

**§ 107d-4. Training programs for maximum vocational potential for blind**

The Commissioner shall insure, through promulgation of appropriate regulations, that uniform and effective training programs, including on-the-job training, are provided for blind individuals, through services under the Rehabilitation Act of 1973 [29 U.S.C. 701 et seq.]. He shall further insure that State agencies provide programs for upward mobility (including further education and additional training or retraining for improved work opportunities) for all trainees under this chapter, and that follow-along services are provided to such trainees to assure that their maximum vocational potential is achieved.

(June 20, 1936, ch. 638, § 8, as added Pub. L. 93-516, title II, § 206, Dec. 7, 1974, 88 Stat. 1628; Pub. L. 93-651, title II, § 206, Nov. 21, 1974, 89 Stat. 2-13.)

REFERENCES IN TEXT

The Rehabilitation Act of 1973, referred to in text, 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.

CODIFICATION

The content of Pub. L. 93-516, including provisions of section 206 thereof which enacted this section, were originally contained in H.R. 14225, 93rd Congress, Second Session, which was pocket-vetoed during the 31-day intrasession adjournment of the 93rd Congress for the Congressional elections in November, 1974.

Pursuant to an order of the United States District Court for the District of Columbia (*Kennedy v. Jones*, D.C.D.C. 1976, 412 F.Supp. 353) H.R. 14225 was deemed to have become law without the approval of the President on Nov. 21, 1974, and was given the designation Pub. L. 93-651. Therefore, for purposes of codification, this section should be deemed to have been enacted by Pub. L. 93-651, title II, § 206, Nov. 21, 1974, 89 Stat. 2-13, in exactly the same manner as it was enacted by Pub. L. 93-516.

PRIOR PROVISIONS

A prior section 8 of act June 20, 1936, which was classified to section 107f of this title, was renumbered section 10 by Pub. L. 93-516, § 206.

**§ 107e. Definitions**

As used in this chapter—

(1) “blind person” means a person whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual acuity, if better than 20/200, is accompanied by a limit to the field of vision in the better eye to such a degree that its widest diameter subtends an angle of no greater than twenty degrees. In determining whether an individual is blind, there shall be an examination by a physician skilled in diseases of the eye, or by an optometrist, whichever the individual shall select;

(2) “Commissioner” means the Commissioner of the Rehabilitation Services Administration;

(3) “Federal property” means any building, land, or other real property owned, leased, or occupied by any department, agency, or instrumentality of the United States (including

the Department of Defense and the United States Postal Service), or any other instrumentality wholly owned by the United States, or by any department or agency of the District of Columbia or any territory or possession of the United States;

(4) “Secretary” means the Secretary of Education;

(5) “State” means a State, territory, possession, Puerto Rico, or the District of Columbia;

(6) “United States” includes the several States, territories, and possessions of the United States, Puerto Rico, and the District of Columbia;

(7) “vending facility” means automatic vending machines, cafeterias, snack bars, cart services, shelters, counters, and such other appropriate auxiliary equipment as the Secretary may by regulation prescribe as being necessary for the sale of the articles or services described in section 107a(a)(5) of this title and which may be operated by blind licensees; and

(8) “vending machine income” means receipts (other than those of a blind licensee) from vending machine operations on Federal property, after cost of goods sold (including reasonable service and maintenance costs), where the machines are operated, serviced, or maintained by, or with the approval of, a department, agency, or instrumentality of the United States, or commissions paid (other than to a blind licensee) by a commercial vending concern which operates, services, and maintains vending machines on Federal property for, or with the approval of, a department, agency, or instrumentality of the United States.

(June 20, 1936, ch. 638, § 9, formerly § 6, 49 Stat. 1560; Aug. 3, 1954, ch. 655, § 4(f), 68 Stat. 664; renumbered § 9 and amended Pub. L. 93-516, title II, §§ 206, 207, Dec. 7, 1974, 88 Stat. 1626, 1628; Pub. L. 93-651, title II, §§ 206, 207, Nov. 21, 1974, 89 Stat. 2-11, 2-13; Pub. L. 96-88, title III, § 301(a)(4)(B), title V, § 507, Oct. 17, 1979, 93 Stat. 678, 692.)

CODIFICATION

The content of Pub. L. 93-516, including provisions of sections 206 and 207 thereof which amended and renumbered this section, were originally contained in H.R. 14225, 93rd Congress, Second Session, which was pocket-vetoed during the 31-day intrasession adjournment of the 93rd Congress for the Congressional elections in November, 1974. See 1974 Amendment note below.

Pursuant to an order of the United States District Court for the District of Columbia (*Kennedy v. Jones*, D.C.D.C. 1976, 412 F.Supp. 353) H.R. 14225 was deemed to have become law without the approval of the President on Nov. 21, 1974, and was given the designation Pub. L. 93-651. Therefore, for purposes of codification, this section should be deemed to have been amended and renumbered by Pub. L. 93-651, title II, §§ 206, 207, Nov. 21, 1974, 89 Stat. 2-11, 2-13, in exactly the same manner as it was amended and renumbered by Pub. L. 93-516.

AMENDMENTS

1974—Pub. L. 93-516, § 207, replaced letter designations with number designations, inserted definitions of “Commissioner”, “vending facility”, and “vending machine income”, and in definition of “blind person” substituted provisions that such person meant a person whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual