

(3) in paragraph (3)—
 (A) in subparagraph (A), by striking "gainful and suitable employment" and inserting "competitive employment, or to place or retain such individual in competitive employment";
 (B) in subparagraph (B)—
 (i) by striking "suitable for and";
 (ii) by striking "training" each place the term appears and inserting "vocational rehabilitation"; and
 (iii) by striking "rehabilitation facility" and inserting "community rehabilitation program";
 (C) in subparagraph (C), by striking "training" and inserting "vocational rehabilitation"; and
 (D) in subparagraph (D), by striking "rehabilitation facility and the training" and inserting "community rehabilitation program and the vocational rehabilitation".

(c) **ADDITIONAL GRANTS.**—Section 303 (29 U.S.C. 772) is amended—
 (1) by redesignating subsection (c) as subsection (d);
 (2) by inserting after subsection (b) the following:
 "(c) The Commissioner is also authorized to make grants, upon applications approved by the designated State agency, to public or nonprofit agencies, institutions, or organizations to assist them in meeting the cost of planning community rehabilitation programs, the cost of the services to be provided by such programs, and initial staffing costs of such programs."; and
 (3) in subsection (d)(1) (as so redesignated by paragraph (1))—
 (A) by striking "rehabilitation facilities" and inserting "community rehabilitation programs"; and
 (B) by striking "such facilities" and inserting "such programs".

(d) **CONFORMING AMENDMENT.**—The heading of section 303 (29 U.S.C. 772) is amended by striking "TRAINING" and inserting "REHABILITATION".

SEC. 304. LOAN GUARANTEES.
 Section 304 (29 U.S.C. 773) (as so redesignated by section 301(b)(3)) is amended—
 (1) in the heading for the section, by striking "REHABILITATION FACILITIES" and inserting "COMMUNITY REHABILITATION PROGRAMS";
 (2) in subsection (a), by striking "facilities for" and inserting "community rehabilitation"; and
 (3) in subsection (b)—
 (A) by inserting "under special circumstances and" after "may"; and
 (B) by striking "rehabilitation facilities" and inserting "facilities for community rehabilitation programs".

SEC. 305. COMPREHENSIVE REHABILITATION CENTERS.
 Section 305 (29 U.S.C. 775) is amended—
 (1) in subsection (d)(1), by striking "facility" and inserting "center"; and
 (2) in subsection (g), by striking "1987," and all that follows and inserting "1993 through 1997".

SEC. 306. GENERAL GRANT AND CONTRACT REQUIREMENTS.
 Section 306 (29 U.S.C. 776) is amended—
 (1) in subsection (a), by striking "section 302" and inserting "section 303";
 (2) in subsection (b)(4), by striking "rehabilitation facilities" and inserting "facilities for community rehabilitation programs";
 (3) in subsection (f), by striking "rehabilitation facility" and inserting "facility for a community rehabilitation program"; and
 (4) in subsection (h), by striking "establishing facilities" and inserting "developing or improving community rehabilitation programs".

SEC. 307. AUTHORIZATION OF APPROPRIATIONS FOR SPECIAL PROJECTS AND SUPPLEMENTARY SERVICES.
 Section 310 (29 U.S.C. 777) is amended—

(1) by striking "(a)" after "310.";
 (2) by striking "and 316" and inserting "312, and 316";
 (3) by striking "\$15,860,000" and all that follows and inserting "such sums as may be necessary for each of fiscal years 1993 through 1997."; and
 (4) by striking subsection (b).

SEC. 308. SPECIAL DEMONSTRATION PROGRAMS.
 (a) **GRANTS.**—Section 311(a) (29 U.S.C. 777a(a)) is amended—
 (1) in paragraph (1)—
 (A) by striking "and, where appropriate, constructing facilities"; and
 (B) by striking "blind or deaf individuals," and all that follows and inserting the following: "individuals who are members of populations that are unserved or underserved by the programs under this Act, individuals who are blind, and individuals who are deaf.";
 (2) in paragraph (2), by striking "new careers;" and inserting "new careers and career advancement";
 (3) in paragraph (3), by striking "and, where appropriate, renovating and constructing facilities"; and
 (4) by striking the matter after and below paragraph (4).
 (b) **CERTAIN REQUIREMENTS.**—Section 311 (29 U.S.C. 777a) is amended by striking subsection (b) and redesignating subsections (c) through (e) as subsections (b) through (d), respectively.

(c) **SPECIAL PROJECTS AND DEMONSTRATIONS PROVIDING SUPPORTED EMPLOYMENT.**—Section 311(c) (29 U.S.C. 777a(c)) (as so redesignated by subsection (b)) is amended—
 (1) in paragraph (1)—
 (A) in subparagraph (A)—
 (i) by striking "rehabilitation facilities" and inserting "community rehabilitation programs"; and
 (ii) by inserting before the period the following: ", including continuation of determinations of the effectiveness of natural supports or other alternatives to providing extended employment services.";
 (B) in subparagraph (B)—
 (i) by striking "and" before "(iii)"; and
 (ii) in clause (iii), by striking "community-based rehabilitation facilities" and inserting "community rehabilitation programs"; and
 (C) by adding at the end the following subparagraph: "(C) Not less than two such grants shall serve individuals who either are low-functioning and deaf or low-functioning and hard-of-hearing.";
 (2) in paragraph 3(A), by striking ", 1988, and on each subsequent June 1" and inserting "of each year"; and
 (3) in paragraph (4), by striking "\$9,000,000" and all that follows and inserting "such sums as may be necessary for each of fiscal years 1993 through 1997".

(d) **MODEL STATEWIDE TRANSITIONAL PLANNING SERVICES.**—Section 311(d) (29 U.S.C. 777a(d)) (as so redesignated by subsection (b)) is amended—
 (1) by striking paragraph (3);
 (2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;
 (3) in paragraph 3(A) (as redesignated by paragraph (2) of this subsection)—
 (A) by striking clause (ii); and
 (B) by striking the clause designation; and
 (4) in paragraph (4) (as redesignated by paragraph (2) of this subsection), by striking "\$450,000," and all that follows and inserting "such sums as may be necessary for each of the fiscal years 1993 through 1997".

(e) **RELATIONSHIP TO DEMONSTRATION ACTIVITIES.**—Section 311 (29 U.S.C. 777a), as amended by subsection (b), is amended by adding at the end the following new subsection:
 "(c)(1) Consistent with paragraph (2), and consistent with the general authority set forth

in this section to fund demonstration programs, projects, and activities, nothing in this Act shall be construed to prohibit the Commissioner from exercising authority under this title, or making available funds appropriated to carry out this title, to fund programs, projects, and activities described in section 602.

"(2) If the amount of funds appropriated for a fiscal year to carry out this section exceeds the amount of funds appropriated for the preceding fiscal year to carry out this section, adjusted by the percent by which the average of the estimated gross domestic product fixed-weight price index for that fiscal year differs from that estimated index for the preceding fiscal year, the amount of the excess shall be treated as if the excess were appropriated under title VIII."

SEC. 309. MIGRATORY WORKERS.
 (a) **COLLABORATION.**—The first sentence of section 312 (29 U.S.C. 777b) is amended—
 (1) by inserting "(a)" after "312."; and
 (2) by inserting "to nonprofit agencies working in collaboration with such State agency," after "section 101".

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 312 (29 U.S.C. 777b) is amended by adding at the end the following new subsection:
 "(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for fiscal years 1993 through 1997 such sums as may be necessary to carry out this section."

SEC. 310. SPECIAL RECREATIONAL PROGRAMS.
 (a) **GRANTS.**—Section 316(a) (29 U.S.C. 777(a)) is amended—
 (1) in paragraph (1)—
 (A) in the first sentence—
 (i) by striking "part or all" and inserting "the Federal share"; and
 (ii) by inserting "employment," before "mobility."; and
 (B) in the second sentence, by inserting "vocational skills development," before "leisure education.";
 (2) in paragraph (2), by striking "a minimum of a three-year period," and inserting "a period of not more than 3 years. Such a grant shall not be renewable, except that the Commissioner may renew such a grant if the Commissioner determines that the grant recipient will continue to develop model or innovative programs of exceptional merit or will contribute substantially to the development or improvement of special recreational programs in other locations.";
 (3) in paragraph (3), by striking "to be made, and that" and all that follows and inserting "to be made."; and
 (4) by adding at the end the following new paragraphs:
 "(4) To be eligible to receive a grant under this section, a State, agency, or organization shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require, including a description of—
 "(A) the manner in which the findings and results of the project will be made generally available; and
 "(B) the means by which the service program will be continued after Federal assistance ends."
 "(5) Recreation programs funded under this section shall maintain, at a minimum, the same level of services over a 3-year project period."
 "(6) The Commissioner shall, not later than 180 days after the date of enactment of the Rehabilitation Act Amendments of 1992, develop means to objectively evaluate, and encourage the replication of, activities assisted by this section."
 "(7) The Commissioner shall require each recipient of a grant under this section to annually prepare and submit a report on the results of the activities assisted by the grant. The Commissioner shall not make financial assistance avail-

able to a grant recipient for a subsequent year until the Commissioner has received and evaluated such a report from the recipient regarding the current year.

"(8) The Commissioner shall annually issue and provide for the dissemination of a report describing the findings and results of programs funded by this section.

"(9) The Federal share of the costs of the recreation programs shall be 100 percent for the first year of the grant, 75 percent for the second year, and 50 percent for the third year."

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 316(b) (29 U.S.C. 777(b)) is amended by striking "\$2,330,000" and all that follows and inserting "such sums as may be necessary for each of the fiscal years 1993 through 1997."

TITLE IV—NATIONAL COUNCIL ON DISABILITY

SEC. 401. ESTABLISHMENT OF NATIONAL COUNCIL ON DISABILITY.

(a) **IN GENERAL.**—Section 400(a) (29 U.S.C. 780(a)) is amended—

(1) in paragraph (1)—

(A) by inserting "(A)" after "(1)";

(B) by inserting after the first sentence the following:

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

"(i) organizations representing a broad range of individuals with disabilities; and

"(ii) organizations interested in individuals with disabilities.

"(C) The members of the National Council shall be individuals with disabilities or individuals who have substantial knowledge or experience relating to disability policy or programs.";

(C) in the last sentence, by striking "At least five members" and inserting "A majority of the members"; and

(2) by adding at the end the following sentence: "The members of the National Council shall be broadly representative of minority and other individuals and groups.";

(3) by striking paragraph (2) and inserting the following:

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

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

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

(b) **TERMS.**—Section 400(b) (29 U.S.C. 780(b)) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) Each member of the National Council shall serve for a term of 3 years, except that the terms of service of the members initially appointed after the date of enactment of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 shall be (as specified by the President) for such fewer number of years as will provide for the expiration of terms on a staggered basis.";

(2) by striking paragraph (2) and inserting the following:

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

"(B) As used in this paragraph:

"(i) The term 'full term' means a term of 3 years.

"(ii) The term 'date of initial service' means, with respect to a member, the date on which the member is sworn in."

SEC. 402. DUTIES OF NATIONAL COUNCIL.

(a) **DUTIES.**—Section 401(a) (29 U.S.C. 781(a)) is amended—

(1) by striking paragraph (1) and inserting the following:

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

(2) by redesignating paragraphs (4), (5), (6), (7), and (8) as paragraphs (5), (6), (8), (9), and (10);

(3) by inserting after paragraph (3) the following paragraph:

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

(4) in paragraph (5) (as so redesignated by paragraph (2) of this subsection), by striking "all policies, programs, and activities" and inserting "policies, programs, practices, and procedures";

(B) in subparagraph (B), by inserting "and regulations" after "statutes"; and

(C) in the matter following subparagraph (B), by striking "activities, and statutes" and inserting "practices, procedures, statutes, and regulations";

(5) in paragraph (6) (as so redesignated by paragraph (2) of this subsection), by striking "and activities" and all that follows and inserting "practices, and procedures facilitate or impede the promotion of the policies set forth in subparagraphs (A) and (B) of section 400(a)(2)";

(6) by inserting after paragraph (6) (as redesignated by paragraph (2) of this subsection) the following paragraph:

"(7) gather information about the implementation, effectiveness, and impact of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

(7) in paragraph (8) (as so redesignated by paragraph (2) of this subsection), to read as follows:

"(8) make recommendations to the President, the Congress, the Secretary, the Director of the National Institute on Disability and Rehabilitation Research, and other officials of Federal agencies, respecting ways to better promote the policies set forth in section 400(a)(2)";

(8) in paragraph (9) (as so redesignated by paragraph (2) of this subsection), to read as follows:

"(9) not later than March 31 of each year, prepare and submit to the Congress and the President a report containing a summary of the activities and accomplishments of the Council with respect to the duties described in paragraphs (1) through (8);

(9) in paragraph (10) (as redesignated by paragraph (2) of this subsection), by striking the period and inserting "; and";

(10) by adding at the end the following:

"(11) review and evaluate on a continuing basis new and emerging disability policy issues affecting individuals with disabilities at the Federal, State, and local levels, and in the private sector, including the need for and coordination of adult services, access to personal assistance services, school reform efforts and the impact of such efforts on individuals with disabilities, access to health care, and policies that operate as disincentives for the individuals to seek and retain employment."

(b) **REPORT.**—Section 401(b) (29 U.S.C. 781(b)) is amended to read as follows:

"(b)(1) Not later than October 31, 1993, and annually thereafter, the National Council shall

prepare and submit to the President and the appropriate committees of the Congress a report entitled 'National Disability Policy: A Progress Report'.

"(2) The report shall assess the status of the Nation in achieving the policies set forth in section 400(a)(2), with particular focus on the new and emerging issues impacting on the lives of individuals with disabilities. The report shall present, as appropriate, available data on health, housing, employment, insurance, transportation, recreation, training, prevention, early intervention, and education. The report shall include recommendations for policy change.

"(3) In determining the issues to focus on and the findings, conclusions, and recommendations to include in the report, the Council shall seek input from the public, particularly individuals with disabilities, representatives of organizations representing a broad range of individuals with disabilities, and organizations and agencies interested in individuals with disabilities."

SEC. 403. COMPENSATION OF NATIONAL COUNCIL MEMBERS.

Section 402(a) (29 U.S.C. 782(a)) is amended by striking "rate of basic pay payable for grade GS-18 of the General Schedule under section 5332" and inserting "rate of pay for level 4 of the Senior Executive Service Schedule under section 5382".

SEC. 404. STAFF OF NATIONAL COUNCIL.

Section 403(b)(1) (29 U.S.C. 783(b)(1)) is amended by striking "annual rate of basic pay payable for grade GS-18 of the General Schedule under section 5332" and inserting "rate of pay for level 4 of the Senior Executive Service Schedule under section 5382".

SEC. 405. ADMINISTRATIVE POWERS OF NATIONAL COUNCIL.

Section 404 (29 U.S.C. 784) is amended by adding at the end the following subsection:

"(e) The National Council may use, with the consent of the agencies represented on the Interagency Disability Coordinating Council, and as authorized in title V, such services, personnel, information, and facilities as may be needed to carry out its duties under this title, with or without reimbursement to such agencies."

SEC. 406. AUTHORIZATION OF APPROPRIATIONS.

Section 405 (29 U.S.C. 785) is amended by striking "1987" and all that follows and inserting "1993 through 1997."

TITLE V—RIGHTS AND ADVOCACY

SEC. 501. RIGHTS AND ADVOCACY.

(a) **TITLE.**—Title V (29 U.S.C. 790 et seq.) is amended by striking the title heading and inserting the following:

"TITLE V—RIGHTS AND ADVOCACY"

(b) **TABLE OF CONTENTS.**—The table of contents relating to the Act is amended by striking the item relating to the title heading for title V and inserting the following:

"TITLE V—RIGHTS AND ADVOCACY"

SEC. 502. EFFECT ON EXISTING LAW.

(a) **REPEAL.**—Title V (29 U.S.C. 790 et seq.) is amended by repealing section 500.

(b) **TABLE OF CONTENTS.**—The table of contents relating to the Act is amended by striking the item relating to section 500.

SEC. 503. EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES.

(a) **ESTABLISHMENT.**—Section 501(a) (29 U.S.C. 791(a)) is amended—

(1) in the first sentence, by striking "the Secretary of Veterans Affairs, and" and inserting "the Director of the Office of Personnel Management, the Secretary of Veterans Affairs"; and

(2) by amending the second sentence to read as follows: "Either the Director of the Office of Personnel Management and the Chairman of the Commission shall serve as co-chairpersons of

the Committee or the Director or Chairman shall serve as the sole chairperson of the Committee, as the Director and Chairman jointly determine, from time to time, to be appropriate."

(b) STANDARDS.—Section 501 (29 U.S.C. 791) is amended by adding at the end the following new subsection:

"(g) The standards used to determine whether this section has been violated in a complaint alleging nonaffirmative action employment discrimination under this section shall be the standards applied under title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.) and the provisions of sections 501 through 504, and 510, of the Americans with Disabilities Act of 1990 (42 U.S.C. 12201-12204 and 12210), as such sections relate to employment."

SEC. 504. REFERENCES TO THE ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD.

(a) ACCESS BOARD.—Section 502 (29 U.S.C. 792) is amended—

(1) in the matter preceding subparagraph (A) of subsection (a)(1), by striking "the Board" and inserting "the Access Board";

(2) by striking "the Board" each place the term appears and inserting "the Access Board"; and

(3) by striking "The Board" each place the term appears and inserting "The Access Board".

(b) COMPOSITION.—Section 502(a) (29 U.S.C. 792(a)) of the Act is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by striking "Twelve" and inserting "Thirteen"; and

(ii) by striking "six" and inserting "at least a majority"; and

(B) in subparagraph (B), by inserting after clause (i) the following:

"(ii) Department of Commerce;";

(2) in paragraph (2)(A)—

(A) in the first sentence—

(i) by inserting "(1)" after "(A)"; and

(ii) by striking "three years" and inserting "4 years, except as provided in clause (ii)";

(B) in the second sentence, by striking "four" and inserting "at least three"; and

(C) by adding at the end the following:

"(iii) One member appointed for a term beginning December 4, 1992 shall serve for a term of 3 years."

"(iv) One member appointed for a term beginning December 4, 1993 shall serve for a term of 2 years."

"(v) One member appointed for a term beginning December 4, 1994 shall serve for a term of 1 year."

"(vi) Members appointed for terms beginning before December 4, 1992 shall serve for terms of 3 years."

(3) in paragraph (3), by striking "such an" and inserting "a Federal"; and

(4) in paragraph (5)(A), by striking "the daily rate prescribed for GS-18 under section 5332" and inserting "the daily equivalent of the rate of pay for level 4 of the Senior Executive Service Schedule under section 5332".

(c) FUNCTION.—Section 502(b) (29 U.S.C. 792(b)) is amended to read as follows:

"(b) It shall be the function of the Access Board to—

"(1) ensure compliance with the standards prescribed pursuant to the Act entitled 'An Act to ensure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped', approved August 12, 1968 (commonly known as the Architectural Barriers Act of 1968; 42 U.S.C. 4151 et seq.) (including the application of such Act to the United States Postal Service), including enforcing all standards under such Act, and ensuring that all waivers and modi-

fications to the standards are based on findings of fact and are not inconsistent with the provisions of this section;

"(2) develop advisory guidelines for, and provide appropriate technical assistance to, individuals or entities with rights or duties under regulations prescribed pursuant to this title or titles II and III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq. and 12181 et seq.) with respect to overcoming architectural, transportation, and communication barriers;

"(3) establish and maintain minimum guidelines and requirements for the standards issued pursuant to the Act commonly known as the Architectural Barriers Act of 1968 and titles II and III of the Americans with Disabilities Act of 1990;

"(4) promote accessibility throughout all segments of society;

"(5) investigate and examine alternative approaches to the architectural, transportation, communication, and attitudinal barriers confronting individuals with disabilities, particularly with respect to telecommunications devices, public buildings and monuments, parks and parklands, public transportation (including air, water, and surface transportation, whether interstate, foreign, intrastate, or local), and residential and institutional housing;

"(6) determine what measures are being taken by Federal, State, and local governments and by other public or nonprofit agencies to eliminate the barriers described in paragraph (5);

"(7) promote the use of the International Accessibility Symbol in all public facilities that are in compliance with the standards prescribed by the Administrator of General Services, the Secretary of Defense, and the Secretary of Housing and Urban Development pursuant to the Act commonly known as the Architectural Barriers Act of 1968;

"(8) make to the President and to the Congress reports that shall describe in detail the results of its investigations under paragraphs (5) and (6);

"(9) make to the President and to the Congress such recommendations for legislative and administrative changes as the Access Board determines to be necessary or desirable to eliminate the barriers described in paragraph (5); and

"(10) ensure that public conveyances, including rolling stock, are readily accessible to, and usable by, individuals with physical disabilities."

(d) INVESTIGATIONS AND HEARINGS.—Section 502(d) (29 U.S.C. 792(d)) is amended—

(1) in paragraph (1), in the first sentence—

(A) by striking "In carrying out" and all that follows through "shall conduct" and inserting "The Access Board shall conduct"; and

(B) by striking "insure" and inserting "ensure"; and

(2) by striking paragraph (3).

(e) INTERAGENCY AGREEMENTS.—Section 502(f) (29 U.S.C. 792(f)) is amended—

(1) by striking "(f) The departments" and inserting the following:

"(f)(1)(A) In carrying out the technical assistance responsibilities of the Access Board under this section, the Board may enter into an interagency agreement with another Federal department or agency.

"(B) Any funds appropriated to such a department or agency for the purpose of providing technical assistance may be transferred to the Access Board for the purpose of providing such technical assistance may be transferred to such department or agency.

"(C) The Access Board may arrange to carry out the technical assistance responsibilities of the Board under this section through such other

departments and agencies for such periods as the Board determines to be appropriate.

"(D) The Access Board shall establish a procedure to ensure separation of its compliance and technical assistance responsibilities under this section.

"(2) The departments"; and

(2) in the second sentence of paragraph (2) (as so designated by paragraph (1) of this subsection)—

(A) by striking "subsection" and inserting "paragraph";

(B) by striking "Secretary" and inserting "Chairperson"; and

(C) by striking "the daily pay rate for a person employed as a GS-18 under section 5332" and inserting "the daily equivalent of the rate of pay for level 4 of the Senior Executive Service Schedule under section 5332".

(f) REPORT.—Section 502(g) (29 U.S.C. 792(g)) is amended—

(1) by inserting "(1)" after the subsection designation;

(2) in paragraph (1) (as so designated by paragraph (1) of this subsection)—

(A) in the second sentence, by striking "clauses (5) and (6) of subsection (b) of this section" and inserting "paragraphs (6) and (9) of such subsection"; and

(B) by striking the third sentence and all that follows; and

(3) by adding at the end the following:

"(2) The Access Board shall, at the same time that the Access Board transmits the report required under section 7(b) of the Act commonly known as the Architectural Barriers Act of 1968 (42 U.S.C. 4157(b)), transmit the report to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate."

(g) REPORT CONTAINING ASSESSMENT.—Section 502(h) (29 U.S.C. 792(h)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (1);

(3) in paragraph (1) (as so redesignated by paragraph (2) of this subsection), by striking the second and third sentences; and

(4) by adding at the end the following paragraph:

"(2)(A) The Access Board may accept, hold, administer, and utilize gifts, devices, and bequests of property, both real and personal, for the purpose of aiding and facilitating the functions of the Access Board under paragraphs (5) and (7) of subsection (b). Gifts and bequests of money and proceeds from sales of other property received as gifts, devices, or bequests shall be deposited in the Treasury and shall be disbursed upon the order of the Chairperson. Property accepted pursuant to this section, and the proceeds thereof, shall be used as nearly as possible in accordance with the terms of the gifts, devices, or bequests. For purposes of Federal income, estate, or gift taxes, property accepted under this section shall be considered as a gift, devise, or bequest to the United States.

"(B) The Access Board shall publish regulations setting forth the criteria the Board will use in determining whether the acceptance of gifts, devices, and bequests of property, both real and personal, would reflect unfavorably upon the ability of the Board or any employee to carry out the responsibilities or official duties of the Board in a fair and objective manner, or would compromise the integrity of or the appearance of the integrity of a Government program or any official involved in that program."

(h) AUTHORIZATION OF APPROPRIATIONS.—Section 502(i) (29 U.S.C. 792(i)) is amended by striking "fiscal years 1991 through 1992" and all that follows and inserting "fiscal years 1993 through 1997".

SEC. 505. EMPLOYMENT UNDER FEDERAL CONTRACTS.

(a) **CONTRACTS**.—Section 503(a) (29 U.S.C. 793(a)) is amended—

(1) by striking "\$2,500" each place the term appears and inserting "\$10,000"; and

(2) in the first sentence, by striking ", in employing persons to carry out such contract."

(b) **WAIVER**.—Section 503(c) (29 U.S.C. 793(c)) is amended—

(1) by inserting "(1)" after "(c)"; and

(2) by adding at the end the following:

"(2)(A) The Secretary of Labor may waive the requirements of the affirmative action clause required by regulations promulgated under subsection (a) with respect to any of a prime contractor's or subcontractor's facilities that are found to be in all respects separate and distinct from activities of the prime contractor or subcontractor related to the performance of the contract or subcontract, if the Secretary of Labor also finds that such a waiver will not interfere with or impede the effectuation of this Act.

(B) Such waivers shall be considered only upon the request of the contractor or subcontractor. The Secretary of Labor shall promulgate regulations that set forth the standards used for granting such a waiver."

(c) **STANDARDS AND PROCEDURES**.—Section 503 (29 U.S.C. 793) is amended by adding at the end the following:

"(d) The standards used to determine whether this section has been violated in a complaint alleging nonaffirmative action employment discrimination under this section shall be the standards applied under title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.) and the provisions of sections 501 through 504, and 510, of the Americans with Disabilities Act of 1990 (42 U.S.C. 12201-12204 and 12210), as such sections relate to employment.

(e) The Secretary shall develop procedures to ensure that administrative complaints filed under this section and under the Americans with Disabilities Act of 1990 are dealt with in a manner that avoids duplication of effort and prevents imposition of inconsistent or conflicting standards for the same requirements under this section and the Americans with Disabilities Act of 1990."

SEC. 506. NONDISCRIMINATION UNDER FEDERAL GRANTS AND PROGRAMS.

Section 504 (29 U.S.C. 794) is amended by adding at the end the following new subsection:

"(d) The standards used to determine whether this section has been violated in a complaint alleging employment discrimination under this section shall be the standards applied under title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.) and the provisions of sections 501 through 504, and 510, of the Americans with Disabilities Act of 1990 (42 U.S.C. 12201-12204 and 12210), as such sections relate to employment."

SEC. 507. SECRETARIAL RESPONSIBILITIES.

(a) **ACCESS**.—Subsections (a) and (c) of section 506 (29 U.S.C. 794b) are amended by inserting "Access" before "Board" each place the term appears.

(b) **COMMUNITY REHABILITATION PROGRAMS**.—Section 506(a)(1) (29 U.S.C. 794b(a)(1)) is amended by striking "rehabilitation facilities" and inserting "community rehabilitation programs".

(c) **COMPENSATION**.—Section 506(b) (29 U.S.C. 794b(b)) is amended by striking "the rate of basic pay payable for grade GS-18 of the General Schedule, under section 5332" and inserting "the rate of pay for level 4 of the Senior Executive Service Schedule under section 5382".

(d) **CONFORMING AMENDMENT**.—Section 506(c) (29 U.S.C. 794b(c)) is amended by striking "502(h)(2)" and inserting "502(h)(1)".

SEC. 508. INTERAGENCY DISABILITY COORDINATING COUNCIL.

(a) **IN GENERAL**.—Section 507 (29 U.S.C. 794c) is amended to read as follows:

"**SEC. 507. INTERAGENCY DISABILITY COORDINATING COUNCIL.**

"(a) **ESTABLISHMENT**.—There is hereby established an Interagency Disability Coordinating Council (hereafter in this section referred to as the "Council") composed of the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of Housing and Urban Development, the Secretary of Transportation, the Assistant Secretary of the Interior for Indian Affairs, the Attorney General, the Director of the Office of Personnel Management, the Chairperson of the Equal Employment Opportunity Commission, the Chairperson of the Architectural and Transportation Barriers Compliance Board, and such other officials as may be designated by the President.

(b) **DUTIES**.—The Council shall—

(1) have the responsibility for developing and implementing agreements, policies, and practices designed to maximize effort, promote efficiency, and eliminate conflict, competition, duplication, and inconsistencies among the operations, functions, and jurisdictions of the various departments, agencies, and branches of the Federal Government responsible for the implementation and enforcement of the provisions of this title, and the regulations prescribed thereunder;

(2) be responsible for developing and implementing agreements, policies, and practices designed to coordinate operations, functions, and jurisdictions of the various departments and agencies of the Federal Government responsible for promoting the full integration into society, independence, and productivity of individuals with disabilities; and

(3) carry out such studies and other activities, subject to the availability of resources, with advice from the National Council on Disability, in order to identify methods for overcoming barriers to integration into society, independence, and productivity of individuals with disabilities.

(c) **REPORT**.—On or before July 1 of each year, the Interagency Disability Coordinating Council shall prepare and submit to the President and to the Congress a report of the activities of the Council designed to promote and meet the employment needs of individuals with disabilities, together with such recommendations for legislative and administrative changes as the Council concludes are desirable to further promote this section, along with any comments submitted by the National Council on Disability as to the effectiveness of such activities and recommendations in meeting the needs of individuals with disabilities. Nothing in this section shall impair any responsibilities assigned by any Executive order to any Federal department, agency, or instrumentality to act as a lead Federal agency with respect to any provisions of this title."

(b) **TECHNICAL AMENDMENT**.—The table of contents relating to the Act is amended by striking the item relating to section 507 and inserting the following item:

"Sec. 507. Interagency Disability Coordinating Council."

SEC. 508. ELECTRONIC AND INFORMATION TECHNOLOGY ACCESSIBILITY GUIDELINES.

(a) **GUIDELINES**.—Section 508 (29 U.S.C. 794d) is amended to read as follows:

"**SEC. 508. ELECTRONIC AND INFORMATION TECHNOLOGY ACCESSIBILITY GUIDELINES.**

"(a) **GUIDELINES**.—The Secretary, through the Director of the National Institute on Disability and Rehabilitation Research, and the Administrator of the General Services Administration, in

consultation with the electronics and information technology industry and the Interagency Council on Accessible Technology, shall develop and establish guidelines for Federal agencies for electronic and information technology accessibility designed to ensure, regardless of the type of medium, that individuals with disabilities can produce information and data, and have access to information and data, comparable to the information and data, and access, respectively, of individuals who are not individuals with disabilities. Such guidelines shall be revised, as necessary, to reflect technological advances or changes.

(b) **COMPLIANCE**.—Each Federal agency shall comply with the guidelines established under this section."

(b) **TABLE OF CONTENTS**.—The table of contents relating to the Act is amended by striking the item relating to section 508 and inserting the following:

"Sec. 508. Electronic and information technology accessibility guidelines."

SEC. 510. PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.

(a) **IN GENERAL**.—Title V (29 U.S.C. 790 et seq.) is amended by adding at the end the following new section:

"**SEC. 509. PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.**

"(a) **PURPOSE**.—The purpose of this section is to support a system in each State to protect the legal and human rights of individuals with disabilities who—

(1) are ineligible for client assistance programs under section 112; and

(2) are ineligible for protection and advocacy programs under part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041 et seq.) and the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10601 et seq.).

(b) **APPROPRIATIONS LESS THAN \$5,500,000**.—

"(1) **ALLOTMENTS**.—For any fiscal year in which the amount appropriated to carry out this section is less than \$5,500,000, the Commissioner may make grants from such amount to eligible systems within States to plan for, develop outreach strategies for, and carry out protection and advocacy programs authorized under this section for individuals with disabilities who meet the requirements of paragraphs (1) and (2) of subsection (a).

(2) **OTHER JURISDICTIONS**.—For the purposes of this subsection, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau shall not be considered to be States.

(c) **APPROPRIATIONS OF \$5,500,000 OR MORE**.—

(1) **TECHNICAL ASSISTANCE**.—For any fiscal year in which the amount appropriated to carry out this section equals or exceeds \$5,500,000, the Commissioner shall set aside not less than 1.8 percent and not more than 2.2 percent of the amount to provide training and technical assistance to the systems established under this section.

(2) **ALLOTMENTS**.—For any such fiscal year, after the reservation required by paragraph (1) has been made, the Commissioner shall make allotments from the remainder of such amount in accordance with paragraph (3) to eligible systems within States to enable such systems to carry out protection and advocacy programs authorized under this section for such individuals.

(3) **SYSTEMS WITHIN STATES**.—

(A) **POPULATION BASIS**.—Except as provided in subparagraph (B), from such remainder for each such fiscal year, the Commissioner shall make an allotment to the eligible system within a State of an amount bearing the same ratio to such remainder as the population of the State bears to the population of all States.

"(B) MINIMUMS.—Subject to the availability of appropriations to carry out this section, and except as provided in paragraph (4), the allotment to any system under subparagraph (A) shall be not less than \$100,000 or one-third of one percent of the remainder for the fiscal year for which the allotment is made, whichever is greater, and the allotment to any system under this section for any fiscal year that is less than \$100,000 or one-third of one percent of such remainder shall be increased to the greater of the two amounts.

"(4) SYSTEMS WITHIN OTHER JURISDICTIONS.—
 "(A) IN GENERAL.—For the purposes of this subsection, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau shall not be considered to be States.

"(B) ALLOTMENT.—The eligible system within a jurisdiction described in subparagraph (A) shall be allotted not less than \$50,000 for the fiscal year for which the allotment is made, except that the Republic of Palau may receive such allotment under this section only until the Compact of Free Association with Palau takes effect.

"(5) ADJUSTMENT FOR INFLATION.—

"(A) STATES.—For purposes of determining the minimum amount of an allotment under paragraph (3)(B), the amount \$100,000 shall, in the case of such allotments for fiscal year 1994 and subsequent fiscal years, be increased to the extent necessary to offset the effects of inflation occurring since October 1992, as measured by the percentage increase in the Consumer Price Index For All Urban Consumers (U.S. city average) during the period ending on April 1 of the fiscal year preceding the fiscal year for which the allotment is to be made.

"(B) CERTAIN TERRITORIES.—For purposes of determining the minimum amount of an allotment under paragraph (4)(B), the amount \$50,000 shall, in the case of such allotments for fiscal year 1994 and subsequent fiscal years, be increased to the extent necessary to offset the effects of inflation occurring since October 1992, as measured by the percentage increase in the Consumer Price Index For All Urban Consumers (U.S. city average) during the period ending on April 1 of the fiscal year preceding the fiscal year for which the allotment is to be made.

"(d) PROPORTIONAL REDUCTION.—Amounts necessary to provide allotments to systems within States in accordance with subsection (c)(3)(B) as increased under subsection (c)(5), or to provide allotments in accordance with subsection (c)(4)(B) as increased in accordance with subsection (c)(5), shall be derived by proportionately reducing the allotments of the remaining systems within States under subsection (c)(3), but with such adjustments as may be necessary to prevent the allotment of any such remaining systems within States from being thereby reduced to less than the greater of \$100,000 or one-third of one percent of the sums made available for purposes of this section for the fiscal year for which the allotment is made, as increased in accordance with subsection (c)(5).

"(e) REALLOTMENT.—Whenever the Commissioner determines that any amount of an allotment to a system within a State for any fiscal year described in subsection (c)(1) will not be expended by such system in carrying out the provisions of this section, the Commissioner shall make such amount available for carrying out the provisions of this section to one or more of the systems that the Commissioner determines will be able to use additional amounts during such year for carrying out such provisions. Any amount made available to a system for any fiscal year pursuant to the preceding sentence shall, for the purposes of this section, be regarded as an increase in the allotment of the system (as determined under the preceding provisions of this section) for such year.

"(f) APPLICATION.—In order to receive assistance under this section, an eligible system shall submit an application to the Commissioner, at such time, in such form and manner, and containing such information and assurances as the Commissioner determines necessary to meet the requirements of this section, including assurances that the eligible system will—

"(1) have in effect a system to protect and advocate the rights of individuals with disabilities;

"(2) have the same general authorities, including access to records and program income, as are set forth in part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041 et seq.);

"(3) have the authority to pursue legal, administrative, and other appropriate remedies or approaches to ensure the protection of, and advocacy for, the rights of such individuals within the State who are ineligible for protection and advocacy programs under part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041 et seq.) and the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10801 et seq.) or client assistance programs under section 112;

"(4) provide information on and make referrals to programs and services addressing the needs of individuals with disabilities in the State;

"(5) develop a statement of objectives and priorities on an annual basis, and provide to the public, including individuals with disabilities and, as appropriate, their representatives, an opportunity to comment on the objectives and priorities established by, and activities of, the system including—

"(A) the objectives and priorities for the activities of the system for each year and the rationale for the establishment of such objectives and priorities; and

"(B) the coordination of programs provided through the system under this section with the advocacy programs of the client assistance program under section 112, the State long-term care ombudsman program established under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.), the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.), and the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10801 et seq.);

"(6) establish a grievance procedure for clients or prospective clients of the system to ensure that individuals with disabilities are afforded equal opportunity to access the services of the system; and

"(7) provide assurances to the Commissioner that funds made available under this section will be used to supplement and not supplant the non-Federal funds that would otherwise be made available for the purpose for which Federal funds are provided.

"(g) CARRYOVER AND DIRECT PAYMENT.—

"(1) DIRECT PAYMENT.—Notwithstanding any other provision of law, the Commissioner shall pay directly to any system that complies with the provisions of this section, the amount of the allotment of the State involved under this section, unless the State provides otherwise.

"(2) CARRYOVER.—Any amount paid to a State for a fiscal year that remains unobligated at the end of such year shall remain available to such State for obligation during the next fiscal year for the purposes for which such amount was paid.

"(h) LIMITATION ON DISCLOSURE REQUIREMENTS.—For purposes of any audit, report, or evaluation of the performance of the program established under this section, the Commissioner shall not require such a program to disclose the identity of, or any other personally identifiable information related to, any individual requesting assistance under such program.

"(i) ELIGIBILITY FOR ASSISTANCE.—As used in this section, the term "eligible system" means a protection and advocacy system that is established under part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041 et seq.) and that meets the requirements of subsection (f).

"(j) ADMINISTRATIVE COST.—An eligible system may not use more than 5 percent of any allotment under subsection (c) for the cost of administration of the system required by this section.

"(k) DELEGATION.—The Commissioner may delegate the administration of this program to the Commissioner of the Administration on Developmental Disabilities within the Department of Health and Human Services.

"(l) REPORT.—The Commissioner shall annually prepare and submit to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate a report describing the types of services and activities being undertaken by programs funded under this section, the total number of individuals served under this section, the types of disabilities represented by such individuals, and the types of issues being addressed on behalf of such individuals.

"(m) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 1993, 1994, 1995, 1996, and 1997.

"(n) TECHNICAL AMENDMENT.—The table of contents relating to the Act is amended by inserting after the item relating to section 508 the following item:

"Sec. 509. Protection and advocacy of individual rights."

TITLE VI—EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES

Subtitle A—Community Service Employment Pilot Program for Individuals With Disabilities

SEC. 601. PILOT PROGRAM.

(a) DEFINITION.—Section 611(a) (29 U.S.C. 795(a)) is amended by striking "section 7(6)" and inserting "section 7(8)(A)".

(b) PERSONAL ASSISTANCE SERVICES.—Section 611(b)(1)(K) (29 U.S.C. 795(b)(1)(K)) is amended by striking "attendant care" and inserting "personal assistance services".

SEC. 602. TREATMENT OF PERSONAL ASSISTANCE SERVICES COSTS.

Section 613(c) (29 U.S.C. 795(c)) is amended by striking "attendant care" and inserting "personal assistance services".

SEC. 603. DEFINITIONS.

Section 616 (29 U.S.C. 796) is amended—

(1) by adding "and" at the end of paragraph (1);

(2) by striking "; and" at the end of paragraph (2) and inserting a period; and

(3) by striking paragraph (3).

SEC. 604. AUTHORIZATION OF APPROPRIATIONS.

Section 617 (29 U.S.C. 797) is amended by striking "1987" and all that follows and inserting "1993 through 1997."

Subtitle B—Projects With Industry

SEC. 611. PROJECTS WITH INDUSTRY.

(a) IN GENERAL.—Section 621(a) (29 U.S.C. 795(a)) is amended to read as follows:

"(a)(1) The purpose of this part is to create and expand job and career opportunities for individuals with disabilities in the competitive labor market by engaging the talent and leadership of private industry as partners in the rehabilitation process, to identify competitive job and career opportunities and the skills needed to perform such jobs, to create practical job and career readiness and training programs, and to provide job placements and career advancement.

"(2) The Commissioner, in consultation with the Secretaries of Labor and Commerce and with designated State units, may award grants to individual employers, community rehabilitation program providers, labor unions, trade associations, Indian tribes, tribal organizations, designated State units, and other entities to establish jointly financed Projects With Industry to create and expand job and career opportunities for individuals with disabilities, which projects shall—

"(A) provide for the establishment of business advisory councils, which shall—

"(i) be comprised of—

"(I) representatives of private industry, business concerns, and organized labor; and

"(II) individuals with disabilities and their representatives;

"(ii) identify job and career availability within the community;

"(iii) identify the skills necessary to perform the jobs and careers identified; and

"(iv) prescribe training programs designed to develop appropriate job and career skills for individuals with disabilities;

"(B) provide individuals with disabilities with training in realistic work settings in order to prepare the individuals for employment and career advancement in the competitive market;

"(C) provide job placement and career advancement services;

"(D) to the extent appropriate, provide for—

"(i) the development and modification of jobs and careers to accommodate the special needs of such individuals;

"(ii) the distribution of rehabilitation technology to such individuals; and

"(iii) the modification of any facilities or equipment of the employer that are used primarily by individuals with disabilities; and

"(E) provide individuals with disabilities with such support services as may be required in order to maintain the employment and career advancement for which the individuals have received training under this part.

"(3) An individual shall be eligible for services described in paragraph (2) if the appropriate designated State unit determines the individual to be an individual with a disability under section 7(b)(A) or an individual with a severe disability under section 7(15)(A). In making such a determination, the unit shall rely on the determination made by the recipient of the grant under which the services are provided, to the extent appropriate and available and consistent with the requirements under this Act. If a designated State unit does not notify a recipient of a grant within 60 days that the determination of the recipient is inappropriate, the recipient of the grant may consider the individual to be eligible.

"(4) The Commissioner shall enter into an agreement with the grant recipient regarding the establishment of the project. Any agreement shall be jointly developed by the Commissioner, the grant recipient, and, to the extent practicable, the appropriate designated State unit and the individuals with disabilities (or their representatives) involved. Such agreements shall specify the terms of training and employment under the project, provide for the payment by the Commissioner of part of the costs of the project (in accordance with subsection (c)), and contain the items required under subsection (b) and such other provisions as the parties to the agreement consider to be appropriate.

"(5) Any agreement shall include a description of a plan to annually conduct a review and evaluation of the operation of the project in accordance with standards developed by the Commissioner under subsection (d), and, in conducting the review and evaluation, to collect information on—

"(A) the numbers and types of individuals with disabilities served;

"(B) the types of services provided;

"(C) the sources of funding;

"(D) the percentage of resources committed to each type of service provided;

"(E) the extent to which the employment status and earning power of individuals with disabilities changed following services;

"(F) the extent of capacity building activities, including collaboration with business and industry and other organizations, agencies, and institutions;

"(G) a comparison, if appropriate, of activities in prior years with activities in the most recent year; and

"(H) the number of project participants who were terminated from project placements and the duration of such placements.

"(6) The Commissioner may include, as part of agreements with grant recipients, authority for such grant recipients to provide technical assistance to—

"(A) assist employers in hiring individuals with disabilities; or

"(B) improve or develop relationships between—

"(i) grant recipients or prospective grant recipients; and

"(ii) employers or organized labor; or

"(C) assist employers in understanding and meeting the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) as the Act relates to employment of individuals with disabilities."

(b) AGREEMENT.—Section 621(b) (29 U.S.C. 795g(b)) is amended to read as follows:

"(b) No payment shall be made by the Commissioner under any agreement with a grant recipient entered into under subsection (a) unless such agreement—

"(1) provides an assurance that individuals with disabilities placed under such agreement shall receive at least the applicable minimum wage;

"(2) provides an assurance that any individual with a disability placed under this part shall be afforded terms and benefits of employment equal to terms and benefits that are afforded to the similarly situated co-workers of the individual, and that such individuals with disabilities shall not be segregated from their co-workers; and

"(3) provides an assurance that an annual evaluation report containing information specified under subsection (a)(5) shall be submitted as determined to be appropriate by the Commissioner."

(c) EVALUATION.—Section 621(d) (29 U.S.C. 795g(d)) is amended—

(1) by striking paragraphs (1) through (3) and inserting the following:

"(1) The Commissioner shall develop standards for the evaluation described in subsection (a)(5) and shall review and revise the evaluation standards as necessary, subject to paragraphs (2) and (3).

"(2) In revising the standards for evaluation to be used by the grant recipients, the Commissioner shall obtain and consider recommendations for such standards from State vocational rehabilitation agencies, current and former grant recipients, professional organizations representing business and industry, organizations representing individuals with disabilities, individuals served by grant recipients, organizations representing community rehabilitation program providers, and labor organizations."

(2) by redesignating paragraph (4) as paragraph (3).

(d) ADMINISTRATION.—Subsections (e) through (h) of section 621 (29 U.S.C. 795g) are amended to read as follows:

"(e)(1)(A) A grant may be awarded under this section for a period of up to 5 years and such grant may be renewed.

"(B) Grants under this section shall be awarded on a competitive basis. To be eligible to receive such a grant, a prospective grant recipient shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require.

"(2) The Commissioner shall to the extent practicable ensure an equitable distribution of payments made under this section among the States. To the extent funds are available, the Commissioner shall award grants under this section to new projects that will serve individuals with disabilities in States, portions of States, Indian tribes, or tribal organizations, that are currently unserved or underserved by projects.

"(f)(1) The Commissioner shall, as necessary, develop and publish in the Federal Register in final form indicators of what constitutes minimum compliance consistent with the evaluation standards under subsection (d)(1).

"(2) Each grant recipient shall report to the Commissioner at the end of each project year the extent to which the grant recipient is in compliance with the evaluation standards.

"(3)(A) The Commissioner shall annually conduct on-site compliance reviews of at least 15 percent of grant recipients. The Commissioner shall select grant recipients for review on a random basis.

"(B) The Commissioner shall use the indicators in determining compliance with the evaluation standards.

"(C) The Commissioner shall ensure that at least one member of a team conducting such a review shall be an individual who—

"(i) is not an employee of the Federal Government; and

"(ii) has experience or expertise in conducting projects.

"(D) The Commissioner shall ensure that—

"(i) a representative of the appropriate designated State unit shall participate in the review; and

"(ii) no person shall participate in the review of a grant recipient if—

"(I) the grant recipient provides any direct financial benefit to the reviewer; or

"(II) participation in the review would give the appearance of a conflict of interest.

"(4) In making a determination concerning any subsequent grant under this section, the Commissioner shall consider the past performance of the applicant, if applicable. The Commissioner shall use compliance indicators developed under this subsection that are consistent with program evaluation standards developed under subsection (d) to assess minimum project performance for purposes of making continuation awards in the third, fourth, and fifth years.

"(5) Each fiscal year the Commissioner shall include in the annual report to Congress required by section 13 an analysis of the extent to which grant recipients have complied with the evaluation standards. The Commissioner may identify individual grant recipients in the analysis. In addition, the Commissioner shall report the results of on-site compliance reviews, identifying individual grant recipients.

"(g) The Commissioner may provide, directly or by way of grant, contract, or cooperative agreement, technical assistance to—

"(1) entities conducting projects for the purpose of assisting such entities in—

"(A) the improvement of or the development of relationships with private industry or labor; or

"(B) the improvement of relationships with State vocational rehabilitation agencies; and

"(2) entities planning the development of new projects.

"(h) As used in this section:

"(1) The term 'agreement' means an agreement described in subsection (a)(4).

"(2) The term 'project' means a Project With Industry established under subsection (a)(2).
"(3) The term 'grant recipient' means a recipient of a grant under subsection (a)(2)."

(c) TECHNICAL AMENDMENT.—Section 621 (29 U.S.C. 795) is amended by striking subsection (1).

SEC. 612. BUSINESS OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES.

(a) IN GENERAL.—Title VI (29 U.S.C. 795 et seq.) is amended—

(1) in the heading for part B, by striking "AND BUSINESS OPPORTUNITIES FOR INDIVIDUALS WITH HANDICAPS";

(2) by redesignating section 622 as section 641;

(3) by inserting section 641 (as so redesignated) after section 638; and

(4) by inserting before such section 641 the following:

"PART D—BUSINESS OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 641 (as so redesignated by subsection (a)(2) of this section) is amended—

(1) by inserting "(a)" before "The Commissioner"; and

(2) by adding at the end the following:

"(b) There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the 1993 through 1997 fiscal years."

(c) TECHNICAL AMENDMENT.—The Act (29 U.S.C. 701 et seq.) is amended in the table of contents in the first section—

(1) by striking the item relating to the part heading for part B of title VI and inserting the following:

"PART B—PROJECTS WITH INDUSTRY";

(2) by striking the item relating to section 622; and

(3) by inserting after the item relating to section 638 the following:

"PART D—BUSINESS OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES".

"Sec. 641. Business opportunities for individuals with disabilities."

SEC. 613. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—Title VI (29 U.S.C. 795 et seq.) is amended—

(1) by redesignating section 623 as section 622; and

(2) in section 622 (29 U.S.C. 795i) (as so redesignated by paragraph (1) of this subsection) by striking "section 621, \$16,070,000" and all that follows and inserting "this part, such sums as may be necessary for each of fiscal years 1993 through 1997".

(b) TABLE OF CONTENTS.—The table of contents relating to title VI is amended by inserting after the item relating to section 621 the following:

"Sec. 622. Authorization of appropriations."

Subtitle C—Supported Employment Services for Individuals With Severe Disabilities

SEC. 621. SUPPORTED EMPLOYMENT.

(a) PROGRAM.—Title VI is amended by striking part C (29 U.S.C. 795j et seq.) and inserting the following:

"PART C—SUPPORTED EMPLOYMENT SERVICES FOR INDIVIDUALS WITH SEVERE DISABILITIES

"SEC. 631. PURPOSE.

"It is the purpose of this part to authorize allotments, in addition to grants for vocational rehabilitation services under title I, to assist States in developing collaborative programs with appropriate entities to provide supported employment services for individuals with the most severe disabilities who require supported employment services to enter or retain competitive employment.

"SEC. 632. ALLOTMENTS.

"(a) IN GENERAL.—

"(1) STATES.—The Secretary shall allot the sums appropriated for each fiscal year to carry out this part among the States on the basis of relative population of each State, except that—

"(A) no State shall receive less than \$250,000, or one-third of one percent of the sums appropriated for the fiscal year for which the allotment is made, whichever is greater; and

"(B) if the sums appropriated to carry out this part for the fiscal year exceed by \$1,000,000 or more the sums appropriated to carry out this part in fiscal year 1992, no State shall receive less than \$300,000, or one-third of one percent of the sums appropriated for the fiscal year for which the allotment is made, whichever is greater.

"(2) CERTAIN TERRITORIES.—

"(A) IN GENERAL.—For the purposes of this subsection, Guam, American Samoa, the United States Virgin Islands, the Republic of Palau, and the Commonwealth of the Northern Mariana Islands shall not be considered to be States.

"(B) ALLOTMENT.—Each jurisdiction described in subparagraph (A) shall be allotted not less than one-eighth of one percent of the amounts appropriated for the fiscal year for which the allotment is made, except that the Republic of Palau may receive such allotment under this section only until the Compact of Free Association with Palau takes effect.

"(b) REALLOTMENT.—Whenever the Commissioner determines that any amount of an allotment to a State for any fiscal year will not be expended by such State for carrying out the provisions of this part, the Commissioner shall make such amount available for carrying out the provisions of this part to one or more of the States that the Commissioner determines will be able to use additional amounts during such year for carrying out such provisions. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for the purposes of this section, be regarded as an increase in the allotment of the State (as determined under the preceding provisions of this section) for such year.

"SEC. 633. AVAILABILITY OF SERVICES.

"Funds provided under this part may be used to provide supported employment services to individuals who are eligible under this part.

"Funds provided under this part, title I, or subsection (c) or (f) of section 311 may not be used to provide extended services to individuals who are eligible under this part or title I.

"SEC. 634. ELIGIBILITY.

"An individual shall be eligible under this part to receive supported employment services authorized under this Act if—

"(1) the individual is eligible for vocational rehabilitation services;

"(2) the individual is determined to be an individual with the most severe disabilities; and

"(3) a comprehensive assessment of rehabilitation needs of the individual provided under section 102(b)(1)(A), including an evaluation of rehabilitation, career, and job needs, identifies supported employment as the appropriate rehabilitation objective for the individual.

"SEC. 635. STATE PLAN.

"(a) STATE PLAN SUPPLEMENTS.—To be eligible for an allotment under this part, a State shall submit to the Commissioner, as part of the State plan under section 101, a State plan supplement for providing supported employment services authorized under this Act to individuals who are eligible under this Act to receive the services. Each State shall make such annual revisions in the plan supplement as may be necessary.

"(b) CONTENTS.—Each such plan supplement shall—

"(1) designate each agency that the State designated under section 101(a)(1) as the agency to administer the program assisted under this part;

"(2) summarize the results of the comprehensive, statewide assessment conducted under section 101(a)(5), with respect to the rehabilitation and career needs of individuals with severe disabilities and the need for supported employment services, including needs related to coordination and use of information within the State relating to section 618(b)(1)(C) of the Individuals with Disabilities Education Act (20 U.S.C. 1418(b)(1)(C));

"(3) describe the quality, scope, and extent of supported employment services authorized under this Act to be provided to individuals who are eligible under this Act to receive the services and specify the goals and plans of the State with respect to the distribution of funds received under section 632;

"(4) demonstrate evidence of the efforts of the designated State agency to identify and make arrangements (including entering into cooperative agreements) with other State agencies and other appropriate entities to assist in the provision of supported employment services;

"(5) demonstrate evidence of the efforts of the designated State agency to identify and make arrangements (including entering into cooperative agreements) with other public or nonprofit agencies or organizations within the State, employers, natural supports, and other entities with respect to the provision of extended services;

"(6) provide assurances that—

"(A) funds made available under this part will only be used to provide supported employment services authorized under this Act to individuals who are eligible under this part to receive the services;

"(B) that the comprehensive assessments of individuals with severe disabilities conducted under section 102(b)(1)(A) and funded under title I will include consideration of supported employment as an appropriate rehabilitation objective;

"(C) an individualized written rehabilitation program, as required by section 102, will be developed and updated using funds under title I in order to—

"(i) specify the supported employment services to be provided;

"(ii) specify the expected extended services needed; and

"(iii) identify the source of extended services, which may include natural supports, or to the extent that it is not possible to identify the source of extended services at the time the individualized written rehabilitation program is developed, a statement describing the basis for concluding that there is a reasonable expectation that such sources will become available;

"(D) the State will use funds provided under this part only to supplement, and not supplant, the funds provided under title I, in providing supported employment services specified in the individualized written rehabilitation program;

"(E) services provided under an individualized written rehabilitation program will be coordinated with services provided under other individualized plans established under other Federal or State programs;

"(F) to the extent jobs skills training is provided, the training will be provided on-site; and

"(G) supported employment services will include placement in an integrated setting for the maximum number of hours possible based on the unique strengths, resources, interests, concerns, abilities, and capabilities of individuals with the most severe disabilities;

"(7) provide assurances that the State agencies designated under paragraph (1) will expend not more than 5 percent of the allotment of the State under this part for administrative costs of carrying out this part; and

"(8) contain such other information and be submitted in such manner as the Commissioner may require.

***SEC. 636. RESTRICTION.**

"Each State agency designated under section 635(b)(1) shall collect the client information required by section 13 separately for supported employment clients under this part and for supported employment clients under title I.

***SEC. 637. SAVINGS PROVISION.**

"(a) **SUPPORTED EMPLOYMENT SERVICES.**—Nothing in this Act shall be construed to prohibit a State from providing supported employment services in accordance with the State plan submitted under section 101 by using funds made available through a State allotment under section 110.

"(b) **POSTEMPLOYMENT SERVICES.**—Nothing in this part shall be construed to prohibit a State from providing discrete postemployment services in accordance with the State plan submitted under section 107 by using funds made available through a State allotment under section 110 to an individual who is eligible under this part.

***SEC. 638. AUTHORIZATION OF APPROPRIATIONS.**

"There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 1993 through 1997."

"(b) **TABLE OF CONTENTS.**—The table of contents relating to title VI is amended by striking the items relating to part C and inserting the following:

"PART C—SUPPORTED EMPLOYMENT SERVICES FOR INDIVIDUALS WITH SEVERE DISABILITIES

"Sec. 631. Purpose.

"Sec. 632. Allotments.

"Sec. 633. Availability of services.

"Sec. 634. Eligibility.

"Sec. 635. State plan.

"Sec. 636. Restriction.

"Sec. 637. Savings provision.

"Sec. 638. Authorization of appropriations."

TITLE VII—INDEPENDENT LIVING SERVICES AND CENTERS FOR INDEPENDENT LIVING**SEC. 701. SERVICES AND CENTERS.**

The Act is amended—

(1) by striking title VII (29 U.S.C. 796 et seq.); and

(2) by adding at the end the following new title:

"TITLE VII—INDEPENDENT LIVING SERVICES AND CENTERS FOR INDEPENDENT LIVING**"CHAPTER 1—INDIVIDUALS WITH SEVERE DISABILITIES****"PART A—GENERAL PROVISIONS*****SEC. 701. PURPOSE.**

"The purpose of this chapter is to promote a philosophy of independent living, including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual and system advocacy, in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities, and the integration and full inclusion of individuals with disabilities into the mainstream of American society, by—

"(1) providing financial assistance to States for providing, expanding, and improving the provision of independent living services;

"(2) providing financial assistance to develop and support statewide networks of centers for independent living; and

"(3) providing financial assistance to States for improving working relationships among State independent living rehabilitation service programs, centers for independent living, Statewide Independent Living Councils established under section 705, State vocational rehabilitation programs receiving assistance under title I, State programs of supported employment services receiving assistance under part C of title VI,

client assistance programs receiving assistance under section 112, programs funded under other titles of this Act, programs funded under other Federal programs, and programs funded through non-Federal sources.

***SEC. 702. DEFINITIONS.**

"As used in this chapter:

"(1) **CENTER FOR INDEPENDENT LIVING.**—The term 'center for independent living' means a consumer-controlled, community-based, cross-disability, nonresidential private nonprofit agency that—

"(A) is designed and operated within a local community by individuals with disabilities; and

"(B) provides an array of independent living services.

"(2) **CONSUMER CONTROL.**—The term 'consumer control' means, with respect to an entity, that the entity vests power and authority in individuals with disabilities.

***SEC. 703. ELIGIBILITY FOR RECEIPT OF SERVICES.**

"Services may be provided under this chapter to any individual with a severe disability, as defined in section 7(15)(B).

***SEC. 704. STATE PLAN.**

"(a) **IN GENERAL.**—

"(1) **REQUIREMENT.**—To be eligible to receive financial assistance under this chapter, a State shall submit to the Commissioner, and obtain approval of, a State plan containing such provisions as the Commissioner may require, including, at a minimum, the provisions required in this section.

"(2) **JOINT DEVELOPMENT.**—The plan under paragraph (1) shall be jointly developed and signed by—

"(A) the director of the designated State unit; and

"(B) the chairperson of the Statewide Independent Living Council, acting on behalf of and at the direction of the Council.

"(3) **PERIODIC REVIEW AND REVISION.**—The plan shall provide for the review and revision of the plan, not less than once every 3 years, to ensure the existence of appropriate planning, financial support and coordination, and other assistance to appropriately address, on a statewide and comprehensive basis, needs in the State for—

"(A) the provision of State independent living services;

"(B) the development and support of a statewide network of centers for independent living; and

"(C) working relationships between—

"(i) programs providing independent living services and independent living centers; and

"(ii) the vocational rehabilitation program established under title I, and other programs providing services for individuals with disabilities.

"(4) **DATE OF SUBMISSION.**—The State shall submit the plan to the Commissioner 90 days before the completion date of the preceding plan. If a State fails to submit such a plan that complies with the requirements of this section, the Commissioner may withhold financial assistance under this chapter until such time as the State submits such a plan.

"(b) **STATEWIDE INDEPENDENT LIVING COUNCIL.**—The plan shall provide for the establishment of a Statewide Independent Living Council in accordance with section 705.

"(c) **DESIGNATION OF STATE UNIT.**—The plan shall designate the designated State unit of such State as the agency that, on behalf of the State, shall—

"(1) receive, account for, and disburse funds received by the State under this chapter based on the plan;

"(2) provide administrative support services for programs under parts B and C;

"(3) keep such records and afford such access to such records as the Commissioner finds to be necessary with respect to the programs; and

"(4) submit such additional information or provide such assurances as the Commissioner may require with respect to the programs.

"(d) **OBJECTIVES.**—The plan shall—

"(1) specify the objectives to be achieved under the plan and establish timelines for the achievement of the objectives; and

"(2) explain how such objectives are consistent with and further the purpose of this chapter.

"(e) **INDEPENDENT LIVING SERVICES.**—The plan shall provide that the State will provide independent living services under this chapter to individuals with severe disabilities, and will provide the services to such an individual in accordance with an independent living plan mutually agreed upon by an appropriate staff member of the service provider and the individual, unless the individual signs a waiver stating that such a plan is unnecessary.

"(f) **SCOPE AND ARRANGEMENTS.**—The plan shall describe the extent and scope of independent living services to be provided under this chapter to meet such objectives. If the State makes arrangements, by grant or contract, for providing such services, such arrangements shall be described in the plan.

"(g) **NETWORK.**—The plan shall set forth a design for the establishment of a statewide network of centers for independent living that comply with the standards and assurances set forth in section 725.

"(h) **CENTERS.**—In States in which State funding for centers for independent living equals or exceeds the amount of funds allotted to the State under part C, as provided in section 723, the plan shall include policies, practices, and procedures governing the awarding of grants to centers for independent living and oversight of such centers consistent with section 723.

"(i) **COOPERATION, COORDINATION, AND WORKING RELATIONSHIPS AMONG VARIOUS ENTITIES.**—The plan shall set forth the steps that will be taken to maximize the cooperation, coordination, and working relationships among—

"(1) the independent living rehabilitation service program, the Statewide Independent Living Council, and centers for independent living; and

"(2) the designated State unit, other State agencies represented on such Council, other councils that address the needs of specific disability populations and issues, and other public and private entities determined to be appropriate by the Council.

"(j) **COORDINATION OF SERVICES.**—The plan shall describe how services funded under this chapter will be coordinated with, and complement, other services, in order to avoid unnecessary duplication with other Federal, State, and local programs.

"(k) **COORDINATION BETWEEN FEDERAL AND STATE SOURCES.**—The plan shall describe efforts to coordinate Federal and State funding for centers for independent living and independent living services.

"(l) **OUTREACH.**—With respect to services and centers funded under this chapter, the plan shall set forth steps to be taken regarding outreach to populations that are underserved or underserved by programs under this title, including minority groups and urban and rural populations.

"(m) **REQUIREMENTS.**—The plan shall provide satisfactory assurances that all recipients of financial assistance under this chapter will—

"(1) notify all individuals seeking or receiving services under this chapter about the availability of the client assistance program under section 112, the purposes of the services provided under such program, and how to contact such program;

"(2) take affirmative action to employ and advance in employment qualified individuals with

tion 13, information on the extent to which centers for independent living receiving funds under part C have complied with the standards and assurances set forth in section 725. The Commissioner may identify individual centers for independent living in the analysis. The Commissioner shall report the results of on-site compliance reviews, identifying individual centers for independent living and other recipients of assistance under this chapter.

"PART B—INDEPENDENT LIVING SERVICES
"SEC. 711. ALLOTMENTS.

"(A) IN GENERAL.—

"(1) STATES.—
"(A) POPULATION BASIS.—Except as provided in subparagraphs (B) and (C), from sums appropriated for each fiscal year to carry out this part, the Commissioner shall make an allotment to each State whose State plan has been approved under section 706 of an amount bearing the same ratio to such sums as the population of the State bears to the population of all States.

"(B) MAINTENANCE OF 1992 AMOUNTS.—Subject to the availability of appropriations to carry out this part, the amount of any allotment made under subparagraph (A) to a State for a fiscal year shall not be less than the amount of an allotment made to the State for fiscal year 1992 under part A of this title, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992.

"(C) MINIMUMS.—Subject to the availability of appropriations to carry out this part, and except as provided in subparagraph (B), the allotment to any State under subparagraph (A) shall be not less than \$275,000 or one-third of one percent of the sums made available for the fiscal year for which the allotment is made, whichever is greater, and the allotment of any State under this section for any fiscal year that is less than \$275,000 or one-third of one percent of such sums shall be increased to the greater of the two amounts.

"(2) CERTAIN TERRITORIES.—

"(A) IN GENERAL.—For the purposes of this subsection, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau shall not be considered to be States.

"(B) ALLOTMENT.—Each jurisdiction described in subparagraph (A) shall be allotted not less than one-eighth of one percent of the amounts made available for purposes of this part for the fiscal year for which the allotment is made, except that the Republic of Palau may receive such allotment under this section only until the Compact of Free Association with Palau takes effect.

"(3) ADJUSTMENT FOR INFLATION.—For purposes of determining the minimum amount of an allotment under paragraph (1)(C), the amount \$275,000 shall, in the case of such allotments for fiscal year 1994 and subsequent fiscal years, be increased to the extent necessary to offset the effects of inflation occurring since October 1992, as measured by the percentage increase in the Consumer Price Index For All Urban Consumers (U.S. city average) during the period ending on April 1 of the fiscal year preceding the fiscal year for which the allotment is to be made.

"(b) PROPORTIONAL REDUCTION.—Subject to subsection (a)(1)(B), amounts necessary to provide allotments to States in accordance with subsection (a)(1)(B), or in accordance with subsection (a)(1)(C) as increased under subsection (a)(3), or to provide allotments under subsection (a)(2)(B), shall be derived by proportionately reducing the allotments of the remaining States under subsection (a)(1), but with such adjustments as may be necessary to prevent the allotment of any such remaining States from being thereby reduced to less than the greater of \$275,000 or one-third of one percent of the sums made available for purposes of this part for the

fiscal year for which the allotment is made, as increased in accordance with subsection (a)(3).

"(c) REALLOTMENT.—Whenever the Commissioner determines that any amount of an allotment to a State for any fiscal year will not be expended by such State in carrying out the provisions of this part, the Commissioner shall make such amount available for carrying out the provisions of this part to one or more of the States that the Commissioner determines will be able to use additional amounts during such year for carrying out such provisions. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for the purposes of this section, be regarded as an increase in the allotment of the State (as determined under the preceding provisions of this section) for such year.

"SEC. 712. PAYMENTS TO STATES FROM ALLOTMENTS.

"(a) PAYMENTS.—From the allotment of each State for a fiscal year under section 711, the State shall be paid the Federal share of the expenditures incurred during such year under its State plan approved under section 706. Such payments may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Commissioner may determine.

"(b) FEDERAL SHARE.—

"(1) IN GENERAL.—The Federal share with respect to any State for any fiscal year shall be 90 percent of the expenditures incurred by the State during such year under its State plan approved under section 706.

"(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of any project that receives assistance through an allotment under this part may be provided in cash or in kind, fairly evaluated, including plant, equipment, or services.

"(3) DETERMINATION.—For the purpose of determining the Federal share with respect to any State, expenditures by a project that receives assistance from such State shall, subject to regulations prescribed by the Commissioner, be regarded as expenditures by such State.

"SEC. 713. AUTHORIZED USES OF FUNDS.

"The State may use funds received under this part to provide the resources described in section 705(c), relating to the Statewide Independent Living Council, and may use funds received under this part—

"(1) to provide independent living services to individuals with severe disabilities;

"(2) to demonstrate ways to expand and improve independent living services;

"(3) to support the operation of centers for independent living;

"(4) to support activities to increase the capacities of public or nonprofit agencies and organizations and other entities to develop comprehensive approaches or systems for providing independent living services;

"(5) to conduct studies and analyses, gather information, develop model policies and procedures, and present information, approaches, strategies, findings, conclusions, and recommendations to Federal, State, and local policymakers in order to enhance independent living services for individuals with disabilities;

"(6) to train individuals with disabilities and individuals providing services to individuals with disabilities and other persons regarding the independent living philosophy; and

"(7) to provide outreach to populations that are unserved or underserved by programs under this title, including minority groups and urban and rural populations.

"SEC. 714. AUTHORIZATION OF APPROPRIATIONS.
"There are authorized to be appropriated to carry out this part such sums as may be necessary for each of the fiscal years 1993, 1994, 1995, 1996, and 1997.

"PART C—CENTERS FOR INDEPENDENT LIVING

"SEC. 721. PROGRAM AUTHORIZATION.

"(a) IN GENERAL.—From the funds appropriated for fiscal year 1994 and for each subsequent fiscal year to carry out this part, the Commissioner shall allot such sums as may be necessary to States and other entities in accordance with subsections (b) through (d).

"(b) TRAINING.—

"(1) GRANTS; CONTRACTS; OTHER ARRANGEMENTS.—For any fiscal year in which the funds appropriated to carry out this part exceed the funds appropriated to carry out this part for fiscal year 1993, the Commissioner shall first reserve from such excess, to provide training and technical assistance for such fiscal year, not less than 1.8 percent, and not more than 2 percent, of such funds.

"(2) ALLOCATION.—From the funds reserved under paragraph (1), the Commissioner shall make grants to, and enter into contracts and other arrangements with, entities who have experience in the operation of centers for independent living to provide such training and technical assistance with respect to planning, developing, conducting, administering, and evaluating centers for independent living.

"(3) FUNDING PRIORITIES.—The Commissioner shall conduct a survey of Statewide Independent Living Councils and centers for independent living regarding training and technical assistance needs in order to determine funding priorities for such grants, contracts, and other arrangements.

"(4) REVIEW.—To be eligible to receive a grant or enter into a contract or other arrangement under this subsection, such an entity shall submit an application to the Commissioner at such time, in such manner, and containing a proposal to provide such training and technical assistance, and containing such additional information as the Commissioner may require. The Commissioner shall provide for peer review of grant applications by panels that include persons who are not government employees and who have experience in the operation of centers for independent living.

"(5) PROHIBITION ON COMBINED FUNDS.—No funds reserved by the Commissioner under this subsection may be combined with funds appropriated under any other Act or part of this Act if the purpose of combining funds is to make a single discretionary grant or a single discretionary payment, unless such funds appropriated under this chapter are separately identified in such grant or payment and are used for the purposes of this chapter.

"(c) IN GENERAL.—

"(1) STATES.—

"(A) POPULATION BASIS.—Except as provided in subparagraphs (B) and (C) and after the reservation required by subsection (b) has been made, from the remainder of the amounts appropriated for each such fiscal year to carry out this part, the Commissioner shall make an allotment to each State whose State plan has been approved under section 706 of an amount bearing the same ratio to such remainder as the population of the State bears to the population of all States.

"(B) MAINTENANCE OF 1992 AMOUNTS.—Subject to the availability of appropriations to carry out this part, the amount of any allotment made under subparagraph (A) to a State for a fiscal year shall not be less than the amount of financial assistance received by centers for independent living in the State for fiscal year 1992 under part B of this title, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992.

"(C) MINIMUMS.—Subject to the availability of appropriations to carry out this part and except as provided in subparagraph (B), for a fiscal

year in which the amounts appropriated to carry out this part exceed the amounts appropriated for fiscal year 1992 to carry out part B of this title, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992—

"(i) if such excess is not less than \$8,000,000, the allotment to any State under subparagraph (A) shall be not less than \$450,000 or one-third of one percent of the sums made available for the fiscal year for which the allotment is made, whichever is greater, and the allotment of any State under this section for any fiscal year that is less than \$450,000 or one-third of one percent of such sums shall be increased to the greater of the two amounts;

"(ii) if such excess is not less than \$4,000,000 and is less than \$8,000,000, the allotment to any State under subparagraph (A) shall be not less than \$400,000 or one-third of one percent of the sums made available for the fiscal year for which the allotment is made, whichever is greater, and the allotment of any State under this section for any fiscal year that is less than \$400,000 or one-third of one percent of such sums shall be increased to the greater of the two amounts; and

"(iii) if such excess is less than \$4,000,000, the allotment to any State under subparagraph (A) shall approach, as nearly as possible, the greater of the two amounts described in clause (ii).

"(2) CERTAIN TERRITORIES.—

"(A) IN GENERAL.—For the purposes of this subsection, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau shall not be considered to be States.

"(B) ALLOTMENT.—Each jurisdiction described in subparagraph (A) shall be allotted not less than one-eighth of one percent of the remainder for the fiscal year for which the allotment is made, except that the Republic of Palau may receive such allotment under this section only until the Compact of Free Association with Palau takes effect.

"(3) ADJUSTMENT FOR INFLATION.—For any fiscal year, beginning in fiscal year 1994, in which the total amount appropriated to carry out this part exceeds the total amount appropriated to carry out this part for the preceding fiscal year by a percentage greater than the most recent percentage change in the Consumer Price Index For All Urban Consumers published by the Secretary of Labor under section 100(c)(1), the Commissioner shall increase the minimum allotment under paragraph (1)(C) by such percentage change in the Consumer Price Index For All Urban Consumers.

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

"(e) TRANSITION RULES.—

"(1) RESERVATION.—

"(A) FISCAL YEAR 1993.—For fiscal year 1993, the Commissioner shall first reserve from the funds appropriated to carry out this part, not less than 1.5 percent, and not more than 2 percent, of such funds, whichever is greater, for training, technical assistance, and transition assistance, to centers for independent living.

"(B) TRAINING AND TECHNICAL ASSISTANCE.—From the funds reserved under subparagraph

(A), the Commissioner shall make grants to, and enter into contracts and other arrangements with, entities who have experience in the operation of centers for independent living, to—

"(i) provide such training and technical assistance with respect to planning, developing, conducting, administering, and evaluating centers for independent living; and

"(ii) provide such transition assistance to assist the centers with efforts to achieve compliance with the standards and assurances set forth in this part.

"(C) REVIEW.—To be eligible to receive a grant or enter into a contract or other arrangement under this paragraph, such an entity shall submit an application to the Commissioner at such time, in such manner, and containing a proposal to provide such training, technical assistance, and transition assistance and containing such additional information as the Commissioner may require. The Commissioner shall provide for peer review of such proposals by panels that include persons who are not government employees and who have experience in the operation of centers for independent living.

"(D) PROHIBITION ON COMBINED FUNDS.—An entity that receives funds under this paragraph shall comply with subsection (b)(5) with respect to the funds.

"(2) IN GENERAL.—

"(A) GRANTS.—After the reservation required by paragraph (1) has been made, and from the remainder of the funds appropriated for fiscal year 1993 to carry out this part, the Secretary is authorized to make grants to eligible agencies described in subparagraph (B) to operate centers for independent living.

"(B) AGENCIES.—

"(i) FISCAL YEAR 1992 RECIPIENTS.—Private nonprofit agencies that received funding directly or through subgrants or contracts under part B, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992, in fiscal year 1992 shall receive assistance under this part for fiscal year 1993 if the agencies submit applications that demonstrate to the satisfaction of the Commissioner that as of October 1, 1993 such agencies will meet the standards described in section 725(b) and that contain the assurances described in section 725(c). In determining whether a center meets the standards described in section 725(b), the Commissioner will look for information that shows how the center will meet each standard. The Commissioner shall consider any data on past performance that is provided by the agency that shows how the center has been meeting the standards.

"(ii) OTHER AGENCIES.—Private nonprofit agencies that did not receive assistance under part B, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992, in fiscal year 1992 may receive assistance under this part for fiscal year 1993 if the agencies submit satisfactory applications for fiscal year 1993. In determining whether an application is satisfactory, the Secretary shall use the criteria for selection of centers specified in section 725(d)(2)(B).

"(C) PRIORITY.—The Secretary may not award funds to a private nonprofit agency that did not receive assistance under part B, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992, in fiscal year 1992 until the Secretary has funded all agencies within each State that received such funding and have submitted applications described in subparagraph (B)(i) for fiscal year 1993.

"SEC. 722. GRANTS TO CENTERS FOR INDEPENDENT LIVING IN STATES IN WHICH FEDERAL FUNDING EXCEEDS STATE FUNDING.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—Unless the director of a designated State unit awards grants under sec-

tion 723 to eligible agencies in a State for a fiscal year, the Commissioner shall award grants under this section to such eligible agencies for such fiscal year from the amount of funds allotted to the State under subsection (c) or (d) of section 721 for such year.

"(2) GRANTS.—The Commissioner shall award such grants, from the amount of funds so allotted, to such eligible agencies for the planning, conduct, administration, and evaluation of centers for independent living that comply with the standards and assurances set forth in section 725.

"(b) ELIGIBLE AGENCIES.—In any State in which the Commissioner has approved the State plan required by section 704, the Commissioner may make a grant under this section to any eligible agency that—

"(1) has the power and authority to carry out the purpose of this part and perform the functions set forth in section 725 within a community and to receive and administer funds under this part, funds and contributions from private or public sources that may be used in support of a center for independent living, and funds from other public and private programs;

"(2) is determined by the Commissioner to be able to plan, conduct, administer, and evaluate a center for independent living consistent with the standards and assurances set forth in section 725; and

"(3) submits an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require.

"(c) EXISTING ELIGIBLE AGENCIES.—In the administration of the provisions of this section, the Commissioner shall award grants to any eligible agency that is receiving funds under this part on September 30, 1993, unless the Commissioner makes a finding that the agency involved fails to meet program and fiscal standards and assurances set forth in section 725.

"(d) NEW CENTERS FOR INDEPENDENT LIVING.—

"(1) IN GENERAL.—If there is no center for independent living serving a region of the State or a region is underserved, and the increase in the allotment of the State is sufficient to support an additional center for independent living in the State, the Commissioner may award a grant under this section to the most qualified applicant, consistent with the provisions in the State plan setting forth the design of the State for establishing a statewide network of centers for independent living.

"(2) SELECTION.—In selecting from among applicants for a grant under this section for a new center for independent living, the Commissioner—

"(A) shall consider comments regarding the application, if any, by the Statewide Independent Living Council in the State in which the applicant is located;

"(B) shall consider the ability of each such applicant to operate a center for independent living based on—

"(i) evidence of the need for such a center;

"(ii) any past performance of such applicant in providing services comparable to independent living services;

"(iii) the plan for satisfying or demonstrated success in satisfying the standards and the assurances set forth in section 725;

"(iv) the quality of key personnel and the involvement of individuals with severe disabilities;

"(v) budgets and cost-effectiveness;

"(vi) an evaluation plan; and

"(vii) the ability of such applicant to carry out the plans; and

"(C) shall give priority to applications from applicants proposing to serve geographic areas within each State that are currently unserved or underserved by independent living programs,

consistent with the provisions of the State plan submitted under section 704 regarding establishment of a statewide network of centers for independent living.

"(3) **CURRENT CENTERS.**—Notwithstanding paragraphs (1) and (2), a center for independent living that receives assistance under part B for part A as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992 for a fiscal year for the general operation of the center shall be eligible for a grant for the subsequent fiscal year under this subsection.

"(c) **ORDER OF PRIORITIES.**—The Commissioner shall be guided by the following order of priorities in allocating funds among centers for independent living within a State, to the extent funds are available:

"(1) The Commissioner shall support existing centers for independent living, as described in subsection (c), that comply with the standards and assurances set forth in section 725, at the level of funding for the previous year.

"(2) The Commissioner shall provide for a cost-of-living increase for such existing centers for independent living.

"(3) The Commissioner shall fund new centers for independent living, as described in subsection (d), that comply with the standards and assurances set forth in section 725.

"(f) **REVIEW.**—

"(1) **IN GENERAL.**—The Commissioner shall periodically review each center receiving funds under this section to determine whether such center is in compliance with the standards and assurances set forth in section 725. If the Commissioner determines that any center receiving funds under this section is not in compliance with the standards and assurances set forth in section 725, the Commissioner shall immediately notify such center that it is out of compliance.

"(2) **ENFORCEMENT.**—The Commissioner shall terminate all funds under this section to such center 90 days after the date of such notification unless the center submits a plan to achieve compliance within 90 days of such notification and such plan is approved by the Commissioner.

"**SEC. 723. GRANTS TO CENTERS FOR INDEPENDENT LIVING IN STATES IN WHICH STATE FUNDING EQUALS OR EXCEEDS FEDERAL FUNDING.**

"(a) **ESTABLISHMENT.**—

"(1) **IN GENERAL.**—

"(A) **INITIAL YEAR.**—

"(i) **DETERMINATION.**—Beginning on October 1, 1993, the director of a designated State unit, as provided in paragraph (2), or the Commissioner, as provided in paragraph (3), shall award grants under this section for an initial fiscal year if the Commissioner determines that the amount of State funds that were earmarked by a State for a preceding fiscal year to support the general operation of centers for independent living meeting the requirements of this part equaled or exceeded the amount of funds allotted to the State under subsection (c) or (d) of section 721 for such year.

"(ii) **GRANTS.**—The director or the Commissioner, as appropriate, shall award such grants, from the amount of funds so allotted for the initial fiscal year, to eligible agencies in the State for the planning, conduct, administration, and evaluation of centers for independent living that comply with the standards and assurances set forth in section 725.

"(iii) **REGULATION.**—The Commissioner shall by regulation specify the preceding fiscal year with respect to which the Commissioner will make the determinations described in clause (i) and subparagraph (2).

"(B) **SUBSEQUENT YEARS.**—For each year subsequent to the initial fiscal year described in subparagraph (A), the director of the designated State unit shall continue to have the authority to award such grants under this section if the

Commissioner determines that the State continues to earmark the amount of State funds described in subparagraph (A)(i). If the State does not continue to earmark such an amount for a fiscal year, the State shall be ineligible to make grants under this section after a final year following such fiscal year, as defined in accordance with regulations established by the Commissioner, and for each subsequent fiscal year.

"(2) **GRANTS BY DESIGNATED STATE UNITS.**—In order for the designated State unit to be eligible to award the grants described in paragraph (1) and carry out this section for a fiscal year with respect to a State, the designated State agency shall submit an application to the Commissioner at such time, and in such manner as the Commissioner may require, including information about the amount of State funds described in paragraph (1) for the preceding fiscal year. If the Commissioner makes a determination described in subparagraph (A)(i) or (B), as appropriate, of paragraph (1), the Commissioner shall approve the application and designate the director of the designated State unit to award the grant and carry out this section.

"(3) **GRANTS BY COMMISSIONER.**—If the designated State agency of a State described in paragraph (1) does not submit and obtain approval of an application under paragraph (2), the Commissioner shall award the grant described in paragraph (1) to the State in accordance with section 722.

"(b) **ELIGIBLE AGENCIES.**—In any State in which the Commissioner has approved the State plan required by section 704, the director of the designated State unit may award a grant under this section to any eligible agency that—

"(1) has the power and authority to carry out the purpose of this part and perform the functions set forth in section 725 within a community and to receive and administer funds under this part, funds and contributions from private or public sources that may be used in support of a center for independent living, and funds from other public and private programs;

"(2) is determined by the director to be able to plan, conduct, administer, and evaluate a center for independent living, consistent with the standards and assurances set forth in section 725; and

"(3) submits an application to the director at such time, in such manner, and containing such information as the head of the designated State unit may require.

"(c) **EXISTING ELIGIBLE AGENCIES.**—In the administration of the provisions of this section, the director of the designated State unit shall award grants under this section to any eligible agency that is receiving funds under this part on September 30, 1993, unless the director makes a finding that the agency involved fails to comply with the standards and assurances set forth in section 725.

"(d) **NEW CENTERS FOR INDEPENDENT LIVING.**—

"(1) **IN GENERAL.**—If there is no center for independent living serving a region of the State or the region is underserved or underserved, and the increase in the allotment of the State is sufficient to support an additional center for independent living in the State, the director of the designated State unit may award a grant under this section from among eligible agencies, consistent with the provisions of the State plan under section 704 setting forth the design of the State for establishing a statewide network of centers for independent living.

"(2) **SELECTION.**—In selecting from among eligible agencies in awarding a grant under this part for a new center for independent living—

"(A) the director of the designated State unit and the chairperson of, or other individual designated by, the Statewide Independent Living Council acting on behalf of and at the direction

of the Council, shall jointly appoint a peer review committee that shall rank applications in accordance with the standards and assurances set forth in section 725 and criteria jointly established by such director and such chairperson or individual;

"(B) the peer review committee shall consider the ability of each such applicant to operate a center for independent living, and shall recommend an applicant to receive a grant under this section, based on—

"(i) evidence of the need for a center for independent living, consistent with the State plan;

"(ii) any past performance of such applicant in providing services comparable to independent living services;

"(iii) the plan for complying with, or demonstrated success in complying with, the standards and the assurances set forth in section 725;

"(iv) the quality of key personnel of the applicant and the involvement of individuals with severe disabilities by the applicant;

"(v) the budgets and cost-effectiveness of the applicant;

"(vi) the evaluation plan of the applicant; and

"(vii) the ability of such applicant to carry out the plans; and

"(C) the director of the designated State unit shall award the grant on the basis of the recommendations of the peer review committee if the actions of the committee are consistent with Federal and State law.

"(3) **CURRENT CENTERS.**—Notwithstanding paragraphs (1) and (2), a center for independent living that receives assistance under part B (or part A as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992) for a fiscal year for the general operation of the center shall be eligible for a grant for the subsequent fiscal year under this subsection.

"(e) **ORDER OF PRIORITIES.**—Unless the director of the designated State unit and the chairperson of the Council or other individual designated by the Council acting on behalf of and at the direction of the Council jointly agree on another order of priority, the director shall be guided by the following order of priorities in allocating funds among centers for independent living within a State, to the extent funds are available:

"(1) The director of the designated State unit shall support existing centers for independent living, as described in subsection (c), that comply with the standards and assurances set forth in section 725, at the level of funding for the previous year.

"(2) The director of the designated State unit shall provide for a cost-of-living increase for such existing centers for independent living.

"(3) The director of the designated State unit shall fund new centers for independent living, as described in subsection (d), that comply with the standards and assurances set forth in section 725.

"(f) **REVIEW.**—

"(1) **IN GENERAL.**—The director of the designated State unit shall periodically review each center receiving funds under this section to determine whether such center is in compliance with the standards and assurances set forth in section 725. If the director of the designated State unit determines that any center receiving funds under this section is not in compliance with the standards and assurances set forth in section 725, the director of the designated State unit shall immediately notify such center that it is out of compliance.

"(2) **ENFORCEMENT.**—The director of the designated State unit shall terminate all funds under this section to such center 90 days after—

"(A) the date of such notification; or

"(B) in the case of a center that requests an appeal under subsection (h), the date of any final decision under subsection (h).

ensure the center submits a plan to achieve compliance within 90 days and such plan is approved by the director, or if appealed, by the Commissioner.

"(g) ON-SITE COMPLIANCE REVIEW.—The director of the designated State unit shall conduct on-site compliance review of centers for independent living. Each team that conducts on-site compliance review of centers for independent living shall include at least one person who is not an employee of the designated State agency, who has experience in the operation of centers for independent living, and who is jointly selected by the director of the designated State unit and the chairperson of or other individual designated by the Council acting on behalf of and at the direction of the Council. A copy of this review shall be provided to the Commissioner.

"(h) ADVERSE ACTIONS.—If the director of the designated State unit proposes to take a significant adverse action against a center for independent living, the center may seek mediation and conciliation to be provided by an individual or individuals who are free of conflicts of interest identified by the chairperson of or other individual designated by the Council. If the issue is not resolved through the mediation and conciliation, the center may appeal the proposed adverse action to the Commissioner for a final decision.

"SEC. 724. CENTERS OPERATED BY STATE AGENCIES.

"(a) FISCAL YEAR 1993.—

"(1) IN GENERAL.—Notwithstanding section 702(f), if—

"(A) no nonprofit private agency—

"(i) submits an acceptable application to operate a center for independent living for fiscal year 1993 before a date specified by the Commissioner; and

"(ii) obtains approval of the application under section 722 or 723; and

"(B) a State directly operated such a center in fiscal year 1992 with funds provided under part B, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992,

the State may apply to the Commissioner for assistance under section 721(e)(2) for the conduct, administration, and evaluation of such a center.

"(2) COMPLIANCE.—A State that receives assistance with respect to a center in accordance with paragraph (1) shall ensure that the center shall comply with all of the requirements of this part, other than the requirement that the center be a private nonprofit agency.

"(b) FISCAL YEAR 1994 AND SUCCEEDING FISCAL YEARS.—A State that receives assistance for fiscal year 1993 with respect to a center in accordance with subsection (a) may continue to receive assistance under this part for fiscal year 1994 or a succeeding fiscal year if, for such fiscal year—

"(1) no nonprofit private agency—

"(A) submits an acceptable application to operate a center for independent living for fiscal year 1993 before a date specified by the Commissioner; and

"(B) obtains approval of the application under section 722 or 723; or

"(2) after funding all applications so submitted and approved, the Commissioner determines that funds remain available to provide such assistance.

"SEC. 725. STANDARDS AND ASSURANCES FOR CENTERS FOR INDEPENDENT LIVING.

"(a) IN GENERAL.—Each center for independent living that receives assistance under this part shall comply with the standards set out in subsection (b) and provide and comply with the assurances set out in subsection (c) in order to

ensure that all programs and activities under this part are planned, conducted, administered, and evaluated in a manner consistent with the purposes of this chapter and the objective of providing assistance effectively and efficiently.

"(b) STANDARDS.—

"(1) PHILOSOPHY.—The center shall promote and practice the independent living philosophy of—

"(A) consumer control of the center regarding decisionmaking, service delivery, management, and establishment of the policy and direction of the center;

"(B) self-help and self-advocacy;

"(C) development of peer relationships and peer role models; and

"(D) equal access of individuals with severe disabilities to society and to all services, programs, activities, resources, and facilities, whether public or private and regardless of the funding source.

"(2) PROVISION OF SERVICES.—The center shall provide services to individuals with a range of severe disabilities. The center shall provide services on a cross-disability basis (for individuals with all different types of severe disabilities, including individuals with disabilities who are members of populations that are unserved or underserved by programs under this Act). Eligibility for services at any center for independent living shall not be based on the presence of any one or more specific severe disabilities.

"(3) INDEPENDENT LIVING GOALS.—The center shall facilitate the development and achievement of independent living goals selected by individuals with severe disabilities who seek such assistance by the center.

"(4) COMMUNITY OPTIONS.—The center shall work to increase the availability and improve the quality of community options for independent living in order to facilitate the development and achievement of independent living goals by individuals with severe disabilities.

"(5) INDEPENDENT LIVING CORE SERVICES.—The center shall provide independent living core services and, as appropriate, a combination of any other independent living services specified in section 7130(B).

"(6) ACTIVITIES TO INCREASE COMMUNITY CAPACITY.—The center shall conduct activities to increase the capacity of communities within the service area of the center to meet the needs of individuals with severe disabilities.

"(7) RESOURCE DEVELOPMENT ACTIVITIES.—The center shall conduct resource development activities to obtain funding from sources other than this chapter.

"(c) ASSURANCES.—The eligible agency shall provide at such time and in such manner as the Commissioner may require, such satisfactory assurances as the Commissioner may require, including satisfactory assurances that—

"(1) the applicant is an eligible agency;

"(2) the center will be designed and operated within local communities by individuals with disabilities, including an assurance that the center will have a Board that is the principal governing body of the center and a majority of which shall be composed of individuals with severe disabilities;

"(3) the applicant will comply with the standards set forth in subsection (b);

"(4) the applicant will establish clear priorities through annual and 3-year program and financial planning objectives for the center, including overall goals or a mission for the center, a work plan for achieving the goals or mission, specific objectives, service priorities, and types of services to be provided, and a description that shall demonstrate how the proposed activities of the applicant are consistent with the most recent 3-year State plan under section 704;

"(5) the applicant will use sound organizational and personnel assignment practices, in-

cluding taking affirmative action to employ and advance in employment qualified individuals with severe disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 503;

"(6) the applicant will ensure that the majority of the staff, and individuals in decisionmaking positions, of the applicant are individuals with disabilities;

"(7) the applicant will practice sound fiscal management, including making arrangements for an annual independent fiscal audit;

"(8) the applicant will conduct annual self-evaluations, prepare an annual report, and maintain records adequate to measure performance with respect to the standards, containing information regarding, at a minimum—

"(A) the extent to which the center is in compliance with the standards;

"(B) the number and types of individuals with severe disabilities receiving services through the center;

"(C) the types of services provided through the center and the number of individuals with severe disabilities receiving each type of service;

"(D) the sources and amounts of funding for the operation of the center;

"(E) the number of individuals with severe disabilities who are employed by, and the number who are in management and decisionmaking positions in, the center; and

"(F) a comparison, when appropriate, of the activities of the center in prior years with the activities of the center in the most recent year;

"(9) individuals with severe disabilities who are seeking or receiving services at the center will be notified by the center of the existence of, the availability of, and how to contact, the client assistance program;

"(10) aggressive outreach regarding services provided through the center will be conducted in an effort to reach populations of individuals with severe disabilities that are unserved or underserved by programs under this title, especially minority groups and urban and rural populations;

"(11) staff at centers for independent living will receive training on how to serve such unserved and underserved populations, including minority groups and urban and rural populations;

"(12) the center will submit to the Statewide Independent Living Council a copy of its approved grant application and the annual report required under paragraph (8);

"(13) the center will prepare and submit a report to the designated State unit or the Commissioner, as the case may be, at the end of each fiscal year that contains the information described in paragraph (8) and information regarding the extent to which the center is in compliance with the standards set forth in subsection (b); and

"(14) an independent living plan described in section 704(c) will be developed unless the individual who would receive services under the plan signs a waiver stating that such a plan is unnecessary.

"SEC. 726. DEFINITIONS.

"As used in this part, the term 'eligible agency' means a consumer-controlled, community-based, cross-disability, nonresidential private nonprofit agency.

"SEC. 727. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part such sums as may be necessary for each of the fiscal years 1993, 1994, 1995, 1996, and 1997."

SEC. 702. EFFECTIVE DATE.

"(a) IN GENERAL.—Except as provided in subsections (b) and (c), this title and the amendments made by this title shall take effect on the date of enactment of this Act.

(b) **CENTERS FOR INDEPENDENT LIVING.**—The provisions of part C of chapter 1 of title VII of the Rehabilitation Act of 1973 (as added by section 701 of this Act), shall not apply with respect to fiscal year 1992 for programs receiving assistance under part B of such chapter, as in effect on the day before the date of enactment of this Act. The provisions of such part B shall continue to apply for such programs with respect to fiscal year 1992.

(c) **STATE PLAN.**—The Secretary of Education shall implement the provisions of section 704 of the Rehabilitation Act of 1973 (as amended by section 701 of this Act), as soon as is practicable after the date of enactment of this Act, consistent with the effective and efficient administration of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), but not later than October 1, 1993.

SEC. 703. INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND.

(a) **SERVICES.**—Title VII (29 U.S.C. 796 et seq.) is amended by adding at the end the following: "**CHAPTER 2—INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND**

"SEC. 751. DEFINITION.

"For purposes of this chapter, the term 'older individual who is blind' means an individual age 55 or older whose severe visual impairment makes competitive employment extremely difficult to attain but for whom independent living goals are feasible.

"SEC. 752. PROGRAM OF GRANTS.

"(a) **IN GENERAL.**—Subject to subsections (b) and (c), the Commissioner may make grants to States for the purpose of providing the services described in subsection (d) to older individuals who are blind.

"(2) **DESIGNATED STATE UNIT.**—The Commissioner may not make a grant under subsection (a) unless the State involved agrees that the grant will be administered solely by the agency described in section 101(a)(1)(A)(i).

"(b) **CONTINGENT COMPETITIVE GRANTS.**—Beginning with fiscal year 1994, in the case of any fiscal year for which the amount appropriated under section 753 is less than \$13,000,000, grants under subsection (a) shall be discretionary grants made on a competitive basis to States.

"(c) **CONTINGENT FORMULA GRANTS.**—

"(1) **IN GENERAL.**—In the case of any fiscal year for which the amount appropriated under section 753 is equal to or greater than \$13,000,000, grants under subsection (a) shall be made only to States and shall be made only from allotments under paragraph (2).

"(2) **ALLOTMENTS.**—For grants under subsection (a) for a fiscal year described in paragraph (1), the Commissioner shall make an allotment to each State in an amount determined in accordance with subsection (f), and shall make a grant to the State of the allotment made for the State if the State submits to the Commissioner an application in accordance with subsection (i).

"(d) **SERVICES GENERALLY.**—The Commissioner may not make a grant under subsection (a) unless the State involved agrees that the grant will be expended only for purposes of—

- "(1) providing independent living services to older individuals who are blind;
- "(2) conducting activities that will improve or expand services for such individuals; and
- "(3) conducting activities to help improve public understanding of the problems of such individuals.

"(e) **INDEPENDENT LIVING SERVICES.**—Independent living services for purposes of subsection (d)(1) include—

- "(i) services to help correct blindness, such as—

"(A) outreach services;

"(B) visual screening;

"(C) surgical or therapeutic treatment to prevent, correct, or modify disabling eye conditions; and

"(D) hospitalization related to such services; (2) the provision of eyeglasses and other visual aids;

"(3) the provision of services and equipment to assist an older individual who is blind to become more mobile and more self-sufficient;

"(4) mobility training, Braille instruction, and other services and equipment to help an older individual who is blind adjust to blindness;

"(5) guide services, reader services, and transportation;

"(6) any other appropriate service designed to assist an older individual who is blind in coping with daily living activities, including supportive services and rehabilitation teaching services;

"(7) independent living skills training, information and referral services, peer counseling, and individual advocacy training; and

"(8) other independent living services, as defined in section 7(30).

"(f) **MATCHING FUNDS.**—

"(1) **IN GENERAL.**—The Commissioner may not make a grant under subsection (a) unless the State involved agrees, with respect to the costs of the program to be carried out by the State pursuant to such subsection, to make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that is not less than \$1 for each \$9 of Federal funds provided in the grant.

"(2) **DETERMINATION OF AMOUNT CONTRIBUTED.**—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

"(g) **CERTAIN EXPENDITURES OF GRANTS.**—A State may expend a grant under subsection (a) to carry out the purposes specified in subsection (d) through grants to public and nonprofit private agencies or organizations.

"(h) **REQUIREMENT REGARDING STATE PLAN.**—The Commissioner may not make a grant under subsection (a) unless the State involved agrees that, in carrying out subsection (d)(1), the State will seek to incorporate into the State plan under section 704 any new methods and approaches relating to independent living services for older individuals who are blind.

"(i) **APPLICATION FOR GRANT.**—

"(1) **IN GENERAL.**—The Commissioner may not make a grant under subsection (a) unless an application for the grant is submitted to the Commissioner and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Commissioner determines to be necessary to carry out this section (including agreements, assurances, and information with respect to any grants under subsection (j)(4)).

"(2) **CONTENTS.**—An application for a grant under this section shall contain—

"(A) an assurance that the designated State unit described in subsection (a)(2) will prepare and submit to the Commissioner a report, at the end of each fiscal year, with respect to each project or program the designated State unit operates or administers under this section, whether directly or through a grant or contract, which report shall contain, at a minimum, information on—

- "(i) the number and types of older individuals who are blind and are receiving services;
- "(ii) the types of services provided and the number of older individuals who are blind and are receiving each type of service;

"(iii) the sources and amounts of funding for the operation of each project or program;

"(iv) the amounts and percentages of resources committed to each type of service provided;

"(v) data on actions taken to employ, and advance in employment, qualified individuals with severe disabilities, including older individuals who are blind; and

"(vi) a comparison, if appropriate, of prior year activities with the activities of the most recent year;

"(vii) an assurance that the designated State unit will—

"(i) provide services that contribute to the maintenance of, or the increased independence of, older individuals who are blind; and

"(ii) engage in—

"(1) capacity-building activities, including collaboration with other agencies and organizations;

"(2) activities to promote community awareness, involvement, and assistance; and

"(3) outreach efforts; and

"(C) an assurance that the application is consistent with the State plan for providing independent living services required by section 704.

"(j) **AMOUNT OF FORMULA GRANT.**—

"(1) **IN GENERAL.**—Subject to the availability of appropriations, the amount of an allotment under subsection (a) for a State for a fiscal year shall be the greater of—

"(A) the amount determined under paragraph (2); and

"(B) the amount determined under paragraph (3).

"(2) **MINIMUM ALLOTMENT.**—

"(A) **STATES.**—In the case of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, the amount referred to in subparagraph (A) of paragraph (1) for a fiscal year is the greater of—

"(i) \$225,000; and

"(ii) an amount equal to one-third of one percent of the amount appropriated under section 753 for the fiscal year and available for allotments under subsection (a).

"(B) **CERTAIN TERRITORIES.**—In the case of Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau, the amount referred to in subparagraph (A) of paragraph (1) for a fiscal year is \$40,000, except that the Republic of Palau may receive such allotment under this section only under the Compact of Free Association with Palau takes effect.

"(3) **FORMULA.**—The amount referred to in subparagraph (B) of paragraph (1) for a State for a fiscal year is the product of—

"(A) the amount appropriated under section 753 and available for allotments under subsection (a); and

"(B) a percentage equal to the quotient of—

"(i) an amount equal to the number of individuals residing in the State who are not less than 55 years of age; divided by

"(ii) an amount equal to the number of individuals residing in the United States who are not less than 55 years of age.

"(4) **DISPOSITION OF CERTAIN AMOUNTS.**—

"(A) **GRANTS.**—From the amounts specified in subparagraph (B), the Commissioner may make grants to States whose population of older individuals who are blind has a substantial need for the services specified in subsection (a) relative to the populations in other States of older individuals who are blind.

"(B) **AMOUNTS.**—The amounts referred to in subparagraph (A) are any amounts that are not paid to States under subsection (a) as a result of—

"(i) the failure of any State to submit an application under subsection (i);

"(ii) the failure of any State to prepare within a reasonable period of time such application in compliance with such subsection; or

"(ii) any State informing the Commissioner that the State does not intend to expend the full amount of the allotment made for the State under subsection (a).

"(C) **CONDITIONS.**—The Commissioner may not make a grant under subparagraph (A) unless the State involved agrees that the grant is subject to the same conditions as grants made under subsection (a).

"**SEC. 753. AUTHORIZATION OF APPROPRIATIONS.**
There are authorized to be appropriated to carry out this chapter such sums as may be necessary for each of the fiscal years 1993 through 1997.

(b) **TECHNICAL AMENDMENT.**—The table of contents relating to the Act is amended by striking the items relating to title VII and inserting the following:

"**TITLE VII—INDEPENDENT LIVING SERVICES AND CENTERS FOR INDEPENDENT LIVING**

"**CHAPTER 1—INDIVIDUALS WITH SEVERE DISABILITIES**

"**PART A—GENERAL PROVISIONS**

"Sec. 701. Purpose.

"Sec. 702. Definitions.

"Sec. 703. Eligibility for receipt of services.

"Sec. 704. State plan.

"Sec. 705. Statewide Independent Living Council.

"Sec. 706. Responsibilities of the Commissioner.

"**PART B—INDEPENDENT LIVING SERVICES**

"Sec. 711. Allotments.

"Sec. 712. Payments to States from allotments.

"Sec. 713. Authorized uses of funds.

"Sec. 714. Authorization of appropriations.

"**PART C—CENTERS FOR INDEPENDENT LIVING**

"Sec. 721. Program authorization.

"Sec. 722. Grants to centers for independent living in States in which Federal funding exceeds State funding.

"Sec. 723. Grants to centers for independent living in States in which State funding equals or exceeds Federal funding.

"Sec. 724. Centers operated by State agencies.

"Sec. 725. Standards and assurances for centers for independent living.

"Sec. 726. Definitions.

"Sec. 727. Authorization of appropriations.

"**CHAPTER 2—INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND**

"Sec. 751. Definition.

"Sec. 751. Program of grants.

"Sec. 752. Authorization of appropriations.

"**TITLE VIII—SPECIAL DEMONSTRATIONS AND TRAINING PROJECTS**

SEC. 801. SPECIAL DEMONSTRATIONS AND TRAINING PROJECTS.

(a) **IN GENERAL.**—The Act (29 U.S.C. 701 et seq.) is amended by adding at the end the following title:

"**TITLE VIII—SPECIAL DEMONSTRATIONS AND TRAINING PROJECTS**

"**SEC. 801. AUTHORIZATION OF APPROPRIATIONS.**

"(a) **DEMONSTRATION PROJECTS.**—There are authorized to be appropriated to carry out section 802, such sums as may be necessary for each of the fiscal years 1993 through 1997.

"(b) **TRAINING INITIATIVES.**—There are authorized to be appropriated to carry out section 803, such sums as may be necessary for each of the fiscal years 1993 through 1997.

"**SEC. 802. DEMONSTRATION ACTIVITIES.**

"(a) **TRANSPORTATION SERVICES GRANTS.**—

"(1) **GRANTS.**—The Commissioner shall make grants to States and to public or nonprofit agencies and organizations for the purpose of providing transportation services to individuals with disabilities who—

"(A) are employed or seeking employment; or

"(ii) are receiving vocational rehabilitation services from public or private organizations; and

"(B) reside in geographic areas in which fixed route public transportation or comparable paratransit service is not available.

"(2) **USE OF GRANT.**—The Commissioner may make a grant under this subsection only if the applicant involved agrees that transportation services under this subsection will be provided on a regular and continuing basis between—

"(A) the home of the individual; and

"(B) the place of employment of the individual, the place where the individual is seeking employment, or the place where the individual is receiving vocational rehabilitation services.

"(3) **CHARGES.**—The Commissioner may make a grant under paragraph (1) only if the applicant involved agrees that, in providing transportation services under this subsection—

"(A) a charge for the transportation will be imposed on each employed eligible individual who uses the transportation; and

"(B) the amount of the charge for an instance of use of the transportation for the distance involved will be in a fair and reasonable amount that is consistent with fees for comparable services in comparable geographic areas.

"(4) **REPORT.**—The Commissioner may make a grant under this subsection only if the applicant involved agrees to prepare and submit to the Commissioner, not later than December 31 of the fiscal year following the fiscal year for which the grant is made, a report containing—

"(A) a description of the goals of the program carried out with the grant;

"(B) a description of the activities and services provided under the program;

"(C) a description of the number of eligible individuals served under the program;

"(D) a description of methods used to ensure that the program serves the eligible individuals most in need of the transportation services provided under the program; and

"(E) such additional information as the Commissioner may require.

"(5) **CONSTRUCTION.**—Nothing in this subsection may be construed as limiting the rights or responsibilities of any individual under any other provision of this Act, under the Americans with Disabilities Act of 1990, or under any other provision of law.

"(b) **PROJECTS TO ACHIEVE HIGH QUALITY PLACEMENTS.**—

"(1) **SPECIAL PROJECTS AND DEMONSTRATIONS.**—The Commissioner shall make grants to public or nonprofit community rehabilitation programs, designated State units, and other public or nonprofit agencies and organizations to pay for the cost of developing special projects and demonstrations related to vocational rehabilitation outcomes. Such projects and demonstrations may include activities providing alternatives to case closure practice and identifying and implementing appropriate incentives to vocational rehabilitation counselors to achieve high quality placements for individuals with the most severe disabilities.

"(2) **CERTAIN REQUIREMENTS.**—Each recipient of such a grant shall—

"(A) identify, develop, and test exemplary models that can be replicated; and

"(B) identify innovative methods, such as weighted case closures, to evaluate the performance of vocational rehabilitation counselors that in no way impede the accomplishment of the purposes and policy of serving, among others,

those individuals with the most severe disabilities.

"(c) **EARLY INTERVENTION DEMONSTRATION PROGRAMS.**—

"(1) **GRANTS.**—The Commissioner shall make grants to public or nonprofit agencies and organizations to carry out demonstration programs designed to demonstrate the utility of early intervention in furnishing vocational evaluation, training, and counseling services to working adults recently determined to have chronic and progressive diseases that may be severely disabling, such as multiple sclerosis.

"(2) **GRANT ACTIVITIES.**—In carrying out a demonstration program under paragraph (1), an eligible entity shall conduct a program intended to demonstrate the effectiveness of such early intervention in improving the job retention of the working adults or in facilitating the entry of the working adults to new careers and employment. The demonstration program shall test a number of alternative service systems, including an employer assistance program, a system involving early intervention by State vocational rehabilitation agencies, and a private nonprofit agency joint venture with an employer or State vocational rehabilitation agency.

"(d) **TRANSITION DEMONSTRATION PROJECTS.**—

"(1) **GRANTS.**—The Commissioner may make grants to public or nonprofit agencies and organizations to pay part or all of the costs of special projects and demonstration projects to support models for providing community-based, coordinated services to facilitate the transition of individuals with disabilities from rehabilitation hospital or nursing home programs or comparable programs, to programs providing independent living services in the community, including services such as personal assistance services, health maintenance services, counseling, and social and vocational services.

"(2) **APPLICATION.**—To be eligible to receive a grant under this subsection, an agency or organization shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require.

"(3) **EVALUATION.**—An agency or organization that receives a grant under this subsection shall evaluate the effectiveness of such models and prepare and submit to the Commissioner a report containing the evaluation.

"(e) **BARRIERS TO SUCCESSFUL REHABILITATION OUTCOMES FOR MINORITIES.**—The Commissioner may award grants to public or nonprofit agencies and organizations—

"(1) to conduct a study to examine the factors that have created barriers to successful rehabilitation outcomes for individuals with disabilities from minority backgrounds, and develop and evaluate policy, research, and training strategies for overcoming the barriers;

"(2) to conduct a study to examine the factors that have created barriers to successful rehabilitation outcomes for individuals with neurological or other related disorders, and examine how the hidden or episodic nature of the disability affects eligibility and the provision of services.

"(3) to conduct a study to examine the factors that have created barriers to successful rehabilitation outcomes for individuals with disabilities from minority backgrounds, and develop and evaluate policy, research, and training strategies for overcoming the underrepresentation;

"(4) to conduct a study to examine the factors that have created barriers to successful rehabilitation outcomes for individuals with neurological or other related disorders, and examine how the hidden or episodic nature of the disability affects eligibility and the provision of services.

"(f) **STUDIES, SPECIAL PROJECTS, AND DEMONSTRATION PROJECTS TO STUDY MANAGEMENT AND SERVICE DELIVERY.**—

"(1) **GRANTS.**—The Commissioner may make grants to public or nonprofit agencies and organizations to pay part or all of the costs of conducting studies, special projects, or demonstra-

tion projects relating to the management and service delivery systems of the vocational rehabilitation programs authorized under this Act.

"(2) APPLICATION.—To be eligible to receive a grant under this subsection, an agency or organization shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require.

"(3) DEMONSTRATION PROJECTS TO INCREASE CLIENT CHOICE.—

"(I) GRANTS.—The Commissioner may make grants to States and public or nonprofit agencies and organizations to pay all or part of the costs of projects to demonstrate ways to increase client choice in the rehabilitation process, including the selection of providers of vocational rehabilitation services.

"(2) USE OF FUNDS.—An entity that receives a grant under this subsection shall use the grant only—

"(A) for activities that are directly related to planning, operating, and evaluating the demonstration project; and

"(B) to supplement, and not supplant, funds made available from Federal and non-Federal sources for such projects;

"(3) APPLICATION.—Any eligible entity that desires to receive a grant under this subsection shall submit an application at such time, in such manner, and containing such information and assurances as the Commissioner may require, including—

"(A) a description of—

"(i) how the applicant intends to promote increased client choice in the rehabilitation process, including a description, if appropriate, of how an applicant will determine the cost of any service or product offered to an eligible client;

"(ii) how the applicant intends to ensure that any vocational rehabilitation service or related service is provided by a qualified provider who is accredited or meets such other quality assurance and cost-control criteria as the State may establish; and

"(iii) the outreach activities to be conducted by the applicant to obtain eligible clients; and

"(B) assurances that a written plan will be established with the full participation of the client, which plan shall, at a minimum, include—

"(i) a statement of the vocational rehabilitation goals to be achieved;

"(ii) a statement of the specific vocational rehabilitation services to be provided, the projected dates for their initiation, and the anticipated duration of each such service; and

"(iii) objective criteria, an evaluation procedure, and a schedule, for determining whether such goals are being achieved.

"(4) AWARD OF GRANTS.—In selecting entities to receive grants under paragraph (1), the Commissioner shall take into consideration the—

"(A) diversity of strategies used to increase client choice, including selection among qualified service providers;

"(B) geographic distribution of projects; and

"(C) diversity of clients to be served.

"(5) RECORDS.—Entities that receive grants under paragraph (1) shall maintain such records as the Commissioner may require and comply with any request from the Commissioner for such records.

"(6) DIRECT SERVICES.—At least 80 percent of the funds awarded for any project under this subsection shall be used for direct services, as specifically chosen by eligible clients.

"(7) EVALUATION.—The Commissioner shall conduct an evaluation of the demonstration projects with respect to the services provided, clients served, client outcomes obtained, implementation issues addressed, the cost effectiveness of the project, and the effects of increased choice on clients and service providers. The Commissioner may reserve funds for the evalua-

tion for a fiscal year from the amounts appropriated to carry out projects under this subsection for the fiscal year.

"(8) DEFINITIONS.—For the purposes of this subsection:

"(A) DIRECT SERVICES.—The term 'direct services' means vocational rehabilitation services, as described in section 103(a).

"(B) ELIGIBLE CLIENT.—The term 'eligible client' means an individual with a disability, as defined in section 7(8)(A), who is not currently receiving services under an individualized written rehabilitation program established through a designated State unit.

"(h) NATIONAL COMMISSION ON REHABILITATION SERVICES.—

"(1) ESTABLISHMENT.—

"(A) IN GENERAL.—Subject to the availability of appropriations, there is hereby established a National Commission on Rehabilitation Services (referred to in this section as the 'National Commission') for the purpose of studying the nature, quality, and adequacy of vocational rehabilitation, independent living, supported employment, research, training, and other programs authorized under this Act, and submitting to the President and to Congress recommendations that will further the successful employment outcomes, independence, and integration of individuals with disabilities into the workplace and community.

"(B) COMPOSITION.—

"(i) QUALIFICATIONS.—The National Commission shall consist of 15 members who are recognized by knowledge, experience, and education as experts in the field of rehabilitation. At least a majority of the members of the National Commission shall be individuals with disabilities representing a cross-section of individuals with different types of disabilities.

"(ii) APPOINTMENT.—Members of the National Commission shall be appointed as follows:

"(I) PRESIDENTIAL APPOINTEES.—Five members shall be appointed by the President, or, if the President delegates the authority to make the appointment, by the Secretary of Education.

"(II) SENATE APPOINTEES.—Five members shall be appointed by the President pro tempore of the Senate, with the advice and approval of the Majority Leader and Minority Leader of the Senate.

"(III) HOUSE OF REPRESENTATIVES APPOINTEES.—Five members shall be appointed by the Speaker of the House of Representatives with the advice and approval of the Majority Leader and Minority Leader of the House of Representatives.

"(C) TERM.—Members shall be appointed for the life of the National Commission.

"(D) VACANCIES.—Any vacancy in the National Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

"(E) CHAIRPERSON.—The National Commission shall select a Chairperson from among its members.

"(F) MEETINGS.—The National Commission shall meet at the call of the Chairperson, but not less often than four times each year.

"(G) QUORUM.—Ten members of the National Commission shall constitute a quorum.

"(H) COMMITTEES.—The Chairperson, upon approval by the National Commission, may establish such committees as the Chairperson determines to be necessary to fulfill the duties of the National Commission.

"(2) DUTIES.—

"(A) STUDIES AND ANALYSES.—The National Commission shall conduct studies and analyses with respect to—

"(i) the effectiveness of vocational rehabilitation and independent living services in enhancing the employment outcomes of individuals with disabilities;

"(ii) the adequacy of research and training activities in fostering innovative approaches that further the employment of individuals with disabilities;

"(iii) the capacity of supported employment and independent living services in promoting the integration of individuals with disabilities into the workplace and community;

"(iv) methods for enhancing access to services authorized under this Act by minorities who are individuals with disabilities and individuals with disabilities who are members of populations that have traditionally been unserved or underserved by programs under this Act that provide such vocational rehabilitation services and independent living services;

"(v) means for enhancing interagency coordination among Federal and State agencies to promote the maximization of employment-related programs, services, and benefits on behalf of individuals with disabilities; and

"(vi) such other issues as the National Commission may identify as relevant to promoting the employment, independence, and integration of individuals with disabilities.

"(B) POLICY ANALYSES.—The National Commission shall conduct policy analyses to—

"(i) develop options for improving fiscal equity in the allotment of grants under section 110;

"(ii) provide guidance on implementing the order of selection described in section 101(a)(5)(A); and

"(iii) address the shortage of rehabilitation professionals.

"(C) REPORTS.—

"(I) INTERIM REPORT.—Not later than January 30, 1985, the National Commission shall prepare and issue a comprehensive interim report to the President, the Committee on Education and Labor of the House of Representatives, and the Committee on Labor and Human Resources of the Senate, containing the results of the studies and analyses described in subparagraphs (A) and (B) and specific recommendations for amendments to this Act needed to promote the provision of comprehensive vocational rehabilitation and independent living services on behalf of individuals with disabilities.

"(II) FINAL REPORT.—Not later than January 30, 1997, the National Commission shall prepare and issue a comprehensive final report to the President, the Committee on Education and Labor of the House of Representatives, and the Committee on Labor and Human Resources of the Senate, containing the results and recommendations described in clause (i).

"(3) POWERS.—

"(A) HEARINGS.—The National Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the National Commission determines to be necessary to carry out its functions.

"(B) INFORMATION.—

"(i) FEDERAL ENTITIES.—The National Commission may secure directly from any Federal department or agency such information (including statistics) as the National Commission considers necessary to carry out the functions of the National Commission. Upon request of the Chairperson of the National Commission, the head of such department or agency shall furnish such information to the National Commission.

"(ii) OTHER ENTITIES.—The National Commission may secure, directly or by contract or other means, such additional information as the National Commission determines to be necessary from universities, research institutions, foundations, State and local agencies, and other public or private agencies.

"(C) CONSULTATION.—The National Commission is authorized to consult with—

"(v) any organization representing individuals with disabilities;

"(ii) public or private service providers;

"(iii) Federal, State, and local agencies;

"(iv) individual experts;

"(v) institutions of higher education involved in the preparation of vocational rehabilitation services personnel; and

"(vi) such other entities and persons as will aid the National Commission in carrying out its duties.

"(4) COMPENSATION AND TRAVEL EXPENSES.—

"(A) COMPENSATION.—Each member of the National Commission who is not an officer or full-time employee of the Federal Government shall receive a payment of \$150 for each day (including travel time) during which the member is engaged in the performance of duties for the National Commission. Members of the National Commission who are officers or full-time employees of the United States shall serve without compensation in addition to compensation received for their services as officers or employees of the United States.

"(B) TRAVEL EXPENSES.—Each member of the National Commission may receive travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for employees serving intermittently in the Government service, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

"(5) STAFF.—

"(A) APPOINTMENT.—

"(i) STAFF DIRECTOR.—The Chairperson of the National Commission may, without regard to provisions of title 5, United States Code, governing appointments in the competitive service, appoint and terminate a staff director of the National Commission. The employment of the staff director shall be subject to confirmation by the National Commission. The staff director shall be appointed from among individuals who are experienced in the planning, administration, or operation of vocational rehabilitation and independent living services or programs.

"(ii) ADDITIONAL PERSONNEL.—The staff director of the National Commission may, without regard to provisions of title 5, United States Code, governing appointments in the competitive service, appoint and terminate such additional personnel as may be necessary, but not more than ten full-time equivalent positions, to enable the National Commission to carry out its duties.

"(B) COMPENSATION.—The Chairperson of the National Commission may fix the compensation of the staff director, and the staff director may fix the compensation of the additional personnel, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates, except that the rate of pay for the staff director and other personnel may not exceed the rate of pay for level 4 of the Senior Executive Service Schedule under section 5302 of title 5, United States Code.

"(C) COOPERATION.—The heads of all Federal agencies are, to the extent not prohibited by law, directed to cooperate with the national commission in carrying out its duties. The National Commission may utilize the services, personnel, information, and facilities of other Federal, State, local, and private agencies with or without reimbursement, upon the consent of the heads of such agencies.

"(7) DETAIL OF GOVERNMENT EMPLOYEES.—

Any Federal Government employee may be detailed to the National Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

"(8) TERMINATION.—The National Commission shall terminate not later than 90 days following

the submission of the final report as described in paragraph (2)(C)(ii).

"(i) MODEL PERSONAL ASSISTANCE SERVICES SYSTEMS.—The Commissioner may award grants to public or nonprofit agencies and organizations to establish model personal assistance services systems and other innovative service programs to maximize the full inclusion and integration into society, employment, independent living, and economic and social self-sufficiency of individuals with disabilities.

"(j) DEMONSTRATION PROJECTS TO UPGRADE WORKER SKILLS.—

Consistent with the purposes of section 621, the Commissioner may make grants to partnerships or consortia that include private business concerns or industries to pay for the Federal share of developing and carrying out model demonstration projects for workers with disabilities who need new or upgraded skills to adapt to emerging technologies, work methods, and markets and to ensure that such individuals possess the knowledge and skills necessary to compete in the workplace.

"(2) PERIOD.—Grants made under this subsection shall be for 3-year periods.

"(3) APPLICATION.—Any partnership or consortia desiring to receive a grant under this subsection shall submit an application to the Commissioner at such time, in such manner, and containing such information and assurances as the Commissioner may require, including—

"(A) information identifying at least one member of the partnership or consortium that is a private business concern or industry; and

"(B) assurances that—

"(i) each member of the eligible partnership or consortium will pay a portion of the non-Federal share of the cost of developing and carrying out the project;

"(ii) the partnership or consortium will carry out all of the activities described in subparagraphs (A) through (E) of section 621(a)(2);

"(iii) the partnership or consortium will disseminate information on the model program conducted;

"(iv) the partnership or consortium will utilize, if available, job skill standards established jointly by management and labor to assist in evaluating the job skills of an individual and assessing the skills that are needed for the individual to compete in the workplace;

"(v) the partnership or consortium will prepare and submit an evaluation report containing data specified by the Commissioner at the end of each project year; and

"(vi) the partnership or consortium will take such steps as are necessary to continue the activities of the project after the period for which Federal assistance is sought.

"(4) DEFINITION.—For the purposes of this subsection, the term "workers with disabilities" shall mean individuals with disabilities who are working in competitive employment and who need new or upgraded skills to improve their employment and career advancement opportunities.

"(k) MODEL SYSTEMS REGARDING SEVERE DISABILITIES.—The Commissioner may award grants to public or nonprofit agencies and organizations to establish model systems of comprehensive service delivery to individuals with severe disabilities, other than spinal cord injuries, requiring a multidisciplinary system of providing vocational and other rehabilitation services, where the Commissioner determines that the development of such systems is needed.

"SEC. 803. TRAINING ACTIVITIES.

"(a) DISTANCE LEARNING THROUGH TELECOMMUNICATIONS.—

"(1) GRANTS.—The Commissioner shall award at least three grants to eligible institutions of higher education, to support the formation of regional partnerships with other public or pri-

vate entities for the purpose of developing and implementing in-service training programs, including certificate or degree granting programs concerning vocational rehabilitation services and related services, for vocational rehabilitation professionals through the use of telecommunications.

"(2) APPLICATIONS.—Any eligible entity that desires to receive a grant under this subsection shall submit an application at such time, in such manner, and containing such information and assurances as the Commissioner may require, including—

"(A) a detailed explanation of how the applicant will utilize interactive audio, video, and computer technologies between distant locations to provide in-service training programs to the region;

"(B) a description of how the applicant intends to utilize and build upon existing telecommunications networks within the region to be served;

"(C) a copy of all agreements governing the division of functions within the partnership, including an assurance that all States within the region will be served;

"(D) a copy of a binding commitment entered into between the partnership and each entity that is legally permitted to provide, and from which the partnership is to obtain, the telecommunications services and facilities required for the project, that stipulates that if the partnership receives the grant the entity will provide such telecommunications services and facilities in the area to be served within a reasonable time and at a charge that is in accordance with State law;

"(E) a description of the curriculum to be provided, frequency of providing service, and sites of service;

"(F) a description of the need to purchase or lease—

"(i) computer hardware and software;

"(ii) audio and video equipment;

"(iii) telecommunications terminal equipment;

or

"(iv) interactive video equipment;

"(G) an assurance that the partnership will use not less than 75 percent of the amount of the grant for instructional curriculum development and programming; and

"(H) a description of the means by which the project will be evaluated.

"(3) AWARD OF GRANTS.—In awarding grants under paragraph (1), the Commissioner shall take into consideration the sparsity of State populations in the region to be served.

"(4) DEFINITIONS.—For the purposes of this subsection:

"(A) ELIGIBLE ENTITY.—The term "eligible entity" means any institution of higher education with demonstrated experience in the area of continuing education for vocational rehabilitation personnel.

"(B) INTERACTIVE VIDEO EQUIPMENT.—The term "interactive video equipment" means equipment used to produce and prepare video and audio signals for transmission between distant locations so that individuals at such locations can see and hear each other, and related equipment.

"(C) REGION.—The term "region" means one of the ten regions served by the Rehabilitation Services Administration.

"(D) REHABILITATION PROFESSIONALS.—The term "rehabilitation professionals" means personnel described in section 301(a)(1).

"(b) BRAILLE TRAINING PROJECTS.—

"(1) ESTABLISHMENT.—The Commissioner shall make grants to and enter into contracts with States and public or nonprofit agencies and organizations, including institutions of higher education, to pay all or part of the cost of training in the use of Braille for personnel

providing vocational rehabilitation services or educational services to youth and adults who are blind.

"(2) **PROJECTS.**—Such grants shall be used for the establishment or continuation of projects that may provide:

"(A) development of Braille training materials; and

"(B) in-service or pre-service training in the use of Braille and methods of teaching Braille to youth and adults who are blind.

"(3) **APPLICATION.**—To be eligible to receive a grant, or enter into a contract, under paragraph (1), an agency or organization shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require.

"(C) **PARENT INFORMATION AND TRAINING PROGRAMS.**—

"(1) **GRANTS.**—The Commissioner is authorized to make grants through a separate competition to private nonprofit organizations for the purpose of establishing programs to provide training and information to enable individuals with disabilities, and the parents, family members, guardians, advocates, or other authorized representatives of the individuals to participate more effectively with professionals in meeting the vocational and rehabilitation needs of individuals with disabilities. Such grants shall be designed to meet the unique training and information needs of individuals with disabilities, and the parents, family members, guardians, advocates, or other authorized representatives of the individuals, who live in the area to be served, particularly those who are members of populations that have been underserved or underserved by programs under this Act.

"(2) **USE OF GRANTS.**—An organization that receives a grant to establish training and information programs under this subsection shall use the grant to assist individuals with disabilities, and the parents, family members, guardians, advocates, or authorized representatives of the individuals to—

"(A) better understand vocational rehabilitation and independent living programs and services;

"(B) provide followup support for transition and employment programs;

"(C) communicate more effectively with transition and rehabilitation personnel and other relevant professionals;

"(D) provide support in the development of the individualized written rehabilitation program;

"(E) provide support and expertise in obtaining information about rehabilitation and independent living programs, services, and resources that are appropriate; and

"(F) understand the provisions of this Act, particularly provisions relating to employment, supported employment, and independent living.

"(3) **AWARD OF GRANTS.**—The Commissioner shall ensure that grants under this subsection shall—

"(A) be distributed geographically to the greatest extent possible throughout all States; and

"(B) be targeted to individuals with disabilities, and the parents, family members, guardians, advocates, or authorized representatives of the individuals, in both urban and rural areas or on a State or regional basis.

"(4) **ELIGIBLE ORGANIZATIONS.**—In order to receive a grant under this subsection, a private nonprofit organization shall—

"(A) submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require, including information demonstrating the capacity and expertise of the organization to—

"(i) coordinate and work closely with parent training and information centers established

under section 631 of the Individuals with Disabilities Education Act (20 U.S.C. 1431); and

"(ii) effectively conduct the training and information activities authorized under this subsection;

"(B)(i) be governed by a board of directors—

"(i) that includes professionals in the field of vocational rehabilitation; and

"(ii) on which a majority of the members are individuals with disabilities or the parents, family members, guardians, advocates, or authorized representatives of the individuals; or

"(C)(i) have a membership that represents the interests of individuals with disabilities; and

"(ii) establish a special governing committee that meets the requirements specified in subclauses (i) and (ii) of clause (i) to operate a training and information program under this subsection; and

"(C) serve individuals with a full range of disabilities, and the parents, family members, guardians, advocates, or authorized representatives of the individuals.

"(5) **CONSULTATION.**—Each private nonprofit organization carrying out a program receiving assistance under this subsection shall consult with appropriate agencies that serve or assist individuals with disabilities, and the parents, family members, guardians, advocates, or authorized representatives of the individuals, located in the jurisdiction served by the program.

"(6) **COORDINATION.**—The Commissioner shall provide coordination and technical assistance by grant or cooperative agreement for establishing, developing, and coordinating the training and information programs. To the extent practicable, such assistance shall be provided by the parent training and information centers established under section 631 of the Individuals with Disabilities Education Act (20 U.S.C. 1431).

"(7) **REVIEW.**—

"(A) **QUARTERLY REVIEW.**—The board of directors or special governing committee of a nonprofit private organization receiving a grant under this subsection shall meet at least once in each calendar quarter to review the training and information program, and each such committee shall directly advise the governing board regarding the views and recommendations of the committee.

"(B) **REVIEW FOR GRANT RENEWAL.**—If a nonprofit private organization requests the renewal of a grant under this subsection, the board of directors or the special governing committee shall prepare and submit to the Commissioner a written review of the training and information program conducted by the nonprofit private organization during the preceding fiscal year.

"(C) **TRAINING REGARDING IMPARTIAL HEARING OFFICERS.**—The Commissioner may award grants to public or nonprofit agencies and organizations to provide training designed to provide impartial hearing officers with the skills necessary to fairly decide appeals under this Act.

"(D) **RECRUITMENT AND RETENTION OF URBAN PERSONNEL.**—The Commissioner may award grants to public or nonprofit agencies and organizations to develop and demonstrate innovative methods to attract and retain professionals to serve in urban areas in the rehabilitation of individuals with disabilities, including individuals with severe disabilities.

"(E) **CERTAIN REQUIREMENTS.**—The requirements of subsections (a) (except the first sentence), (b), and (c), of section 302, and paragraphs (1) and (2) of subsection (g) of such section, shall apply with respect to grants made available under this section, other than subsection (c). The requirements of section 306 shall apply with respect to grants made available under this section."

(b) **TECHNICAL AMENDMENT.**—The table of contents relating to the Act is amended by adding at the end the following:

"TITLE VIII—SPECIAL DEMONSTRATIONS AND TRAINING PROJECTS

"Sec. 801. Authorization of appropriations.

"Sec. 802. Demonstration activities.

"Sec. 803. Training activities."

TITLE IX—AMENDMENTS TO OTHER ACTS

Subtitle A—Helen Keller National Center

SEC. 901. CONGRESSIONAL FINDINGS.

Section 202 of the Helen Keller National Center Act (29 U.S.C. 1901) is amended—

(1) in paragraph (2), by inserting ", the rapidly increasing number of older persons many of whom are experiencing significant losses of both vision and hearing," after "1969"; and

(2) in paragraph (5), by striking "invested approximately \$10,000,000" and inserting "made a substantial investment".

SEC. 902. CONTINUED OPERATION OF CENTER.

Section 203 of the Helen Keller National Center Act (29 U.S.C. 1902) is amended—

(1) by striking subsection (a);

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively;

(3) in subsection (a) (as so redesignated by paragraph (2))—

(A) by striking "pursuant to section 313 of the Rehabilitation Act of 1973" and inserting "prior to the date of enactment of this Act"; and

(B) by striking "(c)" and inserting "(b)"; and

(4) in subsection (b) (as so redesignated by paragraph (2))—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(B) by inserting after paragraph (1) the following new paragraph:

"(2) train family members of individuals who are deaf-blind at the Center or anywhere else in the United States, in order to assist family members in providing and obtaining appropriate services for the individual who is deaf-blind";

SEC. 903. AUDIT, MONITORING, AND EVALUATION.

Section 204 of the Helen Keller National Center Act (29 U.S.C. 1903) is amended in subsection (a) by striking "at such time as the Secretary shall prescribe" and inserting "within 15 days following the completion of the audit and acceptance of the audit by the Center".

SEC. 904. AUTHORIZATION OF APPROPRIATIONS.

Section 205 of the Helen Keller National Center Act (29 U.S.C. 1904) is amended in subsection (a) by striking "1987 through 1992" and inserting "1993 through 1997".

SEC. 905. DEFINITIONS.

Section 206 of the Helen Keller National Center Act (29 U.S.C. 1905) is amended—

(1) in paragraph (1), by striking "section 313 of the Rehabilitation Act of 1973 and continued under"; and

(2) in paragraph (2), to read as follows:

"(2) the term 'individual who is deaf-blind' means any individual—

"(A)(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;

"(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

"(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;

"(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 perform-

ance 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

"(c) meets such other requirements as the Secretary may prescribe by regulation; and"

SEC. 906. CONSTRUCTION OF ACT, EFFECT ON AGREEMENTS.

Section 207 of the Helen Keller National Center Act (29 U.S.C. 1906) is amended by striking "Industrial Home for the Blind, Incorporated" and inserting "Helen Keller Services for the Blind, Incorporated".

SEC. 907. ESTABLISHMENT OF A PROGRAM.

The Helen Keller National Center Act (29 U.S.C. 1901 et seq.) is amended by adding at the end the following new section:

"SEC. 208. HELEN KELLER NATIONAL CENTER FEDERAL ENDOWMENT PROGRAM.

"(a) **ESTABLISHMENT.**—The Secretary and the Board of Directors of the Helen Keller National Center are authorized to establish the Helen Keller National Center Federal Endowment Fund (hereafter in this section referred to as the 'Endowment Fund') in accordance with the provisions of this section, to promote the financial independence of the Helen Keller National Center. The Secretary and the Board may enter into such agreements as may be necessary to carry out the purposes of this section.

"(b) **FEDERAL PAYMENTS.**—

"(1) **IN GENERAL.**—The Secretary shall make payments to the Endowment Fund from amounts appropriated pursuant to subsection (h), consistent with the provisions of this section.

"(2) **AMOUNT OF PAYMENT.**—Subject to the availability of appropriations, the Secretary shall make payments to the Endowment Fund in amounts equal to sums contributed to the Endowment Fund from non-Federal sources (excluding transfers from other endowment funds of the Center).

"(c) **INVESTMENTS.**—

"(1) **IN GENERAL.**—The Center, in investing the Endowment Fund corpus and income, shall exercise the judgment and care, under the prevailing circumstances, which a person of prudence, discretion, and intelligence would exercise in the management of that person's own business affairs.

"(2) **LIMITATIONS.**—

"(A) **FEDERALLY INSURED INVESTMENTS AND OTHER INVESTMENTS.**—The Endowment Fund corpus and income shall be invested in federally insured bank savings accounts or comparable interest bearing accounts, certificates of deposit, money market funds, mutual funds, obligations of the United States, or other low-risk instruments and securities in which a regulated insurance company may invest under the laws of the State of New York.

"(B) **REAL ESTATE.**—The Endowment Fund corpus and income may not be invested in real estate.

"(C) **CONFLICT OF INTEREST.**—The Endowment Fund corpus or income may not be invested in instruments or securities issued by an organization in which an executive officer is a controlling shareholder, director, or owner within the meaning of Federal securities laws and other applicable laws.

"(D) **ENCUMBRANCES.**—The Center may not assign, hypothecate, encumber, or create a lien on the Endowment Fund corpus without specific written authorization of the Secretary.

"(4) **WITHDRAWALS AND EXPENDITURES.**—

"(1) **IN GENERAL.**—For a 20-year period following the receipt of a payment under this section, the Center shall not withdraw or expend the Federal payment or matching contribution made to the Endowment Fund corpus. On the expiration of such period, the Center may use the En-

owment Fund corpus plus any of the Endowment Fund income for any purpose that benefits individuals who are deaf-blind.

"(2) **OPERATIONAL AND COMMERCIAL EXPENSES.**—

"(A) **IN GENERAL.**—The Helen Keller National Center may withdraw or expend the Endowment Fund income for any expenses necessary for the operation of the Center, including expenses of operations and maintenance, administration, academic and support personnel, construction and renovation, community and client services programs, technical assistance, and research.

"(B) **LIMITATION.**—The Center may not withdraw or expend the Endowment Fund income for any commercial purpose.

"(3) **LIMITATIONS AND WAIVER OF LIMITATIONS.**—

"(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Center shall not withdraw or expend more than 50 percent of the total aggregate Endowment Fund income earned prior to the time of withdrawal or expenditure.

"(B) **EXCEPTION.**—The Secretary may permit the Center to withdraw or expend more than 50 percent of its total aggregate endowment income where the Center demonstrates to the Secretary's satisfaction that such withdrawal or expenditure is necessary because of—

"(i) a financial emergency, such as a pending insolvency or temporary liquidity problem;

"(ii) a life-threatening situation occasioned by a natural disaster or arson; or

"(iii) another unusual occurrence or exigent circumstance.

"(e) **REPORTING REQUIREMENTS.**—

"(1) **FINANCIAL RECORDS.**—The Helen Keller National Center shall keep accurate financial records relating to the operation of the Endowment Fund.

"(2) **AUDIT AND REPORT.**—

"(A) **AUDIT.**—The Center shall arrange for the conduct of an annual financial and compliance audit of the Endowment Fund in the manner prescribed by the Secretary pursuant to section 204(a) (29 U.S.C. 1903(a)).

"(B) **REPORT.**—The Center shall submit a copy of the report on the audit required under subparagraph (A) to the Secretary within 15 days after completion of the audit and acceptance of the audit by the Center.

"(3) **ANNUAL REPORT.**—Not later than 60 days after the end of each fiscal year, the Center shall provide to the Secretary an annual report on the uses of funds provided by the Federal endowment program authorized under this section. Such report shall contain such information, and be in such form as the Secretary may require.

"(f) **RECOVERY OF PAYMENTS.**—After notice and an opportunity for a hearing, the Secretary is authorized to recover any Federal payments made under this section if the Helen Keller National Center—

"(1) makes a withdrawal or expenditure from the Endowment Fund corpus or income which is not consistent with the provisions of this section;

"(2) fails to comply with the investment standards and limitations under this section; or

"(3) fails to account properly to the Secretary concerning the investment of or expenditures from the Endowment Fund corpus or income.

"(g) **DEFINITIONS.**—For the purposes of this section:

"(1) **ENDOWMENT FUND.**—The term 'endowment fund' means a fund, or a tax-exempt foundation, established and maintained by the Helen Keller National Center for the purpose of generating income for the support of the Center.

"(2) **ENDOWMENT FUND CORPUS.**—The term 'Endowment Fund corpus' means an amount equal to the Federal payments made to the Endowment Fund and amounts contributed to the Endowment Fund from non-Federal sources.

"(3) **ENDOWMENT FUND INCOME.**—The term 'Endowment Fund income' means an amount equal to the total market value of the Endowment Fund minus the Endowment Fund corpus.

"(h) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section, such sums as may be necessary for each of the fiscal years 1993 through 1997. Such sums shall remain available until expended."

SEC. 908. TECHNICAL AND CONFORMING AMENDMENTS.

(a) **DEAF-BLIND INDIVIDUALS.**—Paragraphs (1) through (4) of section 202, and section 203(b)(9) (as so redesignated by paragraphs (2) and (4)(A) of section 502), of the Helen Keller National Center Act (29 U.S.C. 1901 and 1902(b)(3)) are amended by striking "deaf-blind individuals" each place the term appears and inserting "individuals who are deaf-blind".

(b) **DEAF-BLIND INDIVIDUAL.**—Section 203(b)(1) of such Act (29 U.S.C. 1902(b)(1)) (as so redesignated by section 902(2)) is amended by striking "deaf-blind individual" and inserting "individual who is deaf-blind".

(c) **DEAF-BLIND YOUTHS AND ADULTS.**—

(1) Sections 202(4), 203(a) (as so redesignated by section 902(2)), and 206(1) of such Act (29 U.S.C. 1901(4), 1902(a), and 1905(1)) are amended by striking "Deaf-Blind Youths and Adults" each place the term appears and inserting "Youths and Adults who are Deaf-Blind".

(2) Section 203 of such Act (29 U.S.C. 1902) is amended in the section heading by striking "DEAF-BLIND YOUTHS AND ADULTS" and inserting "YOUTHS AND ADULTS WHO ARE DEAF-BLIND".

SubTitle B—Other Programs

SEC. 911. COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED.

(a) **WAGNER-ODAY ACT.**—Section 1 of the Act entitled "An Act to Create a Committee on Purchases of Blind-made Products, and for other purposes", approved June 25, 1938 (commonly known as the Wagner-ODay Act; 41 U.S.C. 46) is amended by striking "from the Blind and Other Severely Handicapped" and inserting "From People Who Are Blind and Severely Disabled".

(b) **SMALL BUSINESS ACT.**—Section 15(c)(1)(A) of the Small Business Act (15 U.S.C. 644(c)(1)(A)) is amended by striking "from the Blind and Other Severely Handicapped" and inserting "From People Who Are Blind or Severely Disabled".

SEC. 912. INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(a) **TRAINING OR RETRAINING.**—Section 631(a) of the Individuals with Disabilities Education Act (20 U.S.C. 1431(a)) is amended by adding at the end thereof the following new paragraph:

"(8) In making grants under paragraph (1), the Secretary may provide for the training or retraining of regular education teachers who are involved in providing instruction to individuals who are deaf, but who are not certified as teachers of such individuals, to meet the communications needs of such individuals."

(b) **NOTICE.**—

(1) **IN GENERAL.**—Within 90 days after the date of enactment of this Act, the Secretary of Education shall issue a Notice of Inquiry concerning the definition of the term "serious emotional disturbance" as used in the Individuals with Disabilities Education Act.

(2) **PUBLIC COMMENT.**—The Secretary of Education shall provide a public comment period of at least 90 days and shall request and consider—

(A) comments from the public on the need to revise the definition of the term in the regulations implementing such Act; and

(B) comments from the public on whether the term as used in such Act should be changed and

on whether the substitution of the term "emotional and behavioral disorders" would be appropriate, or whether some other term should be used.

(3) DEFINITION.—The Notice of Inquiry shall contain the following proposed definition for use in the regulations implementing such Act:

"(1) As used in section 502(a)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1401(a)(1)),

"(A) The term 'serious emotional disturbance' means a disability that is—

"(i) characterized by behavioral or emotional response in school programs so different from appropriate age, cultural, or ethnic norms that the responses adversely affect educational performance, including academic, social, vocational or personal skills;

"(ii) more than a temporary, expected response to stressful events in the environment;

"(iii) consistently exhibited in two different settings, at least one of which is school-related; and

"(iv) unresponsive to direct intervention applied in general education, or the condition of a child is such that general education interventions would be insufficient.

"(B) The term includes such a disability that co-exists with other disabilities.

"(C) The term includes a schizophrenic disorder, affective disorder, anxiety disorder, or other sustained disorder of conduct or adjustment, affecting a child, if the disorder affects educational performance as described in paragraph (1).

"(2) The term 'seriously emotionally disturbed' means, with respect to a child, that the child has a serious emotional disturbance."

(4) REPORT.—The Secretary shall, within 10 months after the date of enactment of this Act, prepare a report containing a summary of the public comments described in paragraph (2)(B) received as a result of the Notice of Inquiry, and recommendations concerning whether such Act should be amended. The report shall be submitted to the appropriate committee of Congress, including the Subcommittee on Select Education of the Committee on Education and Labor of the House of Representatives, and the Subcommittee on Disability Policy of the Committee on Labor and Human Resources of the Senate.

SEC. 913. TECHNOLOGY-RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES ACT OF 1988.

The Technology-Related Assistance for Individuals With Disabilities Act of 1988 is amended—

(1) in section 221(a)(1) (29 U.S.C. 2251(a)(1)), by striking "nonprofit or for-profit entities" and inserting "public or private agencies and organizations, including institutions of higher education,";

(2) in section 222(a) (29 U.S.C. 2252(a)), by striking "nonprofit and for-profit entities" and inserting "public or private agencies and organizations, including institutions of higher education,"; and

(3) in section 231(a) (29 U.S.C. 2252(a)), by striking "nonprofit and for-profit entities" and inserting "public or private agencies and organizations, including institutions of higher education."

SEC. 914. PRESIDENT'S COMMITTEE ON EMPLOYMENT OF PEOPLE WITH DISABILITIES.

The Joint Resolution entitled "Joint Resolution authorizing an appropriation for the work of the President's Committee on National Employ the Physically Handicapped Week", approved July 11, 1949 (36 U.S.C. 155a) is amended—

(1) by striking "handicapped persons" and inserting "persons with disabilities";

(2) by striking "the handicapped" and inserting "such persons";

(3) by striking "for each of the fiscal years 1987, 1988, 1989, 1990, and 1991," and inserting "for each of the fiscal years 1993, 1994, 1995, 1996, and 1997,"; and

(4) by striking "The President's Committee on Employment of the Handicapped shall be guided by the general policies of the National Council on the Handicapped."

And the Senate agree to the same.

WILLIAM D. FORD,
PAT WILLIAMS,
MAJOR R. OWENS,
DONALD M. PAYNE,
JOSÉ E. SERRANO,
WM. JEFFERSON,
ED PASTOR,
BILL GOODLING,
CASS BALLINGER,
SCOTT KLUG,
RANDY "DUKE"
CUNNINGHAM,

Managers on the Part of the House.

EDWARD M. KENNEDY,
TOM HARKIN,
HOWARD M. METZENBAUM,
PAUL SIMON,
BROCK ADAMS,
ORRIN HATCH,
DAVE DURENBERGER,
JIM JEFFORDS,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5482) to extend and improve the Rehabilitation Act of 1973, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the Conferees, and minor drafting and clarifying changes.

GENERAL PROVISIONS AND VOCATIONAL REHABILITATION SERVICES

1. SHORT TITLE OF P.L. 93-112.

The House bill, but not the Senate amendment, changes the short title of P.L. 93-112 from the Rehabilitation Act of 1973 to the "Vocational Rehabilitation, Employment, and Independent Living Act of 1992."

The House recedes.

2. AMENDATORY REFERENCES

With slightly different wording, both the House bill and the Senate amendment specify that references in this bill shall be considered to be made to the underlying Act.

The House recedes.

3. FINDINGS, PURPOSE, AND POLICY FOR ENTIRE ACT

Both the House bill and the Senate amendment amend the purpose section of the Act. The House amendment specifies findings and purpose; the Senate amendment specifies findings, purpose, and policy.

(a) Findings

(1) The House bill specifies there are 43,000,000 Americans with disabilities and at-

tributes the increase in the number of persons with disabilities to the aging of the population. The Senate amendment specifies that there are millions of Americans with disabilities and the number is increasing.

The House recedes.

(1) The House bill includes statistics on the number of working age persons with disabilities and the number who are unemployed as an indication that individuals with disabilities constitute one of the most disadvantaged groups in society.

The Senate recedes with an amendment striking language in the House bill adding section 2(a) (2) to the Act and inserting: "Individuals with disabilities constitute one of the most disadvantaged groups in society."

(iii) The Senate amendment explains that disability is a natural part of the human experience and in no way diminishes the exercise of basic rights, including the right to live independently and pursue meaningful careers.

The House recedes.

(iv) The House bill includes a finding that the provision of specific services can increase employment of persons with disabilities.

The Senate recedes.

(v) Both the House bill and the Senate amendment include a finding regarding the continued discrimination encountered by individuals with disabilities, but use slightly different language.

The House recedes.

(vi) Both the House bill and the Senate amendment include a finding on the Nation's goals in regard to individuals with disabilities, but use different language.

The House recedes.

(b) Purpose and policy

(1) With different wording, both the House bill and the Senate amendment specify that the purpose of the Act is to maximize employment, economic self-sufficiency, independence, and integration and inclusion of individuals with disabilities. The House amendment uses the term "maximize" and the Senate use the term "empower." Slightly different wording is used to describe the strategies through which these objectives will be achieved.

The House recedes to the Senate with an amendment to section 2(b) of the Act, as added by the Senate bill, striking "achieve" and inserting "maximize employment," before "economic self-sufficiency."

(ii) The House bill specifies additional purposes:

(A) provide comprehensive employment opportunities and eliminate segregation and unemployment;

(B) direct the provision of traditional rehabilitation services to recognize and acknowledge career choices; and

(C) ensure that the federal government plays a leadership role in promoting the employment of individuals with disabilities.

The House recedes on (A) and (B) and the Senate recedes on (C).

(iii) The Senate amendment, but not the House bill, includes a policy statement for the entire Act that specifies that all activities under the Act should be carried out consistent with the principles of

(A) respect for individual dignity, personal responsibility, self-determination, and pursuit of meaningful careers based on informed choice;

(B) respect for privacy and equal access (including the use of accessible formats);

(C) inclusion, integration, and full participation;

(D) support and involvement of families and other authorized representatives if an

individual with a disability requests, desires, or needs such support; and
(E) support for individual and systemic advocacy and community involvement.
The House recedes.

4. APPOINTMENT OF THE COMMISSIONER OF THE REHABILITATION SERVICES ADMINISTRATION

The House bill, but not the Senate amendment, deletes the provision making the Commissioner of the Rehabilitation Services Administration a Presidential appointee, except that the current Commissioner may continue to serve at the pleasure of the President. Under the House bill, future Commissioners would be appointed by the Secretary.
The House recedes.

5. DEFINITION OF DESIGNATED STATE AGENCY

The Senate amendment, but not the House bill, includes in the definition section the term "designated State agency" and cross references the current description set forth in section 101(a)(1)(A) of the Act.
The House recedes.

6. DEFINITION OF "ESTABLISHMENT OF A REHABILITATION FACILITY"

The Senate amendment, but not the House bill, changes the term "establishment of rehabilitation facilities" to "establishment of community rehabilitation facilities."
The House recedes.

7. EVALUATION OF REHABILITATION POTENTIAL

Both the House bill and the Senate amendment change the term and definition of "evaluation of rehabilitation potential."

(a) The Term

The House bill changes the term to "evaluation of rehabilitation needs"; the Senate amendment changes the term to "assessment for determining eligibility and vocational rehabilitation services."
The House recedes.

(b) The text of the term

The House bill keeps the basic structure of current law and makes the following changes:

(i) The assessment must be used to determine that the individual has a substantial impediment to employment and that vocational rehabilitation services are needed.

(ii) The assessment must be completed within 60 days except under specified circumstances.

(iii) Where appropriate, the assessment must include an assessment of an individual's needs for supported employment to determine whether the individual can attain a successful employment outcome.

(iv) The assessment must include a comprehensive diagnostic study covering a number of specific areas with information collected limited to that which is necessary to identify the rehabilitation needs of the individual and to develop the rehabilitation program and to the maximum extent possible and appropriate and in accordance with confidentiality requirements, existing information and information obtained from the family should be the primary source of information.

(v) The assessment must include an appraisal of an individual's patterns of work behavior and ability to acquire, among other things, occupational skills with assistive technology devices and services, as appropriate.

(vi) The assessment must include any goods or services provided for the purposes of ascertaining the nature of the disability and whether, with the aid of assistive technology devices and services, it may reasonably be

expected that the individual can benefit from vocational rehabilitation services.

(vii) The assessment must include, where appropriate, the provision of rehabilitation engineering services, including assistive technology devices and services.

The Senate amendment completely restructures the provision and makes several changes. The term means, as appropriate in each case:

(i) a review of existing data to determine whether the individual is eligible and to assign the appropriate priority in those States that use an order of selection;

(ii) to the extent additional data is necessary to make such determinations, a preliminary assessment;

(iii) to the extent additional data is necessary, a comprehensive assessment, including the need for supported employment, to determine the individual's goals, objectives, and nature and scope of needed vocational rehabilitation services;

(iv) a description of the components of the comprehensive assessment that are similar to the provisions in the House bill described in the "diagnostic study";

(v) where appropriate, the provision of rehabilitation technology services to assess and develop the capacities of the individual to perform in a work environment;

(vi) a restatement of the extended evaluation provision in current law.

The House recedes to the Senate with an amendment inserting after "comprehensive assessment" in section 7(2)(B)(i) of the Act, as added by the Senate amendment, the following: "is limited to information that is necessary to identify the rehabilitation needs of the individual and to develop the rehabilitation program of the individual." The amendment also adds to (7)(2)(A) in the appropriate place that existing information should be used to the maximum extent possible and appropriate and in accordance with confidentiality requirements.

8. DRUG

The Senate amendment moves the location of the term without making any substantive changes.
The House recedes.

9. EMPLOYABILITY

(a) The Senate amendment, but not the House bill, changes the term "employability" to "employment outcome."
The House recedes.

(b) The House bill retains the language in current law that "with respect to an individual, a determination that, with the provision of vocational rehabilitation services, the individual is likely to enter or retain, as a primary objective, full-time employment, and when appropriate, part-time employment, consistent with the capabilities or abilities of the individual" and amends the remainder of the current definition by adding that "to the greatest extent practicable, [employment should be] within the competitive integrated labor market or to satisfy the vocational outcome of supported employment." The House bill also adds that "such term includes the establishment of intermediate objectives leading to the support of improved employment outcomes, including the ability to function more independently in a work situation or at home or in the community and the completion of training, including higher and continuing education programs."

The Senate amendment rewrites the definition to read as follows: "with respect to an individual, entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market (in-

cluding satisfying the vocational outcome of supported employment) or satisfying any other vocational outcome the Secretary may determine, consistent with this Act."
The House recedes.

10. FEDERAL SHARE (MATCHING)

The House bill continues the "two-tiered" State match provision in current law. The Senate amendment provides for a single State match of 78.7 percent.
The House recedes.

11. DEFINITION OF THE TERM "INDIVIDUAL WITH A DISABILITY"

(a) Individual with a disability in general

The House bill amends the second part of the definition to read "can attain a successful employment outcome pursuant to titles I, III, and VI." The term "successful employment outcome" is a defined term (See note 19). The Senate amendment amends the second part to read "can benefit in terms of an employment outcome from vocational rehabilitation services provided pursuant to titles I, II, III, VI, and VIII of the Act."
The House recedes.

(b) Individual with a disability, titles IV and V

Except with respect to the use of different cross-references, both the House bill and the Senate amendment update the terminology.
The House recedes.

(c) Individual with a disability, title V

(i) The House bill references a "student with a disability" and "students without a disability"; the Senate amendment refers to a "student who is an individual with a disability" and "students who are not individuals with disabilities."
The House recedes.

(ii) The House bill deletes the term "currently" before the phrase "is engaging in the illegal use of drugs."
The House recedes.

(iii) The Senate amendment, but not the House bill, adds the exclusion set forth in the Americans with Disabilities Act for certain groups for the purposes of sections 501, 503, and 504.
The House recedes.

12. NONPROFIT

The Senate amendment, but not the House bill, changes the reference in the definition of "nonprofit" from "rehabilitation facilities" to "community rehabilitation programs."
The House recedes.

13. PERSONAL ASSISTANCE SERVICES

Both the House bill and the Senate amendment add a definition for "personal assistance services." The definitions generally include the same concepts, but they are worded differently.

The Senate recedes to the House and the House recedes to the Senate with an amendment specifying: "the term 'personal assistance services' means a range of services provided by one or more persons designed to assist an individual with a disability to perform daily living activities on or off the job that the individual would typically perform if the individual did not have a disability. Such services shall be designed to increase the individual's control in life and ability to perform everyday activities on or off the job."

14. REHABILITATION TECHNOLOGY

(a) The Senate amendment, but not the House bill, changes the term "rehabilitation engineering" to "rehabilitation technology."
The House recedes.

(b) The House bill and the Senate amendment both specify that the defined term in-

cludes assistive technology devices and assistive technology services. The Senate amendment also specifies that the term includes rehabilitation engineering.

The House recedes.

15. COMMUNITY REHABILITATION PROGRAM

Both the House bill and the Senate amendment include the same definition of the term "community rehabilitation program" with the minor difference that the House bill includes the phrase "including assistive technology devices and assistive technology services" after rehabilitation technology and the Senate amendment does not.

The House recedes.

16. INDIVIDUAL WITH A SEVERE DISABILITY

(a) In general

(1) The Senate amendment changes the word "employability" to "employment outcome."

The House recedes.

(1) The Senate amendment replaces the term "evaluation of rehabilitation potential" with a reference to "an assessment for determining eligibility and vocational rehabilitation needs."

The House recedes.

(b) For purposes of title VII

The Senate amendment, but not the House bill, rewords the definition of "individual with a severe disability" for purposes of title VII.

The House recedes.

(c) For purposes of section 13 and title II

The Senate amendment, but not the House bill, includes a definition of "individual with a severe disability" for purposes of section 13 and title II.

The House recedes.

17. DEFINITION OF THE TERM "STATE"

With slightly different wording, both the House bill and the Senate amendment amend the definition of "State".

(a) The House bill, but not the Senate amendment, specifies that the term State includes the several States.

The Senate recedes.

(b) The House bill makes reference to the Northern Mariana Islands. The Senate amendment makes reference to the Republic of the Marshall Islands and the Federated States of Micronesia.

The Senate recedes.

(c) The House bill also specifies that the designated State agency for Samoa shall be the Governor. See note 11 for the comparable provision in the Senate amendment.

The Senate recedes.

(d) The House bill references the Commonwealth of Puerto Rico; the Senate amendment references Puerto Rico.

The Senate recedes.

(e) The House bill specifies that Palau is considered a State "until the Compact of Free Association takes effect" and the Senate bill specifies that Palau is a State "pending ratification of the Compact of Free Association."

The Senate recedes with a technical modification.

18. PUBLIC OR NONPROFIT AGENCY OR ORGANIZATION

The Senate amendment, but not the House bill, makes a technical change to the definition.

The House recedes.

19. SUCCESSFUL EMPLOYMENT OUTCOME

The House bill, but not the Senate amendment, adds a definition for a new term "successful employment outcome." The term means the successful completion of goals in

the individualized written rehabilitation program, including the completion of such documentable outcomes as the ability to function more independently within the workplace, at home or in the community, the completion of training, including higher and continuing education programs and a minimum of 60 days of successful employment.

The House recedes.

20. ONGOING SUPPORT SERVICES

(a) The Senate amendment includes "a particularized assessment supplementary to the comprehensive assessment"

The House recedes.

(b) The House bill adds to those who may be contacted as part of followup services advocates and authorized representatives; the Senate does not include advocates and specifies legal representatives rather than authorized representatives.

The Senate recedes to the House and the House recedes to the Senate with an amendment specifying that: "followup services such as regular contact with the employers, the individuals, the parents, family members, guardians, advocates, or authorized representatives of the individuals, and other suitable professional and informed advisors, in order to reinforce and stabilize the job placement;"

21. TRANSITION SERVICES

Both the House bill and the Senate amendment include similar definitions of "transition services" with only minor drafting differences.

The Senate recedes.

22. ASSISTIVE TECHNOLOGY DEVICES AND ASSISTIVE TECHNOLOGY SERVICES

The Senate amendment uses the same definitions of assistive technology devices and assistive technology services from the Technology Act, while the House bill incorporates the Technology Act definitions by reference.

The Senate recedes with a technical and conforming amendment.

23. IMPARTIAL HEARING OFFICER

The Senate amendment, but not the House bill, adds a definition of "impartial hearing officer."

The House recedes.

24. INDEPENDENT LIVING CORE SERVICES AND INDEPENDENT LIVING SERVICES

The Senate amendment includes definitions for these terms in the general definition section applicable to the entire Act. The House bill includes similar definitions (without using the phrase "core services") but includes the definitions in title VII of the Act. The differences between the House bill and the Senate amendment are set out in the notes under title VII of the Act.

The House recedes to the Senate moving a blended definition to the general definition section.

25. DISABILITY.

The Senate amendment, but not the House bill, includes a definition for the term "disability."

The House recedes.

26. INDIVIDUALS WITH DISABILITIES

The Senate amendment, but not the House bill, adds clarifications of the terms "individuals with disabilities," "individuals with severe disabilities," and "individuals with the most severe disabilities."

The House recedes.

27. SUPPORTED EMPLOYMENT SERVICES

The Senate amendment, but not the House bill, adds a definition of "supported employment services."

The House recedes.

28. TERMINOLOGY

With minor differences, the House bill and the Senate amendment update the terminology used in the Act.

The House recedes with amendments.

29. ALLOTMENT PERCENTAGE

The Senate amendment, but not the House bill, changes the reference to the Trust Territory of the Pacific Islands to the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

The Senate recedes to the House with an amendment deleting "the Republic of the Marshall Islands" and all that follows and inserting "Palau (until the Compact of Free Association takes effect)".

30. AUDIT

The House bill, but not the Senate amendment, adds the phrase "a fiscal audit of" after "pertinent to."

The House recedes.

31. NONDUPLICATION

The Senate amendment, but not the House bill, changes the reference to "rehabilitation facilities" to "community rehabilitation programs."

The House recedes.

32. ADMINISTRATION OF THE ACT

(a) Training.

The House bill, but not the Senate amendment, specifies that the Commissioner may provide short-term training and technical instruction "including training for the personnel of community rehabilitation programs, centers for independent living, and other providers of services (including job coaches)."

The Senate recedes.

(b) Regulations—selection and procurement of services

Both the House bill and the Senate amendment provide for the promulgation of regulations establishing criteria pertaining to the selection of vocational rehabilitation services and the procurement of such services, with several differences.

(1) The House bill amends section 12 of the Act; the Senate amendment includes a freestanding provision.

The Senate recedes.

(1) The House bill provides a time period of 120 days from the date of enactment for the receipt of public comment and the promulgation of regulations.

The Senate recedes.

(1) The House bill provides for the Commissioner to promulgate the regulations, the Senate amendment provides for the Secretary to do so.

The House recedes.

(1) The House bill provides that the regulations shall pertain to service providers while the Senate amendment pertains to services.

The Senate recedes to the House and the House recedes to the Senate.

(v) The House bill includes:

- (A) goods as well as services,
- (B) sufficient scope and quality,
- (C) reasonableness of costs, reasonableness of length of time provided, timeliness of provision,
- (D) prevention of fraud, waste, and abuse,
- (E) procedures to assure that services are provided in the most integrated settings,
- (F) procedures to assure compliance with State guarantees,
- (G) guidelines for the use of out of State and religiously affiliated providers, and
- (H) standards to ensure the integrity of services and guidelines for assisting individ-

uals particularly individuals with cognitive disabilities.

The Senate bill includes:

- (A) sufficient scope and quality,
 - (B) reasonableness of costs, and
 - (C) prevention of fraud, waste, and abuse.
- The Senate recedes to the House with amendments, including an amendment requiring the promulgation of regulations establishing the criteria within 120 days and an amendment striking "guidelines for the use of out of State and religiously affiliated providers."

(c) *Regulations-order of selection*

The Senate amendment, but not the House bill, includes a provision directing the Secretary of Education to promulgate regulations regarding the implementation of the provision in the Act pertaining to the order of selection. This provision is included as a free standing provision.

The House recedes.

33. REPORTS

(a) The Senate amendment, but not the House bill, includes types of rehabilitation technology services provided in the reporting requirements.

The House recedes.

(b) The House bill includes a number of additional reporting requirements not included in the Senate amendment including marital status, household makeup and earnings, disability specifics, and more employment information, number of jobs, hours worked, and earnings in the three years prior to application, types of public support received, primary source of economic support, whether covered by health insurance after receiving services, and supported employment status.

The House recedes with an amendment moving some of the data requirements to the section requiring review of data collection. The Conferees note that many of these data elements must be considered as part of the review of data required by the House bill and the Senate amendment. See Note 75.

34. EVALUATION

(a) The House bill, but not the Senate amendment, provides that the Secretary, not the Commissioner (current law) is responsible for conducting evaluations of programs.

The Senate recedes with an amendment specifying that the Secretary shall conduct the evaluation "in consultation with the Commissioner". The Conferees wish to emphasize that evaluations conducted under this section must be limited to evaluations of programs currently authorized under the Act.

(b) The House bill, but not the Senate amendment, provides that the opinions of participants shall be obtained, that the statewide assessment of rehabilitation needs shall include the active participation of rehabilitation service providers.

The Senate recedes.

(c) The House bill, but not the Senate amendment, directs the Secretary to verify through on-site review of records that the State is following an order of selection.

The House recedes to the Senate with an amendment moving to section 107 (pertaining to monitoring and review) the requirement in the House bill that the Commissioner verify through on-site review of records that the State is following the rules governing order of selection set forth in section 101(a)(9)(A) of the Act.

(d) The House bill, but not the Senate amendment, directs the Secretary to undertake a longitudinal study of a national sample of rehabilitation applicants.

The Senate recedes with an amendment adding "continue to."

35. REVIEW OF APPLICATIONS

(a) The Senate amendment, but not the House bill, increases the cap on review costs from 1/2 of 1% to 1%.

The House recedes.

(b) The Senate amendment, but not the House bill, specifies the compensation rate for non-Federal reviewers.

The House recedes.

36. CARRYOVER

With slightly different wording, both the House bill and the Senate amendment provide for carryover of funds to the next fiscal year for formula grant programs authorized under the Act.

The House recedes to the Senate with an amendment adding a new subsection (b) to section 19: "(b) Such funds shall remain available for obligation and expenditure by a recipient as provided in subsection (a) only to the extent that the recipient complied with any Federal share requirements applicable to the program for the fiscal year for which the funds were appropriated."

37. NOTIFICATION REGARDING CLIENT ASSISTANCE PROGRAM

With slightly different wording, both the House bill and the Senate amendment provide that all programs and projects shall provide information on client assistance programs.

The House recedes.

38. TRADITIONALLY UNDERSERVED POPULATIONS

The House bill, but not the Senate amendment, provides that the Commissioner shall develop and implement a policy to prepare minorities for careers in rehabilitation and a plan to provide outreach services to certain entities. For purposes of implementing the plan, the Commissioner shall, for each fiscal year 1993-1997, expend 1 percent of the funds appropriated for the fiscal year involved for carrying out programs authorized in titles II through VII of the Act. The Commissioner shall submit a report to Congress.

The Senate recedes to the House with an amendment in subsection (b)(2)(C) after "titles II through VII of this Act" insert "except programs authorized under title IV or title V".

39. FINDINGS, PURPOSE, AND POLICY FOR TITLE I OF THE ACT

The House bill amends the statement of purpose for title I in current law by adding the phrase in quotations: The purpose of this title is to authorize grants to assist States to meet the current and future needs of individuals with a disability, so that such individuals may prepare for and engage in gainful employment "as a means to living independently" to the extent of their capabilities.

The Senate amendment strikes the current provision and replaces it with a provision setting forth findings, purpose and policy for title I.

The House recedes.

40. AUTHORIZATION OF APPROPRIATIONS

(a) *Basic State Grant.*

The House bill authorizes under section 100(b) (1) \$1,839,852,000 for fiscal year 1993 and amounts determined by a formula for fiscal years 1994 through 1997; under section 100(b) (2) (as redesignated), such additional sums as may be necessary through fiscal year 1997; under section 100(b) (3) (as redesignated), in no event more than \$1,875,512,100 for fiscal year 1993 and an amount determined by formula for the fiscal years 1994-1997.

The Senate amendment authorizes "such sums" for 1993 through 1997 and makes necessary conforming changes.

The House recedes.

(b) *Innovation and Expansion.*

The House bill deletes the separate authorization for part C pertaining to innovation and expansion grants. The Senate amendment retains the separate authorization of appropriations and extends the provisions to cover fiscal years 1993-1997.

The House recedes.

41. IN GENERAL (STATE PLAN)

(a) The House bill amends section 101(a) of the Act to provide that the State shall include information demonstrating that public hearings have been held on the State plan. Comparable provisions exist in current law (section 101(a)(23)(A)) and amendments thereto in the Senate amendment discussed under note 55.

The House recedes.

(b) The Senate amendment provides for adjustments in the timing for the submission of State plans so that the submission of State plans under other Federal laws can coincide with the State plan required by this title.

The House recedes.

42. STATE AGENCY (STATE PLAN)

The Senate amendment, but not the House bill, provides that the appropriate head of government of the Marshall Islands, Micronesia, and Palau shall be the designated State agency. See note 17(c) for the comparable provision in the House bill.

The Senate recedes.

43. PLANS, POLICIES, METHODS (STATE PLAN)

(a) With slightly different wording, both the House bill and the Senate amendment provide that the State will provide an explanation of how services will be provided to all who are eligible. The House bill also specifies "or else describe the order of selection it will follow."

The House recedes.

(b) The Senate amendment, but not the House bill, provides that the States shall establish criteria for determining who are individuals with the most severe disabilities.

The House recedes.

(c) The House bill, but not the Senate amendment, provides that the State's study of the broad variety of means for providing services to individuals with the most severe disabilities should include the use of funds under part C of title VI to supplement funds under part B of title I for the cost of services leading to supported employment.

The Senate recedes.

(d) The Senate amendment modifies current law by providing that the State plan shall describe how rehabilitation technology services will be provided and the training that will occur. The House bill retains current law, but adds that the State must describe how a broad range of assistive technology devices and services will be provided.

The House recedes with an amendment inserting "a broad range of" before "rehabilitation technology services".

44. FACILITIES COMPLIANCE (STATE PLAN)

The Senate amendment, but not the House bill, provides that facilities must comply with section 504 of the Act and with the Americans with Disabilities Act of 1990.

The House recedes with an amendment changing the title to "Program Compliance".

45. PERSONNEL (STATE PLAN)

(a) With a number of differences, both the House bill and the Senate amendment provide that the State plan must describe a comprehensive system of personnel development.

(1) The House bill requires:

(A) a description of how the State will ensure an adequate supply of personnel,

(B) a description of how the State's personnel training activities will be coordinated with IDEA,

(C) a system of determining the institutions of higher education in the State that are preparing personnel,

(D) a plan to address current and future personnel needs, and recruitment and retention and

(E) a description of plans to ensure that all personnel employed by the State are appropriately and adequately trained and prepared.

The Senate amendment requires a comprehensive system of personnel development for professionals and paraprofessionals employed by the State agency, which system shall include:

(A) a plan to address current and projected personnel needs and to coordinate and facilitate efforts to recruit, prepare, and retain qualified personnel and

(B) a description of procedures and activities the State will undertake to ensure that all personnel needed by the State agency are appropriately and adequately prepared, including training regarding the Rehabilitation Act Amendments, surveys to determine training needs, a system for the continuing education of personnel and procedures for acquiring and disseminating knowledge from research.

The Senate recedes to the House with amendments. First, section 101(a)(7)(A)(ii) is amended by inserting "where appropriate" before the phrase "a description". Second, section 101(a)(7)(E)(i) is amended by inserting after "research and other sources" the following "including training regarding the amendments to the Rehabilitation Act made by the Rehabilitation Act Amendments of 1992".

(b) With different language, both the House bill and the Senate amendment require policies and procedures to establish and maintain personnel standards.

The House recedes to the Senate with an amendment inserting after the term "personnel" the following: "(including professionals and paraprofessionals)". Section 101(a)(7)(B), as added by the Senate amendment, is amended in (B) by striking "needed by the State agency" and inserting "needed within the State agency"; and in (B)(ii) by adding "within the designated State unit" after "personnel". Section 101(a)(7)(C), as added by the Senate amendment, is amended by adding "within the designated State unit" after "personnel".

46. COMPARABLE BENEFITS AND SERVICES (STATE PLAN)

With drafting differences, both the House bill and the Senate amendment provide that a determination of comparable benefits is not required if a job placement would be lost due to the delay. The Senate amendment, but not the House bill, limits the provision to situations where the job placement is "immediate."

The House recedes. The Conferees intend that there is nothing in the language of the Rehabilitation Act to require, or even to allow, the application of a comparable services determination with respect to taped texts, and any contrary position or policy is not appropriate. The Committee expects the Rehabilitation Services Administration to reflect that the comparable services and benefits exception applies to alternative format books accessible by computer (sometimes call E-text) as well as to taped books.

47. USE OF EXISTING INFORMATION (STATE PLAN)

The Senate amendment, but not the House bill, adds an assurance that existing information will be used to the maximum extent appropriate and consistent with the requirements of the Act.

The House recedes.

48. STATE REPORTS (STATE PLAN)

The House bill, but not the Senate amendment, provides that State reports to the Commissioner will include certain data including the number of persons evaluated and rehabilitated and other factors, including the costs of administration, counseling, direct services, and facility development.

The Senate recedes to the House with an amendment deleting "facilities" and inserting "community rehabilitation programs."

49. INTERAGENCY COOPERATION

(a) The House bill, but not the Senate amendment, changes the reference to the Perkins Act to the Carl D. Perkins Vocational and Applied Technology Education Act.

(b) The Senate amendment, but not the House bill, adds the Committee on Purchases of Blind-Made Products to the list of programs with whom the State shall provide cooperative arrangements.

(c) The House bill, but not the Senate amendment, adds to the cooperative arrangements that the arrangements shall include training of staff of other programs regarding rehabilitation services.

The Senate recedes. (d) The Senate amendment, but not the House bill, provides that means of inter-agency cooperation include, if appropriate, establishing interagency working groups and entering into formal interagency agreements that identify areas of coordination and identify available resources and define respective financial responsibility.

50. COMMUNITY REHABILITATION PROGRAMS (STATE PLAN)

The Senate amendment, but not the House bill, changes the reference from rehabilitation facilities to community rehabilitation programs.

The House recedes.

51. STATEWIDE STUDIES (STATE PLAN)

(a) The Senate amendment, but not the House bill, changes the reference to rehabilitation facilities to community rehabilitation programs.

The House recedes. (b) The House bill, but not the Senate amendment, provides that statewide studies shall include outreach procedures to identify and serve those from minority backgrounds and those who have been unserved and underserved.

The Senate recedes.

52. EXTENDED EMPLOYMENT (STATE PLAN)

(a) The House bill specifies that the review and reevaluation must occur "at least" on an annual basis; the Senate amendment specifies "annual."

(b) The Senate amendment, but not the House bill, specifies that input from the individual or their family should be included in the review and reevaluation of extended employment.

(c) The Senate amendment makes reference to community rehabilitation programs; the House bill adds "within, through, or outside" such programs.

(d) The House bill makes reference to the needs of such individuals for employment or

training in the competitive labor market; the Senate amendment makes reference to the "interests, priorities, and needs of such individuals for their employment, or training for competitive employment, in integrated settings in the labor market."

(e) With respect to maximum efforts, the House bill includes the identification of services as well as the provision of vocational services, as well as reasonable accommodations, and other support services to enable such individuals to benefit from training or to be placed in employment in integrated settings. The House bill also includes transition services to promote integration, including supported employment, independent living and community participation.

The Senate amendment includes the provision of vocational rehabilitation services, designed to promote movement from extended employment to integrated employment (including supported employment).

The Senate recedes to the House and the House recedes to the Senate with an amendment blending the two provisions.

53. VIEWS CONSIDERED (STATE PLAN)

Drafted differently, both the House bill and the Senate amendment add the client assistance program director to those whose views should be considered.

54. USE OF STUDIES AND EVALUATIONS (STATE PLAN)

The Senate amendment, but not the House bill, specifies that evaluations and studies must be used to not only amend the State plan (current law) but the strategic plan as well.

55. FORMULATION OF STATE PLAN

(a) The House bill, but not the Senate amendment, adds that the State plan must include an assurance that the State will consult with the Director of the client assistance program regarding the formulation of policies.

(b) The Senate amendment, but not the House bill, adds that public input must be sought before the development of the State plan.

56. TRANSITION FROM EDUCATION TO REHABILITATION (STATE PLAN)

With different language, both the House bill and the Senate amendment specify that the State plan must include plans, policies, and methods for the transition of students to vocational rehabilitation.

The House bill requires provisions for determining the lead agency and personnel responsible, the procedures for outreach to and identification of those who need transition services, and a time frame for evaluation and followup should be included.

The Senate amendment includes that there should be a cooperative agreement designed to facilitate the accomplishment of the goals and objectives identified in the individualized education program and to facilitate the transition to vocational rehabilitation.

The House recedes to the Senate with amendments. First, the House strikes "independent living" and inserts "live independently". Second, House amendment adds a new subparagraph (C) to read as follows:

"(C) provide that such plans, policies, and procedures will address—

(i) provisions for determining State lead agencies and qualified personnel responsible for transition services;

(ii) procedures for outreach to and identification of youth in need of such services; and

(iii) a timeframe for evaluation and follow-up of youth who have received such services".

57. ACCEPTABLE PLAN FOR PART C OF TITLE VI (STATE PLAN)

The House bill, but not the Senate amendment, adds that the State plan must include an assurance specifying that funds under part C of title VI will be used to supplement title I funds for supported employment.

58. ADDITIONAL PROVISIONS IN THE STATE PLAN

The House bill, but not the Senate amendment, adds State plan assurances that describe:

- (a) how personal assistance services will be provided,
- (b) how cooperative agreements are established with private nonprofit vocational rehabilitation service providers,
- (c) the needs and use of community rehabilitation programs with regard to the Javits-Wagner O'Day Act,
- (d) how clients are given choice and increased control,
- (e) how non-special education students with disabilities can access and receive services,
- (f) how technology devices and services or worksite assessments are provided during assessment of needs,
- (g) how the Advisory Council recommendations are addressed,
- (h) how the State responds to consumer satisfaction surveys and,
- (i) how at least one job development specialist has been employed to provide specified services.

The Senate amendment, but not the House bill, adds State plan assurances that provide:

- (j) for coordination with the Statewide Independent Living Council,
- (k) the development of a strategic plan to expand and improve services,
- (l) a system for evaluating personnel performance that facilitates the goals of the title,
- (m) work with disability organizations, business, industry, and labor to expand employment opportunities including providing technical assistance on the amendments and the Americans with Disabilities Act.

The Senate recedes on (a), (b), (c), (d), (e), (f), (h), and (m). The House recedes on (g) and (i), and (j). With respect to (k), the House recedes with an amendment adding the following: "will use at least 1.5 percent of the allotment of the State under part B for the uses described in section 123."

With respect to (l), the House recedes to the Senate. The Senate bill provides that the designated State unit shall describe how the system for evaluating the performance of rehabilitation counselors, coordinators, and other personnel used in the State facilitates the accomplishment of the purpose and policy of this title, including the policy of serving, among others, individuals with the most severe disabilities. It is the intent of the Conferees that such system may include standards such as the ability to function more independently in a work situation or at home or in the community and the completion of training, including higher and continuing education programs.

59. ASSURANCE IN THE STATE PLAN REGARDING ADVISORY COUNCIL

Both the House bill and the Senate amendment add an assurance regarding the establishment of a State advisory council.

(a) The House bill refers to the council as the "Rehabilitation Consumer and Business Advisory Council. The Senate amendment

refers to the Council as the "State Rehabilitation Advisory Council."

The House recedes.
(b) The House bill specifies that the designated State unit must consider advice relating to the State plan under this title, innovation and expansion grant applications and State plan for independent living and any State rules of general applicability. The Senate amendment specifies that the designated State agency and the designated State unit must consider advice regarding the strategic plan.

The House recedes.
(c) The House bill specifies that State must include, among other things, a summary of advice in an annual report. The Senate amendment specifies that this information must be included in the State plan.

The House recedes.
(d) The Senate amendment, but not the House bill, specifies the information that the State must provide to the advisory council.

The House recedes.
(e) With slightly different wording, the House bill and the Senate amendment provide a State that has a consumer-controlled commission need not establish an advisory council.

The House recedes.

60. ELIGIBILITY

(a) The House bill specifies that the individualized written rehabilitation program is developed jointly, agreed upon and signed by the vocational rehabilitation counselor and the individual and, if appropriate, a parent, family member, guardian, advocate, or authorized representative and that a copy of the plan and any amendments be provided to the individual in an accessible format. (The Senate amendment has a comparable provision in section 102(b)(1)(C), as amended).

The House recedes.
(b) With minor drafting differences, the Senate revision of section 102(a) and the House additions to section 102(a) regarding eligibility and presumptions are the same with the following exceptions:

(i) The Senate amendment, but not the House bill, requires extended evaluation in those cases where ineligibility may be found on the basis of severity.

The House recedes.
(ii) The Senate amendment includes a timeframe for determinations, the House bill includes a similar provision in the definition of "evaluation of rehabilitation needs," with the difference that the timeframe in the Senate amendment applies to the preliminary evaluation used to determine eligibility and the timeframe in the House amendment applies to the preliminary and comprehensive evaluation used to determine both eligibility and the nature and scope of services required.

The House recedes.
(iii) The Senate amendment, but not the House bill allows for an exception to the timeframe in cases where an extended evaluation is required. The House bill retains the extended evaluation provision in current law.

The House recedes.
(iv) The Senate amendment provides that the determination of eligibility shall be based on a review of existing data and, as necessary, a preliminary assessment.

The House recedes.
(v) The Senate amendment specifies that the State shall insure that ineligibility determinations made prior to the initiation of the individualized written rehabilitation program shall include the reasons, the rights and remedies available, and the availability

of the client assistance program (this provision is similar to current law, which is not amended by the House bill).

The House recedes.
61. INDIVIDUALIZED WRITTEN REHABILITATION PROGRAM

Both the House bill and the Senate amendment make changes to the requirements of the individualized written rehabilitation plan in section 102(b).

The changes to the Act in the House bill include—

(i) assessment of rehabilitation needs designed to maximize the capacity of the individual to achieve integrated employment leading to living independently,

(ii) assessment of career interests and needs which goals shall, to the maximum extent appropriate, include placement in integrated settings,

(iii) clarifying that rehabilitation engineering services includes assistive technology devices and services,

(iv) clarification that services must be provided, to the maximum extent appropriate, in integrated work settings,

(v) the views and choices of the individual and if appropriate the parent,

(vi) to the maximum extent possible, be provided in the native language, or mode of communication of the individual and if appropriate the parent,

(vii) where appropriate include a statement of the specific on-the job and related personal assistance services,

(viii) where appropriate and desired by the individual, training in managing, supervising and directing personal assistance services,

(ix) identification of other related services and benefits, and

(x) specification of services requested and denied and the reasons for such denial.

The provisions in the Senate amendment include:

(i) timeframe for completing comprehensive assessment (if necessary) after eligibility has been established,

(ii) individualized written rehabilitation program jointly developed, agreed upon, and signed by the individual or parent or other specified individual if appropriate,

(iii) the terms and conditions under which goods and services will be provided,

(iv) the identity of and the process for determining service providers,

(v) the individual's statement about how they were involved in the process of determining the plan, and

(vi) the reasons an individual with an individualized written rehabilitation program has become ineligible and the rights and remedies available to that individual.

Drafted slightly differently, both the House bill and the Senate amendment specify that any revisions or amendments shall be incorporated into or affixed to the individualized written rehabilitation program. The House bill, but not the Senate amendment, specifies that such revisions shall be signed.

The House recedes to the Senate with amendments. First section 102(b)(1)(B)(ii) is amended to read as follows: "(ii) include a statement of the long-range rehabilitation goals based on the assessment for determining eligibility and vocational rehabilitation needs described in section 7(22)(B), including an assessment of career interests, for the individual, which goals shall, to the maximum extent appropriate, include placement in integrated settings;"

Second, section 102(b)(1)(B)(iv) is amended by adding a new subclause (iii) to read as follows: "(iii) if appropriate, include a state-

ment of the specific on-the-job and related personal assistance services to be provided to the individual and, if appropriate and desired by the individual, the training in managing, supervising, and directing personal assistance services to be provided to the individual."

Third, at the end of subparagraph (viii), add "in the most integrated settings."

Fourth, add a new subparagraph (xiv) and a new subparagraph (xv) to read as follows:

"(xiv) to the maximum extent possible, be provided in the native language, or mode of communication, of the individual or, in an appropriate case, of a parent, family member, guardian, advocate, or authorized representative, of such individual;"

"(xv) include information identifying other related services and benefits provided pursuant to any Federal, State, or local program that will enhance the capacity of the individual to achieve the vocational objectives of the individual."

Finally, amend section 102(b) (2) by adding the following additional sentence: "Any revisions or amendments to the program resulting from such review shall be incorporated into or affixed to such program. Such revisions or amendments shall not take effect until agreed to and signed by the individual with a disability, or, if appropriate, by a parent, a family member, a guardian, an advocate, or an authorized representative, of such individual."

62. REVIEW DETERMINATIONS OF INELIGIBILITY

The Senate amendment, but not the House bill, specifies that the Director of the State program rather than the Commissioner shall review determinations of ineligibility.

The House recedes.

The Senate amendment, but not the House bill, makes a conforming change in section 102(c) (2).

The House recedes.

63. DUE PROCESS PROCEDURES

(a) Continuation of services

With different phrasing, both the House bill and the Senate amendment provide that pending an administrative appeal, the individual must continue to receive services. The Senate bill does not require continuation under certain circumstances such as misrepresentation.

The House recedes with an amendment inserting after "unless the individual with a disability" the following ", in an appropriate case, a parent, a family member, a guardian, an advocate, or an authorized representative, of such individual."

(b) Qualifications of the hearing officer

The House bill specifies that the impartial hearing officer must be certified as having completed a training program conducted by the State unit in conjunction with the client assistance program. The House bill also specifies other qualifications of the individual. For the comparable provision in the Senate bill see the note on the definition of the term impartial hearing officer.

The House recedes.

(c) Selection of hearing officers

With slightly different wording, the House bill and the Senate amendment specify the procedure for selecting hearing officers.

The House recedes with an amendment inserting the phrase in Note 63(a) after "and the individual with a disability".

(d) Decision of the hearing officer and review by State

The House bill specifies that the decision of the hearing officer shall be final. The Director may not overturn or modify a decision

which supports the individual's position unless he or she concludes, based on clear and convincing evidence, that the hearing officer's decision is contrary to Federal or State law. The Senate amendment specifies that the Director may not overturn or modify a decision of a hearing officer that supports the position of the individual unless the Director concludes, based on clear and convincing evidence that the decision is clearly erroneous on the basis of being contrary to Federal or State law, including policy.

The House recedes.

(e) Data

The House bill, but not the Senate amendment, requires that the data required must include how many requests the client assistance program receives annually, how many requests such program is unable to serve, and the reasons that the program is unable to serve all the requests.

The Senate recedes with an amendment moving the provision to section 112 of the Act pertaining to client assistance programs.

64. SCOPE OF VOCATIONAL REHABILITATION SERVICES.

(a) Assessment

The Senate amendment strikes the current section 103(a) (1) of the Act and inserts the following: "an assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology." The House bill makes conforming language changes, and specifies that the assessment should be based on relevant existing reports to the maximum extent appropriate, that the individual's self assessment should be considered where appropriate, and that the assessment should include the individual's need for supported employment.

The House recedes.

(b) Miscellaneous services

The Senate amendment moves two phrases from paragraph (2) to paragraph (3): referral and other services designed to help individuals with disabilities secure needed services from other agencies. The House bill, but not the Senate amendment, adds that phrase "work-related" to describe placement services and explains that such services include job search assistance, placement, job retention, and personal assistance services.

The House recedes to the Senate and the Senate recedes to the House.

(c) Additional miscellaneous services

The House bill adds transition services to paragraph (3). The Senate amendment makes technical changes to paragraph (3).

The House recedes.

(d) Conforming changes

The House bill, but not the Senate amendment, makes conforming language changes to paragraph (4).

The Senate recedes.

(e) Maintenance

The Senate amendment, but not the House bill, specifies in paragraph (5) that maintenance is for additional costs incurred while participating in rehabilitation.

The House recedes.

(f) Technology and services for specified groups

The House bill strikes paragraphs (11) and (12) and inserts new language.

The new paragraph (11) replaces the phrase "telecommunications, sensory and other technological aids and devices" with "rehabilitation engineering and assistive technology devices and services, including such products as environmental control units,

augmentative communication, computers and computer input devices and telecommunication devices."

The new paragraph (12) replaces "rehabilitation engineering" with the phrase "services for individuals with sensory, mobility and/or cognitive impairments."

The Senate amendment retains paragraph (11) and changes the term in paragraph (12) from "rehabilitation engineering" to "rehabilitation technology."

The House recedes.

(g) Transition services

With different phrasing, both the House bill and the Senate amendment add transition services to the list.

The House recedes.

(h) Personal assistance services

With different phrasing, both the House bill and the Senate amendment add personal assistance services to the list.

The Senate recedes to the House with an amendment inserting after "on-the-job" the following "or other related".

(i) Supported employment services

The Senate amendment, but not the House bill, adds to the list supported employment services.

The House recedes.

(j) Group services

The House bill, but not the Senate amendment, provides that in subsection (b) of section 103, vocational rehabilitation services include those services provided for groups (current law) or "for the employment of an individual in an integrated work setting within the competitive labor market."

The House recedes.

(k) Community rehabilitation programs

The House bill, but not the Senate amendment, adds that under section 103(b), the sums providing community rehabilitation program services shall be used to provide services that promote integration and competitive employment.

The Senate recedes.

(l) Americans With Disabilities Act assistance

The House bill, but not the Senate amendment, adds technical assistance and support services to business on the Americans with Disabilities Act as part of the list of services.

The Senate recedes.

(m) Technical changes

The House bill, but not the Senate amendment, makes technical drafting changes to section 103(b).

The Senate recedes.

65. NON-FEDERAL SHARE FOR CONSTRUCTION

The Senate amendment, but not the House bill, makes conforming changes to Section 104.

The House recedes.

66. EVALUATION

With slightly different wording, both the House bill and the Senate amendment add a new section on evaluation. In addition to some drafting differences, the substantive differences are:

(a) The House bill titles the section "Evaluation Standards," the Senate titles the section "Evaluation Standards and Performance Indicators."

The House recedes.

(b) The Senate amendment, but not the House bill, specifies that the standards are to facilitate and in no way impede the accomplishment of the purposes of this title.

The House recedes.

(c) The Senate amendment, but not the House bill, specifies that the Commissioner

shall publish a notice of intent to regulate and the proposed standards and indicators in the Federal Register for public comment.
The House recedes.

(d) The Senate amendment, but not the House bill, specifies that the Commissioner shall provide technical assistance to the State in cases where the State does not meet the standards and indicators.
The House recedes.

67. STATE ADVISORY COUNCIL

(a) Title

The House bill refers to the Council as the "State Rehabilitation Consumer and Business Advisory Council." The Senate amendment refers to the Council as the "State Rehabilitation Advisory Council."
The House recedes.

(b) Independent commissions; separate commissions

With slightly different wording, the House bill and the Senate amendment recognize the exception for States that have an independent commission and the discretion to form two councils in States with a commission for the blind.
The House recedes.

(c) Effective date

The House bill, but not the Senate amendment, provides that this provision does not go into effect until one year from the date of enactment of the Rehabilitation Act Amendments of 1992.

The House recedes. Both the House bill and the Senate amendment include a provision authorizing the use of existing councils for one year after the date of enactment of the Rehabilitation Act Amendments of 1992. The Conferees do not intend for this provision to delay in any way the formation and implementation of State Rehabilitation Advisory Councils. This provision is merely designed to avoid unnecessary disruption.

(d) Composition

(i) With slightly different wording, both the House bill and the Senate amendment provide that the membership must include the chair or designee of the Statewide independent living council; a representative from the parent training center, the client assistance program, and community rehabilitation programs; representatives from a cross section of the disability community and current and former applicants for or recipients of vocational rehabilitation services. The Senate amendment, but not the House bill includes in the disability advocacy groups those that represent parents, guardians, advocates, or authorized representatives of individuals with disabilities who have difficulty representing themselves.

(ii) The House bill specifies that there shall be four representatives of business, industry, and labor. The Senate amendment specifies that there must be at least one member of business and industry and at least one member from labor.

(iii) The Senate amendment, but not the House bill, specifies that the Council must include a vocational rehabilitation counselor.

The Senate recedes to the House and the House recedes to the Senate with an amendment. The amendment shall include the following subparagraphs from the Senate amendment: (A), (B), (C), (D) as modified to read as follows: "at least one vocational rehabilitation counselor, with knowledge of and experience with vocational rehabilitation programs, who shall serve as an ex officio, nonvoting member of the Council if the counselor is an employee of the des-

ignated State agency"; (H), and (I). The amendment shall include the following provisions from the House bill: (D) and (E).

(e) Appointment

The Senate amendment, but not the House bill, specifies that the appointing authority must appoint members after soliciting recommendations from a broad range of specified organizations.
The House recedes.

(f) Qualifications

With slightly different wording, both the House bill and the Senate amendment specify that a majority of the council must be individuals with disabilities.

The House recedes.

(g) Chairperson

Both the House bill and the Senate amendment specify that the chairperson should be selected from among the membership. However, the House bill includes an exception in States where the Governor does not have a veto power.

The Senate recedes with an amendment using the Senate language set out in the title pertaining to independent living.

(h) Terms of appointment

The House bill specifies that the Governor shall provide for term limits and staggered terms. The Senate amendment specifies that a member shall serve for not more than 3 years with no member serving more than two consecutive full terms. The Senate amendment also calls for staggered terms.

The House recedes.

(i) Vacancies

The Senate amendment, but not the House bill, specifies the procedure for filling vacancies.

The House recedes.

(j) Meetings

The House bill specifies that the Council shall meet at least 4 times a year and in such places as it deems necessary to conduct business. The meetings must be publicly announced and open and accessible to the general public.

The Senate amendment specifies that in addition to convening at least 4 times to conduct meetings, the Council may conduct forums or hearings as are considered appropriate. The meetings shall be open to the public unless there is a valid reason for an executive session.

The House recedes.

(k) Budget/resources

The House bill specifies that the director of the State agency and the council shall prepare a budget to reimburse members for reasonable expenses, to pay compensation to members under specified circumstances, to hire staff and obtain the services of support staff. The State must reserve an amount not to exceed \$200,000. Funds may not be used to defray the expense of members who are employees of State agencies or representatives of business, industry, and labor.

The Senate amendment specifies that the Council shall prepare, in conjunction with the designated State unit, a plan for the provision of resources, including staff and other personnel, relying to the maximum extent possible on existing resources. Disagreements between the Council and the designated State unit regarding the resources necessary shall be resolved by the Governor or appointing agency. The Senate amendment also specifies that the Council will have supervisory responsibility over staff and personnel, consistent with State law and such personnel who work for the designated

State unit may not be assigned duties that create a conflict of interest. The Senate amendment also specifies policies governing compensation and expenses of the council.

The House recedes. The Conferees expect that the State Rehabilitation Advisory Council will be fully independent from the State vocational rehabilitation agency even while relying, to the maximum extent possible, on existing resources from the State vocational rehabilitation agency to provide staff and other personnel. The Conferees expect that staff provided by the State vocational rehabilitation agency, when assigned to work for the Council, will work solely on behalf of the Council and will not be assigned duties that create a conflict of interest. The Conferees expect that administrative arrangements made in the State will be consistent with this expectation so that each State Rehabilitation Advisory Council can operate independently.

(l) Functions of the council

(i) The House bill specifies that the Council shall review, analyze, and advise the designated State unit on matters relating to a specified list. The Senate amendment specifies that such function shall be with respect to the performance of the responsibilities of the unit under the title with particular emphasis on a specified list that is comparable to the list in the House bill.

The House recedes.
(ii) With slightly different wording, both the House bill and the Senate amendment specify the function relating to the preparation of applications, plans, and reports.

The House recedes.
(iii) With slightly different wording, both the House bill and the Senate amendment provide for the preparation of a report. The House bill provides that the report should be to the Governor; the Senate amendment provides that the report should be to the Governor or the appropriate State entity.

The House recedes.
(iv) With slightly different wording, both the House bill and the Senate amendment specify that the Council must coordinate with other councils.

The House recedes.
(v) The House bill, but not the Senate amendment includes additional responsibility to coordinate with the statewide independent living council.

The Senate recedes.
(vi) The Senate amendment, but not the House bill, authorizes the Council to perform other functions consistent with the purposes of the title.

68. SOCIAL SECURITY REIMBURSEMENT PAYMENTS

The House bill specifies that Social Security reimbursement payments may be used to carry out programs under title I, part C of title VI, and title VII. The Senate amendment provides that any State that used, during fiscal year 1992, such payments for allowable expenditures under the Act may continue such use until October 1, 1994.

The Senate recedes.

69. TRAINING OF EMPLOYERS

The House bill, but not the Senate amendment, adds a new section allowing the States to provide a program to train employers regarding the Americans with Disabilities Act. The Senate amendment addresses this in the State plan requirements, by the provision of technical assistance.

The Senate recedes.

70. MONITORING AND REVIEW

With slightly different wording, both the House bill and the Senate amendment add a

new section relating to monitoring and review.

The House recedes.

11. STATE ALLOTMENTS

(a) The House bill, but not the Senate amendment, deletes section 110(a)(4) pertaining to the amount of a State's allotment.

(b) The Senate amendment, but not the House bill, makes a technical change to section 110(a)(3) pertaining to the territories.

(c) The House bill, but not the Senate amendment, deletes section 110(b)(1) pertaining to the amount of a State's allotment.

(d) The Senate amendment, but not the House bill, provides for funds that will not be used by a State to remain available for reallocation until they are reallocated.

(e) The House bill, but not the Senate amendment, increases the percentage allotted to carry out part D to not less than 1/2 of 1% to not more than 1.5%.

The Senate recedes to the House with an amendment specifying that the minimum shall be increased to 1/3 of 1 percent for fiscal years 1993 and 1994 and then increased to 1/2 of 1 percent for fiscal years 1995, 1996, and 1997.

12. PAYMENTS TO STATES

The Senate amendment, but not the House bill, adds a paragraph to specify the level of Federal match for construction projects.

The House recedes.

13. CLIENT ASSISTANCE PROGRAM

(a) Advocacy

With different language, the House bill and the Senate amendment specify that services may include "advocacy." The House adds that the advocacy may be individual and systemic.

The Senate recedes.

(b) AUTHORIZED FUNCTIONS.

(1) The House bill, but not the Senate amendment, provides that the program shall provide information on the available services under the Act and the Americans with Disabilities Act to individuals within the State with disabilities, particularly individuals traditionally underserved by rehabilitation programs.

The Senate recedes to the house with an amendment inserting "title I of" before "the Americans with Disabilities Act".

(2) The Senate amendment, but not the House bill, provides that the program may provide assistance and advocacy with respect to services that are directly related to facilitating the employment of the individual.

The House recedes.

(c) Redesignation

With different wording, the House bill and the Senate amendment specify the procedures that must be followed with respect to redesignation of client assistance programs. The Senate amendment, but not the House bill, provides that the agency may appeal to the Commissioner in cases where the Governor's redesignation is not for good cause.

The House recedes to the Senate with an amendment inserting "30 days" before "notice" in section 112(c)(1)(B)(i).

(d) Territories

The Senate amendment, but not the House bill, makes a technical change to section

112(e)(1)(B) and (C) pertaining to the territories.

The Senate recedes to the House with an amendment that is identical to the amendment described in Note 71(b).

(e) Minimum allotments

The House bill, but not the Senate amendment, changes the minimum allotment for the States in section 112(e)(1)(D) from \$75,000 to \$100,000. The House bill, but not the Senate amendment, adds discretion for the Commissioner to increase the allotment for American Samoa, Guam, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

The Senate recedes with an amendment striking the "Trust territory of the Pacific Islands" and inserting "The Republic of Palau (until the Compact of Free Association takes effect)".

(f) Confidentiality

The House bill, but not the Senate amendment, provides in section 112(g) for the confidentiality of individuals requesting assistance from client assistance programs.

The Senate recedes.

(g) Authorization of Appropriations

The House bill authorizes \$9,494,000 for fiscal year 1993, and such sums thereafter. The Senate amendment provides for such sums for fiscal years 1993 through 1997.

The House recedes.

(h) Transfer to title V

The House bill, but not the Senate amendment, transfers section 112 to section 500 of the Act.

The House recedes.

14. INNOVATION AND EXPANSION

(a) State allotments

(1) The House bill, but not the Senate amendment, specifies that from the sums available under section 110(e) each State must use 1.5% of such funds for activities relating to innovation and expansion. The Senate maintains the separate authorization (see note 71(c)).

The House recedes with an amendment. See Note 74(f).

(2) The House bill specifies that each State's allotment shall be based on its relative population with a minimum of \$100,000 or one-quarter of 1 percent, whichever is greater. The Senate amendment uses relative population but includes a \$200,000 minimum or one-third of 1 percent and includes a formula for other jurisdictions. The Senate amendment also includes a provision to adjust the minimum upwards based on Consumer Price Index and a provision relating to proportional reductions.

The House recedes.

(3) With slightly different wording, both the House bill and the Senate amendment specify procedures for reallocation.

The House recedes.

(b) Application

The House bill specifies that any State desiring to receive assistance under part C must prepare and submit an application. The application must describe activities it plans to undertake to achieve long-term success in expanding and improving vocational rehabilitation services, including supported employment.

The Senate amendment specifies that effective October 1, 1993, a State desiring to receive assistance under part C and part B must prepare and submit a statewide strategic plan for the same purposes set out in the House bill. The Senate amendment also specifies the content of the strategic plan.

The House recedes.

(c) Process for developing application/plans

(1) The House amendment specifies that the application shall cover a 3 year period and funds appropriated shall remain available until expended. The application must be reviewed annually to reflect the activities achieved and input from the State Rehabilitation Consumer and Business Advisory Council. The Senate bill specifies that the strategic plan shall cover a three year period and shall be updated on an annual basis to reflect actual experience and input from both the State Rehabilitation Advisory Council and the State Independent Living Council.

The House recedes.

(2) The House bill provides for public hearings and input from the State Rehabilitation Consumer and Business Advisory Council prior to the development of the application. The Senate bill provides for similar input but also includes the State Independent Living Council.

The House recedes.

(3) With slightly different wording, the House bill and the Senate amendment specify a procedure for addressing recommendations by Councils that have been rejected.

The House recedes.

(4) The Senate amendment, but not the House bill, specifies that the strategic plan must be widely disseminated.

The House recedes.

(5) The House bill, but not the Senate amendment, specifies that the State must describe the activities it has undertaken in its State plan. For the comparable provisions in the Senate amendment see the notes on the State plan.

The House recedes.

(6) The House bill, but not the Senate amendment, specifies that the Commissioner must pay the State its full allotment if it outlines the authorized activities consistent with part C and section 101.

The House recedes.

(d) Use of funds

The House bill specifies that the Commissioner shall pay the State or at the option of the State agency to a public or nonprofit agency or organization funds under this part. The Senate amendment specifies that a State may use funds directly or by grant, contract, or other arrangement.

The House recedes.

(e) Authorized uses

(1) The House bill, but not the Senate amendment, specifies that the State must carry out no less than one of the programs or activities set forth in the legislation.

The House recedes.

(2) The House bill lists the following programs and activities:

On-the job training to promote the intent of the Americans with Disabilities Act.

Expand opportunities for traditionally underserved populations with specified disabilities.

Programs to maximize the use of rehabilitation technology, including assistive technology devices and services in employment settings.

Assisting employers in the employer's workplace consistent with the Americans with Disabilities Act, including short term technical assistance or other effective strategies.

Expand consumer involvement, Expand opportunities for career advancement.

The Senate bill lists the following programs and activities:

Improve working relationships between vocational rehabilitation services and independent living services.

Expand opportunities by redesigning existing service options for individuals with the most severe disabilities.

Expand opportunities for classes of individuals who have unusual or complex rehabilitation needs.

Programs to maximize the use of rehabilitation technology.

Improve the service delivery system and working relationships with other agencies and entities through a range of activities.

Improve the evaluation system.

Support the comprehensive system of personnel development.

Support training of consumers, business, industry, and labor regarding the Rehabilitation Act Amendments of 1992, title V of this Act, and the Americans with Disabilities Act.

Support the funding of the State Rehabilitation Advisory Council and the State Independent Living Council.

The Senate recedes to the House and the House recedes to the Senate with an amendment. The amendment incorporates all of the provisions in section 121(b) of the House bill and the authorized uses set out in section 123 of the Senate amendment with the exception of paragraph (2).

(H) The House bill, but not the Senate amendment, specifies that the Commissioner may require that any portion of a State's allotment be expended in connection with only such projects as have first been approved by the Commissioner.

The House recedes.

(f) Earmarking; authorization of appropriations

The House bill, but not the Senate amendment, specifies that for fiscal year 1993-1997, the Commissioner shall reserve from the amount appropriated under section 100(b) a sum of not less than 1.5 percent to carry out the purposes of part C. The Senate amendment authorizes to be appropriated "such sums" for fiscal years 1993-1997.

The House recedes with an amendment to section 111(a) (1) of the Act specifying that the Commissioner shall pay to a State an amount equal to the Federal share of the cost of vocational rehabilitation services under State plan for that State approved under section 101, including expenditures for the administration of the State plan "and development and implementation of the strategic plan as provided in section 101(a)(3)(A). Any State that receives such an amount shall expend, for development and implementation of the strategic plan, not less than the percentage of the allotment referred to in section 101(a)(3)(B)."

5. REVIEW OF DATA COLLECTION SYSTEM

With slightly different wording, both the House bill and the Senate amendment include a new section pertaining to a review of the data collection system.

(a) The House bill requires the Secretary of Education to undertake the review, while the Senate amendment requires the Commissioner of the Rehabilitation Services Administration to do the review.

The House recedes.

(b) The House bill, but not the Senate amendment, requires that within 18 months of enactment the recommendation shall be published in the Federal Register.

The Senate recedes to the House with an amendment. The amendment specifies that the Commissioner must include in the review of the current system for collecting and reporting data, consideration of adding the fol-

lowing data elements (see Note 33(b)): when it can be determined, other program participation during 3 years prior to application, number of jobs, hours worked and earnings in 3 years prior to application; type of major and secondary disability; date of onset of disabling condition; severity of disability; sources of referral; hours worked; size of place of employment and industry code at time of entry into the program and at the termination of service; number and cost of each service provided; types of public support received by the client; primary sources of economic support and amounts of public assistance received before and after receiving services; whether covered by health insurance from any source and whether health insurance is available through client's employment; supported employment status; and reasons for terminating services.

6. EXCHANGE OF DATA

The Senate amendment, but not the House bill, requires a memorandum of understanding between the Secretary of Education and the Secretary of the Department of Health and Human Services regarding the exchange of data of mutual importance of clients of the vocational rehabilitation program.

The House recedes.

7. EFFECTIVE DATE FOR STATE PLAN

The Senate recedes to the House and the House recedes to the Senate adding the following provision relating to effective dates for title I of the Act: "The Secretary of Education shall implement the amendments made by section 112 of this Act to section 101 of the Rehabilitation Act of 1973, as soon as is practicable after the date of enactment of this Act, consistent with the effective and efficient administration of the Rehabilitation Act of 1973, but not later than October 1, 1993."

RESEARCH

1. TITLE

The Senate amendment, but not the House bill, changes the title from "Research and Training" to "Research."

The House recedes.

1A. DECLARATION OF PURPOSE (INDEPENDENT LIVING)

The House bill, but not the Senate amendment, amends paragraph (1) of the current Declaration of Purpose by adding "Independent living".

The House recedes.

2. DECLARATION OF PURPOSE (ASSISTIVE TECHNOLOGY DEVICES)

The House bill, but not the Senate amendment, amends paragraph (2) of the current Declaration of Purpose to change the term "devices".

The House recedes.

3. DECLARATION OF PURPOSE (FULL INCLUSION AND INTEGRATION)

The Senate amendment, but not the House bill, rewrites the first two paragraphs of the Declaration of Purpose to emphasize "full inclusion and integration" into society as the goal of projects funded under this title, with particular emphasis on improving the effectiveness of services under the Act and a comprehensive and coordinated approach, pursuant to the new long-range plan required by these amendments (see note 26).

The House recedes.

4. DECLARATION OF PURPOSE (PROCUREMENT OF TECHNOLOGY)

The House bill, but not the Senate amendment, amends paragraph (3) of the Declaration of Purpose to emphasize improvement of procurement processes for purchase of

assistive technology devices and services, more utilization of same on a national level, and encouragement of adaptations or customizations.

The Senate recedes to the House and the House recedes to the Senate with an amendment that reads "(3) promote the transfer of rehabilitation technology to individuals with disabilities through research and demonstration projects relating to the procurement process for the purchase of rehabilitation technology; the utilization of rehabilitation technology on a national basis; and specific adaptations or customizations of products to enable individuals with disabilities to live more independently;"

5. DECLARATION OF PURPOSE (INFORMATION DISSEMINATION)

The House bill amends the Declaration of Purpose section to emphasize increased access to scientific and technological information and to encourage the collection, management and availability of assistive technology and related information "on a community and statewide level".

The Senate amendment amends the Declaration of Purpose to emphasize the widespread distribution of "practical information" generated by research and related activities in "usable formats" regarding "state-of-the-art" practices, improvements in services under the Act and new knowledge to a range of involved individuals.

The Senate recedes to the House and the House recedes to the Senate with an amendment that reads "(6) ensure the widespread distribution, in usable formats, of practical scientific and technological information generated by research, demonstration projects, training, and related activities; and regarding state-of-the-art practices, improvements in the services authorized under this Act, rehabilitation technology, and new knowledge regarding disabilities to rehabilitation professionals, individuals with disabilities, and other interested parties;"

6. DECLARATION OF PURPOSE (EMPLOYMENT STRATEGIES)

The House bill, but not the Senate amendment, amends the Declaration of Purpose to emphasize identification of effective strategies to enhance productive employment opportunities.

The Senate recedes.

7. DECLARATION OF PURPOSE (RESEARCH OPPORTUNITIES)

The House bill, but not the Senate amendment, amends the Declaration of Purpose to emphasize a number of activities to increase opportunities for researchers who are members of traditionally underserved populations.

The Senate recedes to the House with an amendment that reads "(6) increase opportunities for researchers who are members of traditionally underserved populations, including researchers who are members of minority groups and researchers who are individuals with disabilities."

8. DECLARATION OF PURPOSE (TRANSFER OF TECHNOLOGY)

The Senate amendment, but not the House bill, amends the Declaration of Purpose to emphasize the transfer and utilization of technology to enable more independent living.

The Senate recedes.

9. AUTHORIZATION OF APPROPRIATIONS

The House recedes.

10. NIDRR RESPONSIBILITIES (GENERAL)

The Senate amendment, but not the House bill, amends the purpose subsection for the

National Institute on Disability and Rehabilitation Research (hereinafter NIDRR) to clarify the responsibilities of the Institute and to restructure the subsection.

The House recedes.

11. NIDRR RESPONSIBILITIES (DISSEMINATION OF RESEARCH INFORMATION)

In slightly different ways, both the House bill and the Senate amendment expand the list of individuals and organizations to whom information is to be disseminated.

The Senate recedes to the House and the House recedes to the Senate with an amendment that reads: "(2) widely disseminating findings, conclusions, and recommendations, resulting from research, demonstration projects, and related activities funded by the Institute, to other Federal, State, tribal, and local public agencies; private organizations engaged in research relating to rehabilitation or providing rehabilitation services; rehabilitation practitioners; and individuals with disabilities and the parents, family members, guardians, advocates, and authorized representatives of the individuals";

12. NIDRR RESPONSIBILITIES (DISSEMINATION OF EDUCATION MATERIALS)

The House bill amends the current provision on dissemination to retain the improvement of "quality of life" caveat in the current statute but require "widespread" dissemination of the information to an expanded group of individuals or entities.

The Senate amendment amends the current provision to emphasize information "on ways to maximize the full inclusion and integration into society and a number of other areas of individuals with disabilities. The Senate recedes to the House and the House recedes to the Senate with an amendment that reads: "(4) widely disseminating educational materials and research results, concerning ways to maximize the full inclusion and integration into society, employment, independent living, family support, and economic and social self-sufficiency of individuals with disabilities, to public and private entities including elementary and secondary schools and institutions of higher education; rehabilitation practitioners; individuals with disabilities (especially such individuals who are members of minority groups or of populations that are underserved and underserved by programs under this Act) and the parents, family members, guardians, advocates, and authorized representatives of the individuals";

13. NIDRR RESPONSIBILITIES (CONFERENCES, WORKSHOPS, AND SEMINARS)

The House bill amends the current provision on conferences, workshops and seminars by retaining the current emphasis, but adding consumer training and expanding the areas to be covered.

The Senate amendment amends the current provision to authorize activities directed to provide training on "full inclusion and integration" into society and a number of other areas of individuals with disabilities.

The Senate recedes to the House and the House recedes to the Senate with an amendment that reads: "(6) conducting conferences, seminars, and workshops (including in-service training programs and programs for individuals with disabilities) concerning advances in rehabilitation research and rehabilitation technology, pertinent to the full inclusion and integration into society, employment, independent living, family support, and economic and social self-sufficiency of individuals with disabilities."

14. NIDRR RESPONSIBILITIES (ANNUAL REPORT)

The Senate amendment, but not the House bill, amends the requirement to keep Con-

gress informed to require an annual report to the President and the appropriate committees of Congress and specifies the information to be provided.

The Senate recedes.

15. NIDRR RESPONSIBILITIES (DISSEMINATION ACTIVITIES)

Technical difference.

The Senate recedes.

16. NIDRR RESPONSIBILITIES (COOPERATIVE STUDIES)

The House bill amends the current provision on cooperative production of studies and reports to expand the populations to be informed and to include assessment in the topics to be considered.

The Senate amendment adds the Health Care Financing Administration to the list of Federal agencies to be involved, requires "widespread" dissemination and expands the list of populations to be informed.

The Senate recedes to the House with amendments striking "consumers" and inserting "individuals with disabilities," inserting "the Health Care Financing Administration," after "the Bureau of the Census," and inserting "widely" before "disseminating";

17. NIDRR RESPONSIBILITIES (CONSUMER SATISFACTION RESEARCH)

The House bill, but not the Senate amendment, adds "consumer satisfaction" to the research areas.

The Senate recedes.

18. NIDRR RESPONSIBILITIES (LONG-TERM OUTCOMES RESEARCH)

The House bill, but not the Senate amendment, adds research into the relationship of the provision of specific services and long-term vocational outcomes.

The Senate recedes.

19. NIDRR RESPONSIBILITIES (COORDINATION WITH ATTORNEY GENERAL)

The Senate amendment, but not the House bill, adds coordination with the Attorney General regarding coordination in activities related to implementation of the Americans with Disabilities Act of 1990 to the responsibilities of NIDRR.

The House recedes.

20. APPOINTMENT OF DIRECTOR OF NIDRR

The House bill, but not the Senate amendment, changes the Director of NIDRR from a Presidential appointment to a Secretarial appointment.

The Senate recedes.

21. QUALIFICATIONS OF DEPUTY DIRECTOR

The Senate amendment, but not the House bill, amends the provision relating to the Director of NIDRR to delete the requirement that the Director should be guided by the general policies of the National Council on Disability, to require that the Deputy Director have "substantial experience" in rehabilitation and in research administration, and to modify the provisions on rates of pay.

The House recedes.

22. RESEARCH FELLOWSHIPS

Technical difference.

The House recedes.

23. PEER REVIEW

The House bill, but not the Senate amendment, amends the provision relating to review committees to expand the pool of knowledgeable individuals to be considered and to require the Director to solicit nominations for the committees from the public and to publish the names of committee members.

The Senate recedes to the House with an amendment striking "rehabilitation field"

and inserting the following: "rehabilitation field (including experts in the independent living field) competent to review research grants and programs, including knowledgeable individuals with disabilities and the parents, family members, guardians, advocates, and authorized representatives of the individuals. The Director shall solicit nominations for such peer review groups from the public and shall publish the names of the individuals selected. Individuals comprising each peer review group shall be selected from a pool of qualified individuals to facilitate knowledgeable, cost-effective review. (2) In providing such scientific review, the Secretary shall provide for training of such individuals and mechanisms to receive input from individuals with disabilities, and from the parents, family members, guardians, advocates, and authorized representatives of the individuals."

The Conferees intend that only the names of the peer reviewers will be published. The Conferees do not intend for the Secretary to publish the names of the reviewers of specific applications or projects. The time of such publication shall be after such review has been conducted.

24. PEER REVIEW

The Senate amendment, but not the House bill, amends the provision relating to review by changing the placement of the panels, and expanding the pool of knowledgeable individuals to be considered for service on the panels, and to require the Secretary to provide training and to provide for input from consumers.

The Senate recedes.

25. LIMITATION ON DIRECT EXPENDITURES

Technical difference.

The Senate recedes.

26. LONG RANGE PLAN (GENERAL)

The Senate amendment, but not the House bill, amends the provision relating to the long-range research plan to delete its submission to Congress within 18 months of the date of enactment of this Act and to change the emphasis for research to be conducted from identification of problems encountered to identification of methods for "full inclusion and integration" of individuals with disabilities into society and a number of other areas.

The House recedes.

27. LONG RANGE PLAN (REQUIREMENTS)

The House bill adds to the plan elements involving widespread dissemination of results in accessible formats to a range of individuals, particularly those from minority or traditionally underserved populations.

The Senate amendment adds to the plan elements involving widespread dissemination of results in practical, usable formats to a range of individuals, including those from diverse cultural and ethnic backgrounds or underserved or underserved populations, and specifies that the plan be developed in consultation with the Rehabilitation Research Advisory Board established by the Senate amendment (see note 59) and the National Council on Disability and other named officials and that it be updated at least once every 5 years or as necessary.

The Senate recedes to the House and the House recedes to the Senate with an amendment that reads after paragraph (4) in the Senate amendment: "(5) specify plans for widespread dissemination of research results in accessible formats to rehabilitation practitioners, individuals with disabilities, and the parents, family members, guardians, advocates, and authorized representatives of

the individuals; (6) specify plans for widespread dissemination of research results that concern individuals with disabilities who are members of minority groups or of populations that are unserved or underserved by programs under this Act," and renumbers the paragraphs (6) and (7) in the Senate amendment as paragraphs (7) and (8).

2. INTERAGENCY COOPERATION

The Senate amendment, but not the House bill, clarifies the provision on cooperation to cover the entire Title.

The House recedes.

23. PEDIATRIC, PACIFIC BASIN, AND RURAL RESEARCH

The House bill strikes the current separate authority for a program for pediatric rehabilitation research and a Research and Training Center in the Pacific Basin.

The Senate amendment modifies the provision relating to pediatric rehabilitation, the Pacific Basin and the delivery of rehabilitation services to rural areas to continue support of these programs.

The House recedes.

33. TRAINING OF REHABILITATION RESEARCHERS

The House bill amends the training provision to emphasize support for the "implementation and objectives of this Act."

The Senate amendment amends the training provision to specifically include individuals with disabilities and to emphasize support to "improve the effectiveness of services authorized under this Act."

The Senate recedes to the House and the House recedes to the Senate with an amendment that reads: Section 202(k) is amended by striking "researchers" and all that follows and inserting the following: "rehabilitation researchers, including individuals with disabilities, with particular attention to research areas that support the implementation and objectives of this Act and that improve the effectiveness of services authorized under this Act."

31. INTERAGENCY COMMITTEE

The Senate amendment, but not the House bill, amends the provision on the Interagency Committee to expand its membership, to require input from consumers and to delete the outdated report requirement.

The House recedes.

32. RESEARCH (GENERAL)

The Senate amendment, but not the House bill, amends the general directive relating to research activities to change the emphasis to development of methods, procedures and technology to maximize the "full inclusion and integration into society" and other life areas of individuals with disabilities (particularly the most severe disabilities) and to improve the effectiveness of services provided under this Act. Gives directive to emphasize research that supports certain titles of the Act.

The House recedes.

33. RESEARCH (STATE NEEDS)

The House bill, but not the Senate amendment, amends the provision relating to the determination of research emphasis to place weight on the needs as determined by States (as described through State plans).

The Senate recedes.

34. RESEARCH (UNSERVED OR UNDERSERVED POPULATIONS)

The Senate amendment, but not the House bill, amends the provision on research to clarify research on individuals who are homebound or institutionalized and to require particular attention to individuals from populations who are unserved or underserved.

The House recedes.

35. RESEARCH AND TRAINING CENTERS (INTEGRATED PROGRAM OF RESEARCH)

The House bill, but not the Senate amendment, amends the current provision relating to the responsibilities of the Rehabilitation Research and Training Centers to add providing an integrated program of research and providing technical assistance to a range of individuals and entities through workshops and other stated activities.

The House recedes to the Senate with an amendment amending the first sentence in section 202(b)(2)(A) of the Senate amendment to read: "Research grants may be used for the establishment and support of Rehabilitation Research and Training Centers, for the purpose of providing an integrated program of research, which shall—"

36. RESEARCH AND TRAINING CENTERS (RESEARCH PROJECTS)

The Senate amendment, but not the House bill, rewrites this section which allows grants to pay all or part of the costs of the research projects authorized.

The House recedes.

37. RESEARCH AND TRAINING CENTERS (COLLABORATION)

The Senate amendment, but not the House bill, restates the authority for the Rehabilitation Research and Training Centers to allow them to be operated in collaboration with providers of rehabilitation services. Some technical language differences.

The House recedes.

38. RESEARCH AND TRAINING CENTERS (PURPOSE)

The House bill requires each Center to structure its research based upon specific needs in its geographic area, including, where appropriate, consideration of both rural and urban issues.

The Senate amendment requires each Center to conduct research and training on a coordinated and advanced basis, targeted toward the production of "new knowledge" that will improve rehabilitation methodology and service delivery, alleviate or stabilize disabling conditions, and promote maximum social and economic independence, provide training to enhance more efficient provision of services and provide other training programs.

The House recedes to the Senate with an amendment striking "and" at the end of (2)(B)(ii), striking the period at the end of (iii) and adding at the end of (2)(B)(iii), "; and (iv) serving as an informational and technical assistance resource to providers, individuals with disabilities, and the parents, family members, guardians, advocates, and authorized representatives of the individuals, through conferences, workshops, public education programs, in-service training programs, and similar activities."

39. RESEARCH AND TRAINING CENTERS (AREAS OF RESEARCH)

The House bill specifically mentions individuals with mental retardation in the provision on living in the community.

The Senate amendment specifically includes "disability policy" as an area for research and specifies the continuation of certain research activities. Also, one technical difference on drafting language.

The House recedes to the Senate with an amendment adding after individuals with disabilities in (vi) the phrase "including individuals with mental retardation and other developmental disabilities."

40. RESEARCH AND TRAINING CENTERS (REQUIREMENTS)

The Senate amendment, but not the House bill, adds to the Rehabilitation Research and

Training Centers provision requirements that training may be provided either directly or indirectly and that grants must be of sufficient size, scope, and quality to carry out the required activities. The Senate amendment, but not the House bill, also rewrites the requirements of current law.

The House recedes.

41. RESEARCH AND TRAINING CENTERS (GRANT APPLICATIONS)

The Senate amendment, but not the House bill, includes grant provisions relating to length, application submission, and review and rewrites the provision on indirect costs.

The House recedes to the Senate with an amendment inserting an additional subparagraph that reads "In awarding grants under this paragraph, the Director shall take into consideration the location of any proposed Center and the appropriate geographic and regional allocation of such Centers."

42. RESEARCH AND TRAINING CENTERS (COMPETITIVE GRANTS)

The House bill, but not the Senate amendment, makes a technical and conforming change.

The House recedes.

43. REHABILITATION ENGINEERING RESEARCH CENTERS (GENERAL)

The House bill authorizes the establishment and support of Rehabilitation Engineering Research Centers to develop and disseminate innovative methods of applying a range of advanced research relating to technology and the solution of rehabilitation problems. Research could be in cooperation with public and nonprofit organizations to produce new scientific knowledge, methods, equipment, and devices. Research could also be to develop and disseminate innovative delivery models for cost-effective provision of rehabilitation engineering and assistive technology services in urban and rural areas to promote utilization of such services and devices, and to meet the employment and independent living needs of individuals with severe disabilities, to cooperate and coordinate with designated State agencies on information exchange and utilization of rehabilitation engineering and assistive technology, demonstrate and disseminate cost-effective delivery models, and to provide rehabilitation research training.

The Senate amendment authorizes the use of research grants to establish and support Rehabilitation Technology Research and Resource Centers operated by or in collaboration with institutions of higher education or nonprofit private organizations to conduct research demonstration projects and training activities regarding rehabilitation engineering, assistive technology devices and assistive technology services. The purpose would be to enhance the opportunities for, better meet the needs of, and address the barriers to individuals with disabilities in a number of areas. Such a center shall carry out research in a number of stated areas, including new and emerging technologies and design and usability of mass market products. Such Centers shall be consumer responsive and individual and family centered, and promote prompt utilization of a broad range of technologies, particularly in urban and rural settings. The amendment stipulates training activities.

The Senate recedes to the House and the House recedes to the Senate with an amendment combining the two versions.

44. REHABILITATION ENGINEERING RESEARCH CENTERS (AREAS OF FOCUS)

The Senate amendment, but not the House bill, gives specific "areas of focus" for the centers' activities.

The Senate recedes to the House and the House recedes to the Senate. See note 43.

45. REHABILITATION ENGINEERING RESEARCH CENTERS (ADVISORY COMMITTEES)

The Senate amendment, but not the House bill, requires each Center to have an Advisory Committee, with certain requirements, including the provision that a majority be individuals with disabilities for their representatives who are consumers of services. The centers are to coordinate with other Federal, State, and local agencies, to respond to the needs of all individuals who may benefit from the technology, to promote interchange of information and other data, and to prepare and submit reports and application amendments as required.

The Senate recedes to the House and the House recedes to the Senate. See note 43.

46. REHABILITATION ENGINEERING RESEARCH CENTERS (GRANT REQUIREMENTS)

The Senate amendment, but not the House bill, contains certain Center grant requirements and limits.

The Senate recedes to the House and the House recedes to the Senate. See note 43.

47. SPINAL CORD INJURY PROJECTS (GENERAL)

Technical difference, relating to the wording concerning the spinal cord injury research projects and the individuals to receive information.

The Senate recedes to the House with an amendment striking from (A)(i) "to practitioners, consumers" and all that follows and inserting "to rehabilitation practitioners, individuals with spinal cord injury, the parents, family members, guardians, advocates, and authorized representatives of such individuals, and organizations receiving financial assistance under this paragraph."

48. SPINAL CORD INJURY PROJECTS (OUTREACH)

Technical difference.

The Senate recedes.

49. SPINAL CORD INJURY PROJECTS (GEOGRAPHIC DISTRIBUTION)

Technical difference.

The Senate recedes.

50. RESEARCH (AUTHORITIES)

The Senate amendment, but not the House bill, makes a technical and conforming change to each research authority to change the current directive "Conduct" to the phrase "Research grants may be used to conduct".

The House recedes.

51. RURAL AND URBAN PERSONNEL PROJECTS

The House bill, but not the Senate amendment, amends the provision relating to personnel to add the term "urban".

The Senate recedes to the House with an amendment placing the authority for projects to attract and retain urban personnel in title VIII.

52. CHILDREN AND OLDER INDIVIDUALS WITH DISABILITIES PROJECTS

The Senate amendment, but not the House bill, includes an authority to conduct research on rehabilitation for children or older individuals with disabilities, including projects on adjustment by older workers with disabilities who are leaving the work force.

The House recedes.

53. PRESCHOOL RESEARCH PROJECTS

The House bill, but not the Senate amendment, amends the authority for preschool age research to include "assessment" to the allowable activities.

The Senate recedes.

54. MODEL TRAINING CENTERS

The House bill, but not the Senate amendment, amends the provision on training cen-

ters by replacing the terms "employment potential" and "potential" with the terms "employment needs" and "needs".

The Senate recedes to the House with an amendment changing the word "developing" to "addressing".

55. RESEARCH (STUDIES REGARDING BARRIERS TO REHABILITATION)

The House bill, but not the Senate amendment, adds three authorities for studies involving barriers to successful rehabilitation outcomes for individuals from minority backgrounds, factors which have created significant underrepresentation of minorities in rehabilitation professions, and factors which have created barriers to successful rehabilitation outcomes for individuals with neurological or related disorders.

The Senate recedes to the House with an amendment placing these authorities in title VIII.

56. SITE VISITS

The Senate amendment, but not the House bill, allows the Director to waive the site visit in certain instances involving grants above a certain level.

The Senate recedes.

57. RESEARCH (REHABILITATION TECHNOLOGY)

The Senate amendment, but not the House bill, makes a technical conforming change.

The Senate recedes.

58. NATIONAL COMMISSION ON EDUCATION AND REHABILITATION OF INDIVIDUALS WHO ARE BLIND AND VISUALLY IMPAIRED

The House bill, but not the Senate amendment, establishes a National Commission on Education and Rehabilitation of Individuals Who are Blind and Visually Impaired (hereinafter referred to as the Commission). The provision includes findings and requirements for the makeup of the Commission, including the appointment authority and the requirements for a majority to be blind or visually impaired consumers and that nominations for these positions be solicited and reviewed. The Commission shall study a range of issues, including but not limited to: the nature, quality, and adequacy of infant and early childhood education programs; elementary, secondary, postsecondary, adult and continuing education programs; and vocational rehabilitation, independent living, supported employment and other employment-related programs for individuals who are blind or visually impaired. Provisions regarding terms, vacancies, the selection of the chair, and other administrative and staff issues are included. Within 18 months, the Commission is to report its findings and recommendations for Federal policy and programs to the President and the Congress.

The House recedes.

59. RESEARCH ADVISORY COUNCIL

The Senate amendment, but not the House bill, establishes within the Department of Education a Rehabilitation Research Advisory Council (hereinafter referred to as the Council). The Council shall advise the Director on the establishment of research priorities as required for the long-range plan under section 202. The section includes provisions relating to appointment, terms of office, vacancies, compensation, and other administrative and staff provisions.

The House recedes with amendments striking the phrase "The Secretary shall establish" in section 205 (a) and inserting "Subject to the availability of appropriations, the Secretary shall establish" and striking subsection (f) providing compensation and expenses for the members of the Council and inserting a provision providing an hono-

rarium and travel expenses for the members of the Council.

SUPPLEMENTARY SERVICE AND COMMUNITY REHABILITATION PROGRAMS TRAINING AND DEMONSTRATION PROJECTS

60. TITLE

Technical difference.

The House recedes.

61. DECLARATION OF PURPOSE (REORGANIZATION)

Technical difference.

The House recedes.

62. DECLARATION OF PURPOSE (GENERAL)

The Senate amendment, but not the House bill, reorganizes the Declaration of Purpose section and adds a new paragraph relating to a number of specific training activities.

The House recedes.

63. DECLARATION OF PURPOSE (REORGANIZATION)

Technical difference.

The House recedes.

64. DECLARATION OF PURPOSE (VOCATIONAL REHABILITATION SERVICES)

The Senate amendment, but not the House bill, amends the provision by deleting "training" and inserting "rehabilitation".

The House recedes.

65. DECLARATION OF PURPOSE (CONSTRUCTION)

Technical difference—see note 61, above.

The House recedes.

66. REORGANIZATION OF TITLE

The Senate amendment, but not the House bill, moves the current provisions under current Title III into a different order and adds a Table of Contents change. NOTE—there is no section 300.

The House recedes.

67. TRAINING (TECHNICAL ASSISTANCE)

The House bill amends the activities under training to include technical assistance.

The Senate recedes.

The Senate amendment specifies that the areas for training include "other services provided under this Act".

The House recedes. The Conferees understand that the regulations governing training grants under this section require that there be evidence of current professional accreditation by the designated accrediting agency in the professional field in which grant support is being requested. The Conferees strongly support the maintenance of this requirement to assure that the professionals who receive training under this section are adequately prepared to provide quality services to individuals with disabilities.

68. TRAINING (JOB DEVELOPMENT AND PLACEMENT PERSONNEL)

The Senate amendment, but not the House bill, amends the training requirement by deleting "specially" and inserting "specifically".

The House recedes.

69. TRAINING (REHABILITATION TECHNOLOGY PERSONNEL)

The House bill includes individuals "specifically" trained to provide rehabilitation technology services, and specifically references assistive technology devices and services. The Senate amendment has a similar amendment, but does not include the references.

The House recedes.

70. TRAINING (INDEPENDENT LIVING PROGRAM PERSONNEL)

The Senate amendment, but not the House bill, amends the term relating to independent living.

The House recedes.

71. TRAINING (SUPPORTED EMPLOYMENT PROGRAM PERSONNEL)

Technical difference on wording relating to supported employment programs.

The Senate recedes.

72. TRAINING (IMPARTIAL HEARING OFFICERS)
The House bill, but not the Senate amendment, expands the training areas to include impartial hearing officers.

The Senate recedes to the House with an amendment placing this authority in title VIII.

73. TRAINING (SCHOLARSHIPS)

The House bill, but not the Senate amendment, stipulates that funds under this section may be used for scholarships with necessary stipends and allowances.

The Senate recedes.

74. TRAINING (PERSONNEL FROM UNDERREPRESENTED GROUPS)

The House bill amends the provision relating to "due regard for training individuals with handicaps" to require submission of a detailed plan on the recruitment and training of individuals with disabilities and persons who are from other underrepresented groups so as to increase the number of such individuals providing services. These plans are to reflect the diverse populations in the State.

The Senate amendment amends the same provision to require submission of a detailed plan "to recruit and train members of minority groups and individuals with disabilities".

The Senate recedes to the House with an amendment striking "persons to reflect" and all that follows and inserting "persons so as to reflect the diverse populations of the United States, as part of the effort to increase the number of individuals with disabilities, and individuals who are members of minority groups, who are available to provide rehabilitation services."

75. TRAINING (REQUIREMENTS)

The House bill adds the requirement that the Commissioner provide training in the provisions of titles II and XVI of the Social Security Act related to work incentives.

The Senate amendment specifically requires training in the provisions of this Act and does not include the House referenced provisions.

The Senate recedes to the House and the House recedes to the Senate with an amendment that reads: in the last sentence, by striking ", in addition" and all that follows and inserting "furnish training regarding the services provided under this Act, and, in particular, services provided in accordance with amendments made by the Rehabilitation Act Amendments of 1992, to rehabilitation counselors and other rehabilitation personnel. In carrying out this subsection, the Commissioner shall also furnish training to such counselors and personnel regarding the applicability of section 504 of this Act, title I of the Americans with Disabilities Act of 1990, and the provisions of titles II and XVI of the Social Security Act that are related to work incentives for individuals with disabilities."

76. TRAINING (HISTORICALLY BLACK COLLEGES AND UNIVERSITIES)

The House bill, but not the Senate amendment, requires that the Commissioner, in carrying out this subsection on training, utilize Historically Black Colleges and Universities and other institutions of higher education with at least a 50 percent minority student population.

The Senate recedes.

77. TRAINING (TARGETED PERSONNEL)

The Senate amendment, but not the House bill, rewrites the provision on training priorities and (1) strikes the terms "rehabilitation engineering" and "workshop and facil-

ity administration" and replaces them with "rehabilitation technology" and "community rehabilitation personnel" and adds the caveat "vocational" to the term "rehabilitation counseling", and (2) strikes the phrases "specialized personnel in providing services to blind and deaf individuals", and, including homebound and institutionalized individuals and individuals with handicaps with limited English-speaking ability", and replaces them with "personnel to provide services to individuals with specific disabilities or specific impairments to rehabilitation." Also, a technical difference with the House bill on language relating to unserved or underserved populations.

The House recedes.

78. TRAINING (PAYBACK OF SCHOLARSHIPS)

Technical difference, relating to length of required service.

The House recedes to the Senate with an amendment inserting an effective date for the changes in this provision.

The Conferees intend that a nonprofit agency or organization performing a broad range of services for individuals with disabilities should be included in the "nonprofit rehabilitation agency or related agency" that fulfills the employment obligation in lieu of paying back scholarships under this provision. The Conferees intend that the regulations regarding the payback provision should reflect the goal of attracting students to work in State agency or nonprofit rehabilitation programs.

79. TRAINING (REHABILITATION TECHNICIANS)

The House bill, but not the Senate amendment, requires the Commissioner to make two grants to support training of community liaisons.

The Senate recedes.

80. TRAINING (CAREER ENHANCEMENT/COMPETENCY BASED TRAINING PROJECTS)

The House bill, but not the Senate amendment, requires the Commissioner to make two grants to support training for career enhancement or competency based training for current employees. The provision includes grant and administrative provisions and stipulates the activities to be supported.

The Senate recedes.

81. TRAINING PROJECTS FOR EXISTING PERSONNEL)

The House bill, but not the Senate amendment, requires the Commissioner to enter into a cooperative agreement through a separate competition to support the grants authorized under this section (see note 80).

The Senate recedes.

82. TRAINING (INTERPRETERS)

The House bill amends the provision relating to interpreters by deleting the "Office of Information and Resources for Individuals with Disabilities" and inserting "Office of Deafness and Communicative Disorders".

The Senate recedes.

The Senate amendment amends the provision on interpreters to include services for individuals who are deaf-blind, to delete the limitation to 12 programs, and by striking the training requirement.

The House recedes.

83. TRAINING (COMPENSATION OF EXPERTS AND CONSULTANTS)

The Senate amendment, but not the House bill, amends the provision on compensation to delete "rehabilitation facilities" and insert "community rehabilitation programs" and to change the rate of compensation.

The House recedes.

84. TRAINING (INFORMATION AND TRAINING GRANTS)

The House bill, but not the Senate amendment, authorizes grants to provide training

to individuals with disabilities and their families to enable them to more effectively work with rehabilitation professionals. The paragraph includes program, application and administrative provisions.

The Senate recedes to the House with amendments placing this authority in title VIII, striking from (e)(1) the phrase "particularly those who are members of groups that have been traditionally underserved," with the phrase "particularly those who are members of populations that have been unserved or underserved by programs under this Act," striking subparagraph "(B)" and inserting "(B) be governed by a board of directors that includes professionals in the field of vocational rehabilitation or related fields and on which a majority of members are individuals with disabilities or parents, family members, guardians, or authorized representatives, of such individuals or, if the nonprofit does not have such a board, such an organization shall have a membership which represents the interests of individuals with disabilities, and shall establish a special governing committee to operate the training and information programs under this section, that includes professionals in the field of vocational rehabilitation or related fields and on which a majority of members are individuals with disabilities or parents, family members, guardians, or authorized representatives, of such individuals," and adding provisions in the Senate amendment regarding submission of applications (5)(B) and review (7) not in the House bill.

85. TRAINING (AUTHORIZATION OF APPROPRIATIONS)

The House recedes.

86. TRAINING (INSERVICE TRAINING SET-ASIDE)

The Senate amendment, but not the House bill, reserves not less than 20 percent of the funds appropriated for this section (except where this would lead to a decrease in funding for ongoing projects, in which case a lesser amount would be reserved) for recruitment and retention, leadership training, and succession planning and training on these amendments.

The House recedes to the Senate with an amendment (1) striking in (2)(A) "at least 20 percent" and all that follows through "including projects designed—" and inserting "at least 15 percent of the sums appropriated to carry out this section shall be allocated to designated State agencies to be used either directly or indirectly for projects for inservice training of rehabilitation personnel, including projects designed—". Nothing in this section prohibits other public and nonprofit entities from providing the inservice training.

87. INDIVIDUALS WITH DISABILITIES EDUCATION ACT (TRAINING)

The House bill, but not the Senate amendment, amends the Individuals With Disabilities Education Act to allow the training of regular classroom teachers who provide services to individuals who are deaf in meeting the needs of such individuals.

The House recedes.

88. TRAINING (TABLE OF CONTENTS)

Technical difference relating to the Table of Contents.

The House recedes.

89. COMMUNITY REHABILITATION PROGRAMS (REHABILITATION TECHNOLOGY)

Technical difference.

The House recedes.

90. COMMUNITY REHABILITATION PROGRAMS (WEEKLY ALLOWANCE)

Technical difference.

The Senate recedes.

91. COMMUNITY REHABILITATION PROGRAMS
(AMOUNT OF ALLOWANCE)

Technical difference.
The Senate recedes.

92. COMMUNITY REHABILITATION PROGRAMS
(GRANT RECIPIENTS)

Technical difference.
The Senate recedes.

93. LOAN GUARANTEES (TITLE)

Technical difference.
The Senate recedes.

94. COMMUNITY REHABILITATION PROGRAMS
(TABLE OF CONTENTS)

Technical difference relating to the Table of Contents.
The House recedes.

95. COMPREHENSIVE REHABILITATION CENTERS
(GENERAL)

The Senate amendment, but not the House bill, amends the provision on comprehensive rehabilitation centers by striking "facility" and inserting "center".
The House recedes.

96. COMPREHENSIVE REHABILITATION CENTERS
(AUTHORIZATION OF APPROPRIATIONS)

Technical difference on the drafting of the authorization of appropriations.
The House recedes.

97. SPECIAL PROJECTS AND SUPPLEMENTARY SERVICES
(AUTHORIZATION OF APPROPRIATIONS)

The House recedes.

98. SPECIAL DEMONSTRATIONS (UNSERVED AND UNDERSERVED)

The House bill, but not the Senate amendment, amends the special demonstration programs authority to include grants to expand and improve services to unserved or underserved populations, and to add career advancement.

The Senate recedes to the House with an amendment striking the phrase "blind or deaf individuals and individuals who are unserved or underserved by the vocational rehabilitation system" and substituting the phrase "individuals who are members of populations that are unserved or underserved by the programs under this Act, individuals who are blind, and individuals who are deaf".

99. SPECIAL DEMONSTRATIONS (CONSTRUCTION AND RENOVATION)

The Senate amendment, but not the House bill, amends the special demonstration programs authority to delete renovation and construction.

The House recedes.

100. SPECIAL DEMONSTRATIONS (CHOICE)

The House bill, but not the Senate amendment, authorizes grants to increase consumer control in the rehabilitation process, including selection of the providers of vocational rehabilitation services. Program and activity requirements are included, and administrative, application, funding and evaluation caveats are part of the provision.

The Senate recedes to the House with amendments placing this authority in title VIII, striking the word "control" wherever it appears and inserting the word "choice" and by striking the word "consumer" wherever it appears and inserting the word "client", in (7)(B) add the phrase "as defined in section 7(b) (A)" after "an individual with a disability", and in (8) add the phrase "the cost effectiveness of the project," after "implementation issues".

101. SPECIAL DEMONSTRATIONS
(TRANSPORTATION)

The House bill, but not the Senate amendment, requires the Commissioner to make

grants to fund projects to provide transportation services for eligible individuals. Eligibility requirements, and application and administrative caveats are included. Nothing in this provision is to be interpreted as limiting the rights or responsibilities under any other provision of this Act or the Americans With Disabilities Act of 1990, or any other provision of law.

The Senate recedes to the House with an amendment placing this authority in title VIII.

102. SPECIAL DEMONSTRATIONS (CASE CLOSURE)

The House bill, but not the Senate amendment, authorizes grants to develop alternatives to traditional case closure practice.

The Senate recedes to the House and the House recedes to the Senate with an amendment placing this authority in title VIII and with an amendment that reads: "The Commissioner shall make grants to public or nonprofit community rehabilitation programs, designated State units, and other public or nonprofit agencies and organizations to pay for the cost of developing special projects and demonstrations related to vocational rehabilitation outcomes. Such projects and demonstrations may include activities providing alternatives to case closure practice and identifying and implementing appropriate incentives to vocational rehabilitation counselors to achieve high quality placements for individuals with the most severe disabilities. Each recipient of such a grant shall (1) identify, develop, and test exemplary models that can be replicated; and (2) identify innovative methods, such as weighted case closures, to evaluate the performance of vocational rehabilitation counselors that in no way impede the accomplishment of the purposes and policy of serving, among others, those individuals with the most severe disabilities."

The Senate amendment, but not the House bill, authorizes grants to provide appropriate incentives to vocational rehabilitation counselors to achieve high quality placements.

The Senate recedes to the House and the House recedes to the Senate. See note 102.

103. SPECIAL DEMONSTRATIONS (APPROPRIATE INCENTIVES)

The House bill, but not the Senate amendment, amends the term referring to the Individuals with Disabilities Education Act. The Senate recedes.

104. SPECIAL DEMONSTRATIONS (YOUTHS WITH DISABILITIES)

The House bill, but not the Senate amendment, amends the term referring to the Individuals with Disabilities Education Act. The Senate recedes.

105. SPECIAL DEMONSTRATIONS (SUPPORTED EMPLOYMENT)

The Senate amendment, but not the House bill, amends the special projects relating to supported employment by deleting the terms "rehabilitation facilities" and "community based rehabilitation facilities" and inserting the term "community rehabilitation programs" both places.

The House recedes.

106. SPECIAL DEMONSTRATIONS (NATURAL SUPPORTS)

The House bill, but not the Senate amendment, amends the special projects relating to supported employment to add the effectiveness of natural supports to the activities involved.

The Senate recedes to the House with an amendment that moves this provision to section 31(d)(1)(A) and inserts the word "continuing".

107. SPECIAL DEMONSTRATIONS (SUPPORTED EMPLOYMENT PROJECTS FOR INDIVIDUALS WHO ARE LOW FUNCTIONING AND DEAF OR HARD-OF-HEARING)

The House bill, but not the Senate amendment, requires that no less than two grants

shall be made to serve low-functioning and hard-of-hearing individuals.

The Senate recedes.

108. SUPPORTED EMPLOYMENT (AUTHORIZATION OF APPROPRIATIONS)

The House recedes.

109. SPECIAL DEMONSTRATIONS (SERVICES FOR ADULTS WHO ARE DEAF)

The House bill, but not the Senate amendment, authorizes grants to provide a range of services (which must include educational and training services not otherwise available) to low-functioning adults who are deaf (including those with other disabling conditions).

The Senate recedes.

110. SPECIAL DEMONSTRATIONS (TRANSITIONAL PLANNING SERVICES)

The Senate amendment, but not the House bill, amends the transitional grant provision by striking the paragraph authorizing a separate grant to a predominantly rural western State.

The Senate recedes.

111. TRANSITIONAL PLANNING SERVICES
(AUTHORIZATION OF APPROPRIATIONS)

The House recedes.

112. SPECIAL DEMONSTRATIONS (EARLY INTERVENTION FOR ADULTS WITH CHRONIC, PROGRESSIVE DISEASE)

The House bill, but not the Senate amendment, adds an authority for grants to serve working adults who are recently determined as having a chronic and progressive disease which may be severely disabling. Grants shall be to facilitate job retention or entry into new careers and employment.

The Senate recedes to the House with an amendment placing this authority in title VIII.

113. SPECIAL DEMONSTRATIONS (DISTANCE LEARNING THROUGH TELECOMMUNICATIONS)

The House bill, but not the Senate amendment, requires the Commissioner to make at least three grants to institutions of higher education to form regional partnerships to provide inservice training through telecommunications. Application, grant, definitions, and administrative caveats are included.

The Senate recedes to the House with an amendment placing this authority in title VIII.

114. NATIONAL COMMISSION ON REHABILITATION SERVICES

The House bill, but not the Senate amendment, establishes a National Commission on Rehabilitation Services to study the nature, quality, and adequacy of vocational rehabilitation, independent living, supported employment, research, training, and other programs authorized under this Act. The Commission shall submit recommendations to the President and the Congress regarding revisions to the Act designed to further the employability, independence, and integration of persons with disabilities into the workplace and the community. The provision describes the duties and administrative provisions of the Commission, and sets forth provisions for the composition, the appointments (including the chairperson) and compensation of members and staff.

The Senate recedes to the House with amendments placing this authority in title VIII, striking the phrase "There is hereby established" in (k)(1) and inserting the phrase, "Subject to the availability of appropriations, there is hereby established", striking the word "eighteen" in (2)(A) and inserting the word "fifteen", by striking in (2)(B) the

word "six" each time it appears and inserting the word "five", and striking subparagraph (b)(A) and inserting a provision providing an honorarium and travel expenses for the members of the Commission.

115. MIGRATORY WORKERS (GRANT RECIPIENTS)

The Senate amendment, but not the House bill, amends the provision relating to migratory workers to allow grants to nonprofit agencies working in collaboration with the designated State agency.

The House recedes.

116. MIGRATORY WORKERS (AUTHORIZATION OF APPROPRIATIONS)

The House recedes.

117. SPECIAL RECREATIONAL PROGRAMS (FEDERAL SHARE)

Technical difference relating to the Federal share (see note 127).

The House recedes.

118. SPECIAL RECREATIONAL PROGRAMS (PARTICIPANTS)

The House bill, but not the Senate amendment, includes a change in terms.

The House recedes.

119. SPECIAL RECREATIONAL PROGRAMS (ACTIVITIES)

Technical difference.

The Senate recedes.

120. SPECIAL RECREATIONAL PROGRAMS (GRANT PERIOD)

The Senate amendment, but not the House bill, allows the Commissioner to waive the three year limitation on the special recreational programs.

The House recedes. The Conferees intend that the waiver provision, if exercised, would allow the entity to recomplete.

121. SPECIAL RECREATIONAL PROGRAMS (EVALUATION SYSTEM)

The House bill, but not the Senate amendment, requires development of an evaluation system within 180 days of enactment. The Senate recedes.

122. SPECIAL RECREATIONAL PROGRAMS (GRANTEE'S ANNUAL REPORT)

The House bill, but not the Senate amendment, requires an annual report from the grantee, making continuation of the grant contingent upon submission and evaluation.

The Senate recedes.

123. SPECIAL RECREATIONAL PROGRAMS (ASSURANCES)

Technical difference in drafting.

The Senate recedes.

124. SPECIAL RECREATIONAL PROGRAMS (DISSEMINATION)

The Senate amendment, but not the House bill, requires the application for a recreation grant to include a description of how the results of the project will be made generally available. Also, there are technical differences in the drafting of the provision requiring the submission of proof that the project will be continued after the cessation of Federal funding.

The House recedes.

125. SPECIAL RECREATIONAL PROGRAMS (COMMISSIONER'S ANNUAL REPORT)

The House bill, but not the Senate amendment, requires an annual report by the Commissioner.

The Senate recedes.

126. SPECIAL RECREATIONAL PROGRAMS (CONTINUATION OF SERVICES)

The House bill requires the grantee to maintain the same level of services in the second and third year of the project as provided in the first year.

The Senate amendment requires the grantee to provide "the same level of services over a 3 year project period".

The House recedes.

127. SPECIAL RECREATIONAL PROGRAMS (FEDERAL SHARE)

The House bill sets the Federal share in a project as 100 percent the first year, 75 percent the second year and 50 percent the third year.

The Senate amendment sets the Federal share in a project as 90 percent the first year, 75 percent the second year and 50 percent the third year.

The House recedes.

128. SPECIAL RECREATIONAL PROGRAMS (AUTHORIZATION OF APPROPRIATIONS)

The House recedes.

129. RESEARCH, TRAINING, AND DEMONSTRATION PROJECTS (AUTHORIZATION OF APPROPRIATIONS)

The House recedes.

130. DEMONSTRATION PROJECTS (CHOICE)

The Senate amendment, but not the House bill, authorizes in title VIII grants to States and public and nonprofit agencies and organizations to fund projects to increase client choice, including the choice of providers of vocational rehabilitation services (see note 100). Activities, application, administrative and evaluation caveats are included in the provision.

The Senate recedes.

131. DEMONSTRATION PROJECTS (TRANSITION)

The Senate amendment, but not the House bill, authorizes in title VIII grants to public and nonprofit agencies and organizations to fund projects to provide community based, coordinated services to facilitate transition of individuals with disabilities from rehabilitation hospital or nursing (or similar) programs to programs providing independent living services. Activities, application, evaluation, and administrative caveats are included in the provision.

The House recedes.

132. STUDIES, SPECIAL PROJECTS, AND DEMONSTRATION PROJECTS TO STUDY MANAGEMENT AND SERVICES DELIVERY

The Senate amendment, but not the House bill, authorizes in title VIII grants to study, or conduct projects related to, management or delivery systems under this Act.

The House recedes.

133. DEMONSTRATION PROJECTS (UPGRADE WORKER SKILLS)

The Senate amendment, but not the House bill, authorizes in title VIII grants to partnerships or consortia including private employers to upgrade workers skills to ensure that individuals with disabilities remain competitive in the work force. Period, application, activity, definition, and Federal share limitation caveats are included in the provision.

The Senate recedes.

134. TRAINING INITIATIVES

The Senate amendment, but not the House bill, authorizes in title VIII grants to meet unmet and emerging needs in the area of rehabilitation training. This would be done through the establishment and support of rehabilitation training projects in a wide range of areas and involving individuals who are entering the field(s) or who are upgrading or adding to current skills. Projects could be conducted by a broad range of methods. Application and administration caveats are included in the provision.

The Senate recedes.

135. INFORMATION AND TRAINING GRANTS

The Senate amendment, but not the House bill, authorizes in title VIII grants to provide

information and training to specified individuals to enable them to work more effectively with professionals in meeting their vocational rehabilitation needs (see note 84). Application, administrative, eligibility, consultation, review, and definition caveats are included in the provision.

The Senate recedes.

136. BRAILLE TRAINING GRANTS

The Senate amendment, but not the House bill, authorizes in title VIII grants to provide training to service providers in the use of Braille.

The House recedes to the Senate with an amendment striking the word "may" in the first sentence and inserting the word "shall."

137. RESEARCH INITIATIVES

The Senate amendment, but not the House bill, authorizes in title VIII additional research grants: 1) to establish a Rehabilitation Technology Research and Resource Center to conduct research in areas not otherwise covered under the Research provision of the Act but identified as emerging program trends and technologies, as identified through public and Rehabilitation Advisory Council input, 2) to establish model programs involving comprehensive, multi-disciplinary services similar to those authorized for individuals with spinal cord injuries, and 3) to establish model personal assistance and other programs.

The House recedes with an amendment deleting subparagraph (a)(2) relating to a Rehabilitation Technology Research and Resource Center.

138. SEPARATE BUDGET ACCOUNT

The Senate amendment, but not the House bill, establishes in title VIII a separate budget account for the purpose of accounting for appropriations and authorizations under this title.

The House recedes to the Senate with an amendment in the appropriate place of both sections 302 and 311 of title III that reads: "(1) Consistent with paragraph (2), and consistent with the general authority set forth in this section to fund special training initiatives, nothing in this Act shall be construed to prohibit the Commissioner from exercising authority under this title, or making available funds appropriated to carry out this title, to fund the special training initiatives described in section 803. (2) If the amount of funds appropriated for a fiscal year to carry out this section exceeds the amount of funds appropriated for the preceding fiscal year to carry out this section, adjusted by the percent by which the average of the estimated gross domestic product fixed-weight price index for that fiscal year differs from that estimated index for the preceding fiscal year, the amount of the excess shall be treated as if the excess were appropriated under title VIII." The amendment to section 311 is the same with the exception that the reference to "special training initiatives," is a reference to "special demonstration programs, projects, and activities."

NATIONAL COUNCIL ON DISABILITY

1. COMPOSITION OF THE COUNCIL

The House bill, but not the Senate amendment, specifies that the members of the Council shall be broadly representative of minority and other specified individuals and groups.

The Senate recedes.

2. PURPOSE

The Senate amendment, but not the House bill, rewrites the purpose section to make in

comport with the Americans with Disabilities Act.

The House recedes.

3. TERMS

(a) The Senate amendment, but not the House bill, modifies the provisions governing the appointment of the initial council.

The House recedes.

(b) Both the House bill and the Senate amendment provide for term limits. The House bill, but not the Senate amendment, specifies that members serving on the date of enactment of the Rehabilitation Act Amendments of 1992 may be reappointed for an additional term.

The House recedes to the Senate with an amendment specifying that no member of the Council may serve more than two consecutive full terms beginning on the date of initial service on the Council. The amendment also clarifies that the term "full term" means a term of three years and the term "date of initial service" means with respect to a member, the date on which the member is sworn in.

4. DUTIES OF THE COUNCIL

(a) Research

The House bill specifies that advice to National Institute on Disability Rehabilitation Research should be with respect to "policies and conduct"; the Senate amendment refers to "policies and administration."

The Senate recedes.

(b) *Interagency Disability Coordinating Council*

The House bill, but not the Senate amendment, specifies that the National Council should identify priorities for the Interagency Council.

The Senate recedes to the House with an amendment that adds the following paragraph: "(4) provide advice regarding priorities for the activities of the Interagency Disability Coordinating Council and review the recommendations of such Council for legislative and administrative changes to ensure that such recommendations are consistent with the purposes of the Council to promote the full integration, independence, and productivity of individuals with disabilities."

(c) *General policies and programs*

The Senate amendment, but not the House bill, inserts the phrase "policies, programs, practices, and procedures" instead of the phrase "all policies, programs, and activities."

The House recedes.

(d) *Facilitation of policies*

The Senate amendment, but not the House bill, strikes current law (section 40(a)(5)) and makes it more generic by assessing whether Federal policies and procedures facilitate or impede the promotion of policies articulated in the statement of purpose.

The House recedes.

(e) *Recommendations to policymakers*

With slightly different wording, the House bill and the Senate amendment specify the authority of the National Council to make recommendations to Federal officials.

The Senate recedes.

(f) *Americans With Disabilities Act Watch Centers*

The House bill, but not the Senate amendment, directs the Council to establish Americans With Disabilities Act Watch Centers.

The Senate recedes to the House with an amendment striking the phrase "establish and operate Americans with Disabilities Act Watch Centers".

(g) *Report of activities*

The House bill, but not the Senate amendment, requires an annual report describing

the activities and accomplishments of the Council.

The Senate recedes.

(h) *National disability policy progress report*

(i) With slightly different wording, the House bill and the Senate amendment direct the National Council to issue an annual report regarding the status of national disability policy in the country.

The Senate recedes.

(ii) The Senate amendment, but not the House bill, specifies that the report shall be referred to as "National Disability Policy: A Progress Report."

The House recedes.

(iii) The House bill specifies that the report must be submitted not later than October 31, 1993 and annually thereafter; the Senate amendment sets the date as October 30.

The Senate recedes.

(iv) The House bill refers to the Congress and the Senate amendment refers to the appropriate committees of the Congress.

The Senate recedes to the House with an amendment inserting in the first sentence of (b)(1) the phrase "the appropriate committees of" before "the Congress".

(v) In addition to the specific topics listed in the House bill, the Senate amendment includes training, prevention, and early intervention.

The House recedes.

(vi) The Senate amendment, but not the House bill, specifies that the National Council shall include in a report submitted not later than October 30, 1995, information about the implementation of the Rehabilitation Act Amendments of 1992.

The Senate recedes.

5. COMPENSATION OF MEMBERS

The House bill specifies level 4 of the Senior Executive Service as the appropriate reference for compensation of members; the Senate amendment references level V.

The Senate recedes.

6. COMPENSATION OF STAFF

(a) *Number of staff*

The Senate amendment, but not the House bill, lifts the cap on the number of staff.

The Senate recedes. The Conferees intend that funds made available under this title will not be used to permit the indiscriminate travel and attendance at international conferences held abroad. Therefore, the Conferees intend that only 1 member from the National Council may be designated to attend no more than two international disability conferences if the Board determines that these conferences are relevant in providing significant knowledge and information to directly affect disability policy in the United States.

(b) *Compensation*

The House bill specifies level 4 of the Senior Executive Service as the appropriate reference for compensation of temporary or intermittent staff; the Senate amendment references level V.

The Senate recedes.

7. USE OF PERSONNEL OF FEDERAL AGENCIES

The House bill, but not the Senate amendment, authorizes the National Council to use staff, information, and facilities from Federal agencies.

The Senate recedes.

PROVISIONS RELATED TO RIGHTS AND ADVOCACY

1. PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM

(a) *Location*

The House bill, but not the Senate amendment, moves the PAIR program from title VII of the Act to Title V.

The Senate recedes.

(b) *Purpose*

With slightly different wording, the House bill and the Senate amendment include a similar purpose statement for the PAIR program.

The Senate recedes. The Conferees intend that eligible persons for PAIR services include those persons who have experienced discrimination covered by the Americans with Disabilities Act.

(c) *System requirements*

(i) The House bill, but not the Senate amendment, specifies that an eligible system must submit an application when the grant is discretionary.

The Senate recedes to the House with an amendment striking the phrase "when the grant is discretionary" from subsection (b).

(ii) The House bill specifies that the eligible system must have in effect a system to protect and advocate for the rights of individuals with disabilities and have specified general authorities. The Senate bill specifies that the system must have the same general authorities, including access to records and program income, as are set forth in part C of the Developmental Disabilities Assistance and Bill of Rights Act.

The Senate recedes to the House and the House recedes to the Senate with an amendment blending the two provisions.

(iii) The House bill, but not the Senate amendment, specifies that the eligible system must provide information on and make referrals to programs addressing the needs of individuals with disabilities in the State.

The Senate recedes.

(iv) With slightly different wording, the House bill and the Senate amendment specify that an eligible system must develop a statement of objectives and priorities and establish a grievance procedure.

The Senate recedes.

(d) *Disclosure*

The House bill, but not the Senate amendment, includes limitations on the disclosure of the identity of personally identifiable information pertaining to individuals requesting assistance.

The Senate recedes.

(e) *Assurances*

With slightly different wording, the House bill and the Senate amendment, include a supplement, not supplant provision. The Senate amendment, but not the House bill, also authorizes the Commissioner to require additional assurances. See below under the definition of eligible system for the comparable provision in the House bill.

The Senate recedes to the House and the House recedes to the Senate with an amendment that moves this provision to the section on applications and specifies that the eligible system must provide assurances to the Secretary that funds made available under this section will be used to supplement and increase the level of funds that would otherwise be made available for the purpose for which Federal funds are provided and not to supplant such non-Federal funds.

(f) *Definition of eligible system*

With slightly different wording, the House bill and the Senate amendment include a definition of the term "eligible system."

The House recedes.

The House bill, but not the Senate amendment, specifies that the assurances provided by the Governor for part C of the Developmental Disabilities Assistance and Bill of Rights Act shall be the same for this section.

The House recedes.

The Senate amendment, but not the House bill, specifies that in order to be eligible, an entity must meet the requirements of section 734, as added by the Senate amendment. The House recedes.

(g) Nature of the program based on appropriation level

The House bill makes the program a competitive grant program when appropriations are less than \$10 million and a formula grant program when the appropriation is \$10 million or more. In both cases, the purpose is to develop outreach strategies and plan and implement programs. The Senate amendment establishes a formula grant program, regardless of the appropriation level, but specifies that when the appropriation is less than \$5.5 million, the responsibilities include planning, outreach, and carrying out the program.

The Senate recedes to the House with an amendment. The amendment includes the Senate trigger of \$5.5 million; the House policy of making the program competitive when the appropriation is less than \$5.5 million; and the Senate policy of making the program a formula grant when the appropriation level is at or exceeds \$5.5 million.

(h) State allotments when appropriations less than specified amount

The Senate amendment, but not the House bill, specifies that when the appropriations are less than \$5.5 million, each eligible system is entitled to an equal amount, subject to a limitation applicable to certain systems for fiscal year 1993. Territories are not eligible.

The Senate recedes. See (g) above.

(i) State allotments when appropriations equal or exceed a specified amount

The House bill specifies that when the appropriation equals or exceeds \$10 million, the funds shall be allotted among the States by formula on the basis of population, with a minimum allotment of \$100,000 or one-third of 1 percent, whichever is greater. Territories shall be allotted \$50,000. Minimum allotments may be increased in accordance with the policy set forth in section 142(b) (2) of the Developmental Disabilities Assistance and Bill of Rights Act.

The Senate amendment specifies that when the amount of appropriations equals or exceeds \$5.5 million, after making reservations for training and technical assistance, the Secretary may make allotments on the same basis as in the House bill (with slightly different phrasing).

The House recedes.

The Senate amendment, but not the House bill, includes a provision relating to reallocation.

The House recedes.

(j) Delegation

The Senate amendment, but not the House bill, authorizes the Secretary of Education to delegate the administration of the program to the Commissioner of the Administration on Developmental Disabilities within the Department of Health and Human Services.

The House recedes.

(k) Unobligated funds

The House bill, but not the Senate amendment, specifies that unobligated funds remain available for obligation for the next fiscal year.

The Senate recedes.

(l) Administrative costs

The House bill, but not the Senate amendment, specifies that a State may not use

more than 5 percent of any allotment for the cost of monitoring the administration of the system.

The Senate recedes.

(m) Reporting

The House bill, but not the Senate amendment, requires the submission of an annual report to Congress.

The Senate recedes.

(n) Authorization of appropriations

The House bill authorizes for appropriation \$1,109,600 for fiscal year 1993 and such sums thereafter. The Senate amendment specifies "such sums" fiscal years 1993-1997.

The House recedes.

(o) Reservation for training and technical assistance

The House amendment reserves 2 percent. The Senate amendment reserves between 1.8 and 2.2 percent.

The House recedes.

2. TITLE

Both the House bill and the Senate amendment change the name of the title to V. The Senate recedes.

3. EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES AT THE FEDERAL LEVEL (SECTION 501 OF THE ACT)

(a) Interagency Committee

With minor differences, both the House bill and the Senate amendment provide authority for the Joint chairmanship of the Interagency Committee.

The House recedes.

(b) Standards

The Senate amendment, but not the House bill, provides that the standards used for nonaffirmative action employment discrimination shall be the same standards used under the Americans with Disabilities Act.

The House recedes.

4. ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (SECTION 502 OF THE ACT)

(a) References

The Senate amendment, but not the House bill, provides for the Architectural and Transportation Barriers Compliance Board to be referred to as the "Access Board."

The House recedes.

(b) Members of the Board

With a minor drafting difference, both the House bill and the Senate amendment require that seven of the members of the Board will be persons with disabilities.

The Senate recedes.

(c) Staggered terms

With minor drafting differences, both the House bill and the Senate amendment provide for staggered terms for the Board.

The Senate recedes.

(d) Compensation level

The Senate amendment, but not the House bill, makes a technical change to paragraph (3) and to the compensation level in paragraph (5) (A).

The House recedes to the Senate with an amendment setting the compensation level at Senior Executive Service, Level IV.

(e) Functions of the Board

With minor drafting differences, both the House bill and the Senate amendment list the functions of the Board.

The Senate recedes.

(f) Interagency agreements

With minor drafting differences, both the House bill and the Senate amendment provide for interagency agreements. The Senate

amendment, but not the House bill, authorizes the Access Board to transfer funds to another entity for technical assistance.

The House recedes.

(g) Compensation of experts

The Senate amendment, but not the House bill, provides a technical change in the level of compensation for experts and consultants of the Board.

The House recedes to the Senate with an amendment setting the compensation level at Senior Executive Service, Level IV.

(h) Reporting

With minor drafting differences, both the House bill and the Senate amendment provide for reports from the Board to the Congress.

The Senate recedes.

(i) Gifts etc.

With minor drafting differences, both the House bill and the Senate amendment specify that the Board will publish regulations regarding gifts, etc. and the appearance of a conflict of interest.

The Senate recedes with a technical amendment.

(j) Authorization of appropriations

With minor drafting differences both the House bill and the Senate amendment authorize such sums not to exceed \$3,000,000 for fiscal years 1993 through 1997.

The Senate recedes to the House and the House recedes to the Senate with an amendment. Section 502(i) is amended by striking "fiscal years 1987 through 1992," and all that follows in current law (including the \$3.5 million ceiling) and inserting "fiscal years 1993 through 1997."

5. EMPLOYMENT UNDER FEDERAL CONTRACT (SECTION 503 OF THE ACT)

(a) Trigger

The Senate amendment, but not the House bill, increases the trigger for section 503 from \$2,500 to \$10,000.

The House recedes.

(b) Scope of provision

The Senate amendment, but not the House bill, strikes the phrase "in employing persons to carry out such contract" from section 503(a).

The House recedes.

(c) Waiver

The Senate amendment, but not the House bill, specifies that the Secretary of Labor may waive the requirements of the affirmative action clause under certain circumstances.

The House recedes.

(d) Standards and procedures

The Senate amendment, but not the House bill, specifies that the standards used to determine nonaffirmative action employment discrimination shall be the same standards used under the Americans with Disabilities Act. The Senate amendment also directs the Secretary to develop coordination procedures.

The House recedes.

6. NONDISCRIMINATION UNDER FEDERAL GRANTS AND PROGRAMS (SECTION 504 OF THE ACT)

The Senate amendment, but not the House bill, specifies that the standards used to determine whether section 504 has been violated in a complaint alleging employment discrimination shall be the same standards applied under the Americans with Disabilities Act. The House recedes.

7. SECRETARIAL RESPONSIBILITIES (SECTION 506 OF THE ACT)

The Senate amendment, but not the House bill, makes several technical amendments.

The House recedes.

8. INTERAGENCY COORDINATING COUNCIL
(SECTION 501 OF THE ACT)

The House bill, but not the Senate amendment, includes several changes to the Interagency Coordinating Council.

(a) The Council shall be under the direction of the National Council on Disability.

The Senate recedes with an amendment striking the phrase " , under the direction of the National Council on Disability " .

(b) Additional members are specified.

The Senate recedes.

(c) Functions are expanded to include: developing and implementing agreements regarding the promotion of coordination in all activities of Federal entities to achieve the full integration, independence, and productivity of individuals with disabilities and carrying out studies and other activities as directed by the National Council on Disability.

The Senate recedes to the House with an amendment striking the phrase " , as directed by the National Council on Disability " and inserting " , with advice from the National Council on Disability " .

(d) The House bill, but not the Senate amendment, specifies that the report must include activities regarding promoting and meeting the employment needs of individuals with disabilities. The Report should include comments submitted by the National Council on Disability.

The Senate recedes.

9. ELECTRONIC AND INFORMATION TECHNOLOGY ACCESSIBILITY GUIDELINES (SECTION 502 OF THE ACT)

(a) Title

The Senate amendment, but not the House bill, amends the title of the section to read " "Electronic and Information Technology Accessibility Guidelines. " "

The House recedes.

(b) Standards

With slightly different wording, the House bill and the Senate amendment specify the standards.

The House recedes.

EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES

1. TITLE

Technical Difference—The House bill title is singular and the Senate amendment title is plural. The House bill but not the Senate amendment has a Subtitle A, Community Service Pilot Program.

The Senate recedes.

2. SHORT TITLE

The House bill but not the Senate amendment strikes "handicaps" and inserts "disabilities".

The Senate recedes.

3. PILOT PROGRAMS (ELIGIBILITY)

Technical difference.

The House recedes.

4. PILOT PROGRAMS (COSTS)

The Senate amendment but not the House bill strikes "attendant care" and inserts "personal assistance services".

The House recedes.

5. PILOT PROGRAMS (INCOME EXCEPTION)

The Senate amendment but not the House bill strikes "attendant care" and inserts "personal assistance services".

The House recedes.

6. PILOT PROGRAMS (ATTENDANT CARE DEFINITION)

The House bill but not the Senate amendment strikes the term "mentally retarded"

and inserts "other individuals with a severe disability" in the definition of attendant care. The Senate amendment strikes the entire definition of attendant care.

The House recedes.

7. PILOT PROGRAM (AUTHORIZATION OF APPROPRIATIONS)

The House bill extends the authorization from fiscal years 1994 through 1997 and the Senate amendment extends the authorization from fiscal years 1993 through 1997.

The House recedes.

8. PROJECTS WITH INDUSTRY (GENERAL)

The House bill but not the Senate amendment makes this a Subtitle B, Projects with Industry.

The Senate recedes.

9. PROJECTS WITH INDUSTRY (PURPOSE)

The Senate amendment rewrites the purpose while the House bill only adds career opportunities to the purpose.

The House recedes to the Senate with an amendment adding the phrase "and career" after the word "job" the first three times it appears, and adding the phrase "and career advancement" after the phrase "Job placements".

10. PROJECTS WITH INDUSTRY (GRANTEES)

The Senate amendment but not the House bill adds Indian tribes and tribal organizations to the list of entities that can jointly establish a project.

The House recedes to the Senate with an amendment adding the phrase "and career" after the word "job" wherever it appears.

11. PROJECTS WITH INDUSTRY (REQUIREMENTS)

The House bill but not the Senate amendment adds career, career opportunities and career advancement to the project requirements.

The Senate recedes.

12. PROJECTS WITH INDUSTRY (BUSINESS ADVISORY COUNCILS)

The Senate amendment but not the House bill adds individuals with disabilities to the business advisory council.

The House recedes to the Senate with an amendment adding the phrase "and career" after the word "job" each time it appears and the phrase "and careers" after the word "jobs" each time it appears.

13. PROJECTS WITH INDUSTRY (TRAINING PROGRAMS)

The Senate amendment but not the House bill prescribes training programs designed to develop job skills appropriate for individuals with disabilities.

The House recedes to the Senate with an amendment adding the phrase "and career" after the word "job" each time it appears and the phrase "and careers" after the word "jobs" each time it appears.

14. PROJECTS WITH INDUSTRY (TRAINING IN WORK SETTINGS)

Technical difference.

The House recedes to the Senate with an amendment adding the phrase "and career advancement" after the word "employment" and after the phrase "job placement".

15. PROJECTS WITH INDUSTRY (REHABILITATION TECHNOLOGY)

The Senate amendment but not the House bill provides for the distribution of rehabilitation technology and strikes "special aids, appliances, or adapted equipment".

The House recedes.

16. PROJECTS WITH INDUSTRY (MODIFICATION OF FACILITIES)

Technical difference.

The House recedes.

17. PROJECTS WITH INDUSTRY (SUPPORT SERVICES)

Technical difference.

The House recedes to the Senate with an amendment adding the phrase "and career advancement" after the word "employment".

18. PROJECTS WITH INDUSTRY (ELIGIBILITY)

The Senate amendment but not the House bill states the requirements for eligibility to receive services under this program, requires the grant recipient to make eligibility determinations, and gives a 60 day time limit for the State unit to determine if eligibility is inappropriate.

The House recedes.

19. PROJECTS WITH INDUSTRY (GRANT AGREEMENTS GENERALLY)

The Senate amendment but not the House bill requires the Commissioner to enter into agreements with the grant recipients.

The House recedes.

20. PROJECTS WITH INDUSTRY (GRANT AGREEMENT REQUIREMENTS)

The Senate amendment but not the House bill requires the agreement to include a description to annually conduct a review and evaluation of the project in accordance with the standards developed by the Commissioner.

The House recedes.

21. PROJECTS WITH INDUSTRY DATA (NUMBER SERVED)

Technical difference.

The House recedes.

22. PROJECTS WITH INDUSTRY DATA (SERVICES PROVIDED)

Technical difference.

The House recedes.

23. PROJECTS WITH INDUSTRY DATA (PERCENTAGE OF RESOURCES)

Technical difference.

The House recedes.

24. PROJECTS WITH INDUSTRY DATA (OUTCOMES)

Technical difference.

The House recedes.

25. PROJECTS WITH INDUSTRY DATA (CAPACITY BUILDING)

The Senate amendment but not the House bill adds business and industry to the list of organizations for capacity building activities.

The House recedes.

26. PROJECTS WITH INDUSTRY DATA (COMPARISON WITH PRIOR YEARS)

Technical difference.

The House recedes.

27. PROJECTS WITH INDUSTRY DATA (PLACEMENTS TERMINATED)

The Senate amendment but not the House bill requires the review and evaluation to collect data on the number of project participants terminated from project placements and the duration of such placement.

The House recedes.

28. PROJECTS WITH INDUSTRY (TECHNICAL ASSISTANCE TO EMPLOYERS)

The Senate amendment but not the House bill allows the grant recipient the authority to provide technical assistance to assist employers in hiring individuals with disabilities, improve relationships between grant recipients and employers or organized labor, or assist employers in understanding the ADA as it relates to employment. See note 49.

The House recedes.

29. PROJECTS WITH INDUSTRY ASSURANCES (MINIMUM WAGE)
 Technical difference.
 The House recedes.

30. PROJECTS WITH INDUSTRY ASSURANCES (TERMINATIONS)
 The Senate amendment but not the House bill strikes section 621(b)(2).
 The House recedes.

31. PROJECTS WITH INDUSTRY ASSURANCES (BENEFITS)
 Technical difference.
 The House recedes.

32. PROJECTS WITH INDUSTRY ASSURANCES (BENEFITS)
 The Senate amendment but not the House bill requires that terms and benefits afforded to an individual with a disability be equal to those afforded to similarly situated coworkers of the individual.
 The House recedes.

33. PROJECTS WITH INDUSTRY ASSURANCES (SEGREGATION)
 Technical difference.
 The House recedes.

34. PROJECTS WITH INDUSTRY (ANNUAL EVALUATION REPORT)
 The Senate amendment but not the House bill requires that an annual evaluation report be submitted to the Commissioner.
 The House recedes.

35. PROJECTS WITH INDUSTRY (EVALUATION STANDARDS AND INDICATORS)
 Both the House bill and the Senate amendment strike 621(d)(1) and insert changes. The House bill requires each recipient to review and evaluate its project in accordance with the standards and indicators developed by the Commissioner and requires the Commissioner to revise the standards as necessary. The Senate amendment requires the Commissioner to develop standards for evaluation and requires the Commissioner to review and revise the evaluation standards as necessary.
 The House recedes.

36. PROJECTS WITH INDUSTRY (REVISION OF STANDARDS)
 The House bill requires that if the standards and indicators are revised, the Commissioner shall obtain and consider recommendations for such modifications from State Vocational Rehabilitation agencies, current recipients of agreements, individuals assisted by such recipients, professional organizations representing industry, organizations representing individuals with a disability and labor organizations. The Senate amendment requires that in revising the standards and evaluation, the Commissioner shall obtain and consider recommendations for such standards from the same organizations listed in the House bill with the addition of former grant recipients, professional organizations representing business and industry, individuals served by grant recipients, and organizations representing community rehabilitation program providers.
 The House recedes.

37. PROJECTS WITH INDUSTRY (GRANT RENEWAL)
 The Senate amendment but not the House bill allows renewal of a grant and requires the grant recipient to submit an application to the Commissioner in order to be eligible to receive a grant.
 The House recedes.

38. PROJECTS WITH INDUSTRY (PROJECT DISTRIBUTION)
 The Senate amendment but not the House bill requires the Commissioner, to the extent

practicable, to assure an equitable distribution of payments among the States and new projects shall be awarded that will serve individuals with disabilities that are not currently served or are underserved by project.
 The House recedes.

39. PROJECTS WITH INDUSTRY (ANNUAL REPORT REVIEW)
 The Senate amendment but not the House bill requires the Commissioner to review each annual evaluation report and using the indicators determine whether the grant should be terminated, modified, or renewed.
 The Senate recedes.

40. PROJECTS WITH INDUSTRY (CONTINUANCE OF GRANTS)
 The House bill but not the Senate amendment requires the Commissioner to use program evaluation standards to assess project performance in order to award continuance grants in the 3rd, 4th, and 5th years and requires an equitable distribution among States to the extent practicable. The House bill requires that the grantee be in compliance with the evaluation standards under section 621(d)(1) and that each fiscal year the Commissioner shall include an analysis of grantees who have complied with the evaluation standards in the annual report to Congress.
 The Senate recedes.

41. PROJECTS WITH INDUSTRY (REVIEW PROCESS)
 The Senate amendment but not the House bill requires that indicators of what constitutes minimum compliance consistent with the evaluation standards be published in the Federal Register; requires each grant recipient to report to the Commissioner the extent to which they are in compliance with the evaluation standards; requires the Commissioner annually to conduct on-site reviews of at least 15 percent of the grant recipients selected at random; requires the Commissioner to use the indicators in determining compliance with the evaluation standards; outlines who is on the team to conduct the review and states conflict of interest language; requires the Commissioner in the annual report to Congress to analyze the extent to which the grant recipient is in compliance with the evaluation standards, allows the Commissioner to identify the grant recipients in the analysis, and requires the Commissioner to report the results of the on-site compliance reviews; authorizes the Commissioner to provide technical assistance to projects for the improvement or development of relationships with private industry or labor or the improvement of relationships with State Vocational Rehabilitation agencies and for planning the development of new projects.
 The House recedes.

42. PROJECTS WITH INDUSTRY (DEFINITIONS)
 The House bill strikes section 621(h). The Senate amendment amends section 621(h) to define the terms "agreement", "project", "grant recipient" and "workers with disabilities".
 The House recedes to the Senate with an amendment striking definition "(4)" pertaining to "workers with disabilities".

43. JOB UPGRADE DEMONSTRATION PROJECTS
 The House bill but not the Senate amendment authorizes the Commissioner to make grants to partnerships or consortia that include private business concerns or industries to develop model demonstration projects for workers with a disability who need new or upgraded skills to adapt to emerging technologies, work methods, and markets to ensure that such individuals possess the knowl-

edge and skills necessary to compete in the work place. Outlines the length of the award and what information must be included in an application to receive an award.
 The Senate recedes to the House with amendments placing this authority in title VIII and adding the phrase "and career advancement" after the word "employment" in section 621(d)(2) of the House bill.

44. BUSINESS OPPORTUNITIES (PLACEMENT)
 The House bill but not the Senate bill creates Part D, Business Opportunities for Individuals with a Disability by redesignating section 622 as section 641.
 The Senate recedes.

45. BUSINESS OPPORTUNITIES (HEADING)
 Technical difference.
 The Senate recedes.

46. BUSINESS OPPORTUNITIES (TABLE OF CONTENTS)
 The House bill but not the Senate amendment updates the table of contents to reflect the change made in note 44.
 The Senate recedes.

47. PROJECTS WITH INDUSTRY (AUTHORIZATION OF APPROPRIATIONS)
 The House bill authorizes \$21,042,000 for fiscal year 1993 and such sums for fiscal years 1994 through 1997 and the Senate amendment authorizes such sums for fiscal years 1993 through 1997.
 The House recedes.

48. BUSINESS OPPORTUNITIES (AUTHORIZATION OF APPROPRIATIONS)
 The House bill but not the Senate amendment authorizes such sums for fiscal years 1993 through 1997 to carry out Part D, Business Opportunities for Individuals with a Disability.
 The Senate recedes.

49. TECHNICAL ASSISTANCE TO EMPLOYERS
 The House bill but not the Senate amendment authorizes the Commissioner to enter into agreements with organizations representing individual employers, rehabilitation service providers, labor unions, and business or industry to provide technical assistance to assist employers in hiring individuals with a disability, improve or develop relationships between current or prospective projects with industry and employers and/or labor or assist employers in understanding and meeting the requirements of the Americans with Disabilities Act as it relates to employment. See note 22.
 The House recedes.

50. TECHNICAL ASSISTANCE TO EMPLOYERS (TABLE OF CONTENTS)
 The House bill but not the Senate amendment updates the table of contents to reflect changes made by note 49.
 The House recedes.

51. SUPPORTED EMPLOYMENT (GENERAL)
 Technical difference.
 The House recedes.

52. SUPPORTED EMPLOYMENT (PURPOSE)
 Both the House bill and the Senate amendment make amendments to the purpose. The House bill strikes "traditionally time-limited post-employment services leading to supported employment for individuals with severe disabilities" and inserts "for the provision of services leading to supported employment for individuals with a severe disability in the most integrated settings." The Senate amendment rewrites the purpose emphasizing that entities provide supported employment services for those individuals with the most severe disabilities who require supported employment services to enter or retain competitive.

The House recedes.

53. SUPPORTED EMPLOYMENT (FORMULA)

The Senate amendment but not the House bill has a formula that no State can receive less than \$250,000 or one third of 1 percent of the sums appropriated for the fiscal year for which the allotment is made whichever is greater and for a fiscal year in which the amounts appropriated under this part exceed by not less than \$1 million the appropriations made to carry out this part in fiscal year 1992, no State shall receive less than \$300,000 or one third of 1 percent of the sums appropriated for the fiscal year for which the allotment is made, whichever is greater.

The House recedes to the Senate with an amendment clarifying the formula.

54. SUPPORTED EMPLOYMENT (STATE DEFINITION)

The Senate amendment but not the House bill defines what is not a State which includes Guam, American Samoa, the Virgin Islands, the Federated States of Micronesia, the Republic of Palau, and the Commonwealth of the Northern Mariana Islands and sets a minimum allotment for these entities not less than one-eighth of 1 percent except for Palau which shall be allotted not less than one eighth of 1 percent for the fiscal year, pending ratification of the Compact of Free Association. The House bill only makes a technical change from "the jurisdictions" to "each jurisdiction".

The Senate recedes.

55. SUPPORTED EMPLOYMENT (PLANNING GRANTS)

The House bill but not the Senate amendment retains current law allowing grants under this part to be used for planning activities for not more than 18 months and not to exceed \$250,000.

The House recedes.

56. SUPPORTED EMPLOYMENT (FUNDS FOR EXTENDED SERVICES)

The Senate amendment but not the House bill provides that funds under this part may only be used to provide supported employment services to those individuals eligible to receive such services and that no funds provided by this part, title I or section 311(c) or 311(d) may be used to provide extended services to individuals who are eligible for services under this part or Title I.

The House recedes.

57. SUPPORTED EMPLOYMENT (ELIGIBILITY)

The Senate amendment but not the House bill prescribes the eligibility for this part to be an individual who is eligible for vocational rehabilitation services; and an individual is determined to be an individual with the most severe disabilities; and a comprehensive assessment of rehabilitation needs of the individual identifies supported employment as the appropriate rehabilitation objective for this individual.

The House recedes.

58. SUPPORTED EMPLOYMENT (STATE PLAN SUPPLEMENT)

The Senate amendment but not the House bill strikes the requirement that the State plan supplement for this part be for a three year period. Both the House bill and the Senate amendment strike language regarding traditionally time-limited postemployment services leading to supported employment. The House bill inserts "services authorized under this part" and the Senate amendment rewrites to emphasize supported employment services authorized under this Act to individuals who are eligible.

The House recedes.

59. SUPPORTED EMPLOYMENT (STATEWIDE ASSESSMENT)

The Senate amendment but not the House bill requires the plan to summarize the results of the comprehensive, statewide assessment of the rehabilitation needs of individuals with severe disabilities conducted under section 101(a)(5) of their amendment with respect to the need for supported employment services.

The House recedes to the Senate with an amendment inserting in (b)(2) the phrase "and career" after the phrase "assessment of the rehabilitation".

60. SUPPORTED EMPLOYMENT (DESCRIPTION OF SERVICES)

Technical difference.

The House recedes.

61. SUPPORTED EMPLOYMENT (COOPERATIVE AGREEMENTS)

The House bill requires that each designated State unit enter into cooperative agreements which demonstrate the capacity of the State to ensure collaboration by and funding from other State agencies and private nonprofit organizations to assist in the provision of supported employment services. The Senate amendment requires the supplement plan to demonstrate evidence of efforts to identify and make arrangements with other State agencies and other appropriate entities to assist in the provision of supported employment services.

The Senate recedes to the House and the House recedes to the Senate with an amendment inserting after the phrase "make arrangements" the phrase "(including entering into cooperative agreements)".

62. SUPPORTED EMPLOYMENT (IDENTIFICATION OF EXTENDED SERVICES)

The Senate amendment but not the House bill requires the State supplement plan to demonstrate evidence of efforts to identify and make arrangements with other public or nonprofit agencies within the State, employers, natural supports, and other entities to provide extended services.

The House recedes.

63. SUPPORTED EMPLOYMENT (TITLE I FUNDED SERVICES)

The Senate amendment but not the House bill requires assurances that funds under this part will only be used to provide supported employment services authorized under this Act to individuals who are eligible under this part to receive such services; that the comprehensive assessments conducted under section 102(b)(1)(A) of the Senate amendment will include consideration of supported employment as an appropriate rehabilitation objective; that the IWRP will be developed and updated using funds under Title I to specify the supported employment services to be provided, specify the extended services needed, and identify the source of extended employment services or if that cannot be done at the time of development of the IWRP, a statement describing that there is a reasonable expectation that such sources will become available; the State will use funds under this part to supplement, not supplant funds provided under Title I in providing supported employment services; job skills training will be provided on-site.

The House recedes.

64. SUPPORTED EMPLOYMENT (SERVICES)

The House bill but not the Senate amendment strikes "traditionally time-limited post-employment services leading to supported employment" and inserts "services authorized under this part." The House recedes.

64. SUPPORTED EMPLOYMENT (COORDINATION OF SERVICES)

The House bill makes a technical change in the reference to the Individuals with Disabilities Education Act. The Senate amendment requires that services provided under an IWRP will be coordinated with services provided by other individualized plans established under other State and Federal laws.

The House recedes.

65. SUPPORTED EMPLOYMENT (ADMINISTRATIVE COSTS)

Technical difference.

The House recedes.

66. SUPPORTED EMPLOYMENT (OTHER INFORMATION)

Technical difference.

The House recedes.

67. SUPPORTED EMPLOYMENT (CAREER ADVANCEMENT)

The House bill but not the Senate amendment strikes "rehabilitation potential" and inserts "rehabilitation and career needs", adds "advance" in employment and strikes "rehabilitation potential" and inserts "rehabilitation needs".

The House recedes.

68. SUPPORTED EMPLOYMENT (ON-GOING SUPPORT SERVICES)

The House bill but not the Senate amendment limits on-going support services to a period of time prescribed by the Commissioner; authorizes extended on-going support services to be provided by other State agencies and private organizations or any other available source but stipulates that nothing in this section shall preclude an individual from again receiving post-employment services after the receipt of extended supported employment services.

The House recedes.

69. SUPPORTED EMPLOYMENT (DATA COLLECTION)

Technical difference.

The House recedes.

70. SUPPORTED EMPLOYMENT (SAVINGS PROVISION)

The House bill but not the Senate amendment strikes "Act" and inserts "part" and strikes "time-limited post-employment services leading to supported employment" and inserts "providing supported employment services." The Senate amendment rewrites this provision emphasizing that nothing shall prohibit a State from providing supported employment services in accordance with the State plan submitted under section 101 by using funds made available through a State allotment under section 110.

The House recedes.

71. SUPPORTED EMPLOYMENT (POST-EMPLOYMENT SERVICES)

The Senate amendment but not the House bill provides that nothing in this part shall prohibit a State from providing discrete post-employment services in accordance with the State plan under section 101 using funds through a State allotment under section 110 to an individual who is eligible under this part.

The House recedes.

72. SUPPORTED EMPLOYMENT (AUTHORIZATION OF APPROPRIATIONS)

The House bill authorizes \$32,059,000 for fiscal year 1993 and such sums for fiscal years 1994 through 1997. The Senate amendment authorizes such sums for fiscal years 1993 through 1997.

The House recedes.

73. SUPPORTED EMPLOYMENT (TABLE OF CONTENTS)

The Senate amendment but not the House bill makes changes in the table of contents for Part C, Supported Employment.

The House recedes.

COMPREHENSIVE SERVICES FOR INDEPENDENT LIVING

1. TITLE

The House bill retains the current title for the part: "Comprehensive Services for Independent Living." The Senate amendment changes the title to: "Centers for Independent Living and Independent Living Services."

The House recedes to the Senate with an amendment changing the title of title VII to "Independent Living Services and Centers for Independent Living".

2. PURPOSE

(a) With minor drafting differences, both the House bill and the Senate amendment reverse the purpose section for title VII.

The House recedes.

(b) The House bill and the Senate amendment reverse the order of the first two activities.

The Senate recedes.

(c) The House bill refers to "linkages" and includes a reference to linkages between State independent living rehabilitation service programs. The Senate amendment refers to "working relationships among" various entities.

The Senate recedes to the House with an amendment striking the words "linkages between" and inserting "working relationships".

3. DEFINITIONS

(a) Consumer control

With a minor drafting difference, both the House bill and the Senate amendment define "consumer control".

The House recedes.

(b) Designated State unit

The House bill, but not the Senate amendment, defines "designated State unit" for the purpose of title VII.

The Senate recedes.

(c) Independent living services

(i) Both the House bill and the Senate amendment define independent living services (definition in the Senate amendment is set out in the general definition section).

The House recedes.

(ii) The House bill defines independent living services that are required and then includes those services that are permissive. The Senate amendment uses the term "independent living core services" for those services that are required and "independent living services" for those services that are permissive.

The House recedes.

(iii) The House bill includes "training" in individual and system advocacy as a mandatory service; the Senate amendment refers to "individual and systems advocacy."

The House recedes.

(iv) The House bill, but not the Senate amendment, includes a reference to "community group living."

The Senate recedes.

(v) The Senate amendment, but not the House bill, includes training and reference to life skills training under services for those with cognitive and sensory impairments.

The House recedes.

(vi) The Senate amendment includes "personal assistance services." The House amendment includes "personal assistance services, including attendant care."

The Senate recedes.

(vii) The House bill, but not the Senate amendment, includes surveys, directories, and other activities to identify appropriate housing, recreation opportunities, and accessible transportation, and other support services.

The Senate recedes.

(viii) The House bill, but not the Senate amendment, includes consumer information programs on rehabilitation and independent living services available under this Act, especially for minorities and other individuals with a disability who have been traditionally underserved.

The Senate recedes.

(ix) The House bill, but not the Senate amendment, includes education and training necessary for living in the community and participating in community activities.

The Senate recedes.

(x) The House bill, but not the Senate amendment, includes appropriate job placement.

The House recedes.

(xi) The Senate amendment, but not the House bill, includes reference to supported living.

The House recedes.

(xii) The Senate amendment includes reference to transportation. The House bill includes reference to transportation, including referral and assistance for such transportation.

The Senate recedes.

(xiii) The Senate amendment includes "prostheses"; the House bill includes "needed prostheses".

The Senate recedes.

(xiv) The Senate amendment, but not the House bill, includes "health maintenance."

The Senate recedes.

(xv) The House bill, but not the Senate amendment, includes skills specifically designed for youths with a disability to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options.

The Senate recedes.

(xvi) The Senate amendment includes reference to "services for children." The House bill includes "services for children, including physical therapy, development of language and communications skills, and child development services."

The House recedes.

(xvii) The House bill, but not the Senate amendment, includes services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance of substantial benefit in enhancing the independence, productivity and quality of life of individuals with a disability.

The Senate recedes.

(xviii) The House bill, but not the Senate amendment, includes community awareness programs to enhance the understanding and integration of individuals with a disability.

The Senate recedes.

4. ELIGIBILITY FOR SERVICES

The House bill includes a separate section specifying who is eligible for services under this section, generally restating the definition of "an individual with a severe disability" set out in the general definitions section. The Senate amendment relies on the definition of the term "individual with a severe disability" and specifies eligibility as subsection (c) of the State plan. The House amendment includes a comparable subsection in the State plan.

The Senate recedes to the House with an amendment striking the phrase "individual

with a severe disability" and inserting "services may be provided under this chapter to any individual with a severe disability, as defined in section 7(15)(B)."

5. STATE PLAN

(a) Requirement to submit plan

The House bill entitles the subsection "IN GENERAL." The Senate amendment uses the title "ELIGIBILITY."

The Senate recedes.

(b) Joint development and submission

(i) The House bill entitles this subsection "JOINT DEVELOPMENT". The Senate amendment entitles this subsection "SUBMISSION."

The Senate recedes.

(ii) The House bill refers to "Jointly developed and signed." The Senate amendment refers to "Jointly signed."

The Senate recedes.

(c) Periodic review and revision

(i) The House bill entitles this subsection "PERIODIC REVIEW AND REVISION." The Senate amendment entitles this subsection "REVIEW AND REVISION."

The Senate recedes.

(ii) The House bill and the Senate amendment reverse the order regarding the needs in the State.

The Senate recedes.

(iii) The House bill uses the phrase "linkages"; the Senate amendment uses the phrase "working relationships."

The House recedes.

(d) Date of submission, statewide council, designated State unit, objectives

With slightly different wording, both the House bill and the Senate amendment include the above topics in the State plan.

The House recedes.

(e) Independent living services, eligibility

With slightly different wording, both the House bill and the Senate amendment provide for an independent living plan for services under title VII except in certain cases.

(i) The Senate amendment requires that the individual sign a waiver stating that the plan is unnecessary; the House bill allows for the determination by the individual that the plan is unnecessary.

The House recedes.

(ii) The House bill provides for the plan to be agreed upon between the individual and the State and/or services providers; the Senate amendment provides for the agreement with an appropriate staff member of the services provider.

The House recedes.

(f) Scope of services

With slightly different language, both the House bill and the Senate amendment provide for the scope of services. The House bill adds that any arrangements made through grant or contract for providing services must be described in the State plan.

The House recedes to the Senate with an amendment adding at the end of (f): "If the State makes arrangements by grant or contract, for providing such services, such arrangements shall be described in the plan."

(g) Statewide network, award of grants to centers

With slightly different wording, the House bill and the Senate amendment include the above topics in the State plan.

The House recedes.

(h) Cooperation and coordination

(i) With regard to the coordination with other entities, the House bill includes the independent living rehabilitation service programs.

The Senate recedes.
(II) The Senate amendment refers to "working relationships," while the House bill references "linkages."

The House recedes.

(III) In terms of coordination between independent living services and centers, the House bill adds that this is in order to avoid unnecessary duplication with other Federal, State, and local programs.

The Senate recedes.

(f) *Outreach*

The House bill, but not the Senate amendment includes "Minorities and urban and rural areas" as illustrations of unserved and underserved populations.

The Senate recedes.

(g) *Assurances*

With slightly different wording, both the House bill and the Senate amendment specify assurances that must be made.

(i) The Senate amendment, but not the House bill, specifies that recipients of assistance under this title shall take affirmative action to employ qualified individuals with disabilities.

The House recedes.

(ii) The House bill, but not the Senate amendment, specifies that the entity must submit such reports with respect to such records as the Commissioner determines to be appropriate.

The Senate recedes.

(iii) The Senate amendment includes as an assurance that the applicant must hold public hearings. The House bill includes this provision as a separate provision in the State plan.

The House recedes.

(k) *Administrative costs*

The Senate amendment, but not the House bill, requires an assurance that no more than 5 percent of the funds available under this title will be used for administrative costs.

The Senate recedes.

8. INDEPENDENT LIVING COUNCIL

(a) *Establishment*

With slightly different wording, the House bill and the Senate amendment provide for the establishment of Statewide Independent Living Councils. The House bill stipulates that funds under this title shall pay for the Council. See note 8(c) for Senate provision.

The House recedes.

(b) *Appointments*

(i) With slightly different wording, the House bill and the Senate amendment provide for the appointment of members within 90 days.

The House recedes.

(ii) The House bill specifies that the members will be appointed from organizations representing a broad range of individuals with disabilities; the Senate amendment specifies that the members will be appointed after soliciting recommendations from these organizations.

The House recedes.

(c) *Composition*

(i) With different wording and location in the bills, both the House bill and the Senate amendment specify that the Council must provide for statewide representation, and the members must represent a broad range of individuals with disabilities and be knowledgeable about centers and services.

The House recedes.

(ii) With slightly different wording, the House bill and the Senate amendment specify the categories of persons that must and may be included.

The House recedes.

(II) With slightly different wording, the House bill and the Senate amendment specify that the majority of the Council must be individuals with disabilities.

The House recedes.

(d) *Chairperson*

With slightly different wording, both the House bill and the Senate amendment specify policies governing the appointment of the chairperson.

The House recedes.

(e) *Terms of appointment*

The Senate amendment, but not the House bill, specifies that council members may only serve two consecutive full terms.

The House recedes.

(f) *Vacancies*

The Senate amendment, but not the House bill, provides that a vacancy on the council shall not affect the power of the remaining members to perform the duties of the Council.

The House recedes.

(g) *Functions/duties*

The House bill specifies that the Council shall "jointly" develop and submit the State plan (in conjunction with the designated State unit). The Senate amendment does not include the word "jointly" at the beginning of the sentence.

The Senate recedes.

(h) *Hearings and forums*

The Senate amendment specifies that the Council is authorized to hold hearings and forums. The House bill specifies under the subsection on "use of funds" that funds may be used for such activities.

The House recedes.

(i) *Budget/resource plan*

The House bill provides for the development of a budget for the Council and specifies that the Council may hire staff and obtain services of professional, technical, and clerical personnel. The Senate amendment provides for the development of a resource plan that will use, to the maximum extent possible, existing resources. The Senate amendment provides that the Council shall, consistent with State law, supervise and evaluate staff and other personnel.

The House recedes. The Conferees expect that the Council will be fully independent from the State vocational rehabilitation agency even while relying, to the maximum extent possible, on existing resources from the State vocational rehabilitation agency to provide staff and other personnel. The Conferees expect that staff provided by the State vocational rehabilitation agency, when assigned to work for the Council, will work solely on behalf of the Council and will not be assigned duties that create a conflict of interest. The Conferees expect that administrative arrangements made in the State will be consistent with this expectation so that each Council can operate independently.

1. RESPONSIBILITIES OF THE COMMISSIONER

The Senate amendment, but not the House bill, specifies the responsibilities of the Commissioner regarding approval of State plans, indicators, on-site compliance reviews, and reports.

The House recedes.

8. INDEPENDENT LIVING SERVICES PROGRAM

(a) *Allotments*

(i) With slightly different wording, the House bill and the Senate amendment specify the policies governing allotments.

The House recedes.

(ii) The House bill sets the minimum allotment at \$225,000; the Senate amendment sets the minimum at \$275,000.

The House recedes.

(iii) The House bill, provides for the increase in the minimum amount of allotments based on the Consumer Price Index. The Senate amendment provides for an adjustment in the minimum allotment when the appropriations exceed the change in the CPI.

The Senate recedes.

(iv) The House bill and the Senate amendment use different terminology to describe the territories.

The Senate recedes.

(b) *Payments to the States*

With minor drafting and language differences, both the House bill and the Senate amendment provide for payments to the States and the Federal share. The Senate amendment, but not the House bill, includes cash and a description of in-kind in regard to the State match.

The House recedes.

(c) *Authorized uses of grants*

(i) With minor drafting and language differences, both the House bill and the Senate amendment specify authorized uses of funds. The House bill uses the term "may use"; the Senate amendment uses the term "shall use."

The Senate recedes.

(ii) The Senate amendment includes support of the Council in this section, the House bill includes it in the section establishing the Council.

The House recedes.

(iii) The House bill authorizes funds "to provide independent living services as defined by this title to individuals with a severe disability." The Senate amendment authorizes such funds "to provide independent living services."

The Senate recedes.

(iv) The House bill, but not the Senate amendment, specifies that minorities and urban and rural populations are included in unserved and spu populations.

The Senate recedes.

(d) *Authorization of appropriations*

The House bill authorizes \$14,654,000 for part B for 1993 and "such sums" thereafter. The Senate amendment authorizes "such sums" for the duration of the reauthorization.

The House recedes.

8. CENTERS FOR INDEPENDENT LIVING

(a) *Definitions*

The House bill, referring to an "eligible organization" and the Senate amendment, referring to an "eligible agency", both include the same definition.

The House recedes.

(b) *Program authorization*

The Senate amendment, but not the House bill, provides that from the funds appropriated, the Commissioner for fiscal year 1994 and thereafter shall allot such sums as may be necessary in accordance with the policies described below.

The House recedes.

(c) *Allotments*

(i) With slightly different wording, the House bill and the Senate amendment specify policies governing allotments.

The House recedes.

(ii) The House bill specifies that a "State shall be entitled to an allotment." The Senate amendment specifies that the "Commissioner shall make an allotment."

The House recedes.
 (iii) The House bill provides for a minimum allotment of \$275,000 while the Senate amendment provides a minimum of \$500,000.

The House recedes to the Senate with an amendment striking "\$500,000" and inserting \$400,000 when the appropriation is \$4 million or greater than the fiscal year 1992 appropriation for part B of title VII in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992 and \$450,000 when the appropriation is \$8 million or greater than the fiscal year 1992 appropriation under such part.

(iv) The House bill provides for maintenance of the fiscal year 1993 level while the Senate bill provides for maintenance of the 1992 level.

The House recedes.
 (v) The House bill and the Senate amendment use different terminology to describe the territories.

The Senate recedes.
 (vi) The Senate amendment, but not the House bill, provides for an inflation adjustment for minimum allotment States if the funds appropriated exceed the change in the Consumer Price Index.

The House recedes to the Senate with an amendment clarifying that the adjustment for inflation may begin with respect to making allotments for fiscal year 1994 and subsequent fiscal years.

(vii) The House bill provides for a proportional reduction in order to prevent a State receiving less than \$200,000 while the Senate makes the same provision where a State would receive less than \$500,000.

The House recedes to the Senate with an amendment striking "500,000" and inserting a reference to the minimums in note (9)(c)(ii).

(viii) Both the House bill and the Senate amendment provide for a reservation of funds for training and technical assistance. The Senate amendment provides for the reservation of the amount of the excess over the prior year's appropriation or \$50,000 or 2% whichever is greater while the House bill provides for a 2% set aside.

The House recedes to the Senate with an amendment specifying that the amount must be between 1.8 percent and 2 percent.

(ix) The House bill provides for the review of grant applications by review panels "who have experience and knowledge in independent living programs." The Senate amendment specifies that such individuals must "have experience in the operation of centers for independent living."

The House recedes.
 (x) With the minor difference that the House references this part and the Senate references this title, both the House bill and the Senate amendment prohibit the combining of funds.

The House recedes.
 (d) *Standards and assurances for centers*

(i) The House bill, but not the Senate amendment, specifies that individuals with all different types of disabilities includes those who are unserved or cpu.

The Senate recedes.
 (ii) With respect to goals, the House bill uses the term "facilitate" and the Senate amendment uses the term "assist".

The Senate recedes.
 (iii) The Senate amendment specifies that centers must provide independent living core services and may provide other services; the House bill specifies that centers must provide independent living services.

The House recedes.
 (iv) The Senate amendment, but not the House bill, provides that the centers must

conduct resource development activities to obtain funding from sources other than title VII.

The House recedes.
 (v) The House bill, but not the Senate amendment, specifies that with respect to affirmative action, the applicants for funds must comply with section 504 of this Act as well as section 503.

The House recedes.
 (vi) The House bill, but not the Senate amendment, specifies that outreach to unserved and cpu populations should especially include those who are minorities and urban and rural populations.

The Senate recedes.
 (vii) The House bill, but not the Senate amendment, specifies that training of unserved and cpu should include minorities and urban and rural populations.

The Senate recedes to the House with a technical amendment fixing the cross reference in assurance (12). The reference should be to (8), not (7).

(viii) The House bill specifies that the individual may determine that he or she does not need an independent living plan; the Senate amendment requires that the individual waive the plan in writing.

The House recedes.
 (ix) The House bill, but not the Senate amendment, specifies that no funds may be allotted unless the Center is in compliance with the standards and assurances.

The Senate recedes.
 (e) *Grants to centers for independent living in States in which Federal funding exceeds State funding*

(i) With different language, both the House bill and the Senate amendment specify that the Commissioner shall award grants to centers where the Federal funds for centers exceeds the State funds for centers.

The House recedes.
 (ii) With two minor differences, both the House bill and the Senate amendment specify who is an eligible entity, existing eligible entities, new centers for independent living, and the order of priorities. The differences are that the House refers to eligible organizations and the Senate refers to eligible agencies and uses cross references.

The House recedes.
 (iii) The Senate amendment, but not the House bill, specifies that priority shall be given to applications proposing to serve unserved or cpu areas of the State identified in the State plan.

The House recedes.
 (iv) The Senate amendment, but not the House bill, specifies that centers receiving funds under part A of current law (or part B under the amendments) will be eligible to receive funds as a new center.

The House recedes.
 (v) Both the House bill and the Senate amendment require the Commissioner to review the centers with the difference that the House bill requires the review "annually" and the Senate amendment requires the review "periodically".

The House recedes.
 (vi) With minor drafting differences, both the House bill and the Senate amendment provide for termination of funds if the center fails to comply with the standards and assurances.

The House recedes.
 (f) *Grants to centers for independent living in States in which State funding equals or exceeds Federal funding*

(i) Although worded differently, both the House bill and the Senate amendment pro-

vide that the director of the State unit may award grants to the centers in States where the State funding for centers equals or exceeds the Federal funds for centers. The Senate amendment authorizes the Commissioner to establish, by regulation, the proper fiscal year.

The House recedes to the Senate with an amendment to section 723(a)(1)(A)(i), as added by the Senate amendment, inserting after the section reference the following: "Beginning on October 1, 1993,".

(ii) Although worded differently, both the House bill and the Senate amendment provide for how determinations of who will award grants in subsequent years will be made in cases where the State does not continue to fund the centers at a level greater than the Federal funding.

The House recedes.
 (iii) With drafting differences, both the House bill and the Senate amendment provide the procedure for the State to become the grantor of funds for centers and for the Commissioner to award the grants if the State does not apply to do so.

The House recedes.
 (iv) With two minor differences, both the House bill and the Senate amendment specify who is an eligible entity, existing eligible entities, new centers for independent living, and the order of priorities. The differences are that the House refers to "eligible organizations" and the Senate refers to "eligible agencies" and uses cross references.

The House recedes.
 (v) The Senate amendment, but not the House bill, specifies that centers receiving funds under part A of current law (or part B under the amendments) will be eligible to receive funds as a new center.

The House recedes.
 (vi) Both the House bill and the Senate amendment require the director to review the centers with the difference that the House bill requires the review "annually" and the Senate amendment requires the review "periodically".

The House recedes.
 (vii) The Senate amendment provides that funds will be terminated on the date of a final determination in cases of noncompliance unless the center submits a plan for compliance within 90 days and the plan is approved. The House bill provides that funds will be terminated within 90 days unless the center sooner complies with the standards and assurances.

The House recedes.
 (viii) The House bill, but not the Senate amendment, specifies that a copy of the on-site compliance review shall be provided to the Commissioner. The Senate amendment uses the term "employee of a State agency." The House bill uses the term "employee of the State Vocational Rehabilitation Agency."

The Senate recedes with an amendment specifying an employee of the designated State agency.

(g) *Centers operated by State agencies*

The Senate amendment, but not the House bill, provides for certain centers operated by State agencies to continue to be eligible for funding under specified circumstances.

The House recedes.
 (h) *Authorization of appropriations*

The House bill authorizes \$28,928,000 for fiscal year 1993 and such sums thereafter for this section. The Senate amendment provides such sums for fiscal years 1993 through 1997.

The House recedes.

(i) Transition rules for fiscal year 1993

The House bill and the Senate amendment provide for transition to the new standards somewhat differently. These differences include: The House bill provides that centers must either comply with the standards or submit a plan for meeting the requirements by October 1, 1993. The Senate has a similar provision but only for those centers receiving funds in fiscal year 1992. With different language, both the House bill and the Senate amendment provide that centers receiving funds in fiscal year 1992 will be given priority. The Senate amendment, but not the House bill, specifies that agencies that did not receive funds in fiscal year 1992 must meet the standards and assurances.

*The House recedes.**(j) Effective date*

The Senate amendment, but not the House bill, specifies the effective date for this part.

The Senate recedes to the House and the House recedes to the Senate with an amendment authorizing the Commissioner to delay the effective date of the amendments to section 703 of the Act (pertaining to the State plan) made by the Rehabilitation Act Amendments of 1992 to no later than October 1, 1993.

10. INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND*(a) Placement in the act*

The House bill continues to include this program in title VII; the Senate amendment places this program in title III.

*The Senate recedes.**(b) Purpose*

The House bill provides that the Commissioner may make grants for the purpose of providing services to older blind individuals; the Senate amendment provides that the grants are to provide independent living services and related services to older individuals who are blind to adjust to blindness by becoming more able to care for individual needs.

*The Senate recedes.**(c) Definition*

Although worded somewhat differently, both the House bill and the Senate amendment provide a definition of an older individual who is blind. The House bill uses the phrase "older blind individual" throughout while the Senate amendment uses the phrase "older individual who is blind." The House bill uses the term "gainful employment"; the Senate amendment uses the term "competitive employment".

*The House recedes.**(d) Designated State unit*

The House bill, but not the Senate amendment, provides that the grant under this section must be administered solely by the designated State unit authorized to provide vocational rehabilitation services to the adult blind.

*The Senate recedes.**(e) Competitive, formula grant*

The House bill, but not the Senate amendment, provides that if the funds for this section equal or exceed \$13,000,000 then the funds will be allotted to the States by formula.

The Senate recedes to the House with an amendment striking "In the case of any fiscal year" and inserting the phrase, "Beginning with fiscal year 1994, in the case of any fiscal year".

(f) Services authorized

(1) The House bill requires that the States agree to expend funds only to provide inde-

pendent living services to older blind individuals, to conduct activities to improve or expand the services for such individuals and to improve public understanding of such individuals. The Senate amendment requires that the State expend the funds to provide independent living skills training, information and referral services, peer counseling, and individual advocacy training.

The Senate recedes to the House with an amendment adding to subsection (d) an additional paragraph that reads: "(7) independent living services including independent living skills training, information and referral services, peer counseling, and individual advocacy training".

(1) With minor drafting differences, both the House bill and the Senate amendment list independent living services that may be provided. The Senate amendment, but not the House bill also includes "other independent living services" in addition to those listed.

*The House recedes.**(g) Matching funds*

The House bill, but not the Senate amendment, specifies special rules for matching.

*The Senate recedes.**(h) Grants to nonprofits*

The House bill and the Senate amendment in different places and using slightly different language, authorize States to make grants to nonprofits. The Senate amendment, but not the House bill, provides that the State may make grants to other entities to conduct activities to improve or expand services and help improve public understanding and to provide independent living and related services.

*The Senate recedes.**(i) State plan*

The House bill, but not the Senate amendment, specifies that the State must seek to incorporate in the State plan any new methods and approaches relating to independent living services for older blind individuals.

*The Senate recedes.**(j) Applications*

With slightly different language both the House bill and the Senate amendment provide general requirements for applications under this part. The Senate amendment, but not the House bill, provides for the contents of the application.

The Senate recedes to the House with an amendment adding the paragraph (e)(2) relating to the specific contents of the grant application.

(k) State allotments

The House bill, but not the Senate amendment, provides for the amount of the formula grant in the event that the trigger is reached.

*The Senate recedes.**(l) Authorization of appropriations*

The House bill authorizes \$6,713,000 for fiscal year 1993 and such sums thereafter. The Senate amendment authorizes such sums throughout the reauthorization period.

*The House recedes.***HELEN KELLER NATIONAL CENTER AND AMENDMENTS TO OTHER ACTS****1. CONGRESSIONAL FINDINGS (INCIDENCE)***Technical difference.**The House recedes.***2. CONGRESSIONAL FINDINGS (INVESTMENT)***Technical difference.**The House recedes.***3. CONTINUED OPERATION OF CENTER (GENERAL)**

The Senate amendment, but not the House bill, strikes the repeal of an obsolete provi-

sion and rennumbers the subsequent provisions.

*The House recedes.***4. CONTINUED OPERATION OF CENTER (PRIOR OPERATION)***Technical difference.**The House recedes.***5. CONTINUED OPERATION OF CENTER (CROSS-REFERENCE)**

The Senate amendment, but not the House bill, amends a subsection reference, occasioned by the deletion in note 3.

*The House recedes.***6. PURPOSES OF CENTER (NATIONAL REGISTRY)**

The Senate amendment, but not the House bill, adds the requirement to maintain a national registry on information and data.

*The Senate recedes.***7. ENDOWMENT FUND (PLACEMENT)**

Technical difference, since the House adds the endowment provision in the middle of the Act and the Senate adds the provision at its end.

*The House recedes.***8. ENDOWMENT FUND (ESTABLISHMENT)***Technical difference.**The House recedes.***9. ENDOWMENT FUND (FEDERAL PAYMENTS)**

Technical difference involving citation of subsections.

*The House recedes.***10. ENDOWMENT FUND (LAW GOVERNING)**

The House bill uses the law of the State of New York.

The Senate amendment uses the law of the District of Columbia.

*The Senate recedes.***11. ENDOWMENT FUND (CONFLICT OF INTEREST)**

The Senate amendment, but not the House bill, includes a provision on conflict of interest.

*The House recedes.***12. ENDOWMENT FUND (ENCUMBRANCE OF CORPUS)**

The Senate amendment, but not the House bill, includes a provision prohibiting the encumbrance of the corpus.

*The House recedes.***13. ENDOWMENT FUND (CORPUS EXPENDITURE)**

The Senate amendment, but not the House bill, specifically authorizes the use of all monies after the expiration of the 20 year period. Also, some technical drafting differences.

*The House recedes.***14. ENDOWMENT FUND (INCOME)**

The House bill uses the term "accumulated endowment fund income".

The Senate amendment uses the term "aggregate Endowment Fund income earned prior to the time of withdrawal or expenditure."

*The House recedes.***15. ENDOWMENT FUND (WAIVER OF LIMITATIONS)***Technical difference.**The House recedes.***16. ENDOWMENT FUND (WAIVER CIRCUMSTANCES)**

The House bill allows the Secretary to waive the 50 percent limitation on withdrawals where " * * * the Secretary determines * * * same is a "necessary response to exceptional or uncontrollable circumstances * * *".

The Senate amendment allows the Secretary to waive the 50 percent limitation on withdrawals where " * * * the Center demonstrates to the Secretary's satisfaction * * * that a specific set of circumstances has occurred or been met.

The House recesses.

17. ENDOWMENT FUND (REPORTING REQUIREMENTS)

The Senate amendment, but not the House bill, contains specific requirements on reporting and financial records.

The House recesses.

18. ENDOWMENT FUND (CORPUS DEFINED)

Technical difference.
The House recesses.

19. ENDOWMENT FUND (AUTHORIZATION OF APPROPRIATIONS)

The Senate amendment, but not the House bill, contains a separate authorization of appropriations.

The House recesses.

20. HELEN KELLER NATIONAL CENTER (AUTHORIZATION OF APPROPRIATIONS)

The House recesses.

21. DEFINITIONS (GENERAL)

The Senate amendment, but not the House bill, strikes the reference to the Rehabilitation Act.

The House recesses.

22. DEFINITIONS (VISUAL CRITERIA)

Technical difference—the House and Senate use different terms to define the same physical condition.

The House recesses with a technical amendment striking the phrase "or, if there is a field defect, central acuity of 20/200" and inserting "or a field defect".

23. DEFINITIONS (HEARING CRITERIA)

Technical difference.
The House recesses.

24. DEFINITIONS (FUNCTIONAL CRITERIA)

The Senate amendment, but not the House bill, adds the caveat that the combination of loss of vision and hearing are causing extreme difficulty in attaining independence, achieving psychosocial adjustment or obtaining a vocation.

The House recesses.

23. DEFINITIONS (PERFORMANCE ASSESSMENT)

Technical difference in referring to those who cannot be diagnosed accurately due to cognitive or behavioral conditions, and the Senate includes a requirement for functional and performance assessment in making that determination.

The House recesses.

28. DEFINITIONS (SECRETARIAL DEFINITION)

Technical difference in describing the Secretary's authority to define the term further.

The House recesses.

27. CONSTRUCTION OF ACT; EFFECT ON AGREEMENTS

Technical difference.
The House recesses.

28. INDIVIDUALS WHO ARE DEAF-BLIND

The Senate amendment, but not the House bill, makes a number of technical changes to the Act to conform terms.

The House recesses.

29. BUDGET ENFORCEMENT ACT

The House bill, but not the Senate amendment, adds a Budget Enforcement Act compliance provision providing a cap for programs in the Budget Enforcement Act account for Rehabilitation Services and Disability Research.

The House recesses.

30. COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

The Senate amendment, but not the House bill, amends terms in the Wagner-O'Day Act and the Small Business Act.

The House recesses.

31. INDIVIDUALS WITH DISABILITIES EDUCATION ACT (TRAINING)

The Senate amendment, but not the House bill, amends the Individuals with Disabilities Education Act to authorize the training or retraining of regular teachers involved with individuals who are deaf in meeting the communication needs of such individuals. (See note #7 under "Supplementary Service and Community Rehabilitation Programs/Training and Demonstration Projects".)

The House recesses.

32. INDIVIDUALS WITH DISABILITIES EDUCATION ACT (SERIOUS EMOTIONAL DISTURBANCE)

The Senate amendment, but not the House bill, requires the Secretary of Education to issue a Public Notice of Inquiry on the definition of "serious emotional disturbance", as used in the Individuals with Disabilities Education Act and the need for, and desirability of, amendment to same. A definition to be used in the solicitation of public comment is included and other administrative caveats are included. A report to Congress is required.

The House recesses to the Senate with an amendment striking in (b)(4) the phrase "within 7 months after the end of the comment period," and inserting "within 10 months after the date of enactment of this Act."

33. TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES ACT

The Senate amendment, but not the House bill, amends the Technology Related Assistance for Individuals With Disabilities Act of 1988 by including institutions of higher education as entities eligible to receive funding.

The House recesses.

34. PRESIDENT'S COMMITTEE ON EMPLOYMENT OF PEOPLE WITH DISABILITIES

The Senate amendment, but not the House bill, makes a number of amendments to the Joint Resolution authorizing an appropriation for the work of the Presidents Committee on National Employ the Physically Handicapped Week relating to terms, policy direction and authorization of appropriation.

The House recesses.

WILLIAM D. FORD,
PAT WILLIAMS,
MAJOR R. OWENS,
DONALD M. PAYNE,
JOSE E. SERRANO,
WM. JEFFERSON,
ED PASTOR,
BILL GOODLING,
CASS BALLENGER,
SCOTT KLUG,
RANDY "DUKE"
CUNNINGHAM,

Managers on the Part of the House.

EDWARD M. KENNEDY,
TOM HARKIN,
HOWARD M. METZENBAUM,
PAUL SIMON,
BROCK ADAMS,
ORREN HATCH,
DAVE DURENBERGER,
JIM JEFFORDS,

Managers on the Part of the Senate.

LEAVE OF ABSENCE

Mr. SENSENBRENNER (at the request of Mr. MICHEL), for today and until 12 noon tomorrow, on account of a death in the family.

Mr. BLACKWELL (at the request of Mr. GEPHARDT), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DORNAN of California) to revise and extend their remarks and include extraneous material:)

Mr. TAYLOR of North Carolina, for 5 minutes, on October 5.

Mr. HASTER, for 60 minutes, today.

Mr. BUNNING, for 60 minutes, on October 3.

Mr. ROGERS, for 60 minutes, on October 3.

(The following Members (at the request of Mr. KOLTER) to revise and extend their remarks and include extraneous material:)

Mr. HAYES of Illinois, for 5 minutes, today.

Mr. SMITH of Florida, for 5 minutes, today.

Mr. UNSOELD, for 5 minutes, today.

Mr. RICHARDSON, for 5 minutes each day, for today and October 3, 4, and 5.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. NATCHER, for 60 minutes each day, on October 3 and 4.

Mr. ROSE, for 60 minutes, on October 3.

Mr. TAUZIN, for 60 minutes each day, on October 3, 4, and 5.

Ms. NOTON, for 60 minutes each day, on October 3, 4, and 5.

Mr. JOHNSON of Texas, for 60 minutes today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. DORNAN of California) and to include extraneous matter:)

Mr. WELDON.

Mr. GEKAS.

Mrs. MORELLA.

Mr. SPENCE.

Mr. ZIMMER.

Mr. COUGHLIN.

Mr. BEREBUTER.

Mr. SOLOMON in two instances.

Mr. GALLO.

Mr. CRANE.

Mr. GINGRICH.

Mr. OXLEY.

Mr. DANNEMEYER.

Mr. BLAZ.

Mr. RIDGE.

Ms. MOLINARI in two instances.

Mr. BARTON of Texas.

Mr. BILEY in two instances.

Mr. CAMPBELL of California.

Mr. GILMAN in two instances.

Mr. GREEN of New York in three instances.

Mr. COMBEST.

Mr. GOODLING.

Mr. BALLENGER.

Mr. DREIER of California.

(The following Members (at the request of Mr. KOLTER) and to include extraneous matter.)

Mrs. LOWEY of New York.
 Mr. FASCELL in five instances.
 Mr. EARLY.
 Mr. LEHMAN of California.
 Mr. CONDIT.
 Mr. NATCHER.
 Mr. ROE in two instances.
 Mr. DURBIN.
 Mr. HAMILTON.
 Mr. HUBBARD.
 Mr. NEAL of Massachusetts in two instances.
 Mr. YATES.
 Mr. LIPINSKI in two instances.
 Mr. LANTOS in two instances.
 Mr. PANETTA in two instances.
 Mr. MORAN.
 Ms. OAKAR.
 Mr. KILDEE.
 Mr. SANGMEISTER.
 Mr. SKELTON.
 Mr. YATRON.
 Mr. GEJDENSON in two instances.
 Mr. TAUZIN.
 Mr. MURTHA.
 Mr. KOSTMAYER.
 Mrs. BYRON.
 Mr. ANDREWS of Texas.
 Mr. WYDEN.
 Mr. SANDERS.
 Mr. SOLARZ.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 20. An act to provide for the establishment, testing, and evaluation of strategic planning and performance measurement in the Federal Government, and for other purposes; to the Committees on Government Operations and Rules.
 S. 1664. An act to establish the Keweenaw National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.
 S. 1893. An act to adjust the boundaries of the Targhee National Forest, to authorize a land exchange involving the Kaniksu National Forest, and for other purposes; to the Committee on Interior and Insular Affairs.
 S. 3100. An act to authorize and direct the Secretary of the Interior to convey certain lands in Cameron Parish, Louisiana, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1628. An act to authorize the construction of a monument in the District of Columbia or its environs to honor Thomas Paine, and for other purposes.
 H.R. 3508. An act to amend the Public Health Service Act to revise and extend cer-

tain programs relating to the education of individuals as health professionals, and for other purposes.

H.R. 4178. An act to amend the Public Health Service Act to provide for a program to carry out research on the drug known as diethylstilbestrol, to educate health professionals and the public on the drug, and to provide for certain longitudinal studies regarding individuals who have been exposed to the drug.

H.R. 5673. An act to amend the Public Health Service Act to revise and extend the programs of the Agency for Health Care Policy and Research.

H.J. Res. 320. Joint resolution authorizing the government of the District of Columbia to establish, in the District of Columbia or its environs, a memorial to African-Americans who served with Union forces during the Civil War.

ADJOURNMENT

Mr. DORNAN of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 52 minutes a.m.), the House adjourned until today, Saturday, October 3, 1992, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4347. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting a feasibility study on authorizing insured and uninsured deposit accounts through a so-called "two-window" system, pursuant to Public Law 102-242, section 321(c) (105 Stat. 2370); to the Committee on Banking, Finance, and Urban Affairs.

4348. A letter from the Secretary of Education, transmitting a copy of Final Regulations—Assistance to States for the Education of Children with Disabilities Program and Preschool Grants Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

4349. A letter from the Acting Assistant Secretary of State (Legislative Affairs), transmitting a memorandum of Justification for Presidential determination regarding the drawdown of defense articles and services for disaster relief to Pakistan, pursuant to Public Law 101-513, section 574(b) (104 Stat. 2942); to the Committee on Foreign Affairs.

4350. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notification of proposed excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DELLUMS: Committee on the District of Columbia. H.R. 3811. A bill to create a Supreme Court for the District of Columbia,

and for other purposes (Rept. 102-975). Referred to the Committee of the Whole House on the State of the Union.

Mr. MOAKLEY: Committee on Rules. House Resolution 592. Resolution waiving points of order against the conference report to accompany the bill (S. 2539) entitled the "Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act," and against the consideration of such conference report (Rept. No. 102-976). Referred to the House Calendar.

Mr. BELLESON: Committee on Rules. House Resolution 593. Resolution providing for consideration of the bill (S. 2681) relating to native Hawaiian health care, and for other purposes (Rept. 102-977). Referred to the House Calendar.

Mr. DE LA GARZA: Committee of Conference. Conference report on H.R. 707 (Rept. 102-978). Ordered to be printed.

Mr. ROSE: Committee on House Administration. H.R. 5575. A bill to authorize certain uses of real property acquired by the Architect of the Capitol for use by the Librarian of Congress and for other purposes; with amendments (Rept. 102-979). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 4363. A bill to amend title 11 of the United States Code to exclude from the estate of the debtor certain interests in liquid and gaseous hydrocarbons; with an amendment (Rept. 102-980). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 4797. A bill to direct the U.S. Sentencing Commission to make sentencing guidelines for Federal criminal cases that provide sentencing enhancements for hate crimes (Rept. 102-981). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 5394. A bill to provide that a State court may not modify an order of another State court requiring the payment of child support unless the recipient of child support payments resides in the State in which the modification is sought, or consents to seeking the modification in such other State court; with an amendment (Rept. 102-982). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 5602. A bill granting the consent of the Congress to the Interstate Rail Passenger Network Compact (Rept. 102-983). Referred to the House Calendar.

Mr. FORD of Michigan: Committee on Education and Labor. H.R. 1128. A bill to extend the coverage of certain Federal labor laws to foreign flagships; with an amendment (Rept. 102-984, Pt. 1). Ordered to be printed.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of Rule X the following action was taken by the Speaker:
 H.R. 3927. Referral to the Committee on Ways and Means extended for a period ending not later than October 6, 1992.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of title X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROSE:
H.R. 6092. A bill to amend the Agricultural Act of 1949 with respect to the use of certain foreign currency proceeds; jointly, to the Committees on Agriculture and Foreign Affairs.

By Mr. OBERSTAR (for himself and Mr. CLINGER):
H.R. 6093. A bill to amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal years 1993, 1994, and 1995, and for other purposes; jointly, to the Committees on Public Works and Transportation, Science, Space, and Technology, and Ways and Means.

By Mr. GONZALEZ (for himself and Mr. WYDENE):
H.R. 6094. A bill to improve supervision and regulation with respect to the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Federal Home Loan Bank System, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SWETT:
H.R. 6095. A bill to amend title IX of the Federal Property and Administrative Services Act of 1949 to provide an architectural and engineering design competition for the construction, renovation, and repair of certain public buildings, and for other purposes; jointly, to the Committees on Government Operations and Public Works and Transportation.

By Mr. WYDEN:
H.R. 6096. A bill to provide for the certification of ambulatory surgery and emergency care facilities; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. CAMPBELL of Colorado (for himself, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. BLACKWELL, Ms. NORTON, Mr. HOCHBRUECKNER, Mr. ESPY, Mr. RANGEL, Mr. FROST, Mr. MILLER of California, Mr. RHODES, Mr. HORTON, Mr. BEBUTER, Mr. PETERSON of Minnesota, Mrs. UNSOELD, Mr. DORGAN of North Dakota, Mr. HAYES of Illinois, Mrs. MINK, Mr. HERTEL, and Mr. BUSTAMANTE):
H.R. 6097. A bill to amend chapter 37 of title 38, United States Code, to establish a pilot program for furnishing housing loans to Native American veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DREIER of California:
H.R. 6098. A bill to prohibit direct Federal financial benefits and unemployment benefits for illegal aliens and to end Federal mandates for States to provide benefits for illegal aliens; to the Committee on the Judiciary.

By Mr. EMERSON:
H.R. 6099. A bill to remove inappropriate limitations on work requirements and to enhance waiver authority for welfare reform demonstration projects for the Food Stamp Program; to the Committee on Agriculture.

By Mr. GEKAS:
H.R. 6100. A bill to reform the United States health care delivery and financing system, to increase access to health care and affordable health insurance, to contain costs of health care in a manner that improves health care, and for other purposes; jointly, to the Committees on Energy and Commerce, Ways and Means, the Judiciary, Education and Labor, and Rules.

By Mr. HENRY (for himself and Mr. ANDREWS of New Jersey):
H.R. 6101. A bill to amend the Occupational Safety and Health Act to provide for uniform

warnings on personal protective equipment for occupational use, and for other purposes; to the Committee on Education and Labor.

By Mr. HUNTER:
H.R. 6102. A bill to facilitate the providing of loan capital to and investments in residential homebuilders and other small business concerns, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MILLER of Washington:
H.R. 6103. A bill to amend the Wild and Scenic Rivers Act by designating a segment of the Wenatchee River in Washington as a component of the National Wild and Scenic Rivers System; to the Committee on Interior and Insular Affairs.

By Mr. MILLER of Washington:
H.R. 6104. A bill to amend title 31, United States Code, to reduce the time period within which a member of the uniformed services or a Federal employee may make a claim against the Federal Government for losses to personal property incident to service when the personal property is in a commercial shipment or storage arranged or reimbursed by the Government; to the Committee on the Judiciary.

By Mr. NEAL of North Carolina:
H.R. 6105. A bill to establish a cabinet-level interagency task force to develop a comprehensive legislative proposal that coordinates and reforms all Federal programs that provide assistance to individuals with limited incomes; to the Committee on Government Operations.

By Mr. FAXON:
H.R. 6106. A bill to amend the Internal Revenue Code of 1986 to reduce capital gains taxes, to reinstate a 5-percent investment tax credit, and for other purposes; to the Committee on Ways and Means.

By Mr. RIDGE (for himself, Mr. SCHULZE, Mr. MCDADE, Mr. MURPHY, Mr. CLINGER, Mr. SANTORUM, Mr. WELDON, Mr. YATRON, Mr. FOGLETTA, Mr. SHUSTER, Mr. GEKAS, and Mr. GAYDOS):
H.R. 6107. A bill to amend section 123 of the Housing and Urban-Rural Recovery Act of 1983 to require coordination with community development funding organizations in carrying out eligible neighborhood development activities under the neighborhood development program, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. RITTER (for himself and Mr. GINGRICH):
H.R. 6108. A bill to establish a Bipartisan Commission on Total Quality Government; jointly, to the Committees on Government Operations, House Administration, and Post Office and Civil Service.

By Mrs. SCHROEDER:
H.R. 6109. A bill to amend the Public Health Service Act to provide for grants to immunize children against vaccine-preventable diseases through programs established in elementary schools; to the Committee on Energy and Commerce.

By Mr. SHAW (for himself, Mrs. JOHNSON of Connecticut, Mr. GRANDY, Mr. EMERSON, and Mr. ALNEY):
H.R. 6110. A bill to authorize five local pilot projects for the development of community opportunity systems to demonstrate the potential for improving economic opportunity for low-income residents of the community through restructured programs providing services and benefits, and for meeting the identified priorities of the community and the needs of the individuals and families to be served; to the Committee on Government Operations.

By Mr. SHAW (for himself, Mrs. JOHNSON of Connecticut, and Mr. GRANDY):
H.R. 6111. A bill to amend parts A and F of title IV of the Social Security Act to remove certain limitations on employment-related programs, to strengthen the requirement to cooperate in paternity establishment, and for other purposes; to the Committee on Ways and Means.

By Mr. STENHOLM (for himself, Mr. BOEHNER, and Mr. HEROER):
H.R. 6112. A bill to amend the Egg Research and Consumer Information Act, to accomplish an expansion of exemption eligibility from assessments under this act and to authorize increased assessment rates if approved by producers; to the Committee on Agriculture.

By Mr. VALENTINE:
H.R. 6113. A bill to amend the Federal Transit Act, the Airport and Airway Improvement Program Act of 1982, and title 23, United States Code, to provide for utilization of the latest available census data in the administration of certain transportation programs; to the Committee on Public Works and Transportation.

By Mr. WALKER (for himself, Mr. MICHEL, Mr. GINGRICH, Mr. BLLEY, Mr. CAMPBELL of California, Mr. COBLE, Mr. FAWELL, Mr. GOSS, Mr. LEWIS of Florida, Mr. PACKARD, Mr. RHODES, Mr. RITTER, Mr. ROHRBACHEN, Mr. SENSENBRENNER, Mr. SMITH of Texas, Mr. ZIMMER, Mr. DORNAN of California, Mr. EWING, Mr. BALLENGER, Mr. IRELAND, Mr. CAMP, Mr. HANCOCK, Mr. SANTORUM, Mr. OKLEY, Mr. HAVENELL, Mr. GEKAS, Mr. DOOLITTLE, Mr. KOLBE, Mr. NUSLE, Mr. BARTON of Texas, Mr. ALLEN, Mr. THOMAS of Wyoming, Mr. UPTON, Mr. ZELIFF, and Mr. HEFLY):
H.R. 6114. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate that up to 10 percent of their income tax liability be used to reduce the national debt, and to require spending reductions equal to the amounts so designated; jointly, to the Committee on Ways and Means and Government Operations.

By Mr. DURBIN:
H.J. Res. 558. Joint resolution congratulating the Springfield Commission on International Visitors for 30 years of superb service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FAUZIN (for himself, Mr. STUDDS, Mr. DAVIS, Mr. FIELDS, and Mr. YOUNG of Alaska):
H.J. Res. 559. Joint resolution honoring the Coast Guard Women's Reserve; to the Committee on Merchant Marine and Fisheries.

By Mr. LEWIS of Georgia (for himself and Mr. BROOMFIELD):
H. Con. Res. 370. Concurrent resolution concerning the humanitarian crisis in Somalia; to the Committee on Foreign Affairs.

By Mr. OWENS of New York:
H. Con. Res. 371. Concurrent resolution to make corrections in the enrollment of the bill, H.R. 5482, considered and agreed to.

By Mr. DELAY:
H. Con. Res. 372. Concurrent resolution expressing the sense of the Congress that the Postmaster General should not issue a commemorative postage stamp in honor of any individual who, at the time of his death, was a member of the Communist Party or was no longer a citizen of the United States because he had renounced his citizenship; to the Committee on Post Office and Civil Service.

By Mr. TORRICELLI (for himself and Mr. BURTON of Indiana):

By Mr. SHAW (for himself, Mrs. JOHNSON of Connecticut, and Mr. GRANDY):
H.R. 6111. A bill to amend parts A and F of title IV of the Social Security Act to remove certain limitations on employment-related programs, to strengthen the requirement to cooperate in paternity establishment, and for other purposes; to the Committee on Ways and Means.

By Mr. STENHOLM (for himself, Mr. BOEHNER, and Mr. HEROER):
H.R. 6112. A bill to amend the Egg Research and Consumer Information Act, to accomplish an expansion of exemption eligibility from assessments under this act and to authorize increased assessment rates if approved by producers; to the Committee on Agriculture.

By Mr. VALENTINE:
H.R. 6113. A bill to amend the Federal Transit Act, the Airport and Airway Improvement Program Act of 1982, and title 23, United States Code, to provide for utilization of the latest available census data in the administration of certain transportation programs; to the Committee on Public Works and Transportation.

By Mr. WALKER (for himself, Mr. MICHEL, Mr. GINGRICH, Mr. BLLEY, Mr. CAMPBELL of California, Mr. COBLE, Mr. FAWELL, Mr. GOSS, Mr. LEWIS of Florida, Mr. PACKARD, Mr. RHODES, Mr. RITTER, Mr. ROHRBACHEN, Mr. SENSENBRENNER, Mr. SMITH of Texas, Mr. ZIMMER, Mr. DORNAN of California, Mr. EWING, Mr. BALLENGER, Mr. IRELAND, Mr. CAMP, Mr. HANCOCK, Mr. SANTORUM, Mr. OKLEY, Mr. HAVENELL, Mr. GEKAS, Mr. DOOLITTLE, Mr. KOLBE, Mr. NUSLE, Mr. BARTON of Texas, Mr. ALLEN, Mr. THOMAS of Wyoming, Mr. UPTON, Mr. ZELIFF, and Mr. HEFLY):
H.R. 6114. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate that up to 10 percent of their income tax liability be used to reduce the national debt, and to require spending reductions equal to the amounts so designated; jointly, to the Committee on Ways and Means and Government Operations.

By Mr. DURBIN:
H.J. Res. 558. Joint resolution congratulating the Springfield Commission on International Visitors for 30 years of superb service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FAUZIN (for himself, Mr. STUDDS, Mr. DAVIS, Mr. FIELDS, and Mr. YOUNG of Alaska):
H.J. Res. 559. Joint resolution honoring the Coast Guard Women's Reserve; to the Committee on Merchant Marine and Fisheries.

By Mr. LEWIS of Georgia (for himself and Mr. BROOMFIELD):
H. Con. Res. 370. Concurrent resolution concerning the humanitarian crisis in Somalia; to the Committee on Foreign Affairs.

By Mr. OWENS of New York:
H. Con. Res. 371. Concurrent resolution to make corrections in the enrollment of the bill, H.R. 5482, considered and agreed to.

By Mr. DELAY:
H. Con. Res. 372. Concurrent resolution expressing the sense of the Congress that the Postmaster General should not issue a commemorative postage stamp in honor of any individual who, at the time of his death, was a member of the Communist Party or was no longer a citizen of the United States because he had renounced his citizenship; to the Committee on Post Office and Civil Service.

By Mr. TORRICELLI (for himself and Mr. BURTON of Indiana):

H. Con. Res. 973. Concurrent resolution expressing the sense of the Congress that the President should prohibit the acquisition of Allison Transmission, a division of General Motors Corp., by a foreign person; jointly, to the Committees on Banking, Finance and Urban Affairs, Energy and Commerce, and Foreign Affairs.

By Mr. MARTINEZ:

H. Res. 594. Resolution relating to the consideration of the Senate amendment to H.R. 6194; rules suspended; considered and agreed to.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 117: Mr. COMBEST and Mr. JONTZ.
H.R. 701: Mr. CAMPBELL of California.
H.R. 811: Mr. COX of California.
H.R. 875: Mr. COX of Illinois.
H.R. 1188: Mr. KOSTMAYER.
H.R. 1622: Mr. JENKINS.
H.R. 1866: Mr. SCHAEFER.
H.R. 2164: Mr. CAMP, Mr. BREWSTER, Mr. PANETTA, and Mr. GILLMOR.
H.R. 2349: Mr. PAXON.
H.R. 2511: Mr. LEHMAN of California.
H.R. 2528: Mr. JAMES.
H.R. 2595: Mr. CAMPBELL of California.
H.R. 2818: Mr. ROE, Mr. MINETA, Mr. HANSEN, Mr. DURBIN, Mrs. KENNELLY, Mr. SPENCE, Mr. SKEEN, Mr. BRUCE, and Mr. FAZIO.
H.R. 2943: Mr. CAMPBELL of California.
H.R. 2995: Mr. SHAYS.
H.R. 3356: Mr. SIKORSKI.
H.R. 3102: Mr. TRAFICANT, Mr. COLORADO, and Mrs. COLLINS of Illinois.
H.R. 3517: Mr. WALSH, Mr. HAYES of Illinois, Mr. KLUG, and Mr. SARPALIUS.
H.R. 3518: Mr. BILIRAKIS.
H.R. 3769: Mr. CAMPBELL of California.
H.R. 3801: Mr. FISH.
H.R. 4182: Mr. CAMPBELL of California and Mr. STUMP.
H.R. 4207: Mr. ORTON and Mr. POSHARD.
H.R. 4224: Mr. CAMPBELL of California.
H.R. 4271: Mr. TOWNS.
H.R. 4315: Mr. CAMPBELL of California.
H.R. 4385: Mr. ENGEL.
H.R. 4457: Mrs. LOWEY of New York.
H.R. 4530: Mr. CAMPBELL of California.
H.R. 4585: Mr. SHAYS.
H.R. 4684: Mr. CAMPBELL of California.
H.R. 4749: Mr. CAMPBELL of California.
H.R. 4764: Mr. MCCREY, Mr. KANJORSKI, Mr. DUNCAN, Mr. STUMP, Mr. McMILLEN of Maryland, and Mr. RHODES.
H.R. 4851: Mr. CAMPBELL of California.
H.R. 4852: Mr. CAMPBELL of California and Mr. COX of California.
H.R. 4853: Mr. CAMPBELL of California and Mr. COX of California.
H.R. 4854: Mr. COX of California.
H.R. 4857: Mr. CAMPBELL of California.
H.R. 4859: Mr. CAMPBELL of California.
H.R. 4860: Mr. COX of California.
H.R. 4861: Mr. COX of California.
H.R. 4862: Mr. COX of California.
H.R. 4863: Mr. COX of California.
H.R. 4864: Mr. COX of California and Mr. CAMPBELL of California.
H.R. 4865: Mr. CAMPBELL of California.
H.R. 4866: Mr. CAMPBELL of California.
H.R. 4868: Mr. CAMPBELL of California.
H.R. 4869: Mr. CAMPBELL of California and Mr. COX of California.
H.R. 4870: Mr. CAMPBELL of California.
H.R. 4871: Mr. CAMPBELL of California and Mr. COX of California.

H.R. 4872: Mr. CAMPBELL of California and Mr. COX of California.
H.R. 4875: Mr. CAMPBELL of California and Mr. COX of California.
H.R. 4876: Mr. COX of California.
H.R. 4878: Mr. CAMPBELL of California.
H.R. 5003: Mr. COX of California.
H.R. 5106: Mr. GOSS.
H.R. 5201: Mrs. LLOYD.
H.R. 5208: Mr. MOODY.
H.R. 5216: Mr. BROWDER, Mr. ZELIFF, and Mr. INHOPE.
H.R. 5266: Mr. LEHMAN of California and Mr. FROST.
H.R. 5294: Mr. PAYNE of Virginia and Mr. BUSTAMANTE.
H.R. 5297: Mr. ROTH, Mr. FISH, Mr. KLUG, Mr. McCLOSKEY, Mrs. LLOYD, Mr. SHAW, Mr. DREIER of California, Ms. SNOWE, Ms. KAPTUR, Mr. WILLIAMS, Mr. ROSE, Mr. LIVINGSTON, and Ms. LOW.
H.R. 5320: Mr. TOWNS.
H.R. 5357: Mr. SKAGGS and Mr. MORAN.
H.R. 5364: Mr. RANGEL and Mr. SERRANO.
H.R. 5367: Mr. ROWLAND, Mr. RAVENEL, Mr. OWENS of Utah, Mr. LAGOMARSINO, Mr. WOLFE, Mr. BACCHUS, and Mr. McNULTY.
H.R. 5388: Mr. MATSUI.
H.R. 5449: Mr. SHAYS, Mr. PAXON, and Mr. OLVER.
H.R. 5526: Mr. DORNAN of California, Mr. SKEEN, Mr. BLAZ, and Mr. MACHTLEY.
H.R. 5580: Mr. HAYES of Illinois.
H.R. 5588: Mr. RHODES.
H.R. 5613: Mr. RANGEL and Mr. MARKEY.
H.R. 5680: Mr. GUARINI, Mr. TORRICELLI, Mrs. SCHROEDER, Mr. GONZALEZ, and Mr. MANTON.
H.R. 5708: Mr. CRANE.
H.R. 5732: Mr. HANCOCK and Mr. CAMP.
H.R. 5772: Mr. ZELIFF and Mr. NUSSLE.
H.R. 5783: Mr. MACHTLEY and Mr. EDWARDS of California.
H.R. 5812: Mr. ANDERSON, Mr. ANNUNZIO, Mr. BONIOR, Mr. BROOMFIELD, Mr. BACCHUS, Mr. CHAPMAN, Mr. CARPER, Mr. DINGELL, Ms. DELAUNO, Mr. DELAY, Mr. FRANKS of Connecticut, Mr. GEPHARDT, Mr. GRANDY, Mr. GOODLING, Mr. GINGRICH, Mr. HEFNER, Mr. HENRY, Mr. KYL, Mr. MATSUI, Mr. McNULTY, Mr. MONTGOMERY, Mr. MINETA, Mr. MICHEL, Mr. OBERSTAR, Ms. OAKAR, Mr. PETERSON of Florida, Mr. PURBELL, Mr. ROSE, Mr. RAY, Mr. RICHARDSON, Mr. ROBERTS, Mrs. ROUKEMA, and Mr. SCHEUER.
H.R. 5862: Mr. SERRANO.
H.R. 5865: Mr. GILLMOR, Mr. RANGEL, Ms. KAPTUR, and Mr. VISCLOSKEY.
H.R. 5868: Mr. GILLMOR, Mr. RANGEL, Ms. KAPTUR, Mr. VISCLOSKEY, and Mr. ZELIFF.
H.R. 5867: Mr. OLVER.
H.R. 5880: Mr. CLEMENT.
H.R. 5883: Mr. RANGEL and Ms. NORTON.
H.R. 5928: Mr. FROST.
H.R. 5947: Mr. PETERSON of Florida.
H.R. 5950: Mr. NICHOLS, Mr. GALLEGLY, Mr. COLEMAN of Missouri, and Mr. KASICH.
H.R. 5973: Mr. DELLUMS, Mr. ACKERMAN, Mr. HAYES of Illinois, and Mr. TOWNS.
H.R. 5977: Mr. ALLARD, Mr. LIGHTFOOT, Mr. DORNAN of California, Mr. DOOLEY, Mr. KOSTMAYER, Mr. McDADE, Mr. ENGLISH, Mr. GOSS, Mr. CAMP, Mr. LEHMAN of California, and Mr. PAXON.
H.R. 6020: Mr. SARPALIUS.
H.R. 6033: Mrs. MINK, Mr. BLACKWELL, and Mr. BERENUTER.
H.R. 6051: Mr. MOAKLEY.
H.R. 6065: Mr. DOWNEY.
H.R. 6076: Mr. BEVILL, Mr. CAMPBELL of Colorado, Mr. BACCHUS, Mr. HEFNER, Mr. NOWAK, Mr. ABERCROMBIE, Mr. SANDERS, Mr. RHODES, Mr. MARTINEZ, Mr. BOUCHER, Mr. McCLOSKEY, Ms. LONG, Mr. COLEMAN of Mis-

souri, Mr. JOHNSON of South Dakota, Mr. KANJORSKI, Ms. OAKAR, Ms. DELAUNO, Mr. AUCOIN, Mr. TANNER, Mr. SCHIFF, Mr. VISCLOSKEY, Mr. DARDEN, and Mrs. UNSOELD.
H.J. Res. 196: Mr. LEHMAN of Florida.
H.J. Res. 485: Mr. HOCHBRUCKNER, Mr. SANDERS, Mr. SCHIFF, and Mrs. UNSOELD.
H.J. Res. 474: Mr. FROST, Mr. LAUHLIN, Mr. CARPER, Ms. LONG, Mr. WISE, Mr. STUDDS, Mr. DICKINSON, Mr. SKELTON, Mr. LANCASTER, Mr. SARPALIUS, Mr. PANETTA, Mr. SPRATT, Mr. MONTGOMERY, Mr. PARKER, Mr. REGULA, Mr. RAY, Mr. HUTTO, Mr. GREEN of Texas, Mr. HARRIS, Mr. MCCOLLUM, Mr. WEBER, Mr. GILCHRIST, Mr. CAMP, Mr. LAGOMARSINO, Mr. FORD of Michigan, Mr. McNULTY, Mr. BAKER, Mr. CHAPMAN, Mr. CONYERS, Mr. ANDERSON, Mr. MORAN, Mr. HENRY, Mr. JOHNSTON of Florida, Mr. STENHOLM, Mr. BACCHUS, Mr. WAXMAN, Mr. ACKERMAN, Mr. SERRANO, Mr. SANOMEISTER, Mr. INHOPE, Mr. ECKART, Mr. JENKINS, Mr. SWIFT, Mr. RUSSO, Mr. LUKEN, Mr. HOAGLAND, Mr. LEVINE of California, Mr. GEJENSON, Ms. PELOSI, Mr. RAHALL, Mr. BEILSON, Mr. BRAZEK, Mr. DINGELL, Mr. ENGEL, Mr. LEVIN of Michigan, Mr. McDERMOTT, Mr. DURBIN, Mr. KOPETSKI, Ms. MOLINARI, Mr. ABERCROMBIE, Mr. MINETA, Mr. KANJORSKI, Mr. OBERSTAR, Mr. BURTON of Indiana, Mr. BUNNING, Mr. SHAYS, Mr. MILLER of California, Mr. MARKEY, Mr. WYDEN, Mr. BORSKI, Mr. BOWSER, Mr. CAMPBELL of Colorado, Mr. COSTELLO, Mr. ANTHONY, Mr. ROWLAND, Mr. HUGHES, Mr. NEAL of Massachusetts, Mr. WASHINGTON, Mr. VALENTINE, Mr. DARDEN, Mr. DERRICK, Mr. DIXON, Mr. SCHUMER, Mrs. BYRON, and Mr. MURPHY.
H.J. Res. 479: Mr. ROBERTS, Mr. BOEHLERT, Mr. THOMAS of Wyoming, Mr. INHOPE, Mr. HEFLEY, Mr. HASTERT, Mr. ROGERS, Mr. SMITH of Iowa, Mr. ARMEY, Mr. BALLENGER, Mr. BUNNING, Mr. DELAY, Mr. HOPKINS, Mr. RIDGE, Ms. KAPTUR, Mr. NAGLE, Mr. VISCLOSKEY, and Mr. FORD of Tennessee.
H.J. Res. 531: Mr. MAVROULES, Mr. BLACKWELL, Mr. BROOMFIELD, Mr. WOLF, Mr. FISH, Mr. SERRANO, Mr. SIKORSKI, Mr. McWEN, Mrs. LOWEY of New York, and Mr. MARKEY.
H.J. Res. 538: Mr. MORRISON, Mr. QUILLLEN, and Mr. SLATTERY.
H.J. Res. 543: Mr. RICHARDSON, Mr. ROBERTS, Mr. REGULA, Mr. TALLON, Mrs. UNSOELD, Mr. RINALDO, Mr. HAMMERSCHMIDT, Mr. PARKER, Ms. SLAUGHTER, Mr. HATCHER, Mr. STARK, Ms. MOLINARI, Mr. GREEN of New York, Mr. LEHMAN of California, Mr. BRYANT, Mr. BILIRAKIS, Mr. DARDEN, Mr. GRANDY, Mr. JEFFERSON, Mr. OBERSTAR, Mr. SARPALIUS, Mr. MCCREY, Ms. OAKAR, Mr. MORRISON, Mr. SLATTERY, Ms. HORN, Mr. WYDEN, Mr. ANDERSON, Mr. TRAXLER, Mr. McCLOSKEY, Mr. RAHALL, Mr. RUSSO, Mr. PAXON, Mr. TORRICELLI, Mr. STOKES, Mr. DICKS, Mr. CARPER, Mr. EDWARDS of Texas, Mr. LAUHLIN, Mrs. BENTLEY, Mr. BROWDER, Mrs. MORELLA, Mr. BOUCHER, Mr. MURTHA, Mr. SOLARZ, Mr. OWENS of New York, Mr. SERRANO, Mr. ANTHONY, Mr. OWENS of Utah, Mr. KENNEDY, and Mr. TAUZIN.
H.J. Res. 547: Mr. HOAGLAND, Mr. RANGEL, Mr. FAZIO, and Mr. JONTZ.
H.J. Res. 548: Mr. HUGHES, Mr. SABO, Ms. ROS-LEHTINEN, Mr. EVANS, Mr. ANDREWS of New Jersey, Mr. SKAGGS, Mr. PORTER, Mr. EDWARDS of California, Mr. SANDERS, Mr. JONES of Georgia, Mr. JOHNSTON of Florida, Mr. FRANK of Massachusetts, Mr. ENGEL, and Mr. DOOLEY.
H.J. Res. 549: Mr. YATES, Mr. CAMPBELL of Colorado, Mr. BACCHUS, Mr. FORD of Tennessee, Ms. ROS-LEHTINEN, Ms. MOLINARI, Ms. SLAUGHTER, Mr. HALL of Texas, Mr. JOHNSTON of Florida, and Mr. DOOLEY.

H.J. Res. 552: Mr. SOLARZ and Mrs. LOWEY of New York.
 H. Con. Res. 11: Mr. GILMAN.
 H. Con. Res. 362: Mr. SHAYS, Mr. DORNAN of California, Mr. WALSH, and Mr. JOHNSON of Texas.
 H. Con. Res. 363: Mr. WEBER, Mr. KOLBE, Mr. BILBRAY, Mr. RHODES, Mr. WELDON, Mr. MCEWEN, Ms. ROS-LEHTINEN, Mr. BUNNING, Mr. HUNTER, Mr. DUNCAN, Mr. DORNAN of California, Mr. DELAY, Mr. CRANE, Mr. HANCOCK, Mr. MILLER of California, Mr. FISH, Mr. SHAYS, Mr. LIVINGTON, Mr. SUNDQUIST, Mr.

COX of California, Mr. LEWIS of California, Mr. COMBEST, Mr. UPTON, Mr. COBLE, Mr. DANNEMEYER, Mr. HYDE, Mr. HOLLOWAY, Mr. WALKER, Mr. GINGRICH, Mr. SOLOMON, Mr. BILIRAKIS, Mr. JAMES, Mr. SAXTON, Mr. MOORHEAD, Mr. CAMP, Mr. BALLENGER, Mr. ROTH, Mr. GRANDY, Mr. SMITH of New Jersey, Mr. STEARNS, Mr. RAMSTAD, Mr. ROHRBACHER, Mr. SISISKY, Mr. WOLF, Mr. BATEMAN, Mr. DEFAZIO, Mr. HENRY, Mr. RANGEL, Mr. FROST, Mr. ACKERMAN, and Mr. WAXMAN.

H. Res. 515: Mr. SHAYS.
 H. Res. 538: Mr. MFUME and Mr. GILMAN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.J. Res. 529: Mr. CAMPBELL of California.

EXTENSIONS OF REMARKS

TRIBUTE TO FLORINE WARDEN

HON. NICK JOE RAHALL II

OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, October 2, 1992

Mr. RAHALL. Mr. Speaker, today, I want to pay tribute to Florine Warden who is well known for her public service contributions to the Raleigh County community and throughout southern West Virginia.

Whenever there is a need for the people's voice to be heard, Florine Warden's voice is the one you hear. Florine's untiring efforts in the community range from her campaign to beautify the Robert C. Byrd Drive in Beckley, WV, to establishing the Tri-County Baseball Association, to secure a professional minor league baseball team in southern West Virginia.

Florine has taken a stand on many issues of concern to the community and has been a leader in bringing those issues to the forefront. She is a friend to those in need and is always ready to lend a helping hand.

A TRIBUTE TO ROBERT PATRICK KELLIHER

HON. RICHARD E. NEAL

OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, October 2, 1992

Mr. NEAL of Massachusetts. Mr. Speaker, it is with pleasure that I pay tribute to a generous gentleman from Springfield, MA, who is retiring from the Springfield Public School District after 26 years of service as principal of Glenwood School, the longest tenure in the history of the Springfield Public School District.

Robert Patrick Kelliher grew up in Worcester, MA, where he received his high school diploma from the Worcester Public School District. After high school, Robert was called to serve his country in the Korean war. He was on active duty from 1951 until 1953. Following the Korean war, Robert married Phyllis Olson and they had two daughters, Nancy and Laurie. Robert is also the proud grandfather of three. In 1957, Robert graduated from Worcester State Teachers College. He continued his education at Westfield State College where he received his master's degree in education in 1961. At the University of Connecticut, Robert received his C.M.G.S. in public school administration in 1965.

Robert began his career as an educator in 1957 as a teacher at Memorial School. He remained there until 1964 when he transferred to Dorman and Balliet School as an assistant to the principal. He transferred again in 1965 to the Glenwood and Liberty Schools where he was the assistant principal. In 1966, he made his final transfer to the Glenwood School where he became principal.

Robert's contribution to the educational community was not only within Glenwood School. He established a teacher's training school in conjunction with Our Lady of the Elms for many years. As well as educating the high school students in the Springfield Public School District, Robert also worked as a visiting instructor at Elms College. As a fundraiser, Robert is outstanding. Robert raised money for the cancer fund by selling daffodil flowers over a period of several years. These flowers were then given to patients in area hospitals and nursing homes. Robert was also involved in a statewide committee which evaluated teacher's training programs for accreditation purposes. For homeless children, Robert established an after school program with the Springfield Boys' Club.

Robert's contribution to his family, his community and the students of the Springfield Public School District is truly remarkable. As an educator his impact on the Springfield community is extraordinary.

Mr. Speaker, please join with me and the family and friends of Robert Patrick Kelliher, in wishing him a long, happy and healthy retirement. He certainly deserves it.

DOMESTIC VIOLENCE MUST STOP

HON. ROMANO L. MAZZOLI

OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Friday, October 2, 1992

Mr. MAZZOLI. Mr. Speaker, on September 30, 1992, the House Judiciary Committee, on which I am proud to serve, unanimously approved three measures to combat domestic violence. I hope the House acts expeditiously on these bills and sends them to the President for his signature.

During committee consideration, I took the opportunity to express my strong support for the measures. The text of my remarks follows:

STATEMENT OF ROMANO L. MAZZOLI

Mr. Chairman, I am proud to support three measures before the Committee this morning that will help combat the rising tide of violence against women and families. Thank you for including them on the agenda for our consideration.

I commend the gentleman from New Jersey, Mr. Hughes, for his support and for guiding these bills through the panel he chairs, and, I appreciate the outstanding efforts of the gentlewoman from Maryland, Ms. Morella, on behalf of this critical issue.

For the record, I also support the Violence Against Women Act, which includes these measures. I look forward to joining my colleagues on the Committee and in the House in securing the enactment of that vital measure.

H.R. 1252, H.R. 1253, and H. Con. Res. 89, individually and as a legislative package, will assist battered women in obtaining equal justice in state courts. Allowing for the ad-

mission of expert testimony and making funds available for abused defendants to obtain expert testimony in criminal cases, will help victims receive a fair trial. Furthermore, authorizing funds for the development and dissemination of model training programs for judges in sexual assault and domestic violence cases, as well as child custody cases involving domestic violence, will go a long way toward meeting the important goal of equal justice.

Communities across the country are making strides in the public battle against what is sometimes referred to as the dark problem or abuse. Drawing attention to this problem, in fact, was the purpose of a recent candlelight vigil held in my hometown of Louisville, Kentucky, and sponsored by the Louisville Chapter of the National Organization for Women.

Other efforts in my community and state of which I am particularly proud, include the establishment of the Jefferson County Office for Women by Jefferson County Judge/Executive David Armstrong in 1991. Under the leadership of Marla Roth, Office Director, examining the issue of domestic violence was the first task of the Office's Advisory Committee. That examination led to the development and implementation of sound policies that contribute to the successful prosecution of domestic violence cases.

In Louisville, we are also fortunate to be able to make available much-needed services to women and children who are victims of domestic violence. The Center for Women and Families, which I had the privilege of visiting earlier this week, provides emergency shelter, counseling, and transitional housing for these victims. In fact, its Spouse Abuse Program is regarded as a national leader because of its innovative programming.

Finally, the Kentucky Commission on Women is also very active in addressing the issue of domestic violence. The Commission's Executive Director, Marsha Weinstein, who is also a member of the Kentucky Attorney General's Task Force on Domestic Violence Crime, joined her colleagues on the Commission in supporting the passage of several domestic violence measures by the Kentucky General Assembly.

Mr. Chairman, domestic violence must stop. I strongly support these measures and I urge their passage.

NATIONAL VETERANS AFFAIRS
OFFICER OF THE YEAR

HON. WILLIAM O. LIPINSKI

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, October 2, 1992

Mr. LIPINSKI. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues an outstanding individual from my congressional district of Illinois, Stanley Mageria, who has been selected as the National Veterans Affairs Officer of the Year in the Small Business Administration [SBA].

* This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.