

(6) establish objectives, consistent with the purpose of this subchapter, toward which activities described in the application will be directed, identify obstacles to the attainment of such objectives, and indicate the manner in which the organization proposes to overcome such obstacles;

(7) provide for establishing and maintaining information and assistance services to assure that older Native Hawaiians to be served by the assistance made available under this part will have reasonably convenient access to such services;

(8) provide a preference for Native Hawaiians 60 years of age and older for full or part-time staff positions wherever feasible;

(9) provide that any legal or ombudsman services made available to older Native Hawaiians represented by the nonprofit private organization will be substantially in compliance with the provisions of subchapter III of this chapter relating to the furnishing and similar services; and

(10) provide satisfactory assurances that the fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this part to the nonprofit private organization, including any funds paid by the organization to a recipient of a grant or contract.

(b) Approval by Assistant Secretary

The Assistant Secretary shall approve any application which complies with the provisions of subsection (a) of this section.

(c) Disapproval by Assistant Secretary

Whenever the Assistant Secretary determines not to approve an application submitted under subsection (a) of this section the Assistant Secretary shall—

(1) state objections in writing to the nonprofit private organization within 60 days after such decision;

(2) provide to the extent practicable technical assistance to the nonprofit private organization to overcome such stated objections; and

(3) provide the organization with a hearing under such rules and regulations as the Assistant Secretary may prescribe.

(d) Funds per year

Whenever the Assistant Secretary approves an application of a nonprofit private or public organization under this part funds shall be awarded for not less than 12 months.

(Pub. L. 89-73, title VI, § 624, as added Pub. L. 100-175, title I, § 171, Nov. 29, 1987, 101 Stat. 962; amended Pub. L. 102-375, title I, § 102(b)(4), title VI, § 603, Sept. 30, 1992, 106 Stat. 1201, 1270; Pub. L. 103-171, § 3(a)(13), Dec. 2, 1993, 107 Stat. 1990.)

AMENDMENTS

1993—Pub. L. 103-171 substituted “Assistant Secretary” for “Commissioner” wherever appearing.

1992—Subsec. (a)(3). Pub. L. 102-375, § 603, inserted before semicolon at end “and with the activities carried out under subchapter III of this chapter in the same geographical area”.

Subsec. (a)(7). Pub. L. 102-375, § 102(b)(4), substituted “information and assistance” for “information and referral”.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by section 603 of Pub. L. 102-375 inapplicable to fiscal year 1992, see section 905(b)(5) of Pub. L. 102-375, set out as a note under section 3001 of this title.

§ 3057j-1. Distribution of funds among organizations

Subject to the availability of appropriations to carry out this part, the amount of the grant (if any) made under this part to an organization for fiscal year 1992 and for each subsequent fiscal year shall be not less than the amount of the grant made under this part to the organization for fiscal year 1991.

(Pub. L. 89-73, title VI, § 624A, as added Pub. L. 102-375, title VI, § 604, Sept. 30, 1992, 106 Stat. 1270.)

§ 3057k. “Native Hawaiian” defined

For the purpose of this part, the term “Native Hawaiian” means any individual any of whose ancestors were natives of the area which consists of the Hawaiian Islands prior to 1778.

(Pub. L. 89-73, title VI, § 625, as added Pub. L. 100-175, title I, § 171, Nov. 29, 1987, 101 Stat. 963.)

PART C—NATIVE AMERICAN CAREGIVER SUPPORT PROGRAM

PRIOR PROVISIONS

A prior part C, consisting of sections 3057l to 3057n of this title, was redesignated part D of this subchapter.

§ 3057k-11. Program

(a) In general

The Assistant Secretary shall carry out a program for making grants to tribal organizations with applications approved under parts A and B of this subchapter, to pay for the Federal share of carrying out tribal programs, to enable the tribal organizations to provide multifaceted systems of the support services described in section 3030s-1 of this title for caregivers described in section 3030s-1 of this title.

(b) Requirements

In providing services under subsection (a) of this section, a tribal organization shall meet the requirements specified for an area agency on aging and for a State in the provisions of subsections (c), (d), and (e) of section 3030s-1 of this title and of section 3030s-2 of this title. For purposes of this subsection, references in such provisions to a State program shall be considered to be references to a tribal program under this part.

(Pub. L. 89-73, title VI, § 631, as added Pub. L. 106-501, title VI, § 604(3), Nov. 13, 2000, 114 Stat. 2288.)

PRIOR PROVISIONS

A prior section 631 of Pub. L. 89-73 was renumbered section 641 and is classified to section 3057l of this title.

PART D—GENERAL PROVISIONS

CODIFICATION

Pub. L. 106-501, title VI, § 604(1), Nov. 13, 2000, 114 Stat. 2288, redesignated part C of this subchapter as part D.