

ever there is no evidence of improved quality of service and cost effectiveness on the part of another bidder, a provider of services who received funds under title VII of the Older Americans Act of 1965 [former sections 3045 to 3045i of this title] as in effect on September 29, 1978, shall be given preference.”

SUBCHAPTER VIII—GENERAL PROVISIONS

§§ 3051 to 3055. Repealed. Pub. L. 93–29, title II, § 202, May 3, 1973, 87 Stat. 36

Section 3051, Pub. L. 89–73, title VIII, §801, formerly title VI, §601, July 14, 1965, 79 Stat. 225; Pub. L. 90–42, §5(c), (d), July 1, 1967, 81 Stat. 107; renumbered title VII, §701, Pub. L. 91–69, §9, Sept. 17, 1969, 83 Stat. 111; renumbered title VIII, §801, Pub. L. 92–258, §1, Mar. 22, 1972, 86 Stat. 88, related to advisory committees in general, providing in: subsec. (a) for establishment of Advisory Committee on Older Americans, its membership, and term of office; subsec. (b) for appointment of technical advisory committees; subsec. (c) for compensation and travel expenses; and subsec. (d) for technical and clerical assistance for Advisory Committee. See section 3015 of this title.

Section 3052, Pub. L. 89–73, title VIII, §802, formerly title VI, §602, July 14, 1965, 79 Stat. 226; Pub. L. 90–42, §5(e), (f), July 1, 1967, 81 Stat. 107, 108; renumbered title VII, §702, Pub. L. 91–69, §9, Sept. 17, 1969, 83 Stat. 111; renumbered title VIII, §802, Pub. L. 92–258, §1, Mar. 22, 1972, 86 Stat. 88, related to administration. See section 3016(a), (b) of this title.

Section 3053, Pub. L. 89–73, title VIII, §803, formerly title VI, §603, July 14, 1965, 79 Stat. 226; Pub. L. 90–42, §4, July 1, 1967, 81 Stat. 107; renumbered title VII, §703 and amended Pub. L. 91–69, §2(b), 9, Sept. 17, 1969, 83 Stat. 108, 111; renumbered title VIII, §803, Pub. L. 92–258, §1, Mar. 22, 1972, 86 Stat. 88, related to authorization of appropriations.

Section 3054, Pub. L. 89–73, title VIII, §804, formerly title VII, §704, as added Pub. L. 91–69, §12, Sept. 17, 1969, 83 Stat. 114; renumbered title VIII, §804, Pub. L. 92–258, §1, Mar. 22, 1972, 86 Stat. 88, related to evaluation of programs. See section 3017 of this title.

Section 3055, Pub. L. 89–73, title VIII, §805, formerly title VII, §705, as added Pub. L. 91–69, §13, Sept. 17, 1969, 83 Stat. 114; renumbered title VIII, §805, Pub. L. 92–258, §1, Mar. 22, 1972, 86 Stat. 88, related to joint funding of projects. See section 3019 of this title.

SUBCHAPTER IX—COMMUNITY SERVICE SENIOR OPPORTUNITIES

CODIFICATION

Title V of the Older Americans Act of 1965, comprising this subchapter, was originally enacted as title IX of Pub. L. 89–73 by Pub. L. 94–135, title I, §113(a), Nov. 28, 1975, 89 Stat. 720, and was renumbered title V and amended by Pub. L. 95–478, title I, §105, title V, §503(d), Oct. 18, 1978, 92 Stat. 1547, 1559; Pub. L. 97–115, Dec. 29, 1981, 95 Stat. 1595; Pub. L. 98–459, Oct. 9, 1984, 98 Stat. 1767; Pub. L. 100–175, Nov. 29, 1987, 101 Stat. 926; Pub. L. 100–628, Nov. 7, 1988, 102 Stat. 3224; Pub. L. 102–375, Sept. 30, 1992, 106 Stat. 1195; Pub. L. 103–171, Dec. 2, 1993, 107 Stat. 1988; Pub. L. 105–220, Aug. 7, 1998, 112 Stat. 936; Pub. L. 105–277, Oct. 21, 1998, 112 Stat. 2681; Pub. L. 105–332, Oct. 31, 1998, 112 Stat. 3076; Pub. L. 106–501, Nov. 13, 2000, 114 Stat. 2226; Pub. L. 109–270, Aug. 12, 2006, 120 Stat. 683. Title V is shown herein, however, as having been added by Pub. L. 109–365, title V, §501, Oct. 17, 2006, 120 Stat. 2563, without reference to intervening amendments because of the extensive revision of the title’s provisions by Pub. L. 109–365.

§ 3056. Older American community service employment program

(a) In general

(1) Establishment of program

To foster individual economic self-sufficiency and promote useful opportunities in

community service activities (which shall include community service employment) for unemployed low-income persons who are age 55 or older, particularly persons who have poor employment prospects, and to increase the number of persons who may enjoy the benefits of unsubsidized employment in both the public and private sectors, the Secretary of Labor (referred to in this subchapter as the “Secretary”) may establish an older American community service employment program.

(2) Use of appropriated amounts

Amounts appropriated to carry out this subchapter shall be used only to carry out the provisions contained in this subchapter.

(b) Grant authority

(1) Projects

To carry out this subchapter, the Secretary may make grants to public and nonprofit private agencies and organizations, agencies of a State, and tribal organizations to carry out the program established under subsection (a). Such grants may provide for the payment of costs, as provided in subsection (c), of projects developed by such organizations and agencies in cooperation with the Secretary in order to make such program effective or to supplement such program. The Secretary shall make the grants from allotments made under section 3056d of this title, and in accordance with section 3056f of this title. No payment shall be made by the Secretary toward the cost of any project established or administered by such an organization or agency unless the Secretary determines that such project—

(A) will provide community service employment only for eligible individuals except for necessary technical, administrative, and supervisory personnel, and such personnel will, to the fullest extent possible, be recruited from among eligible individuals;

(B)(i) will provide community service employment and other authorized activities for eligible individuals in the community in which such individuals reside, or in nearby communities; or

(ii) if such project is carried out by a tribal organization that receives a grant under this subsection or receives assistance from a State that receives a grant under this subsection, will provide community service employment and other authorized activities for such individuals, including those who are Indians residing on an Indian reservation, as defined in section 3501 of title 25;

(C) will comply with an average participation cap for eligible individuals (in the aggregate) of—

(i) 27 months; or

(ii) pursuant to the request of a grantee, an extended period of participation established by the Secretary for a specific project area for such grantee, up to a period of not more than 36 months, if the Secretary determines that extenuating circumstances exist relating to the factors identified in section 3056k(a)(2)(E) of this title that justify such an extended period for the program year involved;