

pendent care, housing, and needs-related payments, that are necessary to enable an individual to participate in activities authorized under this subchapter, consistent with the provisions of this subchapter.

**(8) Unemployed**

The term “unemployed”, used with respect to a person or individual, means an individual who is without a job and who wants and is available for work, including an individual who may have occasional employment that does not result in a constant source of income.

**(b) Rule**

Pursuant to regulations prescribed by the Secretary, an eligible individual shall have priority for the community service employment and other authorized activities provided under this subchapter if the individual—

- (1) is 65 years of age or older; or
- (2)(A) has a disability;
- (B) has limited English proficiency or low literacy skills;
- (C) resides in a rural area;
- (D) is a veteran;
- (E) has low employment prospects;
- (F) has failed to find employment after utilizing services provided under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.); or
- (G) is homeless or at risk for homelessness.

(Pub. L. 89-73, title V, §518, as added Pub. L. 109-365, title V, §501, Oct. 17, 2006, 120 Stat. 2588; amended Pub. L. 113-128, title V, §512(w)(8), July 22, 2014, 128 Stat. 1716.)

AMENDMENT OF SUBSECTION (b)(2)(F)

*Pub. L. 113-128, title V, §§ 506, 512(w)(8), July 22, 2014, 128 Stat. 1703, 1716, provided that, effective on the first day of the first full program year after July 22, 2014 [probably July 1, 2015], subsection (b)(2)(F) of this section is amended by striking “has failed to find employment after utilizing services provided under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)” and inserting “has failed to find employment after utilizing services provided under title I of the Workforce Innovation and Opportunity Act”. See 2014 Amendment note below.*

REFERENCES IN TEXT

The Social Security Act, referred to in subsec. (a)(3)(A), (B)(ii)(III), is act Aug. 14, 1935, ch. 531, 49 Stat. 620. Titles II and XVI of the Act are classified generally to subchapters II (§401 et seq.) and XVI (§1381 et seq.), respectively, of chapter 7 of this title. For complete classification of this Act to the Code, see section 1305 of this title and Tables.

The Workforce Investment Act of 1998, referred to in (b)(2)(F), is Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936. Title I of the Act is classified principally to chapter 30 (§2801 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 9201 of Title 20, Education, and Tables.

AMENDMENTS

2014—Subsec. (b)(2)(F). Pub. L. 113-128 substituted “has failed to find employment after utilizing services provided under title I of the Workforce Innovation and Opportunity Act” for “has failed to find employment

after utilizing services provided under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)”.

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.

SUBCHAPTER X—GRANTS FOR NATIVE AMERICANS

**§ 3057. Statement of purpose**

It is the purpose of this subchapter to promote the delivery of supportive services, including nutrition services to American Indians, Alaskan Natives, and Native Hawaiians that are comparable to services provided under subchapter III of this chapter.

(Pub. L. 89-73, title VI, §601, as added Pub. L. 100-175, title I, §171, Nov. 29, 1987, 101 Stat. 959.)

PRIOR PROVISIONS

A prior section 3057, Pub. L. 89-73, title VI, §601, as added Pub. L. 95-478, title I, §106, Oct. 18, 1978, 92 Stat. 1548; amended Pub. L. 97-115, §3(d), Dec. 29, 1981, 95 Stat. 1597, related to statement of purpose for grants to Indian tribes, prior to the general amendment of this subchapter by Pub. L. 100-175.

A prior section 601 of Pub. L. 89-73, title VI, as added Pub. L. 91-69, §9, Sept. 17, 1969, 83 Stat. 111; amended Pub. L. 93-29, title VI, §601, May 3, 1973, 87 Stat. 55, related to grants and contracts for volunteer service projects and was classified to section 3044 of this title, prior to repeal by Pub. L. 93-113, title VI, §604(a), Oct. 1, 1973, 87 Stat. 417.

EFFECTIVE DATE

Subchapter 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 an Effective Date of 1987 Amendment note under section 3001 of this title.

**§ 3057a. Sense of Congress**

It is the sense of the Congress that older individuals who are Indians, older individuals who are Alaskan Natives, and older individuals who are Native Hawaiians are a vital resource entitled to all benefits and services available and that such services and benefits should be provided in a manner that preserves and restores their respective dignity, self-respect, and cultural identities.

(Pub. L. 89-73, title VI, §602, as added Pub. L. 100-175, title I, §171, Nov. 29, 1987, 101 Stat. 959; amended Pub. L. 102-375, title IX, §904(a)(20), Sept. 30, 1992, 106 Stat. 1309.)

PRIOR PROVISIONS

A prior section 3057a, Pub. L. 89-73, title VI, §602, as added Pub. L. 95-478, title I, §106, Oct. 18, 1978, 92 Stat. 1549; amended Pub. L. 97-115, §3(d), Dec. 29, 1981, 95 Stat. 1597; Pub. L. 98-459, title VI, §601, Oct. 9, 1984, 98 Stat. 1787, related to eligibility of an Indian tribe for assistance and definitions, prior to the general amendment of this subchapter by Pub. L. 100-175. See section 3057c of this title.

## AMENDMENTS

1992—Pub. L. 102-375 substituted “older individuals who are Indians, older individuals who are Alaskan Natives, and older individuals who are Native Hawaiians” for “older Indians, older Alaskan Natives, and older Native Hawaiians”.

## PART A—INDIAN PROGRAM

## § 3057b. Findings

(a)<sup>1</sup> The Congress finds that the older individuals who are Indians of the United States—

- (1) are a rapidly increasing population;
- (2) suffer from high unemployment;
- (3) live in poverty at a rate estimated to be as high as 61 percent;
- (4) have a life expectancy between 3 and 4 years less than the general population;
- (5) lack sufficient nursing homes, other long-term care facilities, and other health care facilities;
- (6) lack sufficient Indian area agencies on aging;
- (7) frequently live in substandard and overcrowded housing;
- (8) receive less than adequate health care;
- (9) are served under this subchapter at a rate of less than 19 percent of the total national population of older individuals who are Indians living on Indian reservations; and
- (10) are served under subchapter III of this chapter at a rate of less than 1 percent of the total participants under that subchapter.

(Pub. L. 89-73, title VI, §611, as added Pub. L. 100-175, title I, §171, Nov. 29, 1987, 101 Stat. 959; amended Pub. L. 102-375, title IX, §904(a)(21), Sept. 30, 1992, 106 Stat. 1309.)

## PRIOR PROVISIONS

A prior section 3057b, Pub. L. 89-73, title VI, §603, as added Pub. L. 95-478, title I, §106, Oct. 18, 1978, 92 Stat. 1549; amended Pub. L. 97-115, §§3(d), 13(a), Dec. 29, 1981, 95 Stat. 1597, 1608, related to authority of Commissioner to make grants to pay all costs for delivery of supportive services and nutritional services for older Indians, prior to the general revision of this subchapter by Pub. L. 100-175. See section 3057d of this title.

A prior section 603 of Pub. L. 89-73, title VI, as added Pub. L. 91-69, §9, Sept. 17, 1969, 83 Stat. 112; amended Pub. L. 93-29, title VI, §602, May 3, 1973, 87 Stat. 55, related to authorization of appropriations and was classified to section 3044a of this title, prior to repeal by Pub. L. 93-113, title VI, §604(a), Oct. 1, 1973, 87 Stat. 417.

## AMENDMENTS

1992—Subsec. (a). Pub. L. 102-375, §904(a)(21)(A), inserted “individuals who are” after “older” in introductory provisions.

Subsec. (a)(9). Pub. L. 102-375, §904(a)(21)(B), substituted “population of older individuals who are Indians” for “Indian elderly population”.

## TASK FORCE

Pub. L. 100-175, title I, §134(d), Nov. 29, 1987, 101 Stat. 941, provided that:

“(1) The Commissioner on Aging [now Assistant Secretary for Aging] shall establish a permanent interagency task force that is representative of departments and agencies of the Federal Government with an interest in older Indians and their welfare, and is designed to make recommendations with respect to facilitating the coordination of services and the improvement of services to older Indians.

<sup>1</sup> So in original. No subsec. (b) has been enacted.

“(2) The task force shall be chaired by the Associate Commissioner on [now Director of the Office for] American Indian, Alaskan Native, and Native Hawaiian Aging and shall submit its findings and recommendations to the Commissioner at 6-month intervals beginning after the date of the enactment of this Act [Nov. 29, 1987]. Such findings and recommendations shall be included in the annual report required by section 207(a) of the Older Americans Act of 1965 [42 U.S.C. 3018(a)] to be submitted by the Commissioner.”

## SPECIAL REPORT ON SERVICES FOR OLDER INDIANS

Pub. L. 100-175, title I, §134(e), Nov. 29, 1987, 101 Stat. 942, directed Commissioner on Aging to enter into a contract with a public agency or nonprofit private organization to conduct a thorough study of availability and quality of services under the Older Americans Act of 1965, 42 U.S.C. 3001 et seq., to older Indians and, not later than Dec. 31, 1988, submit to Congress a report and recommendations based on the study.

## § 3057c. Eligibility

## (a) Criteria

A tribal organization of an Indian tribe is eligible for assistance under this part only if—

- (1) the tribal organization represents at least 50 individuals who are 60 years of age or older; and
- (2) the tribal organization demonstrates the ability to deliver supportive services, including nutritional services.

## (b) Limitation

An Indian tribe represented by an organization specified in subsection (a) of this section shall be eligible for only one grant under this part for any fiscal year. Nothing in this subsection shall preclude an Indian tribe represented by an organization specified in subsection (a) of this section from receiving a grant under section 3057k-11 of this title.

## (c) “Indian tribe” and “tribal organization” defined

For the purposes of this part the terms “Indian tribe” and “tribal organization” have the same meaning as in section 450b of title 25.

(Pub. L. 89-73, title VI, §612, as added Pub. L. 100-175, title I, §171, Nov. 29, 1987, 101 Stat. 959; amended Pub. L. 106-501, title VI, §601, Nov. 13, 2000, 114 Stat. 2287.)

## PRIOR PROVISIONS

A prior section 3057c, Pub. L. 89-73, title VI, §604, as added Pub. L. 95-478, title I, §106, Oct. 18, 1978, 92 Stat. 1549; amended Pub. L. 97-115, §13(b), Dec. 29, 1981, 95 Stat. 1608; Pub. L. 98-459, title VI, §602, Oct. 9, 1984, 98 Stat. 1788, related to applications for assistance, prior to the general amendment of this subchapter by Pub. L. 100-175. See section 3057e of this title.

## AMENDMENTS

2000—Subsecs. (b), (c). Pub. L. 106-501 added subsec. (b) and redesignated former subsec. (b) as (c).

## § 3057d. Grants authorized

The Assistant Secretary may make grants to eligible tribal organizations to pay all of the costs for delivery of supportive services and nutrition services for older individuals who are Indians.

(Pub. L. 89-73, title VI, §613, as added Pub. L. 100-175, title I, §171, Nov. 29, 1987, 101 Stat. 960;