

§102(p)(20), title III, §306, Oct. 29, 1992, 106 Stat. 4359, 4417, related to general grant and contract requirements.

Section 777, Pub. L. 93-112, title III, §310, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2973; amended Pub. L. 98-221, title I, §135, title II, §208(b), Feb. 22, 1984, 98 Stat. 25, 34; Pub. L. 99-506, title IV, §405, Oct. 21, 1986, 100 Stat. 1825; Pub. L. 100-630, title II, §204(f), Nov. 7, 1988, 102 Stat. 3309; Pub. L. 102-52, §4(e)(1), June 6, 1991, 105 Stat. 261; Pub. L. 102-569, title III, §307, Oct. 29, 1992, 106 Stat. 4418; Pub. L. 103-73, title I, §110(b), Aug. 11, 1993, 107 Stat. 726, authorized appropriations.

Section 777a, Pub. L. 93-112, title III, §311, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2973; amended Pub. L. 98-221, title I, §136, Feb. 22, 1984, 98 Stat. 26; Pub. L. 99-506, title I, §103(d)(2)(C), title III, §302(b), title IV, §406, Oct. 21, 1986, 100 Stat. 1810, 1821, 1826; Pub. L. 100-630, title II, §204(g), Nov. 7, 1988, 102 Stat. 3309; Pub. L. 102-52, §4(e)(2), June 6, 1991, 105 Stat. 261; Pub. L. 102-119, §26(e), Oct. 7, 1991, 105 Stat. 607; Pub. L. 102-569, title I, §102(p)(21), title III, §308, Oct. 29, 1992, 106 Stat. 4359, 4418; Pub. L. 103-73, title I, §110(c), Aug. 11, 1993, 107 Stat. 726; Pub. L. 104-66, title I, §1041(b), Dec. 21, 1995, 109 Stat. 714, related to special demonstration programs.

Section 777b, Pub. L. 93-112, title III, §312, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2974; amended Pub. L. 99-506, title I, §103(d)(2)(C), Oct. 21, 1986, 100 Stat. 1810; Pub. L. 100-630, title II, §204(h), Nov. 7, 1988, 102 Stat. 3309; Pub. L. 102-569, title I, §102(p)(22), title III, §309, Oct. 29, 1992, 106 Stat. 4359, 4420, related to migratory workers, maintenance payments, and coordination with other programs. See section 774 of this title.

A prior section 777c, Pub. L. 93-112, title III, §313, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2974, related to Helen Keller National Center for Deaf-Blind Youths and Adults, prior to repeal by Pub. L. 98-221, title II, §203(a), Feb. 22, 1984, 98 Stat. 33. See chapter 21 (§1901 et seq.) of this title.

Another prior section 777c, Pub. L. 93-112, title III, §313, formerly §305, Sept. 26, 1973, 87 Stat. 383; Pub. L. 93-516, title I, §107, Dec. 7, 1974, 88 Stat. 1619; Pub. L. 93-651, title I, §107, Nov. 21, 1974, 89 Stat. 2-4; Pub. L. 94-230, §§7, 11(b)(10), Mar. 15, 1976, 90 Stat. 212, 213; Pub. L. 94-288, §§1, 2, May 21, 1976, 90 Stat. 520; renumbered §313, Pub. L. 95-602, title I, §109(1), Nov. 6, 1978, 92 Stat. 2962, formerly classified to section 775 of this title, authorized appropriations for fiscal years ending June 30, 1974, June 30, 1975, June 30, 1976, Sept. 30, 1977, and Sept. 30, 1978, for establishment of Helen Keller National Center for Deaf-Blind Youths and Adults, prior to repeal by Pub. L. 100-630, title II, §204(k), Nov. 7, 1988, 102 Stat. 3309.

Prior sections 777d to 777f were omitted in the general amendment of this subchapter by Pub. L. 105-220.

Section 777d, Pub. L. 93-112, title III, §314, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2975; amended Pub. L. 100-630, title II, §204(i), Nov. 7, 1988, 102 Stat. 3309; Pub. L. 102-569, title I, §102(p)(23), Oct. 29, 1992, 106 Stat. 4359, related to reader services for individuals who are blind.

Section 777e, Pub. L. 93-112, title III, §315, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2975; amended Pub. L. 102-569, title I, §102(p)(24), Oct. 29, 1992, 106 Stat. 4359, related to interpreter services for individuals who are deaf.

Section 777f, Pub. L. 93-112, title III, §316, as added Pub. L. 95-602, title I, §116(2), Nov. 6, 1978, 92 Stat. 2976; amended Pub. L. 98-221, title I, §137, Feb. 22, 1984, 98 Stat. 26; Pub. L. 99-506, title I, §103(d)(2)(C), title IV, §407, Oct. 21, 1986, 100 Stat. 1810, 1827; Pub. L. 100-630, title II, §204(j), Nov. 7, 1988, 102 Stat. 3309; Pub. L. 102-52, §4(e)(3), June 6, 1991, 105 Stat. 261; Pub. L. 102-569, title I, §102(p)(25), title III, §310, Oct. 29, 1992, 106 Stat. 4359, 4420; Pub. L. 103-73, title I, §110(d), Aug. 11, 1993, 107 Stat. 726, related to special recreational programs. See section 775 of this title.

## SUBCHAPTER IV—NATIONAL COUNCIL ON DISABILITY

### CODIFICATION

Title IV of the Rehabilitation Act of 1973, comprising this subchapter, was originally enacted by Pub. L. 93-112, title IV, Sept. 26, 1973, 87 Stat. 385, 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. 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. 102-569, 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. Title IV is shown herein, however, as having been added by Pub. L. 105-220, title IV, §407, Aug. 7, 1998, 112 Stat. 1198, without reference to those intervening amendments because of the extensive revision of title IV by Pub. L. 105-220.

### § 780. Establishment of National Council on Disability

#### (a) Membership; purpose

(1)(A) There is established within the Federal Government a National Council on Disability (hereinafter in this subchapter referred to as the "National Council"), which shall be composed of fifteen members appointed by the President, by and with the advice and consent of the Senate.

(B) The President shall select members of the National Council after soliciting recommendations from representatives of—

- (i) organizations representing a broad range of individuals with disabilities; and
- (ii) organizations interested in individuals with disabilities.

(C) The members of the National Council shall be individuals with disabilities, parents or guardians of individuals with disabilities, or other individuals who have substantial knowledge or experience relating to disability policy or programs. The members of the National Council shall be appointed so as to be representative of individuals with disabilities, national organizations concerned with individuals with disabilities, providers and administrators of services to individuals with disabilities, individuals engaged in conducting medical or scientific research relating to individuals with disabilities, business concerns, and labor organizations. A majority of the members of the National Council shall be individuals with disabilities. The members of the National Council shall be broadly representative of minority and other individuals and groups.

(2) The purpose of the National Council is to promote policies, programs, practices, and procedures that—

(A) guarantee equal opportunity for all individuals with disabilities, regardless of the nature or severity of the disability; and

(B) empower individuals with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society.

#### (b) Term of office

(1) Each member of the National Council shall serve for a term of 3 years, except that the terms of service of the members initially appointed after November 6, 1978, shall be (as spec-

ified by the President) for such fewer number of years as will provide for the expiration of terms on a staggered basis.

(2)(A) No member of the National Council may serve more than two consecutive full terms beginning on the date of commencement of the first full term on the Council. Members may serve after the expiration of their terms until their successors have taken office.

(B) As used in this paragraph, the term “full term” means a term of 3 years.

(3) Any member appointed to fill a vacancy occurring before the expiration of the term for which such member’s predecessor was appointed shall be appointed only for the remainder of such term.

**(c) Chairperson; meetings**

The President shall designate the Chairperson from among the members appointed to the National Council. The National Council shall meet at the call of the Chairperson, but not less often than four times each year.

**(d) Quorum; vacancies**

Eight members of the National Council shall constitute a quorum and any vacancy in the National Council shall not affect its power to function.

(Pub. L. 93–112, title IV, §400, as added Pub. L. 105–220, title IV, §407, Aug. 7, 1998, 112 Stat. 1198.)

PRIOR PROVISIONS

A prior section 780, Pub. L. 93–112, title IV, §400, as added Pub. L. 95–602, title I, §117, Nov. 6, 1978, 92 Stat. 2977; amended Pub. L. 98–221, title I, §141(a), Feb. 22, 1984, 98 Stat. 26; Pub. L. 99–506, title I, §103(d)(2)(C), title V, §501, title X, §1001(e), Oct. 21, 1986, 100 Stat. 1810, 1828, 1843; Pub. L. 100–630, title II, §205(b), Nov. 7, 1988, 102 Stat. 3310; Pub. L. 102–569, title I, §102(p)(26), title IV, §401, Oct. 29, 1992, 106 Stat. 4360, 4421, related to establishment of the National Council on Disability, prior to the general amendment of this subchapter by Pub. L. 105–220.

Another prior section 780, Pub. L. 93–112, title IV, §400, Sept. 26, 1973, 87 Stat. 385, related to general administrative powers of Secretary under this chapter, prior to repeal by Pub. L. 95–602, §117.

**§ 780a. Independent status of National Council on the Handicapped**

**(1) Council as independent agency within Federal Government**

Effective on February 22, 1984, the National Council on the Handicapped shall be an independent agency within the Federal Government and shall not be an agency within the Department of Education or any other department or agency of the United States.

**(2) Transfer of functions to Council Chairman**

There are transferred to the Chairman of the National Council on the Handicapped all functions relating to the Council which were vested in the Secretary of Education on the day before February 22, 1984. The Chairman of the National Council on the Handicapped shall continue to exercise all the functions under the Rehabilitation Act of 1973 [29 U.S.C. 701 et seq.] or any other law or authority which the Chairman was performing before February 22, 1984.

**(3) Changes in statutory and other references**

References in any statute, reorganization plan, Executive order, regulation, or other offi-

cial document or proceeding to the Department of Education or the Secretary of Education with respect to functions or activities relating to the National Council on the Handicapped shall be deemed to refer to the National Council on the Handicapped or the Chairman of the National Council on the Handicapped, respectively.

(Pub. L. 98–221, title I, §141(b), Feb. 22, 1984, 98 Stat. 26.)

REFERENCES IN TEXT

The Rehabilitation Act of 1973, referred to in par. (2), is Pub. L. 93–112, Sept. 26, 1973, 87 Stat. 355, as amended, which is classified generally to this chapter (§701 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 701 of this title and Tables.

CODIFICATION

Section was enacted as part of the Rehabilitation Amendments of 1984, and not as part of Rehabilitation Act of 1973 which comprises this chapter.

CHANGE OF NAME

The National Council on the Handicapped was established by former section 780 of this title and was redesignated the National Council on Disability by an amendment to that section by Pub. L. 100–630, title II, §205(b), Nov. 7, 1988, 102 Stat. 3310.

**§ 781. Duties of National Council**

**(a) In general**

The National Council shall—

(1) provide advice to the Director with respect to the policies and conduct of the National Institute on Disability and Rehabilitation Research, including ways to improve research concerning individuals with disabilities and the methods of collecting and disseminating findings of such research;

(2) provide advice to the Commissioner with respect to the policies of and conduct of the Rehabilitation Services Administration;

(3) advise the President, the Congress, the Commissioner, the appropriate Assistant Secretary of the Department of Education, and the Director of the National Institute on Disability and Rehabilitation Research on the development of the programs to be carried out under this chapter;

(4) provide advice regarding priorities for the activities of the Interagency Disability Coordinating Council and review the recommendations of such Council for legislative and administrative changes to ensure that such recommendations are consistent with the purposes of the Council to promote the full integration, independence, and productivity of individuals with disabilities;

(5) review and evaluate on a continuing basis—

(A) policies, programs, practices, and procedures concerning individuals with disabilities conducted or assisted by Federal departments and agencies, including programs established or assisted under this chapter or under the Developmental Disabilities Assistance and Bill of Rights Act of 2000 [42 U.S.C. 15001 et seq.]; and

(B) all statutes and regulations pertaining to Federal programs which assist such individuals with disabilities;