

.....
(Original Signature of Member)

109TH CONGRESS
2D SESSION

H. R.

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

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the Committee on _____

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.

3

- 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) 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 “(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)”;

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)”;

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 par-
2 ticular attention to low-income minority individuals
3 and older individuals residing in rural areas” and in-
4 serting “(with particular attention to low-income mi-
5 nority older individuals, older individuals with lim-
6 ited English proficiency, and older individuals resid-
7 ing in rural areas)”;

8 (3) by striking paragraph (15);

9 (4) by redesignating paragraph (14) as para-
10 graph (15);

11 (5) by inserting after paragraph (13) the fol-
12 lowing:

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, includ-
18 ing the number of low-income minority older in-
19 dividuals 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-in-
24 come 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 (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 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 GRANTEES.—

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 GRANTEES.—

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 “(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”;** and

9 (2) by inserting after section 751 the following:

10 **“SEC. 752. GRANTS TO PROMOTE COMPREHENSIVE STATE
11 ELDER JUSTICE SYSTEMS.**

12 “(a) PURPOSE AND AUTHORITY.—For each fiscal
13 year, the Assistant Secretary may make grants to States,
14 on a competitive basis, in accordance with this section, to
15 promote the development and implementation, within each
16 such State, of a comprehensive elder justice system, as de-
17 fined in subsection (b).

18 “(b) COMPREHENSIVE ELDER JUSTICE SYSTEM DE-
19 FINED.—In this section, the term ‘comprehensive elder
20 justice system’ means an integrated, multidisciplinary,
21 and collaborative system for preventing, detecting, and ad-
22 dressing elder abuse, neglect, and exploitation in a manner
23 that—

24 “(1) provides for widespread, convenient public
25 access to the range of available elder justice infor-
26 mation, programs, and services;

1 “(2) coordinates the efforts of public health, so-
2 cial service, and law enforcement authorities, as well
3 as other appropriate public and private entities, to
4 identify and diminish duplication and gaps in the
5 system;

6 “(3) provides a uniform method for the stand-
7 ardization, collection, management, analysis, and re-
8 porting of data; and

9 “(4) provides such other elements as the Assist-
10 ant Secretary determines appropriate.

11 “(c) APPLICATIONS.—To be eligible to receive a grant
12 under this section for a fiscal year, a State shall submit
13 an application to the Assistant Secretary, at such time,
14 in such manner, and containing such information and as-
15 surances as the Assistant Secretary determines appro-
16 priate.

17 “(d) AMOUNT OF GRANTS.—The amount of a grant
18 to a State with an application approved under this section
19 for a fiscal year shall be such amount as the Assistant
20 Secretary determines appropriate.

21 “(e) USE OF FUNDS.—

22 “(1) IN GENERAL.—A State that receives a
23 grant under this section shall use funds made avail-
24 able through such grant to promote the development

1 and implementation of a comprehensive elder justice
2 system by—

3 “(A) establishing formal working relation-
4 ships among public and private providers of
5 elder justice programs, service providers, and
6 stakeholders in order to create a unified elder
7 justice network across such State to coordinate
8 programmatic efforts;

9 “(B) facilitating and supporting the devel-
10 opment of a management information system
11 and standard data elements;

12 “(C) providing for appropriate education
13 (including educating the public about the range
14 of available elder justice information, programs,
15 and services), training, and technical assistance;
16 and

17 “(D) taking such other steps as the Assist-
18 ant Secretary determines appropriate.

19 “(2) MAINTENANCE OF EFFORT.—Funds made
20 available to States pursuant to this section shall be
21 used to supplement and not supplant other Federal,
22 State, and local funds expended to support activities
23 described in paragraph (1).”.

1 **SEC. 705. RULE OF CONSTRUCTION.**

2 Subtitle C of title VII of the Older Americans Act
3 of 1965 (42 U.S.C. 3058bb et seq.) is amended by adding
4 at the end the following:

5 **“SEC. 765. RULE OF CONSTRUCTION.**

6 “Nothing in this title shall be construed to interfere
7 with or abridge the right of an older individual to practice
8 the individual’s religion through reliance on prayer alone
9 for healing, in a case in which a decision to so practice
10 the religion—

11 “(1) is contemporaneously expressed by the
12 older individual—

13 “(A) either orally or in writing;

14 “(B) with respect to a specific illness or in-
15 jury that the older individual has at the time of
16 the decision; and

17 “(C) when the older individual is com-
18 petent to make the decision;

19 “(2) is set forth prior to the occurrence of the
20 illness or injury in a living will, health care proxy,
21 or other advance directive document that is validly
22 executed and applied under State law; or

23 “(3) may be unambiguously deduced from the
24 older individual’s life history.”.

1 **TITLE VIII—FEDERAL YOUTH**
2 **DEVELOPMENT COUNCIL**

3 **SEC. 801. SHORT TITLE.**

4 This title may be cited as the “Tom Osborne Federal
5 Youth Coordination Act”.

6 **SEC. 802. ESTABLISHMENT AND MEMBERSHIP.**

7 (a) **ESTABLISHMENT.**—There is established the Fed-
8 eral Youth Development Council (in this title referred to
9 as the “Council”).

10 (b) **MEMBERS AND TERMS.**—

11 (1) **FEDERAL EMPLOYEE MEMBERS.**—The
12 members of the Council shall include the Attorney
13 General, the Secretary of Agriculture, the Secretary
14 of Labor, the Secretary of Health and Human Serv-
15 ices, the Secretary of Housing and Urban Develop-
16 ment, the Secretary of Education, the Secretary of
17 the Interior, the Secretary of Commerce, the Sec-
18 retary of Defense, the Director of National Drug
19 Control Policy, and the Chief Executive Officer of
20 the Corporation for National and Community Serv-
21 ice, or a designee of each such individual who holds
22 significant decision-making authority, and other
23 Federal officials as directed by the President.

24 (2) **ADDITIONAL MEMBERS.**—

1 (A) IN GENERAL.—The members of the
2 Council shall include any additional members as
3 the President shall appoint from among rep-
4 resentatives of community-based organizations,
5 including faith-based organizations, child and
6 youth focused foundations, institutions of high-
7 er education, non-profit organizations, youth
8 service providers, State and local government,
9 and youth in disadvantaged situations.

10 (B) CONSULTATION.—In making the ap-
11 pointments under this paragraph, the Presi-
12 dent, as determined appropriate by the Presi-
13 dent, shall consult with—

14 (i) the Speaker of the House of Rep-
15 resentatives, who shall take into account
16 the recommendations of the majority lead-
17 er and the minority leader of the House of
18 Representatives; and

19 (ii) the president pro tempore of the
20 Senate, who shall take into account the
21 recommendations of the majority leader
22 and the minority leader of the Senate.

23 (3) LENGTH OF TERM.—Each member of the
24 Council shall serve for the life of the Council.

25 (c) COMPENSATION AND TRAVEL EXPENSES.—

1 (1) NO COMPENSATION FOR SERVICE ON COUN-
2 CIL.—Each member of the Council appointed under
3 section 802 who is not an officer or employee of the
4 United States shall not receive pay by reason of the
5 member’s service on the Council, and shall not be
6 considered an employee of the Federal Government
7 by reason of such service. Each member of the
8 Council who is an officer or employee of the United
9 States shall serve without compensation in addition
10 to that received for the member’s service as an offi-
11 cer or employee of the United States.

12 (2) TRAVEL AND TRANSPORTATION EX-
13 PENSES.—Each member of the Council may be al-
14 lowed travel or transportation expenses in accord-
15 ance with section 5703 of title 5, United States
16 Code, while away from the member’s home or reg-
17 ular place of business in the performance of services
18 for the Council.

19 (d) CHAIRPERSON.—The Chairperson of the Council
20 shall be the Secretary of Health and Human Services.

21 (e) MEETINGS.—The Council shall meet at the call
22 of the Chairperson, not less frequently than 4 times each
23 year. The first meeting shall be not less than 4 months
24 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”.