

Pars. (4) to (6). Pub. L. 102-375, §102(b)(3)(A), struck out pars. (4) to (6) which defined "legal assistance", "planning and service area", and "State agency", respectively.

Pars. (7), (8). Pub. L. 102-375, §102(b)(3)(B), redesignated pars. (7) and (8) as (2) and (3), respectively.

Par. (9). Pub. L. 102-375, §102(b)(3)(A), struck out par. (9) which defined "older individual".

Par. (11). Pub. L. 102-375, §102(b)(3)(A), struck out par. (11) which defined "focal point".

Pars. (14) to (21). Pub. L. 102-375, §102(b)(3)(A), struck out pars. (14) to (21) which defined "abuse", "elder abuse", "caretaker", "exploitation", "neglect", "physical harm", "greatest economic need", and "greatest social need", respectively.

1987—Par. (6). Pub. L. 100-175, §182(b)(2), redesignated par. (7) as (6) and struck out former par. (6) which read as follows: "The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands."

Pars. (7) to (9). Pub. L. 100-175, §182(b)(2)(B), redesignated pars. (8) to (10) as (7) to (9), respectively. Former par. (7) redesignated (6).

Par. (10). Pub. L. 100-175, §§136(a)(2), 182(b)(2)(B), redesignated par. (11) as (10) and inserted "(including mental health)" after "health". Former par. (10) redesignated (9).

Par. (11). Pub. L. 100-175, §182(b)(2)(B), redesignated par. (12) as (11). Former par. (11) redesignated (10).

Pars. (12), (13). Pub. L. 100-175, §182(b)(2)(B), which directed the redesignation of pars. (13) and (14) as (12) and (13), respectively, could not be executed because no pars. (13) and (14) had been enacted. A former par. (12) was redesignated (11).

Pars. (14) to (19). Pub. L. 100-175, §§144(a), 182(b)(2)(B), added pars. (15) to (20) and redesignated them as (14) to (19), respectively.

Par. (20). Pub. L. 100-175, §182(b)(2)(B), (e)(1), added par. (20) and redesignated former par. (20) as (19).

Pub. L. 100-175, §144(a), added par. (20).

Par. (21). Pub. L. 100-175, §182(e)(1), added par. (21).

1984—Par. (2)(B). Pub. L. 98-459, §302(1), substituted "employs, where feasible," for "employs", and inserted "to assess the needs and capacities of older individuals,".

Par. (4). Pub. L. 98-459, §302(2), substituted "legal assistance" for "legal services".

Par. (6). Pub. L. 98-459, §302(3), substituted "and the Commonwealth of the Northern Mariana Islands" for "and the Northern Mariana Islands".

Pars. (10) to (12). Pub. L. 98-459, §302(4), added pars. (10) to (12).

1981—Par. (1). Pub. L. 97-115, §3(d), substituted "supportive services" for "social services" in provisions preceding subpar. (A) and in subpars. (A) and (B).

Par. (3). Pub. L. 97-115, §3(b)(1), inserted provision relating to any category of institutions regulated by a State pursuant to provisions of section 1382e(e) of this title (for purposes of section 3027(a)(12) of this title).

Par. (9). Pub. L. 97-115, §3(b)(2), added par. (9).

#### 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.

### § 3023. Authorization of appropriations; uses of funds

(a)(1) There are authorized to be appropriated to carry out part B of this subchapter (relating

to supportive services) such sums as may be necessary for fiscal years 2007, 2008, 2009, 2010, and 2011.

(2) Funds appropriated under paragraph (1) shall be available to carry out section 3058g of this title.

(b)(1) There are authorized to be appropriated to carry out subpart I of part C of this subchapter (relating to congregate nutrition services) such sums as may be necessary for fiscal years 2007, 2008, 2009, 2010, and 2011.

(2) There are authorized to be appropriated to carry out subpart II of part C of this subchapter (relating to home delivered nutrition services) such sums as may be necessary for fiscal years 2007, 2008, 2009, 2010, and 2011.

(c) Grants made under part B, and subparts I and II of part C, of this subchapter may be used for paying part of the cost of—

(1) the administration of area plans by area agencies on aging designated under section 3025(a)(2)(A) of this title, including the preparation of area plans on aging consistent with section 3026 of this title and the evaluation of activities carried out under such plans; and

(2) the development of comprehensive and coordinated systems for supportive services, congregate and home delivered nutrition services under subparts I and II of part C of this subchapter, the development and operation of multipurpose senior centers, and the delivery of legal assistance.

(d) There are authorized to be appropriated to carry out part D of this subchapter (relating to disease prevention and health promotion services) such sums as may be necessary for fiscal years 2007, 2008, 2009, 2010, and 2011.

(e)(1) There are authorized to be appropriated to carry out part E of this subchapter (relating to family caregiver support) \$160,000,000 for fiscal year 2007.

(2) There are authorized to be appropriated to carry out part E of this subchapter (relating to family caregiver support) \$166,500,000 for fiscal year 2008, \$173,000,000 for fiscal year 2009, \$180,000,000 for fiscal year 2010, and \$187,000,000 for fiscal year 2011.

(3) Of the funds appropriated under paragraphs (1) and (2), not more than 1 percent of such funds may be reserved to carry out activities described in section 3032(a)(11) of this title.

(Pub. L. 89-73, title III, §303, as added Pub. L. 95-478, title I, §103(b), Oct. 18, 1978, 92 Stat. 1518; amended Pub. L. 97-115, §3(c), (d), Dec. 29, 1981, 95 Stat. 1597; Pub. L. 98-459, title III, §303, Oct. 9, 1984, 98 Stat. 1771; Pub. L. 100-175, title I, §§122(a), (b), 129(c)(1), 140(a), 141(a), 143(a), 144(b), 145, 155(b), Nov. 29, 1987, 101 Stat. 933, 935, 944, 946, 947, 949, 950, 952; Pub. L. 102-375, title III, §§303, 316(b), title VII, §708(c)(3), Sept. 30, 1992, 106 Stat. 1220, 1241, 1293; Pub. L. 106-501, title III, §302, Nov. 13, 2000, 114 Stat. 2238; Pub. L. 109-365, title III, §303, Oct. 17, 2006, 120 Stat. 2538.)

#### PRIOR PROVISIONS

A prior section 3023, Pub. L. 89-73, title III, §303, as added Pub. L. 93-29, title III, §301 May 3, 1973, 87 Stat. 37; Pub. L. 94-135, title I, §§104(a), (c), (d), 112(b), 114(d), Nov. 28, 1975, 89 Stat. 714, 715, 719, 725, related to area planning and social service programs, prior to the general amendment of this subchapter by Pub. L. 95-478.

Another prior section 3023, Pub. L. 89-73, title III, § 303, July 14, 1965, 79 Stat. 222; Pub. L. 91-69, §§ 3(b), 4(a), Sept. 17, 1969, 83 Stat. 108, related to state plans, providing in subsec. (a) for approval by Secretary, contents, notice and hearing prior to disapproval; subsec. (b) noncompliance and cancellation of payments; and subsec. (c) appeals, petitions, record, jurisdiction of courts of appeals, conclusiveness of findings, review by Supreme Court, and stay of administrative action, prior to repeal by Pub. L. 93-29, title III, § 301, May 3, 1973, 87 Stat. 36.

## AMENDMENTS

2006—Subsecs. (a)(1), (b)(1), (2), (d). Pub. L. 109-365, § 303(1), substituted “years 2007, 2008, 2009, 2010, and 2011” for “year 2001, and such sums as may be necessary for each of the 4 succeeding fiscal years”.

Subsec. (e)(1). Pub. L. 109-365, § 303(2)(A), substituted “\$160,000,000 for fiscal year 2007” for “\$125,000,000 for fiscal year 2001 if the aggregate amount appropriated under subsection (a)(1) of this section (relating to part B of this subchapter, supportive services), paragraphs (1) (relating to subpart I of part C of this subchapter, congregate nutrition services) and (2) (relating to subpart II of part C of this subchapter, home delivered nutrition services) of subsection (b) of this section, and (d) (relating to part D of this subchapter, disease prevention and health promotion services) of this section for fiscal year 2001 is not less than the aggregate amount appropriated under subsection (a)(1) of this section, paragraphs (1) and (2) of subsection (b) of this section, and subsection (d) of this section for fiscal year 2000”.

Subsec. (e)(2). Pub. L. 109-365, § 303(2)(B), substituted “\$166,500,000 for fiscal year 2008, \$173,000,000 for fiscal year 2009, \$180,000,000 for fiscal year 2010, and \$187,000,000 for fiscal year 2011” for “such sums as may be necessary for each of the 4 succeeding fiscal years”.

Subsec. (e)(3). Pub. L. 109-365, § 303(2)(C), substituted “may” for “shall”, “section 3032(a)(11)” for “section 3030s-12”, and “(2), not more than 1 percent” for “(2)—“(A) 4 percent of such funds shall be reserved to carry out activities described in section 3030s-11 of this title; and  
“(B) 1 percent”.

2000—Subsec. (a)(1). Pub. L. 106-501, § 302(1), added par. (1) and struck out former par. (1) which read as follows: “There are authorized to be appropriated \$461,376,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995, for the purpose of making grants under part B of this subchapter (relating to supportive services and senior centers).”

Subsec. (b). Pub. L. 106-501, § 302(2), added subsec. (b) and struck out former subsec. (b) which read as follows: “(b)(1) There are authorized to be appropriated \$505,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995, for the purpose of making grants under subpart I of part C of this subchapter (relating to congregate nutrition services).

“(2) There are authorized to be appropriated \$120,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995, for the purpose of making grants under subpart II of part C of this subchapter (relating to home delivered nutrition services).

“(3) There are authorized to be appropriated \$15,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995, to carry out subpart III of part C of this subchapter (relating to school-based meals for volunteer older individuals and multigenerational programs).”

Subsecs. (d) to (g). Pub. L. 106-501, § 302(3), added subsecs. (d) and (e) and struck out former subsecs. (d) to (g) which authorized appropriations for fiscal years 1992 to 1995 to carry out parts D to G of this subchapter.

1992—Subsec. (a)(1). Pub. L. 102-375, § 708(c)(3), struck out “for purposes other than outreach activities and application assistance under section 3027(a)(31) of this title” after “senior centers”.

Pub. L. 102-375, § 303(a)(1), substituted “\$461,376,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995” for “\$379,575,000 for the fiscal year 1988, \$398,554,000 for the fiscal year 1989, \$418,481,000 for the fiscal year 1990, and \$439,406,000 for the fiscal year 1991”.

Subsec. (a)(2). Pub. L. 102-375, § 303(a)(2), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “Subject to subsection (h) of this section, there are authorized to be appropriated \$20,000,000 for fiscal year 1988 and such sums as may be necessary for each of the fiscal years 1989, 1990, and 1991 to carry out section 3027(a)(12) of this title.”

Subsec. (a)(3). Pub. L. 102-375, § 303(a)(3), struck out par. (3) which read as follows: “Subject to subsection (h) of this section, there are authorized to be appropriated \$10,000,000 for fiscal year 1989, \$10,000,000 for fiscal year 1990, and such sums as may be necessary for fiscal year 1991 to carry out section 3026(a)(6)(P) of this title. Amounts appropriated under this subsection shall remain available until expended.”

Subsec. (b)(1). Pub. L. 102-375, § 303(b)(1), substituted “\$505,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995” for “\$414,750,000 for the fiscal year 1988, \$435,488,000 for the fiscal year 1989, \$457,262,000 for the fiscal year 1990, and \$480,125,000 for the fiscal year 1991”.

Subsec. (b)(2). Pub. L. 102-375, § 303(b)(2), substituted “\$120,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995” for “\$79,380,000 for the fiscal year 1988, \$83,349,000 for the fiscal year 1989, \$87,516,000 for the fiscal year 1990, and \$91,892,000 for the fiscal year 1991”.

Subsec. (b)(3). Pub. L. 102-375, § 303(b)(3), added par. (3).

Subsec. (c). Pub. L. 102-375, § 316(b)(1), substituted “part B, and subparts I and II of part C, of this subchapter” for “parts B and C of this subchapter”.

Subsec. (c)(2). Pub. L. 102-375, § 316(b)(2), inserted “under subparts I and II of part C of this subchapter” after “nutrition services”.

Subsec. (d). Pub. L. 102-375, § 303(c), substituted “\$45,388,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995,” for “\$25,000,000 for fiscal year 1988, \$26,250,000 for fiscal year 1989, \$27,563,000 for fiscal year 1990, and \$28,941,000 for fiscal year 1991”.

Subsec. (e). Pub. L. 102-375, § 303(d), substituted “There are authorized to be appropriated such sums as may be necessary for the fiscal years 1992, 1993, 1994, and 1995,” for “Subject to subsection (h) of this section, there are authorized to be appropriated \$25,000,000 for fiscal year 1988, \$25,000,000 for fiscal year 1989, and such sums as may be necessary for each of the fiscal years 1990 and 1991”.

Subsec. (f). Pub. L. 102-375, § 303(e), substituted “There are authorized to be appropriated \$25,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995,” for “Subject to subsection (h) of this section, there are authorized to be appropriated \$5,000,000 for fiscal year 1988 and such sums as may be necessary for each of the fiscal years 1989, 1990, and 1991”.

Subsec. (g). Pub. L. 102-375, § 303(f), amended subsec. (g) generally. Prior to amendment, subsec. (g) read as follows: “Subject to subsection (h) of this section, there are authorized to be appropriated \$5,000,000 for fiscal year 1988 and such sums as may be necessary for each of the fiscal years 1989, 1990, and 1991, to carry out part G of this subchapter (relating to abuse, neglect, and exploitation of older individuals).”

Subsec. (h). Pub. L. 102-375, § 303(g), struck out subsec. (h) which read as follows: “No funds may be appropriated under subsection (a)(2), (a)(3), (e), (f), or (g) of this section for a fiscal year unless the aggregate amount appropriated for such fiscal year to carry out this subchapter (other than sections 3026(a)(6)(P), 3027(a)(12), and 3030a of this title, and parts E, F, and G of this subchapter), subchapter IV of this chapter (other than sections 3035f and 3035g of this title), sub-

chapter IX of this chapter, and subchapter X of this chapter exceeds 105 percent of the aggregate amount appropriated for the preceding fiscal year to carry out such subchapters.”

1987—Subsec. (a). Pub. L. 100-175, §§129(c)(1), 155(b), designated existing provisions as par. (1), inserted “for purposes other than outreach activities and application assistance under section 3027(a)(31) of this title”, and added pars. (2) and (3).

Pub. L. 100-175, §122(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “There are authorized to be appropriated \$350,300,000 for fiscal year 1984, \$325,700,000 for fiscal year 1985, \$343,600,000 for fiscal year 1986, and \$361,500,000 for fiscal year 1987, for the purpose of making grants under part B of this subchapter (relating to supportive services and senior centers).”

Subsec. (b). Pub. L. 100-175, §122(b), amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows:

“(1) There are authorized to be appropriated \$365,300,000 for fiscal year 1984, \$360,800,000 for fiscal year 1985, \$376,500,000 for fiscal year 1986, and \$395,000,000 for fiscal year 1987, for the purpose of making grants under subpart I of part C of this subchapter (relating to congregate nutrition services).

“(2) There are authorized to be appropriated \$68,700,000 for fiscal year 1984, \$69,100,000 for fiscal year 1985, \$72,000,000 for fiscal year 1986, and \$75,600,000 for fiscal year 1987, for the purpose of making grants under subpart II of part C of this subchapter (relating to home delivered nutrition services).”

Subsec. (d). Pub. L. 100-175, §140(a), added subsec. (d).

Subsec. (e). Pub. L. 100-175, §141(a), added subsec. (e).

Subsec. (f). Pub. L. 100-175, §143(a), added subsec. (f).

Subsec. (g). Pub. L. 100-175, §144(b), added subsec. (g).

Subsec. (h). Pub. L. 100-175, §145, added subsec. (h).

1984—Subsec. (a). Pub. L. 98-459, §303(a), struck out provisions authorizing appropriations of \$300,000,000 for fiscal year 1979, \$360,000,000 for fiscal year 1980, \$480,000,000 for fiscal year 1981, \$306,000,000 for fiscal year 1982, and \$327,400,000 for fiscal year 1983, and inserted provisions authorizing appropriations of \$325,700,000 for fiscal year 1985, \$343,600,000 for fiscal year 1986, and \$361,500,000 for fiscal year 1987.

Subsec. (b)(1). Pub. L. 98-459, §303(b)(1), struck out provisions authorizing appropriations of \$350,000,000 for fiscal year 1979, \$375,000,000 for fiscal year 1980, \$400,000,000 for fiscal year 1981, \$319,100,000 for fiscal year 1982, and \$341,400,000 for fiscal year 1983, and inserted provisions authorizing appropriations of \$360,800,000 for fiscal year 1985, \$376,500,000 for fiscal year 1986, and \$395,000,000 for fiscal year 1987.

Subsec. (b)(2). Pub. L. 98-459, §303(b)(2), struck out provisions authorizing appropriations of \$80,000,000 for fiscal year 1979, \$100,000,000 for fiscal year 1980, \$120,000,000 for fiscal year 1981, \$60,000,000 for fiscal year 1982, and \$64,200,000 for fiscal year 1983, and inserted provisions authorizing appropriations of \$69,100,000 for fiscal year 1985, \$72,000,000 for fiscal year 1986, and \$75,600,000 for fiscal year 1987.

Subsec. (c)(2). Pub. L. 98-459, §303(c), substituted “legal assistance” for “legal services”.

1981—Subsec. (a). Pub. L. 97-115, §3(c)(1), inserted provisions authorizing appropriations of \$306,000,000 for fiscal year 1982, \$327,400,000 for fiscal year 1983, and \$350,300,000 for fiscal year 1984, and substituted “(relating to supportive services and senior centers)” for “(relating to social services)”.

Subsec. (b)(1). Pub. L. 97-115, §3(c)(2), inserted provisions authorizing appropriations of \$319,100,000 for fiscal year 1982, \$341,400,000 for fiscal year 1983, and \$365,300,000 for fiscal year 1984.

Subsec. (b)(2). Pub. L. 97-115, §3(c)(3), inserted provisions authorizing appropriations of \$60,000,000 for fiscal year 1982, \$64,200,000 for fiscal year 1983, and \$68,700,000 for fiscal year 1984.

Subsec. (c)(2). Pub. L. 97-115, §3(d), substituted “supportive services” for “social services”.

#### EFFECTIVE DATE OF 1992 AMENDMENTS

Amendment by sections 303(a)(2), (3) and 708(c)(3) of Pub. L. 103-171 inapplicable with respect to fiscal year 1993, see section 4(b) of Pub. L. 103-171, set out as a note under section 3001 of this title.

Amendment by sections 303(a)(2), (3), (f), 316(b), and 708(c)(3) of Pub. L. 102-375 inapplicable with respect to fiscal year 1992, see section 905(b)(2), (6) of Pub. L. 102-375, set out as a note under section 3001 of this title.

#### 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.

### § 3024. Allotment to States

#### (a) In general

(1) From the sums appropriated under subsections (a) through (d) of section 3023 of this title for each fiscal year, each State shall be allotted an amount which bears the same ratio to such sums as the population of older individuals in such State bears to the population of older individuals in all States.

(2) In determining the amounts allotted to States from the sums appropriated under section 3023 of this title for a fiscal year, the Assistant Secretary shall first determine the amount allotted to each State under paragraph (1) and then proportionately adjust such amounts, if necessary, to meet the requirements of paragraph (3).

(3)(A) No State shall be allotted less than ½ of 1 percent of the sum appropriated for the fiscal year for which the determination is made.

(B) Guam and the United States Virgin Islands shall each be allotted not less than ¼ of 1 percent of the sum appropriated for the fiscal year for which the determination is made.

(C) American Samoa and the Commonwealth of the Northern Mariana Islands shall each be allotted not less than ⅓ of 1 percent of the sum appropriated for the fiscal year for which the determination is made. For the purposes of the exception contained in subparagraph (A) only, the term “State” does not include Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(D)(i) No State shall be allotted less than the total amount allotted to the State for fiscal year 2006.

(ii) No State shall receive a percentage increase in an allotment, above the State’s fiscal year 2006 allotment, that is less than—

(I) for fiscal year 2007, 20 percent of the percentage increase above the fiscal year 2006 allotments for all of the States;

(II) for fiscal year 2008, 15 percent of the percentage increase above the fiscal year 2006 allotments for all of the States;

(III) for fiscal year 2009, 10 percent of the percentage increase above the fiscal year 2006 allotments for all of the States; and