

pursuant to any grant made under this chapter complies with the accessibility standards for public buildings<sup>1</sup> and facilities issued under the Act of August 12, 1968.

(Pub. L. 94-369, title I, §106, July 22, 1976, 90 Stat. 1000; Pub. L. 95-28, title I, §103, May 13, 1977, 91 Stat. 116; Pub. L. 114-157, §1(b), May 20, 2016, 130 Stat. 393.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in subsec. (e)(2), is act June 27, 1952, ch. 477, 66 Stat. 163, which is classified principally to chapter 12 (§1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

Act of August 12, 1968, entitled "An Act to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped", referred to in subsec. (g), is Pub. L. 90-480, Aug. 12, 1968, 82 Stat. 718, popularly known as the Architectural Barriers Act of 1968, which is classified generally to chapter 51 (§4151 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4151 of this title and Tables.

The Rehabilitation Act of 1973, referred to in subsec. (g), is Pub. L. 93-112, Sept. 26, 1973, 87 Stat. 355, which is classified generally to chapter 16 (§701 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 701 of Title 29 and Tables.

##### AMENDMENTS

2016—Subsec. (f)(2). Pub. L. 114-157 substituted "Asian American, Native Hawaiian, Pacific Islanders, African American, Hispanic, Native American, or Alaska Natives" for "Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts".

1977—Subsecs. (e) to (g). Pub. L. 95-28 added subsecs. (e) to (g).

#### § 6706. Implementing rules, regulations, and procedures; criteria; employment of disabled and Vietnam-era veterans; determination of applications for grants

The Secretary shall, not later than thirty days after July 22, 1976, prescribe those rules, regulations, and procedures (including application forms) necessary to carry out this chapter. Such rules, regulations, and procedures shall assure that adequate consideration is given to the relative needs of various sections of the country. The Secretary shall consider among other factors (1) the severity and duration of unemployment in proposed project areas, (2) the income levels and extent of underemployment in proposed project area, and (3) the extent to which proposed projects will contribute to the reduction of unemployment. The Secretary, in consultation with the Secretary of Labor, and consistent with existing applicable collective bargaining agreements and practices, shall promulgate regulations to assure special consideration to the employment in projects under this chapter of qualified disabled veterans (as defined in section 4211(1) of title 38) and qualified Vietnam-era veterans (as defined in section 4211(2) of such title 38). The Secretary shall make a final deter-

mination with respect to each application for a grant submitted to him under this chapter not later than the sixtieth day after the date he receives such application. Failure to make such final determination within such period shall be deemed to be an approval by the Secretary of the grant requested. For purposes of this section, in considering the extent of unemployment or underemployment, the Secretary shall consider the amount of unemployment or underemployment in the construction and construction-related industries.

(Pub. L. 94-369, title I, §107, July 22, 1976, 90 Stat. 1000; Pub. L. 95-28, title I, §104, May 13, 1977, 91 Stat. 117; Pub. L. 102-83, §5(c)(2), Aug. 6, 1991, 105 Stat. 406; Pub. L. 103-446, title XII, §1203(c)(3), Nov. 2, 1994, 108 Stat. 4690.)

#### Editorial Notes

##### AMENDMENTS

1994—Pub. L. 103-446, which directed substitution of "section 4211(2)" for "section 4211(2)(A)" and "section 4211(1)" for "section 2011(1)", was executed by substituting "section 4211(2)" for "section 4211(2)(A)". Previously, "section 4211(1)" was substituted for "section 2011(1)" by Pub. L. 103-83. See 1991 Amendment note below.

1991—Pub. L. 102-83 substituted references to section 4211 of title 38 for references to section 2011 of title 38 in two places.

1977—Pub. L. 95-28 inserted provision directing Secretary to promulgate regulations to assure special consideration to employment in projects of qualified disabled veterans and qualified Vietnam-era veterans.

#### § 6707. Priority and amounts of projects

##### (a) Allocation of appropriated funds; Indian tribes and Alaska Native villages; prior applications; unemployment ratio; limits on grants for any one State; territories

The Secretary shall allocate funds appropriated after May 13, 1977, under section 6710 of this title as follows:

(1) 2½ per centum of such funds shall be set aside and shall be expended only for grants for public works projects under this chapter to Indian tribes and Alaska Native villages. None of the remainder of such funds shall be expended for such grants to such tribes and villages.

(2) After the set aside required by paragraph (1) of this subsection, \$70,000,000 shall be set aside and expended only for grants for any public works project the application for a grant for which was made under this chapter after July 22, 1976, and before December 24, 1976, and which application was not received, was not considered, or was rejected solely because of an error by an officer or employee of the United States. Any allocation made to an applicant pursuant to regulation shall be reduced by the amount of any grant made to such applicant under this paragraph.

(3) After the set asides required by paragraphs (1) and (2) of this subsection, 65 per centum of such funds shall be allocated among the States on the basis of the ratio that the number of unemployed persons in each State bears to the total number of unemployed persons in all the States and 35 per centum of

<sup>1</sup> So in original. Probably should be "buildings".