

**§ 7942. Designation by Secretary as processing sites for subchapter I purposes**

**(a) New Mexico cooperative agreement respecting certain residual radioactive materials; submission to Congressional committees**

Within ninety days from the date of his receipt of the report and recommendations submitted by the Commission under section 7941 of this title, notwithstanding the limitations contained in section 7911(6)(A) and in section 7925(a) of this title, if the Commission determines, based on such study, that such sites cannot be regulated and controlled by the State or the Commission in the manner described in section 7941 of this title, the Secretary may designate either or both of the sites referred to in section 7941 of this title as a processing site for purposes of subchapter I of this chapter. Following such designation, the Secretary may enter into cooperative agreements with New Mexico to perform remedial action pursuant to such subchapter I concerning only the residual radioactive materials at such site resulting from uranium produced for sale to a Federal agency prior to January 1, 1971, under contract with such agency. Any such designation shall be submitted by the Secretary, together with his estimate of the cost of carrying out such remedial action at the designated site, to the Committee on Interior and Insular Affairs and the Committee on Energy and Commerce of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate.

**(b) Effective date**

(1)<sup>1</sup> No designation under subsection (a) of this section shall take effect before the expiration of one hundred and twenty calendar days (not including any day in which either House of Congress is not in session because of an adjournment of more than three calendar days to a day certain or an adjournment sine die) after receipt by such Committees of such designation.

**(c) Subchapter I provisions applicable**

Except as otherwise specifically provided in subsection (a) of this section, any remedial action under subchapter I of this chapter with respect to any sites designated under this subchapter shall be subject to the provisions of subchapter I of this chapter (including the authorization of appropriations referred to in section 7922(b) of this title).

(Pub. L. 95-604, title III, §302, Nov. 8, 1978, 92 Stat. 3042; H. Res. 549, Mar. 25, 1980.)

CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress. Committee on Natural Resources of House of Representatives treated as referring to Committee on Resources 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 Interstate and Foreign Commerce of the House of Representatives changed to Committee on Energy and Commerce immediately prior to noon on Jan. 3, 1981, by House Resolution No. 549, Ninety-sixth

Congress, Mar. 25, 1980. Committee on Energy and Commerce of House of Representatives treated as referring to Committee on Commerce of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2. Committee on Commerce of House of Representatives changed to Committee on Energy and Commerce of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred to Committee on Financial Services of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 9601 of this title.

**CHAPTER 89—CONGREGATE HOUSING SERVICES**

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8001.	Congressional findings.
8002.	Definitions.
8003.	Contracts to provide congregate services programs.
8004.	Congregate services program. <ul style="list-style-type: none"> <li>(a) Essential services for maintaining independent living.</li> <li>(b) Duplication of services.</li> <li>(c) Consultation with Area Agency on Aging or other appropriate State agency.</li> <li>(d) Submission of proposed application to Area Agency on Aging or other appropriate State agency.</li> <li>(e) Nonelderly handicapped individuals as eligible project residents.</li> <li>(f) Manner of providing congregate services.</li> <li>(g) Amount of annual contributions of receiving agency.</li> <li>(h) Fees for meal and other services.</li> <li>(i) Standards for provision of services.</li> </ul>
8005.	Eligibility for services. <ul style="list-style-type: none"> <li>(a) Professional assessment committee for determination of eligibility.</li> <li>(b) Participation of other residents in meal services program.</li> <li>(c) Notification of change in membership of professional assessment committee.</li> <li>(d) Procedure for changes in membership of professional assessment committee.</li> </ul>
8006.	Application procedure for assistance. <ul style="list-style-type: none"> <li>(a) Matters included in application.</li> <li>(b) Deadlines for submission of application.</li> <li>(c) Review of performance of services program prior to submission of application for renewed funding.</li> </ul>
8007.	Evaluation of applications and programs. <ul style="list-style-type: none"> <li>(a) Application evaluations.</li> <li>(b) Program evaluations.</li> <li>(c) Report to Congress.</li> </ul>
8008.	Funding procedures.
8009.	Miscellaneous provisions. <ul style="list-style-type: none"> <li>(a) Utilization of elderly and permanently disabled adult persons.</li> <li>(b) Tax treatment of services received.</li> <li>(c) Individuals receiving aid considered residents of own household.</li> <li>(d) Regulations.</li> </ul>
8010.	Authorization of appropriations.
8011.	Revised congregate housing services program. <ul style="list-style-type: none"> <li>(a) Findings and purposes.</li> <li>(b) Contracts for congregate services programs.</li> <li>(c) Reservation of amounts.</li> <li>(d) Eligible activities.</li> <li>(e) Eligibility for services.</li> </ul>

<sup>1</sup> So in original. Subsec. (b) enacted without a par. (2).

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- (f) Eligible contract recipients and distribution of assistance.
  - (g) Applications.
  - (h) Selection and evaluation of applications and programs.
  - (i) Congregate services program funding.
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  - (k) Definitions.
  - (l) Reports to Congress.
  - (m) Regulations.
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8012. Hope for elderly independence.
- (a) Purpose.
  - (b) Housing assistance.
  - (c) Supportive services requirements and matching funding.
  - (d) Applications.
  - (e) Selection.
  - (f) Required agreements.
  - (g) Definitions.
  - (h) Multifamily project demonstration.
  - (i) Report.
  - (j) Section 1437f funding.
  - (k) Funding for services.
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8013. Supportive housing for persons with disabilities.
- (a) Purpose.
  - (b) Authority to provide assistance.
  - (c) General requirements.
  - (d) Forms of assistance.
  - (e) Term of commitment.
  - (f) Applications.
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  - (h) Development cost limitations.
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  - (k) Definitions.
  - (l) Allocation of funds.
  - (m) Authorization of appropriations.
  - (n) Effective date and applicability.

## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 3535, 8011 of this title.

**§ 8001. Congressional findings**

The Congress finds that—

(1) congregate housing, coordinated with the delivery of supportive services, offers an innovative, proven, and cost-effective means of enabling temporarily disabled or handicapped individuals to maintain their dignity and independence and to avoid costly and unnecessary institutionalization;

(2) a large and growing number of elderly and handicapped residents of public housing projects and of nonprofit projects for the elderly and handicapped face premature and unnecessary institutionalization because of the absence of or deficiencies in the availability, adequacy, coordination, or delivery of the supportive services required for the successful development of adequate numbers of congregate housing projects; and

(3) supplemental supportive services, available on a secure and continuing basis, are essential to a successful congregate housing program.

(Pub. L. 95-557, title IV, §402, Oct. 31, 1978, 92 Stat. 2104.)

## SHORT TITLE

Section 401 of title IV of Pub. L. 95-557 provided that: "This title [enacting this chapter and amending section

1437e of this title] may be cited as the 'Congregate Housing Services Act of 1978'."

**§ 8002. Definitions**

For the purpose of this chapter—

(1) the term "congregate housing" means (A) low-rent housing which, as of January 1, 1979, was built or under construction, with which there is connected a central dining facility where wholesome and economical meals can be served to such occupants; or (B) low-rent housing constructed after, but not under construction prior to, January 1, 1979, connected with which there is a central dining facility to provide wholesome and economical meals for such occupants;

(2) the term "congregate services programs" means programs to be undertaken by a public housing agency or a nonprofit corporation to provide assistance, including personal assistance and nutritional meals, to eligible project residents who, with such assistance, can remain independent and avoid unnecessary institutionalization;

(3) the term "elderly" means sixty-two years of age or over;

(4) the term "eligible project resident" means elderly handicapped individuals, non-elderly handicapped individuals, or temporarily disabled individuals, who are residents of congregate housing projects administered by a public housing agency or by a nonprofit corporation;

(5) the term "handicapped" means having an impairment which (A) is expected to be of long-continued and indefinite duration, and (B) substantially impedes an individual's ability to live independently unless the individual receives supportive congregate services; such impairment may include a functional disability or frailty which is a normal consequence of the human aging process;

(6) the term "personal assistance" means service provided under this chapter which may include, but is not limited to, aid given to eligible project residents in grooming, dressing, and other activities which maintain personal appearance and hygiene;

(7) the term "professional assessment committee" means a group of at least three persons appointed by a local public housing agency or a nonprofit corporation and shall include qualified medical professionals and other persons professionally competent to appraise the functional abilities of elderly or permanently disabled adult persons, or both, in relation to the performance of the normal tasks of daily living;

(8) the term "temporarily disabled" means an impairment which (A) is expected to be of no more than six months' duration, and (B) substantially impedes an individual's ability to live independently unless the individual receives supportive congregate services; and

(9) the term "nonprofit corporation" means any corporation responsible for a housing project assisted under section 1701q of title 12.

(Pub. L. 95-557, title IV, §403, Oct. 31, 1978, 92 Stat. 2105.)

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 8005 of this title.