

mission, specific objectives, service priorities, and types of services to be provided, and a description that shall demonstrate how the proposed activities of the applicant are consistent with the most recent 3-year State plan under section 796c of this title;

(5) the applicant will use sound organizational and personnel assignment practices, including taking affirmative action to employ and advance in employment qualified individuals with significant disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 793 of this title;

(6) the applicant will ensure that the majority of the staff, and individuals in decision-making positions, of the applicant are individuals with disabilities;

(7) the applicant will practice sound fiscal management;

(8) the applicant will conduct annual self-evaluations, prepare an annual report, and maintain records adequate to measure performance with respect to the standards, containing information regarding, at a minimum—

(A) the extent to which the center is in compliance with the standards;

(B) the number and types of individuals with significant disabilities receiving services through the center;

(C) the types of services provided through the center and the number of individuals with significant disabilities receiving each type of service;

(D) the sources and amounts of funding for the operation of the center;

(E) the number of individuals with significant disabilities who are employed by, and the number who are in management and decisionmaking positions in, the center; and

(F) a comparison, when appropriate, of the activities of the center in prior years with the activities of the center in the most recent year;

(9) individuals with significant disabilities who are seeking or receiving services at the center will be notified by the center of the existence of, the availability of, and how to contact, the client assistance program;

(10) aggressive outreach regarding services provided through the center will be conducted in an effort to reach populations of individuals with significant disabilities that are unserved or underserved by programs under this subchapter, especially minority groups and urban and rural populations;

(11) staff at centers for independent living will receive training on how to serve such unserved and underserved populations, including minority groups and urban and rural populations;

(12) the center will submit to the Statewide Independent Living Council a copy of its approved grant application and the annual report required under paragraph (8);

(13) the center will prepare and submit a report to the designated State unit or the Administrator, as the case may be, at the end of each fiscal year that contains the information described in paragraph (8) and information re-

garding the extent to which the center is in compliance with the standards set forth in subsection (b); and

(14) an independent living plan described in section 796c(e) of this title will be developed unless the individual who would receive services under the plan signs a waiver stating that such a plan is unnecessary.

(Pub. L. 93-112, title VII, § 725, as added Pub. L. 105-220, title IV, § 410, Aug. 7, 1998, 112 Stat. 1234; amended Pub. L. 105-332, § 5(c), Oct. 31, 1998, 112 Stat. 3127; Pub. L. 113-128, title IV, § 483, July 22, 2014, 128 Stat. 1693.)

PRIOR PROVISIONS

A prior section 796f-4, Pub. L. 93-112, title VII, § 725, as added Pub. L. 102-569, title VII, § 701(2), Oct. 29, 1992, 106 Stat. 4462; amended Pub. L. 103-73, title I, § 114(7), Aug. 11, 1993, 107 Stat. 731, related to standards and assurances for centers for independent living, prior to the general amendment of this subchapter by Pub. L. 105-220.

AMENDMENTS

2014—Subsec. (b)(1)(D). Pub. L. 113-128, § 483(1), substituted “access for” for “access of” and “, within their communities,” for “to society and”.

Subsec. (c). Pub. L. 113-128, § 483(2), substituted “Administrator” for “Commissioner” wherever appearing.

1998—Subsec. (c)(7). Pub. L. 105-332 substituted “management;” for “management, including making arrangements for an annual independent fiscal audit, notwithstanding section 7502(a)(2)(A) of title 31;”.

§ 796f-5. “Eligible agency” defined

As used in this subpart, the term “eligible agency” means a consumer-controlled, community-based, cross-disability, nonresidential private nonprofit agency.

(Pub. L. 93-112, title VII, § 726, as added Pub. L. 105-220, title IV, § 410, Aug. 7, 1998, 112 Stat. 1237.)

PRIOR PROVISIONS

A prior section 796f-5, Pub. L. 93-112, title VII, § 726, as added Pub. L. 102-569, title VII, § 701(2), Oct. 29, 1992, 106 Stat. 4464, defined “eligible agency”, prior to the general amendment of this subchapter by Pub. L. 105-220.

§ 796f-6. Authorization of appropriations

There are authorized to be appropriated to carry out this subpart \$78,305,000 for fiscal year 2015, \$84,353,000 for fiscal year 2016, \$86,104,000 for fiscal year 2017, \$88,013,000 for fiscal year 2018, \$90,083,000 for fiscal year 2019, and \$91,992,000 for fiscal year 2020.

(Pub. L. 93-112, title VII, § 727, as added Pub. L. 105-220, title IV, § 410, Aug. 7, 1998, 112 Stat. 1237; amended Pub. L. 113-128, title IV, § 484, July 22, 2014, 128 Stat. 1693.)

PRIOR PROVISIONS

A prior section 796f-6, Pub. L. 93-112, title VII, § 727, as added Pub. L. 102-569, title VII, § 701(2), Oct. 29, 1992, 106 Stat. 4464, authorized appropriations, prior to the general amendment of this subchapter by Pub. L. 105-220.

Prior sections 796g to 796i were repealed by Pub. L. 102-569, title VII, § 701(1), Oct. 29, 1992, 106 Stat. 4443.

Section 796g, Pub. L. 93-112, title VII, § 731, as added Pub. L. 95-602, title III, § 301, Nov. 6, 1978, 92 Stat. 3000; amended Pub. L. 99-506, title I, § 103(h)(2), Oct. 21, 1986,

100 Stat. 1811; Pub. L. 100-630, title II, §208(h), Nov. 7, 1988, 102 Stat. 3314, provided for grants to States to establish systems to protect and advocate for rights of individuals with severe handicaps.

Section 796h, Pub. L. 93-112, title VII, §732, as added Pub. L. 95-602, title III, §301, Nov. 6, 1978, 92 Stat. 3000; amended Pub. L. 99-506, title I, §103(d)(2)(C), Oct. 21, 1986, 100 Stat. 1810, related to affirmative action on part of recipients of assistance to employ and advance in employment qualified individuals with handicaps.

Section 796i, Pub. L. 93-112, title VII, §741, formerly §731, as added Pub. L. 95-602, title III, §301, Nov. 6, 1978, 92 Stat. 3001; renumbered §741 and amended Pub. L. 98-221, title I, §172(a)(1), (b), Feb. 22, 1984, 98 Stat. 32; Pub. L. 99-506, title VIII, §806, Oct. 21, 1986, 100 Stat. 1840; Pub. L. 100-630, title II, §208(i), Nov. 7, 1988, 102 Stat. 3315; Pub. L. 102-52, §8, June 6, 1991, 105 Stat. 262, provided for appropriations.

AMENDMENTS

2014—Pub. L. 113-128 substituted “\$78,305,000 for fiscal year 2015, \$84,353,000 for fiscal year 2016, \$86,104,000 for fiscal year 2017, \$88,013,000 for fiscal year 2018, \$90,083,000 for fiscal year 2019, and \$91,992,000 for fiscal year 2020.” for “such sums as may be necessary for each of the fiscal years 1999 through 2003.”

PART B—INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND

§ 796j. “Older individual who is blind” defined

For purposes of this part, the term “older individual who is blind” means an individual age 55 or older whose significant visual impairment makes competitive employment extremely difficult to attain but for whom independent living goals are feasible.

(Pub. L. 93-112, title VII, §751, as added Pub. L. 105-220, title IV, §410, Aug. 7, 1998, 112 Stat. 1237.)

PRIOR PROVISIONS

A prior section 796j, Pub. L. 93-112, title VII, §751, as added Pub. L. 102-569, title VII, §703(a), Oct. 29, 1992, 106 Stat. 4464, defined “older individual who is blind”, prior to the general amendment of this subchapter by Pub. L. 105-220.

§ 796j-1. Training and technical assistance

(a) In general

From the funds appropriated and made available to carry out this part for any fiscal year, beginning with fiscal year 2015, the Commissioner shall first reserve not less than 1.8 percent and not more than 2 percent of the funds to provide, either directly or through grants, contracts, or cooperative agreements, training and technical assistance to designated State agencies, or other providers of independent living services for older individuals who are blind, that are funded under this part for such fiscal year.

(b) Survey

The Commissioner shall conduct a survey of designated State agencies that receive grants under section 796k of this title regarding training and technical assistance needs in order to determine funding priorities for such training and technical assistance.

(c) Application for grant

To be eligible to receive a grant or enter into a contract or cooperative agreement under this section, an entity shall submit an application to the Commissioner at such time, in such manner,

containing a proposal to provide such training and technical assistance, and containing such additional information, as the Commissioner may require. The Commissioner shall provide for peer review of applications by panels that include persons who are not government employees and who have experience in the provision of services to older individuals who are blind.

(Pub. L. 93-112, title VII, §751A, as added Pub. L. 113-128, title IV, §486, July 22, 2014, 128 Stat. 1693.)

§ 796k. Program of grants

(a) In general

(1) Authority for grants

Subject to subsections (b) and (c), the Commissioner may make grants to States for the purpose of providing the services described in subsection (d) to older individuals who are blind.

(2) Designated State agency

The Commissioner may not make a grant under this subsection unless the State involved agrees that the grant will be administered solely by the agency described in section 721(a)(2)(A)(i) of this title.

(b) Contingent competitive grants

Beginning with fiscal year 1993, in the case of any fiscal year for which the amount appropriated under section 796l of this title is less than \$13,000,000, grants made under subsection (a) shall be—

(1) discretionary grants made on a competitive basis to States; or

(2) grants made on a noncompetitive basis to pay for the continuation costs of activities for which a grant was awarded—

(A) under this part; or

(B) under part C, as in effect on the day before October 29, 1992.

(c) Contingent formula grants

(1) In general

In the case of any fiscal year for which the amount appropriated under section 796l of this title is equal to or greater than \$13,000,000, grants under subsection (a) shall be made only to States and shall be made only from allotments under paragraph (2).

(2) Allotments

For grants under subsection (a) for a fiscal year described in paragraph (1), the Commissioner shall make an allotment to each State in an amount determined in accordance with subsection (i), and shall make a grant to the State of the allotment made for the State if the State submits to the Commissioner an application in accordance with subsection (h).

(d) Services generally

The Commissioner may not make a grant under subsection (a) unless the State involved agrees that the grant will be expended only for purposes of—

(1) providing independent living services to older individuals who are blind;

(2) conducting activities that will improve or expand services for such individuals; and