

109TH CONGRESS  
2D SESSION

# H. R. 6197

To amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2007 through 2011, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2006

Mr. TIBERI (for himself, Mr. McKEON, Mr. OSBORNE, Mr. WILSON of South Carolina, Mr. BOUSTANY, Mr. GEORGE MILLER of California, Mr. HINOJOSA, Mr. WU, Mr. HOLT, Mr. DAVIS of Illinois, Mr. SCOTT of Virginia, Mr. RYAN of Ohio, Mr. LOBIONDO, and Mr. MCHUGH) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2007 through 2011, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Older Americans Act Amendments of 2006”.

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

Sec. 1. Short title; table of contents.

## TITLE I—GENERAL PROVISION

Sec. 101. Definitions.

## TITLE II—ADMINISTRATION ON AGING

Sec. 201. Elder abuse prevention and services.

Sec. 202. Functions of the Assistant Secretary.

Sec. 203. Federal agency consultation.

Sec. 204. Administration.

Sec. 205. Evaluation.

Sec. 206. Reports.

Sec. 207. Contracting and grant authority; private pay relationships; appropriate use of funds.

Sec. 208. Nutrition education.

Sec. 209. Pension counseling and information programs.

Sec. 210. Authorization of appropriations.

## TITLE III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING

Sec. 301. Purpose; administration.

Sec. 302. Definitions.

Sec. 303. Authorization of appropriations; uses of funds.

Sec. 304. Allotments.

Sec. 305. Organization.

Sec. 306. Area plans.

Sec. 307. State plans.

Sec. 308. Payments.

Sec. 309. Nutrition services incentive program.

Sec. 310. Consumer contributions.

Sec. 311. Supportive services and senior centers.

Sec. 312. Nutrition service.

Sec. 313. Congregate nutrition program.

Sec. 314. Home delivered nutrition services.

Sec. 315. Criteria.

Sec. 316. Nutrition.

Sec. 317. Study of nutrition projects.

Sec. 318. Sense of Congress recognizing the contribution of nutrition to the health of older adults.

Sec. 319. Improving indoor air quality in buildings where older individuals congregate.

Sec. 320. Caregiver support program definitions.

Sec. 321. Caregiver support program.

Sec. 322. National innovation.

## TITLE IV—ACTIVITIES FOR HEALTH, INDEPENDENCE, AND LONGEVITY

Sec. 401. Title.

Sec. 402. Grant programs.

Sec. 403. Career preparation for the field of aging.

Sec. 404. Health care service demonstration projects in rural areas.

Sec. 405. Technical assistance and innovation to improve transportation for older individuals.

Sec. 406. Demonstration, support, and research projects for multigenerational activities and civic engagement activities.

- Sec. 407. Native American programs.
- Sec. 408. Multidisciplinary centers and multidisciplinary systems.
- Sec. 409. Community innovations for aging in place.
- Sec. 410. Responsibilities of Assistant Secretary.

#### TITLE V—OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT PROGRAM

- Sec. 501. Community Service Senior Opportunities Act.
- Sec. 502. Effective date.

#### TITLE VI—NATIVE AMERICANS

- Sec. 601. Clarification of maintenance requirement.
- Sec. 602. Native Americans caregiver support program.

#### TITLE VII—ALLOTMENTS FOR VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES

- Sec. 701. Vulnerable elder rights protection activities.
- Sec. 702. Elder abuse, neglect, and exploitation.
- Sec. 703. Native American organization provisions.
- Sec. 704. Elder justice programs.
- Sec. 705. Rule of construction.

#### TITLE VIII—FEDERAL YOUTH DEVELOPMENT COUNCIL

- Sec. 801. Short title.
- Sec. 802. Establishment and membership.
- Sec. 803. Duties of the Council.
- Sec. 804. Coordination with existing interagency coordination entities.
- Sec. 805. Assistance of staff.
- Sec. 806. Powers of the Council.
- Sec. 807. Report.
- Sec. 808. Termination.
- Sec. 809. Authorization of appropriations.

#### TITLE IX—CONFORMING AMENDMENTS

- Sec. 901. Conforming amendments to other Acts.

## 1 **TITLE I—GENERAL PROVISION**

### 2 **SEC. 101. DEFINITIONS.**

3 (a) IN GENERAL.—Section 102 of the Older Ameri-  
4 cans Act of 1965 (42 U.S.C. 3002) is amended—

5 (1) by striking paragraph (10) and inserting  
6 the following:

7 “(10)(A) The term ‘assistive device’ includes an  
8 assistive technology device.

1           “(B) The terms ‘assistive technology’, ‘assistive  
2           technology device’, and ‘assistive technology service’  
3           have the meanings given such terms in section 3 of  
4           the Assistive Technology Act of 1998 (29 U.S.C.  
5           3002).”;

6           (2) by striking paragraph (12)(D) and inserting  
7           the following:

8                   “(D) evidence-based health promotion pro-  
9                   grams, including programs related to the pre-  
10                   vention and mitigation of the effects of chronic  
11                   disease (including osteoporosis, hypertension,  
12                   obesity, diabetes, and cardiovascular disease),  
13                   alcohol and substance abuse reduction, smoking  
14                   cessation, weight loss and control, stress man-  
15                   agement, falls prevention, physical activity, and  
16                   improved nutrition;”;

17           (3) by striking paragraph (24) and inserting  
18           the following:

19                   “(24)(A) The term ‘exploitation’ means the  
20                   fraudulent or otherwise illegal, unauthorized, or im-  
21                   proper act or process of an individual, including a  
22                   caregiver or fiduciary, that uses the resources of an  
23                   older individual for monetary or personal benefit,  
24                   profit, or gain, or that results in depriving an older

1 individual of rightful access to, or use of, benefits,  
2 resources, belongings, or assets.

3 “(B) In subparagraph (A), the term ‘caregiver’  
4 means an individual who has the responsibility for  
5 the care of an older individual, either voluntarily, by  
6 contract, by receipt of payment for care, or as a re-  
7 sult of the operation of law and means a family  
8 member or other individual who provides (on behalf  
9 of such individual or of a public or private agency,  
10 organization, or institution) compensated or uncom-  
11 pensated care to an older individual.”;

12 (4) in paragraph (29)(E)—

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

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

17 (C) by adding at the end the following:

18 “(iii) older individuals at risk for in-  
19 stitutional placement.”;

20 (5) in paragraph (32)(D), by inserting “, in-  
21 cluding an assisted living facility,” after “home”;

22 (6) by striking paragraph (34) and inserting  
23 the following:

24 “(34) The term ‘neglect’ means—

1           “(A) the failure of a caregiver (as defined  
2           in paragraph (18)(B)) or fiduciary to provide  
3           the goods or services that are necessary to  
4           maintain the health or safety of an older indi-  
5           vidual; or

6           “(B) self-neglect.”; and

7           (7) by adding at the end the following:

8           “(44) The term ‘Aging and Disability Resource  
9           Center’ means an entity established by a State as  
10          part of the State system of long-term care, to pro-  
11          vide a coordinated system for providing—

12           “(A) comprehensive information on the full  
13           range of available public and private long-term  
14           care programs, options, service providers, and  
15           resources within a community, including infor-  
16           mation on the availability of integrated long-  
17           term care;

18           “(B) personal counseling to assist individ-  
19           uals in assessing their existing or anticipated  
20           long-term care needs, and developing and imple-  
21           menting a plan for long-term care designed to  
22           meet their specific needs and circumstances;  
23           and

24           “(C) consumers access to the range of pub-  
25           licly-supported long-term care programs for

1           which consumers may be eligible, by serving as  
2           a convenient point of entry for such programs.

3           “(45) The term ‘at risk for institutional place-  
4           ment’ means, with respect to an older individual,  
5           that such individual is unable to perform at least 2  
6           activities of daily living without substantial assist-  
7           ance (including verbal reminding, physical cuing, or  
8           supervision) and is determined by the State involved  
9           to be in need of placement in a long-term care facil-  
10          ity.

11          “(46) The term ‘civic engagement’ means an in-  
12          dividual or collective action designed to address a  
13          public concern or an unmet human, educational,  
14          health care, environmental, or public safety need.

15          “(47) The term ‘elder justice’—

16                 “(A) used with respect to older individuals,  
17                 collectively, means efforts to prevent, detect,  
18                 treat, intervene in, and respond to elder abuse,  
19                 neglect, and exploitation and to protect older  
20                 individuals with diminished capacity while maxi-  
21                 mizing their autonomy; and

22                 “(B) used with respect to an individual  
23                 who is an older individual, means the recogni-  
24                 tion of the individual’s rights, including the

1 right to be free of abuse, neglect, and exploi-  
2 tation.

3 “(48) The term ‘fiduciary’—

4 “(A) means a person or entity with the  
5 legal responsibility—

6 “(i) to make decisions on behalf of  
7 and for the benefit of another person; and

8 “(ii) to act in good faith and with  
9 fairness; and

10 “(B) includes a trustee, a guardian, a con-  
11 servator, an executor, an agent under a finan-  
12 cial power of attorney or health care power of  
13 attorney, or a representative payee.

14 “(49) The term ‘Hispanic-serving institution’  
15 has the meaning given the term in section 502 of the  
16 Higher Education Act of 1965 (20 U.S.C. 1101a).

17 “(50) The term ‘long-term care’ means any  
18 service, care, or item (including an assistive device),  
19 including a disease prevention and health promotion  
20 service, an in-home service, and a case management  
21 service—

22 “(A) intended to assist individuals in cop-  
23 ing with, and to the extent practicable com-  
24 pensate for, a functional impairment in car-  
25 rying out activities of daily living;

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

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

10          “(51) The term ‘self-directed care’ means an  
11          approach to providing services (including programs,  
12          benefits, supports, and technology) under this Act  
13          intended to assist an individual with activities of  
14          daily living, in which—

15               “(A) such services (including the amount,  
16               duration, scope, provider, and location of such  
17               services) are planned, budgeted, and purchased  
18               under the direction and control of such indi-  
19               vidual;

20               “(B) such individual is provided with such  
21               information and assistance as are necessary and  
22               appropriate to enable such individual to make  
23               informed decisions about the individual’s care  
24               options;

1           “(C) the needs, capabilities, and pref-  
2           erences of such individual with respect to such  
3           services, and such individual’s ability to direct  
4           and control the individual’s receipt of such serv-  
5           ices, are assessed by the area agency on aging  
6           (or other agency designated by the area agency  
7           on aging) involved;

8           “(D) based on the assessment made under  
9           subparagraph (C), the area agency on aging (or  
10          other agency designated by the area agency on  
11          aging) develops together with such individual  
12          and the individual’s family, caregiver (as de-  
13          fined in paragraph (18)(B)), or legal represent-  
14          ative—

15                 “(i) a plan of services for such indi-  
16                 vidual that specifies which services such in-  
17                 dividual will be responsible for directing;

18                 “(ii) a determination of the role of  
19                 family members (and others whose partici-  
20                 pation is sought by such individual) in pro-  
21                 viding services under such plan; and

22                 “(iii) a budget for such services; and

23           “(E) the area agency on aging or State  
24           agency provides for oversight of such individ-  
25           ual’s self-directed receipt of services, including

1 steps to ensure the quality of services provided  
2 and the appropriate use of funds under this  
3 Act.

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

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

10 “(B) obtaining goods and services nec-  
11 essary to maintain physical health, mental  
12 health, or general safety; or

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

14 “(53) The term ‘State system of long-term  
15 care’ means the Federal, State, and local programs  
16 and activities administered by a State that provide,  
17 support, or facilitate access to long-term care for in-  
18 dividuals in such State.

19 “(54) The term ‘integrated long-term care’—

20 “(A) means items and services that consist  
21 of—

22 “(i) with respect to long-term care—

23 “(I) long-term care items or serv-  
24 ices provided under a State plan for  
25 medical assistance under the Medicaid

1 program established under title XIX  
2 of the Social Security Act (42 U.S.C.  
3 1396 et seq.), including nursing facil-  
4 ity services, home and community-  
5 based services, personal care services,  
6 and case management services pro-  
7 vided under the plan; and

8 “(II) any other supports, items,  
9 or services that are available under  
10 any federally funded long-term care  
11 program; and

12 “(ii) with respect to other health care,  
13 items and services covered under—

14 “(I) the Medicare program estab-  
15 lished under title XVIII of the Social  
16 Security Act (42 U.S.C. 1395 et seq.);

17 “(II) the State plan for medical  
18 assistance under the Medicaid pro-  
19 gram; or

20 “(III) any other federally funded  
21 health care program; and

22 “(B) includes items or services described in  
23 subparagraph (A) that are provided under a  
24 public or private managed care plan or through  
25 any other service provider.”.

1 (b) REDESIGNATION AND REORDERING OF DEFINI-  
2 TIONS.—Section 102 of the Older Americans Act of 1965  
3 (42 U.S.C. 3002) is amended—

4 (1) by redesignating paragraphs (1) through  
5 (54) as paragraphs (45), (7), (50), (39), (26), (27),  
6 (54), (13), (48), (8), (29), (14), (1), (2), (3), (5),  
7 (6), (10), (30), (37), (11), (15), (16), (18), (21),  
8 (22), (23), (24), (28), (31), (33), (35), (36), (38),  
9 (40), (41), (42), (43), (44), (51), (53), (19), (49),  
10 (4), (9), (12), (17), (20), (25), (34), (46), (47),  
11 (52), and (32), respectively; and

12 (2) so that paragraphs (1) through (54), as so  
13 redesignated in paragraph (1), appear in numerical  
14 order.

## 15 **TITLE II—ADMINISTRATION ON** 16 **AGING**

### 17 **SEC. 201. ELDER ABUSE PREVENTION AND SERVICES.**

18 Section 201 of the Older Americans Act of 1965 (42  
19 U.S.C. 3011) is amended by adding at the end the fol-  
20 lowing:

21 “(e)(1) The Assistant Secretary is authorized to des-  
22 ignate within the Administration a person to have respon-  
23 sibility for elder abuse prevention and services.

1       “(2) It shall be the duty of the Assistant Secretary,  
2 acting through the person designated to have responsi-  
3 bility for elder abuse prevention and services—

4               “(A) to develop objectives, priorities, policy, and  
5 a long-term plan for—

6                       “(i) facilitating the development, imple-  
7 mentation, and continuous improvement of a  
8 coordinated, multidisciplinary elder justice sys-  
9 tem in the United States;

10                      “(ii) providing Federal leadership to sup-  
11 port State efforts in carrying out elder justice  
12 programs and activities relating to—

13                               “(I) elder abuse prevention, detection,  
14 treatment, intervention, and response;

15                               “(II) training of individuals regarding  
16 the matters described in subclause (I); and

17                               “(III) the development of a State  
18 comprehensive elder justice system, as de-  
19 fined in section 752(b);

20                      “(iii) establishing Federal guidelines and  
21 disseminating best practices for uniform data  
22 collection and reporting by States;

23                               “(iv) working with States, the Department  
24 of Justice, and other Federal entities to annu-  
25 ally collect, maintain, and disseminate data re-

1           lating to elder abuse, neglect, and exploitation,  
2           to the extent practicable;

3           “(v) establishing an information clearing-  
4           house to collect, maintain, and disseminate in-  
5           formation concerning best practices and re-  
6           sources for training, technical assistance, and  
7           other activities to assist States and commu-  
8           nities to carry out evidence-based programs to  
9           prevent and address elder abuse, neglect, and  
10          exploitation;

11          “(vi) conducting research related to elder  
12          abuse, neglect, and exploitation;

13          “(vii) providing technical assistance to  
14          States and other eligible entities that provide or  
15          fund the provision of the services described in  
16          title VII;

17          “(viii) carrying out a study to determine  
18          the national incidence and prevalence of elder  
19          abuse, neglect, and exploitation in all settings;  
20          and

21          “(ix) promoting collaborative efforts and  
22          diminishing duplicative efforts in the develop-  
23          ment and carrying out of elder justice programs  
24          at the Federal, State and local levels; and

1           “(B) to assist States and other eligible entities  
2           under title VII to develop strategic plans to better  
3           coordinate elder justice activities, research, and  
4           training.

5           “(3) The Secretary, acting through the Assistant Sec-  
6           retary, may issue such regulations as may be necessary  
7           to carry out this subsection and section 752.

8           “(f)(1) The Assistant Secretary may designate an of-  
9           ficer or employee who shall be responsible for the adminis-  
10          tration of mental health services authorized under this  
11          Act.

12          “(2) It shall be the duty of the Assistant Secretary,  
13          acting through the individual designated under paragraph  
14          (1), to develop objectives, priorities, and a long-term plan  
15          for supporting State and local efforts involving education  
16          about and prevention, detection, and treatment of mental  
17          disorders, including age-related dementia, depression, and  
18          Alzheimer’s disease and related neurological disorders  
19          with neurological and organic brain dysfunction.”.

20          **SEC. 202. FUNCTIONS OF THE ASSISTANT SECRETARY.**

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

23                  (1) in subsection (a)—

24                          (A) in paragraph (5), by inserting “assist-  
25                          ive technology,” after “housing,”;

1 (B) by striking paragraph (12) and insert-  
2 ing the following:

3 “(12)(A) consult and coordinate activities with  
4 the Administrator of the Centers for Medicare &  
5 Medicaid Services and the heads of other Federal  
6 entities to implement and build awareness of pro-  
7 grams providing benefits affecting older individuals;  
8 and

9 “(B) carry on a continuing evaluation of the  
10 programs and activities related to the objectives of  
11 this Act, with particular attention to the impact of  
12 the programs and activities carried out under—

13 “(i) titles XVIII and XIX of the Social Se-  
14 curity Act (42 U.S.C. 1395 et seq., 1396 et  
15 seq.);

16 “(ii) the Age Discrimination in Employ-  
17 ment Act of 1967 (29 U.S.C. 621 et seq.); and

18 “(iii) the National Housing Act (12 U.S.C.  
19 1701 et seq.) relating to housing for older indi-  
20 viduals and the setting of standards for the li-  
21 censing of nursing homes, intermediate care  
22 homes, and other facilities providing care for  
23 such individuals;”;

24 (C) by striking paragraph (20) and insert-  
25 ing the following:

1           “(20)(A) encourage, and provide technical as-  
2           sistance to, States, area agencies on aging, and serv-  
3           ice providers to carry out outreach and benefits en-  
4           rollment assistance to inform and enroll older indi-  
5           viduals with greatest economic need, who may be eli-  
6           gible to participate, but who are not participating, in  
7           Federal and State programs providing benefits for  
8           which the individuals are eligible, including—

9           “(i) supplemental security income benefits  
10           under title XVI of the Social Security Act (42  
11           U.S.C. 1381 et seq.), or assistance under a  
12           State plan program under such title;

13           “(ii) medical assistance under title XIX of  
14           such Act (42 U.S.C. 1396 et seq.);

15           “(iii) benefits under the Food Stamp Act  
16           of 1977 (7 U.S.C. 2011 et seq.); or

17           “(iv) benefits under any other applicable  
18           program; and

19           “(B) at the election of the Assistant Secretary  
20           and in cooperation with related Federal agency part-  
21           ners administering the Federal programs, make a  
22           grant to or enter into a contract with a qualified, ex-  
23           perienced entity to establish a National Center on  
24           Senior Benefits Outreach and Enrollment, which  
25           shall—

1           “(i) maintain and update web-based deci-  
2           sion support and enrollment tools, and inte-  
3           grated, person-centered systems, designed to in-  
4           form older individuals about the full range of  
5           benefits for which the individuals may be eligi-  
6           ble under Federal and State programs;

7           “(ii) utilize cost-effective strategies to find  
8           older individuals with greatest economic need  
9           and enroll the individuals in the programs;

10          “(iii) create and support efforts for Aging  
11          and Disability Resource Centers, and other  
12          public and private State and community-based  
13          organizations, including faith-based organiza-  
14          tions and coalitions, to serve as benefits enroll-  
15          ment centers for the programs;

16          “(iv) develop and maintain an information  
17          clearinghouse on best practices and cost-effec-  
18          tive methods for finding and enrolling older in-  
19          dividuals with greatest economic need in the  
20          programs for which the individuals are eligible;  
21          and

22          “(v) provide, in collaboration with related  
23          Federal agency partners administering the Fed-  
24          eral programs, training and technical assistance

1 on effective outreach, screening, enrollment,  
2 and follow-up strategies;”;

3 (D) in paragraph (26)—

4 (i) in subsection (D)—

5 (I) by striking “gaps in”; and

6 (II) by inserting “(including serv-  
7 ices that would permit such individ-  
8 uals to receive long-term care in home  
9 and community-based settings)” after  
10 “individuals”; and

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

13 (E) in paragraph (27)—

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

16 (ii) by striking subparagraph (D); and

17 (F) by adding at the end the following:

18 “(28) make available to States, area agencies  
19 on aging, and service providers information and  
20 technical assistance to support the provision of evi-  
21 dence-based disease prevention and health promotion  
22 services.”;

23 (2) by striking subsections (b) and (c), and in-  
24 serting the following:

1       “(b) To promote the development and implementa-  
2 tion of comprehensive, coordinated systems at Federal,  
3 State, and local levels that enable older individuals to re-  
4 ceive long-term care in home and community-based set-  
5 tings, in a manner responsive to the needs and preferences  
6 of older individuals and their family caregivers, the Assist-  
7 ant Secretary shall, consistent with the applicable provi-  
8 sions of this title—

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

15               “(2) conduct research and demonstration  
16 projects to identify innovative, cost-effective strate-  
17 gies for modifying State systems of long-term care  
18 to—

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

21                       “(B) target services to individuals at risk  
22 for institutional placement, to permit such indi-  
23 viduals to remain in home and community-  
24 based settings;

1           “(3) establish criteria for and promote the im-  
2           plementation (through area agencies on aging, serv-  
3           ice providers, and such other entities as the Assist-  
4           ant Secretary determines to be appropriate) of evi-  
5           dence-based programs to assist older individuals and  
6           their family caregivers in learning about and making  
7           behavioral changes intended to reduce the risk of in-  
8           jury, disease, and disability among older individuals;

9           “(4) facilitate, in coordination with the Admin-  
10          istrator of the Centers for Medicare & Medicaid  
11          Services, and other heads of Federal entities as ap-  
12          propriate, the provision of long-term care in home  
13          and community-based settings, including the provi-  
14          sion of such care through self-directed care models  
15          that—

16                 “(A) provide for the assessment of the  
17                 needs and preferences of an individual at risk  
18                 for institutional placement to help such indi-  
19                 vidual avoid unnecessary institutional placement  
20                 and depletion of income and assets to qualify  
21                 for benefits under the Medicaid program under  
22                 title XIX of the Social Security Act (42 U.S.C.  
23                 1396 et seq.);

24                 “(B) respond to the needs and preferences  
25                 of such individual and provide the option—

1           “(i) for the individual to direct and  
2           control the receipt of supportive services  
3           provided; or

4           “(ii) as appropriate, for a person who  
5           was appointed by the individual, or is le-  
6           gally acting on the individual’s behalf, in  
7           order to represent or advise the individual  
8           in financial or service coordination matters  
9           (referred to in this paragraph as a ‘rep-  
10          resentative’ of the individual), to direct  
11          and control the receipt of those services;  
12          and

13          “(C) assist an older individual (or, as ap-  
14          propriate, a representative of the individual) to  
15          develop a plan for long-term support, including  
16          selecting, budgeting for, and purchasing home  
17          and community-based long-term care and sup-  
18          portive services;

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

22                 “(A) directing (as the Secretary or the  
23                 President determines to be appropriate) or oth-  
24                 erwise participating in departmental and inter-

1 departmental activities concerning long-term  
2 care;

3 “(B) reviewing and commenting on depart-  
4 mental rules, regulations, and policies related to  
5 providing long-term care; and

6 “(C) making recommendations to the Sec-  
7 retary with respect to home and community-  
8 based long-term care, including recommenda-  
9 tions based on findings made through projects  
10 conducted under paragraph (2);

11 “(6) promote, in coordination with other appro-  
12 priate Federal agencies—

13 “(A) enhanced awareness by the public of  
14 the importance of planning in advance for long-  
15 term care; and

16 “(B) the availability of information and re-  
17 sources to assist in such planning;

18 “(7) ensure access to, and the dissemination of,  
19 information about all long-term care options and  
20 service providers, including the availability of inte-  
21 grated long-term care;

22 “(8) implement in all States Aging and Dis-  
23 ability Resource Centers—

24 “(A) to serve as visible and trusted sources  
25 of information on the full range of long-term

1 care options, including both institutional and  
2 home and community-based care, which are  
3 available in the community;

4 “(B) to provide personalized and con-  
5 sumer-friendly assistance to empower individ-  
6 uals to make informed decisions about their  
7 care options;

8 “(C) to provide coordinated and stream-  
9 lined access to all publicly supported long-term  
10 care options so that consumers can obtain the  
11 care they need through a single intake, assess-  
12 ment, and eligibility determination process;

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

15 “(E) to assist (in coordination with the en-  
16 tities carrying out the health insurance infor-  
17 mation, counseling, and assistance program (re-  
18 ceiving funding under section 4360 of the Om-  
19 nibus Budget Reconciliation Act of 1990 (42  
20 U.S.C. 1395b–4)) in the States) beneficiaries,  
21 and prospective beneficiaries, under the Medi-  
22 care program established under title XVIII of  
23 the Social Security Act (42 U.S.C. 1395 et  
24 seq.) in understanding and accessing prescrip-  
25 tion drug and preventative health benefits

1 under the provisions of, and amendments made  
2 by, the Medicare Prescription Drug, Improve-  
3 ment, and Modernization Act of 2003;

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

9 “(A) home and community-based long-term  
10 care systems, including evidence-based pro-  
11 grams; and

12 “(B) evidence-based disease prevention and  
13 health promotion services programs;

14 “(10) develop, in collaboration with the Admin-  
15 istrator of the Centers for Medicare & Medicaid  
16 Services, performance standards and measures for  
17 use by States to determine the extent to which their  
18 State systems of long-term care fulfill the objectives  
19 described in this subsection; and

20 “(11) conduct such other activities as the As-  
21 sistant Secretary determines to be appropriate.

22 “(c) The Assistant Secretary, in consultation with the  
23 Chief Executive Officer of the Corporation for National  
24 and Community Service, shall—

1           “(1) encourage and permit volunteer groups  
2           (including organizations carrying out national serv-  
3           ice programs and including organizations of youth in  
4           secondary or postsecondary school) that are active in  
5           supportive services and civic engagement to partici-  
6           pate and be involved individually or through rep-  
7           resentative groups in supportive service and civic en-  
8           gagement programs or activities to the maximum ex-  
9           tent feasible;

10           “(2) develop a comprehensive strategy for uti-  
11           lizing older individuals to address critical local needs  
12           of national concern, including the engagement of  
13           older individuals in the activities of public and non-  
14           profit organizations such as community-based orga-  
15           nizations, including faith-based organizations; and

16           “(3) encourage other community capacity-build-  
17           ing initiatives involving older individuals, with par-  
18           ticular attention to initiatives that demonstrate ef-  
19           fectiveness and cost savings in meeting critical  
20           needs.”; and

21           (3) in subsection (e)(1)(A), by striking the  
22           semicolon at the end and inserting a period.

23 **SEC. 203. FEDERAL AGENCY CONSULTATION.**

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

1 (1) in subsection (a)(3)(A)—

2 (A) by striking “(with particular attention  
3 to low-income minority older individuals and  
4 older individuals residing in rural areas)” and  
5 inserting “(with particular attention to low-in-  
6 come older individuals, including low-income  
7 minority older individuals, older individuals  
8 with limited English proficiency, and older indi-  
9 viduals residing in rural areas)”;

10 (B) by striking “section 507” and insert-  
11 ing “section 518”;

12 (2) in subsection (b)—

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

15 (B) in paragraph (18), by striking the pe-  
16 riod and inserting “, and”;

17 (C) by adding at the end the following:

18 “(19) sections 4 and 5 of the Assistive Tech-  
19 nology Act of 1998 (29 U.S.C. 3003, 3004).”;

20 (3) by adding at the end the following:

21 “(c)(1) The Secretary, in collaboration with the Fed-  
22 eral officials specified in paragraph (2), shall establish an  
23 Interagency Coordinating Committee on Aging (referred  
24 to in this subsection as the ‘Committee’) focusing on the  
25 coordination of agencies with respect to aging issues.

1           “(2) The officials referred to in paragraph (1) shall  
2 include the Secretary of Labor and the Secretary of Hous-  
3 ing and Urban Development, and may include, at the di-  
4 rection of the President, the Attorney General, the Sec-  
5 retary of Transportation, the Secretary of the Treasury,  
6 the Secretary of Agriculture, the Secretary of Homeland  
7 Security, the Commissioner of Social Security, and such  
8 other Federal officials as the President may direct. An of-  
9 ficial described in this paragraph may appoint a designee  
10 to carry out the official’s duties under paragraph (1).

11           “(3) The Secretary of Health and Human Services  
12 shall serve as the first chairperson of the Committee, for  
13 1 term, and the Secretary of Housing and Urban Develop-  
14 ment shall serve as the chairperson for the following term.  
15 After that following term, the Committee shall select a  
16 chairperson from among the members of the Committee,  
17 and any member may serve as the chairperson. No mem-  
18 ber may serve as the chairperson for more than 1 consecu-  
19 tive term.

20           “(4) For purposes of this subsection, a term shall be  
21 a period of 2 calendar years.

22           “(5) The Committee shall meet not less often than  
23 once each year.

24           “(6) The Committee shall—

1           “(A) share information with and establish an  
2 ongoing system to improve coordination among Fed-  
3 eral agencies with responsibility for programs and  
4 services for older individuals and recommend im-  
5 provements to such system with an emphasis on—

6                   “(i) improving access to programs and  
7 services for older individuals;

8                   “(ii) maximizing the impact of federally  
9 funded programs and services for older individ-  
10 uals by increasing the efficiency, effectiveness,  
11 and delivery of such programs and services;

12                   “(iii) planning and preparing for the im-  
13 pact of demographic changes on programs and  
14 services for older individuals; and

15                   “(iv) reducing or eliminating areas of over-  
16 lap and duplication by Federal agencies in the  
17 provision and accessibility of such programs  
18 and services;

19           “(B) identify, promote, and implement (as ap-  
20 propriate), best practices and evidence-based pro-  
21 gram and service models to assist older individuals  
22 in meeting their housing, health care, and other sup-  
23 portive service needs, including—

24                   “(i) consumer-directed care models for  
25 home and community-based care and supportive

1 services that link housing, health care, and  
2 other supportive services and that facilitate  
3 aging in place, enabling older individuals to re-  
4 main in their homes and communities as the in-  
5 dividuals age; and

6 “(ii) innovations in technology applications  
7 (including assistive technology devices and as-  
8 sistive technology services) that give older indi-  
9 viduals access to information on available serv-  
10 ices or that help in providing services to older  
11 individuals;

12 “(C) collect and disseminate information about  
13 older individuals and the programs and services  
14 available to the individuals to ensure that the indi-  
15 viduals can access comprehensive information;

16 “(D) work with the Federal Interagency Forum  
17 on Aging-Related Statistics, the Bureau of the Cen-  
18 sus, and member agencies to ensure the continued  
19 collection of data relating to the housing, health  
20 care, and other supportive service needs of older in-  
21 dividuals and to support efforts to identify and ad-  
22 dress unmet data needs;

23 “(E) actively seek input from and consult with  
24 nongovernmental experts and organizations, includ-  
25 ing public health interest and research groups and

1 foundations about the activities described in sub-  
2 paragraphs (A) through (F);

3 “(F) identify any barriers and impediments, in-  
4 cluding barriers and impediments in statutory and  
5 regulatory law, to the access and use by older indi-  
6 viduals of federally funded programs and services;  
7 and

8 “(G) work with States to better provide hous-  
9 ing, health care, and other supportive services to  
10 older individuals by—

11 “(i) holding meetings with State agencies;

12 “(ii) providing ongoing technical assistance  
13 to States about better meeting the needs of  
14 older individuals; and

15 “(iii) working with States to designate liai-  
16 sons, from the State agencies, to the Com-  
17 mittee.

18 “(7) Not later than 90 days following the end of each  
19 term, the Committee shall prepare and submit to the Com-  
20 mittee on Financial Services of the House of Representa-  
21 tives, the Committee on Education and the Workforce of  
22 the House of Representatives, the Committee on Energy  
23 and Commerce of the House of Representatives, the Com-  
24 mittee on Ways and Means of the House of Representa-  
25 tives, the Committee on Banking, Housing, and Urban Af-

1   fairs of the Senate, the Committee on Health, Education,  
2   Labor, and Pensions of the Senate, and the Special Com-  
3   mittee on Aging of the Senate, a report that—

4           “(A) describes the activities and accomplish-  
5           ments of the Committee in—

6                   “(i) enhancing the overall coordination of  
7                   federally funded programs and services for  
8                   older individuals; and

9                   “(ii) meeting the requirements of para-  
10                  graph (6);

11           “(B) incorporates an analysis from the head of  
12           each agency that is a member of the interagency co-  
13           ordinating committee established under paragraph  
14           (1) that describes the barriers and impediments, in-  
15           cluding barriers and impediments in statutory and  
16           regulatory law (as the chairperson of the Committee  
17           determines to be appropriate), to the access and use  
18           by older individuals of programs and services admin-  
19           istered by such agency; and

20           “(C) makes such recommendations as the chair-  
21           man determines to be appropriate for actions to  
22           meet the needs described in paragraph (6) and for  
23           coordinating programs and services designed to meet  
24           those needs.

1 “(8) On the request of the Committee, any Federal  
2 Government employee may be detailed to the Committee  
3 without reimbursement, and such detail shall be without  
4 interruption or loss of civil service status or privilege.”.

5 **SEC. 204. ADMINISTRATION.**

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

8 (1) in subsection (a)—

9 (A) in paragraph (1)—

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

12 (ii) in subparagraph (D), by striking  
13 “; and” and inserting a period; and

14 (iii) by striking subparagraph (E);  
15 and

16 (B) in paragraph (2)—

17 (i) in subparagraph (A)—

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

20 “(i) designing, implementing, and evaluating  
21 evidence-based programs to support improved nutri-  
22 tion and regular physical activity for older individ-  
23 uals;”;

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



1           “(x) providing technical assistance to the re-  
2           gional offices of the Administration with respect to  
3           each duty described in clauses (i) through (ix).”; and

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

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

8   **SEC. 205. EVALUATION.**

9           The first sentence of section 206(g) of the Older  
10          Americans Act of 1965 (42 U.S.C. 3017(g)) is amended  
11          to read as follows: “From the total amount appropriated  
12          for each fiscal year to carry out title III, the Secretary  
13          may use such sums as may be necessary, but not to exceed  
14          ½ of 1 percent of such amount, for purposes of con-  
15          ducting evaluations under this section, either directly or  
16          through grants or contracts.”.

17   **SEC. 206. REPORTS.**

18          Section 207(b)(2) of the Older Americans Act of  
19          1965 (42 U.S.C. 3018(b)(2)) is amended—

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

22                       (2) in subparagraph (C), by striking “Labor  
23                       and Human Resources” and inserting “Health, Edu-  
24                       cation, Labor, and Pensions”.

1 **SEC. 207. CONTRACTING AND GRANT AUTHORITY; PRIVATE**  
2 **PAY RELATIONSHIPS; APPROPRIATE USE OF**  
3 **FUNDS.**

4 Section 212 of the Older Americans Act of 1965 (42  
5 U.S.C. 3020c) is amended to read as follows:

6 **“SEC. 212. CONTRACTING AND GRANT AUTHORITY; PRI-**  
7 **VATE PAY RELATIONSHIPS; APPROPRIATE**  
8 **USE OF FUNDS.**

9 “(a) IN GENERAL.—Subject to subsection (b), this  
10 Act shall not be construed to prevent a recipient of a grant  
11 or a contract under this Act (other than title V) from en-  
12 tering into an agreement with a profitmaking organization  
13 for the recipient to provide services to individuals or enti-  
14 ties not otherwise receiving services under this Act, pro-  
15 vided that—

16 “(1) if funds provided under this Act to such  
17 recipient are initially used by the recipient to pay  
18 part or all of a cost incurred by the recipient in de-  
19 veloping and carrying out such agreement, such  
20 agreement guarantees that the cost is reimbursed to  
21 the recipient;

22 “(2) if such agreement provides for the provi-  
23 sion of 1 or more services, of the type provided  
24 under this Act by or on behalf of such recipient, to  
25 an individual or entity seeking to receive such serv-  
26 ices—

1           “(A) the individuals and entities may only  
2 purchase such services at their fair market rate;

3           “(B) all costs incurred by the recipient in  
4 providing such services (and not otherwise reim-  
5 bursed under paragraph (1)), are reimbursed to  
6 such recipient; and

7           “(C) the recipient reports the rates for  
8 providing such services under such agreement  
9 in accordance with subsection (c) and the rates  
10 are consistent with the prevailing market rate  
11 for provision of such services in the relevant ge-  
12 ographic area as determined by the State agen-  
13 cy or area agency on aging (as applicable); and

14           “(3) any amount of payment to the recipient  
15 under the agreement that exceeds reimbursement  
16 under this subsection of the recipient’s costs is used  
17 to provide, or support the provision of, services  
18 under this Act.

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

21           “(1) be made without the prior approval of the  
22 State agency (or, in the case of a grantee under title  
23 VI, without the prior recommendation of the Direc-  
24 tor of the Office for American Indian, Alaska Na-  
25 tive, and Native Hawaiian Aging and the prior ap-

1       proval of the Assistant Secretary), after timely sub-  
2       mission of all relevant documents related to the  
3       agreement including information on all costs in-  
4       curred;

5               “(2) directly or indirectly provide for, or have  
6       the effect of, paying, reimbursing, subsidizing, or  
7       otherwise compensating an individual or entity in an  
8       amount that exceeds the fair market value of the  
9       services subject to such agreement;

10              “(3) result in the displacement of services oth-  
11       erwise available to an older individual with greatest  
12       social need, an older individual with greatest eco-  
13       nomic need, or an older individual who is at risk for  
14       institutional placement; or

15              “(4) in any other way compromise, undermine,  
16       or be inconsistent with the objective of serving the  
17       needs of older individuals, as determined by the As-  
18       sistant Secretary.

19       “(c) MONITORING AND REPORTING.—To ensure that  
20       any agreement described in subsection (a) complies with  
21       the requirements of this section and other applicable pro-  
22       visions of this Act, the Assistant Secretary shall develop  
23       and implement uniform monitoring procedures and report-  
24       ing requirements consistent with the provisions of sub-  
25       paragraphs (A) through (E) of section 306(a)(13) in con-

1 sultation with the State agencies and area agencies on  
2 aging. The Assistant Secretary shall annually prepare and  
3 submit to the chairpersons and ranking members of the  
4 appropriate committees of Congress a report analyzing all  
5 such agreements, and the costs incurred and services pro-  
6 vided under the agreements. This report shall contain in-  
7 formation on the number of the agreements per State,  
8 summaries of all the agreements, and information on the  
9 type of organizations participating in the agreements,  
10 types of services provided under the agreements, and the  
11 net proceeds from, and documentation of funds spent and  
12 reimbursed, under the agreements.

13       “(d) **TIMELY REIMBURSEMENT.**—All reimburse-  
14 ments made under this section shall be made in a timely  
15 manner, according to standards specified by the Assistant  
16 Secretary.

17       “(e) **COST.**—In this section, the term ‘cost’ means an  
18 expense, including an administrative expense, incurred by  
19 a recipient in developing or carrying out an agreement de-  
20 scribed in subsection (a), whether the recipient contrib-  
21 uted funds, staff time, or other plant, equipment, or serv-  
22 ices to meet the expense.”.

23 **SEC. 208. NUTRITION EDUCATION.**

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

1 **“SEC. 214. NUTRITION EDUCATION.**

2 “The Assistant Secretary, in consultation with the  
3 Secretary of Agriculture, shall conduct outreach and pro-  
4 vide technical assistance to agencies and organizations  
5 that serve older individuals to assist such agencies and or-  
6 ganizations to carry out integrated health promotion and  
7 disease prevention programs that—

8 “(1) are designed for older individuals; and

9 “(2) include—

10 “(A) nutrition education;

11 “(B) physical activity; and

12 “(C) other activities to modify behavior  
13 and to improve health literacy, including pro-  
14 viding information on optimal nutrient intake,  
15 through nutrition education and nutrition as-  
16 sessment and counseling, in accordance with  
17 section 339(2)(J).”.

18 **SEC. 209. PENSION COUNSELING AND INFORMATION PRO-**  
19 **GRAMS.**

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

22 (1) in subsection (e)(1)(J), by striking “and low  
23 income retirees” and inserting “, low-income retir-  
24 ees, and older individuals with limited English pro-  
25 ficiency”;

1           (2) in subsection (f), by striking paragraph (2)  
2           and inserting the following:

3           “(2) The ability of the entity to perform effec-  
4           tive outreach to affected populations, particularly  
5           populations with limited English proficiency and  
6           other populations that are identified as in need of  
7           special outreach.”; and

8           (3) in subsection (h)(2), by inserting “(includ-  
9           ing individuals with limited English proficiency)”  
10          after “individuals”.

11 **SEC. 210. AUTHORIZATION OF APPROPRIATIONS.**

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

14           (1) in subsection (a), by striking “2001, 2002,  
15           2003, 2004, and 2005” and inserting “2007, 2008,  
16           2009, 2010, and 2011.”; and

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

20 **TITLE III—GRANTS FOR STATE**  
21 **AND COMMUNITY PROGRAMS**  
22 **ON AGING**

23 **SEC. 301. PURPOSE; ADMINISTRATION.**

24          Section 301(a)(2) of the Older Americans Act of  
25 1965 (42 U.S.C. 3021(a)(2)) is amended—

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

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

5           (3) by adding at the end the following:

6           “(F) organizations that have experience in pro-  
7 viding training, placement, and stipends for volun-  
8 teers or participants who are older individuals (such  
9 as organizations carrying out Federal service pro-  
10 grams administered by the Corporation for National  
11 and Community Service), in community service set-  
12 tings.”.

13 **SEC. 302. DEFINITIONS.**

14           Section 302 of the Older Americans Act of 1965 (42  
15 U.S.C. 3022) is amended—

16           (1) by adding at the end the following:

17           “(4) The term ‘family caregiver’ means an  
18 adult family member, or another individual, who is  
19 an informal provider of in-home and community care  
20 to an older individual or to an individual with Alz-  
21 heimer’s disease or a related disorder with neuro-  
22 logical and organic brain dysfunction.”;

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

1           (3) by moving paragraph (4), as so redesign-  
2           nated, to the end of the section.

3 **SEC. 303. AUTHORIZATION OF APPROPRIATIONS; USES OF**  
4 **FUNDS.**

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

7           (1) in subsections (a)(1), (b), and (d), by strik-  
8           ing “year 2001” and all that follows through  
9           “years” each place it appears, and inserting “years  
10          2007, 2008, 2009, 2010, and 2011”; and

11          (2) in subsection (e)—

12           (A) in paragraph (1) by striking  
13           “\$125,000,000” and all that follows and insert-  
14           ing “\$160,000,000 for fiscal year 2007.”;

15           (B) in paragraph (2), by striking “such  
16           sums” and all that follows and inserting  
17           “\$166,500,000 for fiscal year 2008,  
18           \$173,000,000 for fiscal year 2009,  
19           \$180,000,000 for fiscal year 2010, and  
20           \$187,000,000 for fiscal year 2011.”; and

21          (C) in paragraph (3)—

22           (i) by striking “(2)—” and all that  
23           follows through “1 percent” and inserting  
24           “(2), not more than 1 percent”;

- 1 (ii) by striking “shall” and inserting  
2 “may”; and  
3 (iii) by striking “section 376” and in-  
4 serting “section 411(a)(11)”.

5 **SEC. 304. ALLOTMENTS.**

6 Section 304(a)(3)(D) of the Older Americans Act of  
7 1965 (42 U.S.C. 3024(a)(3)(D)) is amended to read as  
8 follows:

9 “(D)(i) No State shall be allotted less than the total  
10 amount allotted to the State for fiscal year 2006.

11 “(ii) No State shall receive a percentage increase in  
12 an allotment, above the State’s fiscal year 2006 allotment,  
13 that is less than—

14 “(I) for fiscal year 2007, 20 percent of the per-  
15 centage increase above the fiscal year 2006 allot-  
16 ments for all of the States;

17 “(II) for fiscal year 2008, 15 percent of the  
18 percentage increase above the fiscal year 2006 allot-  
19 ments for all of the States;

20 “(III) for fiscal year 2009, 10 percent of the  
21 percentage increase above the fiscal year 2006 allot-  
22 ments for all of the States; and

23 “(IV) For fiscal year 2010, 5 percent of the  
24 percentage increase above the fiscal year 2006 allot-  
25 ments for all of the States.”.

1 **SEC. 305. ORGANIZATION.**

2 Section 305(a) of the Older Americans Act of 1965  
3 (42 U.S.C. 3025(a)) is amended—

4 (1) in paragraph (1)(E)—

5 (A) by striking “(with particular attention  
6 to low-income minority individuals and older in-  
7 dividuals residing in rural areas)” each place it  
8 appears and inserting “(with particular atten-  
9 tion to low-income older individuals, including  
10 low-income minority older individuals, older in-  
11 dividuals with limited English proficiency, and  
12 older individuals residing in rural areas)”; and

13 (B) by striking “and” at the end;

14 (2) in paragraph (2)—

15 (A) in subparagraph (E), by striking “,  
16 with particular attention to low-income minority  
17 individuals and older individuals residing in  
18 rural areas” and inserting “(with particular at-  
19 tention to low-income older individuals, includ-  
20 ing low-income minority older individuals, older  
21 individuals with limited English proficiency, and  
22 older individuals residing in rural areas)”; and

23 (B) in subparagraph (G), by striking the  
24 period and inserting “; and”; and

25 (3) by adding at the end the following:

1           “(3) the State agency shall, consistent with this  
2 section, promote the development and implementa-  
3 tion of a State system of long-term care that is a  
4 comprehensive, coordinated system that enables  
5 older individuals to receive long-term care in home  
6 and community-based settings, in a manner respon-  
7 sive to the needs and preferences of the older indi-  
8 viduals and their family caregivers, by—

9           “(A) collaborating, coordinating, and con-  
10 sulting with other agencies in such State re-  
11 sponsible for formulating, implementing, and  
12 administering programs, benefits, and services  
13 related to providing long-term care;

14           “(B) participating in any State govern-  
15 ment activities concerning long-term care, in-  
16 cluding reviewing and commenting on any State  
17 rules, regulations, and policies related to long-  
18 term care;

19           “(C) conducting analyses and making rec-  
20 ommendations with respect to strategies for  
21 modifying the State system of long-term care to  
22 better—

23           “(i) respond to the needs and pref-  
24 erences of older individuals and family  
25 caregivers;

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

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

8           “(D) implementing (through area agencies  
9           on aging, service providers, and such other enti-  
10          ties as the State determines to be appropriate)  
11          evidence-based programs to assist older individ-  
12          uals and their family caregivers in learning  
13          about and making behavioral changes intended  
14          to reduce the risk of injury, disease, and dis-  
15          ability among older individuals; and

16          “(E) providing for the availability and dis-  
17          tribution (through public education campaigns,  
18          Aging and Disability Resource Centers, area  
19          agencies on aging, and other appropriate  
20          means) of information relating to—

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

23                 “(ii) the full range of available public  
24                 and private long-term care (including inte-

1                   grated long-term care) programs, options,  
2                   service providers, and resources.”.

3 **SEC. 306. AREA PLANS.**

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

6                   (1) in subsection (a)—

7                           (A) in paragraph (1)—

8                                   (i) by striking “(with particular atten-  
9                                   tion to low-income minority individuals and  
10                                   older individuals residing in rural areas)”  
11                                   and inserting “(with particular attention to  
12                                   low-income older individuals, including low-  
13                                   income minority older individuals, older in-  
14                                   dividuals with limited English proficiency,  
15                                   and older individuals residing in rural  
16                                   areas)”;

17                                   (ii) by striking “(with particular at-  
18                                   tention to low-income minority individ-  
19                                   uals)” and inserting “(with particular at-  
20                                   tention to low-income older individuals, in-  
21                                   cluding low-income minority older individ-  
22                                   uals, older individuals with limited English  
23                                   proficiency, and older individuals residing  
24                                   in rural areas)”;

1 (iii) by inserting “the number of older  
2 individuals at risk for institutional place-  
3 ment residing in such area,” after “indi-  
4 viduals) residing in such area,”;

5 (B) in paragraph (2)(A)—

6 (i) by inserting after “transporta-  
7 tion,” the following: “health services (in-  
8 cluding mental health services),”; and

9 (ii) by inserting after “information  
10 and assistance” the following: “(which may  
11 include information and assistance to con-  
12 sumers on availability of services under  
13 part B and how to receive benefits under  
14 and participate in publicly supported pro-  
15 grams for which the consumer may be eli-  
16 gible)”;

17 (C) in paragraph (4)—

18 (i) in subparagraph (A)—

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

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

23 “(aa) set specific objectives, consistent  
24 with State policy, for providing services to older  
25 individuals with greatest economic need, older

1 individuals with greatest social need, and older  
2 individuals at risk for institutional placement;

3 “(bb) include specific objectives for pro-  
4 viding services to low-income minority older in-  
5 dividuals, older individuals with limited English  
6 proficiency, and older individuals residing in  
7 rural areas; and

8 “(II) include proposed methods to achieve the  
9 objectives described in items (aa) and (bb) of sub-  
10 clause (I);” and

11 (II) in clause (ii), by inserting “,  
12 older individuals with limited English  
13 proficiency,” after “low-income minor-  
14 ity individuals” each place it appears;  
15 and

16 (ii) in subparagraph (B)—

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

22 (II) in clause (i)—

23 (aa) in subclause (V), by  
24 striking “with limited English-  
25 speaking ability; and” and insert-

1 ing “with limited English pro-  
2 ficiency;”;

3 (bb) in subclause (VI), by  
4 striking “or related” and insert-  
5 ing “and related”; and

6 (cc) by adding at the end  
7 the following:

8 “(VII) older individuals at risk for in-  
9 stitutional placement; and”;

10 (D) in paragraph (5), by inserting “and in-  
11 dividuals at risk for institutional placement”  
12 after “severe disabilities”;

13 (E) in paragraph (6)—

14 (i) in subparagraph (C)—

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

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

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

21 “(iii) make use of trained volunteers in  
22 providing direct services delivered to older indi-  
23 viduals and individuals with disabilities needing  
24 such services and, if possible, work in coordina-  
25 tion with organizations that have experience in

1 providing training, placement, and stipends for  
2 volunteers or participants (such as organiza-  
3 tions carrying out Federal service programs ad-  
4 ministered by the Corporation for National and  
5 Community Service), in community service set-  
6 tings;”;

7 (ii) in subparagraph (D)—

8 (I) by inserting “family care-  
9 givers of such individuals,” after  
10 “Act,”; and

11 (II) by inserting “service pro-  
12 viders, representatives of the business  
13 community,” after “individuals,”; and

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

16 “(F) in coordination with the State agency  
17 and with the State agency responsible for men-  
18 tal health services, increase public awareness of  
19 mental health disorders, remove barriers to di-  
20 agnosis and treatment, and coordinate mental  
21 health services (including mental health  
22 screenings) provided with funds expended by  
23 the area agency on aging with mental health  
24 services provided by community health centers

1 and by other public agencies and nonprofit pri-  
2 vate organizations;”;

3 (F) in paragraph (7), to read as follows:

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

11 “(A) collaborating, coordinating activities,  
12 and consulting with other local public and pri-  
13 vate agencies and organizations responsible for  
14 administering programs, benefits, and services  
15 related to providing long-term care;

16 “(B) conducting analyses and making rec-  
17 ommendations with respect to strategies for  
18 modifying the local system of long-term care to  
19 better—

20 “(i) respond to the needs and pref-  
21 erences of older individuals and family  
22 caregivers;

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

1           “(iii) target services to older individ-  
2           uals at risk for institutional placement, to  
3           permit such individuals to remain in home  
4           and community-based settings;

5           “(C) implementing, through the agency or  
6           service providers, evidence-based programs to  
7           assist older individuals and their family care-  
8           givers in learning about and making behavioral  
9           changes intended to reduce the risk of injury,  
10          disease, and disability among older individuals;  
11          and

12          “(D) providing for the availability and dis-  
13          tribution (through public education campaigns,  
14          Aging and Disability Resource Centers, the  
15          area agency on aging itself, and other appro-  
16          priate means) of information relating to—

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

19                 “(ii) the full range of available public  
20                 and private long-term care (including inte-  
21                 grated long-term care) programs, options,  
22                 service providers, and resources;”;

23          (G) by striking paragraph (14) and the 2  
24          paragraphs (15);

1 (H) by redesignating paragraph (16) as  
2 paragraph (14); and

3 (I) by adding at the end the following:

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

6 “(A) to provide benefits and services to  
7 older individuals, giving priority to older indi-  
8 viduals identified in paragraph (4)(A)(i); and

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

12 “(16) provide, to the extent feasible, for the  
13 furnishing of services under this Act, consistent with  
14 self-directed care; and

15 “(17) include information detailing how the  
16 area agency on aging will coordinate activities, and  
17 develop long-range emergency preparedness plans,  
18 with local and State emergency response agencies,  
19 relief organizations, local and State governments,  
20 and any other institutions that have responsibility  
21 for disaster relief service delivery.”;

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

24 (3) by inserting after subsection (a) the fol-  
25 lowing:

1       “(b)(1) An area agency on aging may include in the  
2 area plan an assessment of how prepared the area agency  
3 on aging and service providers in the planning and service  
4 area are for any anticipated change in the number of older  
5 individuals during the 10-year period following the fiscal  
6 year for which the plan is submitted.

7       “(2) Such assessment may include—

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

10          “(B) an analysis of how such change may affect  
11 such individuals, including individuals with low in-  
12 comes, individuals with greatest economic need, mi-  
13 nority older individuals, older individuals residing in  
14 rural areas, and older individuals with limited  
15 English proficiency;

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

21          “(D) an analysis of how the change in the num-  
22 ber of individuals age 85 and older in the planning  
23 and service area is expected to affect the need for  
24 supportive services.

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

8           “(A) health and human services;

9           “(B) land use;

10          “(C) housing;

11          “(D) transportation;

12          “(E) public safety;

13          “(F) workforce and economic development;

14          “(G) recreation;

15          “(H) education;

16          “(I) civic engagement;

17          “(J) emergency preparedness; and

18          “(K) any other service as determined by such  
19 agency.”.

20 **SEC. 307. STATE PLANS.**

21       Section 307(a) of the Older Americans Act of 1965  
22 (42 U.S.C. 3027(a)) is amended—

23           (1) in paragraph (2)(C), by striking “section  
24       306(b)” and inserting “section 306(c)”;

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

8           (3) by striking paragraph (15);

9           (4) by redesignating paragraph (14) as paragraph (15);

11          (5) by inserting after paragraph (13) the following:

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

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

20           “(B) describe the methods used to satisfy  
21           the service needs of the low-income minority  
22           older individuals described in subparagraph (A),  
23           including the plan to meet the needs of low-income  
24           minority older individuals with limited  
25           English proficiency.”;

1 (6) in paragraph (16)(A)—

2 (A) in clauses (ii) and (iii), by striking  
3 “(with particular attention to low-income mi-  
4 nority individuals and older individuals residing  
5 in rural areas)” each place it appears and in-  
6 serting “(with particular attention to low-in-  
7 come older individuals, including low-income  
8 minority older individuals, older individuals  
9 with limited English proficiency, and older indi-  
10 viduals residing in rural areas)”; and

11 (B) in clause (vi), by striking “or related”  
12 and inserting “and related”; and

13 (7) by adding at the end the following:

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

18 “(28)(A) The plan shall include, at the election  
19 of the State, an assessment of how prepared the  
20 State is, under the State’s statewide service delivery  
21 model, for any anticipated change in the number of  
22 older individuals during the 10-year period following  
23 the fiscal year for which the plan is submitted.

24 “(B) Such assessment may include—

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

3           “(ii) an analysis of how such change may  
4 affect such individuals, including individuals  
5 with low incomes, individuals with greatest eco-  
6 nomic need, minority older individuals, older in-  
7 dividuals residing in rural areas, and older indi-  
8 viduals with limited English proficiency;

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

15           “(iv) an analysis of how the change in the  
16 number of individuals age 85 and older in the  
17 State is expected to affect the need for sup-  
18 portive services.

19           “(29) The plan shall include information detail-  
20 ing how the State will coordinate activities, and de-  
21 velop long-range emergency preparedness plans, with  
22 area agencies on aging, local emergency response  
23 agencies, relief organizations, local governments,  
24 State agencies responsible for emergency prepared-

1       ness, and any other institutions that have responsi-  
2       bility for disaster relief service delivery.

3           “(30) The plan shall include information de-  
4       scribing the involvement of the head of the State  
5       agency in the development, revision, and implemen-  
6       tation of emergency preparedness plans, including  
7       the State Public Health Emergency Preparedness  
8       and Response Plan.”.

9       **SEC. 308. PAYMENTS.**

10       Section 309(b)(2) of the Older Americans Act of  
11       1965 (42 U.S.C. 3029(b)(2)) is amended by striking “the  
12       non-Federal share required prior to fiscal year 1981” and  
13       inserting “10 percent of the cost of the services specified  
14       in such section 304(d)(1)(D)”.

15       **SEC. 309. NUTRITION SERVICES INCENTIVE PROGRAM.**

16       Section 311 of the Older Americans Act of 1965 (42  
17       U.S.C. 3030a) is amended—

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

20           “(3) State agencies that elect to make grants and  
21       enter into contracts for purposes of this section shall  
22       promptly and equitably disburse amounts received under  
23       this subsection to the recipients of the grants and con-  
24       tracts.”;

25           (2) in subsection (c)—

1 (A) in paragraph (1), by inserting “(in-  
2 eluding bonus commodities)” after “commod-  
3 ities”;

4 (B) in paragraph (2), by inserting “(in-  
5 eluding bonus commodities)” after “commod-  
6 ities”;

7 (C) in paragraph (3), by inserting “(in-  
8 eluding bonus commodities)” after “products”;  
9 and

10 (D) by adding at the end the following:

11 “(4) Among the commodities provided under this sub-  
12 section, the Secretary of Agriculture shall give special em-  
13 phasis to foods of high nutritional value to support the  
14 health of older individuals. The Secretary of Agriculture,  
15 in consultation with the Assistant Secretary, is authorized  
16 to prescribe the terms and conditions respecting the provi-  
17 sion of commodities under this subsection.”;

18 (3) in subsection (d), to read as follows:

19 “(d)(1) Amounts provided under subsection (b) shall  
20 be available only for the purchase, by State agencies, re-  
21 cipients of grants and contracts from the State agencies  
22 (as applicable), and title VI grantees, of United States ag-  
23 ricultural commodities and other foods for their respective  
24 nutrition projects, subject to paragraph (2).

1           “(2) An entity specified in paragraph (1) may, at the  
2 option of such entity, use part or all of the amounts re-  
3 ceived by the entity under subsection (b) to pay a school  
4 food authority (within the meaning of the Richard B. Rus-  
5 sell National School Lunch Act (42 U.S.C. 1751 et seq.)  
6 to obtain United States agricultural commodities for such  
7 entity’s nutrition projects, in accordance with an agree-  
8 ment between the entity and the school food authority,  
9 under which such payments—

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

11           and

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

16           (4) in subsection (e), by striking “2001” and  
17 inserting “2007”; and

18           (5) in subsection (f)—

19           (A) in the matter preceding paragraph (1),  
20 by striking “the Secretary of Agriculture and  
21 the Secretary of Health and Human Services”  
22 and inserting “the Assistant Secretary and the  
23 Secretary of Agriculture”; and

24           (B) by striking paragraphs (1) and (2) and  
25 inserting the following:

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

6           “(2) the foods available to such State agencies,  
7           area agencies on aging, and providers under sub-  
8           section (c).”.

9   **SEC. 310. CONSUMER CONTRIBUTIONS.**

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

12                 (1) in subsection (b)—

13                         (A) in paragraph (1)—

14                                 (i) by striking “provided that” and in-  
15                                 serting “if”; and

16                                 (ii) by adding at the end the fol-  
17                                 lowing: “Such contributions shall be en-  
18                                 couraged for individuals whose self-de-  
19                                 clared income is at or above 185 percent of  
20                                 the poverty line, at contribution levels  
21                                 based on the actual cost of services.”; and

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

1           (2) in subsection (c)(2), by striking “(with par-  
2           ticular attention to low-income minority individuals  
3           and older individuals residing in rural areas)” and  
4           inserting “(with particular attention to low-income  
5           older individuals, including low-income minority  
6           older individuals, older individuals with limited  
7           English proficiency, and older individuals residing in  
8           rural areas)”; and

9           (3) in subsection (d), by striking “with par-  
10          ticular attention to low-income and minority older  
11          individuals and older individuals residing in rural  
12          areas” and inserting “(with particular attention to  
13          low-income older individuals, including low-income  
14          minority older individuals, older individuals with lim-  
15          ited English proficiency, and older individuals resid-  
16          ing in rural areas)”.

17 **SEC. 311. SUPPORTIVE SERVICES AND SENIOR CENTERS.**

18          Section 321(a) of the Older Americans Act of 1965  
19 (42 U.S.C. 3030d(a)) is amended—

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

22           (2) in paragraph (11), by striking “services”  
23           and inserting “provision of services and assistive de-  
24           vices (including provision of assistive technology  
25           services and assistive technology devices)”;

1           (3) in paragraph (14)(B) by inserting “(includ-  
2           ing mental health)” after “health”;

3           (4) in paragraph (21)—

4                 (A) by striking “school-age children” and  
5                 inserting “students”; and

6                 (B) by inserting “services for older individ-  
7                 uals with limited English proficiency and” after  
8                 “including”;

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

11           (6) by redesignating paragraph (23) as para-  
12           graph (25); and

13           (7) by inserting after paragraph (22) the fol-  
14           lowing:

15                 “(23) services designed to support States, area  
16                 agencies on aging, and local service providers in car-  
17                 rying out and coordinating activities for older indi-  
18                 viduals with respect to mental health services, in-  
19                 cluding outreach for, education concerning, and  
20                 screening for such services, and referral to such  
21                 services for treatment;

22                 “(24) activities to promote and disseminate in-  
23                 formation about life-long learning programs, includ-  
24                 ing opportunities for distance learning; and”.

1 **SEC. 312. NUTRITION SERVICE.**

2 After the part heading of part C of title III of the  
3 Older Americans Act of 1965 (42 U.S.C. 3030e et seq.),  
4 insert the following:

5 **“SEC. 330. PURPOSES.**

6 “The purposes of this part are—

7 “(1) to reduce hunger and food insecurity;

8 “(2) to promote socialization of older individ-  
9 uals; and

10 “(3) to promote the health and well-being of  
11 older individuals by assisting such individuals to  
12 gain access to nutrition and other disease prevention  
13 and health promotion services to delay the onset of  
14 adverse health conditions resulting from poor nutri-  
15 tional health or sedentary behavior.”.

16 **SEC. 313. CONGREGATE NUTRITION PROGRAM.**

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

19 (1) by striking “projects—” and inserting  
20 “projects that—”;

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

22 (3) in paragraph (2), by striking “which”; and

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

1           “(3) provide nutrition education, nutrition  
2           counseling, and other nutrition services, as appro-  
3           priate, based on the needs of meal participants.”.

4 **SEC. 314. HOME DELIVERED NUTRITION SERVICES.**

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

7 **“SEC. 336. PROGRAM AUTHORIZED.**

8           “The Assistant Secretary shall establish and carry  
9           out a program to make grants to States under State plans  
10          approved under section 307 for the establishment and op-  
11          eration of nutrition projects for older individuals that pro-  
12          vide—

13                 “(1) on 5 or more days a week (except in a  
14                 rural area where such frequency is not feasible (as  
15                 defined by the Assistant Secretary by rule) and a  
16                 lesser frequency is approved by the State agency) at  
17                 least 1 home delivered meal per day, which may con-  
18                 sist of hot, cold, frozen, dried, canned, fresh, or sup-  
19                 plemental foods and any additional meals that the  
20                 recipient of a grant or contract under this subpart  
21                 elects to provide; and

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

1 **SEC. 315. CRITERIA.**

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

4 **“SEC. 337. CRITERIA.**

5 “The Assistant Secretary, in consultation with recog-  
6 nized experts in the fields of nutrition science, dietetics,  
7 meal planning and food service management, and aging,  
8 shall develop minimum criteria of efficiency and quality  
9 for the furnishing of home delivered meal services for  
10 projects described in section 336.”.

11 **SEC. 316. NUTRITION.**

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

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

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

20 (2) in paragraph (2)—

21 (A) in subparagraph (A)—

22 (i) in clause (i), to read as follows:

23 “(i) comply with the most recent Die-  
24 tary Guidelines for Americans, published  
25 by the Secretary and the Secretary of Ag-  
26 riculture, and”; and

1 (ii) in clause (ii)(I), by striking “daily  
2 recommended dietary allowances as” and  
3 inserting “dietary reference intakes”;

4 (B) in subparagraph (D), by inserting  
5 “joint” after “encourages”;

6 (C) in subparagraph (G), to read as fol-  
7 lows:

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

10 “(i) a dietitian or other individual de-  
11 scribed in paragraph (1),

12 “(ii) meal participants, and

13 “(iii) other individuals knowledgeable  
14 with regard to the needs of older individ-  
15 uals,”;

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

18 (E) in subparagraph (I), by striking “and”  
19 at the end; and

20 (F) by striking subparagraph (J) and in-  
21 serting the following:

22 “(J) provides for nutrition screening and  
23 nutrition education, and nutrition assessment  
24 and counseling if appropriate, and

1           “(K) encourages individuals who distribute  
2           nutrition services under subpart 2 to provide, to  
3           homebound older individuals, available medical  
4           information approved by health care profes-  
5           sionals, such as informational brochures and in-  
6           formation on how to get vaccines, including vac-  
7           cines for influenza, pneumonia, and shingles, in  
8           the individuals’ communities.”.

9 **SEC. 317. STUDY OF NUTRITION PROJECTS.**

10       (a) STUDY.—

11           (1) IN GENERAL.—The Assistant Secretary for  
12           Aging shall use funds allocated in section 206(g) of  
13           the Older Americans Act of 1965 (42 U.S.C.  
14           3017(g)) to enter into a contract with the Food and  
15           Nutrition Board of the Institute of Medicine of the  
16           National Academy of Sciences, for the purpose of es-  
17           tablishing an independent panel of experts that will  
18           conduct an evidence-based study of the nutrition  
19           projects authorized by such Act.

20           (2) STUDY.—Such study shall, to the extent  
21           data are available, include—

22                   (A) an evaluation of the effect of the nutri-  
23                   tion projects authorized by such Act on—

1 (i) improvement of the health status,  
2 including nutritional status, of participants  
3 in the projects;

4 (ii) prevention of hunger and food in-  
5 security of the participants; and

6 (iii) continuation of the ability of the  
7 participants to live independently;

8 (B) a cost-benefit analysis of nutrition  
9 projects authorized by such Act, including the  
10 potential to affect costs of the Medicaid pro-  
11 gram under title XIX of the Social Security Act  
12 (42 U.S.C. 1396 et seq.); and

13 (C) an analysis of how and recommenda-  
14 tions for how nutrition projects authorized by  
15 such Act may be modified to improve the out-  
16 comes described in subparagraph (A), including  
17 recommendations for improving the nutritional  
18 quality of the meals provided through the  
19 projects and undertaking other potential strate-  
20 gies to improve the nutritional status of the  
21 participants.

22 (b) REPORTS.—

23 (1) REPORT TO THE ASSISTANT SECRETARY.—

24 The panel described in subsection (a)(1) shall sub-  
25 mit to the Assistant Secretary a report containing

1 the results of the evidence-based study described in  
2 subsection (a), including any recommendations de-  
3 scribed in subsection (a)(2)(C).

4 (2) REPORT TO CONGRESS.—The Assistant  
5 Secretary shall submit a report containing the re-  
6 sults described in paragraph (1) to the Committee  
7 on Education and the Workforce of the House of  
8 Representatives and the Committee on Health, Edu-  
9 cation, Labor, and Pensions of the Senate.

10 **SEC. 318. SENSE OF CONGRESS RECOGNIZING THE CON-**  
11 **TRIBUTION OF NUTRITION TO THE HEALTH**  
12 **OF OLDER ADULTS.**

13 (a) FINDINGS.—Congress finds that—

14 (1) good nutrition is vital to good health, and  
15 a diet based on the Dietary Guidelines for Ameri-  
16 cans may reduce the risk of chronic diseases such as  
17 cardiovascular disease, osteoporosis, diabetes,  
18 macular degeneration, and cancer;

19 (2) the American Dietetic Association and the  
20 American Academy of Family Physicians have esti-  
21 mated that the percentage of older adults who are  
22 malnourished is estimated at 20 to 60 percent for  
23 those who are in home care and at 40 to 85 percent  
24 for those who are in nursing homes;

1           (3) the Institute of Medicine of the National  
2 Academy of Sciences has estimated that approxi-  
3 mately 40 percent of community-residing persons  
4 age 65 and older have inadequate nutrient intakes;

5           (4) older adults are susceptible to nutrient defi-  
6 ciencies for a number of reasons, including a re-  
7 duced capacity to absorb and utilize nutrients, dif-  
8 ficulty chewing, and loss of appetite;

9           (5) while diet is the preferred source of nutri-  
10 tion, evidence suggests that the use of a single daily  
11 multivitamin-mineral supplement may be an effective  
12 way to address nutritional gaps that exist among the  
13 elderly population, especially the poor; and

14           (6) the Dietary Guidelines for Americans state  
15 that multivitamin-mineral supplements may be use-  
16 ful when they fill a specific identified nutrient gap  
17 that cannot be or is not otherwise being met by the  
18 individual's intake of food.

19           (b) SENSE OF CONGRESS.—It is the sense of Con-  
20 gress that—

21           (1) meal programs funded by the Older Ameri-  
22 cans Act of 1965 contribute to the nutritional health  
23 of older adults;

24           (2) when the nutritional needs of older adults  
25 are not fully met by diet, use of a single, daily multi-

1 vitamin-mineral supplement may help prevent nutri-  
2 tion deficiencies common in many older adults;

3 (3) use of a single, daily multivitamin-mineral  
4 supplement can be a safe and inexpensive strategy  
5 to help ensure the nutritional health of older adults;  
6 and

7 (4) nutrition service providers under the Older  
8 Americans Act of 1965 should consider whether in-  
9 dividuals participating in congregate and home-deliv-  
10 ered meal programs would benefit from a single,  
11 daily multivitamin-mineral supplement that is in  
12 compliance with all applicable government quality  
13 standards and provides at least  $\frac{2}{3}$  of the essential  
14 vitamins and minerals at 100 percent of the daily  
15 value levels as determined by the Commissioner of  
16 Food and Drugs.

17 **SEC. 319. IMPROVING INDOOR AIR QUALITY IN BUILDINGS**

18 **WHERE OLDER INDIVIDUALS CONGREGATE.**

19 Section 361 of the Older Americans Act of 1965 (42  
20 U.S.C. 3030m) is amended by adding at the end the fol-  
21 lowing:

22 “(c) The Assistant Secretary shall work in consulta-  
23 tion with qualified experts to provide information on meth-  
24 ods of improving indoor air quality in buildings where  
25 older individuals congregate.”.

1 **SEC. 320. CAREGIVER SUPPORT PROGRAM DEFINITIONS.**

2 Section 372 of the National Family Caregiver Sup-  
3 port Act (42 U.S.C. 3030s) is amended—

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

6 (2) in paragraph (3)—

7 (A) by striking “a child by blood or mar-  
8 riage” and inserting “a child by blood, mar-  
9 riage, or adoption”; and

10 (B) by striking “60” and inserting “55”;

11 (3) by inserting before “In this subpart” the  
12 following: “(a) IN GENERAL.—”;

13 (4) by striking paragraph (2);

14 (5) by redesignating paragraph (3) as para-  
15 graph (2);

16 (6) by adding at the end the following:

17 “(b) RULE.—In providing services under this sub-  
18 part—

19 “(1) for family caregivers who provide care for  
20 individuals with Alzheimer’s disease and related dis-  
21 orders with neurological and organic brain dysfunc-  
22 tion, the State involved shall give priority to care-  
23 givers who provide care for older individuals with  
24 such disease or disorder; and

25 “(2) for grandparents or older individuals who  
26 are relative caregivers, the State involved shall give

1 priority to caregivers who provide care for children  
2 with severe disabilities.”.

3 **SEC. 321. CAREGIVER SUPPORT PROGRAM.**

4 Section 373 of the National Family Caregiver Sup-  
5 port Act (42 U.S.C. 3030s–1) is amended—

6 (1) in subsection (b)(3), by striking “caregivers  
7 to assist” and all that follows through the end and  
8 inserting the following: “assist the caregivers in the  
9 areas of health, nutrition, and financial literacy, and  
10 in making decisions and solving problems relating to  
11 their caregiving roles;”;

12 (2) in subsection (c)—

13 (A) in paragraph (1)(B), by striking “sub-  
14 paragraph (A)(i) or (B) of section 102(28)”  
15 and inserting “subparagraph (A)(i) or (B) of  
16 section 102(22)”;

17 (B) by striking paragraph (2) and insert-  
18 ing the following:

19 “(2) **PRIORITY.**—In providing services under  
20 this subpart, the State, in addition to giving the pri-  
21 ority described in section 372(b), shall give pri-  
22 ority—

23 “(A) to caregivers who are older individ-  
24 uals with greatest social need, and older indi-  
25 viduals with greatest economic need (with par-

1            ticular attention to low-income older individ-  
2            uals); and

3            “(B) to older individuals providing care to  
4            individuals with severe disabilities, including  
5            children with severe disabilities.”;

6            (3) in subsection (d), to read as follows:

7            “(d) USE OF VOLUNTEERS.—In carrying out this  
8            subpart, each area agency on aging shall make use of  
9            trained volunteers to expand the provision of the available  
10           services described in subsection (b) and, if possible, work  
11           in coordination with organizations that have experience in  
12           providing training, placement, and stipends for volunteers  
13           or participants (such as organizations carrying out Fed-  
14           eral service programs administered by the Corporation for  
15           National and Community Service), in community service  
16           settings.”;

17           (4) in subsection (e)(3), by adding at the end  
18           the following: “The reports shall describe any mech-  
19           anisms used in the State to provide to persons who  
20           are family caregivers, or grandparents or older indi-  
21           viduals who are relative caregivers, information  
22           about and access to various services so that the per-  
23           sons can better carry out their care responsibil-  
24           ities.”;

1           (5) in subsection (f)(1), by striking “2001  
2           through 2005” and inserting “2007, 2008, 2009,  
3           2010, and 2011”; and

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

7   **SEC. 322. NATIONAL INNOVATION.**

8           Subpart 2 of part E of title III of the Older Ameri-  
9           cans Act of 1965 (42 U.S.C. 3030s–11 et seq.) is repealed.

10   **TITLE       IV—ACTIVITIES       FOR**  
11       **HEALTH,       INDEPENDENCE,**  
12       **AND LONGEVITY**

13   **SEC. 401. TITLE.**

14           The Older Americans Act of 1965 is amended by in-  
15           serting before section 401 (42 U.S.C. 3031) the following:

16   **“TITLE       IV—ACTIVITIES       FOR**  
17       **HEALTH,       INDEPENDENCE,**  
18       **AND LONGEVITY”.**

19   **SEC. 402. GRANT PROGRAMS.**

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

22           (1) in subsection (a)—

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

1 (B) by redesignating paragraph (9) as  
2 paragraph (13); and

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

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

8 “(A) efforts to assess the aging population;

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

12 “(C) training and technical assistance to  
13 support States, area agencies on aging, and or-  
14 ganizations receiving grants under title VI, in  
15 engaging in community planning activities;

16 “(10) the development, implementation, and as-  
17 sessment of technology-based service models and  
18 best practices, to support the use of health moni-  
19 toring and assessment technologies, communication  
20 devices, assistive technologies, and other technologies  
21 that may remotely connect family and professional  
22 caregivers to frail older individuals residing in home  
23 and community-based settings or rural areas;

24 “(11) conducting activities of national signifi-  
25 cance to promote quality and continuous improve-

1       ment in the support provided to family and other in-  
2       formal caregivers of older individuals through activi-  
3       ties that include program evaluation, training, tech-  
4       nical assistance, and research, including—

5               “(A) programs addressing unique issues  
6               faced by rural caregivers;

7               “(B) programs focusing on the needs of  
8               older individuals with cognitive impairment  
9               such as Alzheimer’s disease and related dis-  
10              orders with neurological and organic brain dys-  
11              function, and their caregivers; and

12              “(C) programs supporting caregivers in the  
13              role they play in providing disease prevention  
14              and health promotion services;

15              “(12) building public awareness of cognitive im-  
16              pairments such as Alzheimer’s disease and related  
17              disorders with neurological and organic brain dys-  
18              function, depression, and mental disorders; and”;  
19              and

20              (2) in subsection (b), by striking “year” and all  
21              that follows through “years” and inserting “years  
22              2007, 2008, 2009, 2010, and 2011”.

1 **SEC. 403. CAREER PREPARATION FOR THE FIELD OF**  
2 **AGING.**

3 Section 412(a) of the Older Americans Act of 1965  
4 (42 U.S.C. 3032a(a)) is amended to read as follows:

5 “(a) GRANTS.—The Assistant Secretary shall make  
6 grants to institutions of higher education, including his-  
7 torically Black colleges or universities, Hispanic-serving  
8 institutions, and Hispanic Centers of Excellence in Ap-  
9 plied Gerontology, to provide education and training that  
10 prepares students for careers in the field of aging.”.

11 **SEC. 404. HEALTH CARE SERVICE DEMONSTRATION**  
12 **PROJECTS IN RURAL AREAS.**

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

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

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

19 **SEC. 405. TECHNICAL ASSISTANCE AND INNOVATION TO IM-**  
20 **PROVE TRANSPORTATION FOR OLDER INDI-**  
21 **VIDUALS.**

22 Section 416 of the Older Americans Act of 1965 (42  
23 U.S.C. 3032e) is amended to read as follows:

1 **“SEC. 416. TECHNICAL ASSISTANCE AND INNOVATION TO**  
2 **IMPROVE TRANSPORTATION FOR OLDER IN-**  
3 **DIVIDUALS.**

4 “(a) IN GENERAL.—The Secretary may award grants  
5 or contracts to nonprofit organizations to improve trans-  
6 portation services for older individuals.

7 “(b) USE OF FUNDS.—

8 “(1) IN GENERAL.—A nonprofit organization  
9 receiving a grant or contract under subsection (a)  
10 shall use the funds received through such grant or  
11 contract to carry out a demonstration project, or to  
12 provide technical assistance to assist local transit  
13 providers, area agencies on aging, senior centers,  
14 and local senior support groups, to encourage and  
15 facilitate coordination of Federal, State, and local  
16 transportation services and resources for older indi-  
17 viduals. The organization may use the funds to de-  
18 velop and carry out an innovative transportation  
19 demonstration project to create transportation serv-  
20 ices for older individuals.

21 “(2) SPECIFIC ACTIVITIES.—In carrying out a  
22 demonstration project or providing technical assist-  
23 ance under paragraph (1) the organization may  
24 carry out activities that include—

25 “(A) developing innovative approaches for  
26 improving access by older individuals to trans-

1           portation services, including volunteer driver  
2           programs, economically sustainable transpor-  
3           tation programs, and programs that allow older  
4           individuals to transfer their automobiles to a  
5           provider of transportation services in exchange  
6           for the services;

7           “(B) preparing information on transpor-  
8           tation options and resources for older individ-  
9           uals and organizations serving such individuals,  
10          and disseminating the information by estab-  
11          lishing and operating a toll-free telephone num-  
12          ber;

13          “(C) developing models and best practices  
14          for providing comprehensive integrated trans-  
15          portation services for older individuals, includ-  
16          ing services administered by the Secretary of  
17          Transportation, by providing ongoing technical  
18          assistance to agencies providing services under  
19          title III and by assisting in coordination of pub-  
20          lic and community transportation services; and

21          “(D) providing special services to link  
22          older individuals to transportation services not  
23          provided under title III.

24          “(e) ECONOMICALLY SUSTAINABLE TRANSPOR-  
25          TATION.—In this section, the term ‘economically sustain-

1 able transportation’ means demand responsive transpor-  
 2 tation for older individuals—

3 “(1) that may be provided through volunteers;  
 4 and

5 “(2) that the provider will provide without re-  
 6 ceiving Federal or other public financial assistance,  
 7 after a period of not more than 5 years of providing  
 8 the services under this section.”.

9 **SEC. 406. DEMONSTRATION, SUPPORT, AND RESEARCH**  
 10 **PROJECTS FOR MULTIGENERATIONAL AC-**  
 11 **TIVITIES AND CIVIC ENGAGEMENT ACTIVI-**  
 12 **TIES.**

13 Section 417 of the Older Americans Act of 1965 (42  
 14 U.S.C. 3032f) is amended to read as follows:

15 **“SEC. 417. DEMONSTRATION, SUPPORT, AND RESEARCH**  
 16 **PROJECTS FOR MULTIGENERATIONAL AND**  
 17 **CIVIC ENGAGEMENT ACTIVITIES.**

18 “(a) GRANTS AND CONTRACTS.—The Assistant Sec-  
 19 retary shall award grants and enter into contracts with  
 20 eligible organizations to carry out projects to—

21 “(1) provide opportunities for older individuals  
 22 to participate in multigenerational activities and  
 23 civic engagement activities designed to meet critical  
 24 community needs, and use the full range of time,

1 skills, and experience of older individuals, including  
2 demonstration and support projects that—

3 “(A) provide support for grandparents and  
4 other older individuals who are relative care-  
5 givers raising children (such as kinship navi-  
6 gator programs); or

7 “(B) involve volunteers who are older indi-  
8 viduals who provide support and information to  
9 families who have a child with a disability or  
10 chronic illness, or other families in need of such  
11 family support; and

12 “(2) coordinate multigenerational activities and  
13 civic engagement activities, promote volunteerism,  
14 and facilitate development of and participation in  
15 multigenerational activities and civic engagement ac-  
16 tivities.

17 “(b) USE OF FUNDS.—An eligible organization shall  
18 use funds made available under a grant awarded, or a con-  
19 tract entered into, under this section to—

20 “(1) carry out a project described in subsection  
21 (a); and

22 “(2) evaluate the project in accordance with  
23 subsection (f).

24 “(c) PREFERENCE.—In awarding grants and enter-  
25 ing into contracts to carry out a project described in sub-

1 section (a), the Assistant Secretary shall give preference  
2 to—

3 “(1) eligible organizations with a demonstrated  
4 record of carrying out multigenerational activities or  
5 civic engagement activities;

6 “(2) eligible organizations proposing  
7 multigenerational activity projects that will serve  
8 older individuals and communities with the greatest  
9 need (with particular attention to low-income minor-  
10 ity individuals, older individuals with limited English  
11 proficiency, older individuals residing in rural areas,  
12 and low-income minority communities);

13 “(3) eligible organizations proposing civic en-  
14 gagement projects that will serve communities with  
15 the greatest need; and

16 “(4) eligible organizations with the capacity to  
17 develop meaningful roles and assignments that use  
18 the time, skills, and experience of older individuals  
19 to serve public and nonprofit organizations.

20 “(d) APPLICATION.—To be eligible to receive a grant  
21 or enter into a contract under subsection (a), an organiza-  
22 tion shall submit an application to the Assistant Secretary  
23 at such time, in such manner, and accompanied by such  
24 information as the Assistant Secretary may reasonably re-  
25 quire.

1       “(e) ELIGIBLE ORGANIZATIONS.—Organizations eli-  
2 gible to receive a grant or enter into a contract under sub-  
3 section (a)—

4           “(1) to carry out activities described in sub-  
5 section (a)(1), shall be organizations that provide  
6 opportunities for older individuals to participate in  
7 activities described in subsection (a)(1); and

8           “(2) to carry out activities described in sub-  
9 section (a)(2), shall be organizations with the capac-  
10 ity to conduct the coordination, promotion, and fa-  
11 cilitation described in subsection (a)(2), through the  
12 use of multigenerational coordinators.

13       “(f) LOCAL EVALUATION AND REPORT.—

14           “(1) EVALUATION.—Each organization receiv-  
15 ing a grant or a contract under subsection (a) to  
16 carry out a project described in subsection (a) shall  
17 evaluate the multigenerational activities or civic en-  
18 gagement activities carried out under the project to  
19 determine—

20           “(A) the effectiveness of the activities in-  
21 volved;

22           “(B) the impact of such activities on the  
23 community being served and the organization  
24 providing the activities; and

1                   “(C) the impact of such activities on older  
2 individuals involved in such project.

3                   “(2) REPORT.—The organization shall submit a  
4 report to the Assistant Secretary containing the  
5 evaluation not later than 6 months after the expira-  
6 tion of the period for which the grant or contract is  
7 in effect.

8                   “(g) REPORT TO CONGRESS.—Not later than 6  
9 months after the Assistant Secretary receives the reports  
10 described in subsection (f)(2), the Assistant Secretary  
11 shall prepare and submit to the Speaker of the House of  
12 Representatives and the President pro tempore of the Sen-  
13 ate a report that assesses the evaluations and includes,  
14 at a minimum—

15                   “(1) the names or descriptive titles of the  
16 projects funded under subsection (a);

17                   “(2) a description of the nature and operation  
18 of the projects;

19                   “(3) the names and addresses of organizations  
20 that conducted the projects;

21                   “(4) in the case of projects carried out under  
22 subsection (a)(1), a description of the methods and  
23 success of the projects in recruiting older individuals  
24 as employees and as volunteers to participate in the  
25 projects;

1           “(5) in the case of projects carried out under  
2           subsection (a)(1), a description of the success of the  
3           projects in retaining older individuals participating  
4           in the projects as employees and as volunteers;

5           “(6) in the case of projects carried out under  
6           subsection (a)(1), the rate of turnover of older indi-  
7           vidual employees and volunteers in the projects;

8           “(7) a strategy for disseminating the findings  
9           resulting from the projects described in paragraph  
10          (1); and

11          “(8) any policy change recommendations relat-  
12          ing to the projects.

13          “(h) DEFINITIONS.—As used in this section:

14          “(1) MULTIGENERATIONAL ACTIVITY.—The  
15          term ‘multigenerational activity’ means an activity  
16          that provides an opportunity for interaction between  
17          2 or more individuals of different generations, in-  
18          cluding activities connecting older individuals and  
19          youth in a child care program, a youth day care pro-  
20          gram, an educational assistance program, an at-risk  
21          youth intervention program, a juvenile delinquency  
22          treatment program, a before- or after-school pro-  
23          gram, a library program, or a family support pro-  
24          gram.

1           “(2) MULTIGENERATIONAL COORDINATOR.—

2           The term ‘multigenerational coordinator’ means a  
3           person who—

4                   “(A) builds the capacity of public and non-  
5                   profit organizations to develop meaningful roles  
6                   and assignments, that use the time, skill, and  
7                   experience of older individuals to serve those or-  
8                   ganizations; and

9                   “(B) nurtures productive, sustainable  
10                  working relationships between—

11                          “(i) individuals from the generations  
12                          with older individuals; and

13                          “(ii) individuals in younger genera-  
14                          tions.”.

15 **SEC. 407. NATIVE AMERICAN PROGRAMS.**

16           Section 418(a)(2)(B)(i) of the Older Americans Act  
17           of 1965 (42 U.S.C. 3032g(a)(2)(B)(i)) is amended by in-  
18           serting “(including mental health)” after “health”.

19 **SEC. 408. MULTIDISCIPLINARY CENTERS AND MULTIDISCI-**  
20 **PLINARY SYSTEMS.**

21           Section 419 of the Older Americans Act of 1965 (42  
22           U.S.C. 3032h) is amended—

23                   (1) by striking the title and inserting the fol-  
24                   lowing:

1 **“SEC. 419. MULTIDISCIPLINARY CENTERS AND MULTIDISCI-**  
2 **PLINARY SYSTEMS.”;**

3 (2)(A) in subsection (b)(2), by redesignating  
4 subparagraphs (A) through (G) as clauses (i)  
5 through (vii), respectively;

6 (B) in subsection (c)(2), by redesignating sub-  
7 paragraphs (A) through (D) as clauses (i) through  
8 (iv), respectively; and

9 (C) by aligning the margins of the clauses de-  
10 scribed in subparagraphs (A) and (B) with the mar-  
11 gins of clause (iv) of section 418(a)(2)(A) of such  
12 Act;

13 (3)(A) in subsection (b), by redesignating para-  
14 graphs (1) and (2) as subparagraphs (A) and (B),  
15 respectively;

16 (B) in subsection (c), by redesignating para-  
17 graphs (1) and (2) as subparagraphs (A) and (B),  
18 respectively; and

19 (C) by aligning the margins of the subpara-  
20 graphs described in subparagraphs (A) and (B) with  
21 the margins of subparagraph (D) of section  
22 420(a)(1) of such Act;

23 (4) in subsection (a), by striking “(a)” and all  
24 that follows through “The” and inserting the fol-  
25 lowing:

26 “(a) MULTIDISCIPLINARY CENTERS.—

1 “(1) PROGRAM AUTHORIZED.—The”;  
2 (5) in subsection (b)—  
3 (A) by striking the following:  
4 “(b) USE OF FUNDS.—” and inserting the following:  
5 “(2) USE OF FUNDS.—”; and  
6 (B) by striking “subsection (a)” each place  
7 it appears and inserting “paragraph (1)”;  
8 (6) in subsection (c)—  
9 (A) by striking the following:  
10 “(c) DATA.—” and inserting the following:  
11 “(3) DATA.—”;  
12 (B) by striking “subsection (a)” and in-  
13 serting “paragraph (1)”;  
14 (C) by striking “such subsection” and in-  
15 serting “such paragraph”;  
16 (D) by striking “paragraph (1)” and in-  
17 serting “subparagraph (A)”;  
18 (E) by striking “this section” and insert-  
19 ing “this subsection”;  
20 (7) in subsection (a) (as so redesignated)—  
21 (A) in paragraph (1), by inserting “diverse  
22 populations of older individuals residing in  
23 urban communities,” after “minority popu-  
24 lations,”;  
25 (B) in paragraph (2)(B)—

1 (C)(i) in clause (v), by inserting “, includ-  
2 ing information about best practices in long-  
3 term care service delivery, housing, and trans-  
4 portation” before the semicolon at the end;

5 (ii) in clause (vi)—

6 (I) by striking “consultation and”;

7 (II) by inserting “and other technical  
8 assistance” after “information”; and

9 (III) by striking “and” at the end;

10 (iii) in clause (vii), by striking the period  
11 at the end and inserting “; and”; and

12 (iv) by adding at the end the following:

13 “(viii) provide training and technical  
14 assistance to support the provision of com-  
15 munity-based mental health services for  
16 older individuals.”; and

17 (8) by adding at the end the following:

18 “(b) MULTIDISCIPLINARY HEALTH SERVICES IN  
19 COMMUNITIES.—

20 “(1) PROGRAM AUTHORIZED.—The Assistant  
21 Secretary shall make grants to States, on a competi-  
22 tive basis, for the development and operation of—

23 “(A) systems for the delivery of mental  
24 health screening and treatment services for

1           older individuals who lack access to such serv-  
2           ices; and

3                   “(B) programs to—

4                           “(i) increase public awareness regard-  
5                           ing the benefits of prevention and treat-  
6                           ment of mental disorders in older individ-  
7                           uals;

8                           “(ii) reduce the stigma associated  
9                           with mental disorders in older individuals  
10                          and other barriers to the diagnosis and  
11                          treatment of the disorders; and

12                          “(iii) reduce age-related prejudice and  
13                          discrimination regarding mental disorders  
14                          in older individuals.

15                   “(2) APPLICATION.—To be eligible to receive a  
16                   grant under this subsection for a State, a State  
17                   agency shall submit an application to the Assistant  
18                   Secretary at such time, in such manner, and con-  
19                   taining such information as the Assistant Secretary  
20                   may require.

21                   “(3) STATE ALLOCATION AND PRIORITIES.—A  
22                   State agency that receives funds through a grant  
23                   made under this subsection shall allocate the funds  
24                   to area agencies on aging to carry out this sub-  
25                   section in planning and service areas in the State.

1 In allocating the funds, the State agency shall give  
2 priority to planning and service areas in the State—

3 “(A) that are medically underserved; and

4 “(B) in which there are large numbers of  
5 older individuals.

6 “(4) AREA COORDINATION OF SERVICES WITH  
7 OTHER PROVIDERS.—In carrying out this sub-  
8 section, to more efficiently and effectively deliver  
9 services to older individuals, each area agency on  
10 aging shall—

11 “(A) coordinate services described in sub-  
12 paragraphs (A) and (B) of paragraph (1) with  
13 such services or similar or related services of  
14 other community agencies, and voluntary orga-  
15 nizations; and

16 “(B) to the greatest extent practicable, in-  
17 tegrate outreach and educational activities with  
18 such activities of existing (as of the date of the  
19 integration) social service and health care (in-  
20 cluding mental health) providers serving older  
21 individuals in the planning and service area in-  
22 volved.

23 “(5) RELATIONSHIP TO OTHER FUNDING  
24 SOURCES.—Funds made available under this sub-  
25 section shall supplement, and not supplant, any Fed-

1 eral, State, and local funds expended by a State or  
2 unit of general purpose local government (including  
3 an area agency on aging) to provide the services de-  
4 scribed in subparagraphs (A) and (B) of paragraph  
5 (1).

6 “(6) DEFINITION.—In this subsection, the term  
7 ‘mental health screening and treatment services’  
8 means patient screening, diagnostic services, care  
9 planning and oversight, therapeutic interventions,  
10 and referrals, that are—

11 “(A) provided pursuant to evidence-based  
12 intervention and treatment protocols (to the ex-  
13 tent such protocols are available) for mental  
14 disorders prevalent in older individuals; and

15 “(B) coordinated and integrated with the  
16 services of social service and health care (in-  
17 cluding mental health) providers in an area in  
18 order to—

19 “(i) improve patient outcomes; and

20 “(ii) ensure, to the maximum extent  
21 feasible, the continuing independence of  
22 older individuals who are residing in the  
23 area.”.

1 **SEC. 409. COMMUNITY INNOVATIONS FOR AGING IN PLACE.**

2 Part A of title IV of the Older Americans Act of 1965  
3 (42 U.S.C. 3031 et seq.) is amended by adding at the end  
4 the following:

5 **“SEC. 422. COMMUNITY INNOVATIONS FOR AGING IN**  
6 **PLACE.**

7 “(a) DEFINITIONS.—In this section:

8 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
9 tity’—

10 “(A) means a nonprofit health or social  
11 service organization, a community-based non-  
12 profit organization, an area agency on aging or  
13 other local government agency, a tribal organi-  
14 zation, or another entity that—

15 “(i) the Assistant Secretary deter-  
16 mines to be appropriate to carry out a  
17 project under this part; and

18 “(ii) demonstrates a record of, and ex-  
19 perience in, providing or administering  
20 group and individual health and social  
21 services for older individuals; and

22 “(B) does not include an entity providing  
23 housing under the congregate housing services  
24 program carried out under section 802 of the  
25 Cranston-Gonzalez National Affordable Hous-  
26 ing Act (42 U.S.C. 8011) or the multifamily

1 service coordinator program carried out under  
2 section 202(g) of the Housing Act of 1959 (12  
3 U.S.C. 1701q(g)).

4 “(2) NATURALLY OCCURRING RETIREMENT  
5 COMMUNITY.—The term ‘Naturally Occurring Re-  
6 tirement Community’ means a community with a  
7 concentrated population of older individuals, which  
8 may include a residential building, a housing com-  
9 plex, an area (including a rural area) of single fam-  
10 ily residences, or a neighborhood composed of age-  
11 integrated housing—

12 “(A) where—

13 “(i) 40 percent of the heads of house-  
14 holds are older individuals; or

15 “(ii) a critical mass of older individ-  
16 uals exists, based on local factors that,  
17 taken in total, allow an organization to  
18 achieve efficiencies in the provision of  
19 health and social services to older individ-  
20 uals living in the community; and

21 “(B) that is not an institutional care or as-  
22 sisted living setting.

23 “(b) GRANTS.—

24 “(1) IN GENERAL.—The Assistant Secretary  
25 shall make grants, on a competitive basis, to eligible

1 entities to develop and carry out model aging in  
2 place projects. The projects shall promote aging in  
3 place for older individuals (including such individ-  
4 uals who reside in Naturally Occurring Retirement  
5 Communities), in order to sustain the independence  
6 of older individuals. A recipient of a grant under  
7 this subsection shall identify innovative strategies for  
8 providing, and linking older individuals to programs  
9 and services that provide, comprehensive and coordi-  
10 nated health and social services to sustain the qual-  
11 ity of life of older individuals and support aging in  
12 place.

13 “(2) GRANT PERIODS.—The Assistant Sec-  
14 retary shall make the grants for periods of 3 years.

15 “(c) APPLICATIONS.—

16 “(1) IN GENERAL.—To be eligible to receive a  
17 grant under subsection (b) for a project, an entity  
18 shall submit an application to the Assistant Sec-  
19 retary at such time, in such manner, and containing  
20 such information as the Assistant Secretary may re-  
21 quire.

22 “(2) CONTENTS.—The application shall in-  
23 clude—

1           “(A) a detailed description of the entity’s  
2           experience in providing services to older individ-  
3           uals in age-integrated settings;

4           “(B) a definition of the contiguous service  
5           area and a description of the project area in  
6           which the older individuals reside or carry out  
7           activities to sustain their well-being;

8           “(C) the results of a needs assessment that  
9           identifies—

10           “(i) existing (as of the date of the as-  
11           sessment) community-based health and so-  
12           cial services available to individuals resid-  
13           ing in the project area;

14           “(ii) the strengths and gaps of such  
15           existing services in the project area;

16           “(iii) the needs of older individuals  
17           who reside in the project area; and

18           “(iv) services not being delivered that  
19           would promote aging in place and con-  
20           tribute to the well-being of older individ-  
21           uals residing in the project area;

22           “(D) a plan for the development and im-  
23           plementation of an innovative model for service  
24           coordination and delivery within the project  
25           area;

1           “(E) a description of how the plan de-  
2           scribed in subparagraph (D) will enhance exist-  
3           ing services described in subparagraph (C)(i)  
4           and support the goal of this section to promote  
5           aging in place;

6           “(F) a description of proposed actions by  
7           the entity to prevent the duplication of services  
8           funded under a provision of this Act, other than  
9           this section, and a description of how the entity  
10          will cooperate, and coordinate planning and  
11          services (including any formal agreements),  
12          with agencies and organizations that provide  
13          publicly supported services for older individuals  
14          in the project area, including the State agency  
15          and area agencies on aging with planning and  
16          service areas in the project area;

17          “(G) an assurance that the entity will seek  
18          to establish cooperative relationships with inter-  
19          ested local entities, including private agencies  
20          and businesses that provide health and social  
21          services, housing entities, community develop-  
22          ment organizations, philanthropic organizations,  
23          foundations, and other non-Federal entities;

24          “(H) a description of the entity’s protocol  
25          for referral of residents who may require long-

1 term care services, including coordination with  
2 local agencies, including area agencies on aging  
3 and Aging and Disability Resource Centers that  
4 serve as single points of entry to public services;

5 “(I) a description of how the entity will  
6 offer opportunities for older individuals to be  
7 involved in the governance, oversight, and oper-  
8 ation of the project;

9 “(J) an assurance that the entity will sub-  
10 mit to the Assistant Secretary such evaluations  
11 and reports as the Assistant Secretary may re-  
12 quire; and

13 “(K) a plan for long-term sustainability of  
14 the project.

15 “(d) USE OF FUNDS.—

16 “(1) IN GENERAL.—An eligible entity that re-  
17 ceives a grant under subsection (b) shall use the  
18 funds made available through the grant to—

19 “(A) ensure access by older individuals in  
20 the project area to community-based health and  
21 social services consisting of—

22 “(i) case management, case assist-  
23 ance, and social work services;

1           “(ii) health care management and  
2           health care assistance, including disease  
3           prevention and health promotion services;

4           “(iii) education, socialization, and rec-  
5           reational activities; and

6           “(iv) volunteer opportunities for  
7           project participants;

8           “(B) conduct outreach to older individuals  
9           within the project area; and

10          “(C) develop and implement innovative,  
11          comprehensive, and cost-effective approaches  
12          for the delivery and coordination of community-  
13          based health and social services, including those  
14          identified in subparagraph (A)(iv), which may  
15          include mental health services, for eligible older  
16          individuals.

17          “(2) COORDINATION.—An eligible entity receiv-  
18          ing a grant under subsection (b) for a project shall  
19          coordinate activities with organizations providing  
20          services funded under title III to support such serv-  
21          ices for or facilitate the delivery of such services to  
22          eligible older individuals served by the project.

23          “(3) PREFERENCE.—In carrying out an aging  
24          in place project, an eligible entity shall, to the extent  
25          practicable, serve a community of low-income indi-

1       viduals and operate or locate the project and services  
2       in or in close proximity to a location where a large  
3       concentration of older individuals has aged in place  
4       and resided, such as a Naturally Occurring Retirement  
5       Community.

6               “(4) SUPPLEMENT NOT SUPPLANT.—Funds  
7       made available to an eligible entity under subsection  
8       (b) shall be used to supplement, not supplant, any  
9       Federal, State, or other funds otherwise available to  
10      the entity to provide health and social services to eli-  
11      gible older individuals.

12              “(e) COMPETITIVE GRANTS FOR TECHNICAL ASSIST-  
13      ANCE.—

14              “(1) GRANTS.—The Assistant Secretary shall  
15      (or shall make a grant, on a competitive basis, to an  
16      eligible nonprofit organization, to enable the organi-  
17      zation to)—

18                      “(A) provide technical assistance to recipi-  
19                      ents of grants under subsection (b); and

20                      “(B) carry out other duties, as determined  
21                      by the Assistant Secretary.

22              “(2) ELIGIBLE ORGANIZATION.—To be eligible  
23      to receive a grant under this subsection, an organi-  
24      zation shall be a nonprofit organization (including a  
25      partnership of nonprofit organizations), that—

1           “(A) has experience and expertise in pro-  
2           viding technical assistance to a range of entities  
3           serving older individuals and experience evalu-  
4           ating and reporting on programs; and

5           “(B) has demonstrated knowledge of and  
6           expertise in community-based health and social  
7           services.

8           “(3) APPLICATION.—To be eligible to receive a  
9           grant under this subsection, an organization (includ-  
10          ing a partnership of nonprofit organizations) shall  
11          submit an application to the Assistant Secretary at  
12          such time, in such manner, and containing such in-  
13          formation as the Assistant Secretary may require,  
14          including an assurance that the organization will  
15          submit to the Assistant Secretary such evaluations  
16          and reports as the Assistant Secretary may require.

17          “(f) REPORT.—The Assistant Secretary shall annu-  
18          ally prepare and submit a report to Congress that shall  
19          include—

20                 “(1) the findings resulting from the evaluations  
21                 of the model projects conducted under this section;

22                 “(2) a description of recommended best prac-  
23                 tices regarding carrying out health and social service  
24                 projects for older individuals aging in place; and

1           “(3) recommendations for legislative or admin-  
2           istrative action, as the Assistant Secretary deter-  
3           mines appropriate.”.

4 **SEC. 410. RESPONSIBILITIES OF ASSISTANT SECRETARY.**

5           Section 432(c)(2)(B) of the Older Americans Act of  
6 1965 (42 U.S.C. 3033a(c)(2)(B)) is amended by inserting  
7 “, including preparing an analysis of such services,  
8 projects, and programs, and of how the evaluation relates  
9 to improvements in such services, projects, and programs  
10 and in the strategic plan of the Administration” before  
11 the period at the end.

12 **TITLE V—OLDER AMERICAN**  
13 **COMMUNITY SERVICE EM-**  
14 **PLOYMENT PROGRAM**

15 **SEC. 501. COMMUNITY SERVICE SENIOR OPPORTUNITIES**  
16 **ACT.**

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

19 **“TITLE V—COMMUNITY SERVICE**  
20 **SENIOR OPPORTUNITIES ACT**

21 **“SEC. 501. SHORT TITLE.**

22           “‘This title may be cited as the ‘Community Service  
23 Senior Opportunities Act’.

1 **“SEC. 502. OLDER AMERICAN COMMUNITY SERVICE EM-**  
2 **PLOYMENT PROGRAM.**

3 “(a) IN GENERAL.—

4 “(1) ESTABLISHMENT OF PROGRAM.—To foster  
5 individual economic self-sufficiency and promote use-  
6 ful opportunities in community service activities  
7 (which shall include community service employment)  
8 for unemployed low-income persons who are age 55  
9 or older, particularly persons who have poor employ-  
10 ment prospects, and to increase the number of per-  
11 sons who may enjoy the benefits of unsubsidized em-  
12 ployment in both the public and private sectors, the  
13 Secretary of Labor (referred to in this title as the  
14 ‘Secretary’) may establish an older American com-  
15 munity service employment program.

16 “(2) USE OF APPROPRIATED AMOUNTS.—  
17 Amounts appropriated to carry out this title shall be  
18 used only to carry out the provisions contained in  
19 this title.

20 “(b) GRANT AUTHORITY.—

21 “(1) PROJECTS.—To carry out this title, the  
22 Secretary may make grants to public and nonprofit  
23 private agencies and organizations, agencies of a  
24 State, and tribal organizations to carry out the pro-  
25 gram established under subsection (a). Such grants  
26 may provide for the payment of costs, as provided in

1 subsection (c), of projects developed by such organi-  
2 zations and agencies in cooperation with the Sec-  
3 retary in order to make such program effective or to  
4 supplement such program. The Secretary shall make  
5 the grants from allotments made under section 506,  
6 and in accordance with section 514. No payment  
7 shall be made by the Secretary toward the cost of  
8 any project established or administered by such an  
9 organization or agency unless the Secretary deter-  
10 mines that such project—

11 “(A) will provide community service em-  
12 ployment only for eligible individuals except for  
13 necessary technical, administrative, and super-  
14 visory personnel, and such personnel will, to the  
15 fullest extent possible, be recruited from among  
16 eligible individuals;

17 “(B)(i) will provide community service em-  
18 ployment and other authorized activities for eli-  
19 gible individuals in the community in which  
20 such individuals reside, or in nearby commu-  
21 nities; or

22 “(ii) if such project is carried out by a  
23 tribal organization that receives a grant under  
24 this subsection or receives assistance from a  
25 State that receives a grant under this sub-

1 section, will provide community service employ-  
2 ment and other authorized activities for such  
3 individuals, including those who are Indians re-  
4 siding on an Indian reservation, as defined in  
5 section 2601 of the Energy Policy Act of 1992  
6 (25 U.S.C. 3501);

7 “(C) will comply with an average participa-  
8 tion cap for eligible individuals (in the aggre-  
9 gate) of—

10 “(i) 27 months; or

11 “(ii) pursuant to the request of a  
12 grantee, an extended period of participa-  
13 tion established by the Secretary for a spe-  
14 cific project area for such grantee, up to a  
15 period of not more than 36 months, if the  
16 Secretary determines that extenuating cir-  
17 cumstances exist relating to the factors  
18 identified in section 513(a)(2)(D) that jus-  
19 tify such an extended period for the pro-  
20 gram year involved;

21 “(D) will employ eligible individuals in  
22 service related to publicly owned and operated  
23 facilities and projects, or projects sponsored by  
24 nonprofit organizations (excluding political par-  
25 ties exempt from taxation under section

1           501(c)(3) of the Internal Revenue Code of  
2           1986), but excluding projects involving the con-  
3           struction, operation, or maintenance of any fa-  
4           cility used or to be used as a place for sectarian  
5           religious instruction or worship;

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

9           “(F) will provide community service em-  
10          ployment and other authorized activities for eli-  
11          gible individuals;

12          “(G)(i) will not reduce the number of em-  
13          ployment opportunities or vacancies that would  
14          otherwise be available to individuals not partici-  
15          pating in the program;

16          “(ii) will not displace currently employed  
17          workers (including partial displacement, such as  
18          a reduction in the hours of nonovertime work,  
19          wages, or employment benefits);

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

24          “(iv) will not employ or continue to employ  
25          any eligible individual to perform the same

1 work or substantially the same work as that  
2 performed by any other individual who is on  
3 layoff;

4 “(H) will coordinate activities with training  
5 and other services provided under title I of the  
6 Workforce Investment Act of 1998 (29 U.S.C.  
7 2801 et seq.), including utilizing the one-stop  
8 delivery system of the local workforce invest-  
9 ment areas involved to recruit eligible individ-  
10 uals to ensure that the maximum number of eli-  
11 gible individuals will have an opportunity to  
12 participate in the project;

13 “(I) will include such training (such as  
14 work experience, on-the-job training, and class-  
15 room training) as may be necessary to make the  
16 most effective use of the skills and talents of  
17 those individuals who are participating, and will  
18 provide for the payment of the reasonable ex-  
19 penses of individuals being trained, including a  
20 reasonable subsistence allowance equivalent to  
21 the wage described in subparagraph (J);

22 “(J) will ensure that safe and healthy em-  
23 ployment conditions will be provided, and will  
24 ensure that participants employed in commu-  
25 nity service and other jobs assisted under this

1 title will be paid wages that shall not be lower  
2 than whichever is the highest of—

3 “(i) the minimum wage that would be  
4 applicable to such a participant under the  
5 Fair Labor Standards Act of 1938 (29  
6 U.S.C. 201 et seq.), if section 6(a)(1) of  
7 such Act (29 U.S.C. 206(a)(1)) applied to  
8 the participant and if the participant were  
9 not exempt under section 13 of such Act  
10 (29 U.S.C. 213);

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

14 “(iii) the prevailing rates of pay for  
15 individuals employed in similar public oc-  
16 cupations by the same employer;

17 “(K) will be established or administered  
18 with the advice of persons competent in the  
19 field of service in which community service em-  
20 ployment or other authorized activities are  
21 being provided, and of persons who are knowl-  
22 edgeable about the needs of older individuals;

23 “(L) will authorize payment for necessary  
24 supportive services costs (including transpor-  
25 tation costs) of eligible individuals that may be

1 incurred in training in any project funded  
2 under this title, in accordance with rules issued  
3 by the Secretary;

4 “(M) will ensure that, to the extent fea-  
5 sible, such project will serve the needs of minor-  
6 ity and Indian eligible individuals, eligible indi-  
7 viduals with limited English proficiency, and eli-  
8 gible individuals with greatest economic need,  
9 at least in proportion to their numbers in the  
10 area served and take into consideration their  
11 rates of poverty and unemployment;

12 “(N)(i) will prepare an assessment of the  
13 participants’ skills and talents and their needs  
14 for services, except to the extent such project  
15 has, for the participant involved, recently pre-  
16 pared an assessment of such skills and talents,  
17 and such needs, pursuant to another employ-  
18 ment or training program (such as a program  
19 under the Workforce Investment Act of 1998  
20 (29 U.S.C. 2801 et seq.), the Carl D. Perkins  
21 Career and Technical Education Act of 2006  
22 (20 U.S.C. 2301 et seq.), or part A of title IV  
23 of the Social Security Act (42 U.S.C. 601 et  
24 seq.)) and will prepare a related service strat-  
25 egy;

1           “(ii) will provide training and employment  
2 counseling to eligible individuals based on strat-  
3 egies that identify appropriate employment ob-  
4 jectives and the need for supportive services,  
5 developed as a result of the assessment and  
6 service strategy provided for in clause (i), and  
7 provide other appropriate information regarding  
8 such project; and

9           “(iii) will provide counseling to partici-  
10 pants on their progress in meeting such objec-  
11 tives and satisfying their need for supportive  
12 services;

13           “(O) will provide appropriate services for  
14 participants, or refer the participants to appro-  
15 priate services, through the one-stop delivery  
16 system of the local workforce investment areas  
17 involved as established under section 134(e) of  
18 the Workforce Investment Act of 1998 (29  
19 U.S.C. 2864(c)), and will be involved in the  
20 planning and operations of such system pursu-  
21 ant to a memorandum of understanding with  
22 the local workforce investment board in accord-  
23 ance with section 121(e) of such Act (29 U.S.C.  
24 2841(c));

1           “(P) will post in such project workplace a  
2 notice, and will make available to each person  
3 associated with such project a written expla-  
4 nation—

5           “(i) clarifying the law with respect to  
6 political activities allowable and unallow-  
7 able under chapter 15 of title 5, United  
8 States Code, applicable to the project and  
9 to each category of individuals associated  
10 with such project; and

11           “(ii) containing the address and tele-  
12 phone number of the Inspector General of  
13 the Department of Labor, to whom ques-  
14 tions regarding the application of such  
15 chapter may be addressed;

16           “(Q) will provide to the Secretary the de-  
17 scription and information described in—

18           “(i) paragraph (8), relating to coordi-  
19 nation with other Federal programs, of  
20 section 112(b) of the Workforce Invest-  
21 ment Act of 1998 (29 U.S.C. 2822(b));  
22 and

23           “(ii) paragraph (14), relating to im-  
24 plementation of one-stop delivery systems,

1 of section 112(b) of the Workforce Invest-  
2 ment Act of 1998; and

3 “(R) will ensure that entities that carry  
4 out activities under the project (including State  
5 agencies, local entities, subgrantees, and sub-  
6 contractors) and affiliates of such entities re-  
7 ceive an amount of the administrative cost allo-  
8 cation determined by the Secretary, in consulta-  
9 tion with grantees, to be sufficient.

10 “(2) REGULATIONS.—The Secretary may estab-  
11 lish, issue, and amend such regulations as may be  
12 necessary to effectively carry out this title.

13 “(3) ASSESSMENT AND SERVICE STRATEGIES.—

14 “(A) PREPARED UNDER THIS ACT.—An  
15 assessment and service strategy required by  
16 paragraph (1)(N) to be prepared for an eligible  
17 individual shall satisfy any condition for an as-  
18 sessment and service strategy or individual em-  
19 ployment plan for an adult participant under  
20 subtitle B of title I of the Workforce Invest-  
21 ment Act of 1998 (29 U.S.C. 2811 et seq.), in  
22 order to determine whether such eligible indi-  
23 vidual also qualifies for intensive or training  
24 services described in section 134(d) of such Act  
25 (29 U.S.C. 2864(d)).

1           “(B) PREPARED UNDER WORKFORCE IN-  
2           VESTMENT ACT OF 1998.—An assessment and  
3           service strategy or individual employment plan  
4           prepared under subtitle B of title I of the  
5           Workforce Investment Act of 1998 (29 U.S.C.  
6           2811 et seq.) for an eligible individual may be  
7           used to comply with the requirement specified  
8           in subparagraph (A).

9           “(c) FEDERAL SHARE AND USE OF FUNDS.—

10           “(1) FEDERAL SHARE.—The Secretary may  
11           pay a Federal share not to exceed 90 percent of the  
12           cost of any project for which a grant is made under  
13           subsection (b), except that the Secretary may pay all  
14           of such cost if such project is—

15                   “(A) an emergency or disaster project; or

16                   “(B) a project located in an economically  
17           depressed area, as determined by the Secretary  
18           in consultation with the Secretary of Commerce  
19           and the Secretary of Health and Human Serv-  
20           ices.

21           “(2) NON-FEDERAL SHARE.—The non-Federal  
22           share shall be in cash or in kind. In determining the  
23           amount of the non-Federal share, the Secretary may  
24           attribute fair market value to services and facilities  
25           contributed from non-Federal sources.

1           “(3) USE OF FUNDS FOR ADMINISTRATIVE  
2 COSTS.—Of the grant amount to be paid under this  
3 subsection by the Secretary for a project, not to ex-  
4 ceed 13.5 percent shall be available for any fiscal  
5 year to pay the administrative costs of such project,  
6 except that—

7           “(A) the Secretary may increase the  
8 amount available to pay the administrative  
9 costs to an amount not to exceed 15 percent of  
10 the grant amount if the Secretary determines,  
11 based on information submitted by the grantee  
12 under subsection (b), that such increase is nec-  
13 essary to carry out such project; and

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

16           “(i) major administrative cost in-  
17 creases are being incurred in necessary  
18 program components, including liability in-  
19 surance, payments for workers’ compensa-  
20 tion, costs associated with achieving unsub-  
21 sidized placement goals, and costs associ-  
22 ated with other operation requirements im-  
23 posed by the Secretary;

24           “(ii) the number of community service  
25 employment positions in the project or the

1 number of minority eligible individuals par-  
2 ticipating in the project will decline if the  
3 amount available to pay the administrative  
4 costs is not increased; or

5 “(iii) the size of the project is so small  
6 that the amount of administrative costs in-  
7 curred to carry out the project necessarily  
8 exceeds 13.5 percent of the grant amount;  
9 the Secretary shall increase the amount avail-  
10 able for such fiscal year to pay the administra-  
11 tive costs to an amount not to exceed 15 per-  
12 cent of the grant amount.

13 “(4) ADMINISTRATIVE COSTS.—For purposes of  
14 this title, administrative costs are the costs, both  
15 personnel-related and nonpersonnel-related and both  
16 direct and indirect, associated with the following:

17 “(A) The costs of performing general ad-  
18 ministrative functions and of providing for the  
19 coordination of functions, such as the costs of—

20 “(i) accounting, budgeting, and finan-  
21 cial and cash management;

22 “(ii) procurement and purchasing;

23 “(iii) property management;

24 “(iv) personnel management;

25 “(v) payroll functions;

1           “(vi) coordinating the resolution of  
2 findings arising from audits, reviews, in-  
3 vestigations, and incident reports;

4           “(vii) audits;

5           “(viii) general legal services;

6           “(ix) developing systems and proce-  
7 dures, including information systems, re-  
8 quired for administrative functions;

9           “(x) preparing administrative reports;

10          and

11          “(xi) other activities necessary for the  
12 general administration of government  
13 funds and associated programs.

14          “(B) The costs of performing oversight  
15 and monitoring responsibilities related to ad-  
16 ministrative functions.

17          “(C) The costs of goods and services re-  
18 quired for administrative functions of the  
19 project involved, including goods and services  
20 such as rental or purchase of equipment, utili-  
21 ties, office supplies, postage, and rental and  
22 maintenance of office space.

23          “(D) The travel costs incurred for official  
24 business in carrying out administrative activi-  
25 ties or overall management.

1           “(E) The costs of information systems re-  
2           lated to administrative functions (such as per-  
3           sonnel, procurement, purchasing, property man-  
4           agement, accounting, and payroll systems), in-  
5           cluding the purchase, systems development, and  
6           operating costs of such systems.

7           “(F) The costs of technical assistance, pro-  
8           fessional organization membership dues, and  
9           evaluating results obtained by the project in-  
10          volved against stated objectives.

11          “(5) NON-FEDERAL SHARE OF ADMINISTRATIVE  
12          COSTS.—To the extent practicable, an entity that  
13          carries out a project under this title shall provide for  
14          the payment of the expenses described in paragraph  
15          (4) from non-Federal sources.

16          “(6) USE OF FUNDS FOR WAGES AND BENE-  
17          FITS AND PROGRAMMATIC ACTIVITY COSTS.—

18                 “(A) IN GENERAL.—Amounts made avail-  
19                 able for a project under this title that are not  
20                 used to pay for the administrative costs shall be  
21                 used to pay for the costs of programmatic ac-  
22                 tivities, including the costs of—

23                         “(i) participant wages, such benefits  
24                         as are required by law (such as workers’  
25                         compensation or unemployment compensa-

1           tion), the costs of physical examinations,  
2           compensation for scheduled work hours  
3           during which an employer’s business is  
4           closed for a Federal holiday, and necessary  
5           sick leave that is not part of an accumu-  
6           lated sick leave program, except that no  
7           amounts provided under this title may be  
8           used to pay the cost of pension benefits,  
9           annual leave, accumulated sick leave, or  
10          bonuses;

11           “(ii) participant training (including  
12          the payment of reasonable costs of instruc-  
13          tors, classroom rental, training supplies,  
14          materials, equipment, and tuition), which  
15          may be provided prior to or subsequent to  
16          placement and which may be provided on  
17          the job, in a classroom setting, or pursuant  
18          to other appropriate arrangements;

19           “(iii) job placement assistance, includ-  
20          ing job development and job search assist-  
21          ance;

22           “(iv) participant supportive services to  
23          enable a participant to successfully partici-  
24          pate in a project under this title, which  
25          may include the payment of reasonable

1 costs of transportation, health and medical  
2 services, special job-related or personal  
3 counseling, incidentals (such as work  
4 shoes, badges, uniforms, eyeglasses, and  
5 tools), child and adult care, temporary  
6 shelter, and follow-up services; and

7 “(v) outreach, recruitment and selec-  
8 tion, intake, orientation, and assessments.

9 “(B) USE OF FUNDS FOR WAGES AND  
10 BENEFITS.—From the funds made available  
11 through a grant made under subsection (b), a  
12 grantee under this title—

13 “(i) except as provided in clause (ii),  
14 shall use not less than 75 percent of the  
15 grant funds to pay the wages, benefits, and  
16 other costs described in subparagraph  
17 (A)(i) for eligible individuals who are em-  
18 ployed under projects carried out under  
19 this title; or

20 “(ii) that obtains approval for a re-  
21 quest described in subparagraph (C) may  
22 use not less than 65 percent of the grant  
23 funds to pay the wages, benefits, and other  
24 costs described in subparagraph (A)(i).

1                   “(C) REQUEST TO USE ADDITIONAL  
2 FUNDS FOR PROGRAMMATIC ACTIVITY COSTS.—

3                   “(i) IN GENERAL.—A grantee may  
4 submit to the Secretary a request for ap-  
5 proval—

6                   “(I) to use not less than 65 per-  
7 cent of the grant funds to pay the  
8 wages, benefits, and other costs de-  
9 scribed in subparagraph (A)(i);

10                   “(II) to use the percentage of  
11 grant funds described in paragraph  
12 (3) to pay for administrative costs, as  
13 specified in that paragraph;

14                   “(III) to use not more than 10  
15 percent of the grant funds for indi-  
16 vidual participants to provide activi-  
17 ties described in clauses (ii) and (iv)  
18 of subparagraph (A), in which case  
19 the grantee shall provide (from the  
20 funds described in this subclause) the  
21 subsistence allowance described in  
22 subsection (b)(1)(I) for those indi-  
23 vidual participants who are receiving  
24 training described in that subsection  
25 from the funds described in this sub-

1 clause, but may not use the funds de-  
2 scribed in this subclause to pay for  
3 any administrative costs; and

4 “(IV) to use the remaining grant  
5 funds to provide activities described in  
6 clauses (ii) through (v) of subpara-  
7 graph (A).

8 “(ii) CONTENTS.—In submitting the  
9 request the grantee shall include in the re-  
10 quest—

11 “(I) a description of the activities  
12 for which the grantee will spend the  
13 grant funds described in subclauses  
14 (III) and (IV) of clause (i), consistent  
15 with those subclauses;

16 “(II) an explanation documenting  
17 how the provision of such activities  
18 will improve the effectiveness of the  
19 project, including an explanation con-  
20 cerning whether any displacement of  
21 eligible individuals or elimination of  
22 positions for such individuals will  
23 occur, information on the number of  
24 such individuals to be displaced and of  
25 such positions to be eliminated, and

1 an explanation concerning how the ac-  
2 tivities will improve employment out-  
3 comes for individuals served, based on  
4 the assessment conducted under sub-  
5 section (b)(1)(N); and

6 “(III) a proposed budget and  
7 work plan for the activities, including  
8 a detailed description of the funds to  
9 be spent on the activities described in  
10 subclauses (III) and (IV) of clause (i).

11 “(iii) SUBMISSION.—The grantee shall  
12 submit a request described in clause (i) not  
13 later than 90 days before the proposed  
14 date of implementation contained in the re-  
15 quest. Not later than 30 days before the  
16 proposed date of implementation, the Sec-  
17 retary shall approve, approve as modified,  
18 or reject the request, on the basis of the  
19 information included in the request as de-  
20 scribed in clause (ii).

21 “(D) REPORT.—Each grantee under sub-  
22 section (b) shall annually prepare and submit to  
23 the Secretary a report documenting the grant-  
24 ee’s use of funds for activities described in  
25 clauses (i) through (v) of subparagraph (A).

1       “(d) PROJECT DESCRIPTION.—Whenever a grantee  
2 conducts a project within a planning and service area in  
3 a State, such grantee shall conduct such project in con-  
4 sultation with the area agency on aging of the planning  
5 and service area and shall submit to the State agency and  
6 the area agency on aging a description of such project to  
7 be conducted in the State, including the location of the  
8 project, 90 days prior to undertaking the project, for re-  
9 view and public comment according to guidelines the Sec-  
10 retary shall issue to assure efficient and effective coordina-  
11 tion of projects under this title.

12       “(e) PILOT, DEMONSTRATION, AND EVALUATION  
13 PROJECTS.—

14               “(1) IN GENERAL.—The Secretary, in addition  
15 to exercising any other authority contained in this  
16 title, shall use funds reserved under section  
17 506(a)(1) to carry out demonstration projects, pilot  
18 projects, and evaluation projects, for the purpose of  
19 developing and implementing techniques and ap-  
20 proaches, and demonstrating the effectiveness of the  
21 techniques and approaches, in addressing the em-  
22 ployment and training needs of eligible individuals.  
23 The Secretary shall enter into such agreements with  
24 States, public agencies, nonprofit private organiza-  
25 tions, or private business concerns, as may be nec-

1       essary, to conduct the projects authorized by this  
2       subsection. To the extent practicable, the Secretary  
3       shall provide an opportunity, prior to the develop-  
4       ment of a demonstration or pilot project, for the ap-  
5       propriate area agency on aging to submit comments  
6       on such a project in order to ensure coordination of  
7       activities under this title.

8               “(2) PROJECTS.—Such projects may include—

9                       “(A) activities linking businesses and eligi-  
10                      ble individuals, including activities providing as-  
11                      sistance to participants transitioning from sub-  
12                      sidized activities to private sector employment;

13                     “(B) demonstration projects and pilot  
14                      projects designed to—

15                               “(i) attract more eligible individuals  
16                              into the labor force;

17                             “(ii) improve the provision of services  
18                            to eligible individuals under one-stop deliv-  
19                            ery systems established under title I of the  
20                            Workforce Investment Act of 1998 (29  
21                            U.S.C. 2801 et seq.);

22                             “(iii) enhance the technological skills  
23                            of eligible individuals; and

24                             “(iv) provide incentives to grantees  
25                            under this title for exemplary performance

1           and incentives to businesses to promote  
2           their participation in the program under  
3           this title;

4           “(C) demonstration projects and pilot  
5           projects, as described in subparagraph (B), for  
6           workers who are older individuals (but targeted  
7           to eligible individuals) only if such demonstra-  
8           tion projects and pilot projects are designed to  
9           assist in developing and implementing tech-  
10          niques and approaches in addressing the em-  
11          ployment and training needs of eligible individ-  
12          uals;

13          “(D) provision of training and technical  
14          assistance to support any project funded under  
15          this title;

16          “(E) dissemination of best practices relat-  
17          ing to employment of eligible individuals; and

18          “(F) evaluation of the activities authorized  
19          under this title.

20          “(3) CONSULTATION.—To the extent prac-  
21          ticable, entities carrying out projects under this sub-  
22          section shall consult with appropriate area agencies  
23          on aging and with other appropriate agencies and  
24          entities to promote coordination of activities under  
25          this title.

1 **“SEC. 503. ADMINISTRATION.**

2 “(a) STATE PLAN.—

3 “(1) GOVERNOR.—For a State to be eligible to  
4 receive an allotment under section 506, the Governor  
5 of the State shall submit to the Secretary for consid-  
6 eration and approval, a single State plan (referred to  
7 in this title as the ‘State plan’) that outlines a 4-  
8 year strategy for the statewide provision of commu-  
9 nity service employment and other authorized activi-  
10 ties for eligible individuals under this title. The plan  
11 shall contain such provisions as the Secretary may  
12 require, consistent with this title, including a de-  
13 scription of the process used to ensure the participa-  
14 tion of individuals described in paragraph (2). Not  
15 less often than every 2 years, the Governor shall re-  
16 view the State plan and submit an update to the  
17 State plan to the Secretary for consideration and ap-  
18 proval.

19 “(2) RECOMMENDATIONS.—In developing the  
20 State plan prior to its submission to the Secretary,  
21 the Governor shall seek the advice and recommenda-  
22 tions of—

23 “(A) individuals representing the State  
24 agency and the area agencies on aging in the  
25 State, and the State and local workforce invest-  
26 ment boards established under title I of the

1 Workforce Investment Act of 1998 (29 U.S.C.  
2 2801 et seq.);

3 “(B) individuals representing public and  
4 nonprofit private agencies and organizations  
5 providing employment services, including each  
6 grantee operating a project under this title in  
7 the State; and

8 “(C) individuals representing social service  
9 organizations providing services to older individ-  
10 uals, grantees under title III of this Act, af-  
11 fected communities, unemployed older individ-  
12 uals, community-based organizations serving  
13 the needs of older individuals, business organi-  
14 zations, and labor organizations.

15 “(3) COMMENTS.—Any State plan submitted by  
16 the Governor in accordance with paragraph (1) shall  
17 be accompanied by copies of public comments relat-  
18 ing to the plan received pursuant to paragraph (7),  
19 and a summary of the comments.

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

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

1           “(B) the relative distribution of eligible in-  
2           dividuals residing in rural and urban areas in  
3           the State; and

4           “(C) the relative distribution of—

5                   “(i) eligible individuals who are indi-  
6                   viduals with greatest economic need;

7                   “(ii) eligible individuals who are mi-  
8                   nority individuals;

9                   “(iii) eligible individuals who are lim-  
10                  ited English proficient; and

11                  “(iv) eligible individuals who are indi-  
12                  viduals with greatest social need;

13           “(D) the current and projected employ-  
14           ment opportunities in the State (such as by  
15           providing information available under section  
16           15 of the Wagner-Peyser Act (29 U.S.C. 491-  
17           2) by occupation), and the type of skills pos-  
18           sessed by local eligible individuals;

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

22           “(F) plans for facilitating the coordination  
23           of activities of grantees in the State under this  
24           title with activities carried out in the State

1 under title I of the Workforce Investment Act  
2 of 1998 (29 U.S.C. 2801 et seq.).

3 “(5) GOVERNOR’S RECOMMENDATIONS.—Before  
4 a proposal for a grant under this title for any fiscal  
5 year is submitted to the Secretary, the Governor of  
6 the State in which projects are proposed to be con-  
7 ducted under such grant shall be afforded a reason-  
8 able opportunity to submit to the Secretary—

9 “(A) recommendations regarding the an-  
10 ticipated effect of each such proposal upon the  
11 overall distribution of enrollment positions  
12 under this title in the State (including such dis-  
13 tribution among urban and rural areas), taking  
14 into account the total number of positions to be  
15 provided by all grantees in the State;

16 “(B) any recommendations for redistribu-  
17 tion of positions to underserved areas as vacan-  
18 cies occur in previously encumbered positions in  
19 other areas; and

20 “(C) in the case of any increase in funding  
21 that may be available for use in the State under  
22 this title for the fiscal year, any recommenda-  
23 tions for distribution of newly available posi-  
24 tions in excess of those available during the pre-  
25 ceding year to underserved areas.

1           “(6) DISRUPTIONS.—In developing a plan or  
2           considering a recommendation under this subsection,  
3           the Governor shall avoid disruptions in the provision  
4           of services for participants to the greatest possible  
5           extent.

6           “(7) DETERMINATION; REVIEW.—

7           “(A) DETERMINATION.—In order to effec-  
8           tively carry out this title, each State shall make  
9           the State plan available for public comment.  
10          The Secretary, in consultation with the Assist-  
11          ant Secretary, shall review the plan and make  
12          a written determination with findings and a de-  
13          cision regarding the plan.

14          “(B) REVIEW.—The Secretary may review,  
15          on the Secretary’s own initiative or at the re-  
16          quest of any public or private agency or organi-  
17          zation or of any agency of the State, the dis-  
18          tribution of projects and services under this  
19          title in the State, including the distribution be-  
20          tween urban and rural areas in the State. For  
21          each proposed reallocation of projects or serv-  
22          ices in a State, the Secretary shall give notice  
23          and opportunity for public comment.

24          “(8) EXEMPTION.—The grantees that serve eli-  
25          gible individuals who are older Indians or Pacific Is-

1 land and Asian Americans with funds reserved under  
2 section 506(a)(3) may not be required to participate  
3 in the State planning processes described in this sec-  
4 tion but shall collaborate with the Secretary to de-  
5 velop a plan for projects and services to eligible indi-  
6 viduals who are Indians or Pacific Island and Asian  
7 Americans, respectively.

8 “(b) COORDINATION WITH OTHER FEDERAL PRO-  
9 GRAMS.—

10 “(1) IN GENERAL.—The Secretary and the As-  
11 sistant Secretary shall coordinate the program car-  
12 ried out under this title with programs carried out  
13 under other titles of this Act, to increase employ-  
14 ment opportunities available to older individuals.

15 “(2) PROGRAMS.—

16 “(A) IN GENERAL.—The Secretary shall  
17 coordinate programs carried out under this title  
18 with the program carried out under the Work-  
19 force Investment Act of 1998 (29 U.S.C. 2801  
20 et seq.), the Community Services Block Grant  
21 Act (42 U.S.C. 9901 et seq.), the Rehabilitation  
22 Act of 1973 (29 U.S.C. 701 et seq.), the Carl  
23 D. Perkins Career and Technical Education Act  
24 of 2006 (20 U.S.C. 2301 et seq.), the National  
25 and Community Service Act of 1990 (42 U.S.C.

1 12501 et seq.), and the Domestic Volunteer  
2 Service Act of 1973 (42 U.S.C. 4950 et seq.).  
3 The Secretary shall coordinate the administra-  
4 tion of this title with the administration of  
5 other titles of this Act by the Assistant Sec-  
6 retary to increase the likelihood that eligible in-  
7 dividuals for whom employment opportunities  
8 under this title are available and who need serv-  
9 ices under such titles receive such services.

10 “(B) USE OF FUNDS.—

11 “(i) PROHIBITION.—Funds appro-  
12 priated to carry out this title may not be  
13 used to carry out any program under the  
14 Workforce Investment Act of 1998, the  
15 Community Services Block Grant Act, the  
16 Rehabilitation Act of 1973, the Carl D.  
17 Perkins Career and Technical Education  
18 Act of 2006, the National and Community  
19 Service Act of 1990, or the Domestic Vol-  
20 unteer Service Act of 1973.

21 “(ii) JOINT ACTIVITIES.—Clause (i)  
22 shall not be construed to prohibit carrying  
23 out projects under this title jointly with  
24 programs, projects, or activities under any

1 Act specified in clause (i), or from carrying  
2 out section 511.

3 “(3) INFORMATIONAL MATERIALS ON AGE DIS-  
4 CRIMINATION.—The Secretary shall distribute to  
5 grantees under this title, for distribution to program  
6 participants, and at no cost to grantees or partici-  
7 pants, informational materials developed and sup-  
8 plied by the Equal Employment Opportunity Com-  
9 mission and other appropriate Federal agencies that  
10 the Secretary determines are designed to help par-  
11 ticipants identify age discrimination and to under-  
12 stand their rights under the Age Discrimination in  
13 Employment Act of 1967 (29 U.S.C. 621 et seq.).

14 “(c) USE OF SERVICES, EQUIPMENT, PERSONNEL,  
15 AND FACILITIES.—In carrying out this title, the Secretary  
16 may use the services, equipment, personnel, and facilities  
17 of Federal and other agencies, with their consent, with or  
18 without reimbursement, and on a similar basis cooperate  
19 with other public and nonprofit private agencies and orga-  
20 nizations in the use of services, equipment, and facilities.

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

1       “(e) NO DELEGATION OF FUNCTIONS.—The Sec-  
2 retary shall not delegate any function of the Secretary  
3 under this title to any other Federal officer or entity.

4       “(f) COMPLIANCE.—

5           “(1) MONITORING.—The Secretary shall mon-  
6 itor projects for which grants are made under this  
7 title to determine whether the grantees are com-  
8 plying with rules and regulations issued to carry out  
9 this title (including the statewide planning, consulta-  
10 tion, and coordination requirements of this title).

11           “(2) COMPLIANCE WITH UNIFORM COST PRIN-  
12 CIPLES AND ADMINISTRATIVE REQUIREMENTS.—  
13 Each grantee that receives funds under this title  
14 shall comply with the applicable uniform cost prin-  
15 ciples and appropriate administrative requirements  
16 for grants and contracts that are applicable to the  
17 type of entity that receives funds, as issued as circu-  
18 lars or rules of the Office of Management and Budg-  
19 et.

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

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

3                   “(A) are sufficient to permit the prepara-  
4 tion of reports required by this title;

5                   “(B) are sufficient to permit the tracing of  
6 funds to a level of expenditure adequate to en-  
7 sure that the funds have not been spent unlaw-  
8 fully; and

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

11           “(g) EVALUATIONS.—The Secretary shall establish  
12 by rule and implement a process to evaluate, in accordance  
13 with section 513, the performance of projects carried out  
14 and services provided under this title. The Secretary shall  
15 report to Congress, and make available to the public, the  
16 results of each such evaluation and shall use such evalua-  
17 tion to improve services delivered by, or the operation of,  
18 projects carried out under this title.

19 **“SEC. 504. PARTICIPANTS NOT FEDERAL EMPLOYEES.**

20           “(a) INAPPLICABILITY OF CERTAIN PROVISIONS  
21 COVERING FEDERAL EMPLOYEES.—Eligible individuals  
22 who are participants in any project funded under this title  
23 shall not be considered to be Federal employees as a result  
24 of such participation and shall not be subject to part III  
25 of title 5, United States Code.

1       “(b) WORKERS’ COMPENSATION.—No grant or  
2 subgrant shall be made and no contract or subcontract  
3 shall be entered into under this title with an entity who  
4 is, or whose employees are, under State law, exempted  
5 from operation of the State workers’ compensation law,  
6 generally applicable to employees, unless the entity shall  
7 undertake to provide either through insurance by a recog-  
8 nized carrier or by self-insurance, as authorized by State  
9 law, that the persons employed under the grant, subgrant,  
10 contract, or subcontract shall enjoy workers’ compensation  
11 coverage equal to that provided by law for covered employ-  
12 ment.

13 **“SEC. 505. INTERAGENCY COOPERATION.**

14       “(a) CONSULTATION WITH THE ASSISTANT SEC-  
15 RETARY.—The Secretary shall consult with and obtain the  
16 written views of the Assistant Secretary before issuing  
17 rules and before establishing general policy in the adminis-  
18 tration of this title.

19       “(b) CONSULTATION WITH HEADS OF OTHER AGEN-  
20 CIES.—The Secretary shall consult and cooperate with the  
21 Secretary of Health and Human Services (acting through  
22 officers including the Director of the Office of Community  
23 Services), and the heads of other Federal agencies that  
24 carry out programs related to the program carried out  
25 under this title, in order to achieve optimal coordination

1 of the program carried out under this title with such re-  
2 lated programs. Each head of a Federal agency shall co-  
3 operate with the Secretary in disseminating information  
4 relating to the availability of assistance under this title  
5 and in promoting the identification and interests of indi-  
6 viduals eligible for employment in projects assisted under  
7 this title.

8 “(c) COORDINATION.—

9 “(1) IN GENERAL.—The Secretary shall pro-  
10 mote and coordinate efforts to carry out projects  
11 under this title jointly with programs, projects, or  
12 activities carried out under other Acts, especially ac-  
13 tivities provided under the Workforce Investment  
14 Act of 1998 (29 U.S.C. 2801 et seq.), including ac-  
15 tivities provided through one-stop delivery systems  
16 established under section 134(c) of such Act (29  
17 U.S.C. 2864(c)), that provide training and employ-  
18 ment opportunities to eligible individuals.

19 “(2) COORDINATION WITH CERTAIN ACTIVI-  
20 TIES.—The Secretary shall consult with the Sec-  
21 retary of Education to promote and coordinate ef-  
22 forts to carry out projects under this title jointly  
23 with activities in which eligible individuals may par-  
24 ticipate that are carried out under the Carl D. Per-

1 kins Career and Technical Education Act of 2006  
2 (20 U.S.C. 2301 et seq.).

3 **“SEC. 506. DISTRIBUTION OF ASSISTANCE.**

4 “(a) RESERVATIONS.—

5 “(1) RESERVATION FOR PILOT DEMONSTRA-  
6 TION AND EVALUATION PROJECTS.—Of the funds  
7 appropriated to carry out this title for each fiscal  
8 year, the Secretary may first reserve not more than  
9 1.5 percent to carry out demonstration projects,  
10 pilot projects, and evaluation projects under section  
11 502(e).

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

16 “(A) Guam, American Samoa, and the  
17 United States Virgin Islands shall each receive  
18 30 percent of the funds so reserved; and

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

22 “(3) RESERVATION FOR ORGANIZATIONS.—Of  
23 the funds appropriated to carry out this title for  
24 each fiscal year, the Secretary shall reserve such  
25 amount as may be necessary to make national

1 grants to public or nonprofit national Indian aging  
2 organizations with the ability to provide community  
3 service employment and other authorized activities  
4 for eligible individuals who are Indians and to na-  
5 tional public or nonprofit Pacific Island and Asian  
6 American aging organizations with the ability to  
7 provide community service employment and other  
8 authorized activities for eligible individuals who are  
9 Pacific Island and Asian Americans.

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

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

20 “(1) RESERVATION OF FUNDS FOR FISCAL  
21 YEAR 2000 LEVEL OF ACTIVITIES.—

22 “(A) IN GENERAL.—The Secretary shall  
23 reserve the amount of funds necessary to main-  
24 tain the fiscal year 2000 level of activities sup-  
25 ported by grantees that operate under this title

1 under national grants from the Secretary, and  
2 the fiscal year 2000 level of activities supported  
3 by State grantees under this title, in proportion  
4 to their respective fiscal year 2000 levels of ac-  
5 tivities.

6 “(B) INSUFFICIENT APPROPRIATIONS.—If  
7 in any fiscal year the funds appropriated to  
8 carry out this title are insufficient to satisfy the  
9 requirement specified in subparagraph (A), then  
10 the amount described in subparagraph (A) shall  
11 be reduced proportionally.

12 “(2) FUNDING IN EXCESS OF FISCAL YEAR 2000  
13 LEVEL OF ACTIVITIES.—

14 “(A) UP TO \$35,000,000.—The amount of  
15 funds remaining (if any) after the application of  
16 paragraph (1), but not to exceed \$35,000,000,  
17 shall be divided so that 75 percent shall be pro-  
18 vided to State grantees and 25 percent shall be  
19 provided to grantees that operate under this  
20 title under national grants from the Secretary.

21 “(B) OVER \$35,000,000.—The amount of  
22 funds remaining (if any) after the application of  
23 subparagraph (A) shall be divided so that 50  
24 percent shall be provided to State grantees and  
25 50 percent shall be provided to grantees that

1           operate under this title under national grants  
2           from the Secretary.

3           “(d) ALLOTMENTS FOR NATIONAL GRANTS.—From  
4 funds available under subsection (c) for national grants,  
5 the Secretary shall allot for public and nonprofit private  
6 agency and organization grantees that operate under this  
7 title under national grants from the Secretary in each  
8 State, an amount that bears the same ratio to such funds  
9 as the product of the number of individuals age 55 or older  
10 in the State and the allotment percentage of such State  
11 bears to the sum of the corresponding products for all  
12 States, except as follows:

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

20           “(2) HOLD HARMLESS.—If such amount pro-  
21 vided under subsection (c) is—

22           “(A) equal to or less than the amount nec-  
23 essary to maintain the fiscal year 2000 level of  
24 activities, allotments for grantees that operate  
25 under this title under national grants from the

1 Secretary in each State shall be proportional to  
2 the amount necessary to maintain their fiscal  
3 year 2000 level of activities; or

4 “(B) greater than the amount necessary to  
5 maintain the fiscal year 2000 level of activities,  
6 no State shall be provided a percentage increase  
7 above the amount necessary to maintain the fis-  
8 cal year 2000 level of activities for grantees  
9 that operate under this title under national  
10 grants from the Secretary in the State that is  
11 less than 30 percent of the percentage increase  
12 above the amount necessary to maintain the fis-  
13 cal year 2000 level of activities for public and  
14 private nonprofit agency and organization  
15 grantees that operate under this title under na-  
16 tional grants from the Secretary in all of the  
17 States.

18 “(3) REDUCTION.—Allotments for States not  
19 affected by paragraphs (1) and (2)(B) shall be re-  
20 duced proportionally to satisfy the conditions in such  
21 paragraphs.

22 “(e) ALLOTMENTS FOR GRANTS TO STATES.—From  
23 the amount provided for grants to States under subsection  
24 (c), the Secretary shall allot for the State grantee in each  
25 State an amount that bears the same ratio to such amount

1 as the product of the number of individuals age 55 or older  
2 in the State and the allotment percentage of such State  
3 bears to the sum of the corresponding products for all  
4 States, except as follows:

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

10           “(2) HOLD HARMLESS.—If such amount pro-  
11 vided under subsection (c) is—

12                   “(A) equal to or less than the amount nec-  
13 essary to maintain the fiscal year 2000 level of  
14 activities, allotments for State grantees in each  
15 State shall be proportional to the amount nec-  
16 essary to maintain their fiscal year 2000 level  
17 of activities; or

18                   “(B) greater than the amount necessary to  
19 maintain the fiscal year 2000 level of activities,  
20 no State shall be provided a percentage increase  
21 above the amount necessary to maintain the fis-  
22 cal year 2000 level of activities for State grant-  
23 ees in the State that is less than 30 percent of  
24 the percentage increase above the amount nec-

1           essary to maintain the fiscal year 2000 level of  
2           activities for State grantees in all of the States.

3           “(3) REDUCTION.—Allotments for States not  
4           affected by paragraphs (1) and (2)(B) shall be re-  
5           duced proportionally to satisfy the conditions in such  
6           paragraphs.

7           “(f) ALLOTMENT PERCENTAGE.—For purposes of  
8           subsections (d) and (e) and this subsection—

9           “(1) the allotment percentage of each State  
10          shall be 100 percent less that percentage that bears  
11          the same ratio to 50 percent as the per capita in-  
12          come of such State bears to the per capita income  
13          of the United States, except that—

14                 “(A) the allotment percentage shall be not  
15                 more than 75 percent and not less than 33 per-  
16                 cent; and

17                 “(B) the allotment percentage for the Dis-  
18                 trict of Columbia and the Commonwealth of  
19                 Puerto Rico shall be 75 percent;

20           “(2) the number of individuals age 55 or older  
21          in any State and in all States, and the per capita  
22          income in any State and in all States, shall be deter-  
23          mined by the Secretary on the basis of the most sat-  
24          isfactory data available to the Secretary; and

1           “(3) for the purpose of determining the allot-  
2           ment percentage, the term ‘United States’ means  
3           the 50 States, and the District of Columbia.

4           “(g) DEFINITIONS.—In this section:

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

8                   “(A) the hourly minimum wage rate speci-  
9                   fied in section 6(a)(1) of the Fair Labor Stand-  
10                   ards Act of 1938 (29 U.S.C. 206(a)(1)), multi-  
11                   plied by the number of hours equal to the prod-  
12                   uct of 21 hours and 52 weeks;

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

17                   “(C) an amount determined by the Sec-  
18                   retary, for the purpose of covering Federal pay-  
19                   ments for the remainder of all other program  
20                   and administrative costs.

21           “(2) FISCAL YEAR 2000 LEVEL OF ACTIVI-  
22           TIES.—The term ‘fiscal year 2000 level of activities’  
23           means—

24                   “(A) with respect to public and nonprofit  
25                   private agency and organization grantees that

1 operate under this title under national grants  
2 from the Secretary, their level of activities for  
3 fiscal year 2000; and

4 “(B) with respect to State grantees, their  
5 level of activities for fiscal year 2000.

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

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

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

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

20 **“SEC. 507. EQUITABLE DISTRIBUTION.**

21 “(a) INTERSTATE ALLOCATION.—In making grants  
22 under section 502(b) from allotments made under section  
23 506, the Secretary shall ensure, to the extent feasible, an  
24 equitable distribution of activities under such grants, in

1 the aggregate, among the States, taking into account the  
2 needs of underserved States.

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

8 **“SEC. 508. REPORT.**

9 “To carry out the Secretary’s responsibilities for re-  
10 porting in section 503(g), the Secretary shall require the  
11 State agency for each State that receives funds under this  
12 title to prepare and submit a report at the beginning of  
13 each fiscal year on such State’s compliance with section  
14 507(b). Such report shall include the names and geo-  
15 graphic location of all projects assisted under this title and  
16 carried out in the State and the amount allocated to each  
17 such project under section 506.

18 **“SEC. 509. EMPLOYMENT ASSISTANCE AND FEDERAL HOUS-  
19 ING AND FOOD STAMP PROGRAMS.**

20 “Funds received by eligible individuals from projects  
21 carried out under the program established under this title  
22 shall not be considered to be income of such individuals  
23 for purposes of determining the eligibility of such individ-  
24 uals, or of any other individuals, to participate in any  
25 housing program for which Federal funds may be available

1 or for any income determination under the Food Stamp  
2 Act of 1977 (7 U.S.C. 2011 et seq.).

3 **“SEC. 510. ELIGIBILITY FOR WORKFORCE INVESTMENT AC-**  
4 **TIVITIES.**

5 “Eligible individuals under this title may be consid-  
6 ered by local workforce investment boards and one-stop  
7 operators established under title I of the Workforce In-  
8 vestment Act of 1998 (29 U.S.C. 2801 et seq.) to satisfy  
9 the requirements for receiving services under such title I  
10 that are applicable to adults.

11 **“SEC. 511. COORDINATION WITH THE WORKFORCE INVEST-**  
12 **MENT ACT OF 1998.**

13 “(a) PARTNERS.—Grantees under this title shall be  
14 one-stop partners as described in subparagraphs (A) and  
15 (B)(vi) of section 121(b)(1) of the Workforce Investment  
16 Act of 1998 (29 U.S.C. 2841(b)(1)) in the one-stop deliv-  
17 ery system established under section 134(c) of such Act  
18 (29 U.S.C. 2864(c)) for the appropriate local workforce  
19 investment areas, and shall carry out the responsibilities  
20 relating to such partners.

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

24 “(1) coordinate their activities related to the  
25 one-stop delivery systems; and

1           “(2) be signatories of the memorandum of un-  
2           derstanding established under section 121(c) of the  
3           Workforce Investment Act of 1998 (29 U.S.C.  
4           2841(e)).

5   **“SEC. 512. TREATMENT OF ASSISTANCE.**

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

10   **“SEC. 513. PERFORMANCE.**

11           “(a) MEASURES AND INDICATORS.—

12           “(1) ESTABLISHMENT AND IMPLEMENTATION  
13           OF MEASURES AND INDICATORS.—The Secretary  
14           shall establish and implement, after consultation  
15           with grantees, subgrantees, and host agencies under  
16           this title, States, older individuals, area agencies on  
17           aging, and other organizations serving older individ-  
18           uals, core measures of performance and additional  
19           indicators of performance for each grantee for  
20           projects and services carried out under this title.  
21           The core measures of performance and additional in-  
22           dicators of performance shall be applicable to each  
23           grantee under this title without regard to whether  
24           such grantee operates the program directly or

1 through subcontracts, subgrants, or agreements with  
2 other entities.

3 “(2) CONTENT.—

4 “(A) COMPOSITION OF MEASURES AND IN-  
5 DICATORS.—

6 “(i) MEASURES.—The core measures  
7 of performance established by the Sec-  
8 retary in accordance with paragraph (1)  
9 shall consist of core indicators of perform-  
10 ance specified in subsection (b)(1) and the  
11 expected levels of performance applicable  
12 to each core indicator of performance.

13 “(ii) ADDITIONAL INDICATORS.—The  
14 additional indicators of performance estab-  
15 lished by the Secretary in accordance with  
16 paragraph (1) shall be the additional indi-  
17 cators of performance specified in sub-  
18 section (b)(2).

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

23 “(C) EXPECTED LEVELS OF PERFORM-  
24 ANCE.—The Secretary and each grantee shall  
25 reach agreement on the expected levels of per-

1 formance for each program year for each of the  
2 core indicators of performance specified in sub-  
3 paragraph (A)(i). The agreement shall take into  
4 account the requirement of subparagraph (B)  
5 and the factors described in subparagraph (D),  
6 and other appropriate factors as determined by  
7 the Secretary, and shall be consistent with the  
8 requirements of subparagraph (E). Funds may  
9 not be awarded under the grant until such  
10 agreement is reached. At the conclusion of ne-  
11 gotiations concerning the levels with all grant-  
12 ees, the Secretary shall make available for pub-  
13 lic review the final negotiated expected levels of  
14 performance for each grantee, including any  
15 comments submitted by the grantee regarding  
16 the grantee's satisfaction with the negotiated  
17 levels.

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

24 “(i) High rates of unemployment or of  
25 poverty or participation in the program of

1 block grants to States for temporary as-  
2 sistance for needy families established  
3 under part A of title IV of the Social Secu-  
4 rity Act (42 U.S.C. 601 et seq.), in the  
5 areas served by a grantee, relative to other  
6 areas of the State involved or Nation.

7 “(ii) Significant downturns in the  
8 areas served by the grantee or in the na-  
9 tional economy.

10 “(iii) Significant numbers or propor-  
11 tions of participants with 1 or more bar-  
12 riers to employment, including individuals  
13 described in subsection (a)(3)(B)(ii) or  
14 (b)(2) of section 518, served by a grantee  
15 relative to such numbers or proportions for  
16 grantees serving other areas of the State  
17 or Nation.

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

20 “(v) Limited economies of scale for  
21 the provision of community service employ-  
22 ment and other authorized activities in the  
23 areas served by the grantee.

24 “(E) PLACEMENT.—

1           “(i) LEVEL OF PERFORMANCE.—For  
2 all grantees, the Secretary shall establish  
3 an expected level of performance of not  
4 less than the percentage specified in clause  
5 (ii) (adjusted in accordance with subpara-  
6 graph (D)) for the entry into unsubsidized  
7 employment core indicator of performance  
8 described in subsection (b)(1)(B).

9           “(ii) REQUIRED PLACEMENT PER-  
10 CENTAGES.—The minimum percentage for  
11 the expected level of performance for the  
12 entry into unsubsidized employment core  
13 indicator of performance described in sub-  
14 section (b)(1)(B) is—

15                   “(I) 21 percent for fiscal year  
16                   2007;

17                   “(II) 22 percent for fiscal year  
18                   2008;

19                   “(III) 23 percent for fiscal year  
20                   2009;

21                   “(IV) 24 percent for fiscal year  
22                   2010; and

23                   “(V) 25 percent for fiscal year  
24                   2011.

1           “(3) LIMITATION.—An agreement to be evalu-  
2           ated on the core measures of performance and to re-  
3           port information on the additional indicators of per-  
4           formance shall be a requirement for application for,  
5           and a condition of, all grants authorized by this  
6           title.

7           “(b) INDICATORS OF PERFORMANCE.—

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

11                   “(A) hours (in the aggregate) of commu-  
12                   nity service employment;

13                   “(B) entry into unsubsidized employment;

14                   “(C) retention in unsubsidized employment  
15                   for 6 months;

16                   “(D) earnings; and

17                   “(E) the number of eligible individuals  
18                   served, including the number of participating  
19                   individuals described in subsection (a)(3)(B)(ii)  
20                   or (b)(2) of section 518.

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

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

1           “(B) satisfaction of the participants, em-  
2           ployers, and their host agencies with their expe-  
3           riences and the services provided;

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

7           “(3) DEFINITIONS OF INDICATORS.—The Sec-  
8           retary, after consultation with national and State  
9           grantees, representatives of business and labor orga-  
10          nizations, and providers of services, shall, by regula-  
11          tion, issue definitions of the indicators of perform-  
12          ance described in paragraphs (1) and (2).

13          “(c) EVALUATION.—The Secretary shall—

14                 “(1) annually evaluate, and publish and make  
15                 available for public review information on, the actual  
16                 performance of each grantee with respect to the lev-  
17                 els achieved for each of the core indicators of per-  
18                 formance, compared to the expected levels of per-  
19                 formance established under subsection (a)(2)(C) (in-  
20                 cluding any adjustments to such levels made in ac-  
21                 cordance with subsection (a)(2)(D)); and

22                 “(2) annually publish and make available for  
23                 public review information on the actual performance  
24                 of each grantee with respect to the levels achieved  
25                 for each of the additional indicators of performance.

1       “(d) TECHNICAL ASSISTANCE AND CORRECTIVE EF-  
2 FORTS.—

3           “(1) INITIAL DETERMINATIONS.—

4               “(A) IN GENERAL.—As soon as practicable  
5 after July 1, 2007, the Secretary shall deter-  
6 mine if a grantee under this title has, for pro-  
7 gram year 2006—

8                   “(i) met the expected levels of per-  
9 formance established under subsection  
10 (a)(2)(C) (including any adjustments to  
11 such levels made in accordance with sub-  
12 section (a)(2)(D)) for the core indicators of  
13 performance described in subparagraphs  
14 (A), (C), (D), and (E) of subsection (b)(1);  
15 and

16                   “(ii) achieved the applicable percent-  
17 age specified in subsection (a)(2)(E)(ii) for  
18 the core indicator of performance described  
19 in subsection (b)(1)(B).

20           “(B) TECHNICAL ASSISTANCE.—If the  
21 Secretary determines that the grantee, for pro-  
22 gram year 2006—

23                   “(i) failed to meet the expected levels  
24 of performance described in subparagraph  
25 (A)(i); or

1           “(ii) failed to achieve the applicable  
2           percentage described in subparagraph  
3           (A)(ii),

4           the Secretary shall provide technical assistance  
5           to assist the grantee to meet the expected levels  
6           of performance and achieve the applicable per-  
7           centage.

8           “(2) NATIONAL GRANTEEES.—

9           “(A) IN GENERAL.—Not later than 120  
10          days after the end of each program year, the  
11          Secretary shall determine if a national grantee  
12          awarded a grant under section 502(b) in ac-  
13          cordance with section 514 has met the expected  
14          levels of performance established under sub-  
15          section (a)(2)(C) (including any adjustments to  
16          such levels made in accordance with subsection  
17          (a)(2)(D)) for the core indicators of perform-  
18          ance described in subsection (b)(1).

19          “(B) TECHNICAL ASSISTANCE AND COR-  
20          RECTIVE ACTION PLAN.—

21          “(i) IN GENERAL.—If the Secretary  
22          determines that a national grantee fails to  
23          meet the expected levels of performance de-  
24          scribed in subparagraph (A), the Secretary  
25          after each year of such failure, shall pro-

1           vide technical assistance and require such  
2           grantee to submit a corrective action plan  
3           not later than 160 days after the end of  
4           the program year.

5           “(ii) CONTENT.—The plan submitted  
6           under clause (i) shall detail the steps the  
7           grantee will take to meet the expected lev-  
8           els of performance in the next program  
9           year.

10          “(iii) RECOMPETITION.—Any grantee  
11          who has failed to meet the expected levels  
12          of performance for 4 consecutive years (be-  
13          ginning with program year 2007) shall not  
14          be allowed to compete in the subsequent  
15          grant competition under section 514 fol-  
16          lowing the fourth consecutive year of fail-  
17          ure but may compete in the next such  
18          grant competition after that subsequent  
19          competition.

20          “(3) STATE GRANTEEES.—

21          “(A) IN GENERAL.—Not later than 120  
22          days after the end of each program year, the  
23          Secretary shall determine if a State grantee al-  
24          lotted funds under section 506(e) has met the  
25          expected levels of performance established

1 under subsection (a)(2)(C) (including any ad-  
2 justments to such levels made in accordance  
3 with subsection (a)(2)(D)) for the core indica-  
4 tors of performance described in subsection  
5 (b)(1).

6 “(B) TECHNICAL ASSISTANCE AND COR-  
7 RECTIVE ACTION PLAN.—

8 “(i) IN GENERAL.—If the Secretary  
9 determines that a State fails to meet the  
10 expected levels of performance described in  
11 subparagraph (A), the Secretary, after  
12 each year of such failure, shall provide  
13 technical assistance and require the State  
14 to submit a corrective action plan not later  
15 than 160 days after the end of the pro-  
16 gram year.

17 “(ii) CONTENT.—The plan submitted  
18 under clause (i) shall detail the steps the  
19 State will take to meet the expected levels  
20 of performance in the next program year.

21 “(iii) COMPETITION.—If the Secretary  
22 determines that the State fails to meet the  
23 expected levels of performance described in  
24 subparagraph (A) for 3 consecutive pro-  
25 gram years (beginning with program year

1           2007), the Secretary shall provide for the  
2           conduct by the State of a competition to  
3           award the funds allotted to the State  
4           under section 506(e) for the first full pro-  
5           gram year following the Secretary’s deter-  
6           mination.

7           “(4) SPECIAL RULE FOR ESTABLISHMENT AND  
8           IMPLEMENTATION.—The Secretary shall establish  
9           and implement the core measures of performance  
10          and additional indicators of performance described  
11          in this section, including all required indicators de-  
12          scribed in subsection (b), not later than July 1,  
13          2007.

14          “(e) IMPACT ON GRANT COMPETITION.—The Sec-  
15          retary may not publish a notice announcing a grant com-  
16          petition under this title, and solicit proposals for grants,  
17          until the day that is the later of—

18                 “(1) the date on which the Secretary imple-  
19                 ments the core measures of performance and addi-  
20                 tional indicators of performance described in this  
21                 section; and

22                 “(2) January 1, 2010.

23          **“SEC. 514. COMPETITIVE REQUIREMENTS RELATING TO**  
24                                 **GRANT AWARDS.**

25          “(a) PROGRAM AUTHORIZED.—

1           “(1) INITIAL APPROVAL OF GRANT APPLICA-  
2           TIONS.—From the funds available for national  
3           grants under section 506(d), the Secretary shall  
4           award grants under section 502(b) to eligible appli-  
5           cants, through a competitive process that emphasizes  
6           meeting performance requirements, to carry out  
7           projects under this title for a period of 4 years, ex-  
8           cept as provided in paragraph (2). The Secretary  
9           may not conduct a grant competition under this title  
10          until the day described in section 513(e).

11          “(2) CONTINUATION OF APPROVAL BASED ON  
12          PERFORMANCE.—If the recipient of a grant made  
13          under paragraph (1) meets the expected levels of  
14          performance described in section 513(d)(2)(A) for  
15          each year of such 4-year period with respect to a  
16          project, the Secretary may award a grant under sec-  
17          tion 502(b) to such recipient to continue such  
18          project beyond such 4-year period for 1 additional  
19          year without regard to such process.

20          “(b) ELIGIBLE APPLICANTS.—An applicant shall be  
21          eligible to receive a grant under section 502(b) in accord-  
22          ance with subsections (a), (c), and (d).

23          “(c) CRITERIA.—For purposes of subsection (a)(1),  
24          the Secretary shall select the eligible applicants to receive  
25          grants based on the following:

1           “(1) The applicant’s ability to administer a  
2 project that serves the greatest number of eligible  
3 individuals, giving particular consideration to indi-  
4 viduals with greatest economic need, individuals with  
5 greatest social need, and individuals described in  
6 subsection (a)(3)(B)(ii) or (b)(2) of section 518.

7           “(2) The applicant’s ability to administer a  
8 project that provides employment for eligible individ-  
9 uals in the communities in which such individuals  
10 reside, or in nearby communities, that will con-  
11 tribute to the general welfare of the communities in-  
12 volved.

13           “(3) The applicant’s ability to administer a  
14 project that moves eligible individuals into unsub-  
15 sidized employment.

16           “(4) The applicant’s prior performance, if any,  
17 in meeting core measures of performance and ad-  
18 dressing additional indicators of performance under  
19 this title and the applicant’s ability to address core  
20 indicators of performance and additional indicators  
21 of performance under this title and under other Fed-  
22 eral or State programs in the case of an applicant  
23 that has not previously received a grant under this  
24 title.

1           “(5) The applicant’s ability to move individuals  
2 with multiple barriers to employment, including indi-  
3 viduals described in subsection (a)(3)(B)(ii) or  
4 (b)(2) of section 518, into unsubsidized employment.

5           “(6) The applicant’s ability to coordinate activi-  
6 ties with other organizations at the State and local  
7 level.

8           “(7) The applicant’s plan for fiscal manage-  
9 ment of the project to be administered with funds  
10 received in accordance with this section.

11           “(8) The applicant’s ability to administer a  
12 project that provides community service.

13           “(9) The applicant’s ability to minimize interrup-  
14 tion in services for participants and in community  
15 services provided.

16           “(10) Any additional criteria that the Secretary  
17 considers to be appropriate in order to minimize dis-  
18 ruption in services for participants.

19           “(d) RESPONSIBILITY TESTS.—

20           “(1) IN GENERAL.—Before final selection of a  
21 grantee, the Secretary shall conduct a review of  
22 available records to assess the applicant’s overall re-  
23 sponsibility to administer Federal funds.

24           “(2) REVIEW.—As part of the review described  
25 in paragraph (1), the Secretary may consider any in-

1 formation, including the applicant's history with re-  
2 gard to the management of other grants.

3 “(3) FAILURE TO SATISFY TEST.—The failure  
4 to satisfy a responsibility test with respect to any 1  
5 factor that is listed in paragraph (4), excluding  
6 those listed in subparagraphs (A) and (B) of such  
7 paragraph, does not establish that the applicant is  
8 not responsible unless such failure is substantial or  
9 persists for 2 or more consecutive years.

10 “(4) TEST.—The responsibility tests include re-  
11 view of the following factors:

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

17 “(B) Established fraud or criminal activity  
18 of a significant nature within the organization  
19 or agency involved.

20 “(C) Serious administrative deficiencies  
21 identified by the Secretary, such as failure to  
22 maintain a financial management system as re-  
23 quired by Federal rules or regulations.

24 “(D) Willful obstruction of the audit proc-  
25 ess.

1           “(E) Failure to provide services to partici-  
2 pants for a current or recent grant or to meet  
3 applicable core measures of performance or ad-  
4 dress applicable indicators of performance.

5           “(F) Failure to correct deficiencies  
6 brought to the grantee’s attention in writing as  
7 a result of monitoring activities, reviews, assess-  
8 ments, or other activities.

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

14           “(H) Failure to submit required reports.

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

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

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

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

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

7           “(N) Failure to establish a mechanism to  
8           resolve a subrecipient’s audit in a timely fash-  
9           ion.

10          “(5) DETERMINATION.—Applicants that are de-  
11          termined to be not responsible shall not be selected  
12          as grantees.

13          “(6) DISALLOWED COSTS.—Interest on dis-  
14          allowed costs shall accrue in accordance with the  
15          Debt Collection Improvement Act of 1996, including  
16          the amendments made by that Act.

17          “(e) GRANTEES SERVING INDIVIDUALS WITH BAR-  
18          RIERS TO EMPLOYMENT.—

19          “(1) DEFINITION.—In this subsection, the term  
20          ‘individuals with barriers to employment’ means mi-  
21          nority individuals, Indian individuals, individuals  
22          with greatest economic need, and individuals de-  
23          scribed in subsection (a)(3)(B)(ii) or (b)(2) of sec-  
24          tion 518.



1 title, by service area, and in the aggregate, begin-  
2 ning with data that applies to program year 2005.

3 “(2) EFFORTS.—The report shall also include a  
4 description of each grantee’s efforts to serve minor-  
5 ity individuals, based on information submitted to  
6 the Secretary by each grantee at such time and in  
7 such manner as the Secretary determines to be ap-  
8 propriate.

9 “(3) RELATED MATTERS.—The report shall  
10 also include—

11 “(A) an assessment of individual grantees  
12 based on the criteria established under sub-  
13 section (c);

14 “(B) an analysis of whether any changes  
15 in grantees have affected participation rates of  
16 such minority individuals;

17 “(C) information on factors affecting par-  
18 ticipation rates among such minority individ-  
19 uals; and

20 “(D) recommendations for increasing par-  
21 ticipation of minority individuals in the pro-  
22 gram.

23 “(c) CRITERIA.—The Secretary shall establish cri-  
24 teria for determining the effectiveness of grantees in serv-

1 ing minority individuals in accordance with the goals set  
2 forth in section 502(a)(1).

3 “(d) SUBMISSION.—The Secretary shall annually  
4 submit such a report to the appropriate committees of  
5 Congress.

6 **“SEC. 516. SENSE OF CONGRESS.**

7 “It is the sense of Congress that—

8 “(1) the older American community service em-  
9 ployment program described in this title was estab-  
10 lished with the intent of placing older individuals in  
11 community service positions and providing job train-  
12 ing; and

13 “(2) placing older individuals in community  
14 service positions strengthens the ability of the indi-  
15 viduals to become self-sufficient, provides much-  
16 needed support to organizations that benefit from  
17 increased civic engagement, and strengthens the  
18 communities that are served by such organizations.

19 **“SEC. 517. AUTHORIZATION OF APPROPRIATIONS.**

20 “(a) IN GENERAL.—There are authorized to be ap-  
21 propriated to carry out this title such sums as may be  
22 necessary for fiscal years 2007, 2008, 2009, 2010, and  
23 2011.

24 “(b) OBLIGATION.—Amounts appropriated under  
25 this section for any fiscal year shall be available for obliga-

1 tion during the annual period that begins on July 1 of  
2 the calendar year immediately following the beginning of  
3 such fiscal year and that ends on June 30 of the following  
4 calendar year. The Secretary may extend the period dur-  
5 ing which such amounts may be obligated or expended in  
6 the case of a particular organization or agency that re-  
7 ceives funds under this title if the Secretary determines  
8 that such extension is necessary to ensure the effective use  
9 of such funds by such organization or agency.

10 “(c) RECAPTURING FUNDS.—At the end of the pro-  
11 gram year, the Secretary may recapture any unexpended  
12 funds for the program year, and reobligate such funds  
13 within the 2 succeeding program years for—

14 “(1) incentive grants to entities that are State  
15 grantees or national grantees under section 502(b);

16 “(2) technical assistance; or

17 “(3) grants or contracts for any other activity  
18 under this title.

19 **“SEC. 518. DEFINITIONS AND RULE.**

20 “(a) DEFINITIONS.—For purposes of this title:

21 “(1) COMMUNITY SERVICE.—The term ‘commu-  
22 nity service’ means—

23 “(A) social, health, welfare, and edu-  
24 cational services (including literacy tutoring),  
25 legal and other counseling services and assist-

1           ance, including tax counseling and assistance  
2           and financial counseling, and library, rec-  
3           reational, and other similar services;

4           “(B) conservation, maintenance, or res-  
5           toration of natural resources;

6           “(C) community betterment or beautifi-  
7           cation;

8           “(D) antipollution and environmental qual-  
9           ity efforts;

10          “(E) weatherization activities;

11          “(F) economic development; and

12          “(G) such other services essential and nec-  
13          essary to the community as the Secretary deter-  
14          mines by rule to be appropriate.

15          “(2) COMMUNITY SERVICE EMPLOYMENT.—The  
16          term ‘community service employment’ means part-  
17          time, temporary employment paid with grant funds  
18          in projects described in section 502(b)(1)(D),  
19          through which eligible individuals are engaged in  
20          community service and receive work experience and  
21          job skills that can lead to unsubsidized employment.

22          “(3) ELIGIBLE INDIVIDUAL.—

23                 “(A) IN GENERAL.—The term ‘eligible in-  
24                 dividual’ means an individual who is age 55 or  
25                 older and who has a low income (including any

1 such individual whose income is not more than  
2 125 percent of the poverty line), excluding any  
3 income that is unemployment compensation, a  
4 benefit received under title XVI of the Social  
5 Security Act (42 U.S.C. 1381 et seq.), a pay-  
6 ment made to or on behalf of veterans or  
7 former members of the Armed Forces under the  
8 laws administered by the Secretary of Veterans  
9 Affairs, or 25 percent of a benefit received  
10 under title II of the Social Security Act (42  
11 U.S.C. 401 et seq.), subject to subsection (b).

12 “(B) PARTICIPATION.—

13 “(i) EXCLUSION.—Notwithstanding  
14 any other provision of this paragraph, the  
15 term ‘eligible individual’ does not include  
16 an individual who has participated in  
17 projects under this title for a period of 48  
18 months in the aggregate (whether or not  
19 consecutive) after July 1, 2007 unless the  
20 period was increased as described in clause  
21 (ii).

22 “(ii) INCREASED PERIODS OF PAR-  
23 TICIPATION.—The Secretary shall author-  
24 ize a grantee for a project to increase the  
25 period of participation described in clause

1 (i), pursuant to a request submitted by the  
2 grantee, for individuals who—

3 “(I) have a severe disability;

4 “(II) are frail or are age 75 or  
5 older;

6 “(III) meet the eligibility require-  
7 ments related to age for, but do not  
8 receive, benefits under title II of the  
9 Social Security Act (42 U.S.C. 401 et  
10 seq.);

11 “(IV) live in an area with per-  
12 sistent unemployment and are individ-  
13 uals with severely limited employment  
14 prospects; or

15 “(V) have limited English pro-  
16 ficiency or low literacy skills.

17 “(4) INCOME.—In this section, the term ‘in-  
18 come’ means income received during the 12-month  
19 period (or, at the option of the grantee involved, the  
20 annualized income for the 6-month period) ending  
21 on the date an eligible individual submits an applica-  
22 tion to participate in a project carried out under this  
23 title by such grantee.

24 “(5) PACIFIC ISLAND AND ASIAN AMERICANS.—  
25 The term ‘Pacific Island and Asian Americans’

1 means Americans having origins in any of the origi-  
2 nal peoples of the Far East, Southeast Asia, the In-  
3 dian Subcontinent, or the Pacific Islands.

4 “(6) PROGRAM.—The term ‘program’ means  
5 the older American community service employment  
6 program established under this title.

7 “(7) SUPPORTIVE SERVICES.—The term ‘sup-  
8 portive services’ means services, such as transpor-  
9 tation, child care, dependent care, housing, and  
10 needs-related payments, that are necessary to enable  
11 an individual to participate in activities authorized  
12 under this title, consistent with the provisions of this  
13 title.

14 “(8) UNEMPLOYED.—The term ‘unemployed’,  
15 used with respect to a person or individual, means  
16 an individual who is without a job and who wants  
17 and is available for work, including an individual  
18 who may have occasional employment that does not  
19 result in a constant source of income.

20 “(b) RULE.—Pursuant to regulations prescribed by  
21 the Secretary, an eligible individual shall have priority for  
22 the community service employment and other authorized  
23 activities provided under this title if the individual—

24 “(1) is 65 years of age or older; or

25 “(2)(A) has a disability;

1           “(B) has limited English proficiency or low lit-  
2           eracy skills;

3           “(C) resides in a rural area;

4           “(D) is a veteran;

5           “(E) has low employment prospects;

6           “(F) has failed to find employment after uti-  
7           lizing services provided under title I of the Work-  
8           force Investment Act of 1998 (29 U.S.C. 2801 et  
9           seq.); or

10          “(G) is homeless or at risk for homelessness.”.

11 **SEC. 502. EFFECTIVE DATE.**

12          (a) IN GENERAL.—Title V of the Older Americans  
13 Act of 1965 (as amended by section 501) takes effect July  
14 1, 2007.

15          (b) REGULATIONS AND EXPECTED LEVELS OF PER-  
16 FORMANCE.—

17           (1) REGULATIONS.—Effective on the date of  
18 enactment of this Act, the Secretary of Labor may  
19 issue rules and regulations authorized in such title  
20 V.

21           (2) EXPECTED LEVELS OF PERFORMANCE.—  
22 Prior to July 1, 2007, the Secretary of Labor may  
23 carry out the activities authorized in section  
24 513(a)(2) of the Older Americans Act of 1965 (as  
25 so amended), in preparation for program year 2007.

1     **TITLE VI—NATIVE AMERICANS**

2     **SEC. 601. CLARIFICATION OF MAINTENANCE REQUIRE-**  
3                     **MENT.**

4             (a) IN GENERAL.—Section 614A of the Older Ameri-  
5     cans Act of 1965 (42 U.S.C. 3057e–1) is amended by add-  
6     ing at the end the following:

7             “(c) CLARIFICATION.—

8                     “(1) DEFINITION.—In this subsection, the term  
9             ‘covered year’ means fiscal year 2006 or a subse-  
10     quent fiscal year.

11                    “(2) CONSORTIA OF TRIBAL ORGANIZATIONS.—

12     If a tribal organization received a grant under this  
13     part for fiscal year 1991 as part of a consortium,  
14     the Assistant Secretary shall consider the tribal or-  
15     ganization to have received a grant under this part  
16     for fiscal year 1991 for purposes of subsections (a)  
17     and (b), and shall apply the provisions of subsections  
18     (a) and (b)(1) (under the conditions described in  
19     subsection (b)) to the tribal organization for each  
20     covered year for which the tribal organization sub-  
21     mits an application under this part, even if the tribal  
22     organization submits—

23                             “(A) a separate application from the re-  
24             maining members of the consortium; or

1                   “(B) an application as 1 of the remaining  
2                   members of the consortium.”.

3           (b) **EFFECTIVE DATE.**—The amendment made by  
4 subsection (a) shall apply to grants awarded under part  
5 A of title VI of the Older Americans Act of 1965 (42  
6 U.S.C. 3057b et seq.) during the grant period beginning  
7 April 1, 2008, and all subsequent grant periods.

8 **SEC. 602. NATIVE AMERICANS CAREGIVER SUPPORT PRO-**  
9                   **GRAM.**

10           Section 643 of the Older Americans Act of 1965 (42  
11 U.S.C. 3057n) is amended—

12                   (1) in paragraph (1), by striking “2001” and  
13                   inserting “2007”; and

14                   (2) in paragraph (2), by striking “\$5,000,000”  
15                   and all that follows through the period at the end  
16                   and inserting “\$6,500,000 for fiscal year 2007,  
17                   \$6,800,000 for fiscal year 2008, \$7,200,000 for fis-  
18                   cal year 2009, \$7,500,000 for fiscal year 2010, and  
19                   \$7,900,000 for fiscal year 2011.”.

1 **TITLE VII—ALLOTMENTS FOR**  
2 **VULNERABLE ELDER RIGHTS**  
3 **PROTECTION ACTIVITIES**

4 **SEC. 701. VULNERABLE ELDER RIGHTS PROTECTION AC-**  
5 **TIVITIES.**

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

9 **SEC. 702. ELDER ABUSE, NEGLECT, AND EXPLOITATION.**

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

12 (1) in subsection (a), by striking “programs for  
13 the prevention of” and inserting “programs to ad-  
14 dress”;

15 (2) in subsection (b)—

16 (A) in the matter preceding paragraph (1),  
17 by striking “programs for” and all that follows  
18 through “including—” and inserting the fol-  
19 lowing: “programs for the prevention, detection,  
20 assessment, and treatment of, intervention in,  
21 investigation of, and response to elder abuse,  
22 neglect, and exploitation (including financial ex-  
23 ploitation), including—”;

1 (B) by redesignating paragraphs (2)  
2 through (8) as paragraphs (3) through (9), re-  
3 spectively;

4 (C) by inserting after paragraph (1) the  
5 following:

6 “(2) providing for public education and out-  
7 reach to promote financial literacy and prevent iden-  
8 tity theft and financial exploitation of older individ-  
9 uals;”;

10 (D) in paragraph (8), as redesignated by  
11 subparagraph (B), by striking “and” at the  
12 end;

13 (E) in paragraph (9), as redesignated by  
14 subparagraph (B), by striking the period and  
15 inserting a semicolon; and

16 (F) by adding at the end the following:

17 “(10) examining various types of shelters serv-  
18 ing older individuals (in this paragraph referred to  
19 as ‘safe havens’), and testing various safe haven  
20 models for establishing safe havens (at home or else-  
21 where), that recognize autonomy and self-determina-  
22 tion, and fully protect the due process rights of older  
23 individuals;

24 “(11) supporting multidisciplinary elder justice  
25 activities, such as—

1           “(A) supporting and studying team ap-  
2           proaches for bringing a coordinated multidisci-  
3           plinary or interdisciplinary response to elder  
4           abuse, neglect, and exploitation, including a re-  
5           sponse from individuals in social service, health  
6           care, public safety, and legal disciplines;

7           “(B) establishing a State coordinating  
8           council, which shall identify the individual  
9           State’s needs and provide the Assistant Sec-  
10          retary with information and recommendations  
11          relating to efforts by the State to combat elder  
12          abuse, neglect, and exploitation;

13          “(C) providing training, technical assist-  
14          ance, and other methods of support to groups  
15          carrying out multidisciplinary efforts at the  
16          State (referred to in some States as ‘State  
17          Working Groups’);

18          “(D) broadening and studying various  
19          models for elder fatality and serious injury re-  
20          view teams, to make recommendations about  
21          their composition, protocols, functions, timing,  
22          roles, and responsibilities, with a goal of pro-  
23          ducing models and information that will allow  
24          for replication based on the needs of States and

1 communities (other than the ones in which the  
2 review teams were used); and

3 “(E) developing best practices, for use in  
4 long-term care facilities, that reduce the risk of  
5 elder abuse for residents, including the risk of  
6 resident-to-resident abuse; and

7 “(12) addressing underserved populations of  
8 older individuals, such as—

9 “(A) older individuals living in rural loca-  
10 tions;

11 “(B) older individuals in minority popu-  
12 lations; or

13 “(C) low-income older individuals.”;

14 (3) in subsection (e)(2)—

15 (A) by striking “subsection (b)(8)(B)(i)”  
16 and inserting “subsection (b)(9)(B)(i)”; and

17 (B) by striking “subsection (b)(8)(B)(ii)”  
18 and inserting “subsection (b)(9)(B)(ii)”; and

19 (4) by adding at the end of the section the fol-  
20 lowing:

21 “(h) ACCOUNTABILITY MEASURES.—The Assistant  
22 Secretary shall develop accountability measures to ensure  
23 the effectiveness of the activities carried out under this  
24 section.

1       “(i) EVALUATING PROGRAMS.—The Assistant Sec-  
2 retary shall evaluate the activities carried out under this  
3 section, using funds made available under section 206(g).

4       “(j) COMPLIANCE WITH APPLICABLE LAWS.—In  
5 order to receive funds made available to carry out this sec-  
6 tion, an entity shall comply with all applicable laws, regu-  
7 lations, and guidelines.”.

8       **SEC. 703. NATIVE AMERICAN ORGANIZATION PROVISIONS.**

9       Section 751 of the Older Americans Act of 1965 (42  
10 U.S.C. 3058aa) is amended—

11               (1) in subsection (a)—

12                       (A) in paragraph (1), by striking “and” at  
13 the end;

14                       (B) in paragraph (2), by striking the pe-  
15 riod and inserting “; and”; and

16                       (C) by adding at the end the following:

17                       “(3) enabling the eligible entities to support  
18 multidisciplinary elder justice activities, such as—

19                               “(A) establishing a coordinating council,  
20 which shall identify the needs of an individual  
21 Indian tribe or other Native American group  
22 and provide the Assistant Secretary with infor-  
23 mation and recommendations relating to efforts  
24 by the Indian tribe or the governing entity of

1 the Native American group to combat elder  
2 abuse, neglect, and exploitation;

3 “(B) providing training, technical assist-  
4 ance, and other methods of support to groups  
5 carrying out multidisciplinary efforts for an In-  
6 dian tribe or other Native American group; and

7 “(C) broadening and studying various  
8 models for elder fatality and serious injury re-  
9 view teams, to make recommendations about  
10 their composition, protocols, functions, timing,  
11 roles, and responsibilities, with a goal of pro-  
12 ducing models and information that will allow  
13 for replication based on the needs of Indian  
14 tribes and other Native American groups (other  
15 than the ones in which the review teams were  
16 used).”;

17 (2) in subsection (b), by striking “this subtitle”  
18 and inserting “this section”; and

19 (3) in subsection (d)—

20 (A) by striking “this section” and inserting  
21 “this subtitle”; and

22 (B) by striking “2001” and inserting  
23 “2007”.

1 **SEC. 704. ELDER JUSTICE PROGRAMS.**

2 Subtitle B of title VII of the Older Americans Act  
3 of 1965 (42 U.S.C. 3058aa) is amended—

4 (1) by striking the subtitle heading and insert-  
5 ing the following:

6 **“Subtitle B—Native American Or-  
7 ganization and Elder Justice  
8 Provisions”;**

9 and

10 (2) by inserting after section 751 the following:

11 **“SEC. 752. GRANTS TO PROMOTE COMPREHENSIVE STATE  
12 ELDER JUSTICE SYSTEMS.**

13 “(a) PURPOSE AND AUTHORITY.—For each fiscal  
14 year, the Assistant Secretary may make grants to States,  
15 on a competitive basis, in accordance with this section, to  
16 promote the development and implementation, within each  
17 such State, of a comprehensive elder justice system, as de-  
18 fined in subsection (b).

19 “(b) COMPREHENSIVE ELDER JUSTICE SYSTEM DE-  
20 FINED.—In this section, the term ‘comprehensive elder  
21 justice system’ means an integrated, multidisciplinary,  
22 and collaborative system for preventing, detecting, and ad-  
23 dressing elder abuse, neglect, and exploitation in a manner  
24 that—

1           “(1) provides for widespread, convenient public  
2           access to the range of available elder justice infor-  
3           mation, programs, and services;

4           “(2) coordinates the efforts of public health, so-  
5           cial service, and law enforcement authorities, as well  
6           as other appropriate public and private entities, to  
7           identify and diminish duplication and gaps in the  
8           system;

9           “(3) provides a uniform method for the stand-  
10          ardization, collection, management, analysis, and re-  
11          porting of data; and

12          “(4) provides such other elements as the Assist-  
13          ant Secretary determines appropriate.

14          “(c) APPLICATIONS.—To be eligible to receive a grant  
15          under this section for a fiscal year, a State shall submit  
16          an application to the Assistant Secretary, at such time,  
17          in such manner, and containing such information and as-  
18          surances as the Assistant Secretary determines appro-  
19          priate.

20          “(d) AMOUNT OF GRANTS.—The amount of a grant  
21          to a State with an application approved under this section  
22          for a fiscal year shall be such amount as the Assistant  
23          Secretary determines appropriate.

24          “(e) USE OF FUNDS.—

1           “(1) IN GENERAL.—A State that receives a  
2 grant under this section shall use funds made avail-  
3 able through such grant to promote the development  
4 and implementation of a comprehensive elder justice  
5 system by—

6           “(A) establishing formal working relation-  
7 ships among public and private providers of  
8 elder justice programs, service providers, and  
9 stakeholders in order to create a unified elder  
10 justice network across such State to coordinate  
11 programmatic efforts;

12           “(B) facilitating and supporting the devel-  
13 opment of a management information system  
14 and standard data elements;

15           “(C) providing for appropriate education  
16 (including educating the public about the range  
17 of available elder justice information, programs,  
18 and services), training, and technical assistance;  
19 and

20           “(D) taking such other steps as the Assist-  
21 ant Secretary determines appropriate.

22           “(2) MAINTENANCE OF EFFORT.—Funds made  
23 available to States pursuant to this section shall be  
24 used to supplement and not supplant other Federal,

1 State, and local funds expended to support activities  
2 described in paragraph (1).”.

3 **SEC. 705. RULE OF CONSTRUCTION.**

4 Subtitle C of title VII of the Older Americans Act  
5 of 1965 (42 U.S.C. 3058bb et seq.) is amended by adding  
6 at the end the following:

7 **“SEC. 765. RULE OF CONSTRUCTION.**

8 “Nothing in this title shall be construed to interfere  
9 with or abridge the right of an older individual to practice  
10 the individual’s religion through reliance on prayer alone  
11 for healing, in a case in which a decision to so practice  
12 the religion—

13 “(1) is contemporaneously expressed by the  
14 older individual—

15 “(A) either orally or in writing;

16 “(B) with respect to a specific illness or in-  
17 jury that the older individual has at the time of  
18 the decision; and

19 “(C) when the older individual is com-  
20 petent to make the decision;

21 “(2) is set forth prior to the occurrence of the  
22 illness or injury in a living will, health care proxy,  
23 or other advance directive document that is validly  
24 executed and applied under State law; or

1           “(3) may be unambiguously deduced from the  
2           older individual’s life history.”.

3           **TITLE VIII—FEDERAL YOUTH**  
4           **DEVELOPMENT COUNCIL**

5           **SEC. 801. SHORT TITLE.**

6           This title may be cited as the “Tom Osborne Federal  
7           Youth Coordination Act”.

8           **SEC. 802. ESTABLISHMENT AND MEMBERSHIP.**

9           (a) **ESTABLISHMENT.**—There is established the Fed-  
10          eral Youth Development Council (in this title referred to  
11          as the “Council”).

12          (b) **MEMBERS AND TERMS.**—

13               (1) **FEDERAL EMPLOYEE MEMBERS.**—The  
14          members of the Council shall include the Attorney  
15          General, the Secretary of Agriculture, the Secretary  
16          of Labor, the Secretary of Health and Human Serv-  
17          ices, the Secretary of Housing and Urban Develop-  
18          ment, the Secretary of Education, the Secretary of  
19          the Interior, the Secretary of Commerce, the Sec-  
20          retary of Defense, the Director of National Drug  
21          Control Policy, and the Chief Executive Officer of  
22          the Corporation for National and Community Serv-  
23          ice, or a designee of each such individual who holds  
24          significant decision-making authority, and other  
25          Federal officials as directed by the President.

1 (2) ADDITIONAL MEMBERS.—

2 (A) IN GENERAL.—The members of the  
3 Council shall include any additional members as  
4 the President shall appoint from among rep-  
5 resentatives of community-based organizations,  
6 including faith-based organizations, child and  
7 youth focused foundations, institutions of high-  
8 er education, non-profit organizations, youth  
9 service providers, State and local government,  
10 and youth in disadvantaged situations.

11 (B) CONSULTATION.—In making the ap-  
12 pointments under this paragraph, the Presi-  
13 dent, as determined appropriate by the Presi-  
14 dent, shall consult with—

15 (i) the Speaker of the House of Rep-  
16 resentatives, who shall take into account  
17 the recommendations of the majority lead-  
18 er and the minority leader of the House of  
19 Representatives; and

20 (ii) the president pro tempore of the  
21 Senate, who shall take into account the  
22 recommendations of the majority leader  
23 and the minority leader of the Senate.

24 (3) LENGTH OF TERM.—Each member of the  
25 Council shall serve for the life of the Council.

1 (c) COMPENSATION AND TRAVEL EXPENSES.—

2 (1) NO COMPENSATION FOR SERVICE ON COUN-  
3 CIL.—Each member of the Council appointed under  
4 section 802 who is not an officer or employee of the  
5 United States shall not receive pay by reason of the  
6 member's service on the Council, and shall not be  
7 considered an employee of the Federal Government  
8 by reason of such service. Each member of the  
9 Council who is an officer or employee of the United  
10 States shall serve without compensation in addition  
11 to that received for the member's service as an offi-  
12 cer or employee of the United States.

13 (2) TRAVEL AND TRANSPORTATION EX-  
14 PENSES.—Each member of the Council may be al-  
15 lowed travel or transportation expenses in accord-  
16 ance with section 5703 of title 5, United States  
17 Code, while away from the member's home or reg-  
18 ular place of business in the performance of services  
19 for the Council.

20 (d) CHAIRPERSON.—The Chairperson of the Council  
21 shall be the Secretary of Health and Human Services.

22 (e) MEETINGS.—The Council shall meet at the call  
23 of the Chairperson, not less frequently than 4 times each  
24 year. The first meeting shall be not less than 4 months  
25 after the date of enactment of this Act.

1 **SEC. 803. DUTIES OF THE COUNCIL.**

2 (a) IN GENERAL.—The duties of the Council shall be  
3 to provide advice and recommendations, including—

4 (1) ensuring communication among agencies  
5 administering programs designed to serve youth, es-  
6 pecially those in disadvantaged situations;

7 (2) assessing the needs of youth, especially  
8 those in disadvantaged situations, and those who  
9 work with youth, and the quantity and quality of  
10 Federal programs offering services, supports, and  
11 opportunities to help youth in their educational, so-  
12 cial, emotional, physical, vocational, and civic devel-  
13 opment, in coordination with the Federal Inter-  
14 agency Forum on Child and Family Statistics;

15 (3) recommending quantifiable goals and objec-  
16 tives for such programs;

17 (4) making recommendations for the allocation  
18 of resources in support of such goals and objectives;

19 (5) identifying possible areas of overlap or du-  
20 plication in the purpose and operation of programs  
21 serving youth and recommending ways to better fa-  
22 cilitate the coordination and consultation among,  
23 and improve the efficiency and effectiveness of, such  
24 programs;

1           (6) identifying target populations of youth who  
2           are disproportionately at risk and assisting agencies  
3           in focusing additional resources on such youth;

4           (7) developing a plan, including common indica-  
5           tors of youth well-being that are consistent with the  
6           indicators tracked by the Federal Interagency  
7           Forum on Child and Family Statistics, and assisting  
8           Federal agencies, at the request of 1 or more such  
9           agencies, in coordinating to achieve the goals and  
10          objectives described in paragraph (3);

11          (8) assisting Federal agencies, at the request of  
12          1 or more such agencies, in collaborating on—

13                (A) model programs and demonstration  
14                projects focusing on special populations, includ-  
15                ing youth in foster care and migrant youth;

16                (B) projects to promote parental involve-  
17                ment; and

18                (C) projects that work to involve young  
19                people in service programs;

20          (9) soliciting and documenting ongoing input  
21          and recommendations from—

22                (A) youth, especially youth in disadvan-  
23                taged situations;

24                (B) national youth development experts,  
25                researchers, parents, community-based organi-

1 zations, including faith-based organizations,  
2 foundations, business leaders, youth service pro-  
3 viders, and teachers; and

4 (C) State and local government agencies,  
5 particularly agencies serving children and  
6 youth; and

7 (10) working with Federal agencies—

8 (A) to promote high-quality research and  
9 evaluation, identify and replicate model pro-  
10 grams and promising practices, and provide  
11 technical assistance relating to the needs of  
12 youth; and

13 (B) to coordinate the collection and dis-  
14 semination of youth services-related data and  
15 research.

16 (b) TECHNICAL ASSISTANCE.—The Council may pro-  
17 vide technical assistance to a State at the request of a  
18 State to support a State-funded council for coordinating  
19 State youth efforts.

20 **SEC. 804. COORDINATION WITH EXISTING INTERAGENCY**  
21 **COORDINATION ENTITIES.**

22 In carrying out the duties described in section 803,  
23 the Council shall coordinate the efforts of the Council with  
24 other Federal, State, and local coordinating entities in

1 order to complement and not duplicate efforts, including  
2 the following:

3           (1) Coordinating with the Federal Interagency  
4           Forum on Child and Family Statistics, established  
5           under Executive Order 13045 (42 U.S.C. 4321 note;  
6           relating to protection of children from environmental  
7           health risks and safety risks), on matters pertaining  
8           to data collection.

9           (2) Coordinating with the United States Inter-  
10          agency Council on Homelessness, established under  
11          section 201 of the McKinney-Vento Homeless Assist-  
12          ance Act (42 U.S.C. 11311), on matters pertaining  
13          to homelessness.

14          (3) Coordinating with the Coordinating Council  
15          on Juvenile Justice and Delinquency Prevention, es-  
16          tablished under section 206 of the Juvenile Justice  
17          and Delinquency Prevention Act of 1974 (42 U.S.C.  
18          5616), on matters pertaining to programs for at-risk  
19          youth.

20 **SEC. 805. ASSISTANCE OF STAFF.**

21          (a) DESIGNATION OF INDIVIDUAL.—The Chairperson  
22          is authorized to designate an individual to have responsi-  
23          bility for assisting in carrying out the duties of the Council  
24          under this title.

1           (b) **STAFF OF FEDERAL AGENCIES.**—Upon request  
2 of the Council, the head of any Federal department or  
3 agency may detail, on a reimbursable or nonreimbursable  
4 basis, any of the personnel of the department or agency  
5 to the Council to assist in carrying out the Council’s duties  
6 under this title.

7 **SEC. 806. POWERS OF THE COUNCIL.**

8           (a) **MAILS.**—The Council may use the United States  
9 mails in the same manner and under the same conditions  
10 as other departments and agencies of the United States.

11           (b) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon  
12 the request of the Council, the Administrator of General  
13 Services shall provide to the Council, on a reimbursable  
14 basis, the administrative support services necessary for the  
15 Council to carry out its responsibilities under this title.

16 **SEC. 807. REPORT.**

17           (a) **INTERIM REPORT.**—Not later than 1 year after  
18 the first meeting of the Council, the Council shall transmit  
19 to the relevant committees of Congress an interim report  
20 of the findings of the Council.

21           (b) **FINAL REPORT.**—Not later than 2 years after the  
22 first meeting of the Council, the Council shall transmit  
23 to the relevant committees of Congress a final report of  
24 the Council’s findings and recommendations, which report  
25 shall—

1           (1) include a comprehensive list of recent re-  
2           search and statistical reporting by various Federal  
3           agencies on the overall well-being of youth;

4           (2) include the assessment of the needs of  
5           youth and those who serve youth;

6           (3) include a summary of the plan described in  
7           section 803(a)(7);

8           (4) recommend ways to coordinate and improve  
9           Federal training and technical assistance, informa-  
10          tion sharing, and communication among the various  
11          Federal programs and agencies serving youth, as the  
12          Chairperson determines appropriate;

13          (5) include recommendations to better integrate  
14          and coordinate policies across agencies at the Fed-  
15          eral, State, and local levels, including any rec-  
16          ommendations the Chairperson determines appro-  
17          priate, if any, for legislation and administrative ac-  
18          tions;

19          (6) include a summary of actions the Council  
20          has taken at the request of Federal agencies to fa-  
21          cilitate collaboration and coordination on youth serv-  
22          ing programs and the results of those collaborations,  
23          if available;

24          (7) include a summary of the action the Council  
25          has taken at the request of States to provide tech-

1 nical assistance under section 803(b), if applicable;  
2 and

3 (8) include a summary of the input and rec-  
4 ommendations from the groups identified in section  
5 803(a)(9).

6 **SEC. 808. TERMINATION.**

7 The Council shall terminate 60 days after transmit-  
8 ting the final report under section 807(b).

9 **SEC. 809. AUTHORIZATION OF APPROPRIATIONS.**

10 There is authorized to be appropriated to carry out  
11 this title \$1,000,000 for each of the fiscal years 2007 and  
12 2008.

13 **TITLE IX—CONFORMING**  
14 **AMENDMENTS**

15 **SEC. 901. CONFORMING AMENDMENTS TO OTHER ACTS.**

16 (a) OLDER AMERICANS ACT AMENDMENTS OF  
17 1987.—Section 205(1) of the Older Americans Act  
18 Amendments of 1987 (42 U.S.C. 3001 note) is amended  
19 by striking “section 102(17) of the Older Americans Act  
20 of 1965 (42 U.S.C. 3002(17))” and inserting “section 102  
21 of the Older Americans Act of 1965 (42 U.S.C. 3002)”.

22 (b) ENERGY CONSERVATION AND PRODUCTION  
23 ACT.—Section 412(6) of the Energy Conservation and  
24 Production Act (42 U.S.C. 6862(6)) is amended by strik-

1 ing “paragraphs (4), (5), and (6), respectively, of section  
2 102” and inserting “section 102”.

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