

the chairperson of or other individual designated by the Council acting on behalf of and at the direction of the Council. A copy of this review shall be provided to the Administrator.

(i) Adverse actions

If the director of the designated State unit proposes to take a significant adverse action against a center for independent living, the center may seek mediation and conciliation to be provided by an individual or individuals who are free of conflicts of interest identified by the chairperson of or other individual designated by the Council. If the issue is not resolved through the mediation and conciliation, the center may appeal the proposed adverse action to the Administrator for a final decision.

(Pub. L. 93-112, title VII, §723, as added Pub. L. 105-220, title IV, §410, Aug. 7, 1998, 112 Stat. 1231; amended Pub. L. 113-128, title IV, §482(b), July 22, 2014, 128 Stat. 1693.)

PRIOR PROVISIONS

A prior section 796f-2, Pub. L. 93-112, title VII, §723, as added Pub. L. 102-569, title VII, §701(2), Oct. 29, 1992, 106 Stat. 4458; amended Pub. L. 103-73, title I, §114(j), Aug. 11, 1993, 107 Stat. 731, related to grants to centers for independent living in States in which State funding equals or exceeds Federal funding, prior to the general amendment of this subchapter by Pub. L. 105-220.

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-128, §482(b)(1), substituted “Administrator” for “Commissioner” wherever appearing in text.

Subsec. (a)(1)(A)(ii). Pub. L. 113-128, §482(b)(2)(A), inserted “of a designated State unit” after “director”.

Subsec. (a)(3). Pub. L. 113-128, §482(b)(2)(B), substituted “Administrator” for “Commissioner” in heading.

Subsec. (b). Pub. L. 113-128, §482(b)(1), substituted “Administrator” for “Commissioner” in introductory provisions.

Subsec. (c). Pub. L. 113-128, §482(b)(3), substituted “grants for a fiscal year” for “grants” and “for the preceding fiscal year” for “by September 30, 1997”.

Subsecs. (g)(2), (h), (i). Pub. L. 113-128, §482(b)(1), substituted “Administrator” for “Commissioner”.

GRANTS TO CENTERS FOR INDEPENDENT LIVING IN STATES IN WHICH STATE FUNDING EQUALS OR EXCEEDS FEDERAL FUNDING

Pub. L. 111-213, §2(b), July 29, 2010, 124 Stat. 2344, provided that: “In awarding funds to existing centers for independent living (described in section 723(c) of the Rehabilitation Act of 1973 (29 U.S.C. 796f-2(c))) in a State, the director of the designated State unit that has approval to make such awards—

“(1) in fiscal year 2010—

“(A) may distribute among such centers funds appropriated for the centers for independent living program under part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.) by any Act other than the American Recovery and Reinvestment Act of 2009 [Pub. L. 111-5] in the same proportion as such funds were distributed among such centers in the State in fiscal year 2009, notwithstanding section 723(e) of the Rehabilitation Act of 1973 (29 U.S.C. 796f-2(e)) and any contrary provision of a State plan submitted under section 704 of such Act (29 U.S.C. 796c); and

“(B) may disregard any funds provided to such centers from funds appropriated by the American Recovery and Reinvestment Act of 2009 for the centers for independent living program under part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.); and

“(2) in fiscal year 2011 and subsequent fiscal years, may disregard any funds provided to such centers from funds appropriated by the American Recovery and Reinvestment Act of 2009 for the centers for independent living program under part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.)”

§ 796f-3. Centers operated by State agencies

A State that receives assistance for fiscal year 2015 with respect to a center in accordance with subsection (a) of this section (as in effect on the day before July 22, 2014) may continue to receive assistance under this subpart for fiscal year 2015 or a succeeding fiscal year if, for such fiscal year—

(1) no nonprofit private agency—

(A) submits an acceptable application to operate a center for independent living for the fiscal year before a date specified by the Administrator; and

(B) obtains approval of the application under section 796f-1 or 796f-2 of this title; or

(2) after funding all applications so submitted and approved, the Administrator determines that funds remain available to provide such assistance.

(Pub. L. 93-112, title VII, §724, as added Pub. L. 105-220, title IV, §410, Aug. 7, 1998, 112 Stat. 1234; amended Pub. L. 113-128, title IV, §482(c), July 22, 2014, 128 Stat. 1693.)

PRIOR PROVISIONS

A prior section 796f-3, Pub. L. 93-112, title VII, §724, as added Pub. L. 102-569, title VII, §701(2), Oct. 29, 1992, 106 Stat. 4461; amended Pub. L. 103-73, title I, §114(k), Aug. 11, 1993, 107 Stat. 731, related to centers operated by State agencies, prior to the general amendment of this subchapter by Pub. L. 105-220.

AMENDMENTS

2014—Pub. L. 113-128, §482(c)(1), in introductory provisions, substituted “2015” for “1993” in two places and “July 22, 2014” for “August 7, 1998”.

Pars. (1)(A), (2). Pub. L. 113-128, §482(c)(2), substituted “Administrator” for “Commissioner”.

§ 796f-4. Standards and assurances for centers for independent living

(a) In general

Each center for independent living that receives assistance under this subpart shall comply with the standards set out in subsection (b) and provide and comply with the assurances set out in subsection (c) in order to ensure that all programs and activities under this subpart are planned, conducted, administered, and evaluated in a manner consistent with the purposes of this part and the objective of providing assistance effectively and efficiently.

(b) Standards

(1) Philosophy

The center shall promote and practice the independent living philosophy of—

(A) consumer control of the center regarding decisionmaking, service delivery, management, and establishment of the policy and direction of the center;

(B) self-help and self-advocacy;

(C) development of peer relationships and peer role models; and