

SUBCHAPTER VI—EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES

CODIFICATION

Pub. L. 113-128, title IV, §461(1), (2), July 22, 2014, 128 Stat. 1679, amended this subchapter by striking out part A, consisting of sections 795 and 795a, and striking out the heading of part B preceding section 795g.

Title VI of the Rehabilitation Act of 1973, comprising this subchapter, was originally added to Pub. L. 93-112 by Pub. L. 95-602, title II, §201, Nov. 6, 1978, 92 Stat. 2989, and amended by 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. 102-119, Oct. 7, 1991, 105 Stat. 587; Pub. L. 102-569, Oct. 29, 1992, 106 Stat. 4344; Pub. L. 103-73, Aug. 11, 1993, 107 Stat. 718. Title VI is shown herein, however, as having been added by Pub. L. 105-220, title IV, §409, Aug. 7, 1998, 112 Stat. 1210, without reference to those intervening amendments because of the extensive revision of title VI by Pub. L. 105-220.

§§ 795, 795a. Repealed. Pub. L. 113-128, title IV, § 461(1), July 22, 2014, 128 Stat. 1679

Section 795, Pub. L. 93-112, title VI, §611, as added Pub. L. 105-220, title IV, §409, Aug. 7, 1998, 112 Stat. 1210, related to Projects With Industry. Provisions similar to section 795 were contained in section 795g of this title prior to the general amendment of this subchapter by Pub. L. 105-220.

A prior section 795, Pub. L. 93-112, title VI, §611, as added Pub. L. 95-602, title II, §201, Nov. 6, 1978, 92 Stat. 2989; amended Pub. L. 99-506, title I, §103(d)(2)(C), title X, §1002(f), Oct. 21, 1986, 100 Stat. 1810, 1844; Pub. L. 102-569, title I, §102(p)(36), title VI, §601, Oct. 29, 1992, 106 Stat. 4360, 4434, authorized community service employment pilot programs for individuals with disabilities, prior to the general amendment of this subchapter by Pub. L. 105-220.

Section 795a, Pub. L. 93-112, title VI, §612, as added Pub. L. 105-220, title IV, §409, Aug. 7, 1998, 112 Stat. 1214, related to authorization of appropriations. Provisions similar to section 795a were contained in section 795i of this title prior to the general amendment of this subchapter by Pub. L. 105-220.

Prior sections 795a to 795f were omitted in the general amendment of this subchapter by Pub. L. 105-220.

Section 795a, Pub. L. 93-112, title VI, §612, as added Pub. L. 95-602, title II, §201, Nov. 6, 1978, 92 Stat. 2991; amended Pub. L. 98-221, title I, §165, Feb. 22, 1984, 98 Stat. 30; Pub. L. 100-630, title II, §207(a), Nov. 7, 1988, 102 Stat. 3313, related to administration of community service employment pilot programs for individuals with disabilities.

Section 795b, Pub. L. 93-112, title VI, §613, as added Pub. L. 95-602, title II, §201, Nov. 6, 1978, 92 Stat. 2991; amended Pub. L. 102-569, title VI, §602, Oct. 29, 1992, 106 Stat. 4434, related to employment.

Section 795c, Pub. L. 93-112, title VI, §614, as added Pub. L. 95-602, title II, §201, Nov. 6, 1978, 92 Stat. 2992; amended Pub. L. 98-221, title I, §104(b)(5), Feb. 22, 1984, 98 Stat. 18, related to interagency cooperation.

Section 795d, Pub. L. 93-112, title VI, §615, as added Pub. L. 95-602, title II, §201, Nov. 6, 1978, 92 Stat. 2992; amended Pub. L. 99-506, title I, §103(d)(2)(C), title VII, §701, Oct. 21, 1986, 100 Stat. 1810, 1831; Pub. L. 102-569, title I, §102(p)(37), Oct. 29, 1992, 106 Stat. 4360, related to award of grants or contracts.

Section 795e, Pub. L. 93-112, title VI, §616, as added Pub. L. 95-602, title II, §201, Nov. 6, 1978, 92 Stat. 2993; amended Pub. L. 99-506, title I, §103(d)(2)(C), Oct. 21, 1986, 100 Stat. 1810; Pub. L. 102-569, title I, §102(p)(38), title VI, §603, Oct. 29, 1992, 106 Stat. 4361, 4434, defined terms “community service” and “pilot program”.

Section 795f, Pub. L. 93-112, title VI, §617, as added Pub. L. 95-602, title II, §201, Nov. 6, 1978, 92 Stat. 2993; amended Pub. L. 98-221, title I, §161, Feb. 22, 1984, 98

Stat. 29; Pub. L. 99-506, title VII, §702, Oct. 21, 1986, 100 Stat. 1831; Pub. L. 102-52, §7(a), June 6, 1991, 105 Stat. 262; Pub. L. 102-569, title VI, §604, Oct. 29, 1992, 106 Stat. 4434, authorized appropriations.

SHORT TITLE

For short title of this subchapter as the “Employment Opportunities for Individuals With Disabilities Act”, see section 601 of Pub. L. 93-112, as amended, set out as a note under section 701 of this title.

§ 795g. Purpose

It is the purpose of this subchapter to authorize allotments, in addition to grants for vocational rehabilitation services under subchapter I, to assist States in developing collaborative programs with appropriate entities to provide supported employment services for individuals with the most significant disabilities, including youth with the most significant disabilities, to enable such individuals to achieve an employment outcome of supported employment in competitive integrated employment.

(Pub. L. 93-112, title VI, §602, formerly §621, as added Pub. L. 105-220, title IV, §409, Aug. 7, 1998, 112 Stat. 1214; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §402(b)(12)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-414; renumbered §602 and amended Pub. L. 113-128, title IV, §461(3), (4), July 22, 2014, 128 Stat. 1679.)

PRIOR PROVISIONS

Provisions similar to this section were contained in section 795j of this title prior to the general amendment of this subchapter by Pub. L. 105-220.

A prior section 795g, Pub. L. 93-112, title VI, §621, as added Pub. L. 95-602, title II, §201, Nov. 6, 1978, 92 Stat. 2993; amended Pub. L. 98-221, title I, §§162, 163, Feb. 22, 1984, 98 Stat. 29, 30; Pub. L. 99-506, title I, §103(d)(2)(B), (C), title VII, §703(a)(1)-(3), (b)-(d), Oct. 21, 1986, 100 Stat. 1810, 1831, 1832; Pub. L. 100-630, title II, §207(b), Nov. 7, 1988, 102 Stat. 3313; Pub. L. 102-569, title VI, §611, Oct. 29, 1992, 106 Stat. 4434, related to Projects With Industry, prior to the general amendment of this subchapter by Pub. L. 105-220.

AMENDMENTS

2014—Pub. L. 113-128, §461(4), substituted “this subchapter” for “this part” and “individuals with the most significant disabilities, including youth with the most significant disabilities, to enable such individuals to achieve an employment outcome of supported employment in competitive integrated employment.” for “individuals with the most significant disabilities to enable such individuals to achieve the employment outcome of supported employment.”

1998—Pub. L. 105-277 made technical amendment to section designation and catchline in original.

§ 795h. Allotments

(a) In general

(1) States

The Secretary shall allot the sums appropriated for each fiscal year to carry out this subchapter among the States on the basis of relative population of each State, except that—

(A) no State shall receive less than \$250,000, or 1/3 of 1 percent of the sums appropriated for the fiscal year for which the allotment is made, whichever amount is greater; and

(B) if the sums appropriated to carry out this subchapter for the fiscal year exceed by

\$1,000,000 or more the sums appropriated to carry out part B of this subchapter (as in effect on September 30, 1992) in fiscal year 1992, no State shall receive less than \$300,000, or $\frac{1}{3}$ of 1 percent of the sums appropriated for the fiscal year for which the allotment is made, whichever amount is greater.

(2) Certain territories

(A) In general

For the purposes of this subsection, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands shall not be considered to be States.

(B) Allotment

Each jurisdiction described in subparagraph (A) shall be allotted not less than $\frac{1}{6}$ of 1 percent of the amounts appropriated for the fiscal year for which the allotment is made.

(b) Reallocation

Whenever the Commissioner determines that any amount of an allotment to a State under subsection (a) for any fiscal year will not be expended by such State for carrying out the provisions of this subchapter, the Commissioner shall make such amount available for carrying out the provisions of this subchapter to 1 or more of the States that the Commissioner determines will be able to use additional amounts during such year for carrying out such provisions. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for the purposes of this section, be regarded as an increase in the allotment of the State (as determined under the preceding provisions of this section) for such year.

(c) Limitations on administrative costs

A State that receives an allotment under this subchapter shall not use more than 2.5 percent of such allotment to pay for administrative costs.

(d) Services for youth with the most significant disabilities

A State that receives an allotment under this subchapter shall reserve and expend half of such allotment for the provision of supported employment services, including extended services, to youth with the most significant disabilities in order to assist those youth in achieving an employment outcome in supported employment.

(Pub. L. 93-112, title VI, § 603, formerly § 622, as added Pub. L. 105-220, title IV, § 409, Aug. 7, 1998, 112 Stat. 1214; amended Pub. L. 105-277, div. A, § 101(f) [title VIII, § 402(b)(13)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-414; renumbered § 603 and amended Pub. L. 113-128, title IV, § 461(3), (5), July 22, 2014, 128 Stat. 1679.)

REFERENCES IN TEXT

Part B of this subchapter (as in effect on September 30, 1992), referred to in subsec. (a)(1)(B), consisted of sections 795g to 795i and related to projects with industry and business opportunities for individuals with handicaps.

PRIOR PROVISIONS

Provisions similar to this section were contained in section 795k of this title prior to the general amendment of this subchapter by Pub. L. 105-220.

A prior section 795h, Pub. L. 93-112, title VI, § 622, as added Pub. L. 95-602, title II, § 201, Nov. 6, 1978, 92 Stat. 2994, and amended, which related to business opportunities for individuals with disabilities and promulgation of regulations, was renumbered section 641 of Pub. L. 93-112, by Pub. L. 102-569, title VI, § 612(a)(2), (3), Oct. 29, 1992, 106 Stat. 4438, and transferred to section 795r of this title, prior to the general amendment of this subchapter by Pub. L. 105-220.

AMENDMENTS

2014—Subsec. (a)(1). Pub. L. 113-128, § 461(5)(A)(i)(I), substituted “subchapter” for “part” in introductory provisions.

Subsec. (a)(1)(A). Pub. L. 113-128, § 461(5)(A)(i)(II), inserted “amount” after “whichever”.

Subsec. (a)(1)(B). Pub. L. 113-128, § 461(5)(A)(i)(III), substituted “subchapter for the fiscal year” for “part for the fiscal year” and “part B of this subchapter (as in effect on September 30, 1992) in fiscal year 1992” for “this part in fiscal year 1992” and inserted “amount” after “whichever”.

Subsec. (a)(2)(B). Pub. L. 113-128, § 461(5)(A)(ii), substituted “ $\frac{1}{6}$ of 1 percent” for “one-eighth of one percent”.

Subsec. (b). Pub. L. 113-128, § 461(5)(B), inserted “under subsection (a)” after “allotment to a State”, substituted “subchapter” for “part” in two places, and substituted “1 or more” for “one or more”.

Subsecs. (c), (d). Pub. L. 113-128, § 461(5)(C), added subsecs. (c) and (d).

1998—Pub. L. 105-277 made technical amendment in original to section designation and catchline.

§ 795i. Availability of services

(a) Supported employment services

Funds provided under this subchapter may be used to provide supported employment services to individuals who are eligible under this subchapter.

(b) Extended services

(1) In general

Except as provided in paragraph (2), funds provided under this subchapter, or subchapter I, may not be used to provide extended services to individuals under this subchapter or subchapter I.

(2) Extended services for youth with the most significant disabilities

Funds allotted under this subchapter, or subchapter I, and used for the provision of services under this subchapter to youth with the most significant disabilities pursuant to section 795h(d) of this title, may be used to provide extended services to youth with the most significant disabilities. Such extended services shall be available for a period not to exceed 4 years.

(Pub. L. 93-112, title VI, § 604, as added Pub. L. 113-128, title IV, § 461(6), July 22, 2014, 128 Stat. 1680.)

PRIOR PROVISIONS

A prior section 795i, Pub. L. 93-112, title VI, § 604, formerly § 623, as added Pub. L. 105-220, title IV, § 409, Aug. 7, 1998, 112 Stat. 1215; amended Pub. L. 105-277, div. A, § 101(f) [title VIII, § 402(b)(14)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-414; renumbered § 604, Pub. L. 113-128, title IV, § 461(3), July 22, 2014, 128 Stat. 1679, related to availability of services, prior to repeal by Pub. L. 113-128, title IV, § 461(6), July 22, 2014, 128 Stat. 1680. Provisions similar to prior section 795i were contained in section 795l of this title prior to the general amendment of this subchapter by Pub. L. 105-220.