

means former part A (§796 et seq.) which was included in the repeal of subchapter VII of this chapter by Pub. L. 102-569, title VII, §701(1), Oct. 29, 1992, 106 Stat. 4443.

PRIOR PROVISIONS

A prior section 796e, Pub. L. 93-112, title VII, §711, as added Pub. L. 102-569, title VII, §701(2), Oct. 29, 1992, 106 Stat. 4450; amended Pub. L. 103-73, title I, §114(e), Aug. 11, 1993, 107 Stat. 729, related to allotments to provide independent living services, prior to the general amendment of this subchapter by Pub. L. 105-220.

Another prior section 796e, Pub. L. 93-112, title VII, §711, as added Pub. L. 95-602, title III, §301, Nov. 6, 1978, 92 Stat. 2998; amended Pub. L. 98-221, title I, §171, Feb. 22, 1984, 98 Stat. 30; Pub. L. 99-506, title I, §103(d)(2)(C), title VIII, §§804(a)(1), (b), (c), 805, Oct. 21, 1986, 100 Stat. 1810, 1838, 1839; Pub. L. 100-630, title II, §208(f), Nov. 7, 1988, 102 Stat. 3314, related to establishment and operation of independent living centers, prior to repeal by Pub. L. 102-569, §701(1).

AMENDMENTS

2014—Subsec. (a)(1)(A). Pub. L. 113-128, §476(a)(1)(A), (2), substituted “After the reservation required by section 796e-0 of this title is made, and except” for “Except”, inserted “the remainder of the” before “sums appropriated”, and substituted “Administrator” for “Commissioner”.

Subsec. (a)(2)(B). Pub. L. 113-128, §476(a)(1)(B), substituted “remainder described in paragraph (1)(A)” for “amounts made available for purposes of this subpart”.

Subsecs. (a)(3) to (c). Pub. L. 113-128, §476(a)(2), substituted “Administrator” for “Commissioner” wherever appearing.

Subsec. (d). Pub. L. 113-128, §476(a)(3), added subsec. (d).

§ 796e-0. Training and technical assistance

(a) Reservation of funds for training and technical assistance

From the funds appropriated and made available to carry out this subpart for any fiscal year, beginning with fiscal year 2015, the Administrator 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 Statewide Independent Living Councils established under section 796d of this title for such fiscal year.

(b) Survey of Statewide Independent Living Councils

The Administrator shall conduct a survey of such Statewide Independent Living Councils regarding training and technical assistance needs in order to determine funding priorities for such training and technical assistance.

(c) Submission of application; peer review

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 Administrator at such time, in such manner, containing a proposal to provide such training and technical assistance, and containing such additional information, as the Administrator may require. The Administrator shall provide for peer review of applications by panels that include persons who are not government employees and who have experience in the operation of such Statewide Independent Living Councils.

(Pub. L. 93-112, title VII, §711A, as added Pub. L. 113-128, title IV, §476(b), July 22, 2014, 128 Stat. 1690.)

§ 796e-1. Payments to States from allotments

(a) Payments

From the allotment of each State for a fiscal year under section 796e of this title, the State shall be paid the Federal share of the expenditures incurred during such year under its State plan approved under section 796d-1 of this title. Such payments may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Administrator may determine.

(b) Federal share

(1) In general

The Federal share with respect to any State for any fiscal year shall be 90 percent of the expenditures incurred by the State during such year under its State plan approved under section 796d-1 of this title.

(2) Non-Federal share

The non-Federal share of the cost of any project that receives assistance through an allotment under this subpart may be provided in cash or in kind, fairly evaluated, including plant, equipment, or services.

(Pub. L. 93-112, title VII, §712, as added Pub. L. 105-220, title IV, §410, Aug. 7, 1998, 112 Stat. 1225; amended Pub. L. 113-128, title IV, §476(c), July 22, 2014, 128 Stat. 1691.)

PRIOR PROVISIONS

A prior section 796e-1, Pub. L. 93-112, title VII, §712, as added Pub. L. 102-569, title VII, §701(2), Oct. 29, 1992, 106 Stat. 4451; amended Pub. L. 103-73, title I, §114(f), Aug. 11, 1993, 107 Stat. 730, related to payments to States from allotments, prior to the general amendment of this subchapter by Pub. L. 105-220.

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-128 substituted “Administrator” for “Commissioner”.

§ 796e-2. Authorized uses of funds

(a) In general

The State may use funds received under this subpart to provide the resources described in section 796d(e) of this title (but may not use more than 30 percent of the funds paid to the State under section 796e-1 of this title for such resources unless the State specifies that a greater percentage of the funds is needed for such resources in a State plan approved under section 796d-1 of this title), relating to the Statewide Independent Living Council, may retain funds under section 796c(c)(5) of this title, and shall distribute the remainder of the funds received under this subpart in a manner consistent with the approved State plan for the activities described in subsection (b).

(b) Activities

The State may use the remainder of the funds described in subsection (a)—

- (1) to provide independent living services to individuals with significant disabilities, particularly those in underserved areas of the State;
- (2) to demonstrate ways to expand and improve independent living services;