Public Law 98-459
98th Congress

An Act

To extend the authorization of appropriations for, and to revise the Older Americans Act of 1965.

Oct. 9, 1984
[S. 2603]

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

Older Americans Act Amendments of 1984.

42 USC 3001 note.

SHORT TITLE

SECTION 1. This Act may be cited as the "Older Americans Act Amendments of 1984".

TITLE I—OBJECTIVES AND DEFINITIONS

AMENDMENT TO HEADING

SEC. 101. The heading for title I of the Older Americans Act of 1965 (hereafter in this Act referred to as "the Act") (42 U.S.C. 3001 et seq.) is amended by striking out the colon and inserting in lieu thereof a semicolon.

COMMUNITY-BASED, LONG-TERM CARE SERVICES

SEC. 102. (a) Section 101(4) of the Act (42 U.S.C. 3001(4)) is amended by inserting before the period the following: ", and a comprehensive array of community-based, long-term care services adequate to appropriately sustain older people in their communities and in their homes".

(b) Section 101(8) of the Act (42 U.S.C. 3001(8)) is amended by inserting before the period a comma and "with emphasis on maintaining a continuum of care for the vulnerable elderly".

(c) Section 101(10) of the Act (42 U.S.C. 3001(10)) is amended by inserting before the period the following: "and full participation in the planning and operation of community-based services and programs provided for their benefit".

TITLE II—AMENDMENTS REGARDING THE ADMINISTRATION ON AGING

ADMINISTRATION ON AGING

SEC. 201. Section 201(a) of the Act (42 U.S.C. 3011(a)) is amended—

(1) by striking out "principal" in the second sentence,

(2) by striking out "his functions" in the second sentence and inserting in lieu thereof "the functions of the Administration",

(3) by inserting after the second sentence the following: "There shall be a direct reporting relationship between the Commissioner and the Office of the Secretary.", and

(4) by inserting "or require" after "approve" in the last sentence.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

FUNCTIONS OF ADMINISTRATION ON AGING

SEC. 202. (a) Section 202(a) of the Act (42 U.S.C. 3012(a)) is amended—

(1) in clause (5) by striking out "of and carry out" and inserting in lieu thereof "and implementation of",

(2) in clause (9) by inserting after the word "aging" a comma and "including existing legislative protections with particular emphasis on the application of the Age Discrimination in Employment Act of 1967",

(3) in clause (16) by striking out "and" the last time it appears,

(4) in clause (17) by striking out the period and inserting in lieu thereof "; and", and

(5) by adding at the end thereof the following new clause:

"(18) consult with national organizations representing minority individuals to develop and disseminate training packages and to provide technical assistance efforts designed to assist State and area agencies in providing services to older individuals with the greatest economic or social needs.".

(b) Section 202(b)(1) of the Act (42 U.S.C. 3012(b)(1)) is amended by inserting before the semicolon "and with utilization and quality control peer review organizations under title XI of the Social Security Act".

42 USC 1301.

(c) Section 202(c) of the Act (42 U.S.C. 3012(c)) is amended by striking out "his duties and functions" and inserting in lieu thereof "the duties and functions of the Administration".

FEDERAL AGENCY CONSULTATION

SEC. 203. (a) Section 203(b)(1) of the Act (42 U.S.C. 3013(b)(1)) is amended to read as follows:

"(1) the Job Training Partnership Act,".

29 USC 1501 note.

(b) Section 203(b)(3) of the Act (42 U.S.C. 3013(b)(3)) is amended by striking out "XVIII, XIX, and XX" and inserting in lieu thereof "XVI, XVIII, XIX, and XX".

(c) Section 203(b)(8) of the Act (42 U.S.C. 3013(b)(8)) is amended—

(1) by striking out "the community schools program under the Elementary and Secondary Education Act of 1965,", and

(2) by striking out "1965, and" and inserting in lieu thereof "1965 and".

(d) Section 203(b)(9) of the Act (42 U.S.C. 3013(b)(9)) is amended by striking out "5,".

(e) Section 203(b) of the Act (42 U.S.C. 3013(b)) is amended—

(1) by striking out "and" at the end of clause (8);

(2) by striking out the period at the end of clause (9) and inserting in lieu thereof a comma; and

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

"(10) the Public Health Service Act,

42 USC 201 note.

"(11) the Low-Income Home Energy Assistance Act of 1981,

42 USC 8621 note.

"(12) part A of the Energy Conservation in Existing Buildings Act of 1976, relating to weatherization assistance for low income persons,

42 USC 6861.

"(13) the Community Services Block Grant Act, and

42 USC 9901 note.

"(14) demographic statistics and analysis programs conducted by the Bureau of the Census under title 13, United States Code.".

FEDERAL COUNCIL ON THE AGING

SEC. 204. (a) Section 204(a) of the Act (42 U.S.C. 3015(a)) is amended to read as follows:

"(a)(1) There is established a Federal Council on the Aging to be composed of 15 members. Members shall serve for terms of three years without regard to the provisions of title 5, United States Code. Members shall be appointed by each appointing authority so as to be representative of rural and urban older individuals, national organizations with an interest in aging, business, labor, minorities, and the general public. At least two of the members appointed by each appointing authority shall be older individuals. No full-time officer or employee of the Federal Government may be appointed as a member of the Council. Establishment.

"(2) Members appointed to the Federal Council on the Aging established by this section prior to the date of enactment of the Older Americans Act Amendments of 1984 who are serving on such date, shall continue to serve on the Federal Council established by paragraph (1) of this subsection until members are appointed in accordance with subsection (b)(1).". *Ante*, p. 1767.

(b) Section 204(b)(1) of the Act (42 U.S.C. 3015(b)(1)) is amended to read as follows:

"(1)(A) The members appointed in 1985 shall be referred to as class 1 members; the members appointed in 1986 shall be referred to as class 2 members; and the members appointed in 1987 shall be referred to as class 3 members.

"(B)(i) Members of each class shall be appointed in the manner prescribed by this subparagraph.

"(ii) Of the members of class 1, two shall be appointed by the President, two by the President pro tempore of the Senate upon the recommendation of the Majority Leader and the Minority Leader, and one by the Speaker of the House of Representatives upon the recommendation of the Majority Leader and the Minority Leader.

"(iii) Of the members of class 2, two shall be appointed by the President, one by the President pro tempore of the Senate upon the recommendation of the Majority Leader and the Minority Leader, and two by the Speaker of the House of Representatives upon the recommendation of the Majority Leader and the Minority Leader.

"(iv) Of the members of class 3, one shall be appointed by the President, two by the President pro tempore of the Senate upon the recommendation of the Majority Leader and the Minority Leader, and two by the Speaker of the House of Representatives upon the recommendation of the Majority Leader and the Minority Leader.".

(c)(1) Section 204(b)(2) of the Act (42 U.S.C. 3015(b)(2)) is amended by striking out "his" and inserting in lieu thereof "such member's".

(2) Section 204(c) of the Act (42 U.S.C. 3015(c)) is amended by striking out "Chairman" each place it appears and inserting in lieu thereof "Chairperson".

(3) Section 204(d) of the Act (42 U.S.C. 3015(d)) is amended by striking out clause (2) and by redesignating clauses (3), (4), (5), and (6) as clauses (2), (3), (4), and (5), respectively.

(4) Section 204(e) of the Act (42 U.S.C. 3015(e)) is amended by striking out "Chairman" and inserting in lieu thereof "Chairperson".

(d) Section 204(g) of the Act (42 U.S.C. 3015(g)) is amended—

(1) by striking out "$200,000" and all that follows through "1983, and", and

(2) by inserting before the period at the end thereof the following: "and $200,000 for each of the fiscal years 1985, 1986, and 1987".

ISSUANCE OF REGULATIONS

SEC. 205. (a) Section 205(b) of the Act (42 U.S.C. 3016(b)) is amended by striking out "his functions" and inserting in lieu thereof "the functions of the Administration".

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

(1) by redesignating subsection (c) as subsection (d), and

(2) by inserting after subsection (b) the following new subsection:

Federal Register, publication.

Ante, p. 1767.

"(c) Not later than 120 days after the date of the enactment of the Older Americans Act Amendments of 1984, the Secretary shall issue and publish in the Federal Register proposed regulations for the administration of this Act. After allowing a reasonable period for public comment on such proposed rules and not later than 90 days after such publication, the Secretary shall issue, in final form, regulations for the administration of this Act.".

EVALUATION

Prohibition.

42 USC 3161.

SEC. 206. (a) The first sentence of section 206(b) of the Act (42 U.S.C. 3017(b)) is amended to read as follows: "The Secretary may not make grants or contracts under title IV of this Act until the Secretary develops and publishes general standards to be used by the Secretary in evaluating the programs and projects assisted under such title.".

Minorities.

(b) Section 206(c) of the Act (42 U.S.C. 3017(c)) is amended by adding at the end thereof the following: "In carrying out such evaluations, the Secretary shall consult with organizations concerned with older individuals, including those representing minority individuals.".

(c) Section 206(d) of the Act (42 U.S.C. 3017(d)) is amended—

(1) by inserting after "effectiveness" a comma and the following: "including, as appropriate, health and nutrition education demonstration projects conducted under section 307(f)", and

(2) by inserting after "Congress" a comma and the following: "be disseminated to Federal, State, and local agencies and private organizations with an interest in aging,".

(d) The first sentence of section 206(g) of the Act (42 U.S.C. 3017(g)) is amended—

(1) by striking "1 per centum" and inserting in lieu thereof "one-tenth of 1 percent",

(2) by inserting after "Act" the following: "for each fiscal year", and

(3) by striking out "$1,000,000 whichever is greater" and inserting in lieu thereof "$300,000 whichever is lower".

REPORTS

SEC. 207. (a) Section 207 of the Act (42 U.S.C. 3018) is amended by striking out "for transmittal" and inserting in lieu thereof "and".

(b) Section 207 of the Act is amended by inserting "(a)" after the section designation, and adding at the end thereof the following new subsection:

"(b) Not later than 2 years after enactment of the Older Americans Act Amendments of 1984, the Commissioner shall prepare and submit a report to the Congress on the extent to which the need for services for the prevention of the abuse of individuals is unmet, based on information gathered pursuant to section 306(a)(6)(J).". *Ante*, p. 1767. *Post*, p. 1774.

REDUCTION OF PAPERWORK

SEC. 208. Section 211 of the Act (42 U.S.C. 3020b) is amended by inserting before the period at the end thereof the following: "and, in gathering such information, shall make use of uniform service definitions to the extent that such definitions are available".

TITLE III—GRANTS FOR PROGRAMS ON AGING

GENERAL PROVISIONS

SEC. 301. The matter preceding clause (1) of section 301(a) of the Act (42 U.S.C. 3021(a)) is amended—

(1) by striking out "local agencies" and inserting in lieu thereof "area agencies" each time it appears,

(2) by inserting after "development" the following: "and implementation",

(3) by adding after "providers" a comma and "including voluntary organizations,", and

(4) by striking "for the provision of" after the word "planning".

DEFINITIONS

SEC. 302. Section 302 of the Act (42 U.S.C. 3022) is amended—

(1) in paragraph (2)(B)—

(A) by inserting after "employs" a comma and the following: "where feasible,", and

(B) by inserting after "staff" the following: "to assess the needs and capacities of older individuals,",

(2) in paragraph (4) by striking out "legal services" and inserting in lieu thereof "legal assistance",

(3) in paragraph (6) by striking out "and the Northern Mariana Islands" and inserting in lieu thereof ", and the Commonwealth of the Northern Mariana Islands", and

(4) by adding at the end thereof the following new paragraphs:

"(10) The term 'older individual' means any individual who is 60 years of age or older.

"(11) The term 'multipurpose senior center' means a community facility for the organization and provision of a broad spectrum of services, which shall include, but not be limited to, provision of health, social, nutritional, and educational services and the provision of facilities for recreational activities for older individuals.

"(12) The term 'focal point' means a facility established to encourage the maximum collocation and coordination of services for older individuals.".

AUTHORIZATION OF APPROPRIATIONS

SEC. 303. (a) Section 303(a) of the Act (42 U.S.C. 3023(a)) is amended—

(1) by striking out "$300,000,000" and all that follows through "1983, and", and

(2) by inserting after "1984," the following: "$325,700,000 for fiscal year 1985, $343,600,000 for fiscal year 1986, and $361,500,000 for fiscal year 1987,".

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

(1) in paragraph (1)—

(A) by striking out "$350,000,000" and all that follows through "1983, and", and

(B) by inserting after "1984," the following: "$360,800,000 for fiscal year 1985, $376,500,000 for fiscal year 1986, and $395,000,000 for fiscal year 1987,", and

(2) in paragraph (2)—

(A) by striking out "$80,000,000" and all that follows through "1983, and", and

(B) by inserting after "1984," the following: "$69,100,000 for fiscal year 1985, $72,000,000 for fiscal year 1986, and $75,600,000 for fiscal year 1987,".

(c) Section 303(c)(2) of the Act is amended by striking out "legal services" and inserting in lieu thereof "legal assistance".

TECHNICAL AMENDMENTS

SEC. 304. (a) Section 304(a) of the Act (42 U.S.C. 3024(a)) is amended—

(1) by striking out "From" in paragraph (1) and by inserting in lieu thereof "Subject to paragraph (2), from",

(2) by striking out "under parts B and C" in paragraph (1) and inserting in lieu thereof "under section 303",

(3) in paragraph (1) by striking out "Northern Mariana Islands" each place it appears and inserting in lieu thereof "Commonwealth of the Northern Mariana Islands",

(4) by striking out "(C)" and inserting in lieu thereof "and (C)",

(5) by striking out "; and (D) no State shall be allotted an amount less than the State received for fiscal year 1978" in paragraph (1),

(6) in paragraph (2) by striking out "him" and inserting in lieu thereof "the Commissioner",

(7) by redesignating paragraph (2) as paragraph (3), and

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

"(2) No State shall be allotted less than the total amount allotted to the State under paragraph (1) of this subsection and section 308 for fiscal year 1984.".

(b) Section 304(b) of the Act (42 U.S.C. 3024(b)) is amended by striking out "he" each place it appears and inserting in lieu thereof "the Commissioner".

(c) Section 304(c) of the Act (42 U.S.C. 3024(c)) is amended—

(1) by striking out "subsection (d)(1)(B)", and inserting in lieu thereof "subsection (d)(1)(D)", and

(2) by striking out "for in-kind resources" and inserting in lieu thereof "or in-kind resources".

(d) Section 304(d)(1) of the Act (42 U.S.C. 3024(d)(1)) is amended—

(1) by inserting in the matter preceding clause (A) after "allotment" a comma and the following: "after the application of section 308(b)",

(2) by striking out "and" at the end of clause (B),

(3) by redesignating clause (C) as clause (D), and

(4) by inserting after clause (B), the following new clause: Health.

"(C) after September 30, 1986, such amount as the State agency determines to be adequate, but not more than 1 percent, for conducting effective demonstration projects in health and nutrition education under section 307(f) shall be available for conducting such projects; and". *Post*, p. 1777.

ORGANIZATION

SEC. 305. (a)(1) Section 305(a)(1)(E) of the Act (42 U.S.C. 3025(a)(1)(E)) is amended by striking out "(b)(5)" and inserting in lieu thereof "(b)(5)(A)".

(2) Section 305(a)(2)(E) of the Act (42 U.S.C. 3025(a)(2)(E)) is amended by inserting ", with particular attention to low-income minority individuals," after "social needs".

(b)(1) Section 305(b)(3) of the Act (42 U.S.C. 3025(b)(3)) is amended by striking out "he" and inserting in lieu thereof "the Commissioner".

(2) Section 305(b)(5) of the Act (42 U.S.C. 3025(b)(5)) is amended by inserting "(A)" after the paragraph designation, and by adding at the end thereof the following new subparagraph:

"(B) Whenever a State agency designates a new area agency on aging after the date of enactment of the Older Americans Act Amendments of 1984, the State agency shall give the right to first refusal to a unit of general purpose local government if (i) such unit can meet the requirements of subsection (c), and (ii) the boundaries of such a unit and the boundaries of the area are reasonably contiguous.". State and local governments. *Ante*, p. 1767.

(c) Section 305 of the Act (42 U.S.C. 3025) is amended by adding at the end thereof the following new subsection:

"(d)(1) The publication for review and comment required by clause (2)(C) of subsection (a) shall include— Funds.

"(A) a descriptive statement of the formula's assumptions and goals, and the application of the definitions of greatest economic or social need,

"(B) a numerical statement of the actual funding formula to be used,

"(C) a listing of the population, economic, and social data to be used for each planning and service area in the State, and

"(D) a demonstration of the allocation of funds, pursuant to the funding formula, to each planning and service area in the State.

"(2) For purposes of clause (2)(E) of subsection (a) and paragraph (1) of this subsection, the term 'greatest economic need' means the need resulting from an income level at or below the poverty threshold established by the Bureau of the Census, and the term 'greatest social need' means the need caused by noneconomic factors which include physical and mental disabilities, language barriers, and cultural or social isolation including that caused by racial or ethnic status which restricts an individual's ability to perform normal daily tasks or which threatens his or her capacity to live independently.". Disadvantaged persons. Handicapped persons.

AREA PLANS

SEC. 306. (a) Section 306(a) of the Act (42 U.S.C. 3026(a)) is amended—

(1) in clause (1) by inserting after "area", the third time it appears, "and the efforts of voluntary organizations in the community",

(2) in clause (2)—

(A) by inserting "each of the following categories of services" after "the delivery of" in the matter preceding subclause (A),

(B) by striking out "and" the last time it appears in the parenthetical phrase in subclause (B), and by inserting after "maintenance" a comma and the following: "and supportive services for families of elderly victims of Alzheimer's disease and other neurological and organic brain disorders of the Alzheimer's type",

(C) by amending subclause (C) to read as follows:

"(C) legal assistance;", and

(D) by striking out "and that some funds" and all that follows through "services", and inserting in lieu thereof "and specify annually in such plan, as submitted or as amended, in detail the amount of funds expended for each such category during the fiscal year most recently concluded",

(3) in clause (3) by striking out "to encourage the maximum collocation and coordination of services for older individuals, and give" and inserting in lieu thereof a comma and the following: "giving",

(4) in clause (5)(A) by inserting ", with particular attention to low-income minority individuals," after "social needs", and

(5) in clause (6)—

(A) by striking out subclause (F),

(B) in subclause (G) by inserting "(including minority individuals)" after "individuals" the first place it appears,

(C) in subclause (I) by striking out the period at the end thereof and inserting in lieu thereof a semicolon,

(D) by redesignating subclauses (G), (H), and (I) as subclauses (F), (G), and (H), respectively, and

(E) by adding at the end thereof the following:

Health.

"(I) conduct efforts to facilitate the coordination of community-based, long-term care services designed to retain individuals in their homes, thereby deferring unnecessary, costly institutionalization, and designed to emphasize the development of client-centered case management systems as a component of such services;

"(J) identify the public and private nonprofit entities involved in the prevention, identification, and treatment of the abuse, neglect, and exploitation of older individuals, and based on such identification, determine the extent to which the need for appropriate services for such individuals is unmet; and

"(K) facilitate the involvement of long-term care providers in the coordination of community-based long-term care services and work to ensure community awareness of and involvement in addressing the needs of residents of long-term care facilities.

For purposes of clause (5)(A), the term 'greatest economic need' means the need resulting from an income level at or below the poverty threshold established by the Bureau of the Census and the term 'greatest social need' means the need caused by noneconomic factors which include physical and mental disabilities, language barriers, cultural or social isolation including that caused by racial or ethnic status which restricts an individual's ability to perform normal daily tasks or which threaten his or her capacity to live independently.".

Handicapped persons.
Disadvantaged persons.

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

(1) by inserting "(1)" after the subsection designation, and

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

"(2)(A) Before an area agency on aging requests a waiver under paragraph (1) of this subsection, the area agency on aging shall conduct a timely public hearing in accordance with the provisions of this paragraph. The area agency on aging requesting a waiver shall notify all interested parties in the area of the public hearing and furnish the interested parties with an opportunity to testify.

"(B) The area agency on aging shall prepare a record of the public hearing conducted pursuant to subparagraph (A) and shall furnish the record of the public hearing with the request for a waiver made to the State under paragraph (1).".

Public availability.

STATE PLANS

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

(1) in clause (3)(A) by striking out "legal services" and inserting in lieu thereof "legal assistance",

(2) in clause (10)—

(A) by striking out ", including nutrition services," and inserting in lieu thereof "or nutrition services,", and

(B) by inserting before the semicolon a comma and "or where such services are directly related to such State or area agency on aging's administrative functions, or where such services of comparable quality can be provided more economically by such State or area agency on aging",

(3) in clause (12)—

(A) by striking out "which is not" the first place it appears in subclause (A) and inserting in lieu thereof ", other than an agency or organization which is",

(B) by striking out "not" the second place it appears in subclause (A),

(C) by striking out "will—" in subclause (A) and inserting in lieu thereof "provides an individual who will, on a full-time basis—",

(D) by inserting "staff and" after "training" in subclause (A)(iv),

(E) in subclause (C) by striking out "and" at the end thereof,

(F) in subclause (D)(ii) by inserting "and" after the semicolon at the end thereof, and

(G) by adding at the end thereof the following new subclause:

"(E) in planning and operating the ombudsman program, consider the views of area agencies on aging, older individuals, and provider agencies;",

(4) in clause (13)—

(A) by striking out "subparagraph (H)" in subclause (B) and inserting in lieu thereof "subclause (H)",

(B) by striking out "charge participating individuals" in subclause (C)(i), and inserting in lieu thereof "solicit voluntary contributions", and

(C) by striking out "charges" in subclause (C)(ii) and inserting in lieu thereof "voluntary contributions",

(5) in clause (15) by striking out "legal services" each place it appears and inserting in lieu thereof "legal assistance",

Disadvantaged persons.

(6) by amending clause (15)(B) to read as follows:

"(B) the plan contains assurances that no legal assistance will be furnished unless the grantee administers a program designed to provide legal assistance to older individuals with social or economic need and has agreed, if the grantee is not a Legal Services Corporation project grantee, to coordinate its services with existing Legal Services Corporation projects in the planning and service area in order to concentrate the use of funds provided under this title on individuals with the greatest such need; and the area agency makes a finding, after assessment, pursuant to standards for service promulgated by the Commissioner, that any grantee selected is the entity best able to provide the particular services;",

(7) in clause (17)(B)(ii) by striking out the period at the end of such section and inserting in lieu thereof a semicolon and "and",

(8) in clause (18) by striking out "Northern Mariana Islands" and inserting in lieu thereof "Commonwealth of the Northern Mariana Islands",

(9) by redesignating clauses (16), (17), and (18) as clauses (19), (20), and (21), respectively, and

(10) by inserting after clause (15) the following new clauses:

"(16) provide that whenever the State desires to provide for services for the prevention of abuse of older individuals—

"(A) the plan contains assurances that any area agency on aging carrying out such services will conduct a program consistent with relevant State law and coordinated with existing State adult protective service activities for—

"(i) public education to identify and prevent abuse of older individuals;

"(ii) receipt of reports of abuse of older individuals;

"(iii) active participation of older individuals participating in programs under this Act through outreach, conferences, and referral of such individuals to other social service agencies or sources of assistance where appropriate and consented to by the parties to be referred; and

"(iv) referral of complaints to law enforcement or public protective service agencies where appropriate;

"(B) the State will not permit involuntary or coerced participation in the program of services described in this clause by alleged victims, abusers, or their households; and

Confidentiality.

"(C) all information gathered in the course of receiving reports and making referrals shall remain confidential unless all parties to the complaint consent in writing to the release of such information, except that such information

may be released to a law enforcement or public protective service agency;

"(17) provide assurances that each State will provide inservice training opportunities for personnel of agencies and programs funded under this Act;

"(18) provide assurances that each State will assign personnel to provide State leadership in developing legal assistance programs for older individuals throughout the State;".

(b) Section 307(b)(1) of the Act (42 U.S.C. 3027(b)(1)) is amended by striking out "he" and inserting in lieu thereof "the Commissioner".

(c) Section 307(d) of the Act (42 U.S.C. 3027(d)) is amended—

(1) by striking out "his" and inserting in lieu thereof "the Commissioner's",

(2) by striking out "he" each place it appears and inserting in lieu thereof "the Commissioner", and

(3) by striking out "section 307" and inserting in lieu thereof "this section".

(d) Section 307(e) of the Act (42 U.S.C. 3027(e)) is amended—

(1) in paragraph (1)—

(A) by striking out "him" and inserting in lieu thereof "the Commissioner", and

(B) by striking out "he based his action" and inserting in lieu thereof "the Commissioner's action is based", and

(2) in the first sentence of paragraph (2) by striking out "his" and inserting in lieu thereof "the Commissioner's".

(e) Section 307 of the Act (42 U.S.C. 3027) is amended by adding at the end thereof the following new subsection:

"(f)(1) From amounts made available under section 304(d)(1)(C) after September 30, 1986, each State shall provide for the establishment of at least one demonstration project for health and nutrition education to be conducted by one or more area agencies on aging within the State based on the information and materials disseminated under section 704(d)(2).

Health.
Ante, p. 1772.

Post, p. 1791.

"(2) Each such project shall—

"(A) be administered by the area agency for the purpose of improving the health and nutrition of older individuals served by the agency;

"(B) be established and administered in consultation with an appropriate gerontology center;

"(C) be designed to improve the health and nutrition of older individuals through increasing their physical fitness activities and improving the nutritional value of meals in their own daily living habits;

"(D) if appropriate, be conducted in conjunction with schools of public health, schools of medicine, public health and social service agencies, private voluntary organizations, or other entities concerned with the health and well-being of older individuals; and

"(E) be evaluated and the evaluation shall be submitted prior to October 1, 1987, together with such interim reports as the Commissioner may reasonably require.".

Reports.

ADMINISTRATION OF STATE PLANS

SEC. 308. (a) Section 308(a) of the Act (42 U.S.C. 3028(a)) is amended—

42 USC 3023.

(1) in paragraph (1) by striking out "Amounts appropriated under section 303" and inserting in lieu thereof "Amounts available to States under subsection (b)(1)", and

(2) in paragraph (2) by striking out "received by a State under this section" and inserting in lieu thereof "available to a State under subsection (b)(1)".

(b) Section 308(b) of the Act (42 U.S.C. 3028(b)) is amended—

(1) in the first sentence of paragraph (2)(A) by striking out "Any" and inserting in lieu thereof "If the aggregate amount appropriated under section 303 for a fiscal year does not exceed $800,000,000, then any",

(2) in paragraph (5) by striking out "he" and inserting in lieu thereof "the Commissioner",

(3) in paragraph (6)—

(A) by inserting "(A)" after "(6)",

(B) by inserting "and except as provided in subparagraph (B)" after "provisions of this title"; and

(C) by adding at the end thereof the following new subparagraph:

Guam. American Samoa. Virgin Islands. Trust Territory of the Pacific Islands. Northern Mariana Islands.

"(B) Of the funds received under section 303, a State may elect to transfer under subparagraph (A)—

"(i) not more than 27 percent of the funds appropriated for fiscal year 1985;

"(ii) not more than 29 percent of the funds appropriated for fiscal year 1986; and

"(iii) not more than 30 percent of the funds appropriated for fiscal year 1987.",

(4) by striking out paragraphs (3) and (4),

(5) by redesignating paragraphs (2), (5), and (6) as paragraphs (3), (4), and (5), respectively, and

(6) by striking out paragraph (1) and inserting in lieu thereof the following new paragraphs:

"(1)(A) If for any fiscal year the aggregate amount appropriated under section 303 does not exceed $800,000,000, then—

"(i) except as provided in clause (ii), the greater of 5 percent of the allotment to a State under section 304(a)(1) or $300,000; and

"(ii) in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands, the greater of 5 percent of such allotment or $75,000;

shall be available to such State to carry out the purposes of this section.

"(2)(A) If for any fiscal year the aggregate amount appropriated under section 303 exceeds $800,000,000, then—

"(i) except as provided in clause (ii), the greater of 5 percent of the allotment to a State under section 304(a)(1) or $500,000; and

"(ii) in the case of Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands, the greater of 5 percent of such allotment or $100,000;

shall be available to such State to carry out the purposes of this section.".

TECHNICAL AMENDMENT

SEC. 309. (a) Section 309(a) of the Act (42 U.S.C. 3029(a)) is amended by striking out "he" and inserting in lieu thereof "the Commissioner".

(b) Section 309(b)(2) of the Act (42 U.S.C. 3029(b)(2)) is amended by striking out "section 304(d)(1)(B)" and inserting in lieu thereof "section 304(d)(1)(D)".

Ante, p. 1772.

SURPLUS COMMODITIES; AUTHORIZATION OF APPROPRIATIONS

SEC. 310. (a) Section 311(a)(4) of the Act (42 U.S.C. 3030a(a)(4)) is amended—

(1) by striking out "subsection (d)" and inserting in lieu thereof "subsection (c)", and

(2) by inserting "for All Urban Consumers" after "Consumer Price Index".

(b)(1) Section 311 of the Act (42 U.S.C. 3030a) is amended by redesignating subsection (d)(1) as subsection (c)(1).

(2) Section 311(c)(1) of the Act (42 U.S.C. 3030a(c)(1)), as so redesignated, is amended—

(A) by striking out "$93,200,000" and all that follows through "1983, and",

(B) by inserting "$120,800,000 for fiscal year 1985, $125,900,000 for fiscal year 1986, and $132,000,000 for fiscal year 1987," after "1984,", and

(C) by striking out "1981" and inserting in lieu thereof "1983".

(3) Section 311(c)(1) of the Act (42 U.S.C. 3030a(c)(1)), as so redesignated, is amended by inserting "(A)" after "(1)" and by adding at the end thereof the following new subparagraph:

"(B) Effective on the first day of the first month beginning after the date of enactment of the Older Americans Act Amendments of 1984, no State may receive reimbursement under the provisions of this section unless the State submits final reimbursement claims for meals within 90 days after the last day of the quarter for which the reimbursement is claimed.".

Effective date. Claims.

Ante, p. 1767.

(4) Section 311(c)(2) of the Act (42 U.S.C. 3030a(c)(2)), as so redesignated, is amended by striking out "appropriation" and inserting in lieu thereof "appropriations".

AUDIT

SEC. 311. (a) Section 313 of the Act (42 U.S.C. 3030c) is amended by inserting "(a)" after the section designation and by adding at the end thereof the following new subsection:

"(b) State agencies and area agencies on aging shall not request information or data from providers which is not pertinent to services furnished pursuant to this Act or a payment made for such services.".

SUPPORTIVE SERVICES

SEC. 312. (a) Section 321(a) of the Act (42 U.S.C. 3030d(a)) is amended—

(1) by striking out clause (5) and inserting in lieu thereof the following:

"(5) services designed to assist older individuals in avoiding institutionalization and to assist individuals in long-term care institutions who are able to return to their communities,

including client assessment through case management and integration and coordination of community services such as preinstitution evaluation and screening and home health services, homemaker services, shopping services, escort services, reader services, and letter writing services, through resource development and management to assist such individuals to live independently in a home environment;",

(2) in clause (6)—

(A) by striking out "legal services" and inserting in lieu thereof "legal assistance", and

(B) by striking out "and financial counseling" and inserting in lieu thereof ", financial counseling, and counseling regarding appropriate health and life insurance coverage",

(3) in clause (8) by striking out "illness" and inserting in lieu thereof "illnesses",

(4) in clause (14) by striking out "or" at the end thereof,

(5) by redesignating clause (15) as clause (19), and

(6) by inserting after clause (14) the following new clauses:

"(15) services for the prevention of abuse of older individuals in accordance with clause (16) of section 307(a);

"(16) inservice training and State leadership for legal assistance activities;

Health.

"(17) health and nutrition education services;

"(18) services designed to enable mentally impaired older individuals to attain and maintain emotional well-being and independent living through a coordinated system of support services; or".

(b) Section 321(b) of the Act (42 U.S.C. 3030d(b)) is amended—

(1) in paragraph (1) by striking out all that follows "centers" and inserting in lieu thereof a period, and

(2) in paragraph (2)—

(A) by striking out "used," and inserting in lieu thereof "used", and

(B) by striking out "centers, to meet" and inserting in lieu thereof "centers and meeting".

TITLE IV—TRAINING, RESEARCH, AND DISCRETIONARY PROGRAMS RELATED TO AGING

GENERAL PURPOSE AND ADMINISTRATION

SEC. 401. Title IV of the Act (42 U.S.C. 3031-3037a) is amended by inserting after the title designation the following new section:

"STATEMENT OF PURPOSE

42 USC 3030aa.

"SEC. 401. It is the purpose of this title to expand the Nation's knowledge and understanding of aging and the aging process, to design and test innovative ideas in programs and services for older individuals, and to help meet the needs for trained personnel in the field of aging through—

"(1) placing a priority on the education and training of personnel to work with and on behalf of older individuals;

"(2) research and development of effective practices in the field of aging;

"(3) demonstration projects directly related to the field of aging; and

"(4) dissemination of information on aging and the aging process acquired through such programs to public and private organizations or programs for older individuals.

"ADMINISTRATION

"SEC. 402. (a) In order to carry out the provisions of this title effectively, the Commissioner shall administer this title through the Administration on Aging. 42 USC 3030bb.

"(b) In carrying out the provisions of this title, the Commissioner may request the technical assistance and cooperation of the Department of Education, the National Institutes of Health, and such other agencies and departments of the Federal Government as may be appropriate.".

EDUCATION AND TRAINING

SEC. 402. Title IV of the Act (42 U.S.C. 3031-3037a) is amended by inserting after the heading for part A the following new section:

"PURPOSE

"SEC. 410. The purpose of this part is to improve the quality of service and to help meet critical shortages of adequately trained personnel for programs in the field of aging by— 42 USC 3030jj.

"(1) identifying both short- and long-range manpower needs in the field of aging;

"(2) providing a broad range of educational and training opportunities to meet those needs;

"(3) attracting a greater number of qualified personnel into the field of aging;

"(4) helping to upgrade personnel training programs to make them more responsive to the need in the field of aging; and

"(5) establishing and supporting multidisciplinary centers of gerontology and providing special emphasis that will improve, enhance, and expand existing training programs.".

AUTHORITY FOR GRANTS AND CONTRACTS

SEC. 403. Section 411 of the Act (42 U.S.C. 3031) is amended to read as follows:

"GRANTS AND CONTRACTS

"SEC. 411. (a) The Commissioner shall make grants and enter into contracts to achieve the purpose of this part. The purposes for which such grants and contracts shall be made include the following: Education.

"(1) To provide comprehensive and coordinated nondegree education, training programs, and curricula at institutions of higher education and at other research, training, or educational organizations, for practitioners in the fields of nutrition, health care, supportive services, housing, and long-term care, including the expansion and enhancement of existing inservice education and training programs.

"(2) To provide inservice training opportunities to the personnel of State offices, area agencies, senior centers, and nutrition programs to strengthen their capacity to remain responsive to the needs of older individuals.

"(3) To provide courses on aging and the dissemination of information about aging to the public through institutions of

higher education and other public and nonprofit private organizations and agencies.

"(b) To achieve the purpose of this title, the Administration on Aging shall conduct both—

"(1) long-term educational activities to prepare personnel for careers in the field of aging; and

"(2) short-term inservice training and continuing education activities for State and area agency personnel, and other personnel, in the field of aging or preparing to enter the field of aging.

"(c) In making grants and contracts under this part, the Commissioner shall give special consideration to the recruitment and training of personnel, volunteers, and those individuals preparing for employment in that part of the field of aging which relates to providing custodial and skilled care for older individuals who suffer from Alzheimer's disease and other neurological and organic brain disorders of the Alzheimer's type and providing family respite services with respect to such individuals.

Audit.

"(d) In making grants or contracts under this part, the Commissioner shall ensure that all projects and activities related to personnel training shall include specific data on the number of individuals to be trained and the number of older individuals to be served through such training activities by public and nonprofit agencies, State and area agencies on aging, institutions of higher education, and other organizations.".

MULTIDISCIPLINARY CENTERS OF GERONTOLOGY

SEC. 404. Section 412 of the Act (42 U.S.C. 3032) is amended—

(1) by inserting "(a)" after "SEC. 412.",

(2) in subsection (a), as so redesignated—

(A) by inserting "(including emphasis on nutrition, employment, health, income maintenance and supportive services)" before the period at the end thereof, and

(B) by adding at the end thereof the following:

Study.

"Such centers shall conduct research and policy analysis and function as a technical resource for the Commissioner, policymakers, service providers, and the Congress. Multidisciplinary centers of gerontology shall—

"(1) recruit and train personnel;

"(2) conduct basic and applied research directed toward the development of information related to aging;

"(3) stimulate the incorporation of information on aging into the teaching of biological, behavioral, and social sciences at colleges and universities;

"(4) help to develop training programs in the field of aging at schools of public health, education, and other appropriate schools within colleges and universities;

"(5) serve as a repository of information and knowledge on aging; and

"(6) provide consultation and information to public and voluntary organizations, including State and area agencies, which serve the needs of older individuals in planning and developing services provided under other provisions of this Act.", and

(3) by adding at the end thereof the following new subsection:

Audit.

"(b) Centers supported under this section shall provide data to the Commissioner on the projects and activities for which funds are

provided under this title. Such data shall include the number of personnel trained, the number of older individuals served, the number of schools assisted, and other information that will facilitate achieving the purposes of this Act.".

PURPOSE OF PART B

SEC. 405. Title IV of the Act (42 U.S.C. 3031-3037a) is amended by inserting after the heading for part B the following new section:

"PURPOSE

"SEC. 420. The purpose of this part is to improve the quality and efficiency of programs serving older individuals through research and development projects, and demonstration projects, designed to— 42 USC 3034.

"(1) develop and synthesize knowledge about aging from multidisciplinary perspectives;

"(2) establish an information base of data and practical experience;

"(3) examine effective models of planning and practice that will improve or enhance services provided under other provisions of this Act;

"(4) evaluate the efficacy, quality, efficiency, and accessibility of programs and services for older individuals; and

"(5) develop, implement, and evaluate innovative planning and practice strategies to address the needs, concerns, and capabilities of older individuals.".

RESEARCH AND DEVELOPMENT PROJECTS

SEC. 406. Section 421 of the Act (42 U.S.C. 3035) is amended—

(1) by inserting "(a)" after "SEC. 421.",

(2) by adding at the end of subsection (a), as so redesignated, the following: "Appropriate provisions for the dissemination of resulting information shall be a requirement for all grants made under this section.", and

(3) by adding at the end thereof the following new subsections:

"(b) Each research and development activity proposal for which funds are requested under subsection (a) shall include a concise policy or practical application statement.

"(c)(1) The Commissioner shall select, to the extent practicable, for assistance under subsection (a) research activities which will, not later than three years after the date of the enactment of the Older Americans Act Amendments of 1984, collectively— *Ante*, p. 1767.

"(A) contribute to the establishment and maintenance of a demographic data base which contains information on the population of older individuals generally and older individuals categorized by age, sex, race, geographical location, and such other factors as the Commissioner deems useful for the purpose of formulating public policy;

"(B) identify the future needs of older individuals;

"(C) identify the kinds and comprehensiveness of programs required to satisfy such needs; and

"(D) identify the kinds and number of personnel required to carry out such programs.

"(2) The Commissioner shall select, to the extent practicable, for assistance under subsection (a) demonstration projects which test

research results and implement innovative ways of satisfying the needs of, and delivering services to, older individuals.".

DEMONSTRATION PROJECTS

SEC. 407. (a) Section 422(a) of the Act (42 U.S.C. 3035a(a)) is amended by striking out "elderly Such" and inserting in lieu thereof "elderly. Such".

(b) Section 422(b) of the Act (42 U.S.C. 3035a(b)) is amended—

(1) by redesignating clauses (1), (2), (3), (4), (5), (6), and (7) as clauses (2), (3), (4), (5), (6), (7), and (8), respectively;

(2) by inserting before clause (2) (as redesignated by this subsection) the following new clause:

Health. Handicapped persons.

(1) meet the supportive services needs of elderly victims of Alzheimers' disease and other neurological and organic brain disorders of the Alzheimers' type and their families, including—

"(A) home health care for such victims;

"(B) adult day health care for such victims; and

"(C) homemaker aides, transportation, and in-home respite care for the families, particularly spouses, of such victims;"; and

(3) in clause (2)(D)(i) (as redesignated by this subsection) by striking out "clause (C)" and inserting in lieu thereof "subclause (C)".

(c) Section 422 of the Act (42 U.S.C. 3035a) is amended by adding at the end thereof the following new subsection:

Grants. Contracts with U.S.

"(d)(1) Whenever appropriate, grants made and contracts entered into under this section shall be developed in consultation with an appropriate gerontology center.

"(2) Grants made and contracts entered into under this section shall include provisions for the appropriate dissemination of project results.".

LONG-TERM CARE SPECIAL PROJECTS

SEC. 408. Section 423(b)(3) of the Act (42 U.S.C. 3035b(b)(3)) is amended by inserting "(A)" after the paragraph designation and by adding at the end thereof the following subparagraph:

Grants. Contracts with U.S.

"(B) Grants made and contracts entered into under this section shall include provisions for the appropriate dissemination of information regarding the development of such services.".

DEMONSTRATION PROJECTS ON LEGAL ASSISTANCE

SEC. 409. Section 424 of the Act (42 U.S.C. 3035c) is amended to read as follows:

"SPECIAL DEMONSTRATION AND SUPPORT PROJECTS FOR LEGAL ASSISTANCE FOR OLDER INDIVIDUALS

Grants. Contracts with U.S.

"SEC. 424. (a) The Commissioner shall make grants and enter into contracts, in order to—

"(1) provide a national legal assistance support system (operated by one or more grantees or contractors) of activities to State and area agencies on aging for providing, developing, or supporting legal assistance for older individuals, including—

"(A) case consultations;

"(B) training;

"(C) provision of substantive legal advice and assistance; and

"(D) assistance in the design, implementation, and administration of legal assistance delivery systems to local providers of legal assistance for older individuals; and

"(2) support demonstration projects to expand or improve the delivery of legal assistance to older individuals with social or economic needs.

"(b) Any grants or contracts made under subsection (a)(2) shall contain assurances that the requirements of section 307(a)(15) are met.

Ante, p. 1775.

"(c) To carry out subsection (a)(1), the Commissioner shall make grants to or enter into contracts with national nonprofit legal assistance organizations experienced in providing support, on a nationwide basis, to local legal assistance providers.".

TECHNICAL AMENDMENTS

SEC. 410. (a) Section 425 of the Act (42 U.S.C. 3035d) is amended by inserting "(a)" after "SEC. 425."

(b) Section 426 of the Act (42 U.S.C. 3035e) is amended by inserting "is" after "business concern".

AUTHORIZATION OF APPROPRIATIONS

SEC. 411. (a) Section 431(a) of the Act (42 U.S.C. 3037(a)) is amended—

(1) by striking out "$23,200,000" and all that follows through "1983, and", and

(2) inserting ", $28,200,000 for fiscal year 1985, $29,800,000 for fiscal year 1986, and $31,400,000 for fiscal year 1987" before the period at the end thereof.

(b) Section 431(b) of the Act (42 U.S.C. 3037(b)) is amended—

(1) in clause (1) by striking out "or" at the end thereof,

(2) in clause (2) by striking out the period and inserting in lieu thereof "; or", and

(3) by adding at the end thereof the following new clause:

Grants.

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

TECHNICAL AMENDMENT

SEC. 412. Section 432(a) of the Act (42 U.S.C. 3037a(a)) is amended by striking out "he" and inserting in lieu thereof "the Commissioner".

RESPONSIBILITIES OF COMMISSIONER

SEC. 413. The Act (42 U.S.C. 3001 et seq.) is amended by inserting after section 432 the following new section:

"RESPONSIBILITIES OF COMMISSIONER

"SEC. 433. (a) The Commissioner shall be responsible for the administration, implementation, and making of grants and con-

Grants.
Contracts with U.S.
Prohibition.
42 USC 3037b.

tracts under this title and shall not delegate authority under this title to any other individual, agency, or organization.

Report. Public availability. *Ante*, p. 1770.

"(b) The Commissioner shall prepare and publish annually as part of the report provided for in section 207 a detailed description of all grants, contracts, and activities for which funds are paid under this title. Such report shall include the name of the recipient of each such grant or contract, the amount of funds provided for such grant or contract, and a justification of how the funded activity or project will achieve the purpose of this title.".

TITLE V—COMMUNITY SERVICE EMPLOYMENT

OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT PROGRAM

SEC. 501. (a) Section 502(b)(1) of the Act (42 U.S.C. 3056(b)(1)) is amended—

(1) in the third sentence by striking out "he" and inserting in lieu thereof "the Secretary",

(2) in subparagraph (J) by striking out "he" and inserting in lieu thereof "the participant",

(3) in subparagraph (M) by striking out "and" at the end thereof,

(4) in subparagraph (N) by striking out the period at the end thereof and inserting in lieu thereof "; and", and

(5) by inserting after subparagraph (N) the following new subparagraph:

Public availability.

"(O) will post in such project workplace a notice, and will make available to each person associated with such project a written explanation, clarifying the law with respect to allowable and unallowable political activities under chapter 15 of title 5, United States Code, applicable to the project and to each category of individuals associated with such project and containing the address and telephone number of the Inspector General of the Department of Labor, to whom questions regarding the application of such chapter may be addressed.".

5 USC 1501 *et seq.*

(b) Section 502(c) of the Act (42 U.S.C. 3056(c)) is amended by adding at the end thereof the following new paragraph:

"(3) Of the amount for any project to be paid by the Secretary under this subsection, not more than—

"(A) 13.5 percent for fiscal year 1986, and

"(B) 12 percent for fiscal year 1987, and thereafter,

shall be available for paying the costs of administration for such project, except that whenever the Secretary determines that it is necessary to carry out the project assisted under this title, based upon information submitted by the public or private nonprofit agency or organization with which the Secretary has an agreement under subsection (b), the Secretary may increase the amount available for paying the cost of administration to an amount not more than 15 percent of the cost of such project.".

ADMINISTRATION

SEC. 502. Section 503(b) of the Act (42 U.S.C. 3056a(b)) is amended to read as follows:

"(b) If the Secretary determines that to do so would increase job opportunities available to individuals under this title, the Secretary is authorized to coordinate the program assisted under this title

with programs authorized under the Job Training Partnership Act, the Community Services Block Grant Act, and the Vocational Education Act of 1984. Appropriations under this Act may not be used to carry out any program under the Job Training Partnership Act, the Community Services Block Grant Act, or the Vocational Education Act of 1984.".

29 USC 1501 note.
42 USC 9901 note.
Prohibition.

EQUITABLE DISTRIBUTION OF ASSISTANCE

SEC. 503. (a) Section 506(a)(3) of the Act (42 U.S.C. 3056d(a)(3)) is amended by inserting "the" after "shall allot to".

(b) Section 506 of the Act (42 U.S.C. 3056d) is amended by adding at the end thereof the following new subsection:

"(d) The Secretary shall require the State agency for each State receiving funds under this title to report at the beginning of each fiscal year on such State's compliance with subsection (c). Such report shall include the names and geographic location of all projects assisted under this title and carried out in the State and the amount allotted to each such project.".

Report.
State and local governments.

(c) Section 507(2) of the Act (42 U.S.C. 3056e(2)) is amended by striking out "over" each place it appears and inserting in lieu thereof "older".

AUTHORIZATION OF APPROPRIATIONS

SEC. 504. Section 508(a) of the Act (42 U.S.C. 3056f(a)) is amended—

(1) in paragraph (1) by striking out "$277,100,000" and all that follows through "1984", and inserting in lieu thereof "$319,450,000 for fiscal year 1984, $335,000,000 for fiscal year 1985, $351,400,000 for fiscal year 1986, and $368,300,000 for fiscal year 1987",

(2) in paragraph (2) by striking out "54,200" and inserting in lieu thereof "62,500", and

(3) in the last sentence by striking out "paragraph (2)" and inserting in lieu thereof "clause (2)".

STUDY OF OLDER AMERICAN COMMUNITY SERVICE PROGRAMS

SEC. 505. The Secretary of Labor shall conduct a study to identify additional mechanisms, supplementing the existing program under the Act, to increase community service employment opportunities for eligible individuals. Not later than 1 year after the date of the enactment of this Act, the Secretary of Labor shall submit to the Congress a report describing the results of such study and proposing draft legislation which, if enacted by the Congress, would increase such employment opportunities.

42 USC 3056 note.

Report.
Employment and unemployment.

TITLE VI—GRANTS FOR INDIAN TRIBES

ELIGIBILITY

SEC. 601. Section 602(a)(1) of the Act (42 U.S.C. 3057a(a)(1)) is amended by striking out "75" and inserting in lieu thereof "60".

TECHNICAL AMENDMENTS

SEC. 602. (a) Section 604(a)(8) of the Act (42 U.S.C. 3057c(a)(8)) is amended by striking out "paragraph" and inserting in lieu thereof "clause".

(b) Section 604(d) of the Act (42 U.S.C. 3057c(d)) is amended—

(1) by striking out "he" each place it appears and inserting in lieu thereof "the Commissioner",

(2) in paragraph (1) by striking out "his", and

(3) in paragraph (2) by striking out "his" and inserting in lieu thereof "such".

AUTHORIZATION OF APPROPRIATIONS

SEC. 603. (a) Section 608(a) of the Act (42 U.S.C. 3057g(a)) is amended—

(1) by striking out "$6,500,000" and all that follows through "1983, and", and

(2) by inserting after "1984" the following: ", $7,900,000 for fiscal year 1985, $8,300,000 for fiscal year 1986, and $8,600,000 for fiscal year 1987".

(b) Section 608 of the Act (42 U.S.C. 3057g) is amended by striking out subsection (c).

TITLE VII—PERSONAL HEALTH EDUCATION AND TRAINING PROGRAMS FOR OLDER INDIVIDUALS

PERSONAL HEALTH EDUCATION AND TRAINING PROGRAMS

SEC. 701. The Act (42 U.S.C. 3001 et seq.) is amended by adding at the end a new title as follows:

Older Americans Personal Health Education and Training Act.

"TITLE VII—OLDER AMERICANS PERSONAL HEALTH EDUCATION AND TRAINING PROGRAM

"SHORT TITLE

42 USC 3058 note.

"SEC. 701. This title may be cited as the 'Older Americans Personal Health Education and Training Act'.

"FINDINGS

42 USC 3058.

"SEC. 702. The Congress hereby finds that—

"(1) individuals 60 years of age or older constitute the fastest growing segment of the Nation's population;

"(2) the process of aging, as well as the changes in lifestyle which accompany it, such as retirement, the end of parenting roles, and relocation, seem to increase and exacerbate health problems faced by older individuals (such health problems include physical, mental, and emotional health problems);

"(3) many of the health problems faced by individuals 60 years of age or older, such as arteriosclerosis, arthritis, adult-onset diabetes, hypothermia, heat stress, Alzheimer's disease, circulatory problems, hypertension, diminished hearing and eyesight, reduced strength, social isolation, and bone fragility are particularly common to the older American population;

"(4) although older individuals make up only 11 percent of our population, they consume 29 percent of the total health care

expenditures and 50.5 percent of Federal health care (nonmilitary) expenditures, and as our population ages the percentage of Federal health care dollars absorbed by older individuals will inevitably increase;

"(5) older individuals consume more prescription and over-the-counter drugs than any other age group and are therefore more likely to be exposed to two or more active drugs which negatively interact;

"(6) many of the health problems faced by older individuals and the fear of those health problems can be ameliorated and in some cases prevented if proper health education and training is available;

"(7) health education and training focused specifically on the needs of older individuals can play an important role in health promotion and illness prevention and simultaneously help reduce medical costs for both individuals and the Government;

"(8) the educational institutions of public health, the medical sciences, psychology, pharmacology, nursing, social work, health education, nutrition, and gerontology have much to offer in the design and implementation of health education and training services for older individuals; and

"(9) the existing 3,300 multipurpose senior centers established under this Act which already serve over 9,000,000 older individuals each year, are appropriate points of contact from which health education and training can be provided, but there is currently no uniform, standardized program consistently in place across the Nation.

"PURPOSES

"SEC. 703. The purposes of this title are to provide the necessary resources, leadership, and coordination (1) to design a uniform, standardized program of health education and training for older individuals; (2) to directly involve graduate educational institutions of public health in the design of such program; (3) to directly involve the graduate educational institutions of public health, the medical sciences, psychology, pharmacology, nursing, social work, health education, nutrition, and gerontology in the implementation of such program; (4) to implement such program in multipurpose senior centers established under this Act; and (5) to evaluate such program. 42 USC 3058a.

"OLDER AMERICANS PERSONAL HEALTH EDUCATION AND TRAINING PROGRAM

"SEC. 704. (a) In order to foster and promote the design and implementation of a health education and training program for individuals who are 60 years of age or older, the Secretary of Health and Human Services (hereinafter in this title referred to as the 'Secretary') shall establish an older individuals personal health education and training program within the Administration on Aging. Grants. Contracts with U.S. 42 USC 3058b.

"(b)(1) In order to carry out the provisions of this title, the Secretary, through the Administration on Aging, shall make grants and enter into contracts with public or private institutions of higher education having graduate programs with capability in public health, the medical sciences, psychology, pharmacology, nursing, social work, health education, nutrition, or gerontology in order to

Prohibition.

achieve the purposes of this title. No payment shall be made by the Secretary toward the cost of any such project established or administered by any such institution unless the Secretary determines that such project—

"(A) will provide for the design and implementation of a local or statewide demonstration health education and training program which is amenable to replication in multipurpose senior centers, as well as other sites convenient to older individuals;

"(B) will provide for consultation with and utilization of multipurpose senior centers established under section 321(b)(1) with regard to the provision of services to meet the specific needs of older individuals;

Ante, p. 1780.

"(C) will be generally applicable to the health needs of all individuals 60 years of age or older;

"(D) will provide for the development of components appropriate for uniform, standardized use relating to specific problems encountered by older individuals, such as diet, mental health, physical fitness, hypertension, retirement, health insurance, hypothermia, and legal advice concerning rights to live and to receive medical treatment;

"(E) will provide health education in the safe and effective use of prescription and nonprescription medicines;

"(F) will address the motivation of older individuals including consideration of the elements of self-responsibility, physical fitness, stress management, nutrition, and environmental awareness; and the benefits older individuals can derive from behavioral and lifestyle modifications within their individual control;

"(G) will provide for peer contact and interaction among participating older individuals;

"(H) will provide for the training and utilization of graduate students (including the consideration of the granting of course credit to such students) and faculty in the fields of public health, the medical sciences, psychology, pharmacology, nursing, social work, health education, nutrition, and gerontology;

"(I) will provide for the training and utilization of older individuals participating in such projects as volunteers;

"(J) will ensure that participating older individuals are made aware of the health services available to them in their communities;

"(K) will be designed in consultation with persons specifically competent in the field of public health;

"(L) with regard to the provision of services, will be designed in consultation with each area agency on aging located in the geographic area to be served by such project with specific attention to State and area agency replication under section 307(f);

Ante, p. 1777.

"(M) will demonstrate the ability of those who carry out such project to generate multidisciplinary working relationships with other groups in relevant fields, including the medical sciences, mental health, pharmacology, nursing, social work, health education, nutrition, and gerontology;

"(N) will provide for coordination with the State agency designated under section 305(a)(1) and State health officials in the State in which such project is carried out; and

42 USC 3025.

"(O) will implement health education and training activity in at least 10 separate sites.

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

"(c)(1) The Secretary shall pay not to exceed 90 percent of the cost of any project which is the subject of a contract entered into under subsection (b).

"(2) The remaining cost of such project shall be provided from non-Federal sources, in cash or in-kind. In determining the amount of the non-Federal share, the Secretary is authorized to attribute fair-market value to services and facilities contributed from non-Federal sources.

"(3) In considering grant or contract applications under this title, the Secretary shall—

"(A) give priority to grants and contracts smaller than $150,000; and

"(B) to the extent practicable, ensure an equitable geographic distribution in the awarding of such grants or contracts, including an appropriate consideration of both urban and rural needs.

"(d)(1) The Secretary shall prepare and submit to the Congress, not later than October 1, 1985, an interim report describing the projects approved under subsection (b) and a design for the evaluation of such projects. Report.

"(2) Not later than October 1, 1986, the Secretary shall prepare and disseminate, through the Commissioner, to State agencies on aging information and materials relating to projects conducted under this title, including uniform, standardized components of a program of health and nutrition education.

"(3) The Secretary shall prepare and submit to the President and the Congress a final report on the projects approved under subsection (b) not later than February 1, 1987, along with such findings and recommendations as the Secretary deems appropriate. Report.

"ADMINISTRATION

"SEC. 705. (a) In carrying out this title, the Secretary is authorized to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and to cooperate on a similar basis with other public and private agencies and instrumentalities in the use of services, equipment, and facilities. 42 USC 3058c.

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

"(c) Except as provided in section 704(d), the Secretary shall not delegate any function of the Secretary under this title to any other department or agency of the United States. Prohibition. *Ante*, p. 1790.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 706. (a) There are authorized to be appropriated to carry out this title $8,550,000 for fiscal year 1985 and such sums as may be necessary for fiscal years 1986 and 1987. 42 USC 3058d.

"(b) Amounts appropriated under this section for any fiscal year shall remain available for obligation until expended.".

TITLE VIII—AMENDMENTS TO OTHER LAWS; EFFECTIVE DATES

RELATED AND CONFORMING AMENDMENTS

SEC. 801. (a) Section 14(c) of the National School Lunch Act (42 U.S.C. 1762a(c)) is amended by striking out "section 311(c)(1) of such Act (42 U.S.C. 3030(c)(1))" and inserting in lieu thereof "section 311(b)(1) of such Act (42 U.S.C. 3030(b)(1))".

(b) Section 501(b) of the Comprehensive Older Americans Act Amendments of 1978 (42 U.S.C. 3045 note) is amended by inserting after the first sentence the following: "Such process shall include evaluation of each bidder's experience in providing services to older individuals.".

AMENDMENTS TO THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967

Corporations. Employment and unemployment. 29 USC 630.

SEC. 802. (a) Section 11(f) of the Age Discrimination in Employment Act of 1967 is amended by adding at the end thereof the following new sentence: "The term 'employee' includes any individual who is a citizen of the United States employed by an employer in a workplace in a foreign country.".

29 USC 623.

(b)(1) Section 4(f)(1) of the Age Discrimination in Employment Act of 1967 is amended by inserting before the semicolon a comma and the following: "or where such practices involve an employee in a workplace in a foreign country, and compliance with such subsections would cause such employer, or a corporation controlled by such employer, to violate the laws of the country in which such workplace is located".

(2) Section 4 of the Age Discrimination in Employment Act of 1967 is amended by adding at the end thereof the following new subsection:

"(g)(1) If an employer controls a corporation whose place of incorporation is in a foreign country, any practice by such corporation prohibited under this section shall be presumed to be such practice by such employer.

"(2) The prohibitions of this section shall not apply where the employer is a foreign person not controlled by an American employer.

"(3) For the purpose of this subsection the determination of whether an employer controls a corporation shall be based upon the—

"(A) interrelation of operations,

"(B) common management,

"(C) centralized control of labor relations, and

"(D) common ownership or financial control,

of the employer and the corporation.".

29 USC 631.

(c)(1) Section 12(c)(1) of the Age Discrimination in Employment Act of 1967 is amended by striking out "$27,000" and inserting in lieu thereof "$44,000".

Retirement. 29 USC 631 note.

(2) The amendment made by paragraph (1) of this subsection shall not apply with respect to any individual who retires, or is compelled to retire, before the date of the enactment of this Act.

EFFECTIVE DATES

SEC. 803. (a) Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act. 42 USC 3001 note.

(b)(1) The amendment made by section 206(a) shall take effect 60 days after the date of the enactment of this Act. *Ante*, p. 1770.

(2) The amendment made by section 206(d) shall take effect on the first day of the first fiscal year beginnning after the date of the enactment of this Act.

(3) The amendment made by section 411(b) shall not apply with respect to any grant or payment made before the date of the enactment of this Act. *Ante*, p. 1781.

(4) The amendment made by section 701 shall take effect on October 1, 1984. *Ante*, p. 1788.

Approved October 9, 1984.

LEGISLATIVE HISTORY—S. 2603 (H.R. 4785):

HOUSE REPORTS: No. 98-737 accompanying H.R. 4785 (Comm. on Education and Labor) and No. 98-1037 (Comm. of Conference).
SENATE REPORT No. 98-467 (Comm. on Labor and Human Resources).
CONGRESSIONAL RECORD, Vol. 130 (1984):
May 24, considered and passed Senate.
Aug. 6, 8, H.R. 4785 considered and passed House; S. 2603 amended, passed in lieu.
Sept. 26, Senate and House agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 20, No. 41 (1984):
Oct. 9, Presidential statement.