

109TH CONGRESS  
1ST SESSION

# H. R. 3864

To provide vocational rehabilitation services to individuals with disabilities affected by Hurricane Katrina or Hurricane Rita.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2005

Mr. BOUSTANY (for himself, Mr. BOEHNER, Mr. JINDAL, and Mr. MARCHANT) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To provide vocational rehabilitation services to individuals with disabilities affected by Hurricane Katrina or Hurricane Rita.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Assistance for Individ-  
5 uals with Disabilities Affected by Hurricanes Katrina and  
6 Rita Act of 2005”.

1 **SEC. 2. REALLOTMENT OF AMOUNTS UNDER TITLE I OF**  
2 **THE REHABILITATION ACT OF 1973.**

3 (a) REALLOTMENT OF AMOUNTS.—In realloting  
4 amounts to States under section 110(b)(2) of the Rehabili-  
5 tation Act of 1973 (29 U.S.C. 730(b)(2)) for fiscal year  
6 2005, the Commissioner of the Rehabilitation Services Ad-  
7 ministration shall give preference to affected States.

8 (b) AVAILABILITY OF AMOUNTS.—For fiscal year  
9 2005, the Commissioner shall make available amounts re-  
10 allotted under section 110(b)(2) of the Rehabilitation Act  
11 of 1973 to any State not later than October 7, 2005, or  
12 seven days after the date of the enactment of this Act,  
13 whichever occurs later.

14 (c) WAIVER OF NON-FEDERAL SHARE REQUIRE-  
15 MENT.—The Commissioner may waive the requirement  
16 contained in the second sentence of section 110(b)(2) of  
17 the Rehabilitation Act of 1973 (relating to non-Federal  
18 share requirement) with respect to amounts made avail-  
19 able to an affected State for fiscal year 2005 if the af-  
20 fected State submits to the Commissioner an application  
21 requesting a waiver of such requirement.

22 **SEC. 3. USE OF AMOUNTS REALLOTTED UNDER TITLE I OF**  
23 **THE REHABILITATION ACT OF 1973.**

24 An affected State that receives amounts reallocated  
25 under section 110(b)(2) of the Rehabilitation Act of 1973

1 (29 U.S.C. 730(b)(2)) for fiscal year 2005 (as described  
2 in section 2) may use the amounts—

3 (1) to pay for vocational rehabilitation services  
4 (which may include training, mentoring, or job shad-  
5 owing opportunities) for individuals with disabilities  
6 affected by Hurricane Katrina or individuals with  
7 disabilities affected by Hurricane Rita that con-  
8 tribute to the economic growth and development of  
9 communities;

10 (2) to enable—

11 (A) individuals with disabilities affected by  
12 Hurricane Katrina to participate in reconstruc-  
13 tion or other major disaster assistance activities  
14 in the areas in which the individuals resided on  
15 August 22, 2005;

16 (B) individuals with disabilities affected by  
17 Hurricane Rita to participate in reconstruction  
18 or other major disaster assistance activities in  
19 the areas in which the individuals resided on  
20 the date that is seven days before the date on  
21 which the President has declared that a major  
22 disaster related to Hurricane Rita exists in  
23 such areas; or

1           (3) to carry out other activities in accordance  
2           with title I of the Rehabilitation Act of 1973 (29  
3           U.S.C. 720 et seq.).

4 **SEC. 4. DEFINITIONS.**

5           In this Act:

6           (1) **AFFECTED STATE.**—The term “affected  
7           State” means a State that contains an area, or that  
8           received a significant number of individuals who re-  
9           sided in an area, in which the President has declared  
10          that a major disaster exists.

11          (2) **COMMISSIONER.**—The term “Commis-  
12          sioner” means the Commissioner of the Rehabilita-  
13          tion Services Administration.

14          (3) **INDIVIDUAL WITH A DISABILITY.**—The term  
15          “individual with a disability” has the meaning given  
16          the term in section 7(20) of the Rehabilitation Act  
17          of 1973 (29 U.S.C. 705(20)).

18          (4) **INDIVIDUAL WITH A DISABILITY AFFECTED**  
19          **BY HURRICANE KATRINA.**—The term “individual  
20          with a disability affected by Hurricane Katrina”  
21          means an individual with a disability who—

22                 (A) resided on August 22, 2005, in an  
23                 area in which the President has declared that  
24                 a major disaster related to Hurricane Katrina  
25                 exists in such area;

1 (B) on August 22, 2005, was eligible  
2 under title I of the Rehabilitation Act of 1973  
3 (29 U.S.C. 720 et seq.) for vocational rehabili-  
4 tation services described in section 103 of the  
5 Rehabilitation Act of 1973 (29 U.S.C. 723) in  
6 the area described in subparagraph (A); and

7 (C) resides in an area in which the Presi-  
8 dent has declared that an emergency exists, in  
9 accordance with section 501 of the Robert T.  
10 Stafford Disaster Relief and Emergency Assist-  
11 ance Act (42 U.S.C. 5191), related to Hurri-  
12 cane Katrina, or in which a major disaster re-  
13 lated to Hurricane Katrina exists.

14 (5) INDIVIDUAL WITH A DISABILITY AFFECTED  
15 BY HURRICANE RITA.—The term “individual with a  
16 disability affected by Hurricane Rita” means an in-  
17 dividual with a disability who—

18 (A) resided in an area on the date that is  
19 seven days before the date on which the Presi-  
20 dent has declared that a major disaster related  
21 to Hurricane Rita exists in such area;

22 (B) on the date described in subparagraph  
23 (A), was eligible under title I of the Rehabilita-  
24 tion Act of 1973 (29 U.S.C. 720 et seq.) for vo-  
25 cational rehabilitation services described in sec-

1           tion 103 of the Rehabilitation Act of 1973 (29  
2           U.S.C. 723) in the area described in subpara-  
3           graph (A); and

4           (C) resides in an area in which the Presi-  
5           dent has declared that an emergency exists, in  
6           accordance with section 501 of the Robert T.  
7           Stafford Disaster Relief and Emergency Assist-  
8           ance Act (42 U.S.C. 5191), related to Hurri-  
9           cane Rita, or in which a major disaster related  
10          to Hurricane Rita exists.

11          (6) MAJOR DISASTER.—The term “major dis-  
12          aster” means a major disaster declared by the Presi-  
13          dent in accordance with section 401 of the Robert  
14          T. Stafford Disaster Relief and Emergency Assist-  
15          ance Act (42 U.S.C. 5170) related to Hurricane  
16          Katrina or Hurricane Rita.

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