

advantaged, including Native Americans, Native Hawaiians, and other underserved groups); and”.

Subsec. (a)(2). Pub. L. 100-146, §502(a)(3), inserted “the advocacy functions of the State Planning Council, the functions performed by university affiliated programs and satellite centers under subchapter IV of this chapter, and” after “otherwise improving”.

Subsec. (b). Pub. L. 100-146, §502(b), substituted “in such State an opportunity” for “for each State in which an applicant’s project will be conducted an opportunity”.

Subsecs. (c), (d). Pub. L. 100-146, §502(c), added subsec. (c) and redesignated former subsec. (c) as (d).

EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-146 effective Oct. 1, 1987, see section 601 of Pub. L. 100-146, set out as a note under section 6000 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6083 of this title.

§ 6083. Authorization of appropriations

(a) In general

To carry out this subchapter, there are authorized to be appropriated \$4,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

(b) Limitations

(1) Projects of national significance

At least 8 percent, but in no event less than \$300,000, of the amounts appropriated pursuant to subsection (a) of this section shall be used to carry out the provisions of section 6082(a)(1)(B) of this title.

(2) Investigations

(A) In general

The additional authority to fund projects under section 6082(b) of this title shall not be construed as requiring the Secretary to supplant funding for other priorities described in this subchapter.

(B) Time line for funding

If amounts are available to carry out subparagraphs (A), (B), and (C) of section 6082(b)(1) of this title, the Administration shall provide funding to carry out such subparagraphs not later than May 1 of the fiscal year in which such funds become available.

(3) Programmatic reviews or other administrative activities

The Secretary may not use the funds made available under subsection (a) of this section for programmatic reviews as prescribed by regulation or other administrative activities under subchapters II, III, and IV of this chapter.

(4) Technical assistance for protection and advocacy systems

If technical assistance to improve the effectiveness of protection and advocacy systems under subchapter III of this chapter is provided under section 6042(c)(5) of this title—

(A) no funding for the provision of such technical assistance to protection and advocacy systems shall be provided under this subchapter; and

(B) the amount set aside for technical assistance under section 6082(a)(1)(B) of this title shall be proportionally reduced.

(Pub. L. 88-164, title I, §163, as added Pub. L. 98-527, §2, Oct. 19, 1984, 98 Stat. 2684; amended Pub. L. 100-146, title V, §503, Oct. 29, 1987, 101 Stat. 858; Pub. L. 101-496, §22, Oct. 31, 1990, 104 Stat. 1204; Pub. L. 103-230, title V, §504, Apr. 6, 1994, 108 Stat. 331.)

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-230, §504(a), substituted “\$4,000,000 for fiscal year 1994” for “\$3,650,000 for fiscal year 1991” and “fiscal years 1995 and 1996” for “fiscal years 1992 and 1993”.

Subsec. (b). Pub. L. 103-230, §504(b), amended heading and text of subsec. (b) generally. Prior to amendment, text read as follows: “At least 8 percent, but not less than \$300,000, of the funds appropriated pursuant to the authority of subsection (a) of this section shall be used to carry out the provisions of section 6082(a)(2) of this title.”

1990—Pub. L. 101-496 amended section generally. Prior to amendment, section read as follows:

“(a) To carry out this subchapter, there are authorized to be appropriated \$3,650,000 for fiscal year 1988, \$3,650,000 for fiscal year 1989, and \$3,650,000 for fiscal year 1990.

“(b) Of the amounts appropriated under subsection (a) of this section for any fiscal year, \$600,000 shall be available for grants and contracts under section 6082(a)(1) of this title for not more than three projects to determine the feasibility and desirability of developing a nationwide information and referral system for persons with developmental disabilities. The Secretary shall award grants and contracts under section 6082(a)(1) of this title for such projects within 6 months after October 29, 1987.”

1987—Pub. L. 100-146 amended section generally. Prior to amendment, section read as follows: “To carry out this subchapter, there are authorized to be appropriated \$2,700,000 for fiscal year 1985, \$2,800,000 for fiscal year 1986, and \$3,100,000 for fiscal year 1987.”

EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-146 effective Oct. 1, 1987, see section 601 of Pub. L. 100-146, set out as a note under section 6000 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6082 of this title.

CHAPTER 76—AGE DISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Sec. 6101. 6102. 6103.	Statement of purpose. Prohibition of discrimination. Regulations.
	(a) Publication in Federal Register of proposed general regulations, final general regulations, and anti-discrimination regulations; effective date.
	(b) Nonviolative actions; program or activity exemption.
	(c) Employment practices and labor-management joint apprenticeship training program exemptions; Age Discrimination in Employment Act unaffected.
6104.	Enforcement. (a) Methods of achieving compliance with regulations. (b) Limitations on termination of, or on refusal to grant or to continue, assistance; disbursement of withheld funds to achiever agencies. (c) Advice as to failure to comply with regulation; determination that compliance cannot be secured by voluntary means.

- Sec.
- (d) Report to Congressional committees.
 - (e) Injunctions; notice of violations; costs; conditions for actions.
 - (f) Exhaustion of administrative remedies.
6105. Judicial review.
- (a) Provisions of other laws.
 - (b) Provisions of chapter 7 of title 5; reviewable agency discretion.
6106. Study of discrimination based on age.
- (a) Study by Commission on Civil Rights.
 - (b) Public hearings.
 - (c) Publication of results of analyses, research and studies by independent experts; services of voluntary or uncompensated personnel.
 - (d) Report to President and Congress; copies to affected Federal departments and agencies; information and technical assistance.
 - (e) Comments and recommendations of Federal departments and agencies; submission to President and Congressional committees.
 - (f) Cooperation of Federal departments and agencies with Commission.
 - (g) Authorization of appropriations.
- 6106a. Reports to the Secretary and Congress.
6107. Definitions.

CROSS REFERENCES

Age discrimination in employment, see section 621 et seq. of Title 29, Labor.

Civil rights, Federally assisted programs, see section 2000d et seq. of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 290cc-33, 300w-7, 300x-57, 708, 1437v, 1437w, 1437aaa-1, 1437aaa-2, 1760, 2000d-7, 3608, 5057, 5309, 6727, 8625, 9906, 10406, 11386, 11394, 12635, 12832, 12872, 12873, 12892, 12893, 12899b, 12899c of this title; title 20 sections 1221, 1231e, 8066; title 29 section 1577; title 31 section 6711.

§ 6101. Statement of purpose

It is the purpose of this chapter to prohibit discrimination on the basis of age in programs or activities receiving Federal financial assistance.

(Pub. L. 94-135, title III, §302, Nov. 28, 1975, 89 Stat. 728; Pub. L. 95-478, title IV, §401(a), Oct. 18, 1978, 92 Stat. 1555; Pub. L. 99-272, title XIV, §14001(b)(4), Apr. 7, 1986, 100 Stat. 329.)

AMENDMENTS

1986—Pub. L. 99-272 struck out “, including programs or activities receiving funds under the State and Local Fiscal Assistance Act of 1972 (31 U.S.C. 1221 et seq.)” after “Federal financial assistance”.

1978—Pub. L. 95-478 struck out “unreasonable” before “discrimination”.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-272 effective Oct. 18, 1986, see section 14001(e) of Pub. L. 99-272.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-478 effective at the close of Sept. 30, 1978, see section 504 of Pub. L. 95-478, set out as a note under section 3001 of this title.

SHORT TITLE

Section 301 of Pub. L. 94-135 provided that: “The provisions of this title [enacting this chapter] may be cited as the ‘Age Discrimination Act of 1975.’”

§ 6102. Prohibition of discrimination

Pursuant to regulations prescribed under section 6103 of this title, and except as provided by section 6103(b) and section 6103(c) of this title, no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance.

(Pub. L. 94-135, title III, §303, Nov. 28, 1975, 89 Stat. 728.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 6103, 6106a of this title.

§ 6103. Regulations

(a) Publication in Federal Register of proposed general regulations, final general regulations, and anti-discrimination regulations; effective date

(1) Not later than one year after the transmission of the report required by section 6106(b) of this title, or two and one-half years after November 28, 1975, whichever occurs first, the Secretary of Health and Human Services shall publish in the Federal Register proposed general regulations to carry out the provisions of section 6102 of this title.

(2)(A) The Secretary shall not publish such proposed general regulations until the expiration of a period comprised of—

(i) the forty-five day period specified in section 6106(e) of this title; and

(ii) an additional forty-five day period, immediately following the period described in clause (i), during which any committee of the Congress having jurisdiction over the subject matter involved may conduct hearings with respect to the report which the Commission is required to transmit under section 6106(d) of this title, and with respect to the comments and recommendations submitted by Federal departments and agencies under section 6106(e) of this title.

(B) The forty-five day period specified in subparagraph (A)(ii) shall include only days during which both Houses of the Congress are in session.

(3) Not later than ninety days after the Secretary publishes proposed regulations under paragraph (1), the Secretary shall publish in the Federal Register final general regulations to carry out the provisions of section 6102 of this title, after taking into consideration any comments received by the Secretary with respect to the regulations proposed under paragraph (1).

(4) Not later than ninety days after the Secretary publishes final general regulations under paragraph (a)(3), the head of each Federal department or agency which extends Federal financial assistance to any program or activity by way of grant, entitlement, loan, or contract other than a contract of insurance or guaranty, shall transmit to the Secretary and publish in the Federal Register proposed regulations to carry out the provisions of section 6102 of this title and to provide appropriate investigative, conciliation, and enforcement procedures. Such