

Section inapplicable with respect to fiscal year 1992, see section 905(b)(6) of Pub. L. 102-375, set out as an Effective Date of 1992 Amendment note under section 3001 of this title.

### § 3058a. Authorization of appropriations

#### (a) Ombudsman program

There are authorized to be appropriated to carry out subpart II of this part, \$16,280,630 for fiscal year 2017, \$16,621,101 for fiscal year 2018, and \$16,961,573 for fiscal year 2019.

#### (b) Other programs

There are authorized to be appropriated to carry out subparts III and IV, \$4,891,876 for fiscal year 2017, \$4,994,178 for fiscal year 2018, and \$5,096,480 for fiscal year 2019.

(Pub. L. 89-73, title VII, § 702, as added Pub. L. 102-375, title VII, § 701, Sept. 30, 1992, 106 Stat. 1271; amended Pub. L. 106-501, title VII, § 701, Nov. 13, 2000, 114 Stat. 2289; Pub. L. 109-365, title VII, § 701, Oct. 17, 2006, 120 Stat. 2591; Pub. L. 114-144, § 8(a), Apr. 19, 2016, 130 Stat. 346.)

#### PRIOR PROVISIONS

A prior section 3058a, Pub. L. 89-73, title VII, § 703, as added Pub. L. 98-459, title VII, § 701, Oct. 9, 1984, 98 Stat. 1789, related to statement of purposes, prior to repeal by Pub. L. 100-175, title I, § 181, title VIII, § 701(a), (b), Nov. 29, 1987, 101 Stat. 964, 983, effective Oct. 1, 1987, with certain exceptions.

A prior section 702 of Pub. L. 89-73 was classified to section 3045a of this title prior to repeal by Pub. L. 95-478.

#### AMENDMENTS

2016—Subsec. (a). Pub. L. 114-144, § 8(a)(1), which directed substitution of “\$16,280,630 for fiscal year 2017, \$16,621,101 for fiscal year 2018, and \$16,961,573 for fiscal year 2019.” for “such sums” and all that followed through the period at the end, was executed by making the substitution for “such sums as may be necessary for fiscal year 2007, and such sums as may be necessary for subsequent fiscal years.” to reflect the probable intent of Congress.

Subsec. (b). Pub. L. 114-144, § 8(a)(2), added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out subpart III of this part, such sums as may be necessary for fiscal year 2007, and such sums as may be necessary for subsequent fiscal years.”

Subsec. (c). Pub. L. 114-144, § 8(a)(3), struck out subsec. (c). Text read as follows: “There are authorized to be appropriated to carry out subpart IV of this part, such sums as may be necessary for fiscal year 2007, and such sums as may be necessary for subsequent fiscal years.”

2006—Pub. L. 109-365 substituted “2007” for “2001” in subsecs. (a) to (c).

2000—Pub. L. 106-501 amended section catchline and text generally, substituting provisions authorizing appropriations for subparts II, III, and IV of this part for fiscal year 2001 and subsequent fiscal years for provisions authorizing appropriations for subparts II, III, IV, and V of this part for fiscal years 1992 through 1995.

#### EFFECTIVE DATE

Subchapter inapplicable with respect to fiscal year 1992, see section 905(b)(6) of Pub. L. 102-375, set out as an Effective Date of 1992 Amendment note under section 3001 of this title.

### § 3058b. Allotment

#### (a) In general

##### (1) Population

In carrying out the program described in section 3058 of this title, the Assistant Sec-

retary shall initially allot to each State, from the funds appropriated under section 3058a of this title for each fiscal year, an amount that bears the same ratio to the funds as the population of older individuals in the State bears to the population of older individuals in all States.

#### (2) Minimum allotments

##### (A) In general

After making the initial allotments described in paragraph (1), the Assistant Secretary shall adjust the allotments on a pro rata basis in accordance with subparagraphs (B) and (C).

##### (B) General minimum allotments

###### (i) Minimum allotment for States

No State shall be allotted less than one-half of 1 percent of the funds appropriated under section 3058a of this title for the fiscal year for which the determination is made.

###### (ii) Minimum allotment for territories

Guam, the United States Virgin Islands, and the Trust Territory of the Pacific Islands, shall each be allotted not less than one-fourth of 1 percent of the funds appropriated under section 3058a of this title for the fiscal year for which the determination is made. American Samoa and the Commonwealth of the Northern Mariana Islands shall each be allotted not less than one-sixteenth of 1 percent of the sum appropriated under section 3058a of this title for the fiscal year for which the determination is made.

##### (C) Minimum allotments for ombudsman and elder abuse programs

###### (i) Ombudsman program

No State shall be allotted for a fiscal year, from the funds appropriated under section 3058a of this title and made available to carry out subpart II of this part, less than the amount allotted to the State under section 3024 of this title in fiscal year 2000 to carry out the State Long-Term Care Ombudsman program under subchapter III.

###### (ii) Elder abuse programs

No State shall be allotted for a fiscal year, from the funds appropriated under section 3058a of this title and made available to carry out subpart III of this part, less than the amount allotted to the State under section 3024 of this title in fiscal year 2000 to carry out programs with respect to the prevention of elder abuse, neglect, and exploitation under subchapter III.

##### (D) “State” defined

For the purposes of this paragraph, the term “State” does not include Guam, American Samoa, the United States Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.