

REFERENCES IN TEXT

The Social Security Act, referred to in subsec. (a)(2), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, which is classified generally to chapter 7 (§301 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

PRIOR PROVISIONS

Provisions similar to this section were contained in section 718 of this title prior to repeal by Pub. L. 105-220.

A prior section 716, Pub. L. 93-112, §17, as added Pub. L. 99-506, title I, §108(a), Oct. 21, 1986, 100 Stat. 1812, related to State administration, prior to repeal by Pub. L. 105-220, title IV, §403, Aug. 7, 1998, 112 Stat. 1093. See section 714 of this title.

A prior section 19 of Pub. L. 93-112 was renumbered section 21 and is classified to section 718 of this title.

Another prior section 19 of Pub. L. 93-112 was classified to section 718 of this title prior to repeal by Pub. L. 105-220.

AMENDMENTS

2014—Subsec. (a)(1). Pub. L. 113-128 substituted “subchapter VI” for “part B of subchapter VI”.

1998—Pub. L. 105-277, §101(f) [title VIII, §402(b)(4)], made technical amendment in the original to section designation and catchline.

§ 717. Client assistance information

All programs, including community rehabilitation programs, and projects, that provide services to individuals with disabilities under this chapter shall advise such individuals who are applicants for or recipients of the services, or the applicants’ representatives or individuals’ representatives, of the availability and purposes of the client assistance program under section 732 of this title, including information on means of seeking assistance under such program.

(Pub. L. 93-112, §20, formerly §18, as added Pub. L. 105-220, title IV, §403, Aug. 7, 1998, 112 Stat. 1114; renumbered §20 and amended Pub. L. 105-277, div. A, §101(f) [title VIII, §402(a)(1), (b)(5)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-412, 2681-413.)

PRIOR PROVISIONS

Provisions similar to this section were contained in section 718a of this title prior to repeal by Pub. L. 105-220.

A prior section 717, Pub. L. 93-112, §18, as added Pub. L. 99-506, title I, §109(a), Oct. 21, 1986, 100 Stat. 1813; amended Pub. L. 100-630, title II, §201(g), Nov. 7, 1988, 102 Stat. 3304; Pub. L. 102-569, title I, §108(b), Oct. 29, 1992, 106 Stat. 4363, related to review of applications, prior to repeal by Pub. L. 105-220, title IV, §403, Aug. 7, 1998, 112 Stat. 1093. See section 715 of this title.

A prior section 20 of Pub. L. 93-112 was classified to section 718a of this title prior to repeal by Pub. L. 105-220.

AMENDMENTS

1998—Pub. L. 105-277, §101(f) [title VIII, §402(b)(5)], made technical amendment to section designation and catchline in the original.

§ 718. Traditionally underserved populations**(a) Findings**

With respect to the programs authorized in subchapters II through VII, the Congress finds as follows:

(1) Racial profile

The demographic profile of America is rapidly changing. While the percentage increase

from 2000 to 2010 for white Americans was 9.7 percent, the percentage increase for racial and ethnic minorities was much higher: 43.0 percent for Latinos, 12.3 percent for African-Americans, and 43.2 percent for Asian-Americans.

(2) Rate of disability

Ethnic and racial minorities tend to have disabling conditions at a disproportionately high rate. In 2011—

(A) among Americans ages 16 through 64, the rate of disability was 12.1 percent;

(B) among African-Americans in that age range, the disability rate was more than twice as high, at 27.1 percent; and

(C) for American Indians and Alaska Natives in the same age range, the disability rate was also more than twice as high, at 27.0 percent.

(3) Inequitable treatment

Patterns of inequitable treatment of minorities have been documented in all major junctures of the vocational rehabilitation process. As compared to white Americans, a larger percentage of African-American applicants to the vocational rehabilitation system is denied acceptance. Of applicants accepted for service, a larger percentage of African-American cases is closed without being rehabilitated. Minorities are provided less training than their white counterparts. Consistently, less money is spent on minorities than on their white counterparts.

(4) Recruitment

Recruitment efforts within vocational rehabilitation at the level of preservice training, continuing education, and in-service training must focus on bringing larger numbers of minorities into the profession in order to provide appropriate practitioner knowledge, role models, and sufficient manpower to address the clearly changing demography of vocational rehabilitation.

(b) Outreach to minorities**(1) In general**

For each fiscal year, the Commissioner and the Director of the National Institute on Disability, Independent Living, and Rehabilitation Research (referred to in this subsection as the “Director”) shall reserve 1 percent of the funds appropriated for the fiscal year for programs authorized under subchapters II, III, VI, and VII to carry out this subsection. The Commissioner and the Director shall use the reserved funds to carry out one or more of the activities described in paragraph (2) through a grant, contract, or cooperative agreement.

(2) Activities

The activities carried out by the Commissioner and the Director shall include one or more of the following:

(A) Making awards to minority entities and Indian tribes to carry out activities under the programs authorized under subchapters II, III, VI, and VII.

(B) Making awards to minority entities and Indian tribes to conduct research, train-

ing, technical assistance, or a related activity, to improve services provided under this chapter, especially services provided to individuals from minority backgrounds.

(C) Making awards to entities described in paragraph (3) to provide outreach and technical assistance to minority entities and Indian tribes to promote their participation in activities funded under this chapter, including assistance to enhance their capacity to carry out such activities.

(3) Eligibility

To be eligible to receive an award under paragraph (2)(C), an entity shall be a State or a public or private nonprofit agency or organization, such as an institution of higher education or an Indian tribe.

(4) Report

In each fiscal year, the Commissioner and the Director shall prepare and submit to Congress a report that describes the activities funded under this subsection for the preceding fiscal year.

(5) Definitions

In this subsection:

(A) Historically Black college or university

The term “historically Black college or university” means a part B institution, as defined in section 1061(2) of title 20.

(B) Minority entity

The term “minority entity” means an entity that is a historically Black college or university, a Hispanic-serving institution of higher education, an American Indian tribal college or university, or another institution of higher education whose minority student enrollment is at least 50 percent.

(c) Demonstration

In awarding grants, or entering into contracts or cooperative agreements under subchapters I, II, III, VI, and VII of this chapter, and section 794e of this title, the Commissioner and the Director of the National Institute on Disability, Independent Living, and Rehabilitation Research, in appropriate cases, shall require applicants to demonstrate how the applicants will address, in whole or in part, the needs of individuals with disabilities from minority backgrounds.

(Pub. L. 93-112, § 21, formerly § 19, as added Pub. L. 105-220, title IV, § 403, Aug. 7, 1998, 112 Stat. 1115; renumbered § 21 and amended Pub. L. 105-277, div. A, § 101(f) [title VIII, § 402(a)(1), (b)(6), (c)(3)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-412, 2681-413, 2681-415; Pub. L. 113-128, title IV, § 409, July 22, 2014, 128 Stat. 1639.)

PRIOR PROVISIONS

Provisions similar to this section were contained in section 718b of this title prior to repeal by Pub. L. 105-220.

Prior sections 718 to 718b were repealed by Pub. L. 105-220, title IV, § 403, Aug. 7, 1998, 112 Stat. 1093.

Section 718, Pub. L. 93-112, § 19, as added Pub. L. 102-569, title I, § 109(a), Oct. 29, 1992, 106 Stat. 4363; amended Pub. L. 103-73, title I, § 104, Aug. 11, 1993, 107 Stat. 719, related to carryover of funds. See section 716 of this title.

Section 718a, Pub. L. 93-112, § 20, as added Pub. L. 102-569, title I, § 110(a), Oct. 29, 1992, 106 Stat. 4363; amended Pub. L. 103-73, title I, § 105, Aug. 11, 1993, 107 Stat. 719, related to client assistance information. See section 717 of this title.

Section 718b, Pub. L. 93-112, § 21, as added Pub. L. 102-569, title I, § 111(a), Oct. 29, 1992, 106 Stat. 4363; amended Pub. L. 103-73, title I, § 106, Aug. 11, 1993, 107 Stat. 719, related to traditionally underserved populations.

AMENDMENTS

2014—Subsec. (a)(1). Pub. L. 113-128, § 409(1)(A), in first sentence, substituted “demographic” for “racial”; in second sentence, substituted “While the percentage increase from 2000 to 2010” for “While the rate of increase”, “was 9.7” for “is 3.2”, “percentage increase for racial” for “rate of increase for racial”, “was much” for “is much”, “43.0” for “38.6”, “12.3” for “14.6”, and “43.2” for “40.1” and struck out “and other ethnic groups” before period at end; and struck out last sentence which read as follows: “By the year 2000, the Nation will have 260,000,000 people, one of every three of whom will be either African-American, Latino, or Asian-American.”

Subsec. (a)(2). Pub. L. 113-128, § 409(1)(B), substituted “In 2011—” and subpars. (A) to (C) for second and third sentences which read as follows: “The rate of work-related disability for American Indians is about one and one-half times that of the general population. African-Americans are also one and one-half times more likely to be disabled than whites and twice as likely to be significantly disabled.”

Subsec. (b)(1). Pub. L. 113-128, § 409(2), substituted “National Institute on Disability, Independent Living, and Rehabilitation Research” for “National Institute on Disability and Rehabilitation Research”.

Subsec. (c). Pub. L. 113-128, § 409(3), substituted “Director of the National Institute on Disability, Independent Living, and Rehabilitation Research” for “Director”.

1998—Pub. L. 105-277, § 101(f) [title VIII, § 402(b)(6)], made technical amendment in original to section designation and catchline.

Subsec. (a)(3). Pub. L. 105-277, § 101(f) [title VIII, § 402(c)(3)], substituted “is denied” for “are denied” and “is closed” for “are closed”.

SUBCHAPTER I—VOCATIONAL REHABILITATION SERVICES

CODIFICATION

Title I of the Rehabilitation Act of 1973, comprising this subchapter, was originally enacted by Pub. L. 93-112, title I, Sept. 26, 1973, 87 Stat. 363, and amended by Pub. L. 93-516, Dec. 7, 1974, 88 Stat. 1617; Pub. L. 93-651, Nov. 21, 1974, 89 Stat. 2-3; Pub. L. 94-230, Mar. 15, 1976, 90 Stat. 211; Pub. L. 95-602, Nov. 6, 1978, 92 Stat. 2955; Pub. L. 97-375, Dec. 21, 1982, 96 Stat. 1819; Pub. L. 98-221, Feb. 22, 1984, 98 Stat. 17; Pub. L. 98-524, Oct. 19, 1984, 98 Stat. 2435; 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. 102-54, June 13, 1991, 105 Stat. 267; 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; Pub. L. 104-66, Dec. 21, 1995, 109 Stat. 707; Pub. L. 104-106, Feb. 10, 1996, 110 Stat. 186. Title I is shown herein, however, as having been added by Pub. L. 105-220, title IV, § 404, Aug. 7, 1998, 112 Stat. 1116, without reference to those intervening amendments because of the extensive revision of title I by Pub. L. 105-220.

PART A—GENERAL PROVISIONS

§ 720. Declaration of policy; authorization of appropriations

(a) Findings; purpose; policy

(1) Findings

Congress finds that—