

ment employees and who have experience in the operation of vocational rehabilitation services programs under this section.

(d) “Reservation” defined

The term “reservation” includes Indian reservations, public domain Indian allotments, former Indian reservations in Oklahoma, and land held by incorporated Native groups, regional corporations, and village corporations under the provisions of the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.].

(Pub. L. 93-112, title I, §121, as added Pub. L. 105-220, title IV, §404, Aug. 7, 1998, 112 Stat. 1166; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §402(b)(10)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-413; Pub. L. 113-128, title IV, §423, July 22, 2014, 128 Stat. 1659.)

Editorial Notes

REFERENCES IN TEXT

The Alaska Native Claims Settlement Act, referred to in subsec. (d), is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, which is classified generally to chapter 33 (§1601 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 43 and Tables.

PRIOR PROVISIONS

Prior sections 741 to 744 and 750 were omitted in the general amendment of this subchapter by Pub. L. 105-220.

Section 741, Pub. L. 93-112, title I, §121, as added Pub. L. 102-569, title I, §134(a), Oct. 29, 1992, 106 Stat. 4392, related to contents of strategic plans.

Another prior section 741, Pub. L. 93-112, title I, §121, Sept. 26, 1973, 87 Stat. 373; Pub. L. 93-516, title I, §102(c), Dec. 7, 1974, 88 Stat. 1618; Pub. L. 93-651, title I, §102(c), Nov. 21, 1974, 89 Stat. 2-3; Pub. L. 94-230, §2(c), Mar. 15, 1976, 90 Stat. 211; Pub. L. 95-602, title I, §§101(e)(2), 122(b), Nov. 6, 1978, 92 Stat. 2957, 2987; Pub. L. 98-221, title I, §114, Feb. 22, 1984, 98 Stat. 23; Pub. L. 99-506, title I, §103(d)(2)(C), title II, §210, Oct. 21, 1986, 100 Stat. 1810, 1819; Pub. L. 100-630, title II, §202(h), Nov. 7, 1988, 102 Stat. 3306; Pub. L. 102-52, §2(b)(2), June 6, 1991, 105 Stat. 260, related to payments to States for planning, preparing, and initiating special programs under approved State plans and payments for the costs of constructing facilities to be used in providing services under such State plans, prior to the general amendment of part C of former subchapter I of this chapter by Pub. L. 102-569.

Section 742, Pub. L. 93-112, title I, §122, as added Pub. L. 102-569, title I, §134(a), Oct. 29, 1992, 106 Stat. 4393, related to process for developing strategic plans.

Section 743, Pub. L. 93-112, title I, §123, as added Pub. L. 102-569, title I, §134(a), Oct. 29, 1992, 106 Stat. 4393, related to use of funds.

Section 744, Pub. L. 93-112, title I, §124, as added Pub. L. 102-569, title I, §134(a), Oct. 29, 1992, 106 Stat. 4395; amended Pub. L. 103-73, title I, §107(h), Aug. 11, 1993, 107 Stat. 723, related to allotments among States.

Section 750, Pub. L. 93-112, title I, §130, Sept. 26, 1973, 87 Stat. 374; Pub. L. 93-516, title I, §111(g), Dec. 7, 1974, 88 Stat. 1621; Pub. L. 93-651, title I, §111(g), Nov. 21, 1974, 89 Stat. 2-6; Pub. L. 95-602, title I, §106, Nov. 6, 1978, 92 Stat. 2960; Pub. L. 99-506, title I, §103(d)(2)(C), title II, §211, title X, §1002(b)(1), Oct. 21, 1986, 100 Stat. 1810, 1819, 1844; Pub. L. 100-630, title II, §202(i), Nov. 7, 1988, 102 Stat. 3306; Pub. L. 102-569, title I, §102(p)(11), Oct. 29, 1992, 106 Stat. 4357, related to American Indian vocational rehabilitation services grants.

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-128, §423(1), inserted “(referred to in this section as ‘eligible individuals’),

consistent with such eligible individuals’ strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, so that such individuals may prepare for, and engage in, high-quality employment that will increase opportunities for economic self-sufficiency” after “on or near such reservations”.

Subsec. (b)(1)(D). Pub. L. 113-128, §423(2), added subpar. (D).

Subsecs. (c), (d). Pub. L. 113-128, §423(3), (4), added subsec. (c) and redesignated former subsec. (c) as (d).

1998—Pub. L. 105-277 made technical amendment to section designation and catchline in original.

PART D—VOCATIONAL REHABILITATION SERVICES
CLIENT INFORMATION

§ 751. Data sharing

(a) In general

(1) Memorandum of understanding

The Secretary of Education and the Secretary of Health and Human Services shall enter into a memorandum of understanding for the purposes of exchanging data of mutual importance—

(A) that concern clients of designated State agencies; and

(B) that are data maintained either by—

(i) the Rehabilitation Services Administration, as required by section 710 of this title; or

(ii) the Social Security Administration, from its Summary Earnings and Records and Master Beneficiary Records.

(2) Employment statistics

The Secretary of Labor shall provide the Commissioner with employment statistics specified in section 497-2 of this title, that facilitate evaluation by the Commissioner of the program carried out under part B, and allow the Commissioner to compare the progress of individuals with disabilities who are assisted under the program in securing, retaining, regaining, and advancing in employment with the progress made by individuals who are assisted under title I of the Workforce Innovation and Opportunity Act [29 U.S.C. 3111 et seq.].

(b) Treatment of information

For purposes of the exchange described in subsection (a)(1), the data described in subsection (a)(1)(B)(ii) shall not be considered return information (as defined in section 6103(b)(2) of title 26) and, as appropriate, the confidentiality of all client information shall be maintained by the Rehabilitation Services Administration and the Social Security Administration.

(Pub. L. 93-112, title I, §131, as added Pub. L. 105-220, title IV, §404, Aug. 7, 1998, 112 Stat. 1167; amended Pub. L. 113-128, title IV, §424, July 22, 2014, 128 Stat. 1660.)

Editorial Notes

REFERENCES IN TEXT

The Workforce Innovation and Opportunity Act, referred to in subsec. (a)(2), is Pub. L. 113-128, July 22, 2014, 128 Stat. 1425. Title I of the Act is classified generally to subchapter I (§3111 et seq.) of chapter 32 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of this title and Tables.

PRIOR PROVISIONS

A prior section 751, Pub. L. 93-112, title I, §131, as added Pub. L. 95-602, title I, §106, Nov. 6, 1978, 92 Stat. 2961, and amended Pub. L. 99-506, title I, §103(d)(2)(C), Oct. 21, 1986, 100 Stat. 1810, directed Secretary to submit to Congress, not less than thirty months after Nov. 6, 1978, an evaluation of programs conducted under part D of former subchapter I of this chapter, prior to repeal by Pub. L. 99-506, title X, §1002(b)(2)(A), Oct. 21, 1986, 100 Stat. 1844.

A prior section 752, Pub. L. 93-112, title I, §131, formerly §132, as added Pub. L. 99-506, title II, §212(a), Oct. 21, 1986, 100 Stat. 1820; renumbered §132, Pub. L. 100-630, title II, §202(j), Nov. 7, 1988, 102 Stat. 3307, provided for study on special problems and needs of Indians with handicaps both on and off the reservation, prior to repeal by Pub. L. 102-569, title I, §135(a), Oct. 29, 1992, 106 Stat. 4396.

Prior sections 753 and 753a were omitted in the general amendment of this subchapter by Pub. L. 105-220.

Section 753, Pub. L. 93-112, title I, §140, as added Pub. L. 103-73, title I, §108, Aug. 11, 1993, 107 Stat. 724, related to review of data collection and reporting system.

Section 753a, Pub. L. 93-112, title I, §141, as added Pub. L. 103-73, title I, §108, Aug. 11, 1993, 107 Stat. 725, related to exchange of data.

AMENDMENTS

2014—Subsec. (a)(2). Pub. L. 113-128 substituted “title I of the Workforce Innovation and Opportunity Act” for “title I of the Workforce Investment Act of 1998”.

Statutory Notes and Related Subsidiaries

DEFINITIONS OF TERMS IN PUB. L. 113-128

Except as otherwise provided, definitions in section 3 of Pub. L. 113-128, which is classified to section 3102 of this title, apply to this section.

SUBCHAPTER II—RESEARCH AND TRAINING

Editorial Notes

CODIFICATION

Title II of the Rehabilitation Act of 1973, comprising this subchapter, was originally enacted by Pub. L. 93-112, title II, Sept. 26, 1973, 87 Stat. 374, 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. 96-88, Oct. 17, 1979, 93 Stat. 668; Pub. L. 98-221, Feb. 22, 1984, 98 Stat. 17; 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. 102-569, Oct. 29, 1992, 106 Stat. 4344; Pub. L. 103-73, Aug. 11, 1993, 107 Stat. 718; Pub. L. 103-218, Mar. 9, 1994, 108 Stat. 50; Pub. L. 103-382, Oct. 20, 1994, 108 Stat. 3518. Title II is shown herein, however, as having been added by Pub. L. 105-220, title IV, §405, Aug. 7, 1998, 112 Stat. 1167, without reference to those intervening amendments because of the extensive revision of title II by Pub. L. 105-220.

§ 760. Declaration of purpose

The purpose of this subchapter is to—

(1) provide for research, demonstration projects, training, technical assistance, and related activities to maximize the full inclusion and integration into society, employment, independent living, family support, and economic and social self-sufficiency of individuals with disabilities of all ages, with particular emphasis on improving the effectiveness of services authorized under this chapter;

(2) provide for a comprehensive and coordinated approach to the support and conduct of

such research, demonstration projects, training, technical assistance, and related activities and to ensure that the approach is in accordance with the 5-year plan developed under section 762(h) of this title;

(3) promote the transfer and use of rehabilitation technology to individuals with disabilities, in a timely and efficient manner, through research and demonstration projects relating to—

(A) the procurement process for the purchase of rehabilitation technology;

(B) the utilization of rehabilitation technology on a national basis;

(C) specific adaptations or customizations of products to enable individuals with disabilities to live more independently; and

(D) the development or transfer of assistive technology;

(4) ensure the widespread dissemination, in usable formats, of practical scientific and technological information—

(A) generated by research, demonstration projects, training, and related activities; and

(B) regarding state-of-the-art practices, improvements in the services authorized under this chapter, rehabilitation technology, and new knowledge regarding disabilities,

to rehabilitation professionals, individuals with disabilities, and other interested parties, including the general public;

(5) identify effective strategies that enhance the opportunities of individuals with disabilities, including individuals with intellectual and psychiatric disabilities, to engage in employment, including employment involving telecommuting and self-employment;

(6) identify strategies for effective coordination of services to job seekers with disabilities available through programs of one-stop partners, as defined in section 3102 of this title;

(7) increase opportunities for researchers who are members of traditionally underserved populations, including researchers who are members of minority groups and researchers who are individuals with disabilities; and

(8) identify effective strategies for supporting the employment of individuals with disabilities in competitive integrated employment.

(Pub. L. 93-112, title II, §200, as added Pub. L. 105-220, title IV, §405, Aug. 7, 1998, 112 Stat. 1167; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §401(16)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-412; Pub. L. 113-128, title IV, §431, July 22, 2014, 128 Stat. 1660.)

Editorial Notes

PRIOR PROVISIONS

A prior section 760, Pub. L. 93-112, title II, §200, Sept. 26, 1973, 87 Stat. 374; Pub. L. 95-602, title I, §107, Nov. 6, 1978, 92 Stat. 2962; Pub. L. 99-506, title I, §103(d)(2)(C), Oct. 21, 1986, 100 Stat. 1810; Pub. L. 102-569, title II, §201, Oct. 29, 1992, 106 Stat. 4398, contained congressional declaration of purpose, prior to the general amendment of this subchapter by Pub. L. 105-220.

AMENDMENTS

2014—Pars. (1), (2). Pub. L. 113-128, §431(1), (2), inserted “technical assistance,” after “training.”