

(Pub. L. 93-112, §16, formerly §14, as added Pub. L. 105-220, title IV, §403, Aug. 7, 1998, 112 Stat. 1113; renumbered §16, Pub. L. 105-277, div. A, §101(f) [title VIII, §402(a)(1)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-412.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to this section were contained in section 715 of this title prior to repeal by Pub. L. 105-220.

A prior section 713, Pub. L. 93-112, §14, as added Pub. L. 95-602, title I, §122(a)(10), Nov. 6, 1978, 92 Stat. 2986; amended Pub. L. 98-221, title I, §103, Feb. 22, 1984, 98 Stat. 17; Pub. L. 99-506, title I, §§103(d)(2)(C), 106, title X, §1001(a)(5), Oct. 21, 1986, 100 Stat. 1810, 1812, 1841; Pub. L. 100-630, title II, §201(f), Nov. 7, 1988, 102 Stat. 3304; Pub. L. 102-569, title I, §§102(p)(5), 107, Oct. 29, 1992, 106 Stat. 4356, 4362, related to program and project evaluation, prior to repeal by Pub. L. 105-220, title IV, §403, Aug. 7, 1998, 112 Stat. 1093. See section 711 of this title.

A prior section 16 of Pub. L. 93-112 was renumbered section 18 and is classified to section 715 of this title.

Another prior section 16 of Pub. L. 93-112 was classified to section 715 of this title prior to repeal by Pub. L. 105-220.

§ 714. State administration

The application of any State rule or policy relating to the administration or operation of programs funded by this chapter (including any rule or policy based on State interpretation of any Federal law, regulation, or guideline) shall be identified as a State imposed requirement.

(Pub. L. 93-112, §17, formerly §15, as added Pub. L. 105-220, title IV, §403, Aug. 7, 1998, 112 Stat. 1114; renumbered §17, Pub. L. 105-277, div. A, §101(f) [title VIII, §402(a)(1)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-412.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to this section were contained in section 716 of this title prior to repeal by Pub. L. 105-220.

A prior section 714, Pub. L. 93-112, §15, as added Pub. L. 95-602, title I, §122(a)(10), Nov. 6, 1978, 92 Stat. 2986; amended Pub. L. 96-374, title XIII, §1322, Oct. 3, 1980, 94 Stat. 1499; Pub. L. 98-221, title I, §104(a)(1), Feb. 22, 1984, 98 Stat. 18; Pub. L. 99-506, title I, §103(d)(2)(C), Oct. 21, 1986, 100 Stat. 1810; Pub. L. 102-569, title I, §102(p)(6), Oct. 29, 1992, 106 Stat. 4356, related to information clearinghouse, prior to repeal by Pub. L. 105-220, title IV, §403, Aug. 7, 1998, 112 Stat. 1093. See section 712 of this title.

A prior section 17 of Pub. L. 93-112 was renumbered section 19 and is classified to section 716 of this title.

Another prior section 17 of Pub. L. 93-112 was classified to section 716 of this title prior to repeal by Pub. L. 105-220.

§ 715. Review of applications

Applications for grants in excess of \$100,000 in the aggregate authorized to be funded under this chapter, other than grants primarily for the purpose of conducting dissemination or conferences, shall be reviewed by panels of experts which shall include a majority of non-Federal members. Non-Federal members may be provided travel, per diem, and consultant fees not to exceed the daily equivalent of the rate of pay for level 4 of the Senior Executive Service Schedule under section 5382 of title 5.

(Pub. L. 93-112, §18, formerly §16, as added Pub. L. 105-220, title IV, §403, Aug. 7, 1998, 112 Stat. 1114; renumbered §18, Pub. L. 105-277, div. A, §101(f) [title VIII, §402(a)(1)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-412.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to this section were contained in section 717 of this title prior to repeal by Pub. L. 105-220.

A prior section 715, Pub. L. 93-112, §16, as added Pub. L. 95-602, title I, §122(a)(10), Nov. 6, 1978, 92 Stat. 2987; amended Pub. L. 99-506, title I, §107, Oct. 21, 1986, 100 Stat. 1812; Pub. L. 102-569, title I, §108(a), Oct. 29, 1992, 106 Stat. 4363, related to transfer of funds, prior to repeal by Pub. L. 105-220, title IV, §403, Aug. 7, 1998, 112 Stat. 1093. See section 713 of this title.

A prior section 18 of Pub. L. 93-112 was renumbered section 20 and is classified to section 717 of this title.

Another prior section 18 of Pub. L. 93-112 was classified to section 717 of this title prior to repeal by Pub. L. 105-220.

§ 716. Carryover

(a) In general

Except as provided in subsection (b), and notwithstanding any other provision of law—

(1) any funds appropriated for a fiscal year to carry out any grant program under part B of subchapter I, section 794e of this title (except as provided in section 794e(b) of this title), subchapter VI, subpart 2 or 3 of part A of subchapter VII, or part B of subchapter VII (except as provided in section 796k(b) of this title), including any funds reallocated under any such grant program, that are not obligated and expended by recipients prior to the beginning of the succeeding fiscal year; or

(2) any amounts of program income, including reimbursement payments under the Social Security Act (42 U.S.C. 301 et seq.), received by recipients under any grant program specified in paragraph (1) that are not obligated and expended by recipients prior to the beginning of the fiscal year succeeding the fiscal year in which such amounts were received,

shall remain available for obligation and expenditure by such recipients during such succeeding fiscal year.

(b) Non-Federal share

Such funds shall remain available for obligation and expenditure by a recipient as provided in subsection (a) only to the extent that the recipient complied with any Federal share requirements applicable to the program for the fiscal year for which the funds were appropriated.

(Pub. L. 93-112, §19, formerly §17, as added Pub. L. 105-220, title IV, §403, Aug. 7, 1998, 112 Stat. 1114; renumbered §19 and amended Pub. L. 105-277, div. A, §101(f) [title VIII, §402(a)(1), (b)(4)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-412, 2681-413; Pub. L. 113-128, title IV, §408, July 22, 2014, 128 Stat. 1639.)

Editorial Notes

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 classi-

fied 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.)

Editorial Notes

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-