

Pub. L. 105-277, §101(f) [title VIII, §405(d)(33)(A)(i)], substituted last sentence for former last sentence which read as follows: "In particular, the Secretary of Labor shall consult and cooperate with the Assistant Secretary in carrying out the Job Training Partnership Act (29 U.S.C. 1501 et seq.)."

Subsec. (b)(1). Pub. L. 105-277, §101(f) [title VIII, §405(f)(25)(A)(ii)], added par. (1) and struck out former par. (1) which read as follows: "the Job Training Partnership Act or title I of the Workforce Investment Act of 1998."

Pub. L. 105-277, §101(f) [title VIII, §405(d)(33)(A)(ii)], added par. (1) and struck out former par. (1) which read as follows: "the Job Training Partnership Act."

Subsec. (b)(8). Pub. L. 105-220 substituted "Adult Education and Family Literacy Act" for "Adult Education Act".

1993—Subsec. (a). Pub. L. 103-171, §3(a)(13), substituted "Assistant Secretary" for "Commissioner" wherever appearing.

Subsec. (a)(1). Pub. L. 103-82 substituted "the Corporation for National and Community Service" for "the ACTION Agency".

Subsec. (a)(3). Pub. L. 103-171, §2(4), struck out "Federal" before "department" in introductory provisions.

1992—Subsec. (a). Pub. L. 102-375, §203(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: "The Commissioner, in carrying out the purposes and provisions of this chapter, shall advise, consult, and cooperate with the head of each Federal agency or department proposing or administering programs or services substantially related to the purposes of this chapter, with respect to such programs or services. The head of each Federal agency or department proposing to establish programs and services substantially related to the purposes of this chapter shall consult with the Commissioner prior to the establishment of such programs and services. The head of each Federal agency administering any program substantially related to the purposes of this chapter, particularly administering any program set forth in subsection (b) of this section, shall, to achieve appropriate coordination, consult and cooperate with the Commissioner in carrying out such program."

Subsec. (b). Pub. L. 102-375, §904(a)(5), substituted "objectives of this chapter" for "purposes of this chapter".

Subsec. (b)(18). Pub. L. 102-375, §203(b), added par. (18).  
1991—Subsec. (b)(9). Pub. L. 102-240 substituted references to sections of the Federal Transit Act for sections of the Urban Mass Transportation Act of 1964, which for purposes of codification were translated as sections of title 49, Appendix, thus requiring no change in text.

1987—Subsec. (b)(10). Pub. L. 100-175, §105(b), inserted reference to block grants under title XIX of the Public Health Service Act.

Subsec. (b)(15). Pub. L. 100-175, §104(a), added par. (15).

Subsec. (b)(16), (17). Pub. L. 100-175, §106(b), added pars. (16) and (17).

1984—Subsec. (b)(1). Pub. L. 98-459, §203(a), substituted "Job Training Partnership Act" for "Comprehensive Employment and Training Act".

Subsec. (b)(3). Pub. L. 98-459, §203(b), inserted reference to title XVI of the Social Security Act.

Subsec. (b)(8). Pub. L. 98-459, §203(c), struck out "the community schools program under the Elementary and Secondary Education Act of 1965," before "title I" and the comma after "Higher Education Act of 1965".

Subsec. (b)(9). Pub. L. 98-459, §203(d), struck out reference to section 1604 of title 49, Appendix.

Subsec. (b)(10) to (14). Pub. L. 98-459, §203(e), added pars. (10) to (14).

1981—Subsec. (a). Pub. L. 97-115, §2(d)(1), substituted "purposes" for "purpose".

Subsec. (b). Pub. L. 97-115, §2(d)(2), substituted "purposes of this chapter" for "purpose of this chapter" in provisions preceding par. (1), substituted "Comprehensive Employment and Training Act" for "Comprehensive Employment and Training Act of 1973" in par. (1),

struck out par. (8) which referred to section 2809(a)(8) of this title, redesignated par. (9) as (8) and inserted references to title I of the Higher Education Act of 1965 and to the Adult Education Act, and redesignated par. (10) as (9).

1978—Subsec. (a). Pub. L. 95-478 added subsec. (a) and struck out similar prior provisions stating that "Federal agencies proposing to establish programs substantially related to the purposes of this chapter shall consult with the Administration on Aging prior to the establishment of such services, and Federal agencies administering such programs shall cooperate with the Administration on Aging in carrying out such services".

Subsec. (b). Pub. L. 95-478 added subsec. (b).

#### EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113-128 effective on the first day of the first full program year after July 22, 2014 [probably July 1, 2015], see section 506 of Pub. L. 113-128, set out as an Effective Date note under section 3101 of Title 29, Labor.

#### EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by section 101(f) [title VIII, §405(d)(33)(A)] of Pub. L. 105-277 effective Oct. 21, 1998, and amendment by section 101(f) [title VIII, §405(f)(25)(A)] of Pub. L. 105-277 effective July 1, 2000, see section 101(f) [title VIII, §405(g)(1), (2)(B)] of Pub. L. 105-277, set out as a note under section 3502 of Title 5, Government Organization and Employees.

#### EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-82 effective Apr. 4, 1994, see section 406(b) of Pub. L. 103-82, set out as a note under section 8332 of Title 5, Government Organization and Employees.

#### EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-175 effective Oct. 1, 1987, except not applicable with respect to any area plan submitted under section 3026(a) of this title or any State plan submitted under section 3027(a) of this title and approved for any fiscal year beginning before Nov. 29, 1987, see section 701(a), (b) of Pub. L. 100-175, set out as a note under section 3001 of this title.

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-459 effective Oct. 9, 1984, see section 803(a) of Pub. L. 98-459, set out as a note under section 3001 of this title.

#### EFFECTIVE DATE OF 1978 AMENDMENT

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

### § 3013a. Consultation with State agencies, area agencies on aging, and Native American grant recipients

The Assistant Secretary shall consult and coordinate with State agencies, area agencies on aging, and recipients of grants under subchapter X of this chapter in the development of Federal goals, regulations, program instructions, and policies under this chapter.

(Pub. L. 89-73, title II, §203A, as added Pub. L. 102-375, title II, §204, Sept. 30, 1992, 106 Stat. 1211; amended Pub. L. 103-171, §3(a)(13), Dec. 2, 1993, 107 Stat. 1990.)

#### AMENDMENTS

1993—Pub. L. 103-171 substituted "Assistant Secretary" for "Commissioner".

### § 3014. Repealed. Pub. L. 97-115, §2(e)(1), Dec. 29, 1981, 95 Stat. 1596

Section, Pub. L. 89-73, title II, §204, as added Pub. L. 93-29, title II, §201(c), May 3, 1973, 87 Stat. 32; amended

Pub. L. 94-135, title I, §112(a), Nov. 28, 1975, 89 Stat. 719; Pub. L. 95-478, title I, §102(c), (d), title V, §503(b)(4)(A), Oct. 18, 1978, 92 Stat. 1514, 1559, provided for establishment of a National Information and Resource Clearing House for the Aging.

### § 3015. Gifts and donations

#### (a) Gifts and donations

The Assistant Secretary may accept, use, and dispose of, on behalf of the United States, gifts or donations (in cash or in kind, including voluntary and uncompensated services or property), which shall be available until expended for the purposes specified in subsection (b) of this section. Gifts of cash and proceeds of the sale of property shall be available in addition to amounts appropriated to carry out this chapter.

#### (b) Use of gifts and donations

Gifts and donations accepted pursuant to subsection (a) of this section may be used either directly, or for grants to or contracts with public or nonprofit private entities, for the following activities:

(1) The design and implementation of demonstrations of innovative ideas and best practices in programs and services for older individuals.

(2) The planning and conduct of conferences for the purpose of exchanging information, among concerned individuals and public and private entities and organizations, relating to programs and services provided under this chapter and other programs and services for older individuals.

(3) The development, publication, and dissemination of informational materials (in print, visual, electronic, or other media) relating to the programs and services provided under this chapter and other matters of concern to older individuals.

#### (c) Ethics guidelines

The Assistant Secretary shall establish written guidelines setting forth the criteria to be used in determining whether a gift or donation should be declined under this section because the acceptance of the gift or donation would—

(1) reflect unfavorably upon the ability of the Administration, the Department of Health and Human Services, or any employee of the Administration or Department, to carry out responsibilities or official duties under this chapter in a fair and objective manner; or

(2) compromise the integrity or the appearance of integrity of programs or services provided under this chapter or of any official involved in those programs or services.

(Pub. L. 89-73, title II, §204, as added Pub. L. 106-501, title II, §202(2), Nov. 13, 2000, 114 Stat. 2230.)

#### PRIOR PROVISIONS

A prior section 3015, Pub. L. 89-73, title II, §204, formerly §205, as added Pub. L. 93-29, title II, §201(c), May 3, 1973, 87 Stat. 33; amended Pub. L. 94-135, title I, §101, Nov. 28, 1975, 89 Stat. 713; Pub. L. 95-478, title I, §102(e), title V, §503(b)(3), (4)(A), Oct. 18, 1978, 92 Stat. 1514, 1559; renumbered §204 and amended Pub. L. 97-115, §§2(e)(2), (f), 11(b)(1), Dec. 29, 1981, 95 Stat. 1596, 1606; Pub. L. 98-459, title II, §204, Oct. 9, 1984, 98 Stat. 1769; Pub. L. 100-175, title I, §§107(b), 108, 182(d), Nov. 29, 1987, 101

Stat. 931, 932, 964; Pub. L. 100-628, title VII, §705(2), Nov. 7, 1988, 102 Stat. 3247; Pub. L. 102-375, title II, §205, title IX, §904(a)(6), Sept. 30, 1992, 106 Stat. 1211, 1306; Pub. L. 103-171, §3(a)(13), Dec. 2, 1993, 107 Stat. 1990, established a Federal Council on the Aging and provided for its membership, duties, etc., and authorized appropriations for fiscal years 1992 through 1995, prior to repeal by Pub. L. 106-501, title II, §202(2), Nov. 13, 2000, 114 Stat. 2230.

A prior section 204 of Pub. L. 89-73 was classified to section 3014 of this title prior to repeal by Pub. L. 97-115.

### § 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

(1) In carrying out the objectives of this chapter, the Assistant Secretary is authorized to—

(A) provide consultative services and technical assistance to public or nonprofit private agencies and organizations;

(B) provide short-term training and technical instruction;

(C) conduct research and demonstrations; and

(D) collect, prepare, publish, and disseminate special educational or informational materials, including reports of the projects for which funds are provided under this chapter.

(2)(A) The Assistant Secretary shall designate an officer or employee who shall serve on a full-time basis and who shall be responsible for the administration of the nutrition services described in subparts I and II of part C of subchapter III of this chapter and shall have duties that include—

(i) designing, implementing, and evaluating evidence-based programs to support improved nutrition and regular physical activity for older individuals;

(ii) developing guidelines for nutrition providers concerning safety, sanitary handling of food, equipment, preparation, and food storage;

(iii) conducting outreach and disseminating evidence-based information to nutrition service providers about the benefits of healthful diets and regular physical activity, including information about the most current Dietary Guidelines for Americans published under section 5341 of title 7, the Food Guidance System of the Department of Agriculture, and advances in nutrition science;

(iv) promoting coordination between nutrition service providers and community-based organizations serving older individuals;

(v) developing guidelines on cost containment;

(vi) defining a long range role for the nutrition services in community-based care systems;

(vii) developing model menus and other appropriate materials for serving special needs populations and meeting cultural meal preferences;