

L. 106-501, title VI, §604(2), Nov. 13, 2000, 114 Stat. 2288.)

Editorial Notes

AMENDMENTS

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

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section 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.

§ 3057n. Authorization of appropriations

There are authorized to be appropriated to carry out this subchapter—

(1) for parts A and B, \$37,102,560 for fiscal year 2020, \$39,298,714 for fiscal year 2021, \$41,626,636 for fiscal year 2022, \$44,094,235 for fiscal year 2023, and \$46,709,889 for fiscal year 2024; and

(2) for part C, \$10,759,920 for fiscal year 2020, \$11,405,515 for fiscal year 2021, \$12,089,846 for fiscal year 2022, \$12,815,237 for fiscal year 2023, and \$13,584,151 for fiscal year 2024.

(Pub. L. 89-73, title VI, §643, formerly §633, as added Pub. L. 100-175, title I, §171, Nov. 29, 1987, 101 Stat. 963; amended Pub. L. 102-375, title VI, §605, Sept. 30, 1992, 106 Stat. 1270; renumbered §643 and amended Pub. L. 106-501, title VI, §§603, 604(2), Nov. 13, 2000, 114 Stat. 2288; Pub. L. 109-365, title VI, §602, Oct. 17, 2006, 120 Stat. 2590; Pub. L. 114-144, §7, Apr. 19, 2016, 130 Stat. 346; Pub. L. 116-131, title V, §501(1)(A), Mar. 25, 2020, 134 Stat. 267.)

Editorial Notes

AMENDMENTS

2020—Pub. L. 116-131 amended section generally. Prior to amendment, section related to authorization of appropriations for fiscal years 2017 to 2019.

2016—Par. (1). Pub. L. 114-144, §7(1), which directed substitution of “\$31,934,018 for fiscal year 2017, \$32,601,843 for fiscal year 2018, and \$33,269,670 for fiscal year 2019;” for “such sums” and all that followed through the semicolon, 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.

Par. (2). Pub. L. 114-144, §7(2), which directed amendment of par. (2) by substituting “\$7,718,566 for fiscal year 2017, \$7,879,982 for fiscal year 2018, and \$8,041,398 for fiscal year 2019.” for “such sums” and all that followed through the period at the end, was executed by making the substitution for “\$6,500,000 for fiscal year 2007, \$6,800,000 for fiscal year 2008, \$7,200,000 for fiscal year 2009, \$7,500,000 for fiscal year 2010, and \$7,900,000 for fiscal year 2011.” to reflect the probable intent of Congress. The words “such sums” did not appear in text following the amendment by Pub. L. 109-365, §602(2).

2006—Par. (1). Pub. L. 109-365, §602(1), substituted “2007” for “2001”.

Par. (2). Pub. L. 109-365, §602(2), substituted “\$6,500,000 for fiscal year 2007, \$6,800,000 for fiscal year 2008, \$7,200,000 for fiscal year 2009, \$7,500,000 for fiscal

year 2010, and \$7,900,000 for fiscal year 2011” for “\$5,000,000 for fiscal year 2001, and such sums as may be necessary for subsequent fiscal years”.

2000—Pub. L. 106-501, §603, amended section catchline and text generally, substituting provisions authorizing appropriations for fiscal year 2001 and subsequent years for provisions authorizing appropriations for fiscal years 1992 through 1995.

1992—Pub. L. 102-375 amended section generally, substituting provisions authorizing appropriations of \$30,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995, and designating 90 percent of such appropriations to carry out part A of this subchapter and 10 percent of such appropriations to carry out part B of this subchapter for provisions authorizing appropriations of \$13,400,000 for fiscal year 1988, \$16,265,000 for fiscal year 1989, \$19,133,000 for fiscal year 1990, and \$22,105,000 for fiscal year 1991, designating over 90 percent of such appropriations to carry out part A of this subchapter and less than 10 percent of such appropriations to carry out part B of this subchapter, along with provisions providing a preference for funding of such part A if actual amounts of appropriations fall below 1987 levels and a preference for funding of such part B if the actual amounts of appropriations exceed 1987 levels.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section 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.

§ 3057o. Funding set aside

Of the funds appropriated under section 3057n(1) for a fiscal year, not more than 5 percent shall be made available to carry out part D for such fiscal year, provided that for such fiscal year—

(1) the funds appropriated for parts A and B are greater than the funds appropriated for fiscal year 2019; and

(2) the Assistant Secretary makes available for parts A and B no less than the amount of resources made available for fiscal year 2019.

(Pub. L. 89-73, title VI, §644, as added Pub. L. 116-131, title V, §501(1)(B), Mar. 25, 2020, 134 Stat. 267.)

SUBCHAPTER XI—ALLOTMENTS FOR VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES

PART A—STATE PROVISIONS

SUBPART I—GENERAL STATE PROVISIONS

§ 3058. Establishment

The Assistant Secretary, acting through the Administration, shall establish and carry out a program for making allotments to States to pay for the cost of carrying out vulnerable elder rights protection activities.

(Pub. L. 89-73, title VII, §701, as added Pub. L. 102-375, title VII, §701, Sept. 30, 1992, 106 Stat. 1271; amended Pub. L. 103-171, §3(a)(13), Dec. 2, 1993, 107 Stat. 1990.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 3058, Pub. L. 89-73, title VII, §702, as added Pub. L. 98-459, title VII, §701, Oct. 9, 1984, 98 Stat. 1788, related to Congressional declaration of findings, prior to repeal by Pub. L. 100-175, title I, §181, title VII, §701(a), (b), Nov. 29, 1987, 101 Stat. 964, 983, effective Oct. 1, 1987, with certain exceptions.

A prior section 701 of title VII of Pub. L. 89-73, as added by Pub. L. 98-459, title VII, §701, Oct. 9, 1984, 98 Stat. 1788, provided that this subchapter be cited as the “Older Americans Personal Health Education and Training Act”, prior to repeal by Pub. L. 100-175, title I, §181, title VII, §701(a), (b), Nov. 29, 1987, 101 Stat. 964, 983, effective Oct. 1, 1987, with certain exceptions.

Another prior section 701 of Pub. L. 89-73 was classified to section 3045 of this title prior to repeal by Pub. L. 95-478.

AMENDMENTS

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

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE**

Section inapplicable with respect to fiscal year 1993, see section 4(b) of Pub. L. 103-171, set out as an Effective Date of 1992 Amendment note under section 3001 of this title.

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, \$18,066,950 for fiscal year 2020, \$19,150,967 for fiscal year 2021, \$20,300,025 for fiscal year 2022, \$21,518,027 for fiscal year 2023, and \$22,809,108 for fiscal year 2024.

(b) Other programs

There are authorized to be appropriated to carry out subparts III and IV, \$5,107,110 for fiscal year 2020, \$5,413,537 for fiscal year 2021, \$5,738,349 for fiscal year 2022, \$6,082,650 for fiscal year 2023, and \$6,447,609 for fiscal year 2024.

(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; Pub. L. 116-131, title VI, §601, Mar. 25, 2020, 134 Stat. 268.)

Editorial Notes**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

2020—Pub. L. 116-131 added subsecs. (a) and (b) and struck out former subsecs. (a) and (b) which related to

authorization of appropriations to carry out subparts II to IV of this part for fiscal years 2017 to 2019.

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.

Statutory Notes and Related Subsidiaries**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 Secretary 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 appro-