

118TH CONGRESS
2D SESSION

S. 4613

To amend the Older Americans Act of 1965 to establish the Office of LGBTQI Inclusion and a rural outreach grant program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 20, 2024

Mr. MARKEY (for himself, Mr. CASEY, Mr. WYDEN, Mr. PADILLA, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Older Americans Act of 1965 to establish the Office of LGBTQI Inclusion and a rural outreach grant program, and for other purposes.

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 “Elder Pride Act”.

5 **SEC. 2. DEFINITIONS.**

6 (a) IN GENERAL.—Section 102 of the Older Ameri-
7 cans Act of 1965 (42 U.S.C. 3002) is amended—

8 (1) in paragraph (24)—

1 (A) in subparagraph (B), by striking
2 “and” at the end;

3 (B) in subparagraph (C)(ii), by striking
4 the period and inserting a semicolon; and

5 (C) by adding at the end the following:

6 “(D) status as an LGBTQI individual; and

7 “(E) status as an individual with HIV.”;

8 (2) by redesignating paragraphs (26) through
9 (33), paragraphs (34) and (35), and paragraphs
10 (36) through (56) as paragraphs (27) through (34),
11 paragraphs (36) and (37), and paragraphs (39)
12 through (59), respectively;

13 (3) by inserting after paragraph (25) the fol-
14 lowing:

15 “(26) The term ‘HIV’ means human immuno-
16 deficiency virus.”;

17 (4) by inserting after paragraph (34) (as so re-
18 designated) the following:

19 “(35) The term ‘LGBTQI’ means lesbian, gay,
20 bisexual, transgender, queer, or intersex.”;

21 (5) by inserting after paragraph (37) (as so re-
22 designated) the following:

23 “(38) The term ‘minority’, with respect to an
24 individual, includes a lesbian, gay, bisexual,
25 transgender, queer, or intersex individual.”.

1 (b) CONFORMING AMENDMENT.—Section
 2 215(e)(1)(J) of the Older Americans Act of 1965 (42
 3 U.S.C. 3020e–1(e)(1)(J)) is amended by striking “minori-
 4 ties” and inserting “minority individuals”.

5 **SEC. 3. ADMINISTRATION ON AGING.**

6 (a) ESTABLISHMENT OF ADMINISTRATION; OFFICE
 7 OF LGBTQI INCLUSION.—Section 201 of the Older
 8 Americans Act of 1965 (42 U.S.C. 3011) is amended—
 9 (1) in subsection (d)(3)(J), by inserting before
 10 the semicolon the following: “, including the effec-
 11 tiveness of such services in meeting the needs of
 12 LGBTQI older individuals”; and

13 (2) by adding at the end the following:

14 “(h)(1) There is established in the Administration an
 15 Office of LGBTQI Inclusion (referred to in this subsection
 16 as the ‘Office’).

17 “(2)(A) The Office shall be headed by a Director of
 18 LGBTQI Inclusion (referred to in this subsection as the
 19 ‘Director’), who shall be appointed by the Secretary.

20 “(B) The Office shall include an Assistant Director
 21 of LGBTQI Policy (referred to in this subsection as the
 22 ‘Assistant Director’) who shall be appointed by the Direc-
 23 tor to assist the Director in carrying out this subsection,
 24 including by carrying out the activities under paragraph
 25 (4).

1 “(3) The Director shall—

2 “(A) coordinate activities within the Depart-
3 ment of Health and Human Services, and between
4 other Federal departments and agencies, to assure a
5 continuum of improved services for LGBTQI older
6 individuals;

7 “(B) promote access to aging services and sup-
8 ports for LGBTQI older individuals;

9 “(C) collect and disseminate information related
10 to the challenges experienced by LGBTQI older indi-
11 viduals; and

12 “(D) administer and evaluate grants that will
13 expand access to aging services and supports for
14 LGBTQI older individuals.

15 “(4) The Assistant Director shall—

16 “(A) serve as the effective and visible advocate
17 on behalf of LGBTQI older individuals—

18 “(i) within the Department of Health and
19 Human Services and with other departments
20 and agencies of the Federal Government re-
21 garding all Federal policies affecting such indi-
22 viduals; and

23 “(ii) in the States to promote the enhanced
24 delivery of services and implementation of pro-

1 grams, under this Act and other Federal Acts,
2 for the benefit of such individuals;

3 “(B) support, conduct, and arrange for re-
4 search in the field of LGBTQI aging with a special
5 emphasis on gathering statistics on LGBTQI older
6 individuals;

7 “(C) collect and disseminate information related
8 to challenges experienced by LGBTQI older individ-
9 uals; and

10 “(D) recommend policies and priorities bene-
11 ficial to LGBTQI older individuals and promote the
12 implementation and adoption of culturally competent
13 care and services for such individuals.

14 “(5) Not later than 5 years after the date of enact-
15 ment of the Elder Pride Act, and every 5 years thereafter,
16 the Director shall submit to Congress a report describing
17 the activities carried out under this subsection during the
18 preceding 5 years.”.

19 **SEC. 4. RURAL OUTREACH GRANT PROGRAM.**

20 Part A of title IV of the Older Americans Act of 1965
21 (42 U.S.C. 3032 et seq.) is amended by adding at the end
22 the following:

23 **“SEC. 423. RURAL OUTREACH GRANT PROGRAM.**

24 “(a) DEFINITIONS.—In this section:

1 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
2 tity’ means—

3 “(A) a State;

4 “(B) an Indian tribe or tribal organization;

5 or

6 “(C) an agency, nonprofit organization, or
7 institution (including an area agency on aging,
8 or a multipurpose senior center, in a rural area)
9 that—

10 “(i) focuses on serving the needs of
11 older individuals, LGBTQI individuals,
12 LGBTQI older individuals, or individuals
13 of another protected class; or

14 “(ii) focuses on providing sexual
15 health services to all older individuals, in-
16 cluding services for older individuals with
17 HIV.

18 “(2) PROTECTED CLASS.—The term ‘protected
19 class’ means a group of individuals sharing a com-
20 mon characteristic or identity who are legally pro-
21 tected against discrimination.

22 “(3) RURAL AREA.—The term ‘rural area’
23 means an area that is not designated by the United
24 States Census Bureau as an urbanized area or
25 urban cluster.

1 “(b) AUTHORITY FOR GRANTS.—The Assistant Sec-
 2 retary, acting through the Director of LGBTQI Inclusion,
 3 may make grants to eligible entities to carry out activities
 4 described in subsection (d) that are designed—

5 “(1) to create a cooperative and lasting part-
 6 nership between—

7 “(A) LGBTQI older individuals, or older
 8 individuals of a protected class, residing in
 9 rural areas; and

10 “(B) the eligible entity receiving the grant;

11 “(2) to meet the needs of the individuals de-
 12 scribed in paragraph (1)(A); and

13 “(3) to provide comprehensive sexual health
 14 services to all older individuals residing in the rural
 15 areas served by the grant.

16 “(c) APPLICATIONS.—

17 “(1) IN GENERAL.—An eligible entity seeking a
 18 grant under this section shall submit an application
 19 to the Assistant Secretary at such time, in such
 20 manner, and containing such information as the As-
 21 sistant Secretary may reasonably require, including
 22 the contents described in paragraph (2).

23 “(2) CONTENTS.—An application for a grant
 24 under this section shall contain—

1 “(A) a description of the proposed activi-
 2 ties to be supported by the grant;

3 “(B) a description of the size and charac-
 4 teristics of the population in the rural area to
 5 be served by such proposed activities;

6 “(C) a description of the public and private
 7 resources expected to be made available in con-
 8 nection with such activities;

9 “(D) a demonstrated intent to partner
 10 with local organizations in rural areas in car-
 11 rying out such activities;

12 “(E) evidence in a form acceptable to the
 13 Assistant Secretary that such activities will
 14 meet urgent needs that are not met by available
 15 public and private sources; and

16 “(F) such other information or certifi-
 17 cations that the Assistant Secretary determines
 18 necessary to achieve the purposes described in
 19 paragraphs (1) through (3) of subsection (b).

20 “(d) USE OF FUNDS.—An eligible entity may use
 21 funds made available by a grant under this section to
 22 carry out activities that include initiatives that—

23 “(1) engage in education and training relating
 24 to community outreach to LGBTQI older individ-

1 uals, or older individuals of a protected class, resid-
 2 ing in rural areas;

3 “(2) reduce isolation and improve access to care
 4 for LGBTQI older individuals, or older individuals
 5 of a protected class, residing in rural areas by build-
 6 ing relationships between such individuals and the
 7 local community;

8 “(3) foster relationships between local service
 9 providers and LGBTQI older individuals, or older
 10 individuals of a protected class, residing in rural
 11 areas;

12 “(4) improve cultural competency with respect
 13 to LGBTQI individuals, and older individuals of a
 14 protected class, among organizations and personnel
 15 providing services to older individuals residing in
 16 rural areas;

17 “(5) expand the use of nondiscrimination poli-
 18 cies that—

19 “(A) prohibit discrimination on the basis
 20 of sexual orientation, gender identity, or sex
 21 characteristics (including intersex traits); and

22 “(B) create community spaces that are in-
 23 clusive to LGBTQI older individuals and older
 24 individuals of a protected class; and

1 “(6) focus on providing sexual health services to
2 older individuals residing in rural areas, including
3 services for older individuals with HIV.

4 “(e) SUPPLEMENT NOT SUPPLANT.—As a condition
5 of receiving funds under this section, an eligible entity
6 shall agree to use such funds only to supplement the level
7 of State or local funds that would, in the absence of the
8 receipt of funds under this section, be made available for
9 related LGBTQI services.

10 “(f) STANDARDS AND GUIDELINES.—The Assistant
11 Secretary shall establish standards and guidelines for ac-
12 tivities supported by grants under this section. Such
13 standards and guidelines shall permit an eligible entity re-
14 ceiving such grant to refine or adapt the standards and
15 guidelines for an individual project if the refinement or
16 adaptation is made necessary by a local circumstance.

17 “(g) COORDINATION WITH LOCAL ENTITIES.—

18 “(1) COOPERATION.—An eligible entity that re-
19 ceives a grant under this section shall, in carrying
20 out activities supported by the grant, agree to co-
21 operate and coordinate with—

22 “(A) the agencies of the relevant State and
23 local governments responsible for providing
24 services to LGBTQI older individuals, or older

1 individuals of a protected class, in the area
2 served by such activities; and

3 “(B) other public and private organizations
4 and agencies providing services to LGBTQI
5 older individuals, or older individuals of a pro-
6 tected class, in such area.

7 “(2) PRIORITIZATION.—An eligible entity re-
8 ceiving a grant under this section shall prioritize co-
9 operating and coordinating with public and private
10 organizations and agencies that primarily serve pop-
11 ulations of older individuals with the greatest social
12 need.

13 “(h) REPORTS.—Not later than 1 year after the date
14 of enactment of the Elder Pride Act, and annually there-
15 after, the Assistant Secretary shall submit to Congress
16 and make available to the public a report that describes
17 the activities carried out under this section during the pre-
18 ceding 2-year period.

19 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is
20 to be authorized to be appropriated to carry out this sec-
21 tion \$5,000,000 for each of fiscal years 2025 through
22 2029.”.

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