

**(c) Available funds**

Of the funds made available under section 9910(d) of this title, not more than \$250,000 shall be available to carry out this section.

(Pub. L. 97-35, title VI, §683, formerly §682, as added Pub. L. 101-501, title IV, §407(a), Nov. 3, 1990, 104 Stat. 1254; amended Pub. L. 103-171, §7(b), Dec. 2, 1993, 107 Stat. 1993; renumbered §683, Pub. L. 103-252, title II, §205(1), May 18, 1994, 108 Stat. 655.)

**PRIOR PROVISIONS**

A prior section 9911, Pub. L. 97-35, title VI, §682, Aug. 13, 1981, 95 Stat. 518; Pub. L. 97-115, §17(c), Dec. 29, 1981, 95 Stat. 1609; Pub. L. 97-274, Sept. 30, 1982, 96 Stat. 1183, related to transition provisions, prior to repeal by Pub. L. 101-501, §407(a).

**AMENDMENTS**

1993—Subsec. (a)(1). Pub. L. 103-171, §7(b)(1)(A)(i), (ii), substituted “awarding a grant or contract to” for “contract with” and “section 9903 of this title” for “this chapter”.

Subsec. (a)(1)(A) to (C). Pub. L. 103-171, §7(b)(1)(A)(iii), added subpars. (A) to (C) and struck out former subpars. (A) and (B), which read as follows:

“(A) The identity of each eligible entity, agency, organization, and person that receives, directly or indirectly, funds to carry out this chapter in such fiscal year.

“(B) With respect to each particular purpose or activity referred to in section 9904(c)(1) of this title—

“(i) the aggregate amount of such funds expended in such fiscal year to achieve such purpose or carry out such activity; and

“(ii) the number of individuals who directly benefited from the amount so expended.”

Subsec. (a)(2), (3). Pub. L. 103-171, §7(b)(1)(B), (C), added par. (2) and struck out former pars. (2) and (3), which read as follows:

“(2) For any fiscal year beginning after September 30, 1991, the Secretary may, by contract, include in such report any additional information the Secretary considers to be appropriate to carry out this chapter, except that the Secretary may not require a State to provide such additional information until the expiration of the 1-year period beginning on the date the Secretary notifies such State that such additional information will be required to be provided by such State.

“(3) The Secretary may not carry out this subsection by entering into a contract with any State, eligible entity, agency, organization, or person that receives, directly or indirectly, funds to carry out this chapter.”

Subsec. (b). Pub. L. 103-171, §7(b)(2), substituted “The Secretary” for “Not later than 180 days after the end of the fiscal year for which a report is required by subsection (a) of this section to be prepared, the Secretary” in introductory provisions.

**CHANGE OF NAME**

Committee on Education and Labor of House of Representatives treated as referring to Committee on Economic and Educational Opportunities of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Economic and Educational Opportunities of House of Representatives changed to Committee on Education and the Workforce of House of Representatives by House Resolution No. 5, One Hundred Fifth Congress, Jan. 7, 1997.

**EFFECTIVE DATE**

Section effective Oct. 1, 1990, see section 1001(a) of Pub. L. 101-501, set out as an Effective Date of 1990 Amendment note under section 8621 of this title.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 9910 of this title.

**§ 9912. Technical provisions****(a) Repeal of other statutory provisions**

Effective October 1, 1981, the Economic Opportunity Act of 1964 [42 U.S.C. 2701 et seq.], other than titles VIII and X of such Act [42 U.S.C. 2991 et seq., 2996 et seq.], is repealed.

**(b) Reauthorization of appropriations**

There is authorized to be appropriated such sums as may be necessary for each of the fiscal years 1982, 1983, and 1984, to carry out title VIII of the Economic Opportunity Act of 1964 [42 U.S.C. 2991 et seq.].

**(c) Conforming provisions**

(1) Any reference in any provision of law to the poverty line set forth in section 624 or 625 of the Economic Opportunity Act of 1964 [42 U.S.C. 2971d] shall be construed to be a reference to the poverty line defined in section 9902(2) of this title.

(2) Any reference in any provision of law to any community action agency designated under title II of the Economic Opportunity Act of 1964 [42 U.S.C. 2781 et seq.] shall be construed to be a reference to private nonprofit community organizations eligible to receive funds under this chapter.

(3) No action or other proceeding commenced by or against any officer in the official capacity of such individual as an officer of any agency administering the Act repealed by subsection (a) of this section shall abate by reason of the enactment of this Act.

(Pub. L. 97-35, title VI, §684, formerly §683, Aug. 13, 1981, 95 Stat. 519; Pub. L. 98-288, §31(b), May 21, 1984, 98 Stat. 198; renumbered §684, Pub. L. 103-252, title II, §205(1), May 18, 1994, 108 Stat. 655.)

**REFERENCES IN TEXT**

The Economic Opportunity Act of 1964, referred to in text, is Pub. L. 88-452, Aug. 20, 1964, 78 Stat. 508, as amended, which was classified generally to chapter 34 (§2701 et seq.) of this title prior to repeal, except for titles VIII and X, by Pub. L. 97-35, title VI, §683(a), Aug. 13, 1981, 95 Stat. 519. Title II of the Economic Opportunity Act of 1964 was classified generally to subchapter II (§2781 et seq.) of chapter 34 of this title. Titles VIII and X of the Act are classified generally to subchapters VIII (§2991 et seq.) and X (§2996 et seq.) of chapter 34 of this title. Section 625 of the Act, which was subsequently renumbered section 624 of the Act, was classified to section 2971d of this title, prior to repeal by section 683(a) of Pub. L. 97-35. For complete classification of this Act to the Code, see Tables.

This Act, referred to in subsec. (c)(3), is Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 357, as amended, known as the Omnibus Budget Reconciliation Act of 1981. For complete classification of this Act to the Code, see Tables.

**AMENDMENTS**

1984—Subsec. (c)(1). Pub. L. 98-288 substituted “section 624 or 625” for “section 624”.

**CHAPTER 107—CONSUMER-PATIENT RADIATION HEALTH AND SAFETY**

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### § 10001. Statement of findings

The Congress finds that—

(1) it is in the interest of public health and safety to minimize unnecessary exposure to potentially hazardous radiation due to medical and dental radiologic procedures;

(2) it is in the interest of public health and safety to have a continuing supply of adequately educated persons and appropriate accreditation and certification programs administered by State governments;

(3) the protection of the public health and safety from unnecessary exposure to potentially hazardous radiation due to medical and dental radiologic procedures and the assurance of efficacious procedures are the responsibility of State and Federal governments;

(4) persons who administer radiologic procedures, including procedures at Federal facilities, should be required to demonstrate competence by reason of education, training, and experience; and

(5) the administration of radiologic procedures and the effect on individuals of such procedures have a substantial and direct effect upon United States interstate commerce.

(Pub. L. 97-35, title IX, §976, Aug. 13, 1981, 95 Stat. 598.)

#### SHORT TITLE

Section 975 of Pub. L. 97-35 provided that: "This subtitle [subtitle I (§§975-983) of title IX of Pub. L. 97-35, enacting this chapter] may be cited as the 'Consumer-Patient Radiation Health and Safety Act of 1981'."

### § 10002. Statement of purpose

It is the purpose of this chapter to—

(1) provide for the establishment of minimum standards by the Federal Government for the accreditation of education programs for persons who administer radiologic procedures and for the certification of such persons; and

(2) insure that medical and dental radiologic procedures are consistent with rigorous safety precautions and standards.

(Pub. L. 97-35, title IX, §977, Aug. 13, 1981, 95 Stat. 599.)

### § 10003. Definitions

Unless otherwise expressly provided, for purposes of this chapter, the term—

(1) "radiation" means ionizing and nonionizing radiation in amounts beyond normal background levels from sources such as medical and dental radiologic procedures;

(2) "radiologic procedure" means any procedure or article intended for use in—

(A) the diagnosis of disease or other medical or dental conditions in humans (includ-

ing diagnostic X-rays or nuclear medicine procedures); or

(B) the cure, mitigation, treatment, or prevention of disease in humans;

that achieves its intended purpose through the emission of radiation;

(3) "radiologic equipment" means any radiation electronic product which emits or detects radiation and which is used or intended for use to—

(A) diagnose disease or other medical or dental conditions (including diagnostic X-ray equipment); or

(B) cure, mitigate, treat, or prevent disease in humans;

that achieves its intended purpose through the emission or detection of radiation;

(4) "practitioner" means any licensed doctor of medicine, osteopathy, dentistry, podiatry, or chiropractic, who prescribes radiologic procedures for other persons;

(5) "persons who administer radiologic procedures" means any person, other than a practitioner, who intentionally administers radiation to other persons for medical purposes, and includes medical radiologic technologists (including dental hygienists and assistants), radiation therapy technologists, and nuclear medicine technologists;

(6) "Secretary" means the Secretary of Health and Human Services; and

(7) "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(Pub. L. 97-35, title IX, §978, Aug. 13, 1981, 95 Stat. 599.)

#### TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

### § 10004. Promulgation of standards

(a) Within twelve months after August 13, 1981, the Secretary, in consultation with the Radiation Policy Council, the Secretary of Veterans Affairs, the Administrator of the Environmental Protection Agency, appropriate agencies of the States, and appropriate professional organizations, shall by regulation promulgate minimum standards for the accreditation of educational programs to train individuals to perform radiologic procedures. Such standards shall distinguish between programs for the education of (1) medical radiologic technologists (including radiographers), (2) dental auxiliaries (including dental hygienists and assistants), (3) radiation therapy technologists, (4) nuclear medicine technologists, and (5) such other kinds of health auxiliaries who administer radiologic procedures as the Secretary determines appropriate. Such standards shall not be applicable to educational programs for practitioners.

(b) Within twelve months after August 13, 1981, the Secretary, in consultation with the Radiation Policy Council, the Secretary of Veterans