

with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports;

(5) to issue such regulations, consistent with the provisions of this chapter, as may be necessary for the operation of this program;

(6) to provide to any blind licensee dissatisfied with any action arising from the operation or administration of the vending facility program an opportunity for a fair hearing, and to agree to submit the grievances of any blind licensee not otherwise resolved by such hearing to arbitration as provided in section 107d-1 of this title.

(June 20, 1936, ch. 638, §3, 49 Stat. 1560; 1946 Reorg. Plan No. 2, §6, eff. July 16, 1946, 11 F.R. 7873, 60 Stat. 1095; 1953 Reorg. Plan No. 1, §§5, 8, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Aug. 3, 1954, ch. 655, §4(e), 68 Stat. 664; Pub. L. 93-516, title II, §204, Dec. 7, 1974, 88 Stat. 1625; Pub. L. 93-651, title II, §204, Nov. 21, 1974, 89 Stat. 2-10.)

CODIFICATION

The content of Pub. L. 93-516, including provisions of section 204 thereof which amended this section, were originally contained in H.R. 14225, 93rd Congress, Second Session, which was pocket-vetoed during the 31-day intrasession adjournment of the 93rd Congress for the Congressional elections in November, 1974. See 1974 Amendment note below.

Pursuant to an order of the United States District Court for the District of Columbia (*Kennedy v. Jones*, D.C.D.C. 1976, 412 F.Supp. 353) H.R. 14225 was deemed to have become law without the approval of the President on Nov. 21, 1974, and was given the designation Pub. L. 93-651. Therefore, for purposes of codification, this section should be deemed to have been amended by Pub. L. 93-651, title II, §204, Nov. 21, 1974, 89 Stat. 2-10, in exactly the same manner as it was amended by Pub. L. 93-516.

AMENDMENTS

1974—Pub. L. 93-516, §204(a)(1), substituted “A State agency” for “A State commission” in provisions preceding par. (1). An identical amendment was made by Pub. L. 93-651. See Codification note above.

Par. (2). Pub. L. 93-516, §204(a)(2), substituted “vending facility” for “vending stand” in two places. An identical amendment was made by Pub. L. 93-651. See Codification note above.

Par. (3). Pub. L. 93-516, §204(a)(2), (b), (c), in provisions preceding subpar. (A), substituted “the net proceeds of the operation of the vending facilities” for “the proceeds of the operation of the vending stands”, in subpar. (D), substituted “vending facilities” for “vending stands”, added subpar. (E), and in proviso following subpar. (E) substituted “the net proceeds of any vending facility” for “the proceeds of any vending stand”. An identical amendment was made by Pub. L. 93-651. See Codification note above.

Par. (6). Pub. L. 93-516, §204(a)(3), substituted “vending facility program an opportunity for a fair hearing, and to agree to submit the grievances of any blind licensee not otherwise resolved by such hearing to arbitration as provided in section 107d-1 of this title” for “vending stand program an opportunity for a fair hearing”. An identical amendment was made by Pub. L. 93-651. See Codification note above.

1954—Act Aug. 3, 1954, amended section generally and, among other changes, added pars. (3) to (6).

EFFECTIVE DATE OF 1954 AMENDMENT

Amendment by act Aug. 3, 1954, effective July 1, 1954, see section 8 of act Aug. 3, 1954, set out as a note under section 49b of Title 29, Labor.

TRANSFER OF FUNCTIONS

For transfer of functions, see note set out under section 107a of this title.

§ 107b-1. Access to information with State licensing agencies; election and responsibilities of Committee of Blind Vendors

In addition to other requirements imposed in this title and in this chapter upon State licensing agencies, such agencies shall—

(1) provide to each blind licensee access to all relevant financial data, including quarterly and annual financial reports, on the operation of the State vending facility program;

(2) conduct the biennial election of a Committee of Blind Vendors who shall be fully representative of all blind licensees in the State program,¹ and

(3) insure that such committee’s responsibilities include (A) participation, with the State agency, in major administrative decisions and policy and program development, (B) receiving grievances of blind licensees and serving as advocates for such licensees, (C) participation, with the State agency, in the development and administration of a transfer and promotion system for blind licensees, (D) participation, with the State agency, in developing training and retraining programs, and (E) sponsorship, with the assistance of the State agency, of meetings and instructional conferences for blind licensees.

(Pub. L. 93-516, title II, §209, Dec. 7, 1974, 88 Stat. 1630; Pub. L. 93-651, title II, §209, Nov. 21, 1974, 89 Stat. 2-15.)

REFERENCES IN TEXT

This title, referred to in text, is title II of Pub. L. 93-516, Dec. 7, 1974, 88 Stat. 1617, as amended, known as the “Randolph-Sheppard Act Amendments of 1974”. For complete classification of such title to the Code, see Short Title of 1974 Amendment note set out under section 107 of this title and Tables.

CODIFICATION

Section was enacted as part of the Randolph-Sheppard Act Amendments of 1974, and not as part of the Randolph-Sheppard Vending Stand Act which comprises this chapter.

The content of Pub. L. 93-516, including provisions of section 209 thereof which enacted this section, were originally contained in H.R. 14225, 93rd Congress, Second Session, which was pocket-vetoed during the 31-day intrasession adjournment of the 93rd Congress for the Congressional elections in November, 1974.

Pursuant to an order of the United States District Court for the District of Columbia (*Kennedy v. Jones*, D.C.D.C. 1976, 412 F.Supp. 353) H.R. 14225 was deemed to have become law without the approval of the President on Nov. 21, 1974, and was given the designation Pub. L. 93-651. Therefore, for purposes of codification, this section should be deemed to have been enacted by Pub. L. 93-651, title II, §209, Nov. 21, 1974, 89 Stat. 2-15, in exactly the same manner as it was enacted by Pub. L. 93-516.

§ 107b-2. Omitted

CODIFICATION

Section, Pub. L. 93-516, title II, §210, Dec. 7, 1974, 88 Stat. 1630, required the Secretary to promulgate na-

¹ So in original. The comma probably should be a semicolon.