

1991—Pub. L. 102-83, §5(a), renumbered section 1516 of this title as this section.

Subsec. (b)(2), (3). Pub. L. 102-83, §5(c)(1), substituted “3687” for “1787” in par. (2) and “4212” for “2012” in par. (3).

1989—Subsecs. (a), (b)(1), (3). Pub. L. 101-237 substituted “Secretary” and “Department of Veterans Affairs” for “Administrator” and “Veterans’ Administration”, respectively, wherever appearing.

#### EFFECTIVE DATE

Section effective Oct. 1, 1980, see section 802(a)(2) of Pub. L. 96-466, set out as a note under section 3100 of this title.

#### COORDINATION WITH PROGRAMS UNDER VETERANS' JOB TRAINING ACT

Pub. L. 99-238, title II, §202, Jan. 13, 1986, 99 Stat. 1768, as amended by Pub. L. 102-83, §5(c)(2), 6(g), Aug. 6, 1991, 105 Stat. 406, 408, provided that:

“(a) IN GENERAL.—In carrying out section 3116(b) [formerly 1516(b)] of title 38, United States Code, the Secretary of Veterans Affairs shall take all feasible steps to establish and encourage, for veterans who are eligible to have payments made on their behalf under such section, the development of training opportunities through programs of job training consistent with the provisions of the Veterans' Job Training Act (as redesignated by section 201(a)(1) of this Act) [29 U.S.C. 1721 note] so as to utilize programs of job training established by employers pursuant to such Act.

“(b) DIRECTIVE.—In carrying out such Act, the Secretary of Veterans Affairs shall take all feasible steps to ensure that, in the cases of veterans who are eligible to have payments made on their behalf under both such Act and section 3116(b) [formerly 1516(b)] of title 38, United States Code, the authority under such section is utilized, to the maximum extent feasible and consistent with the veteran's best interests, to make payments to employers on behalf of such veterans.”

#### § 3117. Employment assistance

(a)(1) A veteran with a service-connected disability rated at 10 percent or more who has participated in a vocational rehabilitation program under this chapter or a similar program under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) and who the Secretary has determined to be employable shall be furnished assistance in obtaining employment consistent with such veteran's abilities, aptitudes, interests, and employment handicap, including assistance necessary to insure that such veteran receives the benefit of any applicable provisions of law or regulation providing for special consideration or emphasis or preference for such veteran in employment or training.

(2) Assistance provided under this subsection may include—

(A) direct placement of such veteran in employment;

(B) utilization of employment, training, and placement services under chapter 41 of this title; and

(C) utilization of the job development and placement services of (i) programs under the Rehabilitation Act of 1973, (ii) the State employment service and the Veterans' Employment Service of the Department of Labor, (iii) the Office of Personnel Management, (iv) any other public or nonprofit organization having placement services available, and (v) any for-profit entity in a case in which the Secretary has determined that services necessary to provide such assistance are available from such

entity and that comparably effective services are not available, or cannot be obtained cost-effectively, from the entities described in subclauses (i) through (iv) of this clause.

(b)(1) In any case in which a veteran has completed a vocational rehabilitation program for self-employment in a small business enterprise under this chapter, the Secretary shall assist such veteran in securing, as appropriate, a loan under subchapter IV of chapter 37 of this title and shall cooperate with the Small Business Administration to assist such veteran to secure a loan for the purchase of equipment needed to establish such veteran's own business and to insure that such veteran receives the special consideration provided for in section 4(b)(1) of the Small Business Act (15 U.S.C. 633(b)(1)).

(2) In the case of a veteran described in clause (12) of section 3104(a) of this title who has trained under a State rehabilitation program with the objective of self-employment in a small business enterprise, the Secretary may, subject to the limitations and criteria provided for in such clause, provide such veteran with such supplementary equipment and initial stocks and supplies as are determined to be needed by such veteran if such supplementary equipment and initial stocks and supplies, or assistance in acquiring them, are not available through the State program or other sources.

(Added Pub. L. 96-466, title I, §101(a), Oct. 17, 1980, 94 Stat. 2183, §1517; amended Pub. L. 97-72, title III, §303(k), Nov. 3, 1981, 95 Stat. 1060; Pub. L. 100-689, title II, §202(a), Nov. 18, 1988, 102 Stat. 4175; Pub. L. 101-237, title IV, §423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; Pub. L. 102-54, §14(c)(4), June 13, 1991, 105 Stat. 285; renumbered §3117 and amended Pub. L. 102-83, §5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406; Pub. L. 104-275, title I, §101(h), Oct. 9, 1996, 110 Stat. 3325; Pub. L. 107-288, §4(e)(2), Nov. 7, 2002, 116 Stat. 2044; Pub. L. 109-233, title V, §503(6), June 15, 2006, 120 Stat. 416.)

#### REFERENCES IN TEXT

The Rehabilitation Act of 1973, referred to in subsec. (a)(1), (2)(C)(i), is Pub. L. 93-112, Sept. 26, 1973, 87 Stat. 355, as amended, which is classified principally to chapter 16 (§701 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 701 of Title 29 and Tables.

#### PRIOR PROVISIONS

Prior section 3117 was renumbered section 5317 of this title.

#### AMENDMENTS

2006—Subsec. (b)(1). Pub. L. 109-233 substituted “section 4(b)(1)” for “section 8” and “633(b)(1)” for “633(b)”.

2002—Subsec. (a)(2)(B). Pub. L. 107-288 amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: “utilization of the services of disabled veterans outreach program specialists under section 4103A of this title; and”.

1996—Subsec. (a)(1). Pub. L. 104-275 inserted “rated at 10 percent or more” after “disability”.

1991—Pub. L. 102-83, §5(a), renumbered section 1517 of this title as this section.

Subsec. (a)(1). Pub. L. 102-54, §14(c)(4)(A), inserted “(29 U.S.C. 701 et seq.)” after “1973”.

Subsec. (a)(2)(B). Pub. L. 102-83, §5(c)(1), substituted “4103A” for “2003A”.

Subsec. (a)(2)(C)(v). Pub. L. 102-54, §14(c)(4)(B), struck out second period at end.

Subsec. (b)(2). Pub. L. 102-83, §5(c)(1), substituted "3104(a)" for "1504(a)".

1989—Subsecs. (a)(1), (2)(C), (b). Pub. L. 101-237 substituted "Secretary" for "Administrator" wherever appearing.

1988—Subsec. (a)(2)(C). Pub. L. 100-689 struck out "and" at end of subcl. (iii), substituted "available, and" for "available" in subcl. (iv), and added subcl. (v).

1981—Subsec. (b)(1). Pub. L. 97-72 inserted provision requiring the Administrator to assist veterans in securing, as appropriate, a loan under subchapter IV of chapter 37 of this title.

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-72 effective at end of 180-day period beginning on Nov. 3, 1981, see section 305 of Pub. L. 97-72, set out as an Effective Date note under section 3741 of this title.

#### EFFECTIVE DATE

Section effective Apr. 1, 1981, see section 802(a)(1) of Pub. L. 96-466, set out as a note under section 3100 of this title.

### § 3118. Personnel training, development, and qualifications

(a) The Secretary shall provide a program of ongoing professional training and development for Department of Veterans Affairs counseling and rehabilitation personnel engaged in providing rehabilitation services under this chapter. The objective of such training shall be to insure that rehabilitation services for disabled veterans are provided in accordance with the most advanced knowledge, methods, and techniques available for the rehabilitation of handicapped persons. For this purpose, the Secretary may employ the services of consultants and may make grants to and contract with public or private agencies (including institutions of higher learning) to conduct such training and development.

(b) The Secretary shall coordinate with the Commissioner of the Rehabilitation Services Administration in the Department of Education and the Assistant Secretary for Veterans' Employment in the Department of Labor in planning and carrying out personnel training in areas of mutual programmatic concern.

(c) Notwithstanding any other provision of law, the Secretary shall establish such qualifications for personnel providing evaluation and rehabilitation services to veterans under this chapter and for employees performing the functions described in section 3106(f) of this title as the Secretary determines are necessary and appropriate to insure the quality of rehabilitation programs under this chapter. In establishing such qualifications, the Secretary shall take into account the qualifications established for comparable personnel under the Rehabilitation Act of 1973 (29 U.S.C. ch. 16).

(Added Pub. L. 96-466, title I, §101(a), Oct. 17, 1980, 94 Stat. 2184, §1518; amended Pub. L. 101-237, title IV, §423(b)(1), Dec. 18, 1989, 103 Stat. 2092; renumbered §3118 and amended Pub. L. 102-83, §5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406; Pub. L. 104-275, title I, §101(f)(2)(C), Oct. 9, 1996, 110 Stat. 3325.)

#### REFERENCES IN TEXT

The Rehabilitation Act of 1973 (29 U.S.C. ch. 16), referred to in subsec. (c), is Pub. L. 93-112, Sept. 26, 1973,

87 Stat. 355, as amended, which is classified generally to chapter 16 (§701 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 701 of Title 29 and Tables.

#### PRIOR PROVISIONS

Prior section 3118 was renumbered section 5318 of this title.

#### AMENDMENTS

1996—Subsec. (c). Pub. L. 104-275 substituted "3106(f)" for "3106(e)".

1991—Pub. L. 102-83, §5(a), renumbered section 1518 of this title as this section.

Subsec. (c). Pub. L. 102-83, §5(c)(1), substituted "3106(e)" for "1506(e)".

1989—Pub. L. 101-237 substituted "Secretary" and "Department of Veterans Affairs" for "Administrator" and "Veterans' Administration", respectively, wherever appearing.

#### EFFECTIVE DATE

Section effective Oct. 1, 1980, see section 802(a)(2) of Pub. L. 96-466, set out as a note under section 3100 of this title.

### § 3119. Rehabilitation research and special projects

(a) The Secretary shall carry out an ongoing program of activities for the purpose of advancing the knowledge, methods, techniques, and resources available for use in rehabilitation programs for veterans. For this purpose, the Secretary shall conduct and provide support for the development or conduct, or both the development and conduct, of—

(1) studies and research concerning the psychological, educational, employment, social, vocational, industrial, and economic aspects of the rehabilitation of disabled veterans, including new methods of rehabilitation; and

(2) projects which are designed to increase the resources and potential for accomplishing the rehabilitation of disabled veterans.

(b) For the purpose specified in subsection (a) of this section, the Secretary is authorized to make grants to or contract with public or non-profit agencies, including institutions of higher learning.

(c) The Secretary shall cooperate with the Commissioner of the Rehabilitation Services Administration and the Director of the Institute of Handicapped Research in the Department of Education, the Assistant Secretary for Veterans' Employment in the Department of Labor, and the Secretary of Health and Human Services regarding rehabilitation studies, research, and special projects of mutual programmatic concern.

(Added Pub. L. 96-466, title I, §101(a), Oct. 17, 1980, 94 Stat. 2184, §1519; amended Pub. L. 101-237, title IV, §423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; renumbered §3119, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406.)

#### AMENDMENTS

1991—Pub. L. 102-83 renumbered section 1519 of this title as this section.

1989—Pub. L. 101-237 substituted "Secretary" for "Administrator" wherever appearing.