for, or have the effect of, paying, reimbursing, or otherwise compensating an entity under such agreement in an amount that exceeds the fair market value of the goods or services furnished by such entity under such agreement;

“(3) result in the displacement of services otherwise available to an older individual with the greatest social need, an older individual with greatest economic need, or an older individual who is at risk for institutional placement; or

“(4) in any other way compromise, undermine, or be inconsistent with the objective of serving the needs of older individuals, as determined by the Assistant Secretary.”

SEC. 10. NUTRITION EDUCATION.

Section 214 of the Older Americans Act of 1965 (42 U.S.C. 3020e) is amended to read as follows:

“SEC. 214. NUTRITION EDUCATION.

“The Assistant Secretary, in consultation with the Secretary of Agriculture, shall conduct outreach and provide technical assistance to agencies and organizations that serve older individuals to assist such agencies and organizations to carry out integrated health promotion and disease prevention programs that are designed for older individuals and that include nutrition education, physical activity, and other activities to modify behavior and to improve health literacy (including information on optimal nutrient intake) through education and counseling in accordance with section 339(2)(J).”

SEC. 11. PENSION COUNSELING AND INFORMATION PROGRAMS.

Section 215 of the Older Americans Act of 1965 (42 U.S.C. 3020e-1) is amended—

(1) in subsection (e)(1)(J) by striking “and low-income retirees” and inserting “, low income retirees, and older individuals with limited English proficiency”;

(2) in subsection (f) by amending paragraph (2) to read as follows:

“(2) The ability of the entity to perform effective outreach to affected populations, particularly populations with limited English proficiency and other populations that are identified in need of special outreach.”; and

(3) in subsection (h)(2) by inserting “(including individuals with limited English proficiency)” after “individuals”.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

Section 216 of the Older Americans Act of 1965 (42 U.S.C. 3020f) is amended—

(1) in subsection (a) by striking “2001, 2002, 2003, 2004, and 2005” and inserting “2007, 2008, 2009, 2010, and 2011.”; and

(2) in subsections (b) and (c) by striking “year” and all that follows through “years”, and inserting “years 2007, 2008, 2009, 2010, and 2011”.

SEC. 13. PURPOSE; ADMINISTRATION.

Section 301(a)(2) of the Older Americans Act of 1965 (42 U.S.C. 3021(a)(2)) is amended—

(1) in subparagraph (D) by striking “and” at the end,

(2) in subparagraph (E) by striking the period at the end and inserting “; and”, and

(3) by adding at the end the following:

“(F) organizations with experience in providing senior volunteer services, such as Federal volunteer programs administered by the Corporation for National and Community Service designed to provide training, placement, and stipends for volunteers in community service settings.”

SEC. 14. AUTHORIZATION OF APPROPRIATIONS; USES OF FUNDS.

Section 303 of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended—

(1) in subsections (a)(1), (b), and (d) by striking “year 2001” and all that follows through “years” each place it appears, and inserting “years 2007, 2008, 2009, 2010, and 2011”, and

(2) in subsection (e)—

(A) by striking paragraph (1),

(B) in paragraph (2)—

(i) by striking “(2)” and inserting “(1)”, and

(ii) by striking “each of the 4 succeeding fiscal years” and inserting “for fiscal years 2007, 2008, 2009, 2010, and 2011”; and

(C) in paragraph (3)—

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

(ii) by striking “paragraphs (1) and (2)” and inserting “paragraph (1)”.

SEC. 15. ORGANIZATION.

Section 305(a) of the Older Americans Act of 1965 (42 U.S.C. 3025(a)) is amended—

(1) in paragraph (1)(E) by striking “(with particular attention to low-income minority individuals and older individuals residing in rural areas)” each place it appears and inserting “(with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas)”;

(2) in paragraph (2)(E) by striking “(with particular attention to low-income minority individuals and older individuals residing in rural areas)” and inserting “(with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas)”;

(3) by adding at the end the following:

“(3) the State agency shall, consistent with this section, promote the development and implementation of a comprehensive, coordinated system in such State for providing long-term care in home and community-based settings, in a manner responsive to the needs and preferences of older individuals and their family caregivers, by—

“(A) collaborating, coordinating, and consulting with other agencies in such State responsible for formulating, implementing, and administering programs, benefits, and services related to providing long-term care;

“(B) participating in any State government activities concerning long-term care, including reviewing and commenting on any State rules, regulations, and policies related thereto;

“(C) conducting analyses and making recommendations, and implementing programs and strategies to modify the State’s system of long-term care to better—

“(i) respond to the needs and preferences of older individuals and family caregivers;

“(ii) facilitate the provision of long-term care in home and community-based settings through service providers; and

“(iii) target services to individuals at risk for institutional placement, to permit such individuals to remain in home and community-based care settings;

“(D) implement (through area agencies on aging, service providers, and such other entities as the State determines to be appropriate) evidence-based programs to assist older individuals and their family caregivers in learning about and making behavioral changes intended to reduce the risk of injury, disease, and disability among older individuals; and

“(E) providing for the availability and distribution (through public education campaigns, aging and disability resource centers, area agencies on aging, and other appropriate means) of information relating to—

“(i) the need to plan in advance for long-term care; and

“(ii) the range of available public and private long-term care programs, options, and resources.”

SEC. 16. AREA PLANS.

Section 306 of the Older Americans Act of 1965 (42 U.S.C. 3026) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “(with particular attention to low-income minority individuals and older individuals residing in rural areas)” each place it appears and inserting “(with particular attention to low-income older individuals, low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas)”;

(ii) by inserting “the number of older individuals at risk for institutional placement residing in such area,” after “individuals) residing in such area,”;

(B) in paragraph (4)—

(i) in subparagraph (A)—

(I) by amending clause (i) to read as follows:

“(i) provide assurances that the area agency on aging will—

“(I) set specific objectives, consistent with State policy, for providing services to older individuals with greatest economic need, older individuals with greatest social need, and older individuals at risk for institutional placement;

“(II) include in the area plan specific objectives for providing services to low-income minority older individuals and older individuals residing in rural areas; and

“(III) include in the area plan proposed methods to achieve such objectives;”, and

(II) in clause (ii) by inserting “(including older individuals with limited English proficiency)” after “low income minority individuals” each place it appears; and

(ii) in subparagraph (B)—

(I) by moving the left margin of each of subparagraph (B), clauses (i) and (ii), and subclauses (I) through (VI) of clause (i), 2 ems to the left,

(II) in clause (i)—

(aa) in subclause (V) by striking “and” at the end; and

(bb) by adding at the end the following:

“(VI) older individuals at risk for institutional placement; and”, and

(III) by striking “(VI)” and inserting “(VII)”,

(C) in paragraph (5) by inserting “and individuals at risk for institutional placement” after “severe disabilities”;

(D) in paragraph (6)—

(i) in subparagraph (C)—

(I) in clause (i) by striking “and” at the end,

(II) in clause (ii) by adding “and” at the end,

and

(III) by inserting after clause (ii) the following:

“(iii) make use of trained volunteers in providing direct services delivered to elderly and disabled individuals needing such care and, if possible, work in coordination with volunteer programs (including programs administered by the Corporation for National Service) designed

to provide training, placement, and stipends for volunteers in community service settings.”,

(ii) in subparagraph (D)—

(I) by inserting “family caregivers of such individuals,” after “Act,” and

(II) by inserting “service providers, the business community,” after “individuals,” and

(iii) by amending subparagraph (F) to read as follows:

“(F) in coordination with the State unit on aging and the State agency responsible for mental health services, increase public awareness of mental health disorders, remove barriers to diagnosis and treatment, and coordinate mental health services provided (including mental health screenings) with funds expended by the area agency on aging with mental health services provided by community health centers and by other public agencies and nonprofit private organizations;”

(E) by amending paragraph (7) to read as follows:

“(7) provide that the area agency on aging shall, consistent with this section, facilitate the area-wide development and implementation of a comprehensive, coordinated system for providing long-term care in home and community-based settings, in a manner responsive to the needs and preferences of older individuals and their family caregivers, by—

“(A) collaborating, coordinating, and consulting with other local public and private agencies and organizations responsible for administering programs, benefits, and services related to providing long-term care;

“(B) conducting analyses, making recommendations, and implementing programs with respect to strategies for modifying the local system of long-term care to better—

“(i) respond to the needs and preferences of older individuals and family caregivers;

“(ii) facilitate the provision, through service providers, of long-term care in home and community-based settings; and

“(iii) target services to older individuals at risk for institutional placement, to permit such individuals to remain in home and community-based care settings;

“(C) implement, through the agency or service providers, evidence-based programs to assist older individuals and their family caregivers in learning about and making behavioral changes intended to reduce the risk of injury, disease, and disability among older individuals; and

“(D) provide for the availability and distribution (through public education campaigns, aging and disability resource centers, and other appropriate means) of information relating to—

“(i) the need to plan in advance for long-term care; and

“(ii) the range of available public and private long-term care programs, options, and resources;”

(F) by striking paragraph (14) and the 2 paragraphs (15),

(G) by redesignating paragraph (16) as paragraph (14), and

(I) by adding at the end the following:

“(15) provide assurances that funds received under this title will be used—

“(A) in a manner, consistent with paragraph (4), that gives priority in furnishing benefits and services to older individuals with greatest economic need, older individuals with greatest social need, and older individuals at risk for institutional placement; and

“(B) in compliance with the assurances specified in paragraph (13) and the limitations specified in section 212(b); and

“(16) provide, to the maximum extent feasible, for the furnishing of services under this Act consistent with self-directed care.”

(2) by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), and

(3) by inserting after subsection (a) the following:

“(b)(1) An area agency on aging may include in the area plan an assessment of how prepared

the planning and service area is for any anticipated change in the number of older individual during the 10-year period following the fiscal year for which the plan is submitted. Such assessment may include—

“(A) the projected change in the number of older individuals in the planning and service area;

“(B) an analysis of how such change may affect such individuals, including such individuals with low incomes, such individuals with greatest economic need, minority older individuals, older individuals residing in rural areas, and older individuals with limited English proficiency;

“(C) an analysis of how the programs, policies, and services provided in the planning and service area can be improved, and how resource levels can be adjusted, to meet the needs of the changing population of older individuals in such area; and

“(D) an analysis of how the change in the number of individuals 85 years of age and older is expected to affect the need for supportive services.

“(2) An area agency on aging, in cooperation with government officials, State agencies, tribal organizations, or local entities, may make recommendations to government officials in the planning and service area and the State, on actions determined by the area agency to build the capacity in the planning and service area to meet the needs of older individuals for—

“(A) health and human services;

“(B) land use;

“(C) housing;

“(D) transportation;

“(E) public safety;

“(F) workforce and economic development;

“(G) recreation;

“(H) education;

“(I) civic engagement; and

“(J) any other service as determined by such agency.”

SEC. 17. STATE PLANS.

Section 307(a) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)) is amended—

(1) in paragraph (4) by striking “with particular attention to low-income minority individuals and older individuals residing in rural areas” and inserting “low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas”;

(2) by striking paragraph (15),

(3) by redesignating paragraph (14) as paragraph (15),

(4) by inserting after paragraph (13) the following:

“(14) The plan shall, with respect to the fiscal year preceding the fiscal year for which such plan is prepared—

“(A) identify the number of low-income minority older individuals in the State, including the number of low-income older individuals with limited English proficiency; and

“(B) describe the methods used to satisfy the service needs of such minority older individuals, including the plan to service the needs of older individuals with limited English proficiency.”

(5) in clauses (ii) and (iii) of paragraph (16)(A) by striking “(with particular attention to low-income minority individuals and older individuals residing in rural areas)” each place it appears and inserting “(with particular attention to low-income older individuals, low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas)”

(6) by adding at the end the following:

“(27) The plan shall provide assurances that area agencies on aging will, to the maximum extent feasible, provide for the furnishing of services under this Act consistent with self-directed care.

“(28)(A) The plan shall include, at the election of the State, an assessment of how prepared

the State is, under the State’s statewide service delivery model, for a change in the number of older individuals during the 10-year period following the fiscal year for which the plan is submitted.

“(B) Such assessment may include—

“(i) the projected change in the number of older individuals in the State;

“(ii) an analysis of how such change may affect such individuals, including individuals with low incomes, individuals with great economic need, minority older individuals, older individuals residing in rural areas, and older individuals with limited English proficiency;

“(iii) an analysis of how the programs, policies, and services provided by the State can be improved, including coordinating with area agencies on aging, and how resource levels can be adjusted to meet the needs of the changing population of older individuals in the State; and

“(iv) an analysis of how the change in the number of individuals 85 years of age and older in the State is expected to affect the need for supportive services.”

SEC. 18. PAYMENTS.

Section 309(b)(2) of the Older Americans Act of 1965 (42 U.S.C. 3029(b)(2)) is amended by striking “the non-Federal share required prior to fiscal year 1981” and inserting “10 percent of the cost of the services specified in such section 304(d)(1)(D)”.

SEC. 19. NUTRITION SERVICES INCENTIVE PROGRAM.

(a) CASH ONLY PROGRAM; AUTHORITY TO USE PROGRAM FUNDS TO PURCHASE FOOD THROUGH SCHOOL FOOD AUTHORITIES.—Section 311 of the Older Americans Act of 1965 (42 U.S.C. 3030a) is amended—

(1) in subsection (b) by adding at the end the following:

“(3) Each State agency shall promptly and equitably disburse amounts received under this subsection to recipients of grants and contracts.”

(2) in subsection (c)—

(A) in paragraph (1) by inserting “(including bonus commodities)” after “commodities”;

(B) in paragraph (2) by inserting “(including bonus commodities)” after “commodities”;

(C) in paragraph (3) by inserting “(including bonus commodities)” after “products”; and

(D) by adding at the end the following:

“(4) Among the commodities delivered under this subsection, the Secretary of Agriculture shall give special emphasis to high protein foods. The Secretary of Agriculture, in consultation with the Assistant Secretary, is authorized to prescribe the terms and conditions respecting the donation of commodities under this subsection.”

(3) by amending subsection (d) to read as follows:

“(d)(1) Amounts provided under subsection (b) to State grantees and contractors, and to title VI grantees, shall be available only for the purchase by such entities of United States agricultural commodities and other foods for their respective nutrition projects, subject to paragraph (2).

“(2) Part or all of the amounts received by an entity specified in paragraph (1) may be used to pay a school food authority (as referred to under the Richard B. Russell National School Lunch Act (42 U.S.C.1751 et seq.) to obtain United States agricultural commodities for such entity’s nutrition projects, in accordance with an agreement between the entity and the school food authority, under which such payments—

“(A) shall cover the cost of such commodities; and

“(B) may cover related expenses incurred by the school food authority, including the cost of transporting, distributing, processing, storing, and handling such commodities.”

(4) in subsection (e) by striking “2001” and inserting “2007”.

(5) in subsection (f)—

(A) in the matter preceding paragraph (1) by striking “the Secretary of Agriculture and the Secretary of Health and Human Services” and inserting “the Assistant Secretary and the Secretary of Agriculture”, and

(B) by amending paragraphs (1) and (2) to read as follows:

“(1) school food authorities participating in programs authorized under the Richard B. Russell National School Lunch Act within the geographic area served by each such State agency; and

“(2) the donated foods available to such State agencies, area agencies on aging, and providers under subsection (c).”.

SEC. 20. CONSUMER CONTRIBUTIONS.

Section 315 of the Older Americans Act of 1965 (42 U.S.C. 3030c-2) is amended—

(1) in subsection (b)—

(A) in paragraph (1) by striking “provided that” and inserting “, and such contributions shall be encouraged for individuals whose self-declared income is at or above 125 percent of the poverty line and may be requested at contribution levels based on the actual cost of services, if”, and

(B) in paragraph (4)(E) by inserting “and to supplement (not supplant) funds received under this Act” after “given”,

(2) in subsection (c)(2) by striking “(with particular attention to low-income minority individuals and older individuals residing in rural areas)” and inserting “(with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas)”, and

(3) in subsection (d) by striking “with particular attention to low-income and minority individuals and older individuals residing in rural areas” and inserting “, with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas”.

SEC. 21. SUPPORTIVE SERVICES AND SENIOR CENTERS PROGRAM.

Section 321(a) of the Older Americans Act of 1965 (42 U.S.C. 3030d(a)) is amended—

(1) in paragraph (8) by inserting “(including mental health screening)” after “screening”,

(2) in paragraph (11) by inserting “(including assistive technology devices and assistive technology services)” after “services”,

(3) in paragraph (14)(B) by inserting “(including mental health)” after “health”,

(4) in paragraph (21)—

(A) by striking “school-age children” and inserting “students”, and

(B) by inserting “services to older individuals with limited English proficiency and” after “including”,

(5) in paragraph (22) by striking the period at the end and inserting a semicolon,

(6) by redesignating paragraph (23) as paragraph (25), and

(7) by inserting after paragraph (22) the following:

“(23) services designed to support States, area agencies on aging, and local service providers carry out and coordinate, with respect to mental health services, activities including outreach, education, screening, and referral for treatment of older individuals;

(24) activities to promote and disseminate information about life-long learning programs, including opportunities for distance teaching; and”.

SEC. 22. NUTRITION SERVICE.

After the heading of part C of title III of the Older Americans Act of 1965 (42 U.S.C. 3030e-3030g-22), insert the following:

“SEC. 330. PURPOSE.

“It is the purpose of this part to promote socialization and the health and well-being of older individuals by assisting such individuals to gain access to disease prevention and health

promotion services (including information, nutrition services, and programs of physical activity) to delay the onset of health conditions resulting from poor nutritional health or sedentary behavior.”.

SEC. 23. CONGREGATE NUTRITION PROGRAM.

Section 331 of the Older Americans Act of 1965 (42 U.S.C. 3030e) is amended—

(1) by striking “projects—” and inserting “projects that—”,

(2) in paragraph (1) by striking “which”,

(3) in paragraph (2)—

(A) by striking “which” the last place it appears, and

(B) by striking “and” at the end, and

(4) by striking paragraph (3) and inserting the following:

“(3) provide nutrition education, nutrition counseling, and other nutrition services, as appropriate, based on the needs of meal participants; and

“(4) may provide along with a meal described in (1), a multivitamin-mineral supplement as an addition to such meal.”.

SEC. 24. HOME DELIVERED NUTRITION SERVICES.

Section 336 of the Older Americans Act of 1965 (42 U.S.C. 3030f) is amended to read as follows:

“SEC. 336. PROGRAM AUTHORIZED.

“The Assistant Secretary shall establish and carry out a program to make grants to States under State plans approved under section 307 for the establishment and operation of nutrition projects for older individuals which provide, on 5 or more days a week (except in a rural area where such frequency is not feasible (as defined by the Assistant Secretary by rule) and a lesser frequency is approved by the State agency)—

“(1) at least 1 home delivered meal per day consisting of hot, cold, frozen, dried, canned, fresh, or supplemental foods and any additional meals that the recipient of a grant or contract under this subpart elects to provide; and

“(2) nutrition education, nutrition counseling, and other nutrition services as appropriate, based on the needs of meal recipients.”.

SEC. 25. CRITERIA.

Section 337 of the Older Americans Act of 1965 (42 U.S.C. 3030g) is amended to read as follows:

“SEC. 337. CRITERIA.

“The Assistant Secretary, in consultation with experts in the field of nutrition science, dietetics, meal planning and food service management, and aging, shall develop minimum criteria of efficiency and quality for the furnishing of home delivered meal services for projects described in section 336.”.

SEC. 26. NUTRITION.

Section 339 of the Older Americans Act of 1965 (42 U.S.C. 3030g-21) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) solicit the expertise of a dietitian or other individual with equivalent education and training in nutrition science, or if such an individual is not available, an individual with comparable expertise in the planning of nutritional services, and”, and

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by amending clause (i) to read as follows:

“(i) comply with the most recent Dietary Guidelines for Americans, published by the Secretary and the Secretary of Agriculture, and”, and

(ii) in clause (ii) by striking “daily recommended dietary allowances as” and inserting “dietary reference intakes”.

(B) in subparagraph (D)—

(i) by inserting “joint” after “encourages”, and

(ii) by inserting “shared” after “promote”,

(C) by amending subparagraph (G) to read as follows:

“(G) ensures that local meal providers solicit the advice and expertise of—

“(i) a dietitian or, if a dietitian is not available, an individual with comparable expertise in the planning of nutrition and food services,

“(ii) meal participants, and

“(iii) other individuals knowledgeable with regard to the needs of older individuals.”.

(D) in subparagraph (H) by striking “and accompany”,

(E) by amending subparagraph (J) to read as follows:

“(J) provides for nutrition screening and nutrition education, and nutrition assessment and counseling if appropriate, and”, and

(F) by adding at the end the following:

“(K) encourages professionals who distribute nutrition assistance under subpart 2 to provide information to homebound seniors on how to get an influenza vaccination in their local areas.”.

SEC. 27. EVALUATION OF NUTRITION PROJECTS.

(a) STUDY.—The Assistant Secretary for Aging shall use funds allocated in section 206(g) of the Older Americans Act of 1965 to enter into a contract with the Food and Nutrition Board of the Institute of Medicine, for the purpose of establishing an independent panel of experts that will conduct an evidence-based evaluation of the nutrition projects authorized in such Act. Such study shall, to the extent data are available, include—

(1) an evaluation of the effect of nutrition projects authorized by such Act on—

(A) health status of participants, including nutritional status,

(B) prevention of participant hunger and food insecurity, and

(C) ability of participants to remain living independently,

(2) a cost-benefit analysis of nutrition projects authorized by such Act, including the potential to affect costs of Federal programs under title XIX of the Social Security Act, and

(3) recommendations for how nutrition projects authorized by such Act may be modified to improve the outcomes described in paragraph (1), including recommendations for improving the nutritional quality of meals and other potential strategies to improve the nutritional status of participants, including vitamin-mineral supplementation.

(b) TIMING.—The Institute of Medicine shall establish an independent panel of experts not later than 90 days after the date of the enactment of this Act. The panel shall submit to the Assistant Secretary the report described in subsection (a) not later than 24 months after the date of the enactment of this Act. The Assistant Secretary shall submit a report on the findings of the evidence-based study described in such subsection to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate.

SEC. 28. IMPROVING INDOOR AIR QUALITY IN BUILDINGS WHERE SENIORS CONGREGATE.

Section 361 of the Older Americans Act of 1965 (42 U.S.C. 3030m) is amended by adding at the end the following:

“(c) The Assistant Secretary shall work in consultation with qualified experts to provide information on methods of improving indoor air quality in buildings where seniors congregate.”.

SEC. 29. CAREGIVER SUPPORT PROGRAM DEFINITIONS.

Section 372 of the National Family Caregiver Support Act (42 U.S.C. 3030s) is amended—

(1) in paragraph (1) by inserting “or who is an individual with a disability” after “age”,

(2) in paragraph (2) by inserting “or an individual with Alzheimer’s disease or a related disorder with neurological and organic brain dysfunction” before the period at the end, and

(3) in paragraph (3) by striking “60” and inserting “55”.

SEC. 30. CAREGIVER SUPPORT PROGRAM.

Section 373 of the National Family Caregiver Support Act (42 U.S.C. 3030s-1) is amended—

(1) in subsection (b)(3) by striking “caregivers to assist” and all that follows through the end and inserting the following: “assist the caregivers in addressing caregiver issues related to

the areas of health, nutrition, and financial literacy, and in making decisions and solving problems relating to their caregiving roles;”;

(2) by amending subsection (d) to read as follows:

“(d) **USE OF VOLUNTEERS.**—In carrying out this subpart, each area agency on aging shall encourage the use of trained volunteers to expand the available services described in subsection (b) and shall, if possible, coordinate with volunteer programs (including programs administered by the Corporation for National Service) designed to provide training, placement, and stipends for volunteers in community service settings.”;

(3) in subsection (e)(3) by adding at the end the following: “The reports shall describe any mechanisms used in the State to provide family caregivers of an older individual and relative caregivers of a child or an adult child with a disability, information about and access to various services so that caregivers can better carry out their care responsibilities.”;

(4) in subsection (f)(1) by striking “2001 through 2005” and inserting “2007, 2008, 2009, 2010, and 2011”; and

(5) in subsection (g)(2)(C) by inserting “of a child who is not more than 18 years of age” before the period at the end.

SEC. 31. ACTIVITIES OF NATIONAL SIGNIFICANCE.

Section 376 of the National Family Caregiver Support Act (42 U.S.C. 3030s–12) is repealed.

SEC. 32. TITLE IV GRANT PROGRAMS.

Section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032) is amended—

(1) in subsection (a)—

(A) in paragraph (8) by striking “and” at the end,

(B) by redesignating paragraph (9) as paragraph (13), and

(C) by inserting after paragraph (8) the following:

“(9) planning activities to prepare communities for the aging of the population, which include—

“(A) efforts to assess the aging population;

“(B) activities to coordinate State and local agencies in order to meet the needs of older individuals; and

“(C) training and technical assistance to support States, area agencies on aging, and tribal organizations receiving a grant under title VI, engage in community planning activities; and

“(10) the development, implementation, and assessment of technology-based service models and best practices, to support the use of health monitoring and assessment technologies, communication devices, assistive technologies, and other technologies that may remotely connect family and professional caregivers to frail elderly residing in home- and community-based settings or rural areas;

“(11) conducting activities of national significance to promote quality and continuous improvement in the support provided to family and other informal caregivers of older individuals through activities that include program evaluation, training, technical assistance, and research, including—

“(A) intergenerational programs—

“(i) providing support to grandparents and other older relatives raising children (such as kinship navigator programs); and

“(ii) involving senior volunteers who provide support and information to families who have a child with a disability or chronic illness, or other families in need of such family support;

“(B) programs addressing unique issues faced by rural caregivers;

“(C) programs focusing on the needs of older individuals with cognitive impairment such as Alzheimer’s disease and other dementias, and their caregivers;

“(D) programs supporting caregivers in the role they play in health promotion and disease prevention;

“(12)(A) building public awareness of cognitive impairment such as Alzheimer’s disease

and related disorders with neurological and organic brain dysfunction, depression, and mental disorders; and

“(B) developing and enhancing multidisciplinary systems for the delivery of mental health screening and treatment referral services to improve access to community-based mental health services for older individuals; and”, and

(2) in subsection (b) by striking “year” and all that follows through “years”, and inserting “years 2007, 2008, 2009, 2010, and 2011”.

SEC. 33. CAREER PREPARATION FOR THE FIELD OF AGING.

Section 412(a) of the Older Americans Act of 1965 (42 U.S.C. 3032a(a)) is amended by amending subsection (a) to read as follows:

“(a) **GRANTS.**—The Assistant Secretary shall make grants to institutions of higher education, including historically Black colleges or universities, Hispanic serving institutions, and Hispanic Centers of Excellence in Applied Gerontology, to provide education and training that prepares students for careers in the field of aging.”.

SEC. 34. HEALTH CARE SERVICE DEMONSTRATION PROJECTS IN RURAL AREAS.

Section 414 of the Older Americans Act of 1965 (42 U.S.C. 3032d) is amended—

(1) in subsection (a) by inserting “mental health services,” after “care,”; and

(2) in subsection (b)(1)(B)(i) by inserting “mental health,” after “health,”.

SEC. 35. DEMONSTRATION PROJECTS FOR MULTIGENERATIONAL ACTIVITIES.

Section 417(c)(2) of the Older Americans Act of 1965 (42 U.S.C. 3032f(c)(2)) is amended by striking “(with particular attention to low-income minority individuals and older individuals residing in rural areas)” and inserting “(with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas)”.

SEC. 36. NATIVE AMERICAN PROGRAMS.

Section 418(a)(2)(B)(i) of the Older Americans Act of 1965 (42 U.S.C. 3032g(a)(2)(B)(i)) is amended by inserting “(including mental health)” after “problems”.

SEC. 37. MULTIDISCIPLINARY CENTERS.

Section 419 of the Older Americans Act of 1995 (42 U.S.C. 3032h) is amended—

(1) in subsection (a) by inserting “diverse populations of older individuals residing in urban communities,” after “minority populations,”; and

(2) in subsection (b)(2)—

(A) in subparagraph (E) by inserting “, including information about best practices in long-term care service delivery, housing, and transportation” before the semicolon at the end,

(B) in subparagraph (F)—

(i) by striking “consultation and”,

(ii) by inserting “and other technical assistance” after “information”, and

(iii) by striking “and” at the end,

(C) in subparagraph (G) by striking the period at the end and inserting “; and”, and

(D) by adding at the end the following:

“(H) provide training and technical assistance to support the provision of community-based mental health services for older individuals.”.

SEC. 38. RESPONSIBILITIES OF ASSISTANT SECRETARY.

Section 432(c)(2)(B) of the Older Americans Act of 1965 (42 U.S.C. 3033a(c)(2)(B)) is amended by inserting “, including preparing an analysis of such services, projects, and programs, and of how the evaluation relates to improvements in such services, projects, and programs and in the strategic plan of the Administration” before the period at the end.

SEC. 39. COMMUNITY SERVICE EMPLOYMENT-BASED TRAINING FOR OLDER AMERICANS.

Title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) is amended to read as follows:

“TITLE V—COMMUNITY SERVICE EMPLOYMENT-BASED TRAINING FOR OLDER AMERICANS

“SEC. 501. SHORT TITLE.

“This title may be cited as the ‘Older American Community Service Employment-Based Training Act’.

“SEC. 502. OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT-BASED TRAINING PROGRAM.

“(a) To foster individual economic self-sufficiency and to increase the number of individuals who may enjoy the benefits of unsubsidized employment in both the public and private sectors, the Secretary of Labor (hereafter in this title referred to as the ‘Secretary’) may establish an older American community service employment-based training program to foster and promote useful part-time public and private-sector employment-based training opportunities for unemployed low-income eligible individuals who have poor employment prospects and to provide vital social and human services to communities by providing work experience to eligible individuals in public agencies, community-based and faith-based organizations.

“(b)(1) To carry out this title, the Secretary may make grants to public and nonprofit agencies and organizations, agencies of a State, and tribal organizations to carry out the program established under subsection (a). Such grants may provide for the payment of costs, as provided in subsection (c), of projects developed by such organizations and agencies in cooperation with the Secretary in order to make such program effective or to supplement such program. No payment shall be made by the Secretary toward the cost of any project established or administered by any organization or agency unless the Secretary determines that such project—

“(A) shall provide authorized activities only for eligible individuals, and that not less than 50 percent of hours worked (in the aggregate) shall be in community service employment-based training provided by a grantee in a program year;

“(B)(i) shall provide authorized activities for eligible individuals in the community in which such individuals reside, or in nearby communities, and that not less than 50 percent of hours worked (in the aggregate) shall be in community service employment-based training provided by a grantee in a program year; or

“(ii) if such project is carried out by a tribal organization that receives a grant under this subsection or receives assistance from a State that receives a grant under this subsection, will provide authorized activities, including community service employment-based training for such individuals, including those who are Indians residing on an Indian reservation, as defined in section 2601(2) of the Energy Policy Act of 1992 (25 U.S.C. 3501(2));

“(C) together with all the projects carried out under this title in each program year by a grantee, will not provide for participation under this title by eligible individuals (in the aggregate) for an average period per capita that exceeds 24 months (whether or not consecutive) during the period including the program year for which the determination under this subparagraph is made and the previous program years in which such grantee carried out projects under this title;

“(D) will provide employment-based training to eligible individuals in service related to publicly owned and operated facilities and projects, or projects sponsored by profitmaking or nonprofit organizations (excluding political parties exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986), but excluding projects involving the construction, operation, or maintenance of any facility used or to

be used as a place for sectarian religious instruction or worship;

“(E) will contribute to the general welfare of the community, which may include support for children, youth, and families;

“(F) is intended to result in unsubsidized employment for eligible individuals after completion of such program;

“(G)(i) will not reduce the number of job opportunities or vacancies that would otherwise be available to individuals not participating in such program;

“(ii) will not displace currently employed workers (including partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits);

“(iii) will not impair existing contracts or result in the substitution of Federal funds for other funds in connection with work that would otherwise be performed; and

“(iv) will not place an eligible individual in employment-based training to perform work the same or substantially the same work as that performed by any other individual who is on lay-off;

“(H) will coordinate with training and other services provided under title I of the Workforce Investment Act, including utilizing the One-Stop delivery system to recruit eligible individuals to ensure that the maximum number of eligible individuals will have an opportunity to participate in the project;

“(I) will include such training (such as community service employment-based training, work experience, on-the-job training, and classroom training) as may be necessary to make the most effective use of the skills and talents of those individuals who are participating;

“(J) will ensure that safe and healthy conditions of the employment-based training facility or other training facility will be provided, and will ensure that individuals employed in community service and other jobs assisted under this title shall be paid wages that shall not be lower than whichever is the highest of—

“(i) the minimum wage that would be applicable to the employee under the Fair Labor Standards Act of 1938, if section 6(a)(1) of such Act applied to the participant and if the participant were not exempt under section 13 thereof;

“(ii) the State or local minimum wage for the most nearly comparable covered employment; or

“(iii) the prevailing rates of pay for individuals employed in similar occupations by the same employer;

“(K) will be established or administered with the advice of persons competent in the field of service in which job training is being provided, and of persons who are knowledgeable about the needs of older individuals;

“(L) will authorize payment for necessary supportive services costs, (including transportation costs) of eligible individuals that may be incurred in training in any project funded under this title, in accordance with rules issued by the Secretary;

“(M) will ensure that, to the extent feasible, such project will serve the needs of minority, limited English-speaking, and Indian eligible individuals, and eligible individuals who have the greatest economic need, at least in proportion to their numbers in the State and take into consideration their rates of poverty and unemployment;

“(N)(i) will prepare an assessment of the participants' skills and talents and their needs for services, except to the extent such project has, for the participant involved, recently prepared an assessment of such skills and talents, and such needs, pursuant to another employment or training program (such as a program under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 et seq.), or part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.));

“(ii) will provide training and employment counseling to eligible individuals based on strat-

egies that identify appropriate employment objectives and the need for supportive services, developed as a result of the assessment and service strategy provided for in clause (i), and provide other appropriate information regarding such program; and

“(iii) will provide counseling to participants on their progress in meeting such objectives and satisfying their need for supportive services;

“(O) will provide appropriate services for participants through the One-Stop delivery system as established under section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c)), and will be involved in the planning and operations of such system pursuant to a memorandum of understanding with the local workforce investment board in accordance with section 121(c) of such Act (29 U.S.C. 2841(c));

“(P) will post in such project workplace a notice, and will make available to each person associated with such project a written explanation—

“(i) clarifying the law with respect to political activities allowable and unallowable under chapter 15 of title 5, United States Code, applicable to the project and to each category of individuals associated with such project; and

“(ii) containing the address and telephone number of the Inspector General of the Department of Labor, to whom questions regarding the application of such chapter may be addressed;

“(Q) will provide to the Secretary the description and information described in—

“(i) paragraph (8), relating to coordination with other Federal programs, of section 112(b) of the Workforce and Investment Act of 1998; and

“(ii) paragraph (14), relating to implementation of One-Stop delivery systems, of section 112(b) of the Workforce Investment Act of 1998; and

“(R) will ensure that entities that carry out activities under the project (including State agencies, local entities, subgrantees, subcontractors) and affiliates of such entities receive an amount of the administrative cost allocation determined by the Secretary to be sufficient.

“(2) The Secretary may establish, issue, and amend such regulations as may be necessary to effectively carry out this title.

“(3)(A) An assessment and service strategy required by paragraph (1) to be prepared for an eligible individual shall satisfy any condition for an assessment and service strategy or individual employment plan for an adult participant under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.), in order to determine whether such eligible individual also qualifies for intensive or training services described in section 134(d) of such Act (29 U.S.C. 2864(d)).

“(B) An assessment and service strategy or individual employment plan prepared under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.) for an eligible individual may be used to comply with the requirement specified in subparagraph (A).

“(c)(1) The Secretary may pay a share not to exceed 90 percent of the cost of any project for which a grant is made under subsection (b), except that the Secretary may pay all of such cost if such project is—

“(A) an emergency or disaster project; or

“(B) a project located in an economically depressed area, as determined by the Secretary in consultation with the Secretary of Commerce and the Secretary of Health and Human Services.

“(2) The non-Federal share shall be in cash or in kind. In determining the amount of the non-Federal share, the Secretary may attribute fair market value to services and facilities contributed from non-Federal sources.

“(3) Of the amount to be paid under this subsection by the Secretary for a project, not to exceed 13.5 percent shall be available for any fiscal year to pay the administrative costs of such project, except that—

“(A) the Secretary may increase the amount available to pay administrative costs to an

amount not to exceed 15 percent of the cost of such project if the Secretary determines, based on information submitted by the grantee under subsection (b), that such increase is necessary to carry out such project; and

“(B) if the grantee under subsection (b) demonstrates to the Secretary that—

“(i) major administrative cost increases are being incurred in necessary program components, including liability insurance, payments for workers' compensation, costs associated with achieving unsubsidized placement goals, and other operation requirements imposed by the Secretary;

“(ii) the number of positions in the project or the number of minority eligible individuals participating in the project will decline if the amount available to pay administrative costs is not increased; or

“(iii) the size of the project is so small that the amount of administrative costs incurred to carry out the project necessarily exceeds 13.5 percent of the cost of such project; the Secretary shall increase the amount available for such fiscal year to pay administrative costs to an amount not to exceed 15 percent of the cost of such project.

“(4) Administrative costs are the costs, both personnel and non-personnel and both direct and indirect, associated with the following:

“(A) The costs of performing general administrative functions and of providing for the coordination of functions, such as—

“(i) accounting, budgeting, financial, cash management and related data processing;

“(ii) quality assurance;

“(iii) preparing program plans;

“(iv) procurement and purchasing;

“(v) property management;

“(vi) personnel management, including personnel administration, administration of affirmative action plans, and training and staff development;

“(vii) administrative salaries, including clerical and other support staff salaries;

“(viii) payroll functions;

“(ix) coordinating the resolution of findings arising from audits, reviews, investigations, and incident reports;

“(x) audit;

“(xi) general legal services;

“(xii) developing systems and procedures, including information systems, required for administrative functions;

“(xiii) preparing reports; and

“(xiv) other activities necessary for the general administration of government funds and associated programs.

“(B) The costs of performing oversight and monitoring responsibilities.

“(C) The costs of goods and services required for administrative functions of such program, including goods and services such as rental or purchase of equipment, utilities, office supplies, postage, and rental and maintenance of office space.

“(D) The travel costs incurred for official business in carrying out such program, excluding travel costs related to providing services.

“(E) The costs of information systems related to personnel, procurement, purchasing, property management, accounting, and payroll systems), including the purchase, systems development, and operating costs of such systems.

“(F) The costs of technical assistance, professional organization membership dues, removal of architectural barriers, operating and maintaining assistive technology, and evaluating program results against stated objectives.

“(5) To the extent practicable, an entity that carries out a project under this title shall provide for the payment of the expenses described in paragraph (4) from non-Federal sources.

“(6)(A) Amounts made available for a project under this title that are not used to pay for the administrative costs shall be used to pay for the costs of programmatic activities, including—

“(i) participant wages, such benefits as are required by law (such as workers compensation or

unemployment compensation), the costs of physical examinations, compensation for scheduled work hours during which an employer is closed for a Federal holiday, and necessary sick leave that is not part of an accumulated sick leave program, except that no amounts provided under this title may be used to pay the cost of pension benefits, annual leave, accumulated sick leave, or bonuses;

“(ii) participant training (including the payment of reasonable costs of instructors, classroom rental, training supplies, materials, equipment, and tuition) which may be provided prior to or subsequent to placement and which may be provided on the job, in a classroom setting or pursuant to other appropriate arrangements;

“(iii) job placement assistance, including job development and job search assistance;

“(iv) participant supportive services to enable a participant to successfully participate in a project under this title, which may include the payment of reasonable costs of transportation, special job-related or personal counseling, incidentals (such as work shoes, badges, uniforms, eyeglasses, and tools), child and adult care, temporary shelter, and follow-up services; and

“(v) outreach, recruitment, and selection, intake, orientation, and assessments.

“(B) Not less than 65 percent of the funds made available under a grant made under this title (excluding a grant made under subsection (d)) shall be used to pay wages and benefits for eligible individuals who are employed under projects carried out under this title.

“(d) PILOT, DEMONSTRATION, AND EVALUATION PROJECTS.—The Secretary shall use funds reserved under section 506(a)(1) to carry out demonstration projects, pilot projects, and evaluation projects, for the purpose of developing and implementing techniques and approaches, and demonstrating the effectiveness of the specialized methods, in addressing the employment and training needs of eligible individuals. Such projects may include—

“(1) activities linking businesses and eligible individuals, including assistance to participants transitioning from subsidized activities to private-sector employment; and

“(2) demonstration projects and pilot projects designed to—

“(A) attract more eligible individuals into the labor force;

“(B) improve the provision of services to eligible individuals under the One-Stop delivery system established in accordance with title I of the Workforce Investment Act of 1998;

“(C) enhance the technological skills of eligible individuals; and

“(D) provide incentives to grantees under this title for exemplary performance and incentives to businesses to promote their participation in the program under this title;

“(3) demonstration projects and pilot projects, as described in paragraph (2), for older workers only if such demonstration projects and pilot projects are designed to assist in developing and implementing techniques and approaches in addressing the employment and training needs of eligible individuals;

“(4) training and technical assistance to support any project funded under this title;

“(5) dissemination of best practices; and

“(6) evaluation of the activities authorized under this title.

“SEC. 503. ADMINISTRATION.

“(a) STATE PLAN.—

“(1) CHIEF EXECUTIVE OFFICER SUBMITS PLAN.—For a State to be eligible to receive an allotment under section, 506, the chief executive officer of the State shall submit to the Secretary for consideration and approval, a single State plan (referred to in this title as the ‘State plan’) that outlines a 3-year strategy for the statewide provision of training and related activities for eligible individuals under this title. The plan shall contain such provisions as the Secretary

may require, consistent with this title, including a description of the process used to ensure the participation of individuals described in paragraph (2).

“(2) RECOMMENDATIONS.—In developing the State plan prior to its submission to the Secretary, the chief executive officer of the State shall seek the advice and recommendations of—

“(A) individuals representing the State agency and the area agencies on aging in the State, and the State and local workforce investment boards established under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);

“(B) individuals representing public and non-profit private agencies and organizations providing employment services, including each grantee operating a project under this title in the State; and

“(C) individuals representing social service organizations providing services to older individuals, grantees under title III of this Act, affected communities, unemployed older individuals, community-based organizations serving the needs of older individuals, business organizations, and labor organizations.

“(3) COMMENTS.—Any State plan submitted by the chief executive officer in accordance with paragraph (1) shall be accompanied by copies of public comments relating to the plan received pursuant to paragraph (4) and a summary thereof.

“(4) PLAN PROVISIONS.—The State plan shall identify and address—

“(A) the relationship that the number of eligible individuals in each area bears to the total number of eligible individuals, respectively, in the State;

“(B) the relative distribution of eligible individuals residing in rural and urban areas in the State; and

“(C) the relative distribution of—

“(i) eligible individuals who are individuals with greatest economic need;

“(ii) eligible individuals who are minority individuals, including individuals who are limited English proficient; and

“(iii) eligible individuals who are individuals with greatest social need;

“(D) the current and projected employment opportunities in the State, by occupation, and the type of skills possessed by local eligible individuals;

“(E) the localities and populations for which projects of the type authorized by this title are most needed; and

“(F) plans for facilitating the coordination of activities of grantees in the State under this title with activities carried out in the State under title I of the Workforce Investment Act of 1998.

“(5) CHIEF EXECUTIVE OFFICER’S RECOMMENDATIONS ON GRANT PROPOSALS.—Before a proposal for a grant under this title for any fiscal year is submitted to the Secretary, the chief executive officer of each State in which projects are proposed to be conducted under such grant shall be afforded a reasonable opportunity to submit recommendations to the Secretary—

“(A) regarding the anticipated effect of each such proposal upon the overall distribution of enrollment positions under this title in the State (including such distribution among urban and rural areas), taking into account the total number of positions to be provided by all grantees in the State;

“(B) any recommendations for redistribution of positions to under served areas as vacancies occur in previously encumbered positions in other areas; and

“(C) in the case of any increase in funding that may be available for use in the State under this title for any fiscal year, any recommendations for distribution of newly available positions in excess of those available during the preceding year to underserved areas.

“(6) DISRUPTIONS.—In developing plans and considering recommendations under this subsection, disruptions in the provision of services for current participants shall be avoided to the greatest possible extent.

“(7) DETERMINATION; REVIEW.—

“(A) DETERMINATION.—In order to effectively carry out this title, each State shall make the State plan available for public comment. The Secretary, in consultation with the Assistant Secretary, shall review the plan and make a written determination with findings and a decision regarding the plan.

“(B) REVIEW.—The Secretary may review, on the Secretary’s own initiative or at the request of any public or private agency or organization or of any agency of the State, the distribution of projects and services under this title in the State including the distribution between urban and rural areas in the State. For each proposed reallocation of projects or services in a State, the Secretary shall give notice and opportunity for public comment.

“(8) EXEMPTION.—The grantees that serve eligible individuals who are older Indians with funds reserved under section 506(a)(3) may not be required to participate in the State planning processes described in this section but will collaborate with the Secretary to develop a plan for projects and services to eligible individuals who are Indians.

“(b) COORDINATION WITH OTHER FEDERAL PROGRAMS.—

“(1) The Secretary and the Assistant Secretary shall coordinate the program carried out under this title with programs carried out under other titles of this Act, to increase job opportunities available to older individuals.

“(2) The Secretary shall coordinate programs carried out under this title with the program carried out under the Workforce Investment Act of 1998, the Community Services Block Grant Act, the Rehabilitation Act of 1973, the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 et seq.), the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.), and the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.). The Secretary shall coordinate the administration of this title with the administration of other titles of this Act by the Assistant Secretary to increase the likelihood that eligible individuals for whom employment opportunities under this title are available and who need services under such titles receive such services. Funds appropriated to carry out this title may not be used to carry out any program under the Workforce Investment Act of 1998, the Community Services Block Grant Act, the Rehabilitation Act of 1973, the Carl D. Perkins Vocational and Technical Education Act of 1998, the National and Community Service Act of 1990, or the Domestic Volunteer Service Act of 1973. The preceding sentence shall not be construed to prohibit carrying out projects under this title jointly with programs, projects, or activities under any Act specified in such sentence, or from carrying out section 512.

“(3) The Secretary shall distribute to grantees under this title, for distribution to program participants, and at no cost to grantees or participants, informational materials developed and supplied by the Equal Employment Opportunity Commission and other appropriate Federal agencies that the Secretary determines are designed to help participants identify age discrimination and to understand their rights under the Age Discrimination in Employment Act of 1967.

“(c) In carrying out this title, the Secretary may use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment, and facilities.

“(d) Payments under this title may be made in advance or by way of reimbursement and in such installments as the Secretary may determine.

“(e) The Secretary shall not delegate any function of the Secretary under this title to any other Federal officer or entity.

“(f)(1) The Secretary shall monitor projects for which grants are made under this title to determine whether the grantees are complying with rules and regulations issued to carry out this title (including the statewide planning, consultation, and coordination requirements of this title).

“(2) Each grantee that receives funds under this title shall comply with the applicable uniform cost principles and appropriate administrative requirements for grants and contracts that are applicable to the type of entity that receives funds, as issued as circulars or rules of the Office of Management and Budget.

“(3) Each grantee described in paragraph (2) shall prepare and submit a report in such manner and containing such information as the Secretary may require regarding activities carried out under this title.

“(4) Each grantee described in paragraph (2) shall keep records that—

“(A) are sufficient to permit the preparation of reports required by this title;

“(B) are sufficient to permit the tracing of funds to a level of expenditure adequate to ensure that the funds have not been spent unlawfully; and

“(C) contain any other information that the Secretary determines to be appropriate.

“(g) The Secretary shall establish by rule and implement a process to evaluate, in accordance with section 513, the performance of projects and services carried out under this title. The Secretary shall report to the Congress, and make available to the public, the results of each such evaluation and shall use such evaluation to improve services delivered by, or the operation of, projects carried out under this title.

“SEC. 504. PARTICIPANTS NOT FEDERAL EMPLOYEES.

“(a) Eligible individuals who are participants in authorized activities in any project funded under this title shall not be considered to be Federal employees as a result of such participation and shall not be subject to part III of title 5, United States Code.

“(b) No grant, subgrant, contract or subcontract shall be entered into under this title with an entity who is, or whose employees are, under State law, exempted from operation of the State workers' compensation law, generally applicable to employees unless the entity shall undertake to provide either through insurance by a recognized carrier or by self-insurance, as authorized by State law, that the persons employed under the grant, contract, subgrant, or subcontract shall enjoy workers' compensation coverage equal to that provided by law for covered employment.

“SEC. 505. INTERAGENCY COOPERATION.

“(a) The Secretary shall consult with and obtain the written views of the Assistant Secretary before issuing rules and before establishing general policy in the administration of this title.

“(b) The Secretary shall consult and cooperate with the Director of the Office of Community Services, the Secretary of Health and Human Services, and the heads of other Federal agencies that carry out related programs, in order to achieve optimal coordination with such other programs. In carrying out this section, the Secretary shall promote programs or projects of a similar nature. Each Federal agency shall cooperate with the Secretary in disseminating information relating to the availability of assistance under this title and in promoting the identification and interests of individuals eligible for employment in projects assisted under this title.

“(c)(1) The Secretary shall promote and coordinate carrying out projects under this title jointly with programs, projects, or activities carried out under other Acts, especially activities provided under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), including activities provided through One-Stop delivery systems established under section 134(c) of such Act (29 U.S.C. 2864(c)), that provide training and employment opportunities to eligible individuals.

“(2) The Secretary shall consult with the Secretary of Education to promote and coordinate carrying out projects under this title jointly with workforce investment activities in which eligible individuals may participate that are carried out under the Carl D. Perkins Vocational and Technical Education Act of 1998.

“SEC. 506. DISTRIBUTION OF ASSISTANCE.

“(a) RESERVATIONS.—

“(1) RESERVATION FOR NATIONAL ACTIVITIES.—Of the funds appropriated to carry out this title for each fiscal year, the Secretary may first reserve up to 1.5 percent to carry out demonstration projects, pilot projects, and evaluation projects under section 502(d).

“(2) RESERVATION FOR TERRITORIES.—Of the funds appropriated to carry out this title for each fiscal year, the Secretary shall reserve up to 0.75 percent, of which—

“(A) Guam, American Samoa, and the United States Virgin Islands shall each receive 30 percent of the funds so reserved; and

“(B) the Commonwealth of the Northern Mariana Islands shall receive 10 percent of the funds so reserved.

“(3) RESERVATION FOR ORGANIZATIONS.—Of the funds appropriated to carry out this title for each fiscal year, the Secretary shall reserve such amount as may be necessary to make national grants to public or nonprofit national Indian aging organizations with the ability to provide authorized activities for eligible individuals who are Indians and to national public or nonprofit Pacific Island and Asian American aging organizations with the ability to provide authorized activities for eligible individuals who are Pacific Island and Asian Americans.

“(b) STATE ALLOTMENTS.—The allotment for each State shall be the sum of the amounts allotted for national grants in such State under subsection (d) and for the grant to such State under subsection (e).

“(c) DIVISION BETWEEN NATIONAL GRANTS AND GRANTS TO STATES.—The funds appropriated to carry out this title for any fiscal year that remain after amounts are reserved under paragraphs (1), (2), and (3) of subsection (a), shall be divided by the Secretary between national grants and grants to States as follows:

“(1) RESERVATION OF FUNDS FOR FISCAL YEAR 2006 LEVEL OF ACTIVITIES.—

“(A) The Secretary shall reserve the amount of funds necessary to maintain the fiscal year 2006 level of activities supported by grantees that operate under this title under national grants from the Secretary, and the fiscal year 2006 level of activities supported by State grantees under this title, in proportion to their respective fiscal year 2006 levels of activities.

“(B) If in any fiscal year for which the funds appropriated to carry out this title are insufficient to satisfy the requirement specified in subparagraph (A), then the amount described in subparagraph (A) shall be reduced proportionally.

“(2) FUNDING IN EXCESS OF FISCAL YEAR 2006 LEVEL OF ACTIVITIES.—

“(A) UP TO \$35,000,000.—The amount of funds remaining after the application of paragraph (1), but not to exceed \$35,000,000, shall be divided so that 75 percent shall be provided to State grantees and 25 percent shall be provided to grantees that operate under this title under national grants from the Secretary.

“(B) OVER \$35,000,000.—The amount of funds remaining (if any) after the application of subparagraph (A) shall be divided so that 50 percent shall be provided to State grantees and 50 percent shall be provided to grantees that operate under this title under national grants from the Secretary.

“(d) ALLOTMENTS FOR NATIONAL GRANTS.—From funds available under subsection (c) for national grants, the Secretary shall allot for public and nonprofit private agency and organization grantees that operate under this title under national grants from the Secretary in

each State, an amount that bears the same ratio to such funds as the product of the number of individuals 55 years of age or older in the State and the allotment percentage of such State bears to the sum of the corresponding products for all States, except as follows:

“(1) MINIMUM ALLOTMENT.—No State shall be provided an amount under this subsection that is less than $\frac{1}{2}$ of 1 percent of the amount provided under subsection (c) for public and nonprofit private agency and organization grantees that operate under this title under national grants from the Secretary in all of the States.

“(2) HOLD HARMLESS.—If the amount provided under subsection (c) is—

“(A) equal to or less than the amount necessary to maintain the fiscal year 2006 level of activities, allotments for grantees that operate under this title under national grants from the Secretary in each State shall be proportional to their fiscal year 2006 level of activities; or

“(B) greater than the amount necessary to maintain the fiscal year 2006 level of activities, no State shall be provided a percentage increase above the fiscal year 2006 level of activities for grantees that operate under this title under national grants from the Secretary in the State that is less than 30 percent of such percentage increase above the fiscal year 2006 level of activities for public and nonprofit private agency and organization grantees that operate under this title under national grants from the Secretary in all of the States.

“(3) REDUCTION.—Allotments for States not affected by paragraphs (1) and (2)(B) of this subsection shall be reduced proportionally to satisfy the conditions in such paragraphs.

“(e) ALLOTMENTS FOR GRANTS TO STATES.—From the amount provided for grants to States under subsection (c), the Secretary shall allot for the State grantee in each State an amount that bears the same ratio to such amount as the product of the number of individuals 55 years of age or older in the State and the allotment percentage of such State bears to the sum of the corresponding product for all States, except as follows:

“(1) MINIMUM ALLOTMENT.—No State shall be provided an amount under this subsection that is less than $\frac{1}{2}$ of 1 percent of the amount provided under subsection (c) for State grantees in all of the States.

“(2) HOLD HARMLESS.—If the amount provided under subsection (c) is—

“(A) equal to or less than the amount necessary to maintain the fiscal year 2006 level of activities, allotments for State grantees in each State shall be proportional to their fiscal year 2006 level of activities; or

“(B) greater than the amount necessary to maintain the fiscal year 2006 level of activities, no State shall be provided a percentage increase above the fiscal year 2006 level of activities for State grantees in the State that is less than 30 percent of such percentage increase above the fiscal year 2006 level of activities for State grantees in all of the States.

“(3) REDUCTION.—Allotments for States not affected by paragraphs (1) and (2)(B) of this subsection shall be reduced proportionally to satisfy the conditions in such paragraphs.

“(f) ALLOTMENT PERCENTAGE.—For purposes of subsections (d) and (e)—

“(1) the allotment percentage of each State shall be 100 percent less than percentage that bears the same ratio to 50 percent as the per capita income of such State bears to the per capita income of the United States, except that—

“(A) the allotment percentage shall be not more than 75 percent and not less than 33 percent; and

“(B) the allotment percentage for the District of Columbia and the Commonwealth of Puerto Rico shall be 75 percent;

“(2) the number of individuals 55 years of age or older in any State and in all States, and the per capita income in any State and in all States, shall be determined by the Secretary on the

basis of the most satisfactory data available to the Secretary; and

“(3) for the purpose of determining the allotment percentage, the term ‘United States’ means the 50 States and the District of Columbia.

“(g) DEFINITIONS.—For purposes of this section:

“(1) COST PER AUTHORIZED POSITION.—The term ‘cost per authorized position’ means the sum of—

“(A) the hourly minimum wage rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)), multiplied by the number of hours equal to the product of 21 hours and 52 weeks;

“(B) an amount equal to 11 percent of the amount specified under subparagraph (A), for the purpose of covering Federal payments for fringe benefits; and

“(C) an amount determined by the Secretary, for the purpose of covering Federal payments for the remainder of all other program and administrative costs.

“(2) FISCAL YEAR 2006 LEVEL OF ACTIVITIES.—The term ‘fiscal year 2006 level of activities’ means—

“(A) with respect to public and nonprofit private agency and organization grantees that operate under this title under national grants from the Secretary, their level of activities for fiscal year 2006; and

“(B) with respect to State grantees, their level of activities for fiscal year 2006.

“(3) GRANTS TO STATES.—The term ‘grants to States’ means grants made under this title by the Secretary to the States.

“(4) LEVEL OF ACTIVITIES.—The term ‘level of activities’ means the number of authorized positions multiplied by the cost per authorized position.

“(5) NATIONAL GRANTS.—The term ‘national grants’ means grants made under this title by the Secretary to public and nonprofit private agency and organization grantees that operate under this title under national grants from the Secretary.

“(6) STATE.—The term ‘State’ does not include Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands.

“SEC. 507. EQUITABLE DISTRIBUTION.

“(a) INTERSTATE ALLOCATION.—In making grants under section 506, the Secretary shall ensure, to the extent feasible, an equitable distribution of activities under such grants, in the aggregate, among the States, taking into account the needs of underserved States.

“(b) INTRASTATE ALLOCATION.—The amount allocated for projects within each State under section 506 shall be allocated among areas in the State in an equitable manner, taking into consideration the State priorities set out in the State plan in effect under section 503(a).

“SEC. 508. REPORT.

“To carry out the Secretary’s responsibilities for reporting in section 503(g), the Secretary shall require the State agency for each State that receives funds under this title to prepare and submit a report at the beginning of each fiscal year on such State’s compliance with section 507(b). Such report shall include the names and geographic location of all projects assisted under this title and carried out in the State and the amount allocated to each such project under section 506.

“SEC. 509. EMPLOYMENT ASSISTANCE AND FEDERAL HOUSING AND FOOD STAMP PROGRAMS.

“Funds received by eligible individuals from projects carried out under the program established in this title shall not be considered to be income of such individuals for purposes of determining the eligibility of such individuals, or of any other individuals, to participate in any housing program for which Federal funds may be available or for any income determination under the Food Stamp Act of 1977.

“SEC. 510. ELIGIBILITY FOR WORKFORCE INVESTMENT ACTIVITIES.

“Eligible individuals under this title may be considered by local workforce investment boards established under title I of the Workforce Investment Act of 1998 to satisfy the requirements for receiving services under such title I that are applicable to adults.

“SEC. 511. TREATMENT OF ASSISTANCE.

“Assistance provided under this title shall not be considered to be financial assistance described in section 245A(h)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1255A(h)(1)(A)).

“SEC. 512. COORDINATION WITH THE WORKFORCE INVESTMENT ACT OF 1998.

“(a) PARTNERS.—Grantees under this title shall be One-Stop partners as described in subparagraphs (A) and (B)(vi) of section 121(b)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(b)(1)) in the One-Stop delivery system established under section 134(c) of such Act (29 U.S.C. 2864(c)) for the appropriate local workforce investment areas, and shall carry out the responsibilities relating to such partners.

“(b) COORDINATION.—In local workforce investment areas where more than 1 grantee under this title provides services, the grantees shall—

“(1) coordinate their activities related to the One-Stop delivery system; and

“(2) shall be signatories of the memorandum of understanding established under section 121(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(c)).

“SEC. 513. PERFORMANCE.

“(a) MEASURES.—

“(1) ESTABLISHMENT OF MEASURES.—The Secretary shall establish, in consultation with grantees, subgrantees, and host agencies under this title, States, older individuals, area agencies on aging, and other organizations serving older individuals, performance measures for each grantee for projects and services carried out under this title.

“(2) CONTENT.—

“(A) COMPOSITION OF MEASURES.—The performance measures established by the Secretary in accordance with paragraph (1) shall consist of—

“(i) core indicators of performance specified in subsection (b)(1) and the expected levels of performance applicable to each core indicator of performance; and

“(ii) additional indicators of performance specified in subsection (b)(2).

“(B) CONTINUOUS IMPROVEMENT.—The measures described in subparagraph (A)(i) shall be designed to promote continuous improvement in performance.

“(C) EXPECTED LEVELS OF PERFORMANCE.—The Secretary and each grantee shall reach agreement on the expected levels of performance for each program year for each of the core indicators of performance specified in subsection (b)(1). The agreement shall take into account the factors described in subparagraphs (B) and (D) and other appropriate factors as determined by the Secretary, and shall be consistent with the requirements of subparagraph (E). Funds under the grant may not be awarded until such agreement is reached.

“(D) ADJUSTMENT.—The expected levels of performance described in subparagraph (C) applicable to a grantee shall be adjusted after the agreement under subparagraph (C) has been reached only with respect to the following factors:

“(i) High rates of unemployment or of poverty or welfare participation, in the areas served by a grantee, relative to other areas of the State or Nation.

“(ii) Significant downturns in the areas served by the grantee or in the national economy.

“(iii) Significant numbers or proportions of participants with 1 or more barriers to employment served by a grantee relative to grantees serving other areas of the State or Nation.

“(iv) Changes in Federal, State, or local minimum wage requirements.

“(E) PLACEMENT.—

“(i) LEVEL OF PERFORMANCE.—For all grantees, the Secretary shall establish a level of performance of not less than the percentage specified in clause (ii) (adjusted in accordance with subparagraph (D)) for the entry into unsubsidized employment core indicator of performance described in subsection (b)(1)(A). If a grantee achieved a level of performance less than the percentage specified in such clause for the preceding fiscal year for which results are available before the enactment of the Senior Independence Act of 2006, the Secretary shall provide technical assistance to assist such grantee to achieve the applicable percentage specified in such clause.

“(ii) REQUIRED PLACEMENT PERCENTAGES.—The minimum percentage for the entry into unsubsidized employment described in subsection (b)(1)(A) is—

“(I) 22 percent in fiscal year 2007;

“(II) 24 percent in fiscal year 2008;

“(III) 26 percent in fiscal year 2009;

“(IV) 28 percent in fiscal year 2010; and

“(V) 30 percent in fiscal year 2011.

“(3) PERFORMANCE EVALUATION OF GRANTEES.—The Secretary shall annually establish national performance measures for each grantee under this title, which shall be applicable to the grantee without regard to whether such grantee operates such program directly or through contracts, grants, or agreements with other entities. The measures shall include the core indicators of performance and expected level of performance for each such indicator, and the additional indicators of performance. In addition, the Secretary shall annually publish the actual performance of each grantee with respect to—

“(A) the levels achieved for each of the core indicators of performance, compared to expected levels of performance under paragraph (2)(C) (including any adjustments to such levels made in accordance with to paragraph (2)(D)); and

“(B) the levels achieved for each of the additional indicators of performance.

“(4) LIMITATION.—An agreement to be evaluated on the performance measures shall be a requirement for application for, and a condition of, all grants authorized by this title.

“(b) INDICATORS OF PERFORMANCE.—

“(1) CORE INDICATORS.—The core indicators of performance described in subsection (a)(2)(A)(i) shall consist of—

“(A) entry into unsubsidized employment;

“(B) retention in unsubsidized employment for 6 months;

“(C) earnings; and

“(D) hours (in the aggregate) of community service employment-based training pursuant to subparagraphs (A) and (B)(I) of section 502(b)(1).

“(2) ADDITIONAL INDICATORS.—The additional indicators of performance described in subsection (a)(2)(A)(ii) shall consist of—

“(A) retention in unsubsidized employment for 1 year;

“(B) the number of eligible individuals served, including the number of participating individuals described in section 516(2)(A)(ii), and

“(C) any other indicators of performance that the Secretary determines to be appropriate to evaluate services and performance.

“(c) DEFINITIONS OF INDICATORS.—The Secretary, after consultation with national and State grantees, representatives of business and labor organizations, and providers of services, shall issue rules that define the indicators of performance described in subsection (b).

“(d) CORRECTIVE EFFORTS.—

“(1) NATIONAL GRANTEES.—

“(A) IN GENERAL.—Not later than 120 days after the end of each program year, the Secretary shall determine if a national grantee awarded a grant under section 514 has met the expected levels of performance established under subsection (a)(2)(c) (including any adjustments

to such levels made in accordance with to subsection (a)(2)(D)) for the core indicators of performance described in subsection (b)(1).

“(B) TECHNICAL ASSISTANCE AND CORRECTIVE ACTION PLAN.—

“(i) IN GENERAL.—If the Secretary determines that a grantee fails to meet the expected levels of performance described in paragraph (1), the Secretary shall provide technical assistance and require such grantee to submit a corrective action plan not later than 160 days after the end of the program year.

“(ii) CONTENT.—The plan submitted under subparagraph (A) shall detail the steps the grantee will take to meet the national performance measures in the next program year.

“(2) STATE GRANTEES.—

“(A) IN GENERAL.—Not later than 120 days after the end of the program year, the Secretary shall determine if a State grantee allotted funds under section 506(e) has met the expected levels of performance established under subsection (a)(2)(C) (including any adjustments to such levels made in accordance with to subsection (a)(2)(D)) for the core indicators of performance described in subsection (b)(1).

“(B) TECHNICAL ASSISTANCE AND CORRECTIVE ACTION PLAN.—If a State fails to meet the levels of performance described in subparagraph (A), the Secretary shall provide technical assistance and require the State to submit a corrective action plan not later than 160 days after the end of the program year.

“(C) CONTENT.—The plan described in subparagraph (B) shall detail the steps the State will take to meet the standards.

“(D) FAILURE TO MEET PERFORMANCE MEASURES FOR THE THIRD YEAR.—If the State fails to meet the levels of performance described in subparagraph (A) for a third consecutive program year, the Secretary shall provide for the conduct by the State of a competition to award the funds allocated to the State for the first full program year following the Secretary's determination that the State has not met the performance measures.

“SEC. 514. COMPETITIVE REQUIREMENTS RELATING TO GRANT AWARDS.

“(a) PROGRAM AUTHORIZED.—

“(1) INITIAL APPROVAL OF GRANT APPLICATIONS.—From the funds available for national grants under section 506(d), the Secretary shall award grants to eligible applicants to carry out projects under this title for a period of 3 years through a competitive process except as provided in paragraph (2).

“(2) CONTINUATION OF APPROVAL BASED ON PERFORMANCE.—If the recipient of a grant made under paragraph (1) satisfies the requirements of section 513 during such 3-year period (and the succeeding 1-year period for which any grant is made under this paragraph) with respect to a project, the Secretary may award grants to such recipient to continue such project beyond such 3-year period for not to exceed 2 successive 1-year periods without regard to such process.

“(b) ELIGIBLE APPLICANTS.—An applicant shall be eligible to receive a grant under subsection (a) in accordance with section 502(b)(1), and subsections (c) and (d).

“(c) CRITERIA.—The Secretary shall select the eligible applicants to receive grants under subsection (a) based on the following:

“(1) The applicant's ability to administer a program that serves the greatest number of eligible individuals, giving particular consideration to individuals with greatest economic need, greatest social need, poor employment history or prospects, and over the age of 65.

“(2) The applicant's ability to administer a program that provides employment for eligible individuals in the communities in which such individuals reside, or in nearby communities, that will contribute to the general welfare of the community.

“(3) The applicant's ability to administer a program that moves eligible individuals into unsubsidized employment.

“(4) The applicant's prior performance, if any, in meeting performance measures under this title and under other Federal or State programs.

“(5) The applicant's ability to move individuals with multiple barriers to employment into unsubsidized employment.

“(6) The applicant's ability to coordinate with other organizations at the State and local level.

“(7) The applicant's plan for fiscal management of the program to be administered with funds received under this section.

“(8) Any additional criteria that the Secretary considers to be appropriate in order to minimize disruption for current participants.

“(d) RESPONSIBILITY TESTS.—

“(1) IN GENERAL.—Before final selection of a grantee, the Secretary shall conduct a review of available records to assess the applicant's overall responsibility to administer Federal funds.

“(2) REVIEW.—As part of the review described in paragraph (1), the Secretary may consider any information, including the organization's history with regard to the management of other grants.

“(3) FAILURE TO SATISFY TEST.—The failure to satisfy any 1 responsibility test that is listed in paragraph (4), excluding those listed in subparagraphs (A) and (B), does not establish that the organization is not responsible unless such failure is substantial or persists for 2 or more consecutive years.

“(4) TEST.—The responsibility tests include review of the following factors:

“(A) Unsuccessful efforts by the organization to recover debts, after 3 demand letters have been sent, that are established by final agency action, or a failure to comply with an approved repayment plan.

“(B) Established fraud or criminal activity of a significant nature within the organization.

“(C) Serious administrative deficiencies identified by the Secretary, such as failure to maintain a financial management system as required by Federal rules or regulations.

“(D) Willful obstruction of the audit process.

“(E) Failure to provide services to applicants as agreed to in a current or recent grant or to meet applicable performance measures.

“(F) Failure to correct deficiencies brought to the grantee's attention in writing as a result of monitoring activities, reviews, assessments, or other activities.

“(G) Failure to return a grant closeout package or outstanding advances within 90 days of the grant expiration date or receipt of closeout package, whichever is later, unless an extension has been requested and granted.

“(H) Failure to submit required reports.

“(I) Failure to properly report and dispose of Government property as instructed by the Secretary.

“(J) Failure to have maintained effective cash management or cost controls resulting in excess cash on hand.

“(K) Failure to ensure that a subrecipient complies with its Office of Management and Budget Circular A-133 audit requirements specified at section 667.200(b) of title 20, Code of Federal Regulations.

“(L) Failure to audit a subrecipient within the required period.

“(M) Final disallowed costs in excess of 5 percent of the grant or contract award if, in the judgment of the grant officer, the disallowances are egregious findings.

“(N) Failure to establish a mechanism to resolve a subrecipient's audit in a timely fashion.

“(5) DETERMINATION.—Applicants that are determined to be not responsible shall not be selected as grantees.

“(6) DISALLOWED COSTS.—Interest on disallowed costs shall accrue in accordance with the Debt Collection Improvement Act of 1996.

“SEC. 515. AUTHORIZATION OF APPROPRIATIONS.

“(a) There is authorized to be appropriated to carry out this title such sums as may be nec-

essary for fiscal years 2007, 2008, 2009, 2010, and 2011.

“(b) Amounts appropriated under this section for any fiscal year shall be available for obligation during the annual period that begins on July 1 of the calendar year immediately following the beginning of such fiscal year and that ends on June 30 of the following calendar year. The Secretary may extend the period during which such amounts may be obligated or expended in the case of a particular organization or agency that receives funds under this title if the Secretary determines that such extension is necessary to ensure the effective use of such funds by such organization or agency.

“(c) At the end of the program year, the Secretary may recapture any unexpended funds for the program year, and reobligate such funds within the 2 succeeding program years for—

“(1) technical assistance; or

“(2) grants or contracts for any other program under this title.

“SEC. 516. DEFINITIONS.

“For purposes of this title:

“(1) COMMUNITY SERVICE EMPLOYMENT-BASED TRAINING.—The term ‘community service employment-based training’ means work experience that is related to providing social, health, welfare, and educational services (including literacy tutoring), legal and other counseling services and assistance, including tax counseling and assistance and financial counseling, and library, recreational, and other similar services; conservation, maintenance, or restoration of natural resources; community betterment or beautification; antipollution and environmental quality efforts; weatherization activities; economic development; and such other services essential and necessary to the community as the Secretary determines by rule.

“(2) ELIGIBLE INDIVIDUAL.—The term ‘eligible individual’ means an individual who is 55 years of age or older and who has a low income (including any such individual whose income is not more than 125 percent of the poverty line), excluding any income that is unemployment compensation, benefits received under title XVI of the Social Security Act, veterans payments, or 25 percent of the benefits received under title II of the Social Security Act, but—

“(A) pursuant to regulations prescribed by the Secretary, any such individual who meets one or more of the following criteria shall have priority for the work opportunities provided under this title—

“(i) is 65 years of age or older; or

“(ii) has one or more of the following barriers to employment:

“(I) has a disability;

“(II) has limited English proficiency or low literacy skills;

“(III) resides in a rural area;

“(IV) is a veteran;

“(V) has low employment prospects; or

“(VI) has failed to find employment after utilizing services provided under title I of the Workforce Investment Act of 1998; and

“(B) notwithstanding any other provision of this paragraph, excludes—

“(i) an individual who has participated in projects under this title for a period of 48 months in the aggregate (whether or not consecutive) after the date of the enactment of the Senior Independence Act of 2006; and

“(ii) an individual who has participated in projects under this title for a period of 24 months in the aggregate (whether or not consecutive) after the date of the enactment of the Senior Independence Act of 2006 if such individual participated more than 24 months in the aggregate (whether or not consecutive) under title V of this Act, as in effect before the date of the enactment of the Senior Independence Act of 2006.

“(3) INCOME.—The term ‘income’ means income received during the 12-month period (or, at the option of the grantee involved, the 6-month

period that is not multiplied) ending on the date an eligible individual submits an application to participate in the project carried out under this title by such grantee.

“(4) **PACIFIC ISLAND AND ASIAN AMERICANS.**—The term ‘Pacific Island and Asian Americans’ means Americans having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands.

“(5) **PROGRAM.**—The term ‘program’ means the older American community service employment-based training program established under this title.

“(6) **SUPPORTIVE SERVICES.**—The term ‘supportive services’ means services such as transportation, child care, dependent care, housing, and needs-related payments, that are necessary to enable an individual to participate in activities authorized under this title, consistent with the provisions of this title.

“(7) **UNEMPLOYED INDIVIDUAL.**—The term ‘unemployed individual’ means an individual who is without a job and who wants and is available for work, including an individual who may have occasional employment that does not result in a constant source of income.”

SEC. 40. NATIVE AMERICANS CAREGIVER SUPPORT PROGRAM.

Section 643 of the Older Americans Act of 1965 (42 U.S.C. 3057n) is amended by striking “title—” and all that follows through the period at the end, and inserting “title such sums as may be necessary for fiscal years 2007, 2008, 2009, 2010, and 2011.”

SEC. 41. VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES.

Section 702 of the Older Americans Act of 1965 (42 U.S.C. 3058a) is amended by striking “2001” each place it appears and inserting “2007”.

SEC. 42. NATIVE AMERICAN ORGANIZATION PROVISIONS.

Section 751(d) of the Older Americans Act of 1965 (42 U.S.C. 3058aa(b)) is amended by striking “2001” and inserting “2007”.

SEC. 43. ELDER ABUSE, NEGLECT, AND EXPLOITATION PREVENTION.

Section 721 (b) of the Older Americans Act of 1965 (42 U.S.C. 3058i(b)) is amended—

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

“(2) providing for public education and outreach to promote financial literacy and prevent identity theft and financial exploitation of older individuals;” and

(2) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively.

SEC. 44. TECHNICAL AMENDMENTS.

The Older Americans Act of 1965 (42 U.S.C. 2001 et seq.) is amended—

(1) in section 202(e)(1)(A) by striking the semicolon at the end and inserting a period, and

(2) by inserting before section 401 the following:

“TITLE IV—ACTIVITIES FOR HEALTH, INDEPENDENCE AND LONGEVITY”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. McKEON) and the gentleman from Texas (Mr. HINOJOSA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. McKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous information on H.R. 5293.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McKEON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 5293, the Senior Independence Act of 2006, and I ask my colleagues to join me in supporting this critical measure.

Today supporting the needs of older Americans is more important than ever. More than 49 million people in the United States are over the age of 60, making it the fastest-growing age group in the country. By the year 2050, that number will reach nearly 90 million and comprise almost a quarter of our population. This trend requires substantial reforms to ensure the quality and effectiveness of Federal programs aimed at assisting the elderly.

Last month the Education and the Workforce Committee approved the bipartisan bill before us, legislation that will make those additional reforms by reauthorizing and strengthening the Older Americans Act.

Initially established in 1965, the Older Americans Act has transformed into the first stop for seniors to identify home- and community-based long-term care options, as well as other supportive services that can help prevent or delay expensive institutional care and generate significant savings in Federal entitlement programs. And H.R. 5293 builds on that progress.

Specifically, the bipartisan Senior Independence Act will, number one, promote measures such as nutrition programs and health screens that reduce seniors' risk of injury, disease or disability; two, improve access to health care by supporting resource centers in every community where older Americans and their families can go for reliable information about long-term care options, community support services and important health benefits such as Medicare, prescription drug coverage; and number three, encourage States and communities to plan for an increasing number of older Americans.

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This bill also reauthorizes the Senior Community Service Employment Program to provide older individuals with temporary employment-based training opportunities. These opportunities can help seniors obtain the skills they need to obtain a full- or part-time unsubsidized job. This program is a means to an end and should not be considered permanent employment. Therefore, this legislation requires national grantees selected through a full and open competition and States to place 30 percent of their participants into unsubsidized employment by the year 2011.

The bill also encourages grantees to establish partnerships with private sector businesses that can provide participants on-the-job training and help individuals achieve their goal of obtaining employment. At the same time, H.R. 5293 does not lose sight of the valuable community services of this program and requires at least half of all subsidized employment-based training to provide a community service.

My colleagues may recall that in the past, reauthorizing the Older Americans Act was often a very partisan process. However, this year that has not been the case. Both Democrats and Republicans on the Education and the Workforce Committee pulled together to make the reforms necessary to meet the challenges of an aging population. In fact, the bill passed our committee without any opposition whatsoever. I want to commend the chairman of the subcommittee, Mr. TIBERI from Ohio; and his ranking member, Mr. HINOJOSA from Texas; and Mr. GEORGE MILLER, the ranking member of the full committee for their great work and leadership in helping to craft this bill in such a thoughtful, bipartisan manner. During this political season that is quite a rare feat.

I close by thanking all Americans who work or volunteer to support our country's aging network. This strong and vital network is made possible because of a cadre of selfless volunteers who deliver meals to homebound seniors, offer companionship, assist with activities of daily living, and provide many other necessary supports that help older Americans remain healthy and fulfilled. This legislation is designed to support you, and I hope it is a positive reflection of your good work.

Mr. Speaker, Senior Independence Act aims to make the most of the Federal investment in programs to assist older Americans. It is a good bill worthy of our support.

Mr. Speaker, I reserve the balance of my time.

Mr. HINOJOSA. Mr. Speaker, I yield myself such time as I may consume.

I am proud to rise in support of H.R. 5293, the Senior Independence Act. I would like to thank Chairman McKEON, Subcommittee Chairman TIBERI, Ranking Member GEORGE MILLER, and all of the members of the Education and the Workforce Committee who have rolled up their sleeves to produce a bipartisan bill to reauthorize the Older Americans Act.

I would also like to take a moment to commend the outstanding staff on both sides of the aisle for their excellent work. The chairman set up an open process, a process that aimed to engage all of the stakeholders. That kind of process is only successful when you have staff members who are dedicated to getting the job done and able to synthesize the recommendations and build the consensus necessary to move forward. I would especially like to recognize the work of Kate Houston and Lucy House and Angela Klemack on the majority staff, as well as Cheryl Johnson, Ricardo Martinez, and Moira Lenehan on our side of the aisle. They made a sometimes difficult and complicated process go smoothly, and I thank them and appreciate their good and effective service.

Aging is a fact of life. However, through the establishment of Social Security, Medicare, and the enactment of the Older Americans Act, living in

poverty to most Americans no longer is a fact of aging. From 1959 to 2002, the percentage of older people living in poverty fell from 35 percent to only 10 percent.

The Older Americans Act of 1965 is the landmark legislation that articulated our core values as a Nation. The act begins with a declaration of objectives which includes the following: "Retirement in health, honor, dignity, after years of contribution to the economy." This is a statement of our national obligation to older Americans. The Older Americans Act represents our commitment to meeting that obligation. This law provides for supportive services such as transportation, housekeeping, and personal care. It provides nutrition services both in the home and in community settings. It provides preventative health services and supports family caregivers. Finally, it protects the rights of vulnerable older Americans by combating consumer fraud and protecting seniors from abuse.

The legislation before us today, H.R. 5293, the Senior Independence Act, truly represents our good faith effort to respond to the community's will, as expressed at the White House Conference on Aging where the reauthorization of the Older Americans Act was declared the top priority.

The bill before us reauthorizes all of the core programs in the Older Americans Act. It promotes greater access to services for individuals who are more comfortable in a language other than English. It maintains the structure of the Senior Community Service Employment Program that reaffirms the dual purpose of the programs, employment and community service. It strengthens the very successful Family Caregiver Program. It promotes greater choices and health nutrition education so that our seniors can remain at home and in their communities. It promotes financial literacy for family caregivers and seniors so that older Americans' physical and mental health are not jeopardized by poor financial health. It strengthens our system of protecting older Americans from abuse. Finally, it recognizes that seniors are a growing resource for the aging network and for our communities in general. We must continue to look for ways to leverage our older citizens' talents and desires to continue to make a difference.

It is incumbent upon us all to step up and invest in these programs. It is one sure way to help control the cost of our growing entitlement programs. It is the right thing to do. We know that every dollar spent providing a meal or supporting seniors so that they can remain at home and in their communities not only improves their quality of life but saves entitlement spending on long-term care. That is the genius of the Older Americans Act. Yet we know that the Older Americans Act's purchasing power per individual has dropped by 50 percent since 1980.

As we have worked in a bipartisan manner to craft a reauthorization bill, I was pleased that we were able to advocate together for an increase in the nutrition and support services programs in the Older Americans Act in the Labor, HHS, and Education appropriations bill. I hope that as we move forward with the appropriations process, we will restore the funding that was cut for the Senior Community Service Employment Program and that we will continue to look for ways to increase our investment in all of the critical programs under this Older Americans Act.

In closing, Mr. Speaker, I want to say that I look forward to continuing to work with the chairman and all of the members of the committee to move this legislation forward.

Mr. Speaker, I reserve the balance of my time.

Mr. McKEON. Mr. Speaker, I am pleased to yield at this time 1½ minutes to Mr. KELLER, the chairman of the 21st Century Subcommittee.

Mr. KELLER. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I rise today in strong support of H.R. 5293, the Senior Independence Act of 2006. This bipartisan legislation would renew the Older Americans Act, which is our Nation's primary Federal program overseeing the delivery of services to our Nation's elderly.

As chairman of the Subcommittee on 21st Century Competitiveness, I am particularly supportive of the assistance the act provides to our seniors seeking employment. This act includes the Senior Community Service Employment Program, a community-oriented employment-based training program for low-income older Americans. It provides work experience and training opportunities to older individuals to help them prepare for unsubsidized employment. Program participants receive experience through job placements in a wide variety of occupations and industries.

In a nutshell, this legislation helps seniors to help themselves by providing them with valuable job training and placement assistance to get jobs.

I urge my colleagues to support the passage of H.R. 5293.

Mr. HINOJOSA. Mr. Speaker, it gives me great pleasure to yield 3 minutes to an outstanding individual from the great State of Illinois, the ranking member of the Government Reform Subcommittee and a distinguished member of the Select Education Committee, Congressman DANNY DAVIS.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman for yielding.

Mr. Speaker, I have been told that you can measure the greatness of a society by how well it treats its young, how well it treats its old, and how well it treats those who have difficulty caring for themselves. So I rise in strong support of this bill, which reauthorizes the Older Americans Act.

At the outset, I want to commend and thank Chairman McKEON; Ranking Member MILLER; Subcommittee Chairman TIBERI; and the subcommittee ranking member and my colleague from Texas, Mr. HINOJOSA, for an excellent bipartisan bill. I also want to extend my sincerest appreciation to the staff persons on both the majority and on the minority sides.

Mr. Speaker, I have a Seniors and Eldercare Task Force composed of a wonderful group of experts who advise me on key issues regarding seniors in my district back in the great city of Chicago. This act advances many areas of concern to my district. Foremost, it expands access of younger grandparents to the National Family Caregiver Support Program, and it encourages States to adopt Kinship Navigator programs for relative caregivers. My district has over 10,000 grandparent-headed households. So the bill aids these caregivers with services that help in their caregiving responsibilities. Further, the bill promotes community-based services via self-directed models of care. This bill will reduce instances of abuse and neglect and improve data collection on the subject, building on the ideas promoted by my colleague from Illinois, Mr. EMANUEL.

I am also happy that the bill emphasizes the importance of mental health in many ways, drawing on the spirit of the Positive Aging Act, sponsored by Mr. KENNEDY. And I want to commend Mr. EHLERS for his efforts to make sure that the mental health component of this legislation is strong.

Mr. Speaker, Hubert Humphrey once said that the moral test of government is how it treats those in the dawn of life, the children, and those who are in the twilight of life, the elderly. The Senior Independence Act of 2006 ensures that our senior citizens would have a greater opportunity for a happy, meaningful, and productive life. I commend the Education and the Workforce Committee for a tremendous piece of legislation.

Mr. McKEON. Mr. Speaker, I am happy to yield 6 minutes to the gentleman from Ohio (Mr. TIBERI), the subcommittee chairman who has provided the leadership to get this bill to the floor.

Mr. TIBERI. Mr. Speaker, I always tell constituents back home when they ask me what the most important part of my job is, I tell them it is about helping people. This legislation today is really all about helping people, especially our senior citizens.

This bill renews our commitment to the vital programs our older Americans use every day in our communities, in our neighborhoods, and especially in their homes. The Committee on Education and the Workforce voted unanimously to favorably report out the Senior Independence Act of 2006 to the floor today. It is the product of months of hard work to reauthorize and make meaningful amendments to the Older Americans Act. We have heard from

national, from State, from local stakeholders and advocates, those involved directly in the output of services under this act.

□ 1130

We heard from constituents, seniors themselves, those on the receiving end of services, as the subcommittee went into the field and held field hearings in Edinburg, Texas, in Congressman RUBÉN HINOJOSA's district, and in Westerville, Ohio, in my district.

The vast aging network contributed greatly to the reauthorization process. My gratitude goes out to all of them for their commitment to our seniors and to the mission of the act itself. It has been an open and a bipartisan process from the very beginning, and I believe we have a better product and a better bill because of that process, a bill that all Members of this House can support, and a bill that older Americans can support as well.

I want to acknowledge the valuable contribution of the ranking member of the subcommittee, Mr. HINOJOSA from Texas, and his staff, particularly Ricardo Martinez and Moira Lenehan, for their outstanding contribution to this process. Thank you so much. Mr. HINOJOSA has been a devoted partner from the beginning of this process, and I am so grateful for his work on this legislation.

I also want to acknowledge the leadership, the friendship through the entire process that my friend Chairman McKEON has provided as well. Thank you for your tireless work and the tireless work of your staff. Kate Houston, Stephanie Milburn, Lucy House and Angela Klemack have all been great champions in this work that we have before us today.

I sincerely appreciate the support from the cosponsors of the legislation and all the members of the committee who supported the bill. It is a testament to our sincere efforts to have open and bipartisan process.

The Senior Independence Act builds on the successes of the programs authorized by the Older Americans Act by strengthening services to help individuals avoid institutional care and to improve the quality of life for aging Americans. It promotes the development and implementation of comprehensive, coordinated systems at the Federal, State and local levels to streamline access to programs, benefits and help for individuals to avoid institutional care.

It encourages local area agencies on aging to work with city and county officials, State agencies and other community entities to plan for the aging across multiple areas, including land use, housing, transportation, public safety and recreation.

Among other things, Mr. Speaker, it advances the mission of evidence-based programs to assist older Americans and their family caregivers in learning about and making behavioral changes intended to reduce the risk of injury, disease and disability among seniors.

The bill brings health care monitoring into the 21st century, providing grants specifically for the development of new practices and technologies, allowing physicians and other health care professionals to remotely monitor the health and well-being of our seniors either in the home or in community-based settings. It encourages providers to deliver services in a manner responsive to the needs and preferences of older individuals and their family caregivers.

Mr. Speaker, this bill also expands eligibility for the National Family Caregiver Support Program to grandparents and other relatives age 55 years and older who care for a grandchild or an adult child with a disability.

And this bill gives attention to the rising significance of Alzheimer's disease in our society. Current law allows caregivers to receive support only when they are caring for adults over the age of 60. However, it is estimated that about 300,000, about 7 to 8 percent, of the 4 million Americans diagnosed with Alzheimer's disease are cases, are early onset.

This bill allows caregivers who care for individuals at any age with Alzheimer's disease or other dementia or neurological disorders to receive support from the caregiver support program.

The Senior Independence Act also emphasizes the critical link between nutrition and prevention of chronic disease, and supports efforts to reduce the incidence of obesity, which is a growing problem among all segments of our society, and seniors as well.

It strengthens, finally, Mr. Speaker, the Community Service Employment-Based Training Program for older Americans, promoting business sector partnerships, flexibility to grantees, and recognizing seniors as valuable assets to our communities and to our Nation, promoting activities to harness their services for the greater good of our community and our country.

The Education and Workforce Committee has strived to make the necessary reforms to make the most of the Federal investment in programs to assist older Americans, while ensuring that the growing senior population is served by quality programs established by the 1965 law.

I thank Chairman McKEON, I thank Ranking Member MILLER and Ranking Member HINOJOSA of my subcommittee for their tireless and great work for this product. The Senior Independence Act of 2006 accomplishes all these goals, and I am a proud sponsor of this legislation, Mr. Speaker, and urge all my colleagues to support the bill.

Mr. McKEON. Mr. Speaker, I yield the balance of my time to the gentleman from Ohio (Mr. TIBERI), and ask unanimous consent that he be able to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HINOJOSA. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I want to acknowledge the presence of and the comments made by Chairman TIBERI from the State of Ohio, and I want to associate myself with many of the comments that he made about the bipartisanship that was seen and experienced as we worked on this legislation. I congratulate him for his leadership and congratulate him for helping us get to this point that we are today.

Mr. Speaker, I yield 5 minutes to the gentleman from Rhode Island (Mr. KENNEDY), a friend and colleague who serves on the powerful Appropriations Committee and is recognized for his commitment and passion for education and health care.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I want to thank my colleague from Texas (Mr. HINOJOSA) for his great leadership on this bill, and applaud Chairman McKEON for his leadership as well, and also Representative MILLER from California. But I want to begin by paying special tribute to my colleague from Illinois (Mr. DAVIS) for his leadership on the issues of mental health in the committee and working to try to get more mental health provisions incorporated into this legislation.

I also want to add a special word about my Fellow in my office, Berre Burch. Our Fellows do enormous work for all of us. They don't get paid for it, but they are very committed and spend long hours. Berre Burch has been instrumental in working on many of these provisions on mental health in this bill, as well as many others.

Mr. Speaker, I know we are in a tight budget year, and often programs are not included in bills such as this because of the expense that they have. But, frankly, Mr. Speaker, I am pleased to see that the mental health needs of our seniors are included in this bill, principally because they do help save us money. Not only do they help save us money in long-term care costs, but they also help save lives as well. Yes, lives.

According to the National Institutes of Health, senior citizens commit suicide at a higher rate than any other age group in our country. Now, understand this. Suicide is already twice the rate of homicide in this country. People don't recognize that. For every murder in this country, two people take their lives.

Now you can see that having senior citizens have the highest suicide rate of all is pretty startling. It runs in the face of our notion of what the golden years of a senior citizen's life should be all about.

We all have been guilty about understanding what it means to be a senior citizen. A lot of us confuse dementia. We say that is part of being old. It doesn't have to be part of what being old is all about. We have proven, effective treatments to intervene with seniors and make sure that the depression

that they may be suffering is something that is treated so that their golden years can actually be golden years, where they can live productive, happy lives.

But what does this country do to our seniors? They put them away. They put them in senior high-rises. They take them away from their families. They don't support them in their communities. They are detached from the social networks in their communities and from the community bonds that keep them uplifted.

Many of them lose their spouse. Many of them lose their independence. They have physical challenges. And all of this leads, very obviously, to anything that we would all acknowledge is depression. Who wouldn't be depressed under these circumstances?

The fact of the matter is, Mr. Speaker, they don't have to remain depressed. They can get treatment. We can intervene and help them out of these very same challenges.

Mr. Speaker, this is an issue that has been looked at over and over and over again. Surgeon General Satcher acknowledges it, the New Freedom Commission on Mental Health by President Bush acknowledges it, the White House Commission on Aging, all of whom say that there are many impediments and obstacles to senior citizens getting the mental health care that they need, none the least of which is stigma and stereotype.

In my generation, mental health is no longer the stigma that it used to be. But for many senior citizens, when they hear mental health, they think that it is something wrong with them. They think it is something morally wrong with them.

We need to tell senior citizens this is part of your health care. The brain is part of your body. When the brain has chemical imbalances, we need to treat those.

But, Mr. Speaker, in our country today, even in this great time of prosperity and advancement in science, we still don't acknowledge the brain as part of the body. When it comes to insurance coverage, we don't have parity for mental health or for Medicare parity, which basically means if you have depression or any other mental illness, you are paying a higher copay for your insurance for mental health treatment, you are paying a higher deductible for your health insurance, you are paying a higher premium, because somehow mental health care is treated as if it is cosmetic surgery. It is treated like it is elective surgery. It is not treated as if it is the real physical health challenge that so many millions of Americans face and, tragically, so many senior citizens face on a daily basis.

But it doesn't have to be this way. I appreciate the fact that many portions of my bill called the Positive Aging Act were included in this legislation. But I will continue to fight for mental health parity so that we can give all Americans access to mental health

services, and I will continue to fight for the Positive Aging Act so we get all of the necessary community support systems in place to help treat our seniors with the dignity and the respect that our senior citizens have earned and that we ought to give them.

Mr. TIBERI. Mr. Speaker, I yield 2 minutes to the gentleman from Nevada (Mr. PORTER), a member of our subcommittee who was a great asset to the development of this legislation.

Mr. PORTER. Mr. Speaker, I rise today in strong support for H.R. 5293, the Senior Independence Act of 2006.

This important piece of legislation includes two amendments I authored along with my friend and colleague from Illinois (Mr. DAVIS) regarding elder abuse prevention and "cash and counseling."

Findings from the National Elder Abuse Incidence Study, which was conducted by the National Center for Elder Abuse, suggests that more than 500,000 Americans age 60 and over were victims of domestic abuse in 1996. As shocking and profound as these numbers are, it is possible that they are on the low end as the problem remains greatly hidden, and cases go unreported.

A few of these cases of neglect and abuse have surfaced in the papers. For example, an 82-year-old East St. Louis man with diabetes who spent 2 weeks at a nursing home had to have his left leg amputated because he did not receive proper care.

In another sickening incident, Chicago paramedics found a 94-year-old man lying in bed unattended for so long that the bones had poked through his skin in several places. His daughter, who was supposedly caring for him in her home, was later charged with two counts of criminal abuse.

Educating seniors, professionals, caregivers and the public on abuse is critical to prevention, and this is obviously a position that warrants the attention of this Congress.

My amendment authorizes the Assistant Secretary on Aging at the Department of Health and Human Services to develop objectives, priorities, policy and a long-term plan for carrying out and coordinating elder justice activities.

In addition, this amendment will help States and local entities coordinate their fragmented activities, and I believe it will ultimately improve elder justice efforts across our great country.

I would like to thank my colleague from Illinois (Mr. DAVIS) for taking the lead on the cash and counseling amendment. This amendment will support consumer-driven models of home- and community-based care and help prevent high-risk individuals from spending down their savings to receive Medicaid. It does not create a new program. Instead, it revises language in current law that directs the Administration on Aging to develop policy alternatives for long-term care.

Activities such as cash and counseling programs have the potential to generate significant savings to large taxpayer-funded entitlement programs like Medicare and Medicaid. So I think this amendment makes fiscal sense, and I urge my colleagues to support it.

Once again, I would like to thank Mr. DAVIS from Illinois for his help on these important amendments, and also thank Representative TIBERI for his work on the underlying legislation. I urge my colleagues to support H.R. 5293.

□ 1145

Mr. HINOJOSA. Mr. Speaker, I am pleased to be able to give 3 minutes to a hardworking and a valued member of the Education and Workforce Committee and also a member of the Government Reform Committee, Congressman KUCINICH from Cleveland, Ohio.

Mr. KUCINICH. Mr. Speaker, I want to thank the gentleman from Texas who serves ably on the Committee. And it is a good demonstration here of bipartisan support, and I certainly want to add to it by supporting the legislation.

I also think that I can speak for many Members in saying how much we appreciate Representative KENNEDY's role in all of this. He has shown himself to be a very valuable Member of this Congress, and his voice is an important voice in this Congress, and we certainly want to do all we can to not only further his leadership, but encourage his participation.

I want to say, though, to Mr. TIBERI, who has done a very good job on this, there is a gaping hole in this legislation, and we need to address it in conference. I intended to offer an amendment that would help provide for administrations on aging and thousands of volunteers nationwide from being squeezed by the rising cost of gasoline. My amendment would have provided a nonbinding formula for calculating annual increases in fuel cost for the three Older American Act programs that are most heavily dependent on transportation. These programs include the in-home nutrition services, the congregate nutrition services, and the supportive services that provide rides to doctors' appointments, trips to the grocery store and to senior centers, among other services.

These programs help seniors maintain their independence, dignity and health. In 2003, the supportive services gave almost 36 million rides and provided 20 million hours of personal care, homemaker and chore services. In that same year, 248 million meals were served. Each meal required transportation.

According to the Energy Information Administration, the price of gas the week ending on Christmas of the year 2000 was \$1.60. The price of gas for the week of May 15, 2006, was \$3.15. In other words, since the Older Americans Act was last authorized, gas prices have doubled.

High gas prices heavily impact programs like meal and transportation services. First, programs have to cut back services for all nonessential trips such as family visits, general shopping, trips to the workplace, and other social activities. Second, volunteer drivers, many of whom are retired and on fixed incomes, are quitting because their mileage reimbursement rates can't be updated by the underfunded Administration on Aging. Finally, as gas prices squeeze seniors living at the financial margin, forcing them to lose their independence, they rely more heavily on services like those provided by the Administration on Aging through the Older Americans Act.

At the same time that prices have gone up, funding has gone down. My amendment would have held harmless from rising gasoline prices the congregate and in-home nutrition services as well as the supportive services by authorizing a yearly adjustment to the fuel component of their budget. If the price of crude oil rises year after year, then the agency's fuel budgets would rise a proportionate amount. If oil prices fall, fuel budgets would fall as well.

Although I strongly support the underlying bill, I want to say that it is important that the House address this in conference. We have to do more to make sure our mothers, fathers, siblings, and grandparents are not losing the services they need to help them lead an independent, dignified, healthy life because of high gas prices. Keep it in mind, so many services are dependent on transportation. If the price of transportation goes up, we don't want senior citizens hurt from this. I ask Mr. TIBERI to do everything he can in conference to help our senior citizens meet this. I thank my fellow colleagues.

Mr. TIBERI. Mr. Speaker, I yield 2 minutes to a contributing member of the Education and Workforce Committee, a veteran member of the committee from Michigan, Mr. EHLERS.

Mr. EHLERS. Mr. Speaker, I rise in strong support of the Senior Independence Act. I commend Congressman TIBERI and Chairman McKEON for their work on this bill. I especially thank Chairman McKEON, Congressman DANNY DAVIS, and their staff members Kate Houston and Jill Hunter-Williams for their work on adding mental health provisions to the bill.

Last winter I had the pleasure of meeting with Suzanne Ogland-Hand, the director of the Center For Senior Care at Pine Rest Christian Mental Health Services, a very large faith-based psychiatric hospital located in my district. Ms. Ogland-Hand had served as my delegate to the White House Conference on Aging, and provided valuable input to both the conference and to me regarding the need for a focus on seniors' mental health at the Administration on Aging.

Throughout my life and career, I have met many people, including sen-

iors, who are affected by mental health problems. Certainly the stigma related to mental health issues for seniors is significant. I know this personally because my mother suffered from mental health problems and was very ashamed of it.

I have observed the devastating impact untreated mental health conditions have on individuals and their family members' lives. This bill makes positive steps towards encouraging awareness and coordination of mental health service for seniors. I urge my colleagues to support this bill and vote in favor of it.

Mr. HINOJOSA. Mr. Speaker, I yield myself such time as I may consume. I would like to make some closing remarks and acknowledge that during this opportunity that I have had in a year and a half to work with Chairman TIBERI, I have learned to appreciate his commitment to helping people, as he said in his opening remarks, and this bill, H.R. 5293, which will amend the Older Americans Act of 1965, to authorize appropriations for fiscal year 2007 through 2011, and for other purposes, is one that makes me feel very proud to be a part of this work that has been accomplished. I am a proud sponsor of this bill, and I urge my colleagues to vote in favor of it.

Mr. Speaker, I yield back the balance of my time.

Mr. TIBERI. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska, another contributing member of the Education and the Workforce Committee, Mr. OSBORNE.

Mr. OSBORNE. Mr. Speaker, as an older American, I rise in strong support of H.R. 5293, the Senior Independence Act, which reauthorizes the Older American Act. And I want to congratulate Chairman TIBERI, who is not an older American, but he is getting there, as well as Chairman McKEON and Ranking Member MILLER and Mr. HINOJOSA.

The Senior Independence Act, as has been pointed out many times, reauthorizes and strengthens the delivery of social services for older Americans. In my State, Nebraska, 13.6 percent of our population are over 65. In most States, the average is between 10 and 15 percent, and this is a very rapidly increasing percentage. So this is an important segment of our population, and I would like to focus in my brief time here on the significance and the possibilities that lie before seniors.

President Bush stated this. He said, "Too often society views retirement as an ending not just of a career, but of an active life. For many, even most, the opposite is true. Today's elderly are the healthiest, most energetic, best-educated generation of seniors in history. They have more free time, and they want to use it. They have the wisdom of years, and they want to share it."

So seniors are a vast untapped resource in our society, and so we think that we need to better harness those

abilities and those talents that they have.

During committee consideration of this legislation, I along with Mr. FORTUÑO offered an amendment to authorize a pilot project within the Administration on Aging called the Silver Scholarship Initiative to encourage and reward older Americans who dedicate at least 600 hours of service each year to their communities by providing them a \$1,000 educational award. This award can be used for themselves or, probably more likely, for grandchildren, members of their family, or just a young person that they want to designate. This would allow us to harness those volunteer hours and make this more a useful period of their lives.

So while this provision was not added to the bill, I strongly believe in this idea, and I hope that Congress will keep looking for ways to encourage all Americans, especially seniors, to contribute to their communities in the form of this service.

Thank you, and I want to encourage passage of this bill.

Mr. TIBERI. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Mr. Speaker, I would like to thank the chairman for his hard work in building a coalition to put this bill together, and particularly I rise in strong support of the provisions reauthorizing the vital senior nutrition programs. This legislation, like the Stop Senior Hunger Act that I introduced last year, recognizes how important these programs are and how much they help the elderly, the homebound, the disabled, and the frail across America. The senior nutrition programs and these services play a vital role in helping older Americans lead active, independent, healthy lives and avoid unnecessary institutionalization.

The Older Americans Act nutrition programs serve about 250 million congregate and in-home meals to about 6.6 million older adults annually. I have been on some of the deliveries with the volunteers to the Meals on Wheels program. I have had an opportunity to look into the faces of the seniors who are receiving these programs. Very often it is the only contact of the day. It is an extremely cost-effective program, but, more importantly, it is a program that genuinely helps seniors. These meals support quality of life, promote independence, reduce health care costs, decrease nursing home admissions, and help those with long-term illnesses and those who may just need a little short-term assistance after the hospital stay during the time of need. In the words of the Meals on Wheels Association of America, the oldest and largest organization representing senior meal programs, these programs are needed so no senior goes hungry.

Mr. TIBERI. Mr. Speaker, it has been an honor and a privilege to be the sponsor of this legislation, to work with Chairman McKEON, before him Chairman BOEHNER, the ranking member of

the subcommittee, Mr. HINOJOSA, the field hearings that we had, the wonderful staff, the bipartisan vote out of committee. I urge all my colleagues to vote "aye" on this great piece of legislation for our aging seniors across our country.

Mr. WU. Mr. Speaker, I rise in strong support of the Senior Independence Act of 2006.

The Older Americans Act was enacted in 1965 to establish the Administration on Aging to institute and support Federal nutritional and social programs for this Nation's seniors, and since then, millions of this Nation's elderly have benefited from the Act's many programs.

This Act is more important to the country today than ever before. More than 49 million people in the United States are over the age of 60, making it the fastest growing age group in the country. By 2050, that number will reach nearly 90 million and will count as almost a quarter of our population.

With this rapid demographic increase, it is essential that we ensure the establishment of effective Federal efforts to aid America's elderly. There are more seniors who are minorities, more seniors who are trying to go back to work; more seniors who are living longer; and more seniors living in urban areas. Specifically, the Senior Independence Act will promote home- and community-based supports to help older individuals avoid institutional care, strengthen health and nutrition programs, improve educational and volunteer services, increase Federal, State, and local coordination, and safeguard employment-based training for older Americans.

This Act was conceived forty years ago in a spirit of bipartisanship to better the lives of those put in less fortunate circumstances. I would like to commend Chairman MCKEON and Ranking Member MILLER today on their spirit of bipartisanship during this reauthorization.

I am especially thankful to the Chairman and his committee staff for working with me to include my amendments that would recognize the growing number of older Americans who are living in urban areas and would encourage life-long learning.

The number of Americans aging in urban areas is growing and its diversity is increasing. Between 1999 and 2030, the urban minority population of 65 and older is projected to increase by 217 percent, as compared with the projected 81 percent increase among the white population. My amendment, which has been included in the bill, will assist urban seniors by providing grants to discover how older Americans can age successfully in urban areas.

The bill also adds my amendment to promote and disseminate information about life-long learning programs. Researchers and clinicians are increasingly interested in the concept of successful aging, and they are finding that a person who engages in a healthy lifestyle including continuing education, thinking and maintaining social contacts are part of successful.

Together, these amendments will improve the lives of older Americans by helping to address the unique needs of those living in urban areas and also to help promote the benefits of taking part in life-long learning programs.

In closing, I would also like to pause and remember the life and work of Dr. Elizabeth

Kutza. Dr. Elizabeth Kutza was the Professor of Community Health and former Director of the Institute on Aging at Portland State University. Dr. Kutza died on Friday, June 9, 2006, after a seven-year battle with breast cancer. Dr. Kutza and her family are in my thoughts and prayers.

Again, I would like to thank Chairman MCKEON and Ranking Member MILLER for their outstanding writing of this bill and for making sure that the Older Americans Act can continue to provide for the growing number of seniors in our country today.

Mr. HOLT. Mr. Speaker, I rise in support of providing the social and nutritional support that older Americans need, and in support of the Seniors Independence Act of 2006.

Since originally enacted in 1965, the Older Americans Act has been an important vehicle by which senior citizens in need have received nutritional support, community service employment, pension counseling services, protections against neglect and abuse, and many other services.

Nutrition services through Title III of the Older Americans Act, such as the "Meals on Wheels" program, are essential in helping senior citizens who cannot prepare their own food to still have access to convenient and nutritious meals. The program serves those most in need, such as the aged, the less affluent, those who live alone, and members of minority groups.

I was pleased that I was able to amend the Seniors Independence Act during markup to stop the Department of Labor from using an unfair calculation of income to determine eligibility for Title V seniors community service employment programs (SCSEP). In January 2005, the Department of Labor issued a "Training and Employment Guidance Letter" that unilaterally changed the eligibility criteria for Title V. Instead of discounting certain forms of income like veterans' compensation, Social Security Disability Insurance, unemployment compensation, and a portion of traditional Social Security benefits, the new regulation mandated inclusion of that income, thus making fewer seniors eligible for vital services.

It would be inconsistent to state that the program targets persons with greatest economic need and persons who are disabled, and then use their Social Security income or disability benefits to exclude them from participation. It would also be a mistake to hold someone's service in the Armed Forces against them in determining their eligibility for employment assistance. The amendment that I offered in the Education and the Workforce Committee restores the eligibility criteria to the pre-2005 levels, and it was unanimously agreed to. I thank Chairman MCKEON and the rest of the committee for their help and cooperation on this issue.

Mr. Speaker, the Seniors Independence Act of 2006 reauthorizes vital services for some of the most vulnerable Americans, and those in greatest need. I rise in support of H.R. 5293, and I urge its passage by this body.

Mr. TIBERI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCKEON) that the House suspend the rules and pass the bill, H.R. 5293, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECOGNIZING THE FOOD AND DRUG ADMINISTRATION

Mr. DEAL of Georgia. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 426) recognizing the Food and Drug Administration of the Department of Health and Human Services on the occasion of the 100th anniversary of the passage of the Food and Drugs Act for the important service it provides the Nation, as amended.

The Clerk read as follows:

H. CON. RES. 426

Whereas the Food and Drugs Act of June 30, 1906 (34 Stat. 768; chapter 3915), transformed the Food and Drug Administration ("FDA") into a scientific regulatory agency;

Whereas the FDA is the oldest consumer protection agency in the United States;

Whereas the FDA is the primary consumer protection agency in the United States and the world;

Whereas FDA has the critical mission of protecting the public health by ensuring that—

(1) foods are safe, wholesome, sanitary, and properly labeled;

(2) human and veterinary drugs are safe and effective;

(3) devices intended for human use are safe and effective;

(4) cosmetics are properly labeled; and

(5) consumers are protected from electronic product radiation;

Whereas FDA is also responsible for advancing the public health by helping to speed innovations which improve peoples' lives;

Whereas, in protecting and promoting the health of citizens of the United States, the FDA has been a pioneer and leader in the field of food and drug science;

Whereas people around the world enjoy a higher quality of life due, in part, to the work of the FDA to expand food safety, medical product safety, and regulatory science; and

Whereas the centennial anniversary of the passage of the 1906 Food and Drugs Act occurs on June 30, 2006, marks the 100th anniversary of the Agency's founding, and is a major milestone in FDA's celebrated history: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring). That the Congress recognizes the Food and Drug Administration of the Department of Health and Human Services and its employees for—

(1) 100 years of service in working to ensure the safety of our food and the safety and efficacy of our medical products;

(2) providing leadership to the world in the regulatory sciences; and

(3) their hard work and extraordinary dedication to the protection and promotion of our Nation's public health.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. DEAL) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.