104TH CONGRESS
1ST SESSION

S. 1447

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

IN THE SENATE OF THE UNITED STATES

DECEMBER 5, 1995

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

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE; REFERENCES IN ACT; TABLE OF CONTENTS.

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

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

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

Sec. 1. Short title; references in Act.

TITLE I—PERFORMANCE PARTNERSHIPS

Sec. 101. Responsibilities of Assistant Secretary.
Sec. 102. Funding of performance partnership administrative costs and incentive awards.
Sec. 103. Responsibilities of States.
Sec. 104. Area plans: reorganization, streamlining, and incorporation of performance partnerships.
Sec. 105. State plans; reorganization, streamlining, and incorporation of performance partnerships.
Sec. 106. Effective date.

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

PART A—ADMINISTRATION ON AGING

Sec. 201. National Eldercare Locator Service.

PART B—STATE AND COMMUNITY PROGRAMS ON AGING

Sec. 211. Clarification concerning services to non-elderly.
Sec. 212. Coordination of services for individuals with disabilities under area plans.
Sec. 213. Eligibility of older indians for services under area plans.
Sec. 214. State option for cost sharing.
Sec. 215. State option concerning consumer-directed services.
Sec. 216. Transfer of funds between programs.
Sec. 217. Disaster relief.
Sec. 218. Nutrition services incentive program.
Sec. 219. Waivers of certain requirements for State programs.
Sec. 220. Consolidation of authorities for supportive services and senior centers.
Sec. 221. Consolidation of authorities for nutrition services.
Sec. 222. Authorization of appropriations.

PART C—RESEARCH, DEVELOPMENT, AND DEMONSTRATIONS

Sec. 231. Revision of title IV.

PART D—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

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

PART E—GRANTS FOR NATIVE AMERICANS

Sec. 251. Authorization of appropriations.

PART F—VULNERABLE ELDER RIGHTS PROTECTION

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

PART G—TECHNICAL AMENDMENTS

Sec. 271. Definitions.

PART H—EFFECTIVE DATE

Sec. 281. Effective date.

TITLE III—WHITE HOUSE CONFERENCE ON AGING

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

1 TITLE I—PERFORMANCE PARTNERSHIPS

2 SEC. 101. RESPONSIBILITIES OF ASSISTANT SECRETARY.

3 (a) FUNCTIONS OF ASSISTANT SECRETARY.—Section

4 202(a)(3) is amended by inserting before the semicolon

5 “, and to negotiate performance partnership agreements

6 with the States under titles III and VII”.
(b) Performance Partnerships.—Title II is amended by inserting after section 202 the following new section:

“Performance Partnerships

“Sec. 202A. (a) In general.—The Assistant Secretary shall negotiate performance partnership agreements with States in accordance with the provisions of this section.

“(b) Performance Objectives and Measures.—

“(1) Designation of objectives.—The Assistant Secretary, in consultation (as appropriate) with the States, local governments, tribal organizations, and other entities, shall specify, by the end of September 1996 (and from time to time revise, as needed), with respect to the goals specified in sections 305A and 704A—

“(A) a list of performance partnership objectives to accomplish the goals of each such section, and

“(B) a core set for each such section of objectives that address needs of older Americans national significance.

“(2) Elements of performance partnership objectives.—Each performance partnership objective specified under paragraph (1) shall include—
“(A) a performance indicator;
“(B) the specific population being addressed;
“(C) a quantifiable performance target; and
“(D) a date by which the target level is to be achieved.

“(3) General Criteria for Designation of Objectives.—In specifying the performance partnership objectives, the Assistant Secretary shall be guided by the following principles:

“(A) objectives should be closely related to the goals of the section concerned, and be viewed as important by and understandable to State policymakers and the general public;
“(B) actions taken under the partnership agreement should be expected to have an impact on the objective;
“(C) measurable progress in achieving the objective should be expected over the period of the grant;
“(D) objectives should be results-oriented, including a suitable mix of outcome, process and capacity measures, and, if an objective measures process or capacity, it should be de-
monstrably linked to the achievement of a specified outcome for older Americans; and

“(E) data to track the objective shall, to the extent practicable, be comparable for all States, meet reasonable statistical standards for quality, and be available in a timely fashion, at appropriate periodicity, and at reasonable cost, and, with respect to core objectives, shall include as appropriate the data specified in section 202(a)(19), collected in accordance with the uniform procedures established pursuant to section 202(a)(29).

“(c) State Performance Partnership Proposal.—

“(1) In general.—In order to meet the requirements of this subsection, a performance partnership proposal submitted to the Assistant Secretary by a State agency under title III or VII shall contain—

“(A) a list of one or more objectives (derived from the performance partnership objectives specified under subsection (b)) toward which the State will work and a performance target for each objective which the applicant will seek to achieve by the end of the partner-
ship period (which shall be coterminous by the
period covered by the State plan under section
307);

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

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

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

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

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

“(2) Elements of State proposals relating to special populations.—Each State proposal for a performance partnership under title III or VII shall, as appropriate, include objectives—

“(A) designed, in consultation with tribal governments (or their representatives) to address the needs of older Indians or Native Hawaiians within the State and to ensure that an appropriate and equitable share of State funding under such title is used to meet such needs; and

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

“(d) Negotiations and Adjustment.—

“(1) Initial negotiations.—In the negotiations concerning a proposed performance partnership agreement submitted under this section, the Assistant Secretary shall—

“(A) consider the extent to which the State’s proposed objectives, performance targets, timeframes, and strategies are likely to
address appropriately the most significant needs of older Americans (as measured by applicable indicators) within the State, including the needs of vulnerable populations, and

“(B) give particular consideration to the State’s proposed performance partnership in addressing progress toward the core set of performance partnership objectives.

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

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

“(1) ASSESSMENTS.—The Assistant Secretary shall assess annually with respect to performance partnerships under each of titles III and VII, on the basis of the report submitted by a State under subsection (e)(1)(E)—
“(A) the progress achieved nationally toward each of the objectives in the core set of performance partnership objectives; and

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

The Assistant Secretary shall make assessments publicly available.

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

“(f) INCENTIVE AWARDS FOR EFFECTIVE PERFORMANCE.—From amounts reserved under section 304(a), the Assistant Secretary may make an incentive award to any State determined, on the basis of assessments or on-site reviews under subsection (e) or other investigation, to have performed effectively under a performance partnership agreement under title III or VII and to have made significant progress toward meeting core national objectives. Incentive awards made to States shall be available only for use in furnishing additional services under the State’s agreement under such title.”.
(c) Definitions.—Section 102 is amended by adding at the end the following new paragraph:

“(45)(A) The term ‘performance indicator’ means a quantifiable characteristic used as a measurement.

“(B) The term ‘performance target’ means a numerical value sought to be achieved within a specified period of time.”.

SEC. 102. FUNDING OF PERFORMANCE PARTNERSHIP ADMINISTRATIVE COSTS AND INCENTIVE AWARDS.

(a) State Administrative Costs Related to Performance Partnerships.—Section 308 is amended by adding at the end the following new subsection:

“(d) In addition to amounts otherwise available under this section, each State may use, for costs relating to the administration of performance partnerships under this title and title VII, including costs of developing, negotiating, administering, monitoring, evaluating, and reporting on performance under, such partnerships, such additional amounts from the allotment to the State under section 304 (not to exceed 2 percent of such allotment) as the Assistant Secretary may permit.”.

(b) Set-Aside for Incentive Awards.—

(1) In general.—Section 304 is amended—
(A) by redesignating subsections (a) through (e) as subsections (b) through (f); and

(B) by inserting after “Sec. 304.” The following new subsection:

“(a) Reservation of Funds for Performance Partnership Incentive Awards.—From each of the sums appropriated under section 303 for each fiscal year, the Assistant Secretary may reserve up to 10 percent for performance incentive awards to States in accordance with section 205(f).”.

(2) Conforming Amendment.—Section 304(b), as redesignated by subsection (a), is amended by striking “from the sums appropriated” and inserting “from the amounts remaining, after application of subsection (a), from the sums appropriated”.

SEC. 103. RESPONSIBILITIES OF STATES.

(a) Under Basic State Grants Program.—Title III is amended by inserting after section 305 the following new section:

“PERFORMANCE PARTNERSHIPS

“Sec. 304A. (a) Goals.—The goals of this section are for the States and the Federal Government, working together in a partnership, to accomplish the purposes specified in section 301(a).

“(b) Performance Partnership as Element of State Plan.—In order to be eligible to receive a grant
from its allotment under this title, except as provided in
section 309(a), a State shall propose to and negotiate with
the Assistant Secretary a performance partnership agree-
ment in accordance with the provisions of this section and
section 202A, and shall include such agreement as part
of the State plan under section 307.

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

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

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

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

“Sec. 704A. (a) Goals.—The goals of this section are for the States and the Federal Government, working together in a partnership, to protect the rights of vulnerable older individuals and to prevent elder abuse, neglect, and exploitation.

“(b) State Performance Partnership as Element of State Plan.—In order to be eligible to receive a grant from its allotment under this title, a State shall propose to and negotiate with the Assistant Secretary a performance partnership agreement in accordance with the provisions of this section and section 202A, and shall include such agreement as part of the State plan under section 307.

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

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

“(B) evaluating and reporting on the State’s performance under the final agreement negotiated with the Assistant Secretary under this title.”
(d) State Plan Requirement.—Section 307(a) is amended in the first sentence by striking “which meets such criteria” and inserting “which includes the performance partnership agreements under this title and title VII negotiated with the Assistant Secretary under sections 202A, 305A, and 704A, and meets such other criteria”.

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

(a) Area Plan Requirements.—Section 306(a) is amended—

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

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

“(1) Services Provided.—The plan shall provide for the furnishing, through a comprehensive and coordinated system, of services the need for which has been determined pursuant to paragraph (3), and which are designed to meet the performance objectives specified under paragraph (4), including—

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

“(B) nutrition services; and
“(C) where appropriate, the establishment, maintenance, or construction of multipurpose senior centers.”;

(3) in paragraph (2)—

(A) by inserting “PRIORITY SERVICES.—

The plan shall” after “(2)”;  

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

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

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

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

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

“(3) DETERMINATION OF NEEDS.—The plan shall provide for determining the extent of need for the services specified in paragraphs (1) and (2) in the area taking into consideration, among other things—
“(A) the numbers of older individuals residing in such area—

“(i) who have low incomes,

“(ii) who have greatest economic need
(with particular attention to individuals who are members of historically disadvantaged groups),

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

“(iv) who are Indians; and

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

“(4) PERFORMANCE PARTNERSHIP OBJECTIVES.—The plan shall identify area objectives, for purposes of the performance partnership required under sections 305A and 704A, on the basis of the determinations under paragraph (3) (and including objectives required under paragraph (5)), and shall be amended as necessary to incorporate, as appropriate, the objectives specified in the agreements negotiated by the State agency under such sections 305A and 704A.”;
(6) in paragraph (5)—

(A) by inserting “OBJECTIVES FOR SERVICES TO OLDER INDIVIDUALS WITH GREATEST NEED.—The plan shall” after “(5)”; and

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

(7) in paragraph (6)—

(A) by inserting “POLICY DEVELOPMENT.—The plan shall—” after “(6)”;

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

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

(D) by relocating and redesignating subparagraph (F) as subparagraph (B);

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

(F) by striking subparagraphs (E) (arrangements with specified organizations), (G) (methods for determining priority services), (H) (coordination among programs), (J) (identification of protective services providers), (L) (coordination of services for Alzheimer’s patients), (M) (coordination of mental health services),
(O) (information on higher education), (Q) (co-
ordination with housing providers), (R) (tele-
phone listings of area agencies), and (S) (co-
ordination of transportation services);

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

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

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

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

“(B) involvement of long-term care provid-
ers in the coordination of such services; and
“(C) increasing community awareness of and involvement in addressing the needs of residents of long-care facilities.”;

(10) by relocating and redesignating paragraph (20) as paragraph (8), and amending such paragraph by inserting “PROVISION OF CASE MANAGEMENT SERVICES.—The plan shall” after “(8)”; 

(11) by redesignating paragraph (11) as paragraph (9), and amending such paragraph— 

(A) by inserting “MAINTENANCE OF EFFORT FOR OMBUDSMAN PROGRAM.—The plan shall” after “(9)”;

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

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

(12) by redesignating and relocating paragraph (6)(P) as paragraph (10), and amending such paragraph—

(A) by inserting “GRIEVANCE PROCEDURE.—The plan shall” after “(10)” and 

(B) by striking the semicolon and inserting a period;
(13) by striking paragraphs (6)(N), (18), and (19), and inserting after paragraph (10) the following paragraph:

“(11) SERVICES TO NATIVE AMERICANS.—The plan shall provide the following assurances containing services to older Native Americans:

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

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

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

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

(16) by redesignating paragraph (17) as paragraph (12) and amending such paragraph—

(A) by inserting “SPECIAL MENUS IN NUTRITION PROGRAMS.—” after “(12)”;}
(B) by striking “section 307(a)(13)(G)” and inserting “section 307(a)(10)(D)”; and

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

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

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

(2) by striking “(1)” after “(b)”.

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

(a) State Plan Requirements.—Section 307(a) is amended—

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

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

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

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

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

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

"(B) be based on such area plans; and

"(C) include the performance partnership
agreements negotiated by the State agency with
the Assistant Secretary under such sections
305A and 704A."

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

ows:

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

"(A) evaluate, using uniform procedures
under section 202(a)(29) the need for support-
ive services (including legal assistance, informa-
tion and assistance, and transportation services), nutrition services, and multipurpose senior centers within the State;

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

“(C) specify a minimum percentage of the funds received by each area agency for part B to be expended (unless waived by the State agency under section 306(b)) by such area agency to provide each of the categories of services specified in section 306(a)(2).”;

(3) by striking paragraphs (3)(B) (maintaining rural funding), (29) and (37) (rural services and costs thereof), and (33) (intra-State funding formula), and adding after paragraph (2) the following new paragraph:

“(3) INTRA-STATE FUNDING REQUIREMENTS.—The plan shall—

“(A) include (and may not be approved unless the Assistant Secretary approves) the statement and demonstration required by paragraphs (2) and (4) of section 305(d) (concerning intra-State distribution of funds); and
“(B) with respect to services to older individuals residing in rural areas—

“(i) provide assurances that the State agency will spend for each fiscal year, under this title and titles V and VII, not less than 105 percent of the amount so expended for fiscal year 1978;

“(ii) identify, for each fiscal year under the plan, the projected costs of providing such services (including the cost of providing access to such services); and

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

(4) by striking paragraph (4) (methods of administration, personnel standards);

(5) by striking paragraph (8) (evaluations and hearings) and inserting after paragraph (3) the following paragraph:

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

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(5) by striking paragraph (43) (grievance procedures) and amending paragraph (5) (hearing for area agencies and providers) to read as follows:

“(5) Hearings for area agencies and providers; grievance procedures.—The plan shall provide that the State agency will—

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

“(B) issue guidelines applicable to grievance procedures required by section 306(a)(1).”;

(6) in paragraph (6), by inserting “Reports.—” after “(6)”;

(7) in paragraph (7)—

(A) by inserting “Fiscal controls.—” after “(7)”; and

(B) by striking subparagraph (C);

(8) by redesignating paragraph (10) as paragraph (8) and amending such paragraph by inserting “Restriction on direct provision of services.—” after “(8)”;}
(9) by striking paragraph (11) (hiring preference for older individuals and individuals trained in field of aging);

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

(i) by inserting “LONG-TERM CARE OMBUDSMAN PROGRAM.—” after “(9)”; and

(ii) by adding before the period “, and will expend for such purpose not less than the total amount so expended by the State agency in fiscal year 1991”; and

(B) by striking paragraph (21);

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

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

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

(C)(i) by inserting “and” at the end of paragraph (K);
(ii) by striking ‘‘; and’’ at the end of sub-
paragraph (L) and inserting a period; and

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

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

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

(i) by inserting ‘‘LEGAL ASSISTANCE.—’’
after ‘‘(11)’’; and

(ii)(I) by striking ‘‘and’’ at the end of sub-
paragraph (D); and

(II) by striking the period at the end of
subparagraph (E) and inserting ‘‘; and’’; and

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

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

(14) by redesignating paragraph (16) as para-
graph (12), and amending such paragraph by insert-
ing ‘‘PREVENTION OF ABUSE.—’’ after ‘‘(12)’’;
(15) by striking paragraph (17) (in-service personnel training);

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

(17) by redesignating paragraph (20) as paragraph (13), and amending such paragraph by inserting "OLDER INDIVIDUALS OF LIMITED ENGLISH-SPEAKING ABILITY.—";

(18) by redesignating paragraph (23) as paragraph (14), and amending such paragraph by inserting "SPECIAL NEEDS POPULATIONS.—" after "(14)";

(19) by redesignating paragraph (24) as paragraph (15), and amending such paragraph by inserting "OUTREACH.—" after "(15)";

(20) by redesignating paragraph (25) as paragraph (16), and amending such paragraph by inserting "OLDER INDIVIDUALS WITH SEVERE DISABILITIES.—" after "(15)";

(21) by redesignating paragraph (26) as paragraph (17), and amending such paragraph—

(A) by inserting "COMMUNITY-BASED SERVICES.—"
(A) LONG-TERM CARE SERVICES.—” after
“(26)”; and
(B) by striking “section 306(a)(6)(I)” and
inserting “section 306(a)(6)(D)”;
(22) by relocating and redesignating paragraph
(44) as paragraph (17)(B);
(23) by striking paragraph (27) (assurances
concerning part D in-home services program);
(24) by striking paragraph (28) (assurances
concerning part E special needs program);
(25) by redesignating paragraph (30) as para-
graph (18), and amending such paragraph by insert-
ing “TITLE VII PROGRAM.—” after “(18)”;
(26) by striking paragraph (31) (State volun-
teer services coordinator);
(27) by redesignating paragraph (32) as para-
graph (19), and amending such paragraph by insert-
ing “TECHNICAL ASSISTANCE TO PROVIDERS.—”
after “(19)”;
(28)(A) by redesignating paragraph (34) as
paragraph (20), and amending such paragraph by
inserting “OLDER NATIVE AMERICANS.—(A)” after
“(34)”; and
(B) by redesignating subparagraphs (A) and
(B) of paragraph (35) as clauses (i) and (ii), and re-
designating and relocating such paragraph (35) as subparagraph (B) of paragraph (20);

(29) by redesignating paragraph (36) as paragraph (21), and amending such paragraph by inserting "CASE MANAGEMENT PROVIDERS.—" after "(21)";

(30) by striking paragraphs (38) and (39) (assurances concerning use of funds);

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

(32) by striking paragraph (41) (efforts to coordinate services and provide multigenerational activities); and

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

SEC. 106. EFFECTIVE DATE.

The amendments made by this title shall become effective with respect to a State on the effective date of the first State plan under section 307 of the Older Americans Act of 1965 that takes effect one year or later after the enactment of this Act.
TITLE II—OTHER AMENDMENTS TO THE
OLDER AMERICANS ACT OF 1965

PART A—ADMINISTRATION ON AGING

SEC. 201. NATIONAL ELDERCARE LOCATOR SERVICE.

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

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

SEC. 202. AUTHORIZATIONS OF APPROPRIATIONS.

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

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

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

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

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

PART B—STATE AND COMMUNITY PROGRAMS ON AGING

SEC. 211. CLARIFICATION CONCERNING SERVICES TO NONELDERLY.

Section 301 is amended by adding at the end of following new subsection:

“(d) Scope of Services; Use of Funds.—

“(1) Restricted use of resources under Act.—Federal funds paid to States under this title, and cash and in-kind contributions required by section 304(e) (as redesignated by section 102 of this Act) as the non-Federal share of expenditures under this title, shall be used only for activities and services to benefit older individuals and other individuals as specifically provided in this title.

“(2) Restriction inapplicable to other resources.—Neither paragraph (1) nor any other
provision of this title shall be construed to prohibit
State or area agencies on aging from engaging in ac-
tivities or providing services to benefit individuals
not described in paragraph (1) using cash or in-kind
resources from sources not described in paragraph
(1).”.

SEC. 212. COORDINATION OF SERVICES FOR INDIVIDUALS
WITH DISABILITIES UNDER AREA PLANS.
Section 306(a) (as amended by section 104 of this
Act) is further amended by inserting after paragraph (3)
the following new paragraph:
“(4) provide assurances that the area agency on
aging will coordinate planning, identification, assess-
ment of needs, and service for older individuals with
disabilities, with particular attention to individuals
with severe disabilities, with agencies that develop or
provide services for individuals with disabilities.”.

SEC. 213. ELIGIBILITY OF OLDER INDIANS FOR SERVICES
UNDER AREA PLANS.
(a) Under Area Plans.—Section 306(a)(18) is
amended by inserting before the semicolon “, including as-
surances that, notwithstanding any provision of this Act
restricting eligibility for services to individuals aged 60 or
older, it will make services under the area plan available,
to the same extent as such services are available to older
individuals within the service area, to older Indians eligible for services under an approved plan under title VI”.

(b) **UNDER GRANTS FOR NATIVE AMERICANS.**—Sections 602, 611, 613, and 614 are each amended by striking “individuals who are” each place it appears.

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

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

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

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

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

“(ii) ombudsman or other protective services; or

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

“(B)(i) exempt from cost-sharing requirements individuals with incomes below a low-income threshold set by the State, and
“(ii) set cost-sharing rates for individuals with incomes above such threshold on a sliding-fee scale based on income.”.

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

(1) by striking the period at the end of paragraph (11) and inserting a semicolon; and

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

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

SEC. 215. STATE OPTION CONCERNING CONSUMER-DIRECTED SERVICES.

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

“(32) the plan shall specify—

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

“(i) to provide services to older individuals through direct contracts with the individuals delivering such services; or
“(ii) to provide vouchers or cash to older individuals to permit such older individuals to contract with individuals or entities for the delivery of such services (and, if so, any requirements for the setting of payment rates or amounts);

“(B) the qualifications and other requirements that must be met by individuals and entities providing services under such arrangements; and

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

SEC. 216. TRANSFER OF FUNDS BETWEEN PROGRAMS.

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

(1) in paragraph (4)—

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

(B) by striking subparagraph (B) (Assistant Secretary’s discretion to permit State to transfer additional amounts between congregate and home-delivered meal programs); and
(2) in paragraph (5) (authority to transfer funds between nutrition and services programs), to read as follows:

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

(b) Waiver Authority.—For the Assistant Secretary’s authority to waive limitations on amounts transferable between programs, see section 219 of this Act, adding a new section 314.

SEC. 217. AVAILABILITY OF DISASTER RELIEF FUNDS TO TRIBAL ORGANIZATIONS.

Section 310 is amended—

(1) in subsection (a)(1)—

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

(B) by inserting “(or used by such tribal organization)” before “for the delivery of supportive services”;

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

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

SEC. 218. NUTRITION SERVICES INCENTIVE PROGRAM.

(a) Establishment of Program.—Section 311, including the heading thereof, is amended to read as follows:

``SEC. 311. (a) Purpose.—The purpose of the program under this section is to provide incentives to encourage and reward effective performance by States and tribal organizations in the efficient delivery of nutritious meals to older Americans.

“(b) Payments to Tribal Organizations.—

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

“(2) Allotment and Payment.—The Assistant Secretary shall allot and pay, to each tribal organization with a plan approved under title VI for a fiscal year, an amount bearing the same ratio to the total amount reserved under paragraph (1) as the number of meals served by such tribal organiz-
tion, under such plan approved for the preceding fiscal year, bears to the total number of meals served by all tribal organizations under all such plans approved for such preceding fiscal year.

“(c) Payments to States.—

(1) Funding.—The Assistant Secretary shall allot among the States for each fiscal year, in accordance with paragraph (2), the balance of amounts appropriated under subsection (d) remaining after application of subsection (b).

“(2) Allotment and Payment.—The Assistant Secretary shall allot and pay, to each State agency with a plan approved under this title for a fiscal year, an amount bearing the same ratio to the total amount reserved under paragraph (1) as the number of meals served in the State, under such plan approved for the preceding fiscal year, bears to the total number of meals served in all States under all such plans approved for such preceding fiscal year.

“(d) Authorization of Appropriations.—For carrying out the purposes of this section, there are authorized to be appropriated $151,250,000 for fiscal year 1996 and such sums as may be necessary for each of fiscal years 1997 and 1998.”.
(b) Elimination of Maintenance of Effort.—

Section 339A is repealed.

SEC 219. WAIVERS OF CERTAIN REQUIREMENTS FOR STATE PROGRAMS.

(a) General Waiver Authority.—Part A of title III is amended by adding at the end the following new section:

``WAIVERS

``SEC. 315. (a) In General.—The Assistant Secretary may waive any of the provisions enumerated in subsection (b) with respect to a State, upon application by the State agency containing or accompanied by documentation sufficient to establish, to the satisfaction of the Assistant Secretary, that—

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

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

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

``(4) the State agency has given adequate consideration to the probable positive and negative consequences of approval of the waiver application, and
the probable benefits for older individuals can rea-
sonably by expected to outweigh any negative con-
sequences, or particular circumstances in the State
otherwise justify the waiver.

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

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

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

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

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

“(5) all or any part of the reduction in allot-
ment required under section 309(e) with respect to
a State which reduces expenditures under its State
plan (but only to the extent that the non-Federal
share of expenditures is not reduced below any mini-
mum specified in section 304(d) or any other provi-
sion of this title.”.

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

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

(2) by striking “(1)” after “(b)”.

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

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

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

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

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

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

(b) **Disease Prevention and Health Promotion.**—Section 321(a)(8) is amended by inserting “disease prevention and health promotion services and information, including” after “(8)”.

(c) **General Authority.**—Section 321(a)(22) is amended by inserting “necessary for the general welfare of older individuals” after “any other services”.

(d) **Relocation of Definitions.**—

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

(2) Section 363 (definition of “disease prevention and health promotion services”) is relocated and redesignated as paragraph (47) of section 102, and is amended by striking “For purposes of this part, the term” and inserting “The term”.

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(e) **Repeal of Superseded Authorities.**—

1. **Substantive Authority.**—Part D (In-Home Services for Frail Older Individuals), part E (Additional Assistance for Special Needs of Older Individuals), part F (Disease Prevention and Health Promotion Services), and part G (Supportive Activities for Caretakers Who Provide In-Home Services to Frail Older Individuals) are repealed.

2. **Authorization of Appropriations.**—(A) Repeals; redesignation.—Section 303 is amended by striking subsections (d), (e), (f), and (g), and by redesignating subsection (h) as subsection (d).

   (B) Conforming Amendment.—Sections 202(a)(24) and 304(b)(2) are each amended by striking "303(h)" and inserting "303(d)".

**SEC. 221. CONSOLIDATION OF AUTHORITIES FOR NUTRITION SERVICES.**

(a) **School-Based Meals as Congregate Nutrition Services.**—

1. Section 331 is amended by inserting "(a) In General.—" after "331."

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

“(b) School-Based Meals and Multigenerational Programs.—The State may include, in programs under this section,”.

(b) Repeal of Superseded Authority.—

(1) Substantive authority.—Part C of title III is amended by striking subpart 3 and redesignating subpart 4 as subpart 3.

(2) Authorization of Appropriations.—

Section 303(b)(3) is repealed.

SEC. 222. AUTHORIZATION OF APPROPRIATIONS.

(a) Supportive Services and Senior Centers.—

Section 303(a)(1) is amended by striking all that precedes “for the purpose” and inserting “There are authorized to be appropriated $306,711,000 for fiscal year 1996 and such sums as may be necessary for each of fiscal years 1997 and 1998,”.

(b) Congregate Nutrition Services.—Section 303(b)(1) is amended by striking all that precedes “for the purpose” and inserting “There are authorized to be appropriated $375,809,000 for fiscal year 1996 and such sums as may be necessary for each of fiscal years 1997 and 1998,”.
(c) HOME-DELIVERED NUTRITION SERVICES.—Section 303(b)(2) is amended by striking all that precedes “for the purpose” and inserting “There are authorized to be appropriated $94,065,000 for fiscal year 1996 and such sums as may be necessary for each of fiscal years 1997 and 1998,”.

PART C—RESEARCH, DEVELOPMENT, AND DEMONSTRATIONS

SEC. 231. REVISION OF TITLE IV.

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

“STATEMENT OF PURPOSE

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

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

“(2) research and policy analysis to improve access to and delivery of services;
“(3) development of methods and practices to improve quality and effectiveness of services;

“(4) demonstration of new approaches to design, delivery and coordination of programs and services;

“(5) technical assistance on planning, development, implementation, evaluation, and improvement of programs and services under this Act; and

“(6) dissemination of information on aging issues, their impact on individuals and society, and programs and services benefiting older individuals.

“(b) Activities Given Special Attention.—The activities supported under this title are intended to fulfill the objectives for older Americans specified in section 101, with special attention to the service and advocacy goals expressed in section 301(a)(1) (A), (B), (C) and (D) and section 601, and to the special population groups identified as vulnerable and at risk throughout the Act.

“Part A—Education and Training

“Purpose

“Sec. 410. The purpose of this part is to improve the quality of service and to help meet critical shortages of adequately trained personnel for programs in the field of aging by activities including—
“(1) identifying workforce training and development needs in the field of aging;

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

“(3) encouraging recruitment, training, and placement of minority trainees in key positions within agencies and organizations of the aging network;

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

“(5) increasing the capacity of aging planning and service organizations to improve the performance of their staff and other providers through training and other developmental activities; and

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

“GRANTS AND CONTRACTS

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

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

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

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

“(b) PROJECTS GIVEN SPECIAL CONSIDERATION.—

To achieve the purposes of this title, the Assistant Sec-
Secretary shall give special consideration to the support of projects that—

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

“(2) increase the capacity of State and area agency and nonprofit service organizations to provide short-term in-service training to staff and volunteers;

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

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

“(5) improve the training and preparation of the workforce (including professionals, paraprofessionals and volunteers) providing home and community services for older individuals with physical and cognitive disabilities and mental health disorders.
“Part B—Research, Development, and Demonstrations

“PURPOSE

“Sec. 420. The purpose of this part is to improve the quality and efficiency of programs serving older individuals through research and development projects, and demonstration projects, designed to—

“(1) conduct research and policy analysis to—

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

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

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

“RESEARCH AND DEVELOPMENT PROJECTS

“Sec. 421. (a) In General.—The Assistant Secretary may make grants to any public or nonprofit private agency, organization, or institution, and may enter into contracts with any agency, organization, institution, or individual for research or policy analysis related to the purposes of this part, including development of practices, assessment instruments, and applications involving—

“(1) use of technology for planning and delivery of services; and
“(2) use of interactive communication systems and assistive devices to maintain or increase the independence of older individuals.

“(b) Consultation and Collaboration With Other Federal Agencies.—The Assistant Secretary may consult with, and may enter into formal agreements with, other Federal agencies supporting aging research and development activities, including agreements involving interagency transfer of funds to support collaborative research activities consistent with the conditions specified in section 451(b).

“DEMONSTRATION PROJECTS

“Sec. 422. (a) In General.—The Assistant Secretary may make grants to any public agency or nonprofit private organization or enter into contracts with any agency or organization to design, test and demonstrate new approaches to planning and delivery of supportive services, nutrition services and other activities to maintain or increase the independence and improve the quality of life of older individuals.

“(b) Projects Given Priority Consideration.—The Assistant Secretary shall give priority consideration to funding the following projects under this section:

“(1) Community services for functionally impaired individuals.—Planning, development, and implementation of new approaches to de-
livery of home and community-based supportive services for older individuals with disabilities limiting their ability to perform activities of daily living, including projects involving coordination and integration of such services with those for nonelderly individuals with similar disabilities, including approaches that—

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

“(B) eliminate access barriers for populations with greatest need;

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

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

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

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

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

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

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

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

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

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

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

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

“(A) in-home health care;
“(B) social and medical adult day care;
“(C) homemaker aides and personal care
attendants;
“(D) transportation to and from commu-
nity health, mental health and social service fa-
cilities;
“(E) respite care, caregiver education,
training, and counseling and other supportive
services for primary caregivers of persons with
Alzheimer’s Disease, physical and developmen-
tal disabilities, or other serious functional im-
pairments; and
“(F) information and referral, outreach,
counseling and other services to increase access
to appropriate medical, nutritional, and sup-
portive services.

“(2) HOUSING SERVICES.—Projects addressing
the special housing needs of older individuals by ac-
tivities including—
“(A) developing programs to enable or assist older homeowners—

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

“(ii) to increase their physical safety through structural modifications or alterations and installation of security devices;

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

“(C) coordinating counseling services with those available to residents of Federal and State assisted housing facilities with high concentrations of older residents;

“(D) developing information, counseling and referral programs for older renters and homeowners on housing options, including eligibility requirements; application processes; financing; and legal rights and responsibilities of tenancy and restricted ownership, including foreclosure and eviction.

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

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

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

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

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

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

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

“(C) provide assisted transportation serv-
ices for frail and disabled older individuals.
“(5) Volunteer opportunities.—Projects developed in conjunction with the Corporation for National and Community Service to develop—

“(A) innovative opportunities for older volunteers to fulfill community needs which are not being met by existing programs (including volunteer programs), including opportunities to provide—

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

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

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

“(6) Health-related services.—Projects to demonstrate effective home and community rehabilitative, health and mental health promotion, and dis-
ease prevention activities for older individuals at risk of losing their ability to live independently.

“(7) CONSUMER PROTECTION.—Projects to develop innovative approaches to consumer protection for older individuals in home and community settings, addressing consumer rights and protections relating to auto, health, life, and other insurance policies; mortgages, leases, and similar property and housing rights; and personal loans and other financial transactions.

“Part C—Centers

“PURPOSE

“Sec. 431. The purpose of this part is to improve the quality of services available to older individuals through multi-function, multi-disciplinary centers and other cross-cutting activities as resources for planners, administrators, policy-makers and providers in the field of aging.

“FUNCTIONS OF GRANTEES AND CONTRACTORS;

ADVISORY BOARDS

“Sec. 432. (a) Functions.—Grantees and contractors under this part shall, as appropriate, perform the following functions:

“(1) Evaluate, analyze, and report on program policies and practices to assess their effectiveness in meeting the needs and improving the quality of life
of older individuals and their families and caregivers.

“(2) Compile, select, and make available research, evaluation and demonstration findings which provide useful guidance in determining the needs of older individuals and improving practices in the field of aging.

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

“(4) Develop technical assistance and training materials and participate in workshops, conferences and events which promote transfer of useful information and practices.

“(5) Sponsor activities which enhance the education and training of a competent workforce in the field of aging.

“(6) Assist other grantees conducting demonstration or pilot projects under the Act by providing documentation, assessment, and other assistance in the planning and implementation of such pilot projects.

“(7) Conduct information dissemination activities in coordination with such activities of the National Aging Information Center.
“(b) ADVISORY BOARDS.—Each center supported by a grant under this part shall establish an advisory board which—

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

“(2) whose members shall include representatives of—

“(A) State and area agencies on aging;

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

“(C) other groups as appropriate.

“GRANTS AND CONTRACTS

“SEC. 433. (a) NATIONAL CENTERS PROVIDING SUPPORT TO ADMINISTRATORS OF GRANT PROGRAMS.—

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

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

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

“(B) Nutrition services, including congregate and home-delivered meals, dietary standards, and related matters.

“(C) Information and referral services.

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

“(E) Legal assistance.

“(3) National Ombudsman and Elder Abuse Centers.—Funds available under this subsection may be used, to the extent the Assistant Secretary finds necessary, to support the activities of the National Ombudsman Resource Center under
section 202(a)(21) and the activities of the National Center on Elder Abuse under section 202(d).

“(b) NATIONAL EDUCATION AND TRAINING CENTERS.—

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

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

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

“(B) a national leadership institute on aging to develop and conduct training activities for executive managers and senior officials of
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government and nonprofit agencies, voluntary

groups, professional associations, and other or-

ganizations responsible for planning, financing,

and providing programs and services for older

dividuals.

“(c) CROSS-CUTTING POLICY CENTERS.—

“(1) IN GENERAL.—In addition to the grants

and contracts authorized under subsections (a) and

(b), the Assistant Secretary may make grants to or

enter into contracts with any public or nonprofit pri-

vate entities, for research, policy analysis, technical

assistance, information dissemination or training ac-

tivities, as appropriate on any area or areas of broad

national interest (including social, economic, health,

mental health, and environmental issues) affecting

older individuals.

“(2) ISSUES ADDRESSED.—Issues that may be

addressed under a grant under this subsection in-

clude—

“(A) broad societal issues addressed in sec-

tion 101, including transportation, housing, em-

ployment, income security, public safety, health,

and mental health; and

“(B) concerns of special population groups

among older individuals, including low income,
older women, rural elderly, minorities, and disabled populations.

“PART D—INFORMATION DISSEMINATION AND RELATED ACTIVITIES

“PURPOSE

“Sec. 441. (a) IN GENERAL.—The purpose of this part is to improve the quality, efficiency, availability, and accessibility of services for older individuals through support of information dissemination and utilization activities which—

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

“(2) synthesize, publish, and disseminate information concerning completed projects under this title which are of demonstrated value, including—

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

“(B) the development of additional materials which increase the awareness and acceptance of such project results;
“(3) locate, publicize, and make available practical self-help information for older individuals and their families and encourage development of appropriate public education activities;

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

“(5) provide technical assistance to grantees under this title and other recipients of support under this Act on the design, development and promotion of products and information materials.

“(b) COORDINATION WITH OTHER INFORMATION SOURCES.—Activities supported under this part will be coordinated with the information dissemination activities of Centers authorized under part C and other Federal information clearinghouses and document repositories.

“GRANTS AND CONTRACTS

“SEC. 442. (a) IN GENERAL.—The Assistant Secretary may make grants to any public agency or nonprofit private organization or enter into contracts with any agency or organization for activities to carry out the purposes of this part, including the following:

“(1) Activities of the National Aging Information Center established under section 202(e).
“(2) Sponsorship and cosponsorship with other Federal agencies and other public and private organizations of national and regional conferences and other meetings which disseminate discretionary project findings and information related to issues and concerns affecting the well-being of older individuals.

“(3) A National Academy on Aging to serve as a forum for policy analysis and debate on current and emerging issues and for informing policy officials and the public about such issues.

“PART E—GENERAL PROVISIONS

“AUTHORIZATION OF APPROPRIATIONS

“Sec. 451. (a) Authorization.—There are authorized to be appropriated to carry out the provisions of this title $44,384,000 for fiscal year 1996, and such sums as necessary for each of fiscal years 1997 and 1998.

“(b) Restrictions.—No funds appropriated under this title—

“(1) may be transferred to any office or other authority of the Federal Government which is not directly responsible to the Assistant Secretary, unless those funds are used for purposes authorized under this title in accordance with conditions speci-
fied by formal interagency agreements with other Federal agencies;

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

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

“PAYMENTS OF GRANTS

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

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

“Sec. 453. (a) Administration on Aging.—In order to carry out the provisions of this title effectively, the Assistant Secretary shall administer this title through the Administration on Aging.

“(b) Assistance From Other Agencies.—In carrying out the provisions of this title, the Assistant Secretary may request the technical assistance and cooperation of other agencies and departments of the Federal Government as may be appropriate.

“(c) Outreach to Applicants.—The Assistant Secretary shall ensure that applications from agencies, organizations, and institutions representing minorities, are encouraged in the writing of grant proposal solicitations and contract requests for proposals.

“(d) Consultation.—The Assistant Secretary shall, in developing priorities, consistent with the requirements of this title, for awarding grants under this title, consult with State agencies on aging, area agencies on aging, recipients of grants under title VI, institutions of higher education, organizations representing beneficiaries of services under this Act, and other organizations and individuals with expertise in aging issues.
“(e) Evaluations and Reports.—The Assistant Secretary shall ensure that grants and contracts awarded under this title—

“(1) conduct evaluation and prepare reports indicating their benefit to older individuals, and to programs under this Act; and

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

“(f) Report to Congress.—The Assistant Secretary shall submit, to the Speaker of the House of Representatives and the President pro tempore of the Senate, a report for each fiscal year that describes activities for which funds were provided under this title including—

“(1) an abstract describing the purpose and activities of each grant or contract awarded or continued;

“(2) the name and address of the organizational recipient;

“(3) the name and affiliation of the project director;

“(4) the period of project performance; and

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

“(g) External Review.—The Assistant Secretary shall establish by regulation and implement an external
review process to evaluate applications for discretionary
grant awards under this title.”.

PART D—COMMUNITY SERVICE EMPLOYMENT
FOR OLDER AMERICANS

SEC. 241. TRANSFER OF AUTHORITY.

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

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

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

(2) INTERAGENCY ARRANGEMENTS.—The Sec-
etaries of Labor and Health and Human Services
shall enter into and implement such arrangements
as they find reasonable and necessary for the orderly
transfer of such program in accordance with this
section.
(3) \textit{Continuation of regulations, grants, contracts, etc.}—All rules, regulations, administrative directives, grants, contracts, and other determinations and agreements in effect under such title \textit{V} on the effective date of this section shall remain in effect until modified, terminated, suspended, set aside, or repealed by the Secretary of Health and Human Services or the Assistant Secretary. References to the Secretary of Labor in such determinations and agreements shall be considered references to the Secretary of Health and Human Services or the Assistant Secretary for Aging, as appropriate.

(4) \textit{Continuation of audits.}—Audits relating to such title \textit{V} pending on the effective date of this section shall be unaffected by the enactment of this section.

(5) \textit{Continuation of suits.}—Judicial proceedings and proceedings before administrative law judges under or with respect to such title \textit{V} pending on the effective date of this section shall be unaffected by the enactment of this section, except that the Secretary of Health and Human Services and the Assistant Secretary for Aging shall be substituted for the Secretary of Labor as parties to such proceedings.
(c) CONFORMING AMENDMENTS.—

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

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

(3) Section 503(a)(1) is amended by striking “the Secretary shall, through the Assistant Secretary for Aging,” and inserting “the Assistant Secretary shall”.

(4) Section 503(a)(2) is amended by striking “The Secretary of Labor and the Assistant Secretary for Aging” and inserting “The Assistant Secretary”.

(5) Section 503(b)(1) is amended—

(A) in the first sentence, by striking “The Secretary” and inserting “The Assistant Secretary and the Secretary of Labor”; and

(B) in the second sentence—

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

(ii) by striking “by the Assistant Secretary for Aging, “.

(6) Section 505(a) is amended—
(A) by striking “The Secretary” and inserting “The Assistant Secretary”; and

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

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

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

SEC. 242. PHASED REDUCTION OF FEDERAL SHARE.

Section 502(c) is amended—

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

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

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

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

“(A) 90 percent for fiscal year 1996,

“(B) 89 percent for fiscal year 1997,
“(C) 87.5 percent for fiscal year 1998,
“(D) 86.5 percent for fiscal year 1999,
and
“(E) 84 percent for fiscal year 2000 and each succeeding fiscal year.”.

SEC. 243. AUTHORIZATION OF APPROPRIATIONS.

Section 508(a) is amended to read as follows:
“(a) There are authorized to be appropriated to carry out this title such sums as may be necessary for each of fiscal years 1996, 1997, and 1998.”.

PART E—GRANTS FOR NATIVE AMERICANS

SEC. 251. AUTHORIZATION OF APPROPRIATIONS.

Section 633(a) is amended by striking all that precedes “to carry out this title” and inserting “There are authorized to be appropriated $18,402,000 for fiscal year 1996, and such sums as may be necessary for each of fiscal years 1997 and 1998”.

PART F—VULNERABLE ELDER RIGHTS PROTECTION

SEC. 261. ASSISTANCE PROGRAM FOR INSURANCE AND PUBLIC BENEFITS.

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

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

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

(2) by striking paragraph (7); and

(3) by redesignating paragraph (8) as para-

graph (7).

SEC. 262. AUTHORIZATION OF APPROPRIATIONS.

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

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

(c) STATE ELDER RIGHTS AND LEGAL ASSISTANCE
DEVELOPMENT PROGRAM.—Section 702(e) is amended by
striking all that follows “chapter 4,” and inserting such
sums as may be necessary for each of fiscal years 1996,
1997, and 1998.”.
(d) OUTREACH, COUNSELING, AND ASSISTANCE PRO-
GRAM.—Section 702(d) is amended by striking all that fol-
 lows “chapter 5,” and inserting $1,976,000 for fiscal year
1996, and such sums as may be necessary for each of fis-
cal years 1997 and 1998.”.
(e) NATIVE AMERICAN PROGRAMS.—Section 751(d)
is amended by striking all that follows “this section,” and
inserting “such sums as may be necessary for each of fis-
cal years 1996, 1997, and 1998.”.
PART G—TECHNICAL AMENDMENTS
SEC. 271. DEFINITIONS.
(a) RELOCATION, REORDERING, AND REDESIGNA-
TION OF DEFINITIONS.—
(1)(A) Paragraphs (1) and (2) of section 302
are relocated and redesignated as paragraphs (48)
and (49) of section 102.
(B) Paragraph (3) of section 302 is repealed.
(2)(A) Section 102(5) is amended by inserting
“(A)” after “(5)”.
(B) Section 102(6) is amended—
(i) by striking “(A)” and “(B)” and insert-
ing “(i)” and “(ii)”; and
(ii) by striking “(6)” and inserting “(B)”.

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

(3)(A) Section 102(8) is amended—

(i) by striking the subparagraph designations “(A)” through “(H)” and inserting clause designations “(i)” through “(viii); and

(ii) by inserting “(A)” after “(8)”.

(B) Section 102(9) is amended—

(i) by striking the subparagraph designations “(A)” and “(B)” and inserting the clause designations “(i)” and “(ii)”; and

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

(4) The paragraphs of section 102 are reordered in alphabetical order by term defined, and renumbered accordingly.

PART H—EFFECTIVE DATE

SEC. 281. EFFECTIVE DATE.

Except as otherwise specifically provided, the amendments made by this title shall become effective October 1, 1995.
TITLE III—WHITE HOUSE CONFERENCE ON AGING

SEC. 301. WHITE HOUSE CONFERENCE AUTHORIZED.

(a) Authority To Call Conference.—Not later than December 31, 2005, the President shall convene the White House Conference on Aging in order to develop recommendations for additional research and action in the field of aging which will further the policy set forth in subsection (b).

(b) Planning and Direction.—The Conference shall be planned and conducted under the direction of the Secretary in cooperation with the Assistant Secretary for Aging and the heads of such other Federal departments and agencies as are appropriate. Such assistance may include the assignment of personnel.

(c) Purpose of the Conference.—The purpose of the Conference shall be—

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

(2) to identify the problems facing older individuals and the commonalities of the problems with problems of younger generations;
(3) to examine the well-being of older individuals, including the impact the well-being of older individuals has on our aging society;

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

(5) to develop recommendations for the coordination of Federal policy with State and local needs and the implementation of such recommendations; and

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

(d) Conference Participants and Delegates.—

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

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

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

(C) representatives of the general public, particularly older individuals.
(2) **SELECTION OF DELEGATES.**—The delegates shall be selected without regard to political affiliation or past partisan activity and shall, to the best of the appointing authority’s ability, be representative of the spectrum of thought in the field of aging. Delegates shall include individuals who are professionals, individuals who are nonprofessional, minority individuals, and individuals from low-income families. A majority of delegates shall be aged 55 or older.

**SEC. 302. CONFERENCE ADMINISTRATION.**

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

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

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

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

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

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

(6) engage such additional personnel as may be
necessary to carry out the provisions of this section
without regard to provisions of title 5, United States
Code, governing appointments in the competitive
service, and without regard to chapter 51 and sub-
chapter III of chapter 53 of such title relating to
classification and General Schedule pay rates.
(b) DUTIES.—The Secretary shall, in carrying out the Secretary’s responsibilities and functions under this section, and as part of the White House Conference on Aging, ensure that—

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

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

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

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

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

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

(5) current and adequate statistical data, including decennial census data, and other information on the well-being of older individuals in the United States are readily available, in advance of the Conference, to the delegates of the Conference, together with such information as may be necessary to evaluate Federal programs and policies relating to aging.

In carrying out this paragraph, the Secretary is authorized to make grants to, and enter into cooperative agreements with, public agencies and nonprofit private organizations.

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

(d) RECORDS.—The Secretary shall maintain records regarding—
(1) the sources, amounts, and uses of gifts accepted under subsection (e); and

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

SEC. 303. POLICY COMMITTEE; RELATED COMMITTEES.

(a) POLICY COMMITTEE.—

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

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

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

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

(B) HOUSE APPOINTEES.—4 members shall be selected by the Speaker of the House of Representatives, after consultation with the
minority leader of the House of Representatives, and shall include members of the Committee on Economic and Educational Opportunities and the Committee on Ways and Means of the House of Representatives. Not more than 3 members selected under this subparagraph may be associated or affiliated with the same political party,

(C) Senate Appointees.—Four members shall be selected by the majority leader of the Senate, after consultation with the minority leader of the Senate, and shall include members of the Committee on Labor and Human Resources and the Special Committee on Aging of the Senate. Not more than 3 members selected under this subparagraph may be associated or affiliated with the same political party.

(D) Joint Appointees.—Four members shall be selected jointly by the Speaker of the House of Representatives and the majority leader of the Senate, after consultation with the minority leaders of the House and Senate, and shall include representatives with experience in the field of aging, who may include representatives described in subsection (a)(1)(A)(ii). Not
more than 2 members selected under this sub-
paragraph may be associated or affiliated with
the same political party.

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

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

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

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

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

(E) formulate and approve the initial re-
port of the Conference in accordance with sec-
tion 304.
(3) QUORUM; COMMITTEE VOTING; CHAIRPERSON.—

(A) QUORUM.—Thirteen members shall constitute a quorum for the purpose of conducting the business of the Policy Committee, except that 17 members shall constitute a quorum for purposes of approving the agenda required by paragraph (2)(B) and the report required by paragraph (2)(E).

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

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

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

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

(d) COMPENSATION.—Appointed members of any such committee (other than any officers or employees of the Federal Government), while attending conferences or meetings of the committee or otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not to exceed the daily prescribed rate for GS–18 under section 5332 of title 5, United States Code (including travel time). While away from their homes or regular places of business, such members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized under section 5708 of such title for persons employed intermittently in Federal Government service.

SEC. 304. REPORT OF THE CONFERENCE.

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

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

(e) Reports.—

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

(2) Publication of initial report; final report.—Not later than 60 days after such initial report is transmitted by the Policy Committee, the Secretary shall publish such initial report in the Federal Register. The Secretary shall republish a final report together with such additional views and recommendations as the Secretary considers to be appropriate.
(d) **Recommendations of the Policy Committee.**—The Policy Committee shall, within 90 days after submission of the views of the chief executive officers of the States, publish and transmit to the President and to the Congress recommendations for the administrative action and the legislation necessary to implement the recommendations contained within the report.

**SEC. 305. DEFINITIONS.**

For the purposes of this title—

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

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

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

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

(5) the term “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.
SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

(a) Authorization.—

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

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

(b) Availability of Funds.—

(1) In general.—Except as provided in paragraph (3), funds appropriated to carry out this title and funds received as gifts under section 303(c) shall remain available for obligation or expenditure until the expiration of the one-year period beginning on the date the Conference adjourns.

(2) Unobligated Funds.—Except as provided in paragraph (3), any such funds neither expended nor obligated before the expiration of the one-year period beginning on the date the Conference adjourns shall be available to carry out the Older Americans Act of 1965.
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