

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2786

To amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the unique needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2011

Ms. WASSERMAN SCHULTZ (for herself and Ms. ROS-LEHTINEN) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the unique needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Holocaust Survivors  
5 Assistance Act of 2011”.

1 **TITLE I—PURPOSES; FINDINGS;**  
2 **DEFINITIONS; GRANTS**

3 **SEC. 101. PURPOSES.**

4 The purposes of this Act are—

5 (1) to include “older individuals who are Holo-  
6 caust survivors” to the list of groups that receive  
7 preference for services as defined in section  
8 305(a)(2)(E) of the Older Americans Act of 1965,

9 (2) to designate within the Administration on  
10 Aging an individual to have responsibility for older  
11 individuals who are Holocaust survivors, and

12 (3) to create a grant program to increase and  
13 improve transportation services for older individuals  
14 with preference to those older individuals who are  
15 Holocaust survivors.

16 **SEC. 102. FINDINGS.**

17 The Congress finds the following:

18 (1) During the Holocaust, which took place be-  
19 tween 1933 and 1945, an estimated 6,000,000 Jews,  
20 as well as millions from other targeted groups, were  
21 murdered by the Nazis and their collaborators.

22 (2) Approximately 127,000 Holocaust survivors  
23 remain in the United States, and thousands pass  
24 away each year.

1           (3) Holocaust survivors are getting older and  
2           frailer, and will be seeking additional support and  
3           assistance from social service providers to enable  
4           them to age in place. Providers face increased levels  
5           of demand from vulnerable individuals without any  
6           additional revenue to cover needed services.

7           (4) All Holocaust survivors are at least 65  
8           years old with approximately three quarters of them  
9           older than 75 and a majority in their 80s and 90s.

10          (5) More than half of all Holocaust survivors  
11          who emigrated to the United States from the former  
12          Soviet Union after 1965 fall beneath 200 percent of  
13          the Federal poverty threshold and constitute an ex-  
14          tremely vulnerable at-risk population in the United  
15          States.

16          (6) Holocaust survivors continue to live with  
17          the mental and physical scars of the unconscionable  
18          trauma caused by the Holocaust.

19          (7) While institutionalized settings are bene-  
20          ficial for some older people, long-term care facilities  
21          can have an adverse effect on Holocaust survivors.  
22          For many Holocaust survivors, institutionalized set-  
23          tings reintroduce sights, sounds, smells, emotions  
24          and routines which can induce panic, anxiety, and

1 re-traumatization as a result of experiences resulting  
2 from the Holocaust.

3 (8) Approximately two-thirds of Holocaust sur-  
4 vivors live alone and living alone is a risk factor for  
5 institutionalization.

6 (9) Low income Holocaust survivors are more  
7 reliant on social service programs than most other  
8 older Americans, with proportionally more Holocaust  
9 survivors needing services such as personal care,  
10 home-delivered and congregate meals, transpor-  
11 tation, counseling and mental health support.

12 **SEC. 103. DEFINITION.**

13 Section 102 of the Older Americans Act of 1965 (42  
14 U.S.C. 3002) is amended by adding at the end the fol-  
15 lowing:

16 “(55) The term ‘Holocaust survivor’ means an  
17 individual who—

18 “(A)(i) lived in a country between 1933  
19 and 1945 under a Nazi regime, under Nazi oc-  
20 cupation, or under the control of Nazi collabo-  
21 rators; or

22 “(ii) fled from a country between 1933 and  
23 1945 under a Nazi regime; under Nazi occupa-  
24 tion, or under the control of Nazi collaborators;

1           “(B) was persecuted between 1933 and  
2           1945 on the basis of race, religion, physical or  
3           mental disability, sexual orientation, political  
4           affiliation, ethnicity, or other basis; and

5           “(C) was a member of a group that was  
6           persecuted by the Nazis.”.

7 **SEC. 104. ORGANIZATION.**

8           Section 305(a) of the Older Americans Act of 1965  
9 (42 U.S.C. 3025(a)) is amended—

10           (1) in paragraph (1)(E) by inserting “older in-  
11           dividuals who are Holocaust survivors,” after “pro-  
12           ficiency,” each place it appears, and

13           (2) in paragraph (2)(E) by inserting “older in-  
14           dividuals who are Holocaust survivors,” after “pro-  
15           ficiency,”.

16 **SEC. 105. AREA PLANS.**

17           Section 306 of the Older Americans Act of 1965 (42  
18 U.S.C. 3025(a)) is amended—

19           (1) in subsection (a)—

20           (A) in paragraph (1) by inserting “older  
21           individuals who are Holocaust survivors,” after  
22           “proficiency,” each place it appears,

23           (B) in paragraph (4)—

24           (i) in subparagraph (A)—

1 (I) in clause (i)(I)(bb) by insert-  
2 ing “older individuals who are Holo-  
3 caust survivors,” after “proficiency,”  
4 and

5 (II) in clause (ii) by inserting  
6 “older individuals who are Holocaust  
7 survivors,” after “proficiency,” each  
8 place it appears, and

9 (ii) in subparagraph (B)—

10 (I) in subclause (VII) by striking  
11 “and” at the end,

12 (II) by redesignating subclause  
13 (VIII) as subclause (IX), and

14 (III) by inserting after subclause  
15 (VIII) the following:

16 “(VIII) older individuals who are  
17 Holocaust survivors; and”, and

18 (C) in paragraph (7)(B)(iii) by inserting “,  
19 in particular, older individuals who are Holo-  
20 caust survivors,” after “placement”, and

21 (2) by inserting “older individuals who are Hol-  
22 caust survivors,” after “areas,”.

23 **SEC. 106. STATE PLANS.**

24 Section 307(a) of the Older Americans Act of 1965  
25 (42 U.S.C. 3027(a)) is amended—

1           (1) in paragraph (4) by inserting “older individ-  
2           uals who are Holocaust survivors,” after “pro-  
3           ficiency,”,

4           (2) in paragraph (16)(A)—

5           (A) in clause (v) by striking “and” at the  
6           end, and

7           (B) by adding at the end the following:

8                   “(vii) older individuals who are Holo-  
9                   caust survivors; and”, and

10          (3) in paragraph (28)(A)(ii) by inserting “older  
11          individuals who are Holocaust survivors,” after  
12          “proficiency,”.

13 **SEC. 107. CONSUMER CONTRIBUTIONS.**

14          Section 315 of the Older Americans Act of 1965 (42  
15          U.S.C. 3030c-2) is amended—

16          (1) in subsection (c)(2) by inserting “older indi-  
17          viduals who are Holocaust survivors,” after “pro-  
18          ficiency,” and

19          (2) in subsection (d) by inserting “older individ-  
20          uals who are Holocaust survivors,” after “pro-  
21          ficiency,”.

22 **SEC. 108. PROGRAM AUTHORIZED.**

23          Section 372(c)(2)(A) of the Older Americans Act of  
24          1965 (42 U.S.C. 3030s-2(c)(2)(A)) is amended by strik-

1 ing “individuals)” inserting “individuals and older individ-  
2 uals who are Holocaust survivors)”.

3 **SEC. 109. PREVENTION OF ELDER ABUSE, NEGLECT, AND**  
4 **EXPLOITATION.**

5 Section 721(b)(12) of the Older Americans Act of  
6 1965 (42 U.S.C. 3058i(b)(12)) is amended—

7 (1) in subparagraph (B) by striking “or” at the  
8 end,

9 (2) in subparagraph (C) by striking the period  
10 at the end and inserting “or”, and

11 (3) by adding at the end the following:

12 “(D) older individuals who are Holocaust  
13 survivors.”.

14 **TITLE II—FUNCTIONS OF**  
15 **ASSISTANT SECRETARY**

16 **SEC. 201. ESTABLISHMENT OF ADMINISTRATION ON AGING.**

17 Section 201 of the Older Americans Act of 1965 (42  
18 U.S.C. 3012) is amended by adding at the end the fol-  
19 lowing:

20 “(g)(1) The Assistant Secretary is authorized to des-  
21 ignate within the Administration a person to have respon-  
22 sibility for older individuals who are Holocaust survivors.

23 “(h) It shall be the duty of the Assistant Secretary,  
24 acting through the person designated to have responsi-  
25 bility for older individuals who are Holocaust survivors.”.

1 **TITLE III—ACTIVITIES FOR**  
2 **HEALTH, INDEPENDENCE,**  
3 **AND LONGEVITY**

4 **SEC. 301. INNOVATION TO IMPROVE TRANSPORTATION FOR**  
5 **OLDER INDIVIDUALS WHO ARE HOLOCAUST**  
6 **SURVIVORS.**

7 Part A of title IV of the Older Americans Act of 1965  
8 (42 U.S.C. 3032 et seq.) is amended by adding at the end  
9 the following:

10 **“SEC. 423. INNOVATION TO IMPROVE TRANSPORTATION**  
11 **FOR OLDER INDIVIDUALS WHO ARE HOLO-**  
12 **CAUST SURVIVORS.**

13 “(a) IN GENERAL.—The Assistant Secretary shall  
14 award grants or contracts to nonprofit organizations to  
15 improve and increase transportation services for older in-  
16 dividuals, with preference toward those older individuals  
17 who are Holocaust survivors. The Assistant Secretary  
18 shall make grants or enter into such contracts for period  
19 of not less than 5 years.

20 “(b) USE OF FUNDS.—

21 “(1) IN GENERAL.—A nonprofit organization  
22 receiving a grant or contract under subsection (a)  
23 shall use the funds received through such grant or  
24 contract to carry out a demonstration project, or to  
25 provide technical assistance to assist local transit

1 providers, area agencies on aging, senior centers,  
2 and local senior support groups, to encourage and  
3 facilitate coordination of Federal, State, and local  
4 transportation services and resources for older indi-  
5 viduals who are Holocaust survivors. The organiza-  
6 tion may use the funds to develop and carry out an  
7 innovative transportation demonstration project to  
8 create transportation services for older individuals.

9 “(2) SPECIFIC ACTIVITIES.—In carrying out a  
10 demonstration project or providing technical assist-  
11 ance under paragraph (1) the organization may  
12 carry out activities that include—

13 “(A) developing innovative approaches for  
14 improving access by older individuals to trans-  
15 portation services, including volunteer driver  
16 programs, economically sustainable transpor-  
17 tation programs, and programs that allow older  
18 individuals to transfer their automobiles to a  
19 provider of transportation services in exchange  
20 for the services;

21 “(B) preparing information on transpor-  
22 tation options and resources for older individ-  
23 uals and organizations serving such individuals,  
24 and disseminating the information by estab-

1           lishing and operating a toll-free telephone num-  
2           ber;

3           “(C) developing models and best practices  
4           for providing comprehensive integrated trans-  
5           portation services for older individuals, includ-  
6           ing services administered by the Secretary of  
7           Transportation, by providing ongoing technical  
8           assistance to agencies providing services under  
9           title III and by assisting in coordination of pub-  
10          lic and community transportation services; and

11          “(D) providing special services to link  
12          older individuals to transportation services not  
13          provided under title III.

14          “(c) PREFERENCE.—In awarding grants and enter-  
15          ing into contracts under paragraph (a), the Assistant Sec-  
16          retary shall give preference to organizations and institu-  
17          tions that have previous extensive experience working with  
18          and conducting assessment of the needs of Holocaust sur-  
19          vivors who are older individuals.

20          “(d) CONSULTATION.—In determining the type of  
21          programs and activities used to improve and increase  
22          transportation assistance for Holocaust survivors, the As-  
23          sistant Secretary shall consult with the individual des-  
24          ignated by Section 201(h)(1) of the Act and with national

1 organizations with special expertise in serving Holocaust  
2 survivors who are older individuals.

3       “(e) ELIGIBLE ENTITIES.—To be eligible to receive  
4 a grant or enter into a contract under paragraph (a), an  
5 entity shall have previous extensive experience working  
6 with and conducting assessment of the needs of older indi-  
7 viduals.

8       “(f) REPORT TO CONGRESS.—The Assistant Sec-  
9 retary with assistance from the individual designated by  
10 Section 201 (h)(1) of the Act, shall prepare and submit  
11 to the Speaker of the House of Representatives and the  
12 President pro tempore of the Senate an annual report on  
13 the status and needs, including the priority areas of con-  
14 cern, of older individuals who are Holocaust survivors.”.

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