

103-437, §15(c)(9), Nov. 2, 1994, 108 Stat. 4592; Pub. L. 104-316, title I, §122(o), Oct. 19, 1996, 110 Stat. 3838; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814, related to loan guarantees and commitments for alternative fuel demonstration facilities.

Section 5920, Pub. L. 93-577, §20, as added Pub. L. 95-238, title IV, §401, Feb. 25, 1978, 92 Stat. 84; amended Pub. L. 103-437, §15(c)(9), Nov. 2, 1994, 108 Stat. 4592, related to financial support program for municipal waste reprocessing demonstration facilities.

CHAPTER 75—PROGRAMS FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES

Editorial Notes

CODIFICATION

The Developmental Disabilities Assistance and Bill of Rights Act, formerly comprising this chapter, was title I of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, which was originally enacted by Pub. L. 88-164, Oct. 31, 1963, 77 Stat. 282, at which time title I was known as the Mental Retardation Facilities Construction Act, and parts B and C of such title I were classified to subchapters I (§2661 et seq.) and II (§2670 et seq.), respectively, of chapter 33 of this title. Because of the extensive amendments, reorganization of the subject matter, and expansion of the Act by the acts summarized below, the Act was set out here as having been added by Pub. L. 98-527, without reference to intervening amendments.

Part D of the Act was added by Pub. L. 90-170, §4, Dec. 4, 1967, 81 Stat. 528, and was classified to subchapter IIA (§2678 et seq.) of chapter 33 of this title. Part C of the Act was amended generally and the Act was reorganized and renamed the Developmental Disabilities Services and Facilities Construction Act, by Pub. L. 91-517, Oct. 30, 1970, 84 Stat. 1316.

Parts A, B, and D of the Act were amended generally and the Act was otherwise extensively amended and reorganized by Pub. L. 94-103, Oct. 4, 1975, 89 Stat. 486, and was reclassified to this chapter.

The Act was renamed the Developmental Disabilities Assistance and Bill of Rights Act and was amended and reorganized by Pub. L. 95-602, title V, Nov. 6, 1978, 92 Stat. 3003, and was subsequently amended generally and completely reorganized by Pub. L. 98-527, §2, Oct. 19, 1984, 98 Stat. 2662.

For provisions similar to former chapter 75 of this title, relating to programs for individuals with developmental disabilities, see subchapter I (§15001 et seq.) of chapter 144 of this title.

SUBCHAPTER I—GENERAL PROVISIONS

§§ 6000, 6001. Repealed. Pub. L. 106-402, title IV, § 401(a), Oct. 30, 2000, 114 Stat. 1737

Section 6000, Pub. L. 88-164, title I, §101, as added Pub. L. 98-527, §2, Oct. 19, 1984, 98 Stat. 2662; amended Pub. L. 100-146, title I, §101, Oct. 29, 1987, 101 Stat. 840; Pub. L. 101-496, §3, Oct. 31, 1990, 104 Stat. 1191; Pub. L. 103-230, title I, §102, Apr. 6, 1994, 108 Stat. 285, set out congressional findings, purpose and policy concerning individuals with developmental disabilities.

A prior section 6000, Pub. L. 88-164, title I, §101, as added Pub. L. 95-602, title V, §502, Nov. 6, 1978, 92 Stat. 3004, set out congressional statement of findings and purpose, prior to the general amendment of this chapter by Pub. L. 98-527.

Section 6001, Pub. L. 88-164, title I, §102, as added Pub. L. 98-527, §2, Oct. 19, 1984, 98 Stat. 2663; amended Pub. L. 100-146, title I, §102, Oct. 29, 1987, 101 Stat. 841; Pub. L. 101-496, §4, Oct. 31, 1990, 104 Stat. 1192; Pub. L. 103-230, title I, §103, Apr. 6, 1994, 108 Stat. 288, defined terms for purposes of chapter.

A prior section 6001, Pub. L. 88-164, title I, §102, as added Pub. L. 94-103, title I, §125, Oct. 4, 1975, 89 Stat.

496; amended Pub. L. 95-602, title V, §503(a), (b)(1), (c)-(f), Nov. 6, 1978, 92 Stat. 3004-3006; Pub. L. 98-221, title III, §301, Feb. 22, 1984, 98 Stat. 34, defined terms for purposes of this chapter, prior to the general amendment of this chapter by Pub. L. 98-527.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-183, §1, Aug. 6, 1996, 110 Stat. 1694, provided that: "This Act [amending sections 6030, 6043, 6066, and 6083 of this title] may be cited as the 'Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1996'."

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-230, §1(a), Apr. 6, 1994, 108 Stat. 284, provided that: "This Act [enacting sections 6025a, 6065, and 6066 of this title, amending this section and sections 6001, 6003, 6005 to 6009, 6021, 6022, 6024, 6025, 6026, 6027, 6029, 6030, 6041 to 6043, 6061 to 6064, and 6081 to 6083 of this title, repealing sections 6002, 6004, 6023, and 6028 of this title, enacting provisions set out as a note under section 6025 of this title, and amending provisions set out as a note under this section] may be cited as the 'Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1994'."

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-496, §1, Oct. 31, 1990, 104 Stat. 1191, provided that: "This Act [amending this section and sections 6001, 6002, 6006 to 6009, 6021, 6022, 6024, 6025, 6030, 6042, 6043, 6062 to 6064, and 6081 to 6083 of this title] may be cited as the 'Developmental Disabilities Assistance and Bill of Rights Act of 1990'."

SHORT TITLE OF 1987 AMENDMENT

Pub. L. 100-146, §1, Oct. 29, 1987, 101 Stat. 840, provided that: "This Act [amending this section and sections 6001, 6006, 6021 to 6025, 6027, 6030, 6042, 6043, 6061 to 6064, and 6081 to 6083 of this title, and enacting provisions set out as a note above] may be cited as the 'Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1987'."

SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-527, §1, Oct. 19, 1984, 98 Stat. 2662, provided: "That this Act [enacting this chapter] may be cited as the 'Developmental Disabilities Act of 1984'."

SHORT TITLE OF 1975 AMENDMENT

Pub. L. 94-103, §1, Oct. 4, 1975, 89 Stat. 486, provided that: "This Act [see Codification note set out above] may be cited as the 'Developmentally Disabled Assistance and Bill of Rights Act'."

SHORT TITLE

Pub. L. 88-164, §1, Oct. 31, 1963, 77 Stat. 282, as amended, provided that: "This Act [enacting this chapter and subchapter III (§2689 et seq.) of chapter 33 of this title, and enacting provisions set out as notes under this section and section 2689 of this title] may be cited as the 'Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963'."

Pub. L. 88-164, title I, §101, as added by Pub. L. 94-103, title I, §125, Oct. 4, 1975, 89 Stat. 496, which provided that title I of Pub. L. 88-164, as added by Pub. L. 94-103 (enacting this chapter) could be cited as the "Developmental Disabilities Services and Facilities Construction Act", was repealed by Pub. L. 95-602, title V, §502, Nov. 6, 1978, 92 Stat. 3003.

Pub. L. 88-164, title I, §100, as added by Pub. L. 98-527, §2, Oct. 19, 1984, 98 Stat. 2662, and amended by Pub. L. 103-230, title I, §101(c), Apr. 6, 1994, 108 Stat. 285, which provided that title I of Pub. L. 88-164, as added by Pub. L. 98-527 (enacting this chapter) could be cited as the "Developmental Disabilities Assistance and Bill of Rights Act", was repealed by Pub. L. 106-402, title IV, §401(a), Oct. 30, 2000, 114 Stat. 1737.

§ 6002. Repealed. Pub. L. 103-230, title I, § 104, Apr. 6, 1994, 108 Stat. 293

Section, Pub. L. 88-164, title I, § 103, as added Pub. L. 98-527, § 2, Oct. 19, 1984, 98 Stat. 2667; amended Pub. L. 101-496, § 5, Oct. 31, 1990, 104 Stat. 1194, related to Federal share of costs of projects under subchapters II and IV of this chapter.

A prior section 6002, Pub. L. 88-164, title I, § 103, as added Pub. L. 94-103, title I, § 125, Oct. 4, 1975, 89 Stat. 498, set out provisions relating to Federal share, prior to the general amendment of this chapter by Pub. L. 98-527.

§ 6003. Repealed. Pub. L. 106-402, title IV, § 401(a), Oct. 30, 2000, 114 Stat. 1737

Section 6003, Pub. L. 88-164, title I, § 104, as added Pub. L. 98-527, § 2, Oct. 19, 1984, 98 Stat. 2667; amended Pub. L. 103-230, title I, § 105, Apr. 6, 1994, 108 Stat. 293, related to records and audits.

A prior section 6003, Pub. L. 88-164, title I, § 104, as added Pub. L. 94-103, title I, § 125, Oct. 4, 1975, 89 Stat. 498, set forth provisions relating to State control of operations, prior to the general amendment of this chapter by Pub. L. 98-527.

§ 6004. Repealed. Pub. L. 103-230, title I, § 106, Apr. 6, 1994, 108 Stat. 293

Section, Pub. L. 88-164, title I, § 105, as added Pub. L. 98-527, § 2, Oct. 19, 1984, 98 Stat. 2667, related to recovery of Federal share of costs of facilities constructed under subchapters II and IV of this chapter under certain conditions.

A prior section 6004, Pub. L. 88-164, title I, § 105, as added Pub. L. 94-103, title I, § 125, Oct. 4, 1975, 89 Stat. 498, related to records and audits, prior to the general amendment of this chapter by Pub. L. 98-527.

§§ 6005 to 6009. Repealed. Pub. L. 106-402, title IV, § 401(a), Oct. 30, 2000, 114 Stat. 1737

Section 6005, Pub. L. 88-164, title I, § 106, as added Pub. L. 98-527, § 2, Oct. 19, 1984, 98 Stat. 2668; amended Pub. L. 103-230, title I, § 107, Apr. 6, 1994, 108 Stat. 293, provided for state control of operations.

A prior section 6005, Pub. L. 88-164, title I, § 106, as added Pub. L. 94-103, title I, § 125, Oct. 4, 1975, 89 Stat. 498, related to employment of handicapped individuals, prior to the general amendment of this chapter by Pub. L. 98-527.

Section 6006, Pub. L. 88-164, title I, § 107, as added Pub. L. 98-527, § 2, Oct. 19, 1984, 98 Stat. 2668; amended Pub. L. 100-146, title I, § 103, Oct. 29, 1987, 101 Stat. 844; Pub. L. 101-496, § 6, Oct. 31, 1990, 104 Stat. 1194; Pub. L. 103-230, title I, § 108, Apr. 6, 1994, 108 Stat. 294, provided for various reports.

A prior section 6006, Pub. L. 88-164, title I, § 107, as added Pub. L. 94-103, title I, § 125, Oct. 4, 1975, 89 Stat. 499, related to recovery of expenditures under certain conditions and liens, prior to the general amendment of this chapter by Pub. L. 98-527.

Section 6007, Pub. L. 88-164, title I, § 108, as added Pub. L. 98-527, § 2, Oct. 19, 1984, 98 Stat. 2669; amended Pub. L. 101-496, § 7, Oct. 31, 1990, 104 Stat. 1195; Pub. L. 103-230, title I, § 109, Apr. 6, 1994, 108 Stat. 296, related to responsibilities of the Secretary.

A prior section 6007, Pub. L. 88-164, title I, § 108, formerly § 133, as added Pub. L. 91-517, title I, § 101(b), Oct. 30, 1970, 84 Stat. 1318, and renumbered and amended Pub. L. 94-103, title I, § 126(a), Oct. 4, 1975, 89 Stat. 499, established National Advisory Council on Services and Facilities for Developmentally Disabled and provided for membership, terms of office, compensation and traveling expenses, and duties and functions, prior to repeal by Pub. L. 95-602, title V, § 504(a), Nov. 6, 1978, 92 Stat. 3006.

Section 6008, Pub. L. 88-164, title I, § 109, as added Pub. L. 98-527, § 2, Oct. 19, 1984, 98 Stat. 2669; amended

Pub. L. 101-496, § 8, Oct. 31, 1990, 104 Stat. 1195; Pub. L. 103-230, title I, § 110, Apr. 6, 1994, 108 Stat. 296, required recipients to employ qualified individuals with disabilities on the same terms and conditions required by the Rehabilitation Act of 1973.

A prior section 6008, Pub. L. 88-164, title I, § 109, formerly § 139, as added Pub. L. 91-517, title I, § 101(b), Oct. 30, 1970, 84 Stat. 1323; renumbered § 109 and amended Pub. L. 94-103, title I, § 127, Oct. 4, 1975, 89 Stat. 500; Pub. L. 95-602, title V, § 505, Nov. 6, 1978, 92 Stat. 3007, related to promulgation of regulations, prior to the general amendment of this chapter by Pub. L. 98-527.

Section 6009, Pub. L. 88-164, title I, § 110, as added Pub. L. 98-527, § 2, Oct. 19, 1984, 98 Stat. 2669; amended Pub. L. 101-496, § 9, Oct. 31, 1990, 104 Stat. 1195; Pub. L. 103-230, title I, § 111, Apr. 6, 1994, 108 Stat. 296, related to rights of individuals with developmental disabilities.

A prior section 6009, Pub. L. 88-164, title I, § 110, as added Pub. L. 94-103, title I, § 128, Oct. 4, 1975, 89 Stat. 501; amended Pub. L. 95-602, title V, § 504(b)(1), 506, Nov. 6, 1978, 92 Stat. 3006, 3007; Pub. L. 96-32, § 3(b), July 10, 1979, 93 Stat. 82, set forth provisions respecting development, etc., of evaluation system, prior to repeal by Pub. L. 97-35, title IX, § 912(a), Aug. 13, 1981, 95 Stat. 563.

Prior sections 6010 to 6012 were omitted in the general amendment of this chapter by Pub. L. 98-527.

Section 6010, Pub. L. 88-164, title I, § 111, as added Pub. L. 94-103, title II, § 201, Oct. 4, 1975, 89 Stat. 502; amended Pub. L. 95-602, title V, § 507, Nov. 6, 1978, 92 Stat. 3007, set forth Congressional findings respecting rights of the developmentally disabled.

Section 6011, Pub. L. 88-164, title I, § 112, as added Pub. L. 94-103, title II, § 202, Oct. 4, 1975, 89 Stat. 503; amended Pub. L. 95-602, title V, § 514(a), Nov. 6, 1978, 92 Stat. 3016, related to habilitation plans.

Section 6012, Pub. L. 88-164, title I, § 113, as added Pub. L. 94-103, title II, § 203, Oct. 4, 1975, 89 Stat. 504; amended Pub. L. 95-602, title V, § 508, Nov. 6, 1978, 92 Stat. 3007; Pub. L. 97-35, title IX, § 911(a), Aug. 13, 1981, 95 Stat. 563; Pub. L. 98-221, title III, § 302, Feb. 22, 1984, 98 Stat. 35, related to protection and advocacy of rights of persons with developmental disabilities.

SUBCHAPTER II—FEDERAL ASSISTANCE TO STATE DEVELOPMENTAL DISABILITIES COUNCILS

§§ 6021, 6022. Repealed. Pub. L. 106-402, title IV, § 401(a), Oct. 30, 2000, 114 Stat. 1737

Section 6021, Pub. L. 88-164, title I, § 121, as added Pub. L. 98-527, § 2, Oct. 19, 1984, 98 Stat. 2670; amended Pub. L. 100-146, title II, § 201(a), Oct. 29, 1987, 101 Stat. 845; Pub. L. 101-496, § 10, Oct. 31, 1990, 104 Stat. 1195; Pub. L. 103-230, title II, § 202, Apr. 6, 1994, 108 Stat. 297, set forth the purpose of this subchapter.

A prior section 121 of Pub. L. 88-164, title I, as added Pub. L. 94-103, title I, § 105, Oct. 4, 1975, 89 Stat. 486; amended Pub. L. 95-602, title V, § 509, Nov. 6, 1978, 92 Stat. 3008, related generally to demonstration and training grants and was classified to section 6031 of this title, prior to the general amendment of this chapter by Pub. L. 98-527.

Section 6022, Pub. L. 88-164, title I, § 122, as added Pub. L. 98-527, § 2, Oct. 19, 1984, 98 Stat. 2670; amended Pub. L. 99-91, § 6(b), Aug. 15, 1985, 99 Stat. 391; Pub. L. 100-146, title II, § 202, Oct. 29, 1987, 101 Stat. 845; Pub. L. 101-496, § 11, Oct. 31, 1990, 104 Stat. 1195; Pub. L. 102-119, § 26(b), Oct. 7, 1991, 105 Stat. 607; Pub. L. 103-230, title II, § 203, Apr. 6, 1994, 108 Stat. 297; Pub. L. 105-12, § 9(l)(1), Apr. 30, 1997, 111 Stat. 28, related to submission and approval of State plans.

A prior section 122 of Pub. L. 88-164, title I, as added Pub. L. 94-103, title I, § 105, Oct. 4, 1975, 89 Stat. 487; amended Pub. L. 95-602, title V, § 509, Nov. 6, 1978, 92 Stat. 3009, set forth administrative provisions relating to demonstration and training grants for university affiliated facilities and was classified to section 6032 of this title, prior to the general amendment of this chapter by Pub. L. 98-527.