

chapter, each nonprofit corporation and public housing agency shall review the performance, appropriateness, and fee schedules of their congregate services program with eligible project residents and with the professional assessment committee. The results of such review shall be included in any application for renewal and shall be considered in the development of the application for renewal by the nonprofit corporation or public housing agency and in its evaluation by the Secretary.

(Pub. L. 95-557, title IV, §407, Oct. 31, 1978, 92 Stat. 2108.)

### § 8007. Evaluation of applications and programs

#### (a) Application evaluations

In evaluating applications for assistance under this chapter, the Secretary shall consider—

- (1) the types and priorities of the basic services proposed to be provided, and the relationship of such proposal to the needs and characteristics of the eligible residents of the projects where the services are to be provided;
- (2) how quickly services will be established following approval of the application;
- (3) the degree to which local social services are adequate for the purpose of assisting eligible project residents to maintain independent living and avoid unnecessary institutionalization;
- (4) the professional qualifications of the members of the professional assessment committee; and
- (5) the reasonableness of fee schedules established for each congregate service.

#### (b) Program evaluations

In evaluating programs receiving assistance under this chapter, the Secretary shall—

- (1) establish procedures for the review and evaluation of the performance of nonprofit corporations and public housing agencies receiving assistance under this chapter, including provisions for the submission of an annual report, by each such nonprofit corporation and public housing agency, which evaluates the impact and effectiveness of its congregate services program; and
- (2) publish annually and submit to the Congress, a report on and evaluation of the impact and effectiveness of congregate services programs assisted under this chapter. Such report and evaluation shall be based, in part, on the evaluations required to be submitted pursuant to paragraph (1).

#### (c) Report to Congress

(1) The Secretary shall contract with a university or qualified research institution to produce a report—

- (A) documenting the number of elderly living in federally assisted housing at risk of institutionalization;
- (B) studying and comparing alternative delivery systems in the States, including the congregate housing services program, to provide services to older persons in assisted congregate housing;
- (C) assessing existing and potential financial resources at the Federal, State, and local lev-

els for the support of congregate housing services; and

(D) making legislative recommendations as to the feasibility of permitting State housing agencies and other appropriate State agencies to participate and operate the program on a matching grant basis.

(2) The Secretary shall submit the report to the Congress not later than September 30, 1988.

(Pub. L. 95-557, title IV, §408, Oct. 31, 1978, 92 Stat. 2108; Pub. L. 98-181, title I [title II, §224(a)], Nov. 30, 1983, 97 Stat. 1191; Pub. L. 100-242, title I, §163(b), (c), Feb. 5, 1988, 101 Stat. 1860.)

#### AMENDMENTS

1988—Subsec. (c). Pub. L. 100-242 added subsec. (c) and struck out former subsec. (c) which required Secretary to prepare and submit a report to Congress evaluating the congregate housing services program, not later than March 15, 1984.

1983—Subsec. (c). Pub. L. 98-181 added subsec. (c).

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (b)(2) of this section relating to submitting the annually published report to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and the 8th item on page 106 of House Document No. 103-7.

### § 8008. Funding procedures

(a) The Secretary shall establish procedures—

- (1) to assure timely payments to nonprofit corporations and public housing agencies for approved assisted congregate services programs with provision made for advance funding sufficient to meet necessary startup costs;
- (2) to permit reallocation of funds approved for the establishment of congregate services in existing public housing projects and projects assisted under section 1701q of title 12 if the services are not established within six months of the notification date of funding approval;
- (3) to assure that where such funding has been approved for the establishment of congregate services for public housing projects and projects assisted under section 1701q of title 12 under construction or approved for construction, these services shall be in place at the start of the project's occupancy by tenants requiring such services for maintaining independent living;
- (4) to establish accounting and other standards in order to prevent any fraudulent or inappropriate use of funds under this chapter; and
- (5) to assure that no more than 1 per centum of the funds appropriated under this chapter for any fiscal year may be used by public housing agencies and nonprofit corporations for evaluative purposes as required by section 8007(b)(1) of this title.

(b) The Secretary shall establish a reserve fund, not to exceed 10 per centum of the funds appropriated in each fiscal year for the provision of services under this chapter, in order to supplement grants awarded to public housing agencies and nonprofit corporations under this chapter when, in the determination of the Secretary, such supplemental adjustments are required to maintain adequate levels of services to eligible project residents.