

June 6, 1991, 105 Stat. 263; Pub. L. 102-569, title IX, §904, Oct. 29, 1992, 106 Stat. 4482; Pub. L. 105-220, title IV, §412(a), Aug. 7, 1998, 112 Stat. 1241.)

#### Editorial Notes

##### AMENDMENTS

1998—Subsec. (a). Pub. L. 105-220 substituted “1999 through 2003” for “1993 through 1997”.

1992—Subsec. (a). Pub. L. 102-569 substituted “1993 through 1997” for “1987 through 1992”.

1991—Subsec. (a). Pub. L. 102-52 substituted “1992” for “1991”.

1988—Subsec. (a). Pub. L. 100-630 substituted “1991” for “1990”.

1986—Subsec. (a). Pub. L. 99-506 amended first sentence generally. Prior to amendment, first sentence read as follows: “There are authorized to be appropriated \$4,000,000 for the fiscal year 1984, \$4,200,000 for the fiscal year 1985, and \$4,300,000 for the fiscal year 1986 to carry out the provisions of this chapter.”

#### § 1905. Definitions

For purposes of this chapter—

(1) the terms “Helen Keller National Center for Youths and Adults who are Deaf-Blind” and “Center” mean the Helen Keller National Center for Youths and Adults who are Deaf-Blind, and its affiliated network, operated pursuant to this chapter;

(2) the term “individual who is deaf-blind” means any individual—

(A)(i) who has a central visual acuity of 20/200 or less in the better eye with corrective lenses, or a field defect such that the peripheral diameter of visual field subtends an angular distance no greater than 20 degrees, or a progressive visual loss having a prognosis leading to one or both these conditions;

(ii) who has a chronic hearing impairment so severe that most speech cannot be understood with optimum amplification, or a progressive hearing loss having a prognosis leading to this condition; and

(iii) for whom the combination of impairments described in clauses (i) and (ii) cause extreme difficulty in attaining independence in daily life activities, achieving psychosocial adjustment, or obtaining a vocation;

(B) who despite the inability to be measured accurately for hearing and vision loss due to cognitive or behavioral constraints, or both, can be determined through functional and performance assessment to have severe hearing and visual disabilities that cause extreme difficulty in attaining independence in daily life activities, achieving psychosocial adjustment, or obtaining vocational objectives; or

(C) meets such other requirements as the Secretary may prescribe by regulation; and

(3) the term “Secretary” means the Secretary of Education.

(Pub. L. 98-221, title II, §206, Feb. 22, 1984, 98 Stat. 34; Pub. L. 102-569, title IX, §§905, 908(c)(1), Oct. 29, 1992, 106 Stat. 4482, 4486.)

#### Editorial Notes

##### AMENDMENTS

1992—Par. (1). Pub. L. 102-569, §§905(1), 908(c)(1), substituted “Youths and Adults who are Deaf-Blind” for

“Deaf-Blind Youths and Adults” in two places and struck out “section 313 of the Rehabilitation Act of 1973 and continued under” after “operated pursuant to”.

Par. (2). Pub. L. 102-569, §905(2), amended par. (2) generally, substituting present provisions for provisions defining “deaf-blind individual”.

#### § 1906. Construction; effect on agreements

This chapter shall not be construed as modifying or affecting any agreement between the Department of Education or any other department or agency of the United States and the Helen Keller Services for the Blind, Incorporated, or any successor to or assignee of such corporation, with respect to the Center.

(Pub. L. 98-221, title II, §207, Feb. 22, 1984, 98 Stat. 34; Pub. L. 102-569, title IX, §906, Oct. 29, 1992, 106 Stat. 4483.)

#### Editorial Notes

##### AMENDMENTS

1992—Pub. L. 102-569 substituted “Helen Keller Services for the Blind, Incorporated” for “Industrial Home for the Blind, Incorporated”.

#### § 1907. Helen Keller National Center Federal Endowment Fund

##### (a) Establishment

The Secretary and the Board of Directors of the Helen Keller National Center are authorized to establish the Helen Keller National Center Federal Endowment Fund (hereafter in this section referred to as the “Endowment Fund”) in accordance with the provisions of this section, to promote the financial independence of the Helen Keller National Center. The Secretary and the Board may enter into such agreements as may be necessary to carry out the purposes of this section.

##### (b) Federal payments

###### (1) In general

The Secretary shall make payments to the Endowment Fund from amounts appropriated pursuant to subsection (h), consistent with the provisions of this section.

###### (2) Amount of payment

Subject to the availability of appropriations, the Secretary shall make payments to the Endowment Fund in amounts equal to sums contributed to the Endowment Fund from non-Federal sources (excluding transfers from other endowment funds of the Center).

##### (c) Investments

###### (1) In general

The Center, in investing the Endowment Fund corpus and income, shall exercise the judgment and care, under the prevailing circumstances, which a person of prudence, discretion, and intelligence would exercise in the management of that person’s own business affairs.

###### (2) Limitations

###### (A) Federally insured investments and other investments

The Endowment Fund corpus and income shall be invested in federally insured bank