

PREPARED FOR THE  
INTERAGENCY COMMITTEE ON DISABILITY RESEARCH

# Federal Statutory Definitions of Disability

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# INTRODUCTION

This paper presents a collection of federal statutory definitions of disability as contained in the United States Code (Code). It is an update of the September 2018 paper prepared for the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR), U.S. Department of Health and Human Services. The purpose of this paper is to provide a reference for the various definitions of disability contained in the Code.

Compiled by the Office of the Law Revision Counsel in the U.S. House of Representatives, the Code stands as the official compilation of the federal statutes currently in force. The Code is divided into 50 titles by subject matter, and each title is divided into sections.

A search of the Code found 73 places where disability is defined. The Code includes definitions of disability, disabled person, individual with a disability, disabling condition, child with a disability, youth with a disability, handicap, and other variations of the term disability.

This paper contains two tables. **Table 1** organizes statutes into nine headings: Civil Rights, Education, Employment, Housing, Internal Revenue Code, Social Security, Social Services, Veterans and Armed Forces, and Miscellaneous. Within these headings, definitions are arranged by Code title and section number.

The left column identifies the act (e.g., Americans with Disabilities Act [ADA]) or program (e.g., Ticket to Work and Self-Sufficiency Program) and specifies the title and section of each codified act or program.

Acts are referred to by the short title contained in the statute (e.g., Fair Housing Act). For ease of identification, programs are referred to by name (e.g., Social Security Work Incentives Outreach Program) rather than by the authorizing act. The right column of the table contains the statutory definition and a citation to the Code title and section for the definition.

**Table 2** (page 48) is a cross-reference guide that illustrates the overlap in disability definitions in the Code. The first column is organized numerically by Code title. The second column presents the definition. The third column lists the acts and programs that refer to that definition. Some acts and programs in Table 1 refer to definitions contained in other titles or sections of the Code. Use Table 2 to find those definitions. For example, if a definition in Table 1 states, “The term ‘disability’ has the same meaning given to such term by section 12102(2) of title 42,” go to Table 2 and find 42 U.S.C. §12102(2) for the definition.

Counting the number of different federal statutory definitions of disability is complicated. Definitions across the acts often overlap.

Of the 73 instances of disability definitions described in Table 1, 43 refer to definitions contained in other Code sections. For example, one definition states, “The term ‘disability’ has the same meaning given to such term by section 12102(2) of title 42,” referring to the definition of disability contained in the ADA.

Also, 13 acts include more than one definition of disability. For example, the ADA defines not only “disability” but also “qualified individual with a disability” for purposes of employment and public services. The ADA further specifies certain conditions that are not considered disabilities. Likewise, the Rehabilitation Act of 1973 has several definitions, including a two-part definition for “individual with a disability,” one of which is the ADA definition.

In total, of the 73 acts or programs that define disability, 40 have self-contained definitions. Some of these 40 contain more than one definition, however, and two use ADA language, 43 use definitions from another Code section, and 13 use definitions from more than one Code section.

For readers interested in further research, the U.S. Code is available online at various websites. The Legal Information Institute located at <http://www4.law.cornell.edu/us-code/> contains a form that allows lookup for specific sections and a search engine that can search the entire U.S. Code or just selected titles.

**TABLE 1 | Federal Statutory Definitions of Disability**

CIVIL RIGHTS	
<p><b>1. Fair Housing Act</b></p> <p><i>42 U.S.C. § 3601 et seq.</i></p>	<p>“Handicap” means, with respect to a person—</p> <p>(1) a physical or mental impairment which substantially limits one or more of such person’s major life activities,</p> <p>(2) a record of having such an impairment, or</p> <p>(3) being regarded as having such an impairment,</p> <p>(4) but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 802 of Title 21).</p> <p><i>42 U.S.C. § 3602(h)</i></p>
<p><b>2. Domestic Volunteer Service Act of 1973</b></p> <p><i>42 U.S.C. § 4950 et seq.</i></p>	<p>(2) Definition</p> <p>As used in paragraph (1), the term “qualified individual with a disability” has the meaning given the term in section 12111(8) of this title.</p> <p><i>42 U.S.C. § 5057(a)(2)</i></p> <hr/> <p>(10) except as provided in section 5057 of this title, the term “individual with a disability” has the meaning given the term in section 705(20)(B) of title 29.</p> <p><i>42 U.S.C. § 5061(10)</i></p>

### 3. Americans with Disabilities Act of 1990

*42 U.S.C. § 12101 et seq.*

The term “disability” means, with respect to an individual—

- (A) a physical or mental impairment that substantially limits one or more major life activities of such individual;
- (B) a record of such an impairment; or
- (C) being regarded as having such an impairment (as described in paragraph (3)).

*42 U.S.C. § 12102(2)*

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#### (8) Qualified individual

The term “qualified individual” means an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires. For the purposes of this subchapter, consideration shall be given to the employer’s judgment as to what functions of a job are essential, and if an employer has prepared a written description before advertising or interviewing applicants for the job, this description shall be considered evidence of the essential functions of the job.

*42 U.S.C. § 12111(8) Title I, Employment*

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#### (2) Qualified individual with a disability

The term “qualified individual with a disability” means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

*42 U.S.C. § 12131(2) Title II, Public Services*

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For the purposes of this chapter, the term “disabled” or “disability” shall not apply to an individual solely because that individual is a transvestite.

*42 U.S.C. § 12208*

	<p>(a) Homosexuality and bisexuality For purposes of the definition of “disability” in section 12102(2) of this title, homosexuality and bisexuality are not impairments and as such are not disabilities under this chapter.</p> <p>(b) Certain conditions Under this chapter, the term “disability” shall not include—</p> <ul style="list-style-type: none"> <li>(1) transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;</li> <li>(2) compulsive gambling, kleptomania, or pyromania; or</li> <li>(3) psychoactive substance use disorders resulting from current illegal use of drugs.</li> </ul> <p><i>42 U.S.C. § 12211</i></p>
<p><b>4. Developmental Disabilities Assistance and Bill of Rights Act</b></p> <p><i>42 U.S.C. § 15001 et seq.</i></p>	<p>(8) Developmental disability</p> <p>(A) In general The term “developmental disability” means a severe, chronic disability of an individual that —</p> <ul style="list-style-type: none"> <li>(i) is attributable to a mental or physical impairment or combination of mental and physical impairments;</li> <li>(ii) is manifested before the individual attains age 22;</li> <li>(iii) is likely to continue indefinitely;</li> <li>(iv) results in substantial functional limitations in 3 or more of the following areas of major life activity: <ul style="list-style-type: none"> <li>(I) Self-care.</li> <li>(II) Receptive and expressive language.</li> <li>(III) Learning.</li> <li>(IV) Mobility.</li> <li>(V) Self-direction.</li> <li>(VI) Capacity for independent living.</li> <li>(VII) Economic self-sufficiency; and</li> </ul> </li> <li>(v) reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.</li> </ul> <p><i>42 U.S.C. § 15002(8)</i></p>

	<p>(1) Child with a disability</p> <p>The term “child with a disability” means an individual who—</p> <p>(A) has a significant physical or mental impairment, as defined pursuant to State policy to the extent that such policy is established without regard to type of disability; or</p> <p>(B) is an infant or a young child from birth through age 8 and has a substantial developmental delay or specific congenital or acquired condition that presents a high probability of resulting in a disability if services are not provided to the infant or child.</p> <p><i>42 U.S.C. § 15092(a)(1)</i></p>
<p><b>5. Digital Equity Act of 2021</b></p> <p><i>47 U.S.C. § 1721 et seq.</i></p>	<p>(13) Disability</p> <p>The term “disability” has the meaning given the term in section 12102 of title 42.</p> <p><i>47 U.S.C. § 1721(13)</i></p>
<p><b>6. Air Carrier Access Act of 1986</b></p> <p><i>49 U.S.C. § 41705</i></p>	<p>(a) In providing air transportation, an air carrier, including (subject to section 40105(b)) any foreign air carrier, may not discriminate against an otherwise qualified individual on the following grounds:</p> <p>(1) the individual has a physical or mental impairment that substantially limits one or more major life activities.</p> <p>(2) the individual has a record of such an impairment.</p> <p>(3) the individual is regarded as having such an impairment.</p> <p><i>49 U.S.C. § 41705(a)</i></p>

## EDUCATION

<p><b>7. Higher Education Act</b></p> <p><i>20 U.S.C. § 1003 et seq.</i></p>	<p>(6) Disability</p> <p>The term “disability” has the same meaning given that term under section 12102(2) of title 42.</p> <p><i>20 U.S.C. § 1003(3)</i></p>
<p><b>8. Federal Perkins Loans</b></p> <p><i>20 U.S.C. § 1087aa et seq.</i></p>	<p>(c) Infants, toddlers, children, and youth with disabilities</p> <p>For purposes of this part, the term “infants, toddlers, children, and youth with disabilities” means children with disabilities and infants and toddlers with disabilities as defined in sections 1401 and 1432 of this title, respectively, and the term “early intervention services” has the meaning given the term in section 1432 of this title.</p> <p><i>20 U.S.C. § 1087ii(c)</i></p>
<p><b>9. Programs To Provide Students With Disabilities With a Quality Higher Education</b></p> <p><i>20 U.S.C. § 1140</i></p>	<p>(2) Student with an intellectual disability</p> <p>The term “student with an intellectual disability” means a student—</p> <p>(A) with a cognitive impairment, characterized by significant limitations in:</p> <ul style="list-style-type: none"> <li>(i) intellectual and cognitive functioning; and</li> <li>(ii) adaptive behavior as expressed in conceptual, social, and practical adaptive skills; and</li> </ul> <p>(B) who is currently, or was formerly, eligible for a free appropriate public education under the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.].</p> <p><i>20 U.S.C. § 1140(2)</i></p>
<p><b>10. General Education Provisions Act</b></p> <p><i>20 U.S.C. § 1228c</i></p>	<p>(1) Disability</p> <p>The term “disability” has the same meaning given to such term by section 12102(2) of title 42.</p> <p><i>20 U.S.C. § 1228c(d)(1)</i></p>

**11. Individuals with  
Disabilities Education  
Act (IDEA)**

*20 U.S.C. § 1400 et seq.*

**(3) Child with a disability**

(A) In general the term “child with a disability” means a child—

(i) with intellectual disabilities, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this chapter as “emotional disturbance”), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and

(ii) who, by reason thereof, needs special education and related services.

(B) Child aged 3 through 9

The term “child with a disability” for a child aged 3 through 9 (or any subset of that age range, including ages 3 through 5), may, at the discretion of the State and the local educational agency, include a child—

(i) experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in 1 or more of the following areas: physical development; cognitive development; communication development; social or emotional development; or adaptive development; and

(ii) who, by reason thereof, needs special education and related services.

*20 U.S.C. § 1401(3)*

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**(5) Infant or toddler with a disability**

A) means an individual under 3 years of age who needs early intervention services because the individual—

(i) is experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures in 1 or more of the areas of cognitive development, physical development, communication development, social or emotional development, and adaptive development; or

(ii) has a diagnosed physical or mental condition that has a high probability of resulting in developmental delay; and

(B) may also include, at a State’s discretion—

(i) at-risk infants and toddlers; and

(ii) children with disabilities who are eligible for services under section 1419 of this title and who previously received services under this

	<p>subchapter until such children enter, or are eligible under State law to enter, kindergarten or elementary school, as appropriate, provided that any programs under this subchapter serving such children shall include—</p> <ul style="list-style-type: none"> <li>(I) an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills; and</li> <li>(II) a written notification to parents of their rights and responsibilities in determining whether their child will continue to receive services under this subchapter or participate in preschool programs under section 1419 of this title.</li> </ul> <p><i>20 U.S.C. § 1432(5)</i></p>
<p><b>12. Carl D. Perkins Vocational and Applied Technical Education Act of 1998</b></p> <p><i>20 U.S.C. § 2301 et seq.</i></p>	<p>(17) Individual with a disability</p> <p>(A) In general the term “individual with a disability” means an individual with any disability (as defined in section 12102 of title 42).</p> <p>(B) Individuals with disabilities</p> <p>The term “individuals with disabilities” means more than 1 individual with a disability.</p> <p><i>20 U.S.C. § 2302(14)</i></p>
<p><b>13. Richard B. Russell National School Lunch Act</b></p> <p><i>42 U.S.C. § 1751 et seq.</i></p>	<p>(3) Disability — The term “disability” has the meaning given the term in the Rehabilitation Act of 1973 for purposes of title II of that Act (29 U.S.C 760 et seq.).</p> <p><i>42 U.S.C. § 1760 (d)(3)</i></p>
<p><b>14. Child Nutrition Act of 1966</b></p> <p><i>42 U.S.C. § 1771 et seq.</i></p>	<p>(7) Disability — The term “disability” has the meaning given the term in the Rehabilitation Act of 1973 for purposes of title II of that Act (29 U.S.C 760 et seq.).</p> <p><i>42 U.S.C. § 1784(7)</i></p>

## EMPLOYMENT

### 16. Employment of personal assistants for handicapped employees, including blind and deaf employees

*5 U.S.C. § 3102*

(2) “handicapped employee” means an individual employed by an agency who is blind or deaf or who otherwise qualifies as a handicapped individual within the meaning of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 794)

*5 U.S.C. § 3102(a)(2)*

### 17. Rehabilitation Act of 1973

*29 U.S.C § 701 et seq.*

#### (9) Disability

The term “disability” means—

(A) except as otherwise provided in subparagraph (B), a physical or mental impairment that constitutes or results in a substantial impediment to employment; or

(B) for purposes of sections 701, 711, and 712 of this title, and subchapters II, IV, V, and VII, the meaning given it in section 12102 of title 42.

*29 U.S.C. § 705(9)*

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#### (20) Individual with a disability

##### (A) In general

Except as otherwise provided in subparagraph (B), the term “individual with a disability” means any individual who—

(i) has a physical or mental impairment which for such individual constitutes or results in a substantial impediment to employment; and

(ii) can benefit in terms of an outcome from vocational rehabilitation services provided pursuant to subchapter I, III, or VI.

(B) Certain programs; limitations on major life activities Subject to subparagraphs (C), (D), (E), and (F), the term “individual with a disability” means, for purposes of sections 701, 711, and 712 of this title, and subchapters II, IV, V, and VII of this chapter, any person who has a disability as defined in section 12102 of title 42.

(C) Rights and advocacy provisions

(i) In general; exclusion of individuals engaging in drug use For purposes of subchapter V, the term “individual with a disability” does not include an individual who is currently engaging in the illegal use of drugs, when a covered entity acts on the basis of such use.

(ii) Exception for individuals no longer engaging in drug use Nothing in clause (i) shall be construed to exclude as an individual with a disability an individual who—

(I) has successfully completed a supervised drug rehabilitation program and is no longer engaging in the illegal use of drugs, or has otherwise been rehabilitated successfully and is no longer engaging in such use;

(II) is participating in a supervised rehabilitation program and is no longer engaging in such use; or

(III) is erroneously regarded as engaging in such use, but is not engaging in such use; except that it shall not be a violation of chapter for a covered entity to adopt or administer reasonable policies or procedures, including but not limited to drug testing, designed to ensure that an individual described in subclause (I) or (II) is no longer engaging in the illegal use of drugs.

(iii) Exclusion for certain services Notwithstanding clause (i), for purposes of programs and activities providing health services and services provided under subchapters I, II, and III, an individual shall not be excluded from the benefits of such programs or activities on the basis of his or her current illegal use of drugs if he or she is otherwise entitled to such services.

(iv) Disciplinary action For purposes of programs and activities providing educational services, local educational agencies may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student who is an individual with a disability and who currently is engaging in the illegal use of drugs or in the use of alcohol to the same extent that such disciplinary action is taken against students who are not individuals with disabilities. Furthermore, the due process procedures at section 104.36 of title 34, Code of Federal Regulations (or any corresponding similar regulation or ruling) shall not apply to such disciplinary actions.

(v) Employment; exclusion of alcoholics For purposes of sections 793 and 794 of this title as such sections relate to employment, the term

“individual with a disability” does not include any individual who is an alcoholic whose current use of alcohol prevents such individual from performing the duties of the job in question or whose employment, by reason of such current alcohol abuse, would constitute a direct threat to property or the safety of others.

(D) Employment; exclusion of individuals with certain diseases or infections For the purposes of sections 793 and 794 of this title, as such sections relate to employment, such term does not include an individual who has a currently contagious disease or infection and who, by reason of such disease or infection, would constitute a direct threat to the health or safety of other individuals or who, by reason of the currently contagious disease or infection, is unable to perform the duties of the job.

(E) Rights provisions; exclusion of individuals on basis of homosexuality or bisexuality For the purposes of sections 791, 793, and 794 of this title—

(i) for purposes of the application of subparagraph (B) to such sections, the term “impairment” does not include homosexuality or bisexuality; and

(ii) therefore the term “individual with a disability” does not include an individual on the basis of homosexuality or bisexuality.

(F) Rights provisions; exclusion of individuals on basis of certain disorders. For the purposes of sections 791, 793, and 794 of this title, the term “individual with a disability” does not include an individual on the basis of—

(i) transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;

(ii) compulsive gambling, kleptomania, or pyromania; or

(iii) psychoactive substance use disorders resulting from current illegal use of drugs.

(G) Individuals with disabilities

The term “individuals with disabilities” means more than one individual with a disability.

*29 U.S.C § 705 (20)*

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(21) Individual with a significant disability

(A) In general

Except as provided in subparagraph (B) or (C), the term “individual with a

significant disability” means an individual with a disability—

(i) who has a severe physical or mental impairment which seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome;

(ii) whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(iii) who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, intellectual disability, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal cord conditions, sickle cell anemia, specific learning disability, end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs described in subparagraphs (A) and (B) of paragraph (2) to cause comparable substantial functional limitation.

(B) Independent living services and centers for independent living For purposes of subchapter VII, the term “individual with a significant disability” means an individual with a severe physical or mental impairment whose ability to function independently in the family or community or whose ability to obtain, maintain, or advance in employment is substantially limited and for whom the delivery of independent living services will improve the ability to function, continue functioning, or move toward functioning independently in the family or community or to continue in employment, respectively.

(C) Research and training For purposes of subchapter II, the term “individual with a significant disability” includes an individual described in subparagraph (A) or (B).

(D) Individuals with significant disabilities The term “individuals with significant disabilities” means more than one individual with a significant disability.

(E) Individual with a most significant disability

(i) In general

	<p>The term “individual with a most significant disability”, used with respect to an individual in a State, means an individual with a significant disability who meets criteria established by the State under section 721(a)(5)(C) of this title.</p> <p>(ii) Individuals with the most significant disabilities</p> <p>The term “individuals with the most significant disabilities” means more than one individual with a most significant disability.</p> <p><i>29 U.S.C. § 705(21)</i></p>
<p><b>18. Helen Keller National Center Act</b></p> <p><i>29 U.S.C. § 1901 et seq.</i></p>	<p>(2) the term “individual who is deaf-blind” means any individual—</p> <p>(A)</p> <p>(i) who has a central visual acuity of 20/200 or less in the better eye with corrective lenses, or a field defect such that the peripheral diameter of visual field subtends an angular distance no greater than 20 degrees, or a progressive visual loss having a prognosis leading to one or both these conditions;</p> <p>(ii) who has a chronic hearing impairment so severe that most speech cannot be understood with optimum amplification, or a progressive hearing loss having a prognosis leading to this condition; and</p> <p>(iii) for whom the combination of impairments described in clauses (i) and (ii) cause extreme difficulty in attaining independence in daily life activities, achieving psychosocial adjustment, or obtaining a vocation;</p> <p>(B) who despite the inability to be measured accurately for hearing and vision loss due to cognitive or behavioral constraints, or both, can be determined through functional and performance assessment to have severe hearing and visual disabilities that cause extreme difficulty in attaining independence in daily life activities, achieving psychosocial adjustment, or obtaining vocational objectives; or</p> <p>(C) meets such other requirements as the Secretary may prescribe by regulation</p> <p><i>29 U.S.C. § 1905(2)</i></p>

<p><b>19. Workforce Innovation and Opportunity Act</b></p> <p><i>29 U.S.C. § 3102</i></p>	<p>(25) Individual with a disability</p> <p>(A) In general The term “individual with a disability” means an individual with a disability as defined in section 12102 of title 42.</p> <p>(B) Individuals with disabilities The term “individuals with disabilities” means more than 1 individual with a disability.</p> <p><i>29 U.S.C. § 3102(25)</i></p>
<p><b>20. Longshore and Harbor Workers’ Compensation Act</b></p> <p><i>33 U.S.C. § 901 et seq.</i></p>	<p>(10) “Disability” means incapacity because of injury to earn the wages which the employee was receiving at the time of injury in the same or any other employment; but such term shall mean permanent impairment, determined (to the extent covered thereby) under the guides to the evaluation of permanent impairment promulgated and modified from time to time by the American Medical Association, in the case of an individual whose claim is described in section 910(d)(2) of this title.</p> <p><i>33 U.S.C. § 902(10)</i></p>

**21. Committee for  
Purchase From People  
Who Are Blind or  
Severely Disabled**

*41 U.S.C. § 8501 et seq.*

**(1) Blind—**

The term “blind” refers to an individual or class of individuals whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual acuity, if better than 20/200, is accompanied by a limit to the field of vision in the better eye to such a degree that its widest diameter subtends an angle of no greater than 20 degrees.

*41 U.S.C. § 8501(1)*

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**(5) Other severely disabled—**

The term “other severely disabled” means an individual or class of individuals under a physical or mental disability, other than blindness, which (according to criteria established by the Committee after consultation with appropriate entities of the Federal Government and taking into account the views of non-Federal Government entities representing the disabled) constitutes a substantial handicap to employment and is of a nature that prevents the individual from currently engaging in normal competitive employment.

*41 U.S.C. § 8501(5)*

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**(8) Severely disabled individual—**

The term “severely disabled individual” means an individual or class of individuals under a physical or mental disability, other than blindness, which (according to criteria established by the Committee after consultation with appropriate entities of the Federal Government and taking into account the views of non-Federal Government entities representing the disabled) constitutes a substantial handicap to employment and is of a nature that prevents the individual from currently engaging in normal competitive employment.

*41 U.S.C. § 8501(8)*

**22. Ticket to Work  
and Self-Sufficiency  
Program**

*42 U.S.C. § 1320b-19*

(2) Disabled beneficiary

The term “disabled beneficiary” means a title II disability beneficiary or a title XVI disability beneficiary.

(3) Title II disability beneficiary

The term “title II disability beneficiary” means an individual entitled to disability insurance benefits under section 423 of this title or to monthly insurance benefits under section 402 of this title based on such individual’s disability (as defined in section 423 (d) of this title). An individual is a title II disability beneficiary for each month for which such individual is entitled to such benefits.

(4) Title XVI disability beneficiary

The term “title XVI disability beneficiary” means an individual eligible for supplemental security income benefits under subchapter XVI of this chapter on the basis of blindness (within the meaning of section 1382c(a) (2) of this title) or disability (within the meaning of section 1382c(a)(3) of this title). An individual is a title XVI disability beneficiary for each month for which such individual is eligible for such benefits.

*42 U.S.C. § 1320b-19(k)(2)*

<p><b>23. Social Security Work Incentives Outreach Program</b></p> <p><i>42 U.S.C. § 1320b-20</i></p>	<p>(2) Disabled beneficiary</p> <p>The term “disabled beneficiary” means an individual—</p> <p>(A) who is a disabled beneficiary as defined in section 1320b–19(k)(2) of this title;</p> <p>(B) who is receiving a cash payment described in section 1382e(a) of this title or a supplementary payment described in section 212(a)(3) of Public Law 93–66 (without regard to whether such payment is paid by the Commissioner pursuant to an agreement under section 1382e(a) of this title or under section 212(b) of Public Law 93–66);</p> <p>(C) who, pursuant to section 1382h(b) of this title, is considered to be receiving benefits under subchapter XVI of this chapter; or</p> <p>(D) who is entitled to benefits under part A of subchapter XVIII of this chapter by reason of the penultimate sentence of section 426(b) of this title.</p> <p><i>42 U.S.C. § 1320b-20(d)(2)</i></p>
<p><b>24. State grants for work incentives assistance to disabled beneficiaries</b></p> <p><i>42 U.S.C. § 1320b-21</i></p>	<p>(2) Disabled beneficiary</p> <p>The term “disabled beneficiary” means an individual—</p> <p>(A) who is a disabled beneficiary as defined in section 1320b–19(k)(2) of this title;</p> <p>(B) who is receiving a cash payment described in section 1382e(a) of this title or a supplementary payment described in section 212(a)(3) of Public Law 93–66 (without regard to whether such payment is paid by the Commissioner pursuant to an agreement under section 1382e (a) of this title or under section 212(b) of Public Law 93–66);</p> <p>(C) who, pursuant to section 1382h(b) of this title, is considered to be receiving benefits under subchapter XVI of this chapter; or</p> <p>(D) who is entitled to benefits under part A of subchapter XVIII of this chapter by reason of the penultimate sentence of section 426(b) of this title.</p> <p><i>42 U.S.C. § 1320b-21(g)(2)</i></p>

## HEALTH

<p><b>25. Public Health Service</b></p> <p><i>42 U.S.C. § 201</i></p>	<p>(l) The term “psychiatric disorders” includes diseases of the nervous system which affect mental health;</p> <p><i>42 U.S.C. § 201(l)</i></p>
<p><b>26. Health Insurance for Aged and Disabled (Medicare)</b></p> <p><i>42 U.S.C. § 1395 et seq.</i></p>	<p>Medicare refers to the definition of disability under 42 U.S. Code Subchapter XVI— Supplemental Security Income For Aged, Blind, And Disabled (See section below on Social Security)</p>
<p><b>27. Grants to States for Medical Assistance Programs (Medicaid)</b></p> <p><i>42 U.S.C. § 1396d</i></p>	<p>Medicaid refers to the definition of disability under 42 U.S. Code Subchapter XVI— Supplemental Security Income For Aged, Blind, And Disabled (See section below on Social Security)</p>
<p><b>28. Health Home: State option to provide health homes for enrollees with chronic conditions</b></p> <p><i>42 U.S.C. § 1396w-4</i></p>	<p>(2) Chronic condition</p> <p>The term “chronic condition” has the meaning given that term by the Secretary and shall include, but is not limited to, the following:</p> <ul style="list-style-type: none"> <li>(A) A mental health condition.</li> <li>(B) Substance use disorder.</li> <li>(C) Asthma.</li> <li>(D) Diabetes.</li> <li>(E) Heart disease.</li> <li>(F) Being overweight, as evidenced by having a Body Mass Index (BMI) over 25.</li> </ul> <p><i>42 U.S. Code § 1396w-4(h)(2)</i></p>

**29. Children’s Health  
Act of 2000**

*42 U.S.C. § 9859  
et seq.*

(1) Child with a disability; infant or toddler with a disability

The terms “child with a disability” and “infant or toddler with a disability” have the meanings given the terms in sections 1401 and 1431 of title 20.

*42 U.S.C. § 9859(1)*

## HOUSING

### 30. Revised Congregate Housing Services

*20 U.S.C. § 8011*

(14) The term “person with disabilities” has the meaning given the term by section 8013 of this title.

*20 U.S.C. § 8011(k)(14)*

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(19) The term “temporarily disabled” means having an impairment that—

- (A) is expected to be of no more than 6 months duration; and
- (B) impedes the ability of the individual to live independently unless the individual receives congregate services.

*20 U.S.C. § 8011(k)(19)*

### 31. Native American Housing Assistance and Self-Determination Act of 1996

*25 U.S.C. § 4101 et seq.*

(18) Person with disabilities

The term “person with disabilities” means a person who—

- (A) has a disability as defined in section 423 of title 42;
- (B) is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment which—
  - (i) is expected to be of long-continued and indefinite duration;
  - (ii) substantially impedes his or her ability to live independently; and
  - (iii) is of such a nature that such ability could be improved by more suitable housing conditions; or
- (C) has a developmental disability as defined in section 15002 of title 42.

Such term shall not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. Notwithstanding any other provision of law, no individual shall be considered a person with disabilities, for purposes of eligibility for housing assisted under this chapter, solely on the basis of any drug or alcohol dependence. The Secretary shall consult with other appropriate Federal agencies to implement the preceding sentence.

*25 U.S.C. § 4103(18)*

**32. United States  
Housing Act of 1937**

*42 U.S.C. § 1437 et seq.*

**(E) Person with disabilities**

The term “person with disabilities” means a person who—

- (i) has a disability as defined in section 423 of this title,
- (ii) is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment which
  - (I) is expected to be of long-continued and indefinite duration,
  - (II) substantially impedes his or her ability to live independently, and
  - (III) is of such a nature that such ability could be improved by more suitable housing conditions, or
- (iii) has a developmental disability as defined in section 15002 of this title.

Such term shall not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. Notwithstanding any other provision of law, no individual shall be considered a person with disabilities, for purposes of eligibility for low-income housing under this subchapter, solely on the basis of any drug or alcohol dependence. The Secretary shall consult with other appropriate Federal agencies to implement the preceding sentence.

*42 U.S.C. § 1437a(b)(3)(E)*

<p><b>33. Farm Housing Financial Assistance</b></p> <p><i>42 U.S.C. § 1471</i></p>	<p>(3) For the purposes of this subchapter, the term “elderly or handicapped persons or families” means families which consist of two or more persons, the head of which (or his or her spouse) is at least sixty-two years of age or is handicapped. Such term also means a single person who is at least sixty-two years of age or is handicapped. A person shall be considered handicapped if such person is determined, pursuant to regulations issued by the Secretary, to have an impairment which</p> <p>(A) is expected to be of long-continued and indefinite duration,</p> <p>(B) substantially impedes his ability to live independently, and</p> <p>(C) is of such a nature that such ability could be improved by more suitable housing conditions, or if such person has a developmental disability as defined in section 15002 of this title. The Secretary shall prescribe such regulations as may be necessary to prevent abuses in determining, under the definitions contained in this paragraph, eligibility of families and persons for admission to and occupancy of housing constructed with assistance under this subchapter. Notwithstanding the preceding provisions of this paragraph, such term also includes two or more elderly (sixty-two years of age or over) or handicapped persons living together, one or more such persons living with another person who is determined (under regulations prescribed by the Secretary) to be essential to the care or well-being of such persons, and the surviving member or members of any family described in the first sentence of this paragraph who were living, in a unit assisted under this subchapter, with the deceased member of the family at the time of his or her death.</p> <p><i>42 U.S.C. § 1471(b)(3)</i></p>
<p><b>34. Congregate Housing Services Act of 1978</b></p> <p><i>42 U.S.C. § 8001</i></p>	<p>(5) the term “handicapped” means having an impairment which</p> <p>(A) is expected to be of long-continued and indefinite duration, and</p> <p>(B) substantially impedes an individual’s ability to live independently unless the individual receives supportive congregate services; such impairment may include a functional disability or frailty which is a normal consequence of the human aging process;</p> <p><i>42 U.S.C. § 8002(5)</i></p>

**35. Supportive  
housing for persons  
with disabilities**

*42 U.S.C. § 8013*

(2) The term “person with disabilities” means a household composed of one or more persons who is 18 years of age or older and less than 62 years of age, and who has a disability. A person shall be considered to have a disability if such person is determined, pursuant to regulations issued by the Secretary to have a physical, mental, or emotional impairment which

(A) is expected to be of long-continued and indefinite duration,  
(B) substantially impedes his or her ability to live independently, and  
(C) is of such a nature that such ability could be improved by more suitable housing conditions. A person shall also be considered to have a disability if such person has a developmental disability as defined in section 15002 of this title. The Secretary shall prescribe such regulations as may be necessary to prevent abuses in determining, under the definitions contained in this paragraph, the eligibility of families and persons for admission to and occupancy of housing assisted under this section. Notwithstanding the preceding provisions of this paragraph, the term “person with disabilities” includes two or more persons with disabilities living together, one or more such persons living with another person who is determined (under regulations prescribed by the Secretary) to be important to their care or well-being, and the surviving member or members of any household described in the first sentence of this paragraph who were living, in a unit assisted under this section, with the deceased member of the household at the time of his or her death.

*42 U.S.C. § 8013(k)(2)*

**36. Homeless  
Emergency Assistance  
and Rapid Transition  
to Housing Act of 2009**

*42 U.S.C. § 11360*

(10) Homeless individual with a disability

(A) In general

The term “homeless individual with a disability” means an individual who is homeless, as defined in section 11302 of this title, and has a disability that—

(i)

(I) is expected to be long-continuing or of indefinite duration;

(II) substantially impedes the individual’s ability to live independently;

(III) could be improved by the provision of more suitable housing conditions; and

(IV) is a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, post traumatic stress disorder, or brain injury;

(ii) is a developmental disability, as defined in section 15002 of this title; or

(iii) is the disease of acquired immunodeficiency syndrome or any condition arising from the etiologic agency for acquired immunodeficiency syndrome.

*42 U.S.C. § 11360(10)(A)*

## INTERNAL REVENUE CODE

### **37. Credit for the elderly and the permanently and totally disabled**

*26 U.S.C. § 22*

#### **(3) Permanent and total disability defined**

An individual is permanently and totally disabled if he is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months. An individual shall not be considered to be permanently and totally disabled unless he furnishes proof of the existence thereof in such form and manner, and at such times, as the Secretary may require.

*26 U.S.C. § 22(e)(3)*

### **38. Expenditures to provide access to disabled individuals**

*26 U.S.C. § 44*

#### **(1) Disability**

The term “disability” has the same meaning as when used in the Americans With Disabilities Act of 1990 (as in effect on the date of the enactment of this section).

*26 U.S.C. § 44(d)(1)*

### **39. Annuities; certain proceeds of endowment and life insurance contracts**

*26 U.S.C. § 72*

#### **(7) Meaning of disabled**

For purposes of this section, an individual shall be considered to be disabled if he is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration. An individual shall not be considered to be disabled unless he furnishes proof of the existence thereof in such form and manner as the Secretary may require.

*26 U.S.C. § 72(m)(7)*

<p><b>40. Deductions for personal exemptions</b></p> <p><i>26 U.S.C. § 152</i></p>	<p>(B) Special rule for disabled</p> <p>In the case of an individual who is permanently and totally disabled (as defined in section 22(e)(3)) at any time during such calendar year, the requirements of subparagraph (A) shall be treated as met with respect to such individual.</p> <p><i>26 U.S.C. § 152(c)(3)(B)</i></p>
<p><b>41. Expenditures to remove architectural and transportation barriers to the handicapped and elderly</b></p> <p><i>26 U.S.C. § 190</i></p>	<p>(3) Handicapped individual</p> <p>The term “handicapped individual” means any individual who has a physical or mental disability (including, but not limited to, blindness or deafness) which for such individual constitutes or results in a functional limitation to employment, or who has any physical or mental impairment (including, but not limited to, a sight or hearing impairment) which substantially limits one or more major life activities of such individual.</p> <p><i>26 U.S.C. § 190(b)(3)</i></p>
<p><b>42. Special rules for retired or disabled decedents and surviving spouses, valuation or certain real property, estate tax</b></p> <p><i>26 U.S.C. § 2032A</i></p>	<p>(B) Disabled defined</p> <p>For purposes of subparagraph (A), an individual shall be disabled if such individual has a mental or physical impairment which renders him unable to materially participate in the operation of the farm or other business.</p> <p><i>26 U.S.C. § 2032A(b)(4)(B)</i></p>

## SOCIAL SECURITY

### 43. Social Security Disability Insurance (SSDI)

42 U.S.C. §§ 401;  
420-425

Sections 201 & 220-  
225 of the Social  
Security Act

(d) “Disability” defined

(1) The term “disability” means—

(A) inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or

(B) in the case of an individual who has attained the age of 55 and is blind (within the meaning of “blindness” as defined in section 416(i)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.

(2) For purposes of paragraph (1)(A)—

(A) An individual shall be determined to be under a disability only if his physical or mental impairment or impairments are of such severity that he is not only unable to do his previous work but cannot, considering his age, education, and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which he lives, or whether a specific job vacancy exists for him, or whether he would be hired if he applied for work. For purposes of the preceding sentence (with respect to any individual), “work which exists in the national economy” means work which exists in significant numbers either in the region where such individual lives or in several regions of the country.

(B) In determining whether an individual’s physical or mental impairment or impairments are of a sufficient medical severity that such impairment or impairments could be the basis of eligibility under this section, the Commissioner of Social Security shall consider the combined effect of all of the individual’s impairments without regard to whether any such impairment, if considered separately, would be of such severity. If the Commissioner of Social Security does find a medically severe combination of impairments, the combined impact of the impairments shall be considered throughout the disability determination process.

	<p>(C) An individual shall not be considered to be disabled for purposes of this subchapter if alcoholism or drug addiction would (but for this subparagraph) be a contributing factor material to the Commissioner’s determination that the individual is disabled.</p> <p>(3) For purposes of this subsection, a “physical or mental impairment” is an impairment that results from anatomical, physiological, or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques.</p> <p><i>42 U.S.C. § 423(d)</i></p>
<p><b>44. Social Security – additional definitions</b></p> <p><i>42 U.S.C. § 416</i></p> <p><b>Section 216 of the Social Security Act</b></p>	<p>(i) Disability; period of disability</p> <p>(1) Except for purposes of sections 402(d), 402(e), 402(f), 423, and 425 of this title, the term “disability” means</p> <p>(A) inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, or</p> <p>(B) blindness; and the term “blindness” means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for purposes of this paragraph as having a central visual acuity of 20/200 or less. The provisions of paragraphs (2)(A), (2)(B), (3), (4), (5), and (6) of section 423(d) of this title shall be applied for purposes of determining whether an individual is under a disability within the meaning of the first sentence of this paragraph in the same manner as they are applied for purposes of paragraph (1) of such section. Nothing in this subchapter shall be construed as authorizing the Commissioner of Social Security or any other officer or employee of the United States to interfere in any way with the practice of medicine or with relationships between practitioners of medicine and their patients, or to exercise any supervision or control over the administration or operation of any hospital.</p> <p><i>42 U.S.C. § 416(i)(1)</i></p>

**45. Supplemental  
Security Income (SSI)**

*42 U.S.C. § 1381 et seq.*

**Title XVI of the Social  
Security Act**

(2) An individual shall be considered to be blind for purposes of this subchapter if he has central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for purposes of the first sentence of this subsection as having a central visual acuity of 20/200 or less. An individual shall also be considered to be blind for purposes of this subchapter if he is blind as defined under a State plan approved under subchapter X or XVI as in effect for October 1972 and received aid under such plan (on the basis of blindness) for December 1973, so long as he is continuously blind as so defined.

(3)

(A) Except as provided in subparagraph (C), an individual shall be considered to be disabled for purposes of this subchapter if he is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months.

(B) For purposes of subparagraph (A), an individual shall be determined to be under a disability only if his physical or mental impairment or impairments are of such severity that he is not only unable to do his previous work but cannot, considering his age, education, and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which he lives, or whether a specific job vacancy exists for him, or whether he would be hired if he applied for work. For purposes of the preceding sentence (with respect to any individual), "work which exists in the national economy" means work which exists in significant numbers either in the region where such individual lives or in several regions of the country.

(C)

(i) An individual under the age of 18 shall be considered disabled for the purposes of this subchapter if that individual has a medically determinable physical or mental impairment, which results in marked and severe functional limitations, and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months.

(ii) Notwithstanding clause (i), no individual under the age of 18 who engages in substantial gainful activity (determined in accordance with regulations prescribed pursuant to subparagraph (E)) may be considered to be disabled.

(D) For purposes of this paragraph, a physical or mental impairment is an impairment that results from anatomical, physiological, or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques.

(E) The Commissioner of Social Security shall by regulations prescribe the criteria for determining when services performed or earnings derived from services demonstrate an individual's ability to engage in substantial gainful activity. In determining whether an individual is able to engage in substantial gainful activity by reason of his earnings, where his disability is sufficiently severe to result in a functional limitation requiring assistance in order for him to work, there shall be excluded from such earnings an amount equal to the cost (to such individual) of any attendant care services, medical devices, equipment, prostheses, and similar items and services (not including routine drugs or routine medical services unless such drugs or services are necessary for the control of the disabling condition) which are necessary (as determined by the Commissioner of Social Security in regulations) for that purpose, whether or not such assistance is also needed to enable him to carry out his normal daily functions; except that the amounts to be excluded shall be subject to such reasonable limits as the Commissioner of Social Security may prescribe. Notwithstanding the provisions of subparagraph (B), an individual whose services or earnings meet such criteria shall be found not to be disabled. The Commissioner of Social Security shall make determinations under this subchapter with respect to substantial gainful activity, without regard to the legality of the activity.

(F) Notwithstanding the provisions of subparagraphs (A) through (E), an individual shall also be considered to be disabled for purposes of this subchapter if he is permanently and totally disabled as defined under a State plan approved under subchapter XIV or XVI as in effect for October 1972 and received aid under such plan (on the basis of disability) for

December 1973 (and for at least one month prior to July 1973), so long as he is continuously disabled as so defined.

(G) In determining whether an individual's physical or mental impairment or impairments are of a sufficient medical severity that such impairment or impairments could be the basis of eligibility under this section, the Commissioner of Social Security shall consider the combined effect of all of the individual's impairments without regard to whether any such impairment, if considered separately, would be of such severity. If the Commissioner of Social Security does find a medically severe combination of impairments, the combined impact of the impairments shall be considered throughout the disability determination process.

*42 U.S.C. § 1382c(2); 1382c(3)*

## SOCIAL SERVICES

### 46. Home and community care for functionally disabled elderly individuals

42 U.S.C. § 1396t

(b) “Functionally disabled elderly individual” defined

(1) In general

In this subchapter, the term “functionally disabled elderly individual” means an individual who-

(A) is 65 years of age or older,

(B) is determined to be a functionally disabled individual under subsection (c), and

(C) subject to section 1396a(f) of this title (as applied consistent with section 1396a(r)(2) of this title), is receiving supplemental security income benefits under subchapter XVI (or under a State plan approved under subchapter XVI) or, at the option of the State, is described in section 1396a(a)(10)(C) of this title.

(c) Determinations of functional disability

(1) In general

In this section, an individual is “functionally disabled” if the individual—

(A) is unable to perform without substantial assistance from another individual at least 2 of the following 3 activities of daily living: toileting, transferring, and eating; or

(B) has a primary or secondary diagnosis of Alzheimer’s disease and is

- (i) unable to perform without substantial human assistance (including verbal reminding or physical cueing) or supervision at least 2 of the following 5 activities of daily living: bathing, dressing, toileting, transferring, and eating; or
- (ii) cognitively impaired so as to require substantial supervision from another individual because he or she engages in inappropriate behaviors that pose serious health or safety hazards to himself or herself or others.

42 U.S.C. § 1396t(b); 1396t(c)

**47. Older Americans  
Act of 1965**

*42 U.S.C. § 3001 et seq.*

(13) The term “disability” means (except when such term is used in the phrase “severe disability”, “developmental disabilities”, “physical or mental disability”, “physical and mental disabilities”, or “physical disabilities”) a disability attributable to mental or physical impairment, or a combination of mental and physical impairments, that results in substantial functional limitations in 1 or more of the following areas of major life activity:

- (A) self-care,
- (B) receptive and expressive language,
- (C) learning,
- (D) mobility,
- (E) self-direction,
- (F) capacity for independent living,
- (G) economic self-sufficiency,
- (H) cognitive functioning, and
- (I) emotional adjustment.

*42 U.S.C. § 3002(13)*

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(49) The term “severe disability” means a severe, chronic disability attributable to mental or physical impairment, or a combination of mental and physical impairments, that—

- (A) is likely to continue indefinitely; and
- (B) results in substantial functional limitation in 3 or more of the major life activities specified in subparagraphs (A) through (G) of paragraph (8).

*42 U.S.C. § 3002(49)*

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**(3) Individual with a disability**

The term “individual with a disability” means an individual with a disability, as defined in section 12102 of this title, who is not less than age 18 and not more than age 59.

*42 U.S.C. § 3030s (a)(3)*

<p><b>48. Ensuring a Better Response for Victims of Child Sex Trafficking</b></p> <p><i>42 U.S.C. § 5106g</i></p>	<p>(2) the term “infant or toddler with a disability” has the meaning given the term in section 1432 of title 20;</p> <p><i>42 U.S.C. § 5106g(2)</i></p>
<p><b>49. Child Care and Development Block Grant Act of 1990</b></p> <p><i>42 U.S.C. § 9857 et seq.</i></p>	<p>(3) Child with a disability</p> <p>The term “child with a disability” means-</p> <p>(A) a child with a disability, as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401);</p> <p>(B) a child who is eligible for early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.);</p> <p>(C) a child who is less than 13 years of age and who is eligible for services under section 794 of title 29; and</p> <p>(D) a child with a disability, as defined by the State involved.</p> <p><i>42 U.S.C. § 9858n(3)</i></p>
<p><b>50. State Dependent Care Development Grants Act</b></p> <p><i>42 U.S.C. § 9871 et seq.</i></p>	<p>(3) the term “developmental disability” has the same meaning as in section 15002 of this title;</p> <p><i>42 U.S.C. § 9877(3)</i></p>

## VETERANS AND ARMED FORCES

### 51. Government organization and employees

*5 U.S.C. § 2108*

(2) “disabled veteran” means an individual who has served on active duty in the armed forces, (except as provided under section 2108a) has been separated therefrom under honorable conditions, and has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of a public statute administered by the Department of Veterans Affairs or a military department;

*5 U.S.C. § 2108(2)*

### 52. Members eligible for retired pay who are also eligible for veterans’ disability compensation for disabilities rated 50 percent or higher

*10 U.S.C. § 1414*

(2) Qualifying service-connected disability.-

In this section, the term “qualifying service-connected disability” means a service-connected disability or combination of service-connected disabilities that is rated as not less than 50 percent disabling by the Secretary of Veterans Affairs.

*10 U.S.C. § 1414(2)*

### 53. Assistive technology, assistive technology devices, and assistive technology services

*10 U.S.C. § 1582*

(b) In this section, the terms “assistive technology”, “assistive technology device”, “assistive technology service”, and “disability” have the meanings given those terms in section 3 of the Assistive Technology Act of 1998 (29 U.S.C. 3002).

*10 U.S.C. § 1582(b)*

<p><b>54. Pension for non-service-connected disability or death or for service</b></p> <p><i>38 U.S.C. § 1501 et seq.</i></p>	<p>(a) For the purposes of this chapter, a person shall be considered to be permanently and totally disabled if such person is any of the following:</p> <p>(1) A patient in a nursing home for long-term care because of disability.</p> <p>(2) Disabled, as determined by the Commissioner of Social Security for purposes of any benefits administered by the Commissioner.</p> <p>(3) Unemployable as a result of disability reasonably certain to continue throughout the life of the person.</p> <p>(4) Suffering from—</p> <p>(A) any disability which is sufficient to render it impossible for the average person to follow a substantially gainful occupation, but only if it is reasonably certain that such disability will continue throughout the life of the person; or</p> <p>(B) any disease or disorder determined by the Secretary to be of such a nature or extent as to justify a determination that persons suffering therefrom are permanently and totally disabled.</p> <p><i>38 U.S.C. § 1502(a)</i></p>
<p><b>55. Hospital, nursing home, domiciliary, and medical care for veterans</b></p> <p><i>38 U.S.C. § 1701 et seq.</i></p>	<p>(1) The term “disability” means a disease, injury, or other physical or mental defect.</p> <p><i>38 U.S.C. § 1701(1)</i></p>
<p><b>56. Survivors’ and dependents’ educational assistance</b></p> <p><i>38 U.S.C. § 3500 et seq.</i></p>	<p>(8) The term “total disability permanent in nature” means any disability rated total for the purposes of disability compensation which is based upon an impairment reasonably certain to continue throughout the life of the disabled person.</p> <p><i>38 U.S.C. § 3501(a)(8)</i></p>

<p><b>57. Veterans' Small Business Loan Act of 1981</b></p> <p><i>38 U.S.C. § 3741 et seq.</i></p>	<p>(1) The term “disabled veteran” means</p> <p>(A) a veteran who is entitled to compensation under laws administered by the Secretary for a disability rated at 30 percent or more, or</p> <p>(B) a veteran whose discharge or release from active duty was for a disability incurred or aggravated in line of duty.</p> <p><i>38 U.S.C. § 3741(1)</i></p>
<p><b>58. Job counseling, training, and placement service for veterans</b></p> <p><i>38 U.S.C. § 4100 et seq.</i></p>	<p>The term “special disabled veteran” has the same meaning provided in section 4211(1) of this title.</p> <p><i>38 U.S.C. § 4101(1)</i></p> <hr/> <p>The term “disabled veteran” has the same meaning provided in section 4211(3) of this title.</p> <p><i>38 U.S.C. § 4101(3)</i></p>

**59. Employment and training of veterans**

*38 U.S.C. § 4211 et seq.*

(1) The term “special disabled veteran” means—

(A) a veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary for a disability

(i) rated at 30 percent or more, or

(ii) rated at 10 or 20 percent in the case of a veteran who has been determined under section 3106 of this title to have a serious employment handicap; or

(B) a person who was discharged or released from active duty because of service-connected disability.

*38 U.S.C. § 4211(1)*

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(3) The term “disabled veteran” means

(A) a veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary, or

(B) a person who was discharged or released from active duty because of a service-connected disability.

*38 U.S.C. § 4211(3)*

## MISCELLANEOUS

### 60. National Emergency Management

6 U.S.C. § 701

(10) the term “individual with a disability” has the meaning given the term in section 12102 of title 42;

6 U.S.C. § 701(10)

### 61. Food and Nutrition Act of 2008

7 U.S.C. § 2011 et seq.

(j) “Elderly or disabled member” means a member of a household who—

(1) is sixty years of age or older;

(2)

(A) receives supplemental security income benefits under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or Federally or State administered supplemental benefits of the type described in section 212(a) of Public Law 93–66 (42 U.S.C. 1382 note), or

(B) receives Federally or State administered supplemental assistance of the type described in section 1616(a) of the Social Security Act (42 U.S.C. 1382e(a)), interim assistance pending receipt of supplemental security income, disability-related medical assistance under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), or disability-based State general assistance benefits, if the Secretary determines that such benefits are conditioned on meeting disability or blindness criteria at least as stringent as those used under title XVI of the Social Security Act;

(3) receives disability or blindness payments under title I, II, X, XIV, or XVI of the Social Security Act [42 U.S.C. 301 et seq., 401 et seq., 1201 et seq., 1351 et seq., 1381 et seq.] or receives disability retirement benefits from a governmental agency because of a disability considered permanent under section 221(i) of the Social Security Act (42 U.S.C. 421(i));

(4) is a veteran who—

(A) has a service-connected or non-service-connected disability which is rated as total under title 38; or

(B) is considered in need of regular aid and attendance or permanently housebound under such title;

(5) is a surviving spouse of a veteran and—

(A) is considered in need of regular aid and attendance or permanently housebound under title 38; or

(B) is entitled to compensation for a service-connected death or pension benefits for a non-service-connected death under title 38, and has a disability considered permanent under section 221(i) of the Social Security Act (42 U.S.C. 421(i));

(6) is a child of a veteran and—

(A) is considered permanently incapable of self-support under section 1314 of title 38; or

(B) is entitled to compensation for a service-connected death or pension benefits for a non-service-connected death under title 38, and has a disability considered permanent under section 221(i) of the Social Security Act (42 U.S.C. 421(i)); or

(7) is an individual receiving an annuity under section 2(a)(1)(iv) or 2(a)

(1)(v) of the Railroad Retirement Act of 1974 (45 U.S.C. 231a(a)(1)(iv) or 231a(a)(1)(v)), if the individual's service as an employee under the Railroad Retirement Act of 1974 [45 U.S.C. 231 et seq.], after December 31, 1936, had been included in the term "employment" as defined in the Social Security Act [42 U.S.C. 301 et seq.], and if an application for disability benefits had been filed.

*7 U.S.C. § 2012(j)*

<p><b>62. Small Business Act</b></p> <p><i>15 U.S.C. § 631 et seq.</i></p>	<p>(f) “Handicapped individual” defined</p> <p>For purposes of section 636 of this title, the term “handicapped individual” means an individual</p> <p>(1) who has a physical, mental, or emotional impairment, defect, ailment, disease, or disability of a permanent nature which in any way limits the selection of any type of employment for which the person would otherwise be qualified or qualifiable; or</p> <p>(2) who is a service-disabled veteran.</p> <p><i>15 U.S.C. § 632(f)</i></p> <hr/> <p>(c) Programs for blind and handicapped individuals</p> <p>(1) As used in this subsection:</p> <p>(2) The term “handicapped individual” has the same meaning given such term in section 632(f) of this title.</p> <p><i>15 U.S.C. § 644(c)</i></p>
<p><b>63. National Forest Organizational Camp Fee Improvement Act of 2003</b></p> <p><i>16 U.S.C. § 6231 et seq.</i></p>	<p>(3) The term “individual with a disability” has the meaning given the term in section 705(20) of title 29.</p> <p><i>16 U.S.C. § 6231(c)(3)</i></p>

<p><b>64. Copyright— Limitations on exclusive rights: reproduction for blind or other people with disabilities</b></p> <p><i>17 U.S.C. § 121</i></p>	<p>(3) “eligible person” means an individual who, regardless of any other disability—</p> <p>(A) is blind;</p> <p>(B) has a visual impairment or perceptual or reading disability that cannot be improved to give visual function substantially equivalent to that of a person who has no such impairment or disability and so is unable to read printed works to substantially the same degree as a person without an impairment or disability; or</p> <p>(C) is otherwise unable, through physical disability, to hold or manipulate a book or to focus or move the eyes to the extent that would be normally acceptable for reading;</p> <p><i>17 U.S.C. § 121(d)(3)</i></p>
<p><b>65. Assistive Technology Act of 1998</b></p> <p><i>29 U.S.C. § 3001 et seq.</i></p>	<p>(9) Disability</p> <p>The term “disability” has the meaning given the term under section 12102 of title 42.</p> <p><i>29 U.S.C. § 3002(9)</i></p> <hr/> <p>(10) Individual with a disability</p> <p>The term “individual with a disability” means any individual-</p> <p>(A) who has a disability; and</p> <p>(B) who is or would be enabled by an assistive technology device or an assistive technology service to minimize deterioration in functioning, to maintain a level of functioning, or to achieve a greater level of functioning in any major life activity.</p> <p><i>29 U.S.C. § 3002(10)</i></p>

**66. Federal Mine  
Safety and Health Act  
of 1977**

*30 U.S.C. § 801*

(f)(1) The term “total disability” has the meaning given it by regulations of the Secretary of Health and Human Services, which were in effect on November 2, 2002, for claims under part B of this subchapter, and by regulations of the Secretary of Labor for claims under part C of this subchapter, subject to the relevant provisions of subsections (b) and (d) of section 923 of this title, except that—

(A) in the case of a living miner, such regulations shall provide that a miner shall be considered totally disabled when pneumoconiosis prevents him or her from engaging in gainful employment requiring the skills and abilities comparable to those of any employment in a mine or mines in which he or she previously engaged with some regularity and over a substantial period of time;

(B) such regulations shall provide that (i) a deceased miner’s employment in a mine at the time of death shall not be used as conclusive evidence that the miner was not totally disabled; and (ii) in the case of a living miner, if there are changed circumstances of employment indicative of reduced ability to perform his or her usual coal mine work, such miner’s employment in a mine shall not be used as conclusive evidence that the miner is not totally disabled;

(C) such regulations shall not provide more restrictive criteria than those applicable under section 423(d) of title 42; and

(D) the Secretary of Labor, in consultation with the Director of the National Institute for Occupational Safety and Health, shall establish criteria for all appropriate medical tests under this subsection which accurately reflect total disability in coal miners as defined in subparagraph (A).

*30 U.S.C. § 801(f)(1)*

**67. National Child  
Protection Act of 1993**

*34 U.S.C. § 40101  
et seq.*

(7) the term “individuals with disabilities” means persons with a mental or physical impairment who require assistance to perform one or more daily living tasks;

*34 U.S.C. § 40104(7)*

<p><b>68. Robert T. Stafford Disaster Relief and Emergency Assistance Act</b></p> <p><i>42 U.S.C. § 5121 et seq.</i></p>	<p>(7) Individual with a disability—</p> <p>The term “individual with a disability” means an individual with a disability as defined in section 12102(2) of this title.</p> <p><i>42 U.S.C. § 5121(7)</i></p>
<p><b>69. Energy Conservation in Existing Buildings Act of 1976</b></p> <p><i>42 U.S.C. § 6851 et seq.</i></p>	<p>(5) The term “handicapped person” means any individual</p> <p>(A) who is an individual with a disability, as defined in section 705 of title 29,</p> <p>(B) who is under a disability as defined in section 1614(a)(3)(A) or 223(d)(1) of the Social Security Act [42 U.S.C. 1382c(a)(3)(A), 423(d)(1)] or in section 102(7) [1] of the Developmental Disabilities Services and Facilities Construction Act [42 U.S.C. 6001(7)], or who is receiving benefits under chapter 11 or 15 of title 38.</p> <p>*Section 102(7) of 42 U.S.C. 6001(7) was subsequently amended and no longer defines the term “developmental disability”. However, such term is defined elsewhere in that section.</p> <p><i>42 U.S.C. § 6862(5)</i></p>
<p><b>70. National and Community Service Act of 1990</b></p> <p><i>42 U.S.C. § 12501 et seq.</i></p>	<p>(22) Individual with a disability</p> <p>Except as provided in section 12635(a) of this title, the term “individual with a disability” has the meaning given the term in section 705(20)(B) of title 29.</p> <p><i>42 U.S.C. § 12511(12)</i></p>
<p><b>71. Telecommunications Act of 1996</b></p> <p><i>47 U.S.C. § 255</i></p>	<p>(1) Disability—</p> <p>The term “disability” has the meaning given to it by section 12102(2)(A) of title 42.</p> <p><i>47 U.S.C. § 255(a)(1)</i></p>

<p><b>72. Mass Transportation</b></p> <p><i>49 U.S.C. § 5301 et seq.</i></p>	<p>(6) Disability—</p> <p>The term “disability” has the same meaning as in section 3(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).</p> <p><i>49 U.S.C. § 5302 (6)</i></p>
<p><b>73. Voting Accessibility for the Elderly and Handicapped Act</b></p> <p><i>52 U.S.C. § 20101 et seq.</i></p>	<p>(4) “handicapped” means having a temporary or permanent physical disability;</p> <p><i>52 U.S.C. § 20107(4)</i></p>

## TABLE 2 | Cross-Reference

Some acts and programs refer to definitions contained in other titles or sections of the U.S. Code. Use Table 2 to find those definitions. For example, if a definition in Table 1 states: *The term “disability” has the same meaning given to such term by section 12102(2) of title 42*, find 42 U.S.C. §12102(2) in Table 2 for the definition. Also, some programs refer to more than one definition. Table 2 is a cross-reference guide that illustrates the overlap in definitions. The first column is organized numerically by U.S. Code title. The second column presents the definition. The third column lists the acts and programs that use that definition of disability.

DEFINITION SOURCE	DISABILITY DEFINITION	PROGRAMS WHICH REFER TO THIS DEFINITION
<p><b>1. 20 U.S.C. § 1401(3)</b></p> <p>Individuals with Disabilities Education Act (IDEA)</p>	<p>(3) Child with a disability</p> <p>(A) In general the term “child with a disability” means a child—</p> <p>(i) with intellectual disabilities, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this chapter as “emotional disturbance”), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and</p> <p>(ii) who, by reason thereof, needs special education and related services.</p> <p>(B) Child aged 3 through 9</p> <p>The term “child with a disability” for a child aged 3 through 9 (or any subset of that age range, including ages 3 through 5), may, at the discretion of the State and the local educational agency, include a child—</p> <p>(i) experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in 1 or more of the following areas: physical development; cognitive development; communication development; social or emotional development; or adaptive development; and</p> <p>(ii) who, by reason thereof, needs special education and related services.</p>	<ul style="list-style-type: none"> <li>● Federal Perkins loans, 20 U.S.C. § 1087ii(c)</li> <li>● Programs To Provide Students With Disabilities With a Quality Higher Education, 20. U.S.C. § 1140(2)</li> <li>● Child Care and Development Block Grant Act of 1990, 42 U.S.C. § 9858n(3)</li> <li>● Children’s Health Act of 2000, 42 U.S.C. § 9859(1)</li> </ul>

<p><b>2. 20 U.S.C. § 1432(5)</b></p> <p><b>Individuals with Disabilities Education Act (IDEA)</b></p>	<p>(5) Infant or toddler with a disability</p> <p>(A) means an individual under 3 years of age who needs early intervention services because the individual—</p> <p style="padding-left: 40px;">(i) is experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures in 1 or more of the areas of cognitive development, physical development, communication development, social or emotional development, and adaptive development; or</p> <p style="padding-left: 40px;">(ii) has a diagnosed physical or mental condition that has a high probability of resulting in developmental delay; and</p> <p>(B) may also include, at a State’s discretion—</p> <p style="padding-left: 40px;">(i) at-risk infants and toddlers; and</p> <p style="padding-left: 40px;">(ii) children with disabilities who are eligible for services under section 1419 of this title and who previously received services under this subchapter until such children enter, or are eligible under State law to enter, kindergarten or elementary school, as appropriate, provided that any programs under this subchapter serving such children shall include—</p> <p style="padding-left: 80px;">(I) an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills; and (II) a written notification to parents of their rights and responsibilities in determining whether their child will continue to receive services under this subchapter or participate in preschool programs under section 1419 of this title.</p>	<ul style="list-style-type: none"> <li>● Federal Perkins loans, 20 U.S.C. § 1087ii(c)</li> <li>● Ensuring a Better Response for Victims of Child Sex Trafficking, 42 U.S.C. § 5106g</li> <li>● Head Start Act, 42 U.S.C. § 9832(1)</li> <li>● Children’s Health Act of 2000, 42 U.S.C. § 9859(1)</li> </ul>
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<p><b>3. 26 U.S.C. § 22(e)(3)</b></p> <p>Credit for the elderly and the permanently and totally disabled</p>	<p>(3) Permanent and total disability defined</p> <p>An individual is permanently and totally disabled if he is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months. An individual shall not be considered to be permanently and totally disabled unless he furnishes proof of the existence thereof in such form and manner, and at such times, as the Secretary may require.</p>	<ul style="list-style-type: none"> <li>● Personal exemption for permanent and total disability, 26 U.S.C. § 152(c)(3)(B)</li> </ul>
<p><b>4. 29 U.S.C. § 705(9)</b></p> <p>Rehabilitation Act of 1973</p>	<p>(9) Disability</p> <p>The term “disability” means—</p> <p>(A) except as otherwise provided in subparagraph (B), a physical or mental impairment that constitutes or results in a substantial impediment to employment; or</p> <p>(B) for purposes of sections 701, 711, and 712 of this title, and subchapters II, IV, V, and VII, the meaning given it in section 12102 of title 42.</p> <p><i>29 U.S.C. § 705(9)</i></p>	<ul style="list-style-type: none"> <li>● Richard B. Russell National School Lunch Act, 42 U.S.C. §1760 (d)(3)</li> <li>● Child Nutrition Act of 1966, 42 U.S.C. § 1784(7)</li> </ul>

<p><b>5. 29 U.S.C § 705(20)</b></p> <p>Rehabilitation Act of 1973</p>	<p>(20) Individual with a disability</p> <p>(A) In general</p> <p>Except as otherwise provided in subparagraph (B), the term “individual with a disability” means any individual who—</p> <p>(i) has a physical or mental impairment which for such individual constitutes or results in a substantial impediment to employment; and</p> <p>(ii) can benefit in terms of an outcome from vocational rehabilitation services provided pursuant to subchapter I, III, or VI.</p>	<ul style="list-style-type: none"> <li>● Employment of personal assistants for handicapped employees, 5 U.S.C. § 3102(a)(2)</li> <li>● National Forest Organizational Camp Fee Improvement Act of 2003, 16 U.S.C. § 6231(c)(3)</li> <li>● Domestic Volunteer Service Act of 1973, 42 U.S.C. § 5061(10)</li> <li>● Energy Conservation in Existing Buildings Act of 1976, 42 U.S.C. § 6862(5)</li> <li>● National and Community Service Act of 1990, 42 U.S.C. § 12511(22)</li> </ul>
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<p><b>6. 29 U.S.C. § 3002(9)</b></p> <p>Assistive Technology Act of 1998</p>	<p>(9) Disability</p> <p>The term “disability” has the meaning given the term under section 12102 of title 42.</p>	<ul style="list-style-type: none"> <li>● Assistive technology, assistive technology devices, and assistive technology services, 10 U.S.C. § 1582(b)</li> </ul>
<p><b>7. 38 U.S.C. § 4211(1)</b></p> <p>Employment and training of veterans</p>	<p>(1) The term “special disabled veteran” means—</p> <p>(A) a veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary for a disability</p> <p style="padding-left: 40px;">(i) rated at 30 percent or more, or</p> <p style="padding-left: 40px;">(ii) rated at 10 or 20 percent in the case of a veteran who has been determined under section 3106 of this title to have a serious employment handicap; or</p> <p>(B) a person who was discharged or released from active duty because of service-connected disability.</p>	<ul style="list-style-type: none"> <li>● Job counseling, training, and placement service for veterans, 38 U.S.C. § 4101(1)</li> </ul>

<p><b>8. 38 U.S.C. § 4211(3)</b></p> <p><b>Employment and training of veterans</b></p>	<p>(3) The term “disabled veteran” means</p> <p>(A) a veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary, or</p> <p>(B) a person who was discharged or released from active duty because of a service-connected disability.</p>	<ul style="list-style-type: none"> <li>● Job counseling, training, and placement service for veterans, 38 U.S.C. § 4101(3)</li> </ul>
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<p><b>9. 42 U.S.C. § 423(d)</b></p> <p><b>Social Security Disability Insurance (SSDI)</b></p>	<p>(d) “Disability” defined</p> <p>(1) The term “disability” means—</p> <p>(A) inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or</p> <p>(B) in the case of an individual who has attained the age of 55 and is blind (within the meaning of “blindness” as defined in section 416(i)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.</p>	<ul style="list-style-type: none"> <li>● Food and Nutrition Act of 2008, 7 U.S.C. § 2012(j)</li> <li>● Native American Housing Assistance and Self-Determination Act of 1996, 25 U.S.C. § 4103(18)</li> <li>● Federal Mine Safety and Health Act of 1977, 30 U.S.C. § 801(f)(1)</li> <li>● Ticket to Work and Self-Sufficiency Program, 42 U.S.C. § 1320b-19(k)(2)</li> <li>● State grants for work incentives assistance to disabled beneficiaries, 42 U.S.C. § 1320b-21(g)(2)</li> <li>● United States Housing Act of 1937, 42 U.S.C. § 1437a(b)(3)(E)</li> <li>● Energy Conservation in Existing Buildings Act of 1976, 42 U.S.C. § 6862(5)</li> </ul>
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<p><b>10. 42 U.S.C. § 1320b-19(k)(2)</b></p> <p><b>Ticket to Work and Self-Sufficiency Program</b></p>	<p>(2) Disabled beneficiary</p> <p>The term “disabled beneficiary” means a title II disability beneficiary or a title XVI disability beneficiary.</p> <p>(3) Title II disability beneficiary</p> <p>The term “title II disability beneficiary” means an individual entitled to disability insurance benefits under section 423 of this title or to monthly insurance benefits under section 402 of this title based on such individual’s disability (as defined in section 423 (d) of this title). An individual is a title II disability beneficiary for each month for which such individual is entitled to such benefits.</p> <p>(4) Title XVI disability beneficiary</p> <p>The term “title XVI disability beneficiary” means an individual eligible for supplemental security income benefits under subchapter XVI of this chapter on the basis of blindness (within the meaning of section 1382c(a)(2) of this title) or disability (within the meaning of section 1382c(a)(3) of this title). An individual is a title XVI disability beneficiary for each month for which such individual is eligible for such benefits.</p>	<ul style="list-style-type: none"> <li>● Social Security Work Incentives Outreach Program, 42 U.S.C. § 1320b-20(d)(2)</li> <li>● State Grants For Work Incentives Assistance To Disabled Beneficiaries, 42 U.S.C. § 1320b-21(g)(2)</li> </ul>
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<p><b>11. 42 U.S.C. § 1382c(3)</b></p> <p>Supplemental Security Income (SSI)</p> <p>Title XVI of the Social Security Act</p>	<p>(A) Except as provided in subparagraph (C), an individual shall be considered to be disabled for purposes of this subchapter if he is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months.</p>	<ul style="list-style-type: none"> <li>● Food and Nutrition Act of 2008, 7 U.S.C. § 2012(j)</li> <li>● Ticket to Work and Self-Sufficiency Program, 42 U.S.C. § 1320b-19(k)(2) – refers to whole of 3</li> <li>● Social Security Work Incentives Outreach Program, 42 U.S.C. § 1320b-20(d)(2)</li> <li>● State Grants For Work Incentives Assistance To Disabled Beneficiaries, 42 U.S.C. § 1320b-21(g)(2)</li> <li>● Health Insurance For Aged And Disabled (Medicare), 42 U.S. Code § 1395 et seq.</li> <li>● Grants to States for Medical Assistance Programs (Medicaid), 42 U.S. Code § 1396d</li> <li>● Home and community care for functionally disabled elderly individuals, 42 U.S.C. § 1396t</li> <li>● Energy Conservation in Existing Buildings Act of 1976, 42 U.S.C. § 6862(5)</li> </ul>
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<p><b>12. 42 U.S.C. § 8013(k)(2)</b></p> <p>Supportive Housing For Persons With Disabilities</p>	<p>(2) The term “person with disabilities” means a household composed of one or more persons who is 18 years of age or older and less than 62 years of age, and who has a disability. A person shall be considered to have a disability if such person is determined, pursuant to regulations issued by the Secretary to have a physical, mental, or emotional impairment which</p> <p>(A) is expected to be of long-continued and indefinite duration,</p> <p>(B) substantially impedes his or her ability to live independently, and</p> <p>(C) is of such a nature that such ability could be improved by more suitable housing conditions. A person shall also be considered to have a disability if such person has a developmental disability as defined in section 15002 of this title. The Secretary shall prescribe such regulations as may be necessary to prevent abuses in determining, under the definitions contained in this paragraph, the eligibility of families and persons for admission to and occupancy of housing assisted under this section. Notwithstanding the preceding provisions of this paragraph, the term “person with disabilities” includes two or more persons with disabilities living together, one or more such persons living with another person who is determined (under regulations prescribed by the Secretary) to be important to their care or well-being, and the surviving member or members of any household described in the first sentence of this paragraph who were living, in a unit assisted under this section, with the deceased member of the household at the time of his or her death.</p>	<ul style="list-style-type: none"> <li>● Revised Congregate Housing Services, 20 U.S.C. § 8011(k)(14)</li> </ul>
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<p><b>13. 42 U.S.C. § 12102(2)</b></p> <p>Americans with Disabilities Act of 1990</p>	<p>The term “disability” means, with respect to an individual—</p> <p>(A) a physical or mental impairment that substantially limits one or more major life activities of such individual;</p> <p>(B) a record of such an impairment; or</p> <p>(C) being regarded as having such an impairment (as described in paragraph (3)).</p>	<ul style="list-style-type: none"> <li>● National Emergency Management, 6 U.S.C. § 701(10)</li> <li>● Higher Education Act, 20 U.S.C. § 1003(3)</li> <li>● General Education Provisions Act, 20 U.S.C. § 1228c(d)(1)</li> <li>● Carl D. Perkins Vocational and Applied Technical Education Act of 1998, 20 U.S.C. § 2302(14)</li> <li>● Expenditures to provide access to disabled individuals, 26 U.S.C. § 44(d)(1)</li> <li>● Rehabilitation Act of 1973, 29 U.S.C. § 701(20)</li> <li>● Rehabilitation Act of 1973, 29 U.S.C. § 705(9)</li> <li>● Assistive Technology Act of 1998, 29 U.S.C. § 3002(10)</li> <li>● Workforce Innovation and Opportunity Act, 29 U.S.C. § 3102(25)</li> <li>● Older Americans Act of 1965, 42 U.S.C. § 30305(a)(3)</li> <li>● Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5122(7)</li> </ul>
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<p><b>14. 42 U.S. C. § 12111(8)</b></p> <p><b>Americans with Disabilities Act of 1990 Title I, Employment</b></p>	<p>(8) Qualified individual</p> <p>The term “qualified individual” means an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires. For the purposes of this subchapter, consideration shall be given to the employer’s judgment as to what functions of a job are essential, and if an employer has prepared a written description before advertising or interviewing applicants for the job, this description shall be considered evidence of the essential functions of the job.</p>	<ul style="list-style-type: none"> <li>● Domestic Volunteer Service Act of 1973, 42 U.S.C. § 5057(a)(2)</li> </ul>

<p><b>15. 42 U.S.C. § 15002(8)</b></p> <p><b>Developmental Disabilities Assistance and Bill of Rights Act</b></p>	<p>(8) Developmental disability</p> <p>(A) In general</p> <p>The term “developmental disability” means a severe, chronic disability of an individual that—</p> <ul style="list-style-type: none"> <li>(i) is attributable to a mental or physical impairment or combination of mental and physical impairments;</li> <li>(ii) is manifested before the individual attains age 22;</li> <li>(iii) is likely to continue indefinitely;</li> <li>(iv) results in substantial functional limitations in 3 or more of the following areas of major life activity: <ul style="list-style-type: none"> <li>(I) Self-care.</li> <li>(II) Receptive and expressive language.</li> <li>(III) Learning.</li> <li>(IV) Mobility.</li> <li>(V) Self-direction.</li> <li>(VI) Capacity for independent living.</li> <li>(VII) Economic self-sufficiency; and</li> </ul> </li> <li>(v) reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.</li> </ul>	<ul style="list-style-type: none"> <li>● Native American Housing Assistance and Self-Determination Act of 1996, 25 U.S.C. § 4103(18)</li> <li>● United States Housing Act of 1937, 42 U.S.C. § 1437a(b)(3)(E)</li> <li>● Farm Housing Financial Assistance, 42 U.S.C. § 1471(b)(3)</li> <li>● Energy Conservation in Existing Buildings Act of 1976, 42 U.S.C. § 6862(5)</li> <li>● Supportive housing for persons with disabilities, 42 U.S.C. § 8013(k)(2)</li> <li>● State Dependent Care Development Grants Act, 42 U.S.C. § 9877(3)</li> <li>● Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, 42 U.S.C. § 11360(10)(A)</li> </ul>
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