

taining 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.

[29 U.S.C. 796j-1]

**SEC. 752. 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 subsection (a) unless the State involved agrees that the grant will be administered solely by the agency described in section 101(a)(2)(A)(i).

(b) **CONTINGENT COMPETITIVE GRANTS.**—Beginning with fiscal year 1993, in the case of any fiscal year for which the amount appropriated under section 753 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 chapter; or

(B) under part C, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992.

(c) **CONTINGENT FORMULA GRANTS.**—

(1) **IN GENERAL.**—In the case of any fiscal year for which the amount appropriated under section 753 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

(3) conducting activities to help improve public understanding of the problems of such individuals.

(e) INDEPENDENT LIVING SERVICES.—Independent living services for purposes of subsection (d)(1) include—

- (1) services to help correct blindness, such as—
  - (A) outreach services;
  - (B) visual screening;
  - (C) surgical or therapeutic treatment to prevent, correct, or modify disabling eye conditions; and
  - (D) hospitalization related to such services;
- (2) the provision of eyeglasses and other visual aids;
- (3) the provision of services and equipment to assist an older individual who is blind to become more mobile and more self-sufficient;
- (4) mobility training, braille instruction, and other services and equipment to help an older individual who is blind adjust to blindness;
- (5) guide services, reader services, and transportation;
- (6) any other appropriate service designed to assist an older individual who is blind in coping with daily living activities, including supportive services and rehabilitation teaching services;
- (7) independent living skills training, information and referral services, peer counseling, and individual advocacy training; and
- (8) other independent living services.

(f) MATCHING FUNDS.—

(1) IN GENERAL.—The Commissioner may not make a grant under subsection (a) unless the State involved agrees, with respect to the costs of the program to be carried out by the State pursuant to such subsection, to make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that is not less than \$1 for each \$9 of Federal funds provided in the grant.

(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

(g) CERTAIN EXPENDITURES OF GRANTS.—A State may expend a grant under subsection (a) to carry out the purposes specified in subsection (d) through grants to, or contracts or cooperative agreements with, public and nonprofit private agencies or organizations.

(h) APPLICATION FOR GRANT.—

(1) IN GENERAL.—The Commissioner may not make a grant under subsection (a) unless an application for the grant is submitted to the Commissioner and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Commissioner determines to be necessary to carry out this section (including agreements, assurances, and information with respect to any grants under subsection (i)(4)).

(2) CONTENTS.—An application for a grant under this section shall contain—

(A) an assurance that the agency described in subsection (a)(2) will prepare and submit to the Commissioner a report, at the end of each fiscal year, with respect to each project or program the agency operates or administers under this section, whether directly or through a grant or contract, which report shall contain, at a minimum, information on—

(i) the number and types of older individuals who are blind and are receiving services;

(ii) the types of services provided and the number of older individuals who are blind and are receiving each type of service;

(iii) the sources and amounts of funding for the operation of each project or program;

(iv) the amounts and percentages of resources committed to each type of service provided;

(v) data on actions taken to employ, and advance in employment, qualified individuals with significant disabilities, including older individuals who are blind; and

(vi) a comparison, if appropriate, of prior year activities with the activities of the most recent year; and

(B) an assurance that the agency will—

(i) provide services that contribute to the maintenance of, or the increased independence of, older individuals who are blind; and

(ii) engage in—

(I) capacity-building activities, including collaboration with other agencies and organizations;

(II) activities to promote community awareness, involvement, and assistance; and

(III) outreach efforts.

(i) AMOUNT OF FORMULA GRANT.—

(1) IN GENERAL.—Subject to the availability of appropriations, the amount of an allotment under subsection (a) for a State for a fiscal year shall be the greater of—

(A) the amount determined under paragraph (2); or

(B) the amount determined under paragraph (3).

(2) MINIMUM ALLOTMENT.—

(A) STATES.—In the case of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, the amount referred to in subparagraph (A) of paragraph (1) for a fiscal year is the greater of—

(i) \$225,000; or

(ii) an amount equal to  $\frac{1}{3}$  of 1 percent of the amount appropriated under section 753, and not reserved under section 751A, for the fiscal year and available for allotments under subsection (a).

(B) CERTAIN TERRITORIES.—In the case of Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, the

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§ 367.30 How does a designated State agency (DSA) apply for an award?

To receive a grant under section 752(h) or a reallocation grant under section 752(i)(4) of the Act, a DSA must submit to and obtain approval from the Secretary of an application for assistance under this program at the time, in the form and manner, and containing the agreements, assurances, and information, that the Secretary determines to be necessary to carry out this program.

(Approved by the Office of Management and Budget under control number 1820-0660)  
(Authority: Sections 752 (h) and (i)(4) of the Rehabilitation Act of 1973, as amended; 29 U.S.C. 796k(h) and (i))

§ 367.31 What assurances must a DSA include in its application?

An application for a grant under section 752(h) or a reallocation grant under section 752(i)(4) of the Act must contain an assurance that -

- (a) Grant funds will be expended only for the purposes described in § 367.1;
- (b) With respect to the costs of the program to be carried out by the State pursuant to this part, the State will make available, directly or through donations from public or private entities, non-Federal contributions toward these costs in an amount that is not less than \$1 for each \$9 of Federal funds provided in the grant;
- (c) At the end of each fiscal year, the DSA will prepare and submit to the Secretary a report, with respect to each project or program the DSA operates or administers under this part, whether directly or through a grant or contract, that contains information that the Secretary determines necessary for the proper and efficient administration of this program, including -
  - (1) The number and demographics of older individuals who are blind, including older individuals who are blind from minority backgrounds, and are receiving services;
  - (2) The types of services provided and the number of older individuals who are blind and are receiving each type of service;
  - (3) The sources and amounts of funding for the operation of each project or program;
  - (4) The amounts and percentages of resources committed to each type of service provided;
  - (5) Data on actions taken to employ, and advance in employment, qualified -
    - (i) Individuals with significant disabilities; and
    - (ii) Older individuals with significant disabilities who are blind;

(6) A comparison, if appropriate, of prior year activities with the activities of the most recent year; and

(7) Any new methods and approaches relating to IL services for older individuals who are blind that are developed by projects funded under this part;

(d) The DSA will -

(1) Provide services that contribute to the maintenance of, or the increased independence of, older individuals who are blind; and

(2) Engage in -

(i) Capacity-building activities, including collaboration with other agencies and organizations;

(ii) Activities to promote community awareness, involvement, and assistance; and

(iii) Outreach efforts; and

(e) The applicant has been designated by the State as the sole State agency authorized to provide rehabilitation services to individuals who are blind.

(Approved by the Office of Management and Budget under control numbers 1820-0660 and 1820-0608)

(Authority: Section 752(h) of the Rehabilitation Act of 1973, as amended; 29 U.S.C. 796k(h))