

of the contractual liability of guarantees and insurance outstanding at any one time under this Act shall not exceed \$500,000,000.

(c) The Board of Directors of the Bank shall submit to the Congress for the calendar quarter ending September 30, 1968, and for each calendar quarter thereafter a report of all actions taken under authority of this Act during such quarter.

Report to Congress.

SEC. 2. In the event of any losses, as determined by the Board of Directors of the Bank, incurred on loans, guarantees, and insurance extended under this Act, the first \$100,000,000 of such losses shall be borne by the Bank; the second \$100,000,000 of such losses shall be borne by the Secretary of the Treasury; and any losses in excess thereof shall be borne by the Bank. Reimbursement of the Bank by the Secretary of the Treasury of the amount of losses which are to be borne by the Secretary of the Treasury as aforesaid shall be from funds made available pursuant to section 3 of this Act. All guarantees and insurance issued by the Bank shall be considered contingent obligations backed by the full faith and credit of the Government of the United States of America.

Losses.

Contingent obligations.

SEC. 3. There are hereby authorized to be appropriated to the Secretary of the Treasury without fiscal year limitation \$100,000,000 to cover the amount of any losses which are to be borne by the Secretary of the Treasury as provided in section 2 hereof.

Appropriation.

SEC. 4. Nothing in this Act shall be construed as a limitation on the powers of the Bank under the Export-Import Bank Act of 1945, as amended; and except as to the standard of reasonable assurance of repayment required under section 2(b)(1) of that Act, all loans, guarantees, and insurance extended hereunder shall be subject to the provisions of said Export-Import Bank Act of 1945, as amended, and to the policies of the Bank with respect to terms of repayment, interest rates, fees, and premiums applicable to loans, guarantees, and insurance extended under that Act.

59 Stat. 526.
12 USC 635
note.
Ante, p. 47.

SEC. 5. The Bank shall not extend loans, guarantees, or insurance under this Act in connection with the sale of defense articles or defense services.

Prohibition.

Approved July 7, 1968.

Public Law 90-391

AN ACT

To amend the Vocational Rehabilitation Act to extend the authorization of grants to States for rehabilitation services, to broaden the scope of goods and services available under that Act for the handicapped, and for other purposes.

July 7, 1968
[H. R. 16819]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Vocational Rehabilitation Amendments of 1968".

Vocational Rehabilitation
Amendments of
1968.

AUTHORIZATION OF APPROPRIATIONS

79 Stat. 1282;
81 Stat. 250.
29 USC 31.

SEC. 2: (a) Section 1(b)(1) of the Vocational Rehabilitation Act is amended by striking out "and" and by inserting before the period at the end thereof the following: "; and for the fiscal year ending June 30, 1971, the sum of \$700,000,000".

(b) Section 1(b)(2) of such Act is amended by striking out "and" and by inserting before the period at the end thereof the following: "; for the fiscal year ending June 30, 1969, the sum of \$3,200,000, for the fiscal year ending June 30, 1970, the sum of \$6,000,000, and for the fiscal year ending June 30, 1971, the sum of \$10,000,000".

(c) Section 1(b)(3) of such Act is amended by striking out "and" where it appears after "\$104,000,000," and by inserting before the period at the end thereof the following: "; for the fiscal year ending June 30, 1969, the sum of \$80,000,000, for the fiscal year ending June 30, 1970, the sum of \$115,000,000, and for the fiscal year ending June 30, 1971, the sum of \$140,000,000".

(d) Section 1(b)(4) of such Act is amended by striking out "1969" and inserting "1972".

MINIMUM ALLOTMENTS TO STATES

29 USC 32.

SEC. 3. Section 2(a) of the Vocational Rehabilitation Act is amended by inserting at the end thereof the following: "The allotment to any State (other than the Virgin Islands, Puerto Rico, and Guam) for any fiscal year under the preceding two sentences which is less than \$1,000,000 shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments of each of the remaining such States under the preceding two sentences, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount."

LIMITATION ON USE OF FUNDS FOR CONSTRUCTION

SEC. 4. Section 2(b) of the Vocational Rehabilitation Act is amended by inserting after "for such year" the first time it appears the following: "and such payments shall not be made in an amount which would result in a violation of the provisions of the State plan required by section 5(a)(14)" and by striking out "1965" and inserting in lieu thereof "1969".

Post, p. 300.

PRIVATE CONTRIBUTIONS FOR CONSTRUCTION OR ESTABLISHMENT OF FACILITIES

SEC. 5. Section 2 of the Vocational Rehabilitation Act is amended by adding at the end thereof following new subsection:

"(c) For the purpose of determining the amount of payments to States for carrying out this section and section 3 with respect to expenditures under a State plan approved under section 5, State funds

Post, p. 299.

Post, p. 300.

shall, subject to such limitations and conditions as may be prescribed in regulations of the Secretary, include contributions of funds made by any private agency, organization, or individual to a State to assist in meeting the costs of construction or establishment of a public or other nonprofit rehabilitation facility, which would be regarded as State funds except for the condition, imposed by the contributor, limiting use of such funds to construction or establishment of such facility."

ALLOTMENTS TO STATES FOR THE INNOVATION OF VOCATIONAL REHABILITATION SERVICES

SEC. 6. Effective with respect to fiscal years ending after June 30, 1969, section 3 of the Vocational Rehabilitation Act is amended by adding at the end thereof the following new subsection:

79 Stat. 1283.
29 USC 33.

"(d) Whenever the Secretary determines that any amount of an allotment to a State for any fiscal year will not be utilized by such State in carrying out the purposes of this section, he shall make such amount available for carrying out the purposes of this section to one or more other States which he determines will be able to use additional amounts during such year for carrying out such purposes. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for purposes of this Act, be regarded as an increase in such State's allotment (as determined under the preceding provisions of this section) for such year."

PROJECTS WITH INDUSTRY; TECHNICAL AMENDMENTS OF SECTION 4

SEC. 7. (a) (1) The first sentence of section 4(a) of the Vocational Rehabilitation Act is amended by (A) inserting "(1)" after "Secretary shall", (B) striking out "(1)" after "grants", (C) inserting in clause (1) thereof after "several States" the following: ", and problems related to the rehabilitation of the mentally retarded", and (D) amending clause (2) thereof to read as follows: "(2) (A) make grants to States and public and other nonprofit organizations and agencies for paying part of the cost of planning, preparing for, and initiating special programs to expand vocational rehabilitation services in those States where, in the judgment of the Secretary, such action holds promise of yielding a substantial increase in the number of persons vocationally rehabilitated, and sums appropriated for grants under this clause shall remain available for such grants through the close of June 30, 1972, (B) make contracts or jointly financed cooperative arrangements with employers and organizations for the establishment of projects designed to prepare handicapped individuals for gainful employment in the competitive labor market under which handicapped individuals are provided training and employment in a realistic work setting and such other services (determined in accordance with regulations of the Secretary) as may be necessary for such individuals to continue to engage in such employment, (C) make grants to State vocational rehabilitation agencies and other public and private nonprofit agencies to enable them to develop new programs to recruit and train individuals for new career opportunities in order to provide appropriate manpower in programs serving handicapped individuals and to upgrade or expand those services and (D) make grants to vocational rehabilitation agencies and other public and private nonprofit agencies to enable them to develop new programs to recruit and train handicapped individuals to provide them with new career opportunities in the fields of rehabilitation, health, welfare, public safety and law enforcement, and other appropriate public service employment."

68 Stat. 655;
79 Stat. 1289.
29 USC 34.

79 Stat. 1290.

79 Stat. 1290.
29 USC 34.

68 Stat. 655.

79 Stat. 1282.
29 USC 31.

Ante, p. 299.

(2) The second sentence of section 4(a) of the Vocational Rehabilitation Act is amended by striking out "vocational rehabilitation" and inserting in lieu thereof "vocational rehabilitation of the handicapped or to the rehabilitation of the mentally retarded".

(b) Section 4 of such Act is amended by striking out subsection (b) and redesignating subsections (c) and (d) as (b) and (c), respectively.

(c) So much of section 1(b)(3) of such Act as precedes "there is authorized" is amended to read as follows:

"(3) For the purpose of (A) making grants under section 4(a)(1) for research, demonstrations, training, and traineeships; (B) making grants under clause (2)(A) of section 4(a) for planning, preparing for, and initiating special programs to expand State vocational rehabilitation services; (C) making contracts and jointly financed cooperative arrangements under clause (2)(B) of section 4(a) for projects for providing jobs to handicapped individuals; and (D) making grants under clauses (2)(C) and (D) of section 4(a) to develop new programs to recruit and train individuals for new career opportunities."

79 Stat. 1293.

80 Stat. 499.

(d) Section 4(c) of such Act (as so redesignated by subsection (b)) is amended by striking out "section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) and inserting in lieu thereof "section 5703 of title 5, United States Code,".

STATE PLAN REQUIREMENTS

79 Stat. 1291.
29 USC 35.

SEC. 8. (a) Section 5(a)(1)(A) of the Vocational Rehabilitation Act is amended by inserting "(i)" after "except that" and by inserting before the semicolon at the end thereof the following: "and (ii) the Secretary, upon the request of an agency so designated, may authorize such agency to share funding and administrative responsibility with another agency of the State in order to permit such agencies to carry out a joint project to provide services to handicapped individuals, and may waive compliance with respect to vocational rehabilitation services furnished under such joint projects with the requirement of section 5(a)(3) that the plan be in effect in all political subdivisions of the State".

68 Stat. 657.

(b) Section 5(a)(7) of such Act is amended to read as follows:

"(7) provide that evaluation of rehabilitation potential, counseling and guidance, personal and vocational adjustment, training, maintenance, physical restoration, and placement and followup services will be provided under the plan;"

(c) Section 5(a)(9) of such Act is amended by striking out "Bureau of Old-Age and Survivors Insurance" and inserting in lieu thereof "Social Security Administration".

81 Stat. 253.

(d) Section 5(a) of such Act is further amended by striking out "and" at the end of paragraph (11), by striking out the period at the end of paragraph (12) and inserting a semicolon, and by adding at the end thereof the following:

"(13) provide for continuing statewide studies of the needs of handicapped individuals and how these may be most effectively met; and

"(14) provide that where such State plan includes provisions for the construction of rehabilitation facilities—

"(A) the Federal share of the cost of construction thereof for a fiscal year will not exceed an amount equal to 10 per centum of the State's allotment for such year,

"(B) the provisions of subsections (b)(1), (2), and (4), and (e) of section 12 shall be applicable to such construction and such provisions shall be deemed to apply to such construction, and

79 Stat. 1284.
29 USC 41a.

"(C) there shall be compliance with regulations of the Secretary designed to assure that no State will reduce its efforts in providing other vocational rehabilitation services because its plan includes such provisions for construction."

EVALUATION OF VOCATIONAL REHABILITATION PROGRAM

SEC. 9. Section 7 of the Vocational Rehabilitation Act is amended by adding at the end thereof the following new subsection:

68 Stat. 658;
79 Stat. 1291.
29 USC 37.

"(e) For any fiscal year ending after June 30, 1968, such portion of the appropriations for grants under section 1 as the Secretary may determine, but not exceeding 1 per centum thereof or \$1,000,000, whichever is the lesser, shall be available for evaluation by the Secretary (directly or by grants or contracts) of the programs authorized by this Act."

Anfe, pp. 298,
300.

REVISION OF DEFINITIONS

SEC. 10. (a) Subsection (a) of section 11 of the Rehabilitation Act is amended to read as follows:

29 USC 41.

"(a)(1) The term 'vocational rehabilitation services' means the following services:

"Vocational
rehabilitation
services."

"(A) evaluation, including diagnostic and related services, incidental to the determination of eligibility for and the nature and scope of services to be provided;

"(B) counseling, guidance, and placement services for handicapped individuals, including followup services to assist such individuals to maintain their employment;

"(C) training services for handicapped individuals, which shall include personal and vocational adjustment, books, and other training materials;

"(D) reader services for the blind and interpreter services for the deaf; and

"(E) recruitment and training services for handicapped individuals to provide them with new employment opportunities in the fields of rehabilitation, health, welfare, public safety, and law enforcement, and other appropriate service employment.

"(2) Such term also includes, after full consideration of eligibility for any similar benefit by way of pension, compensation, and insurance, the following services and goods provided to, or for the benefit of, a handicapped individual:

"(A) physical restoration services, including, but not limited to (i) corrective surgery or therapeutic treatment necessary to correct or substantially modify a physical or mental condition which is stable or slowly progressive and constitutes a substantial barrier to employment, but is of such nature that such correction or modification may reasonably be expected to eliminate or substantially reduce the handicap within a reasonable length of time, (ii) necessary hospitalization in connection with surgery or treatment, (iii) prosthetic and orthotic devices, (iv) eye glasses and visual services as prescribed by a physician skilled in the diseases of the eye or by an optometrist;

"(B) maintenance, not exceeding the estimated cost of subsistence, during rehabilitation;

"(C) occupational licenses, tools, equipment, and initial stocks and supplies;

"(D) in the case of any type of small business operated by the severely handicapped the operation of which can be improved by management services and supervision provided by the State agency, the provision of such services and supervision, alone or

together with the acquisition by the State agency of vending stands or other equipment and initial stocks and supplies;

"(E) the construction or establishment of public or other non-profit rehabilitation facilities and the provision of other facilities and services which promise to contribute substantially to the rehabilitation of a group of individuals but which are not related directly to the rehabilitation plan of any one handicapped individual;

"(F) transportation in connection with the rendering of any other vocational rehabilitation service;

"(G) any other goods and services necessary to render a handicapped individual employable;

"(H) services to the families of handicapped individuals when such services will contribute substantially to the rehabilitation of such individuals."

68 Stat. 660.
29 USC 41.

"Rehabilitation facility."

(b) Subsection (c) of section 11 such Act is amended to read as follows:

"(c) The term 'rehabilitation facility' means a facility which is operated for the primary purpose of providing vocational rehabilitation services to, or gainful employment for, handicapped individuals, or for providing evaluation and work adjustment services for disadvantaged individuals, and which provides singly or in combination one or more of the following services for handicapped individuals: (1) Comprehensive rehabilitation services which shall include, under one management, medical, psychological, social, and vocational services, (2) testing, fitting, or training in the use of prosthetic and orthotic devices, (3) prevocational conditioning or recreational therapy, (4) physical and occupational therapy, (5) speech and hearing pathology, (6) psychological and social services, (7) evaluation, (8) personal and work adjustment, (9) vocational training (in combination with other rehabilitation services), (10) evaluation or control of special disabilities, and (11) extended employment for the severely handicapped who cannot be readily absorbed in the competitive labor market; but all medical and related health services must be prescribed by, or under the formal supervision of, persons licensed to practice medicine or surgery in the State."

Repeal.

"Workshop."
"Nonprofit."

68A Stat. 163.
26 USC 501.

(c) Subsection (d) of section 11 of such Act is repealed.

(d) Subsection (e) of section 11 of such Act is amended by striking out "or a workshop" and "and a workshop, respectively," and by striking out "101(6) of the Internal Revenue Code" and inserting in lieu thereof "501(c)(3) of the Internal Revenue Code of 1954".

(e) Subsection (f) of section 11 of such Act is amended to read as follows:

"Establishment of rehabilitation facility."

"(f) Establishment of a rehabilitation facility means (1) the expansion, remodeling, or alteration of existing buildings necessary to adapt them to rehabilitation facility purposes or to increase their effectiveness for such purposes (subject, however, to such limitations as the Secretary may, by regulation, prescribe in order to prevent impairment of the objectives of, or duplication of, other Federal laws providing Federal assistance in the construction of such facilities), (2) initial equipment of such buildings, and (3) the initial staffing thereof (for a period not to exceed four years and three months)."

"Federal share."
79 Stat. 1294.

Ante, p. 298.

Supra.

(f) Subsection (i) of section 11 of such Act is amended by inserting before the period at the end thereof the following: "for the fiscal year ending June 30, 1969, and 80 per centum for each succeeding fiscal year; except that with respect to payments pursuant to section 2(b) to any State which are used to meet the costs of construction of rehabilitation facilities (as provided in section 11(a)(2)(E)) in such State, the Federal share shall be, for the fiscal year ending June 30,

1969, and for each subsequent fiscal year, the percentage determined in accordance with the provisions of section 12(c) applicable with respect to that State".

79 Stat. 1284.
29 USC 41a.

(g) Subsection (g) of section 11 of such Act is amended by inserting before the period the following: "; and, for purposes of sections 4, 7, 12, and 13 only of this Act, American Samoa and the Trust Territory of the Pacific Islands, and for such purposes the appropriate State agency designated as provided in section 5(a)(1) shall be the Governor of American Samoa or the High Commissioner of the Trust Territory of the Pacific Islands, as the case may be".

"State."
68 Stat. 661.
29 USC 41.

(h) (1) Section 11(h)(2) of the Vocational Rehabilitation Act is amended by striking out "August 31" and inserting in lieu thereof "September 30", and by striking out ": Provided" and all that follows down through "1957".

"Allotment percentage."

(2) Section 11(h)(3) of such Act is repealed.

Repeal.
74 Stat. 417.

(3) Section 11(h)(4) of such Act is redesignated section 11(h)(3) and is amended by striking out "and subsection (i)".

(i) Section 11(j) of the Vocational Rehabilitation Act is amended by adding at the end thereof before the period the following: "by October 1 of the year preceding the fiscal year for which funds are appropriated pursuant to authorization provided for in section 1".

State population.
68 Stat. 661.

(j) Section 11 of such Act is further amended by adding at the end thereof the following:

Ante, pp. 298,
300.

"(1) Except where used in sections 12 and 16, the term 'construction' means the construction of new buildings, the acquisition of existing buildings, initial equipment of such new buildings or newly acquired buildings, and initial staffing thereof (for a period not to exceed four years and three months), and the term 'cost of construction' includes architects' fees and acquisition of land in connection with construction, but does not include the cost of off-site improvements."

"Construction."
79 Stat. 676,
1284.
29 USC 41a, 42.

REHABILITATION FACILITIES CONSTRUCTION AND STAFFING

SEC. 11. (a) (1) The center heading of section 12 of the Vocational Rehabilitation Act is amended to read as follows:

"GRANTS FOR CONSTRUCTION AND STAFFING OF REHABILITATION FACILITIES"

(2) Section 12 of such Act is amended (A) by striking out "workshop or" and "workshops and" wherever such terms appear, (B) by striking out ", as the case may be" at the end of subsection (b)(1), and (C) by striking out "workshop" where it appears in paragraph (3) of the last subsection and inserting in lieu thereof "rehabilitation facility which is primarily a workshop".

(b) Subsection (i) of section 12 of such Act is amended (1) by inserting after "June 30, 1968" the following: "\$10,000,000 for the fiscal year ending June 30, 1969, \$20,000,000 for the fiscal year ending June 30, 1970, and \$30,000,000 for the fiscal year ending June 30, 1971", and (2) by striking out "1970" and inserting in lieu thereof "1973".

Appropriation.

REHABILITATION FACILITIES IMPROVEMENT

SEC. 12. (a) The center heading of section 13 of the Vocational Rehabilitation Act is amended to read "REHABILITATION FACILITY IMPROVEMENT".

79 Stat. 1286.
29 USC 41b.

(b) Subsection (a) of such section is amended by striking out "workshops and" in paragraph (1), and by striking out "workshops or" both times it appears in paragraph (3).

79 Stat. 1287.
29 USC 41b.

(c) Subsection (b) of such section is amended by striking out "Workshop" where it appears in the center heading and inserting "Rehabilitation Facility", and by amending paragraph (1) thereof to read as follows:

"(b) (1) The Secretary is authorized to make grants to public or other nonprofit rehabilitation facilities to pay part of the cost of projects to analyze, improve and increase their professional services to the handicapped, their business management, or any part of their operations affecting their capacity to provide employment and services for the handicapped."

80 Stat. 499.

(d) Subsection (c) of such section is amended (1) by striking "Workshops" where it appears in the center heading and inserting "Rehabilitation Facility", (2) by striking out "workshops" in paragraph (1) and inserting "rehabilitation facilities", and (3) by striking out "section 5 of the Administrative Expense Act of 1946 (5 U.S.C. 73b-2)" and inserting in lieu thereof "section 5703 of title 5, United States Code,".

(e) Subsection (d) of such section is amended by inserting after "subsection (a)" in paragraph (2) the following: "for a rehabilitation facility which is a workshop", and by striking out in paragraph (4) "section 5 of the Administrative Expense Act of 1946 (5 U.S.C. 73b-2)" and inserting in lieu thereof "section 5703 of title 5, United States Code".

Appropriation.

(f) Subsection (e) of such section is amended by striking out "workshop or".

(g) Subsection (f) of such section is amended by striking out "and subsection (b)" and inserting in lieu thereof ", subsection (b), and subsection (c)", and by inserting after "June 30, 1968" the following: "\$10,000,000 for the fiscal year ending June 30, 1969, \$20,000,000 for the fiscal year ending June 30, 1970, and \$30,000,000 for the fiscal year ending June 30, 1971".

VOCATIONAL EVALUATION AND WORK ADJUSTMENT

SEC. 13. The Vocational Rehabilitation Act is amended (1) by striking out sections 15 and 16, (2) by redesignating sections 17, 18, and 19 as sections 16, 17, and 18, respectively, and (3) by inserting after section 14 the following new section:

79 Stat. 676,
1284-1289;
81 Stat. 251, 252.
29 USC 31 note,
41c-42b.

"VOCATIONAL EVALUATION AND WORK ADJUSTMENT PROGRAM

State allotments.

"SEC. 15. (a) (1) For each fiscal year each State shall be entitled to an allotment of an amount bearing the same ratio to the amount authorized to be appropriated by paragraph (2) of this subsection for meeting the costs described in paragraph (3) of this subsection, as the product of (A) the population of the State, and (B) its allotment percentage (as defined in section 11(h)) bears to the sum of the corresponding products for all the States. The allotment to any State under the preceding sentence for any fiscal year which is less than \$50,000 (or such amount as may be specified as a minimum allotment in the Act appropriating sums for such year) shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments to each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

Anfe, p. 303.
Minimum.

"(2) There is authorized to be appropriated for carrying out this section \$50,000,000 for the fiscal year ending June 30, 1969, \$75,000,000 for the fiscal year ending June 30, 1970, \$100,000,000 for the fiscal

Appropriation.

year ending June 30, 1971, and for each succeeding fiscal year only such sums may be appropriated as the Congress may hereafter authorize by law.

"(3) The Secretary shall pay to each State an amount equal to 90 per centum of the cost of evaluation and work adjustment services furnished to disadvantaged persons under a plan of such State approved under subsection (d), including the cost of any evaluation and work adjustment services furnished by the designated State vocational rehabilitation agency or agencies for other agencies providing services to disadvantaged individuals under another evaluation program of the State, except that the total of such payments to such State for such fiscal year may not exceed its allotment under paragraph (1) for such year. The cost of evaluation and work adjustment services shall not include any amounts paid by another public or private agency for the provision of evaluation or work adjustment services.

Federal payments.

"(4) 'Evaluation and work adjustment services' include, as appropriate in each case, such services as—

"Evaluation and work adjustment services."

"(A) a preliminary diagnostic study to determine that the individual is disadvantaged, has an employment handicap, and that services are needed;

"(B) a thorough diagnostic study consisting of a comprehensive evaluation of pertinent medical, psychological, vocational, educational, cultural, social, and environmental factors which bear on the individual's handicap to employment and rehabilitation potential including, to the degree needed, an evaluation of the individual's personality, intelligence level, educational achievements, work experience, vocational aptitudes and interests, personal and social adjustments, employment opportunities, and other pertinent data helpful in determining the nature and scope of services needed;

"(C) services to appraise the individual's patterns of work behavior and ability to acquire occupational skills, and to develop work attitudes, work habits, work tolerance, and social and behavior patterns suitable for successful job performance, including the utilization of work, simulated or real, to assess and develop the individual's capacities to perform adequately in a work environment;

"(D) any other goods or services provided to a disadvantaged individual, determined (in accordance with regulations of the Secretary) to be necessary for, and which are provided for the purpose of, ascertaining the nature of the handicap to employment and whether it may reasonably be expected the individual can benefit from vocational rehabilitation services or other services available to disadvantaged individuals;

"(E) outreach, referral, and advocacy; and

"(F) the administration of these evaluation and work adjustment services.

As used in this section, the term 'disadvantaged individuals' means (i) handicapped individuals as defined in section 11(b) of this Act, (ii) individuals disadvantaged by reason of their youth or advanced age, low educational attainments, ethnic or cultural factors, prison or delinquency records, or other conditions which constitute a barrier to employment, and (iii) other members of their families when the provision of vocational rehabilitation services to family members is necessary for the rehabilitation of an individual described in clause (i) or (ii).

"Disadvantaged individuals."
68 Stat. 660.
29 USC 41.

"(b) No payment may be made from an allotment under this section with respect to any cost with respect to which any payment is made under any other section of this Act.

Restriction.

State plan.

"(c) The Secretary shall approve a State evaluation and work adjustment plan which:

Ante, p. 300.

"(1) Designates as the State evaluation and work adjustment agency the same agency designated under section 5(a) of this Act (other than the State blind commission or other agency providing assistance or services to the adult blind).

"(2) Provides for financial participation by the State, which may include non-Federal funds donated to the State.

"(3) Shows the plan, policies, and methods to be followed in providing services under the State evaluation and work adjustment plan and in its administration and supervision, and, in case evaluation and work adjustment services cannot be provided all disadvantaged individuals who apply for such services, shows the order to be followed in selecting those to whom evaluation and work adjustment services will be provided.

"(4) Provides such methods of administration, other than methods relating to the establishment and maintenance of personnel standards, as are found by the Secretary to be necessary for the proper and efficient administration of the plan.

"(5) Contains provisions relating to the establishment and maintenance of personnel standards and the establishment and maintenance of minimum standards governing the facilities and personnel utilized in the provision of evaluation and work adjustment services consistent with the provisions of the State plan for vocational rehabilitation services.

"(6) Provides that evaluation and work adjustment services will be provided without regard to whether or not the disadvantaged individual is in financial need, except to the extent provided for under paragraph (3).

"(7) Provides that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time reasonably require to carry out his functions under this section, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports.

"(8) Provides for cooperation by the State agency with other public and private agencies concerned with disadvantaged individuals and joint undertakings to further the effectiveness of evaluation and work adjustment services for such individuals.

Withholding of
payments; appeal.

68 Stat. 658.

29 USC 35.

Ante, pp. 298,
299.

"(d) The Secretary shall discontinue payments under this section in the same manner and on the same basis as he is required by section 5(c) to discontinue payments under sections 2 and 3, and judicial review of such action shall be had in the same manner as is provided in section 5(d) for similar action taken by him under section 5(c).

"(e) Payments under this section may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installment and on such conditions, as the Secretary may determine."

PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

SEC. 14. The joint resolution entitled "Joint resolution authorizing an appropriation for the work of the President's Committee on National Employ the Physically Handicapped Week", approved July 11, 1949, as amended (63 Stat. 409), is amended (1) by striking out the word "physically" wherever it appears, and (2) by striking out "not to exceed the sum of \$500,000" and inserting in lieu thereof "not to exceed the sum of \$1,000,000".

Approved July 7, 1968.