

shall be conducted by an independent hearing examiner. Such hearing shall be held prior to any final decision by the Corporation to terminate financial assistance or suspend or deny funding. Hearing examiners shall be appointed by the Corporation in accordance with procedures established in regulations promulgated by the Corporation.

(Pub. L. 88-452, title X, §1011, as added Pub. L. 93-355, §2, July 25, 1974, 88 Stat. 388; amended Pub. L. 95-222, §16, Dec. 28, 1977, 91 Stat. 1624.)

AMENDMENTS

1977—Par. (2). Pub. L. 95-222 inserted provisions relating to function and appointment of an independent hearing examiner, and the time for any hearings.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-222 effective Dec. 28, 1977, see section 17(b) of Pub. L. 95-222, set out as a note under section 2996 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2996e, 2996f of this title.

§ 2996k. Coordination

The President may direct that appropriate support functions of the Federal Government may be made available to the Corporation in carrying out its activities under this subchapter, to the extent not inconsistent with other applicable law.

(Pub. L. 88-452, title X, §1012, as added Pub. L. 93-355, §2, July 25, 1974, 88 Stat. 388.)

EX. ORD. NO. 11874. DELEGATION OF FUNCTIONS TO DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET

Ex. Ord. No. 11874 eff. July 25, 1975, 40 F.R. 31737, provided:

By virtue of the authority vested in me by Section 1012 of the Economic Opportunity Act of 1964, as amended by the Legal Services Corporation Act of 1974 (88 Stat. 388, 42 U.S.C. 2996k), and Section 301 of Title 3 of the United States Code, and as President of the United States, the Director of the Office of Management and Budget is hereby designated and empowered to exercise the authority vested in the President by said Section 1012 of the Economic Opportunity Act of 1964, as amended [this section], to direct that appropriate support functions of the Federal Government may be made available to the Legal Services Corporation in carrying out its activities, to the extent not inconsistent with other applicable law. Such functions shall be provided under terms and conditions as may be agreed upon by the Legal Services Corporation and the Federal agencies involved.

GERALD R. FORD.

§ 2996l. Reservation of right to repeal, alter, or amend

The right to repeal, alter, or amend this subchapter at any time is expressly reserved.

(Pub. L. 88-452, title X, §1013, as added Pub. L. 93-355, §2, July 25, 1974, 88 Stat. 388.)

CHAPTER 35—PROGRAMS FOR OLDER AMERICANS

SUBCHAPTER I—DECLARATION OF OBJECTIVES AND DEFINITIONS

Sec. 3001. Congressional declaration of objectives.

Sec. 3002. Definitions.
3003. Congressional declaration of additional objectives.

SUBCHAPTER II—ADMINISTRATION ON AGING

- 3011. Establishment of Administration on Aging.
 - (a) Function and operation.
 - (b) Appointment of Assistant Secretary.
 - (c) Office for American Indian, Alaskan Native, and Native Hawaiian Programs; Director.
 - (d) Office of Long-Term Care Ombudsman Programs.
- 3012. Functions of Assistant Secretary.
 - (a) Duties and functions of Administration.
 - (b) Policy alternatives in long-term care.
 - (c) Encouragement by Assistant Secretary of program and activity by voluntary social services group; establishment of and technical assistance to State and area volunteer coordinators.
 - (d) National Center on Elder Abuse.
 - (e) National Aging Information Center.
- 3013. Federal agency cooperation.
- 3013a. Consultation with State agencies, area agencies on aging, and Native American grant recipients.
- 3014. Repealed.
- 3015. Federal Council on the Aging.
 - (a) Establishment; membership; term; representation of interests; qualification; previously appointed members.
 - (b) Appointment of class 1, class 2, and class 3 members; vacancies; compensation and travel expenses.
 - (c) Chairperson; meetings.
 - (d) Duties of Federal Council on the Aging.
 - (e) Staff, information, and other assistance.
 - (f) Reports to President; transmittal to Congress.
 - (g) Authorization of appropriations.
- 3016. Authority of Assistant Secretary.
 - (a) Consultative services and technical assistance; short-term training and technical instruction; research and demonstrations; preparation and dissemination of informational materials; staff and technical assistance to Federal Council on the Aging; designation of full-time nutrition professional as administrator of nutrition services.
 - (b) Utilization of services and facilities of Federal and other public or nonprofit agencies; advance or reimbursement payments for such use.
 - (c) Regulations; notice and comment.
 - (d) Publication of goals.
 - (e) Authorization of appropriations.

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| <p>Sec.
3017.</p> | <p>Evaluation of programs.</p> <p>(a) Authority of Secretary; scope of evaluation; persons conducting evaluation.</p> <p>(b) General standards.</p> <p>(c) Opinions of program and project participants; comparison of effectiveness of related programs; consultation with organizations concerned with older individuals.</p> <p>(d) Annual summaries and analyses of evaluation; demonstration projects; transmittal to Congress; dissemination to Federal, State, and local agencies and private organizations; accessibility to public.</p> <p>(e) Federal property.</p> <p>(f) Availability to Secretary of information from executive agencies.</p> <p>(g) Evaluation of nutritional services; establishment of advisory council; report on recommendations and final guidelines to the President and Congress.</p> <p>(h) Funds.</p> | <p>Sec.</p> | <p>(b) Planning and service area designated; Indian reservations; redesignation; adjustment of State allotment; review by Assistant Secretary; additional planning and service areas; right to first refusal to units of local government; procedures and review of boundaries.</p> <p>(c) Eligible State area agencies; development of area; preferred area agency on aging designees.</p> <p>(d) Publication for review and comment; contents.</p> |
| <p>3018.</p> | <p>Reports to Congress.</p> <p>(a) Annual report.</p> <p>(b) Report on ombudsman program.</p> <p>(c) Outreach activities; report on evaluations to be included in annual report.</p> | <p>3026.</p> | <p>Area plans.</p> <p>(a) Preparation and development by area agency on aging; requirements.</p> <p>(b) Waiver of requirements; notice and hearing; opportunity to testify; record.</p> <p>(c) Transportation services; funds.</p> <p>(d) Confidentiality of information relating to legal assistance.</p> <p>(e) Withholding of area funds.</p> |
| <p>3019.</p> <p>3020.</p> <p>3020a.</p> | <p>Joint funding of projects.</p> <p>Advance funding.</p> <p>Application of other laws; costs of projects under this chapter not treated as income or benefits under other laws.</p> | <p>3027.</p> | <p>State plans.</p> <p>(a) Criteria for eligibility; contents.</p> <p>(b) Approval by Assistant Secretary; waiver of requirements.</p> <p>(c) Notice and hearing prior to disapproval.</p> <p>(d) Discontinuance of payments; disbursement of withheld funds to agencies with approved plans; matching funds.</p> <p>(e) Appeal.</p> <p>(f) Confidentiality of information relating to legal assistance; protection of commercial information.</p> |
| <p>3020b.</p> <p>3020c.</p> <p>3020d.</p> <p>3020e.</p> <p>3020f.</p> | <p>Reduction of paperwork.</p> <p>Contracting and grant authority.</p> <p>Surplus property eligibility.</p> <p>Nutrition education.</p> <p>Authorization of appropriations.</p> <p>(a) Administration.</p> <p>(b) Salaries and expenses.</p> | <p>3028.</p> | <p>Cost of administration of State plans.</p> <p>(a) Activities constituting administration; use of excess funds to supplement cost of administration of area plans; election to pay costs from sums received for administration of area plans.</p> <p>(b) Formula for computation of allotment; application for additional funds; approval of application by Assistant Secretary; limitation on amount of additional funds; transfer of funds.</p> <p>(c) Availability of funds under this section to provide services under parts B and C.</p> |
| <p>SUBCHAPTER III—GRANTS FOR STATE AND
COMMUNITY PROGRAMS ON AGING</p> | | | |
| <p>PART A—GENERAL PROVISIONS</p> | | | |
| <p>3021.</p> | <p>Purpose and program.</p> <p>(a) Congressional declaration of purpose.</p> <p>(b) Administration of program.</p> <p>(c) Ombudsman program.</p> | <p>3029.</p> | <p>Payments of grants or contracts.</p> <p>(a) Advances or reimbursement; installments; assistance in development of State plan.</p> <p>(b) Matching funds; percentage limitation.</p> <p>(c) Reduction of State allotment.</p> |
| <p>3022.</p> <p>3023.</p> | <p>Definitions.</p> <p>Authorization of appropriations; uses of funds.</p> | <p>3030.</p> | <p>Disaster relief reimbursements.</p> <p>(a) Application; limitations.</p> <p>(b) Setting aside of funds by Assistant Secretary.</p> <p>(c) Effect on other laws.</p> |
| <p>3024.</p> | <p>Allotment to States.</p> <p>(a) Formula for computation of amount.</p> <p>(b) Unused funds.</p> <p>(c) Withholding of funds; disbursement.</p> <p>(d) Costs of administration, ombudsman program, demonstration projects, supportive services, senior centers and nutrition services; payment and determination of non-Federal share.</p> <p>(e) Volunteer services coordinator.</p> | <p>3030a.</p> | <p>Availability of surplus commodities.</p> <p>(a) Donation of products; amount of assistance.</p> |
| <p>3025.</p> | <p>Designation of State agencies.</p> <p>(a) Duties of designated agency.</p> | | |