

be provided in settings with peers who are not individuals with disabilities.

**(C) Design of program**

Programs and activities carried out under this section shall be designed to demonstrate ways in which such programs assist in maximizing the independence and integration of individuals with disabilities.

**(2) Maximum term of grant**

A grant under this section shall be made for a period of not more than 3 years.

**(3) Availability of nongrant resources**

**(A) In general**

A grant may not be made to an applicant under this section unless the applicant provides assurances that, with respect to costs of the recreation program to be carried out under the grant, the applicant, to the maximum extent practicable, will make available non-Federal resources (in cash or in-kind) to pay the non-Federal share of such costs.

**(B) Federal share**

The Federal share of the costs of the recreation programs carried out under this section shall be—

(i) with respect to the first year in which assistance is provided under a grant under this section, 100 percent;

(ii) with respect to the second year in which assistance is provided under a grant under this section, 75 percent; and

(iii) with respect to the third year in which assistance is provided under a grant under this section, 50 percent.

**(4) Application**

To be eligible to receive a grant under this section, a State, agency, or organization shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require, including a description of—

(A) the manner in which the findings and results of the project to be funded under the grant, particularly information that facilitates the replication of the results of such projects, will be made generally available; and

(B) the manner in which the service program funded under the grant will be continued after Federal assistance ends.

**(5) Level of services**

Recreation programs funded under this section shall maintain, at a minimum, the same level of services over a 3-year project period.

**(6) Reports by grantees**

**(A) Requirement**

The Commissioner shall require that each recipient of a grant under this section annually prepare and submit to the Commissioner a report concerning the results of the activities funded under the grant.

**(B) Limitation**

The Commissioner may not make financial assistance available to a grant recipient for a subsequent year until the Commissioner

has received and evaluated the annual report of the recipient under subparagraph (A) for the current year.

**(b) Authorization of appropriations**

There are authorized to be appropriated to carry out this section, such sums as may be necessary for each of the fiscal years 1999 through 2003.

(Pub. L. 93-112, title III, §305, as added Pub. L. 105-220, title IV, §406, Aug. 7, 1998, 112 Stat. 1196.)

PRIOR PROVISIONS

Provisions similar to this section were contained in section 777f of this title prior to the general amendment of this subchapter by Pub. L. 105-220.

A prior section 775, Pub. L. 93-112, title III, §305, as added Pub. L. 95-602, title I, §115(a), Nov. 6, 1978, 92 Stat. 2971; amended Pub. L. 98-221, title I, §134, Feb. 22, 1984, 98 Stat. 25; Pub. L. 99-506, title I, §103(d)(2)(C), title IV, §404, title X, §1002(d)(3), Oct. 21, 1986, 100 Stat. 1810, 1825, 1844; Pub. L. 100-630, title II, §204(d), Nov. 7, 1988, 102 Stat. 3309; Pub. L. 102-52, §4(d), June 6, 1991, 105 Stat. 261; Pub. L. 102-569, title I, §102(p)(19), title III, §305, Oct. 29, 1992, 106 Stat. 4358, 4417, related to comprehensive rehabilitation centers, prior to the general amendment of this subchapter by Pub. L. 105-220.

Another prior section 775, Pub. L. 93-112, title III, §305, Sept. 26, 1973, 87 Stat. 383, as amended, which authorized appropriations for fiscal years ending June 30, 1974, June 30, 1975, June 30, 1976, Sept. 30, 1977, and Sept. 30, 1978, for the establishment of the Helen Keller National Center for Deaf-Blind Youths and Adults, was renumbered section 313 of Pub. L. 93-112 by Pub. L. 95-602, title I, §109(1), Nov. 6, 1978, 92 Stat. 2962, transferred to section 777c of this title, and subsequently repealed by Pub. L. 100-630.

**§ 776. Measuring of project outcomes and performance**

The Commissioner may require that recipients of grants under this subchapter submit information, including data, as determined by the Commissioner to be necessary to measure project outcomes and performance, including any data needed to comply with the Government Performance and Results Act.

(Pub. L. 93-112, title III, §306, as added Pub. L. 105-220, title IV, §406, Aug. 7, 1998, 112 Stat. 1197.)

REFERENCES IN TEXT

The Government Performance and Results Act, referred to in text, probably means the Government Performance and Results Act of 1993, Pub. L. 103-62, Aug. 3, 1993, 107 Stat. 285, which enacted section 306 of Title 5, Government Organization and Employees, sections 1115 to 1119, 9703, and 9704 of Title 31, Money and Finance, and sections 2801 to 2805 of Title 39, Postal Service, amended section 1105 of Title 31, and enacted provisions set out as notes under sections 1101 and 1115 of Title 31. For complete classification of this Act to the Code, see Short Title of 1993 Amendment note set out under section 1101 of Title 31 and Tables.

PRIOR PROVISIONS

Prior sections 776 to 777b were omitted in the general amendment of this subchapter by Pub. L. 105-220.

Section 776, Pub. L. 93-112, title III, §306, Sept. 26, 1973, 87 Stat. 384; Pub. L. 93-516, title I, §111(l), Dec. 7, 1974, 88 Stat. 1621; Pub. L. 93-651, title I, §111(l), Nov. 21, 1974, 89 Stat. 2-6; Pub. L. 95-602, title I, §§115(b), 122(c)(4)-(6), Nov. 6, 1978, 92 Stat. 2972, 2987; Pub. L. 99-506, title I, §103(d)(2)(C), title X, §1002(d)(4), Oct. 21, 1986, 100 Stat. 1810, 1844; Pub. L. 100-630, title II, §204(e), Nov. 7, 1988, 102 Stat. 3309; Pub. L. 102-569, title I,

§102(p)(20), title III, §306, Oct. 29, 1992, 106 Stat. 4359, 4417, related to general grant and contract requirements.

Section 777, Pub. L. 93-112, title III, §310, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2973; amended Pub. L. 98-221, title I, §135, title II, §208(b), Feb. 22, 1984, 98 Stat. 25, 34; Pub. L. 99-506, title IV, §405, Oct. 21, 1986, 100 Stat. 1825; Pub. L. 100-630, title II, §204(f), Nov. 7, 1988, 102 Stat. 3309; Pub. L. 102-52, §4(e)(1), June 6, 1991, 105 Stat. 261; Pub. L. 102-569, title III, §307, Oct. 29, 1992, 106 Stat. 4418; Pub. L. 103-73, title I, §110(b), Aug. 11, 1993, 107 Stat. 726, authorized appropriations.

Section 777a, Pub. L. 93-112, title III, §311, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2973; amended Pub. L. 98-221, title I, §136, Feb. 22, 1984, 98 Stat. 26; Pub. L. 99-506, title I, §103(d)(2)(C), title III, §302(b), title IV, §406, Oct. 21, 1986, 100 Stat. 1810, 1821, 1826; Pub. L. 100-630, title II, §204(g), Nov. 7, 1988, 102 Stat. 3309; Pub. L. 102-52, §4(e)(2), June 6, 1991, 105 Stat. 261; Pub. L. 102-119, §26(e), Oct. 7, 1991, 105 Stat. 607; Pub. L. 102-569, title I, §102(p)(21), title III, §308, Oct. 29, 1992, 106 Stat. 4359, 4418; Pub. L. 103-73, title I, §110(c), Aug. 11, 1993, 107 Stat. 726; Pub. L. 104-66, title I, §1041(b), Dec. 21, 1995, 109 Stat. 714, related to special demonstration programs.

Section 777b, Pub. L. 93-112, title III, §312, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2974; amended Pub. L. 99-506, title I, §103(d)(2)(C), Oct. 21, 1986, 100 Stat. 1810; Pub. L. 100-630, title II, §204(h), Nov. 7, 1988, 102 Stat. 3309; Pub. L. 102-569, title I, §102(p)(22), title III, §309, Oct. 29, 1992, 106 Stat. 4359, 4420, related to migratory workers, maintenance payments, and coordination with other programs. See section 774 of this title.

A prior section 777c, Pub. L. 93-112, title III, §313, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2974, related to Helen Keller National Center for Deaf-Blind Youths and Adults, prior to repeal by Pub. L. 98-221, title II, §203(a), Feb. 22, 1984, 98 Stat. 33. See chapter 21 (§1901 et seq.) of this title.

Another prior section 777c, Pub. L. 93-112, title III, §313, formerly §305, Sept. 26, 1973, 87 Stat. 383; Pub. L. 93-516, title I, §107, Dec. 7, 1974, 88 Stat. 1619; Pub. L. 93-651, title I, §107, Nov. 21, 1974, 89 Stat. 2-4; Pub. L. 94-230, §§7, 11(b)(10), Mar. 15, 1976, 90 Stat. 212, 213; Pub. L. 94-288, §§1, 2, May 21, 1976, 90 Stat. 520; renumbered §313, Pub. L. 95-602, title I, §109(1), Nov. 6, 1978, 92 Stat. 2962, formerly classified to section 775 of this title, authorized appropriations for fiscal years ending June 30, 1974, June 30, 1975, June 30, 1976, Sept. 30, 1977, and Sept. 30, 1978, for establishment of Helen Keller National Center for Deaf-Blind Youths and Adults, prior to repeal by Pub. L. 100-630, title II, §204(k), Nov. 7, 1988, 102 Stat. 3309.

Prior sections 777d to 777f were omitted in the general amendment of this subchapter by Pub. L. 105-220.

Section 777d, Pub. L. 93-112, title III, §314, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2975; amended Pub. L. 100-630, title II, §204(i), Nov. 7, 1988, 102 Stat. 3309; Pub. L. 102-569, title I, §102(p)(23), Oct. 29, 1992, 106 Stat. 4359, related to reader services for individuals who are blind.

Section 777e, Pub. L. 93-112, title III, §315, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2975; amended Pub. L. 102-569, title I, §102(p)(24), Oct. 29, 1992, 106 Stat. 4359, related to interpreter services for individuals who are deaf.

Section 777f, Pub. L. 93-112, title III, §316, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2976; amended Pub. L. 98-221, title I, §137, Feb. 22, 1984, 98 Stat. 26; Pub. L. 99-506, title I, §103(d)(2)(C), title IV, §407, Oct. 21, 1986, 100 Stat. 1810, 1827; Pub. L. 100-630, title II, §204(j), Nov. 7, 1988, 102 Stat. 3309; Pub. L. 102-52, §4(e)(3), June 6, 1991, 105 Stat. 261; Pub. L. 102-569, title I, §102(p)(25), title III, §310, Oct. 29, 1992, 106 Stat. 4359, 4420; Pub. L. 103-73, title I, §110(d), Aug. 11, 1993, 107 Stat. 726, related to special recreational programs. See section 775 of this title.

## SUBCHAPTER IV—NATIONAL COUNCIL ON DISABILITY

### CODIFICATION

Title IV of the Rehabilitation Act of 1973, comprising this subchapter, was originally enacted by Pub. L. 93-112, title IV, Sept. 26, 1973, 87 Stat. 385, and amended by Pub. L. 93-516, Dec. 7, 1974, 88 Stat. 1617; Pub. L. 93-651, Nov. 21, 1974, 89 Stat. 2-3; Pub. L. 94-230, Mar. 15, 1976, 90 Stat. 211; Pub. L. 95-602, Nov. 6, 1978, 92 Stat. 2955; Pub. L. 98-221, Feb. 22, 1984, 98 Stat. 17; Pub. L. 99-506, Oct. 21, 1986, 100 Stat. 1807; Pub. L. 100-630, Nov. 7, 1988, 102 Stat. 3289; Pub. L. 102-52, June 6, 1991, 105 Stat. 260; Pub. L. 102-569, Oct. 29, 1992, 106 Stat. 4344; Pub. L. 103-73, Aug. 11, 1993, 107 Stat. 718; Pub. L. 104-66, Dec. 21, 1995, 109 Stat. 707. Title IV is shown herein, however, as having been added by Pub. L. 105-220, title IV, §407, Aug. 7, 1998, 112 Stat. 1198, without reference to those intervening amendments because of the extensive revision of title IV by Pub. L. 105-220.

### § 780. Establishment of National Council on Disability

#### (a) Membership; purpose

(1)(A) There is established within the Federal Government a National Council on Disability (hereinafter in this subchapter referred to as the "National Council"), which shall be composed of fifteen members appointed by the President, by and with the advice and consent of the Senate.

(B) The President shall select members of the National Council after soliciting recommendations from representatives of—

- (i) organizations representing a broad range of individuals with disabilities; and
- (ii) organizations interested in individuals with disabilities.

(C) The members of the National Council shall be individuals with disabilities, parents or guardians of individuals with disabilities, or other individuals who have substantial knowledge or experience relating to disability policy or programs. The members of the National Council shall be appointed so as to be representative of individuals with disabilities, national organizations concerned with individuals with disabilities, providers and administrators of services to individuals with disabilities, individuals engaged in conducting medical or scientific research relating to individuals with disabilities, business concerns, and labor organizations. A majority of the members of the National Council shall be individuals with disabilities. The members of the National Council shall be broadly representative of minority and other individuals and groups.

(2) The purpose of the National Council is to promote policies, programs, practices, and procedures that—

(A) guarantee equal opportunity for all individuals with disabilities, regardless of the nature or severity of the disability; and

(B) empower individuals with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society.

#### (b) Term of office

(1) Each member of the National Council shall serve for a term of 3 years, except that the terms of service of the members initially appointed after November 6, 1978, shall be (as spec-