

116TH CONGRESS
1ST SESSION

S. 2179

To amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

IN THE SENATE OF THE UNITED STATES

JULY 18, 2019

Mr. CARDIN (for himself, Mr. CRAMER, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

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.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Trauma-Informed Modernization of Eldercare for Holo-
6 caust Survivors Act” or the “TIME for Holocaust Sur-
7 vivors Act”.

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

Sec. 1. Short title.
 Sec. 2. Findings.
 Sec. 3. Purposes.

TITLE I—RESPONDING TO THE NEEDS OF HOLOCAUST SURVIVORS

Subtitle A—Definitions, Grants for State and Community Programs, and Other Programs

Sec. 101. Definitions.
 Sec. 102. Organization.
 Sec. 103. Area plans.
 Sec. 104. State plans.
 Sec. 105. Consumer contributions.
 Sec. 106. National Family Caregiver Support Program authorized.
 Sec. 107. Prevention of elder abuse, neglect, and exploitation.

Subtitle B—Functions Within Administration for Community Living To Assist Holocaust Survivors

Sec. 111. Designation of individual within the Administration.
 Sec. 112. Annual report to Congress.
 Sec. 113. National Resource Center for Older Individuals Experiencing the
Long-Term and Adverse Consequences of Trauma.
 Sec. 114. Definitions.

TITLE II—NUTRITION SERVICES FOR OLDER INDIVIDUALS

Sec. 201. Nutrition services.

TITLE III—TRANSPORTATION

Sec. 301. Transportation services and resources.

3 **SEC. 2. FINDINGS.**

4 Congress finds the following:

5 (1) During the Holocaust, which took place
 6 from 1933 through 1945, an estimated 6,000,000
 7 Jews, as well as millions of victims from other tar-
 8 geted groups, were murdered by the Nazis and their
 9 collaborators.

1 (2) More than 200,000 Jews fleeing from Nazi-
2 occupied territory found refuge in the United States
3 from 1933 through 1945, and approximately
4 137,000 additional Jewish refugees settled in the
5 United States from 1945 through 1952.

6 (3) Hundreds of thousands of additional Jewish
7 refugees continued to immigrate to the United
8 States from Europe and countries of the former So-
9 viet Union during the subsequent decades.

10 (4) The number of Holocaust survivors living in
11 the United States at the end of 2018 was approxi-
12 mately 80,000 individuals, down from an estimated
13 127,000 in 2010.

14 (5) Every Holocaust survivor is now at least 74
15 years old, most are in at least their mid-to-late
16 eighties, and many are in their nineties and beyond.

17 (6) One-third of all Holocaust survivors in the
18 United States live at or below the official poverty
19 threshold (as defined by the Bureau of the Census),
20 including more than half of the Holocaust survivors
21 who emigrated from the countries of the former So-
22 viet Union.

23 (7) Holocaust survivors continue to live with
24 the unique mental and physical scars of the uncon-
25 scionable trauma caused by the Holocaust, and while

1 institutionalized settings are beneficial for some, cer-
2 tain aspects of institutionalization may have particu-
3 larly adverse effects on Holocaust survivors.

4 (8) For many Holocaust survivors, institutional-
5 ized settings produce sights, sounds, smells, emo-
6 tions, and routines that can induce panic, anxiety,
7 and re-traumatization as a result of experiences
8 from the Holocaust.

9 (9) Holocaust survivors are more economically
10 and socially vulnerable, report poorer health and
11 more health problems, and have greater social serv-
12 ice needs, than other older individuals.

13 (10) In comparison to most other older individ-
14 uals, low-income Holocaust survivors are more reli-
15 ant on social service programs that provide services
16 such as personal care, provision of home-delivered
17 and congregate meals, transportation, counseling,
18 and mental health support to promote health and
19 quality of life.

20 (11) Community organizations serving Holo-
21 caust survivors report that approximately one-quar-
22 ter of Holocaust survivors live alone, and living alone
23 is a risk factor for hospitalization and nursing home
24 admission, poverty, falls, depression, poor nutrition,
25 social isolation, and loneliness, which have been as-

1 sociated with poor health outcomes and an increased
2 risk of death.

3 (12) Community organizations serving Holo-
4 caust survivors report that transportation is vital to
5 help Holocaust survivors attend medical appoint-
6 ments, shop and purchase necessary items, visit
7 family and friends, and participate in cultural, rec-
8 reational, or social events, such as congregate meals
9 or religious services.

10 (13) As the general population of older individ-
11 uals increases in the United States and many public
12 or philanthropic resources remain constant, pro-
13 viders serving Holocaust survivors need additional
14 capacity to cover needed services.

15 (14) The Administration for Community Living
16 in the Department of Health and Human Services
17 serves as the Federal agency responsible for increas-
18 ing access to community supports for, focusing at-
19 tention and resources on the unique needs of, older
20 individuals and individuals with disabilities across
21 their lifespans.

22 (15) The mission of the Administration for
23 Community Living is to maximize the independence,
24 well-being, and health of older individuals, individ-

1 uals with disabilities, and their families and care-
2 givers.

3 (16) The Administration for Community Living
4 in 2017 issued guidance entitled “ACL Guidance for
5 Outreach and Providing Services for Holocaust Sur-
6 vivors” in accordance with a requirement of the
7 Older Americans Act Reauthorization Act of 2016
8 which states that the Assistant Secretary for Aging
9 shall “issue guidance to States, that shall be applica-
10 ble to States, area agencies on aging, and providers
11 of services for older individuals, with respect to serv-
12 ing Holocaust survivors, including guidance on
13 promising practices for conducting outreach to that
14 population.”.

15 (17) Many social service agencies that receive
16 funding under the Older Americans Act of 1965 for
17 home-delivered or congregate meals serve diverse
18 seniors, including Holocaust survivors, with special-
19 ized dietary needs based on religious, cultural, or
20 ethnic requirements, and the necessary special meals
21 often cost more than other meals.

22 **SEC. 3. PURPOSES.**

23 The purposes of this Act are—

24 (1) to include “older individuals who are Holo-
25 caust survivors” in the list of groups that receive

1 preference, as specified in section 305(a)(2)(E) of
 2 the Older Americans Act of 1965, for services pro-
 3 vided under that Act;

4 (2) to require the designation within the Ad-
 5 ministration for Community Living of an individual
 6 to have responsibility for the provision of services to
 7 older individuals who are Holocaust survivors;

8 (3) to promote technical assistance and training
 9 for agencies that serve older individuals experiencing
 10 the long-term and adverse consequences of trauma;

11 (4) to ensure that the providers of nutrition
 12 services through the Older Americans Act of 1965
 13 can meet the special health-related or other dietary
 14 needs of program participants; and

15 (5) to help meet the urgent transportation
 16 needs of Holocaust survivors.

17 **TITLE I—RESPONDING TO THE** 18 **NEEDS OF HOLOCAUST SUR-** 19 **VIVORS**

20 **Subtitle A—Definitions, Grants for** 21 **State and Community Pro-** 22 **grams, and Other Programs**

23 **SEC. 101. DEFINITIONS.**

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

1 (1) in paragraph (24)—

2 (A) in subparagraph (B), by striking
3 “and”;

4 (B) in subparagraph (C)(ii), by striking
5 the period at the end and inserting “; and”;
6 and

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

8 “(D) status as a Holocaust survivor.”;

9 (2) by redesignating paragraphs (26) through
10 (40) and paragraphs (41) through (54) as para-
11 graphs (27) through (41) and paragraphs (43)
12 through (56), respectively;

13 (3) by inserting after paragraph (25) the fol-
14 lowing:

15 “(26) The term ‘Holocaust survivor’ means an
16 individual who—

17 “(A)(i) lived in a country in a year not
18 earlier than 1933 and not later than 1945
19 under a Nazi regime, under Nazi occupation, or
20 under the control of Nazi collaborators; or

21 “(ii) fled from a country in a year de-
22 scribed in clause (i) under a Nazi regime, under
23 Nazi occupation, or under the control of Nazi
24 collaborators;

1 “(B) was persecuted in a year described in
 2 clause (i) on the basis of race, religion, physical
 3 or mental disability, sexual orientation, political
 4 affiliation, ethnicity, or other basis; and

5 “(C) was a member of a group that was
 6 persecuted by the Nazis.”; and

7 (4) by inserting after paragraph (41) the fol-
 8 lowing:

9 “(42) The term ‘person-centered, trauma-in-
 10 formed’, used with respect to care, means care pro-
 11 vided through an aging program, policy, or proce-
 12 dure, that uses a holistic approach to service provi-
 13 sion that promotes the dignity, strength, and em-
 14 powerment of trauma victims by incorporating
 15 knowledge about the role of trauma in trauma vic-
 16 tims’ lives.”.

17 **SEC. 102. ORGANIZATION.**

18 Section 305(a) of the Older Americans Act of 1965
 19 (42 U.S.C. 3025(a)) is amended—

20 (1) in paragraph (1)(E), by inserting “older in-
 21 dividuals who are Holocaust survivors,” after “pro-
 22 ficiency,” each place it appears; and

23 (2) in paragraph (2)(E), by inserting “older in-
 24 dividuals who are Holocaust survivors,” after “pro-
 25 ficiency,”.

1 **SEC. 103. AREA PLANS.**

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

4 (1) in subsection (a)—

5 (A) in paragraph (1), by inserting “older
6 individuals who are Holocaust survivors,” after
7 “proficiency,” each place it appears;

8 (B) in paragraph (4)—

9 (i) in subparagraph (A)—

10 (I) in clause (i)(I)(bb), by insert-
11 ing “older individuals who are Holo-
12 caust survivors,” after “proficiency,”;
13 and

14 (II) in clause (ii), by inserting
15 “older individuals who are Holocaust
16 survivors,” after “proficiency,” each
17 place it appears;

18 (ii) in subparagraph (B)(i)—

19 (I) in subclause (VI), by striking
20 “and” at the end; and

21 (II) by inserting after subclause
22 (VII) the following:

23 “(VIII) older individuals who are
24 Holocaust survivors; and”; and

25 (iii) in subparagraph (B)(ii), by strik-
26 ing “subclauses (I) through (VI)” and in-

1 serting “subclauses (I) through (VIII)”;
 2 and
 3 (C) in paragraph (7)(B)(iii), by inserting
 4 “, in particular, older individuals who are Holo-
 5 caust survivors,” after “placement”; and
 6 (2) in subsection (b)(2)(B), by inserting “older
 7 individuals who are Holocaust survivors,” after
 8 “areas,”.

9 **SEC. 104. STATE PLANS.**

10 Section 307(a) of the Older Americans Act of 1965
 11 (42 U.S.C. 3027(a)) is amended—

12 (1) in paragraph (4), by inserting “older indi-
 13 viduals who are Holocaust survivors,” after “pro-
 14 ficiency,”;

15 (2) in paragraph (16)—

16 (A) in subparagraph (A)—

17 (i) in clause (v), by striking “and” at
 18 the end; and

19 (ii) by adding at the end the fol-
 20 lowing:

21 “(vii) older individuals who are Holo-
 22 caust survivors; and”; and

23 (B) in subparagraph (B), by striking
 24 “clauses (i) through (vi)” and inserting
 25 “clauses (i) through (vii); and

1 (3) in paragraph (28)(B)(ii), by inserting
 2 “older individuals who are Holocaust survivors,”
 3 after “areas,”.

4 **SEC. 105. CONSUMER CONTRIBUTIONS.**

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

7 (1) in subsection (c)(2), by inserting “older in-
 8 dividuals who are Holocaust survivors,” after “pro-
 9 ficiency,”; and

10 (2) in subsection (d), by inserting “older indi-
 11 viduals who are Holocaust survivors,” after “pro-
 12 ficiency,”.

13 **SEC. 106. NATIONAL FAMILY CAREGIVER SUPPORT PRO-**
 14 **GRAM AUTHORIZED.**

15 Section 373(c)(2)(A) of the Older Americans Act of
 16 1965 (42 U.S.C. 3030s–1(c)(2)(A)) is amended by strik-
 17 ing “individuals)” and inserting “individuals and older in-
 18 dividuals who are Holocaust survivors)”.

19 **SEC. 107. PREVENTION OF ELDER ABUSE, NEGLECT, AND**
 20 **EXPLOITATION.**

21 Section 721(b)(13) of the Older Americans Act of
 22 1965 (42 U.S.C. 3058i(b)(13)) is amended—

23 (1) in subparagraph (B), by striking “or” at
 24 the end;

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

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

4 “(D) older individuals who are Holocaust
 5 survivors.”.

6 **Subtitle B—Functions Within Ad-**
 7 **ministration for Community**
 8 **Living To Assist Holocaust Sur-**
 9 **vivors**

10 **SEC. 111. DESIGNATION OF INDIVIDUAL WITHIN THE AD-**
 11 **MINISTRATION.**

12 The Administrator of the Administration for Commu-
 13 nity Living is authorized to designate, within the Adminis-
 14 tration for Community Living, a person who has special-
 15 ized training, background, or experience with Holocaust
 16 survivor issues—

17 (1) to have responsibility within the Adminis-
 18 tration for Community Living for implementing and
 19 coordinating services for older individuals who are
 20 Holocaust survivors; and

21 (2) to serve as a liaison on those issues, and the
 22 provision of services for those individuals, with other
 23 relevant agencies of the Federal Government.

1 **SEC. 112. ANNUAL REPORT TO CONGRESS.**

2 The Administrator, with assistance from the indi-
3 vidual designated under section 111, shall prepare and
4 submit to Congress an annual report on—

5 (1) the status and needs, including the priority
6 areas of concern, of older individuals who are Holo-
7 caust survivors; and

8 (2) how the aging network is identifying and
9 serving older individuals experiencing the long-term
10 and adverse consequences of trauma and how agen-
11 cies within the aging network are promoting and ad-
12 vancing person-centered, trauma-informed care to
13 older individuals experiencing the long-term and ad-
14 verse consequences of trauma.

15 **SEC. 113. NATIONAL RESOURCE CENTER FOR OLDER INDIV-**
16 **VIDUALS EXPERIENCING THE LONG-TERM**
17 **AND ADVERSE CONSEQUENCES OF TRAUMA.**

18 (a) PROGRAM AUTHORIZED.—

19 (1) CENTER.—The Administrator shall estab-
20 lish and operate a National Resource Center on In-
21 novative Services and Supports for Older Individuals
22 Experiencing the Long-Term and Adverse Con-
23 sequences of Trauma (referred to in this section as
24 the “Center”).

25 (2) FUNCTIONS.—The Center shall—

1 (A) provide training and technical assist-
 2 ance to agencies in the aging network delivering
 3 services to older individuals experiencing the
 4 long-term and adverse consequences of trauma;

5 (B) share best practices with the aging
 6 network; and

7 (C) make subgrants to the agencies best
 8 positioned to advance and improve the delivery
 9 of services for older individuals experiencing the
 10 long-term and adverse consequences of trauma.

11 (b) ASSISTANCE.—To carry out subsection (a), the
 12 Administrator shall make grants to or enter into contracts
 13 with one or more nonprofit organization that are experi-
 14 enced—

15 (1) in providing person-centered, trauma-in-
 16 formed care; and

17 (2) in providing support and technical assist-
 18 ance on a nationwide basis to agencies within the
 19 aging network that offer services to older individuals
 20 experiencing the long-term and adverse consequences
 21 of trauma.

22 **SEC. 114. DEFINITIONS.**

23 In this subtitle:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Administra-
3 tion for Community Living.

4 (2) OTHER TERMS.—The terms “Holocaust
5 survivor”, “older individual”, and “person-centered,
6 trauma-informed” have the meanings given the
7 terms in section 102 of the Older Americans Act of
8 1965 (42 U.S.C. 3002).

9 **TITLE II—NUTRITION SERVICES** 10 **FOR OLDER INDIVIDUALS**

11 **SEC. 201. NUTRITION SERVICES.**

12 (a) IN GENERAL.—Section 339(2) of the Older
13 Americans Act of 1965 (42 U.S.C. 3030g–21(2)) is
14 amended—

15 (1) in subparagraph (A), by amending clause
16 (iii) to read as follows:

17 “(iii) to the maximum extent prac-
18 ticable, are adjusted and appropriately
19 funded to meet any special health-related
20 dietary needs, and other dietary needs of
21 program participants (including needs
22 based on religious, cultural, or ethnic re-
23 quirements) if for the special health-related
24 or other dietary needs involved there is

1 sufficient demand in a community to war-
 2 rant special meals;”;

3 (2) in subparagraph (K), by striking “, and”
 4 and inserting a comma;

5 (3) in subparagraph (L), by striking the period
 6 and inserting “, and”; and

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

8 “(M) encourages and educates individuals
 9 utilizing methodology that promotes person-cen-
 10 tered, trauma-informed care who distribute nu-
 11 trition services under subpart 2 to engage in
 12 conversation with homebound older individuals
 13 and to be aware of the warning signs of medical
 14 emergencies, injury, or abuse in order to reduce
 15 isolation and promote well-being.”.

16 **TITLE III—TRANSPORTATION**

17 **SEC. 301. TRANSPORTATION SERVICES AND RESOURCES.**

18 Section 411(a) of the Older Americans Act of 1965
 19 (42 U.S.C. 3032(a)) is amended—

20 (1) by redesignating paragraph (14) as para-
 21 graph (15);

22 (2) in paragraph (13), by striking “; and” and
 23 inserting a semicolon; and

24 (3) by inserting after paragraph (13) the fol-
 25 lowing:

1 “(14) conducting programs that enable the mo-
2 bility and self-sufficiency of older individuals with
3 greatest economic need and older individuals with
4 greatest social need by providing transportation
5 services and resources; and”.

○