

103^D CONGRESS
1ST SESSION

S. 1295

To amend the Rehabilitation Act of 1973 and the Education of the Deaf Act of 1986 to make technical and conforming amendments to the Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27 (legislative day, JUNE 30), 1993

Mr. HARKIN (for himself, Mr. DURENBERGER, and Mr. DOLE) introduced the following bill; which was read twice, considered, read the third time, and passed.

A BILL

To amend the Rehabilitation Act of 1973 and the Education of the Deaf Act of 1986 to make technical and conforming amendments to the Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rehabilitation Act
5 Amendments of 1993”.

1 **TITLE I—REHABILITATION ACT**
2 **OF 1973**

3 **SEC. 101. REFERENCES.**

4 Except as otherwise specifically provided, whenever in
5 this title an amendment or repeal is expressed in terms
6 of an amendment to, or a repeal of, a section or other
7 provision, the reference shall be considered to be made to
8 a section or other provision of the Rehabilitation Act of
9 1973 (29 U.S.C. 701 et seq.).

10 **SEC. 102. REHABILITATION ACT AMENDMENTS OF 1992.**

11 The Rehabilitation Act Amendments of 1992 (Public
12 Law 102–569; 106 Stat. 4344 et seq.) is amended—

13 (1) in section 102(a)(2) (relating to a section
14 7(3)), by adding closing quotations after
15 “101(a)(1)(A).”;

16 (2) in section 102(p)(7)(E) (relating to a sec-
17 tion 101(a)(13)(B)), by striking “conditions” and
18 inserting “condition”;

19 (3) in section 138(b) (29 U.S.C. 701 note), to
20 read as follows:

21 “(b) COMPLIANCE.—Each State agency subject to
22 the provisions of title I of the Rehabilitation Act of 1973
23 shall comply with the amendments made by this subtitle,
24 as soon as is practicable after the date of enactment of
25 this Act, consistent with the effective and efficient admin-

1 istration of the Rehabilitation Act of 1973, but not later
2 than October 1, 1993.”; and

3 (4) in section 203(g)(5) (relating to a section
4 202(g)), by striking “adding at the end” and insert-
5 ing “inserting after paragraph (3)”.

6 **SEC. 103. DEFINITIONS.**

7 Section 7 (29 U.S.C. 706) is amended—

8 (1) in paragraph (3)—

9 (A) by striking “The term ‘designated
10 State unit’ means” and inserting the following:

11 “(B) The term ‘designated State unit’ means”; and

12 (B) in subparagraph (B) (as designated by
13 subparagraph (A) of this paragraph), in clause
14 (ii), by striking “101(a)(B)(i)” and inserting
15 “101(a)(1)(B)(i)”;

16 (2) in paragraph (8)—

17 (A) in subparagraph (A), by striking “ti-
18 tles I, II, III, VI, and VIII” and inserting “title
19 I, III, VI, or VIII”; and

20 (B) in subparagraph (B), by striking “IV
21 and V” and inserting “II, IV, V, and VII”;

22 (3) in paragraph (15)(A), in the matter preced-
23 ing clause (i), by inserting a comma after “subpara-
24 graph (C)”;

25 (4) in paragraph (18)(A)(ii)—

1 (A) by inserting “for the period, and any
2 extension, described in paragraph (34)(C)”
3 after “employment services”;

4 (B) by striking “or” and inserting “and”;
5 and

6 (C) by inserting “after the transition de-
7 scribed in paragraph (27)(C)” after “extended
8 services”; and

9 (5) in paragraph (26)(B), by striking “III, IV,
10 V, and VIII” and inserting “IV, V, and VII”.

11 **SEC. 104. CARRYOVER.**

12 Section 19(a) (29 U.S.C. 718(a)) is amended to read
13 as follows:

14 “(a) IN GENERAL.—Except as provided in subsection
15 (b), and notwithstanding any other provision of law—

16 “(1) any funds appropriated for a fiscal year to
17 carry out any grant program under part B or C of
18 title I, section 509 (except as provided in section
19 509(b)), part C of title VI, part B or C of chapter
20 1 of title VII, or chapter 2 of title VII (except as
21 provided in section 752(b)), including any funds re-
22 allotted under any such grant program, that are not
23 obligated and expended by recipients prior to the be-
24 ginning of the succeeding fiscal year; or

1 “(2) any amounts of program income, including
2 reimbursement payments under the Social Security
3 Act (42 U.S.C. 301 et seq.), received by recipients
4 under any grant program specified in paragraph (1)
5 that are not obligated and expended by recipients
6 prior to the beginning of the fiscal year succeeding
7 the fiscal year in which such amounts were received,
8 shall remain available for obligation and expenditure by
9 such recipients during such succeeding fiscal year.”.

10 **SEC. 105. CLIENT ASSISTANCE INFORMATION.**

11 Section 20 (29 U.S.C. 718a) is amended by striking
12 “such individuals, or the parents,” and inserting “such in-
13 dividuals who are applicants for or recipients of the serv-
14 ices, or the parents,”.

15 **SEC. 106. TRADITIONALLY UNDERSERVED POPULATIONS.**

16 Section 21(b) (29 U.S.C. 719b(b)) is amended—

17 (1) by redesignating paragraphs (4) and (5) as
18 paragraphs (5) and (6), respectively; and

19 (2) by redesignating the second paragraph (3)
20 as paragraph (4).

21 **SEC. 107. VOCATIONAL REHABILITATION SERVICES.**

22 (a) STATE PLANS.—Section 101(a) (29 U.S.C.
23 721(a)) is amended—

1 (1) in paragraph (10)(A), by striking “de-
2 scribed in subparagraph (C)” and inserting “de-
3 scribed in subparagraph (D)”;

4 (2) in paragraph (32), by inserting “or inde-
5 pendent commission described in paragraph (36)”
6 after “Council”;

7 (3) in paragraph (34)(B) by striking “part B”
8 and inserting “section 110”; and

9 (4) in paragraph (36)—

10 (A) by amending subparagraph (B)(i) to
11 read as follows:

12 “(i) is responsible under State law for
13 operating, or overseeing the operation of,
14 the vocational rehabilitation program in
15 the State;” and

16 (B) in subparagraph (C)—

17 (i) by amending clause (i) to read as
18 follows:

19 “(i) an independent commission is re-
20 sponsible under State law for operating, or
21 overseeing the operation of, the vocational
22 rehabilitation programs of both such agen-
23 cies and meets the requirements of clauses
24 (ii) and (iv) of subparagraph (B);” and

1 (ii) by striking clause (ii) and insert-
2 ing the following:

3 “(ii)(I) an independent commission is
4 responsible under State law for operating,
5 or overseeing the operation of, the voca-
6 tional rehabilitation program in the State
7 for individuals who are blind, is consumer-
8 controlled by and represents individuals
9 who are blind, and undertakes the function
10 set forth in section 105(c)(3); and

11 “(II) an independent commission is
12 responsible under State law for operating,
13 or overseeing the operation of, the voca-
14 tional rehabilitation program in the State
15 for all individuals with disabilities except
16 for individuals who are blind and meets the
17 requirements of clauses (ii) and (iv) of
18 subparagraph (B); or

19 “(iii)(I) an independent commission is
20 responsible under State law for operating,
21 or overseeing the operation of, the voca-
22 tional rehabilitation program in the State
23 for individuals who are blind, is consumer-
24 controlled by and represents individuals

1 who are blind, and undertakes the function
2 set forth in section 105(c)(3); and

3 “(II) the State has established a State
4 Rehabilitation Advisory Council that meets
5 the criteria set forth in section 105 and
6 carries out the duties of such a Council
7 with respect to functions for, and services
8 provided to, individuals with disabilities ex-
9 cept for individuals who are blind.”.

10 (b) INDIVIDUALIZED WRITTEN REHABILITATION
11 PROGRAM.—Section 102 (29 U.S.C. 722) is amended—

12 (1) in subsection (a)(5)(B), by striking “section
13 7(22)(A)(iii)” and inserting “section 7(22)(A)(ii)”;
14 and

15 (2) in subsection (d)—

16 (A) in paragraph (2)(C)(ii)(I), by striking
17 “who were appointed under one of subpara-
18 graphs (E) through (H) of section 105(b)(1);”
19 and inserting “who were appointed under one of
20 clauses (v) through (viii) of section
21 105(b)(1)(A), or under one of clauses (v)
22 through (ix) of section 105(b)(1)(B), as appro-
23 priate;”; and

1 (B) in paragraph (6)(B), by redesignating
2 paragraphs (1) through (4) as clauses (i)
3 through (iv), respectively.

4 (c) VOCATIONAL REHABILITATION SERVICES.—Sec-
5 tion 103(a) (29 U.S.C. 723(a)) is amended—

6 (1) in paragraph (4)—

7 (A) in subparagraph (D), by striking “a
8 physician skilled in the diseases of the eye or by
9 an optometrist, whichever the individual may
10 select,” and inserting “qualified personnel,
11 under State licensure laws, that are selected by
12 the individual,”; and

13 (B) in subparagraph (F), by striking “a
14 physician or licensed psychologist” and all that
15 follows and inserting “qualified personnel under
16 State licensure laws;”; and

17 (2) in paragraph (6), by striking “those individ-
18 uals” and all that follows and inserting “those indi-
19 viduals determined to be blind after an examination
20 by qualified personnel under State licensure laws;”.

21 (d) STATE REHABILITATION ADVISORY COUNCIL.—

22 (1) AMENDMENTS.—Section 105 (29 U.S.C.
23 725) is amended—

24 (A) in subsection (b)—

1 (i) by striking paragraph (1) and in-
2 serting the following:

3 “(1) COMPOSITION.—

4 “(A) IN GENERAL.—Except in the case of
5 a separate Council established under subsection
6 (a)(2), the Council shall be composed of—

7 “(i) at least one representative of the
8 Statewide Independent Living Council es-
9 tablished under section 705, which rep-
10 resentative may be the chairperson or
11 other designee of the Council;

12 “(ii) at least one representative of a
13 parent training and information center es-
14 tablished pursuant to section 631(e)(1) of
15 the Individuals with Disabilities Education
16 Act (20 U.S.C. 1431(e)(1));

17 “(iii) at least one representative of the
18 client assistance program established under
19 section 112;

20 “(iv) at least one vocational rehabili-
21 tation counselor, with knowledge of and ex-
22 perience with vocational rehabilitation pro-
23 grams, who shall serve as an ex officio,
24 nonvoting member of the Council if the

1 counselor is an employee of the designated
2 State agency;

3 “(v) at least one representative of
4 community rehabilitation program service
5 providers;

6 “(vi) four representatives of business,
7 industry, and labor;

8 “(vii) representatives of disability ad-
9 vocacy groups representing a cross section
10 of—

11 “(I) individuals with physical,
12 cognitive, sensory, and mental disabil-
13 ities; and

14 “(II) parents, family members,
15 guardians, advocates, or authorized
16 representatives, of individuals with
17 disabilities who have difficulty in rep-
18 resenting themselves or are unable
19 due to their disabilities to represent
20 themselves; and

21 “(viii) current or former applicants
22 for, or recipients of, vocational rehabilita-
23 tion services.

1 “(B) SEPARATE COUNCIL.—In the case of
2 a separate Council established under subsection
3 (a)(2), the Council shall be composed of—

4 “(i) at least one representative de-
5 scribed in subparagraph (A)(i);

6 “(ii) at least one representative de-
7 scribed in subparagraph (A)(ii);

8 “(iii) at least one representative de-
9 scribed in subparagraph (A)(iii);

10 “(iv) at least one vocational rehabili-
11 tation counselor described in subparagraph
12 (A)(iv), who shall serve as described in
13 such subparagraph;

14 “(v) at least one representative de-
15 scribed in subparagraph (A)(v);

16 “(vi) four representatives described in
17 subparagraph (A)(vi);

18 “(vii) at least one representative of a
19 disability advocacy group representing indi-
20 viduals who are blind;

21 “(viii) at least one parent, family
22 member, guardian, advocate, or authorized
23 representative, of an individual who—

24 “(I) is an individual who is blind
25 and has multiple disabilities; and

1 “(II) has difficulty in represent-
2 ing himself or herself or is unable due
3 to disabilities to represent himself or
4 herself; and

5 “(ix) applicants or recipients de-
6 scribed in subparagraph (A)(viii).

7 “(C) EXCEPTION.—In the case of a sepa-
8 rate Council established under subsection
9 (a)(2), any Council that is required by State
10 law, as in effect on the date of enactment of the
11 Rehabilitation Act Amendments of 1992, to
12 have fewer than 13 members shall be deemed to
13 be in compliance with subparagraph (B) if the
14 Council—

15 “(i) meets the requirements of sub-
16 paragraph (B), other than the require-
17 ments of clauses (vi) and (ix) of such sub-
18 paragraph; and

19 “(ii) includes at least—

20 “(I) one representative described
21 in subparagraph (B)(vi); and

22 “(II) one applicant or recipient
23 described in subparagraph (B)(ix).”;
24 and

25 (ii) in paragraph (3)—

1 (I) in the first sentence, by strik-
2 ing “or the appropriate entity within
3 the State responsible for making ap-
4 pointments”; and

5 (II) by inserting after the first
6 sentence the following: “In the case of
7 a State that, under State law, vests
8 appointment authority in an entity in
9 lieu of, or in conjunction with, the
10 Governor, such as one or more houses
11 of the State legislature, or an inde-
12 pendent board that has general ap-
13 pointment authority, that entity shall
14 make the appointments.”; and

15 (B) in subsection (g), by inserting “(except
16 for funds appropriated to carry out the client
17 assistance program under section 112 and
18 funds reserved pursuant to section 110(d) to
19 carry out part D of this title)” before “to reim-
20 burse members”.

21 (2) EFFECTIVE DATE.—In the case of a State
22 that demonstrates to the satisfaction of the Sec-
23 retary of Education that the State has designated a
24 State agency to administer the part of the State
25 plan under which vocational rehabilitation services

1 are provided for individuals who are blind under sec-
2 tion 101(a)(1)(A)(i) of the Rehabilitation Act of
3 1973, and has established by State law a separate
4 Council to perform the duties of a State Rehabilita-
5 tion Advisory Council with respect to such State
6 agency, the Secretary may delay the effective date of
7 all or part of section 105(b)(1)(B), as amended by
8 paragraph (1), until October 1, 1994.

9 (e) STATE ALLOTMENTS.—Section 110(c) (29 U.S.C.
10 730(c)) is amended—

11 (1) in paragraph (2)—

12 (A) by striking “to pay for initial expendi-
13 tures during”; and

14 (B) by inserting at the end the following:
15 “The Commissioner shall make such amount
16 available only if such other State will be able to
17 make sufficient payments from non-Federal
18 sources to pay for the non-Federal share of the
19 cost of vocational rehabilitation services under
20 the State plan for the fiscal year for which the
21 amount was appropriated.”; and

22 (2) by striking paragraph (4).

23 (f) PAYMENTS TO STATES.—Section 111(b) (29
24 U.S.C. 731(b)) is amended by moving paragraphs (1) and
25 (2) 2 ems to the right.

1 (g) CLIENT ASSISTANCE PROGRAM.—Section 112
2 (29 U.S.C. 732) is amended—

3 (1) in the first sentence of subsection (a), by
4 striking “facilities” and inserting “community reha-
5 bilitation programs”; and

6 (2) in subsection (e)(1)(D), by striking clause
7 (ii) and inserting the following:

8 “(ii) For any fiscal year in which the total amount
9 appropriated under subsection (h) exceeds the total
10 amount appropriated under such subsection for the pre-
11 ceding fiscal year by a percentage greater than the most
12 recent percentage change in the Consumer Price Index
13 For All Urban Consumers published by the Secretary of
14 Labor under section 100(c)(1), the Secretary shall in-
15 crease each of the minimum allotments under clause (i)
16 by such percentage change in the Consumer Price Index
17 For All Urban Consumers.”.

18 (h) INNOVATION AND EXPANSION GRANTS.—Section
19 124 (29 U.S.C. 744) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (2)—

22 (i) in subparagraph (A), by striking
23 “this subsection” and inserting “paragraph
24 (1)(B)”; and

1 (ii) in subparagraph (B), by striking
2 “allotted” and inserting “allotted under
3 paragraph (1)(A)”; and

4 (B) by striking paragraph (3) and insert-
5 ing the following:

6 “(3) ADJUSTMENT FOR INFLATION.—For any
7 fiscal year, beginning in fiscal year 1994, in which
8 the total amount appropriated to carry out this part
9 exceeds the total amount appropriated to carry out
10 this part for the preceding fiscal year by a percent-
11 age greater than the most recent percentage change
12 in the Consumer Price Index For All Urban Con-
13 sumers published by the Secretary of Labor under
14 section 100(c)(1), the Commissioner shall increase
15 the minimum allotment under paragraph (1)(B) by
16 such percentage change in the Consumer Price
17 Index For All Urban Consumers.”; and

18 (2) by striking subsection (b) and inserting the
19 following:

20 “(b) PROPORTIONAL REDUCTION.—To provide mini-
21 mum allotments to States (as increased under subsection
22 (a)(3)) under subsection (a)(1)(B), or to provide minimum
23 allotments to States under subsection (a)(2)(B), the Com-
24 missioner shall proportionately reduce the allotments of
25 the remaining States under subsection (a)(1)(A), with

1 such adjustments as may be necessary to prevent the allot-
 2 ment of any such remaining State from being reduced to
 3 less than the minimum allotment for a State (as increased
 4 under subsection (a)(3)) under subsection (a)(1)(B), or
 5 the minimum allotment for a State under subsection
 6 (a)(2)(B), as appropriate.”.

7 **SEC. 108. CLIENT INFORMATION.**

8 Title I (29 U.S.C. 721 et seq.) is amended by adding
 9 at the end the following:

10 “PART E—VOCATIONAL REHABILITATION SERVICES

11 CLIENT INFORMATION

12 **“SEC. 140. REVIEW OF DATA COLLECTION AND REPORTING**

13 **SYSTEM.**

14 “(a) REVIEW.—The Commissioner shall conduct a
 15 comprehensive review of the current system for collecting
 16 and reporting data on clients of programs carried out
 17 under this Act, particularly data on clients of the pro-
 18 grams carried out under this title.

19 “(b) CONSIDERATIONS.—

20 “(1) CURRENT DATA.—In conducting the re-
 21 view, the Commissioner shall examine the kind,
 22 quantity, and quality of the data that are currently
 23 collected and reported, taking into consideration the
 24 range of purposes that the data serve at the Federal,
 25 State, and local levels.

1 “(2) ADDITIONAL INFORMATION.—In conduct-
2 ing the review, the Commissioner shall examine the
3 feasibility of collecting and reporting under the sys-
4 tem information, if such information can be deter-
5 mined, with respect to each client participating in a
6 program under this Act, regarding—

7 “(A) other programs in which the client
8 participated during the 3 years before the date
9 on which the client applied to participate in a
10 program under this Act;

11 “(B) the number of jobs held, hours
12 worked, and earnings received by the client dur-
13 ing such 3 years;

14 “(C) the types of major and secondary dis-
15 abilities of the client;

16 “(D) the dates of the onset of the disabil-
17 ities;

18 “(E) the severity of the disabilities;

19 “(F) the source from which the client was
20 referred to a program under this Act;

21 “(G) the hours worked by the client;

22 “(H) the size and industry code of the
23 place of employment of the client at the time of
24 entry into such a program and at the termi-
25 nation of services under the program;

1 “(I) the number of services provided to the
2 client under the programs and the cost of each
3 service;

4 “(J) the types of public support received
5 by the client;

6 “(K) the primary sources of economic sup-
7 port and amounts of public assistance received
8 by the client before and after receiving the serv-
9 ices;

10 “(L) whether the client is covered by
11 health insurance from any source and whether
12 health insurance is available through the em-
13 ployer of the client;

14 “(M) the supported employment status of
15 the client; and

16 “(N) the reasons for terminating the serv-
17 ices received by the client.

18 “(c) RECOMMENDATIONS.—Based on the review, the
19 Commissioner shall recommend improvements in the data
20 collection and reporting system.

21 “(d) VIEWS.—In developing the recommendations,
22 the Commissioner shall seek views of persons and entities
23 providing or using such data, including State agencies,
24 State Rehabilitation Advisory Councils, providers of voca-
25 tional rehabilitation services, professionals in the field of

1 vocational rehabilitation, clients and organizations rep-
2 resenting clients, the National Council on Disability, other
3 Federal agencies, non-Federal researchers, other analysts
4 using the data, and other members of the public.

5 “(e) PUBLICATION AND SUBMISSION OF REPORT.—
6 Not later than 18 months after the date of the enactment
7 of the Rehabilitation Act Amendments of 1992 (Public
8 Law 102–569), the Commissioner shall publish the rec-
9 ommendations in the Federal Register and shall prepare
10 and submit a report containing the recommendations to
11 the appropriate committees of Congress. The Commis-
12 sioner shall not implement the recommendations earlier
13 than 90 days after the date on which the Commissioner
14 submits the report.

15 **“SEC. 141. EXCHANGE OF DATA.**

16 “(a) EXCHANGE.—The Secretary of Education and
17 the Secretary of Health and Human Services shall enter
18 into a memorandum of understanding for the purposes of
19 exchanging data of mutual importance—

20 “(1) that concern clients of State vocational re-
21 habilitation agencies; and

22 “(2) that are data maintained either by—

23 “(A) the Rehabilitation Services Adminis-
24 tration, as required by section 13; or

1 “(B) the Social Security Administration,
2 from its Summary Earnings and Records and
3 Master Beneficiary Records.

4 “(b) TREATMENT OF INFORMATION.—For purposes
5 of the exchange, the data described in subsection (a)(2)(B)
6 shall not be considered return information (as defined in
7 section 6103(b)(2) of the Internal Revenue Code of 1986)
8 and, as appropriate, the confidentiality of all client infor-
9 mation shall be maintained by both agencies.”.

10 **SEC. 109. RESEARCH AND TRAINING.**

11 (a) NATIONAL INSTITUTE ON DISABILITY AND RE-
12 HABILITATION.—Section 202 (29 U.S.C. 761a) is amend-
13 ed—

14 (1) in subsection (b)—

15 (A) in paragraph (2)(D), by striking “the
16 individuals” and inserting “such individuals”;
17 and

18 (B) in paragraph (4)(D), by striking “indi-
19 viduals” and inserting “individuals described in
20 subparagraph (C)”;

21 (2) in the fourth sentence of subsection (c)(2),
22 by striking “In case of any vacancy in the office of
23 the Director, the” and inserting “The”; and

24 (3) in subsection (g) in paragraph (3), by strik-
25 ing “and” at the end.

1 (b) RESEARCH.—Section 204 (29 U.S.C. 762) is
2 amended—

3 (1) in subsection (a)—

4 (A) in the second sentence, by inserting “,
5 including projects addressing the needs de-
6 scribed in the State plans submitted under sec-
7 tion 101 or 704 by State agencies” before the
8 period at the end; and

9 (B) in the third sentence, by striking “, as
10 described in the State plans submitted by the
11 State agencies,”; and

12 (2) in subsection (b)—

13 (A) in paragraph (2)(G)(i), by striking
14 “rehabilitation related” and inserting “rehabili-
15 tation-related”;

16 (B) in paragraph (3)—

17 (i) in subparagraph (B)(iii)(I), by
18 striking “family centered” and inserting
19 “family-centered”; and

20 (ii) in subparagraph (C)(i)—

21 (I) by striking “Assistance to In-
22 dividuals” and inserting “Assistance
23 for Individuals”; and

1 (II) by striking the comma after
2 “representatives of the individuals”;
3 and

4 (C) in paragraph (4)(A), by moving clause
5 (iii) 2 ems to the right.

6 **SEC. 110. TRAINING AND DEMONSTRATION PROJECTS.**

7 (a) TRAINING.—Section 302 (29 U.S.C. 771a) is
8 amended—

9 (1) in subsection (d)—

10 (A) in the second sentence, by striking
11 “local employees, who are recruited from or re-
12 side in” and inserting “local residents, who are
13 recruited from”; and

14 (B) by inserting after the second sentence
15 a new sentence to read as follows: “Entities re-
16 ceiving grants to carry out projects under this
17 subsection shall coordinate the activities carried
18 out through the projects with the activities of
19 State vocational rehabilitation agencies to pro-
20 mote the employment of the individuals trained
21 to be rehabilitation technicians.”; and

22 (2) in subsection (h), to read as follows:

23 “(h) There are authorized to be appropriated to carry
24 out this section such sums as may be necessary for each
25 of the fiscal years 1993 through 1997.”.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
2 310 (29 U.S.C. 777) is amended by striking “sections
3 311(d), 311(e),” and inserting “sections 311(c), 311(d),”.

4 (c) SPECIAL DEMONSTRATION PROGRAMS.—Section
5 311 (29 U.S.C. 777a) is amended—

6 (1) in subsection (a)(1), by striking the comma
7 at the end and inserting a semicolon; and

8 (2) in subsection (c)(1)(B) by inserting “and”
9 before “(iii)”.

10 (d) SPECIAL RECREATIONAL PROGRAMS.—Section
11 316(a)(1) (29 U.S.C. 777f(a)(1)) is amended in the first
12 sentence, by striking “handicapped individuals” and in-
13 serting “individuals with disabilities”.

14 **SEC. 111. NATIONAL COUNCIL ON DISABILITY.**

15 Section 403(a)(2) (29 U.S.C. 783(a)(2)) is amended
16 by striking “seven” and inserting “eight”.

17 **SEC. 112. RIGHTS AND ADVOCACY.**

18 (a) EMPLOYMENT OF INDIVIDUALS WITH DISABIL-
19 ITIES.—Section 501(a) (29 U.S.C. 791(a)) is amended in
20 the first sentence, by inserting a comma after “Veterans
21 Affairs”.

22 (b) ARCHITECTURAL AND TRANSPORTATION BAR-
23 RIERS COMPLIANCE BOARD.—Section 502(a)(5)(A) (29
24 U.S.C. 792(a)(5)(A)) is amended by striking “the daily
25 equivalent of the rate of pay for level 4 of the Senior Exec-

1 utive Service Schedule under section 5382” and inserting
2 “the daily equivalent of the rate of pay for level IV of
3 the Executive Schedule under section 5315”.

4 (c) RIGHTS AND ADVOCACY.—Section 509 (29
5 U.S.C. 794e) is amended—

6 (1) in subsection (a), by striking paragraph (1)
7 and inserting the following:

8 “(1) need services that are beyond the scope of
9 services authorized to be provided by the client as-
10 sistance program under section 112; and”;

11 (2) by striking subsection (b) and inserting the
12 following:

13 “(b) APPROPRIATIONS LESS THAN \$5,500,000.—For
14 any fiscal year in which the amount appropriated to carry
15 out this section is less than \$5,500,000, the Commissioner
16 may make grants from such amount to eligible systems
17 within States to plan for, develop outreach strategies for,
18 and carry out protection and advocacy programs author-
19 ized under this section for individuals with disabilities who
20 meet the requirements of paragraphs (1) and (2) of sub-
21 section (a).”;

22 (3) in subsection (c)—

23 (A) in paragraph (4)—

1 (i) in subparagraph (A), by striking
2 “this subsection” and inserting “paragraph
3 (3)(B)”; and

4 (ii) in subparagraph (B), by striking
5 “allotted” and inserting “allotted under
6 paragraph (3)(A)”; and

7 (B) by striking paragraph (5) and insert-
8 ing the following:

9 “(5) ADJUSTMENT FOR INFLATION.—For any
10 fiscal year, beginning in fiscal year 1994, in which
11 the total amount appropriated to carry out this sec-
12 tion exceeds the total amount appropriated to carry
13 out this section for the preceding fiscal year by a
14 percentage greater than the most recent percentage
15 change in the Consumer Price Index For All Urban
16 Consumers published by the Secretary of Labor
17 under section 100(c)(1), the Commissioner shall in-
18 crease the minimum allotment under paragraphs
19 (3)(B) and (4)(B) by such percentage change in the
20 Consumer Price Index For All Urban Consumers.”;

21 (4) by striking subsection (d) and inserting the
22 following:

23 “(d) PROPORTIONAL REDUCTION.—To provide mini-
24 mum allotments to systems within States (as increased
25 under subsection (c)(5)) under subsection (c)(3)(B), or to

1 provide minimum allotments to systems within States (as
2 increased under subsection (c)(5)) under subsection
3 (c)(4)(B), the Commissioner shall proportionately reduce
4 the allotments of the remaining systems within States
5 under subsection (c)(3), with such adjustments as may be
6 necessary to prevent the allotment of any such remaining
7 system within a State from being reduced to less than the
8 minimum allotment for a system within a State (as in-
9 creased under subsection (c)(5)) under subsection
10 (c)(3)(B), or the minimum allotment for a State (as in-
11 creased under subsection (c)(5)) under subsection
12 (c)(4)(B), as appropriate.”;

13 (5) by redesignating subsection (i) as subsection
14 (n);

15 (6) in subsection (i), to read as follows:

16 “(i) Notwithstanding subsection (n), a protection and
17 advocacy system that—

18 “(1) received funds for fiscal year 1992, under
19 section 731 of this Act, as in effect on the day be-
20 fore the date of enactment of the Rehabilitation Act
21 Amendments of 1992, to carry out a project; and

22 “(2) receives a continuation award for such
23 project for fiscal year 1993,

24 shall not be eligible to receive additional funds under this
25 section for fiscal year 1993.”; and

1 (7) by striking subsection (j) and inserting the
2 following:

3 “(j) ADMINISTRATIVE COST.—In any State in which
4 an eligible system is located within a State agency, a State
5 may use a portion of any allotment under subsection (c)
6 for the cost of the administration of the system required
7 by this section. Such portion may not exceed 5 percent
8 of the allotment.”.

9 **SEC. 113. AVAILABILITY OF SERVICES.**

10 Section 633 (29 U.S.C. 795l) is amended by striking
11 “subsection (c) or (f)” and inserting “subsection (b) or
12 (c)”.

13 **SEC. 114. INDEPENDENT LIVING SERVICES AND CENTERS**
14 **FOR INDEPENDENT LIVING.**

15 (a) PURPOSE.—Section 701(3) (29 U.S.C. 796(3)) is
16 amended by striking “other Federal programs” and in-
17 serting “other Federal law”.

18 (b) STATE PLAN.—Section 704(c)(2) (29 U.S.C.
19 796c(c)(2)) is amended by striking “programs under parts
20 B and C” and inserting “a program under part B, and
21 a program under part C in a case in which the program
22 is administered by the State under section 723”.

23 (c) STATEWIDE INDEPENDENT LIVING COUNCIL.—
24 Section 705 (29 U.S.C. 795d) is amended—

1 (1) in the second sentence of subsection (a), by
2 striking “another” and inserting “a”;

3 (2) in subsection (b)—

4 (A) by striking paragraph (4) and insert-
5 ing the following:

6 “(4) QUALIFICATIONS.—

7 “(A) IN GENERAL.—The Council shall be
8 composed of members—

9 “(i) who provide statewide representa-
10 tion;

11 “(ii) who represent a broad range of
12 individuals with disabilities;

13 “(iii) who are knowledgeable about
14 centers for independent living and inde-
15 pendent living services; and

16 “(iv) a majority of whom are persons
17 who are—

18 “(I) individuals with disabilities
19 described in section 7(8)(B); and

20 “(II) not employed by any State
21 agency or center for independent liv-
22 ing.

23 “(B) VOTING MEMBERS.—A majority of
24 the voting members of the Council shall be—

1 “(i) individuals with disabilities de-
2 scribed in section 7(8)(B); and

3 “(ii) not employed by any State agen-
4 cy or center for independent living.”; and
5 (B) in paragraph (5)—

6 (i) in subparagraph (A), by inserting
7 “voting” before “membership”; and

8 (ii) in subparagraph (B), by inserting
9 “voting” before “member” each place the
10 term appears; and

11 (3) in subsection (c)(1)—

12 (A) by striking “submit” and inserting
13 “sign”; and

14 (B) by striking “designated State agency”
15 and inserting “designated State unit”.

16 (d) RESPONSIBILITIES OF THE COMMISSIONER.—

17 Section 706(c)(1) (29 U.S.C. 796d-1(c)(1)) is amended—

18 (1) in the first sentence, by striking “part C”
19 and inserting “section 722”;

20 (2) by inserting after the second sentence the
21 following: “The Commissioner shall annually conduct
22 onsite compliance reviews of at least one-third of the
23 designated State units that receive funding under
24 section 723, and, to the extent necessary to deter-
25 mine the compliance of such a State unit with sub-

1 sections (f) and (g) of section 723, centers that re-
2 ceive funding under section 723 in such State.”; and

3 (3) in the last sentence, by inserting “and such
4 State units” after “select such centers”.

5 (e) INDEPENDENT LIVING SERVICES ALLOT-
6 MENTS.—Section 711 (29 U.S.C. 796e) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (2)—

9 (i) in subparagraph (A), by striking
10 “this subsection” and inserting “paragraph
11 (1)(C)”; and

12 (ii) in subparagraph (B), by striking
13 “allotted” and inserting “allotted under
14 paragraph (1)(A)”; and

15 (B) by striking paragraph (3) and insert-
16 ing the following:

17 “(3) ADJUSTMENT FOR INFLATION.—For any
18 fiscal year, beginning in fiscal year 1994, in which
19 the total amount appropriated to carry out this part
20 exceeds the total amount appropriated to carry out
21 this part for the preceding fiscal year by a percent-
22 age greater than the most recent percentage change
23 in the Consumer Price Index For All Urban Con-
24 sumers published by the Secretary of Labor under
25 section 100(c)(1), the Commissioner shall increase

1 the minimum allotment under paragraph (1)(C) by
2 such percentage change in the Consumer Price
3 Index For All Urban Consumers.”; and

4 (2) by striking subsection (b) and inserting a
5 new subsection (b) to read as follows:

6 “(b) PROPORTIONAL REDUCTION.—To provide allot-
7 ments to States in accordance with subsection (a)(1)(B),
8 to provide minimum allotments to States (as increased
9 under subsection (a)(3)) under subsection (a)(1)(C), or to
10 provide minimum allotments to States under subsection
11 (a)(2)(B), the Commissioner shall proportionately reduce
12 the allotments of the remaining States under subsection
13 (a)(1)(A), with such adjustments as may be necessary to
14 prevent the allotment of any such remaining State from
15 being reduced to less than the amount required by sub-
16 section (a)(1)(B).”.

17 (f) PAYMENTS TO STATES FROM ALLOTMENTS.—
18 Section 712(b) (29 U.S.C. 796e-1(b)) is amended by
19 striking paragraph (3).

20 (g) AUTHORIZED USES OF FUNDS.—Section 713(3)
21 (29 U.S.C. 796e-2(3)) is amended by inserting “that are
22 in compliance with the standards and assurances set forth
23 in subsections (b) and (c) of section 725” after “living”.

24 (h) CENTERS FOR INDEPENDENT LIVING.—Section
25 721 (29 U.S.C. 796f) is amended—

1 (1) in subsection (b)(1)—

2 (A) by inserting “to eligible agencies, cen-
3 ters for independent living, and Statewide Inde-
4 pendent Living Councils” after “assistance”;
5 and

6 (B) by striking “of such funds” and insert-
7 ing “of the funds appropriated to carry out this
8 part for the fiscal year involved”;

9 (2) in subsection (c)—

10 (A) in paragraph (1)—

11 (i) by striking “Except as provided in
12 subparagraphs (B) and (C) and after” and
13 inserting “After”; and

14 (ii) by inserting “, and except as pro-
15 vided in subparagraphs (B) and (C),” after
16 “made”;

17 (B) in paragraph (2)—

18 (i) in subparagraph (A), by striking
19 “this subsection” and inserting “paragraph
20 (1)(C)”; and

21 (ii) in subparagraph (B), by striking
22 “allotted” and inserting “allotted under
23 paragraph (1)(A)”; and

24 (C) by adding a new paragraph (4) to read
25 as follows:

1 “(4) PROPORTIONAL REDUCTION.—To provide
2 allotments to States in accordance with paragraph
3 (1)(B), to provide minimum allotments to States (as
4 increased under paragraph (3)) under paragraph
5 (1)(C), or to provide minimum allotments to States
6 under paragraph (2)(B), the Commissioner shall
7 proportionately reduce the allotments of the remain-
8 ing States under paragraph (1)(A), with such ad-
9 justments as may be necessary to prevent the allot-
10 ment of any such remaining State from being re-
11 duced to less than the amount required by para-
12 graph (1)(B).”;

13 (3) in subsection (e)—

14 (A) in paragraph (1)(A), by striking “,
15 whichever is greater,”;

16 (B) in paragraph (2)(B)—

17 (i) in the first sentence of clause (i)—

18 (I) by striking “Private nonprofit
19 agencies” and inserting “Entities”;

20 (II) by striking “if the agencies
21 submit” and inserting “if the entities
22 submit”; and

23 (III) by striking “agencies will
24 meet the standards described in sec-
25 tion 725(b) and” and inserting “enti-

1 ties will be private nonprofit agencies
2 that meet the standards described in
3 section 725(b), and”;

4 (ii) by adding a new clause (iii) to
5 read as follows:

6 “(iii) FUNDING METHOD.—In making
7 awards under this subsection, the Sec-
8 retary shall distribute funds in accordance
9 with paragraphs (1), (2), and (4) of sub-
10 section (c), and subsection (d).”.

11 (i) GRANTS BY COMMISSIONER.—Section 722 (29
12 U.S.C. 796f-1) is amended—

13 (1) in subsection (c), by striking “is receiving
14 funds under this part on” and inserting “has been
15 awarded a grant under this part by”;

16 (2) in subsection (d)(1), by inserting “propos-
17 ing to serve such region” after “qualified applicant”;

18 (3) by redesignating subsection (f) as sub-
19 section (g); and

20 (4) by inserting after subsection (e) the follow-
21 ing:

22 “(f) NONRESIDENTIAL AGENCIES.—A center that
23 provides or manages residential housing after October 1,
24 1994, shall not be considered to be an eligible agency
25 under this section.”.

1 (j) GRANTS BY DESIGNATED STATE UNIT.—Section
2 723 (29 U.S.C. 796f-2) is amended—

3 (1) in subsection (a)—

4 (A) in paragraph (1)(A)(iii), by inserting
5 before the period at the end the following: “,
6 making such adjustments as may be necessary
7 to accommodate State funding cycles such as 2-
8 year funding cycles or State fiscal years that do
9 not coincide with the Federal fiscal year”; and

10 (B) in paragraph (3), by inserting “eligible
11 agencies in” before “the State in accordance”;

12 (2) in subsection (c), by striking “is receiving
13 funds under this part on” and inserting “has been
14 awarded a grant under this part by”;

15 (3) by redesignating subsections (f), (g), and
16 (h) as subsections (g), (h), and (i), respectively;

17 (4) by inserting after subsection (e) the follow-
18 ing:

19 “(f) NONRESIDENTIAL AGENCIES.—A center that
20 provides or manages residential housing after October 1,
21 1994, shall not be considered to be an eligible agency
22 under this section.”;

23 (5) in subsection (g) (as redesignated by para-
24 graph (3) of this subsection), in paragraph (2)(B),

1 by striking “(h)” each place the term appears and
2 inserting “(i)”;

3 (6) in subsection (h) (as redesignated by para-
4 graph (3) of this subsection), by striking the first
5 sentence and inserting the following: “The director
6 of the designated State unit shall annually conduct
7 onsite compliance reviews of at least 15 percent of
8 the centers for independent living that receive fund-
9 ing under this section in the State.”.

10 (k) CENTERS OPERATED BY STATE AGENCIES.—
11 Section 724(b)(1)(A) (29 U.S.C. 796f-3(b)(1)(A)) is
12 amended by striking “fiscal year 1993” and inserting “the
13 fiscal year”.

14 (l) STANDARDS AND ASSURANCES.—Section
15 725(b)(2) (29 U.S.C. 796f-4(b)(2)) is amended—

16 (1) in the second sentence—

17 (A) by inserting “severe” before “disabil-
18 ities who are members of”; and

19 (B) by striking “Act” and inserting
20 “title”; and

21 (2) in the third sentence, by inserting “shall be
22 determined by the center, and” before “shall not be
23 based”.

24 (m) PROGRAMS OF GRANTS.—Section 752 (29
25 U.S.C. 796k) is amended—

1 (1) in subsection (a)(2), by striking “UNIT” and
2 inserting “AGENCY”;

3 (2) in subsection (b), to read as follows:

4 “(b) CONTINGENT COMPETITIVE GRANTS.—Begin-
5 ning with fiscal year 1993, in the case of any fiscal year
6 for which the amount appropriated under section 753 is
7 less than \$13,000,000, grants made under subsection (a)
8 shall be—

9 “(1) discretionary grants made on a competitive
10 basis to States; or

11 “(2) grants made on a noncompetitive basis to
12 pay for the continuation costs of activities for which
13 a grant was awarded—

14 “(A) under this chapter; or

15 “(B) under part C, as in effect on the day
16 before the date of enactment of the Rehabilita-
17 tion Act Amendments of 1992.”; and

18 (3) in subsection (j)—

19 (A) by striking “and” at the end of para-
20 graph (1)(A) and inserting “or”; and

21 (B) by striking “and” at the end of para-
22 graph (2)(A)(i) and inserting “or”.

23 **SEC. 115. TABLE OF CONTENTS.**

24 The table of contents (Public Law 93-112; 87 Stat.
25 356) is amended—

1 (1) by adding after the items relating to title I
2 the following:

“PART E—VOCATIONAL REHABILITATION SERVICES CLIENT INFORMATION

“Sec. 140. Review of data collection and reporting system.

“Sec. 141. Exchange of data.”;

3 and

4 (2) by striking the item relating to part B of
5 title III and inserting the following:

“PART B—SPECIAL PROJECTS AND SUPPLEMENTARY SERVICES”.

6 **TITLE II—EDUCATION OF THE**
7 **DEAF ACT OF 1986**

8 **SEC. 201. SHORT TITLE; REFERENCES.**

9 (a) SHORT TITLE.—This title may be cited as the
10 “Education of the Deaf Act Amendments of 1993”.

11 (b) REFERENCES.—Except as otherwise expressly
12 provided, whenever in this title an amendment or repeal
13 is expressed in terms of an amendment to, or repeal of,
14 a section or other provision, the reference shall be consid-
15 ered to be made to a section or other provision of the Edu-
16 cation of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.).

17 **SEC. 202. GENERAL AMENDMENT.**

18 The Act (20 U.S.C. 4301 et seq.) is amended by
19 striking “the Institute” each place that such appears and
20 inserting “NTID”.

1 **SEC. 203. AMENDMENTS TO TITLE I.**

2 (a) SECTION 101.—Section 101(a) (20 U.S.C.
3 4301(a)) is amended by inserting a comma after “Here-
4 after”.

5 (b) SECTION 102.—Section 102(b) (20 U.S.C.
6 4302(b)) is amended—

7 (1) in paragraph (1), by striking “of Edu-
8 cation”; and

9 (2) in paragraph (2), by striking “but if in-
10 vested” and inserting “but, if invested,”.

11 (c) SECTION 103.—Section 103 (20 U.S.C. 4303) is
12 amended—

13 (1) in subsection (a)—

14 (A) by striking “members selected as fol-
15 lows:” in paragraph (1) and inserting “mem-
16 bers who shall include—”;

17 (B) by inserting a comma after “Associa-
18 tion” in paragraph (1)(B);

19 (C) by redesignating paragraph (2) as
20 paragraph (3); and

21 (D) by redesignating the second sentence
22 of paragraph (1) as paragraph (2); and

23 (2) in subsection (b)—

24 (A) by inserting a comma after “facili-
25 ties)” in paragraph (1);

26 (B) in paragraph (4)—

1 (i) by striking “or individuals who
2 are” and inserting “or”; and

3 (ii) by striking the period at the end
4 thereof and inserting in lieu thereof a
5 semicolon; and

6 (C) by striking out “the provisions of” in
7 paragraph (8).

8 (d) SECTION 104.—Section 104 (20 U.S.C. 4304) is
9 amended—

10 (1) in the section heading, by striking “**EDU-**
11 **CATIONAL**” and inserting “**EDUCATION**”;

12 (2) in subsection (a)(1)—

13 (A) by striking “elementary and secondary
14 programs” each place that such appears and in-
15 serting “elementary and secondary education
16 programs”;

17 (B) by striking “and individuals who are”
18 in subparagraph (A) and inserting “or”;

19 (C) by striking “non-English speaking” in
20 subparagraph (B) and inserting “non-English-
21 speaking”; and

22 (D) in subparagraph (C)—

23 (i) by striking “individuals” each
24 place that such appears and inserting “stu-
25 dents”;

1 (ii) in clause (i), by striking “deaf,”
2 and inserting “deaf from the age of onset
3 of deafness to age fifteen, inclusive, but
4 not beyond the eighth grade or its equiva-
5 lent,”; and

6 (iii) in clause (ii), by striking “deaf,”
7 and inserting “deaf from grades nine
8 through twelve, inclusive,”;

9 (3) in subsection (b)(1)—

10 (A) by striking “infants and children” in
11 subparagraph (A) and inserting “infants, chil-
12 dren, and youth”; and

13 (B) by striking the semicolon at the end of
14 subparagraph (C) and inserting a period; and

15 (4) in subsection (b)(4)—

16 (A) by striking “programs” in subpara-
17 graph (A) and inserting “program”;

18 (B) by striking “students to and from
19 those programs” in subparagraph (B) and in-
20 serting “the child to and from that program”;
21 and

22 (C) by striking “decisions” in subpara-
23 graph (C)(iii) and inserting “a decision”.

24 (e) SECTION 105.—Section 105(b) (20 U.S.C.
25 4305(b)) is amended—

1 (1) in paragraph (2), by striking “shall” and
2 inserting “will”; and

3 (2) in paragraph (4)—

4 (A) by striking “Elementary School and
5 the Model” and inserting “Elementary School
6 or the Model”; and

7 (B) by striking “and the Secretary” and
8 inserting “except that the Secretary”.

9 (f) SECTION 111.—Section 111 (20 U.S.C. 4311) is
10 amended by striking “title” and inserting “part”.

11 (g) SECTION 112.—Section 112 (20 U.S.C. 4312) is
12 amended—

13 (1) in the section heading by striking “**INSTI-**
14 **TUTE**” and inserting in lieu thereof “**NATIONAL**
15 **TECHNICAL INSTITUTE FOR THE DEAF**”;

16 (2) in subsection (a)—

17 (A) by striking “Act” in paragraph (1)
18 and inserting “part”; and

19 (B) by striking the first two commas in
20 paragraph (2);

21 (3) in subsection (b)—

22 (A) in paragraph (3)—

23 (i) by striking “Secretary an annual
24 report, including” and inserting “Sec-
25 retary, not later than June 1 following the

1 fiscal year for which the report is submit-
2 ted, an annual report containing”;

3 (ii) by striking “which report” and in-
4 serting “which accounting”; and

5 (iii) by striking the comma after
6 “Representatives”;

7 (B) by striking “and” at the end of para-
8 graph (4);

9 (C) in paragraph (5)—

10 (i) by striking “and the Secretary”
11 and inserting “except that the Secretary”;
12 and

13 (ii) by striking the period at the end
14 thereof and inserting a semicolon and
15 “and”; and

16 (D) by striking “or individuals who are” in
17 paragraph (6) and inserting “or”; and

18 (4) in subsection (c), by inserting a comma
19 after “If”.

20 **SEC. 204. AMENDMENTS TO TITLE II.**

21 (a) SECTION 201.—Section 201 (20 U.S.C. 4351) is
22 amended—

23 (1) in paragraph (1)(B), by striking “United
24 States; or” and inserting “United States; and”; and

25 (2) by striking paragraphs (3) and (5); and

1 (3) by redesignating paragraphs (4), (6), (7),
2 (8), and (9) as paragraphs (3), (4), (5), (6), and
3 (7), respectively.”.

4 (b) SECTION 203.—Subsection (b) of section 203 (20
5 U.S.C. 4353(b)) is amended to read as follows:

6 “(b) INDEPENDENT AUDIT.—Gallaudet University
7 shall have an annual independent financial audit made of
8 the programs and activities of the University. The institu-
9 tion of higher education with which the Secretary has an
10 agreement under section 112 shall have an annual inde-
11 pendent financial audit made of the programs and activi-
12 ties of such institution of higher education, including
13 NTID, and containing specific schedules and analyses for
14 all NTID funds, as determined by the Secretary.

15 (c) SECTION 204.—Section 204 (20 U.S.C. 4354) is
16 amended—

17 (1) in paragraph (1), by striking “first time”
18 and inserting “first-time”;

19 (2) in paragraph (2)(G)—

20 (A) by striking “Individualized Education
21 Programs” and inserting “individualized edu-
22 cation programs”; and

23 (B) by inserting “or hard of hearing” after
24 “children who are deaf”;

25 (3) in paragraph (3), to read as follows:

1 “(3)(A) The annual audited financial state-
2 ments and auditor’s report of the University, as re-
3 quired under section 203, and (B) the annual au-
4 dited financial statements and auditor’s report of
5 the institution of higher education with which the
6 Secretary has an agreement under section 112, in-
7 cluding specific schedules and analyses for all NTID
8 funds, as required under section 203, and such sup-
9 plementary schedules presenting financial informa-
10 tion for NTID for the end of the Federal fiscal year
11 as determined by the Secretary.”; and

12 (4) in paragraph (6), by striking “Program is”
13 and inserting “Program funds are”.

14 (d) SECTION 205.—Section 205(a) (20 U.S.C.
15 4355(a)) is amended—

16 (1) by inserting “or hard of hearing” after “in-
17 dividuals who are deaf”; and

18 (2) by striking “the provisions of”.

19 (e) SECTION 206.—Section 206(b) (20 U.S.C.
20 4356(b)) is amended by inserting “or hard of hearing”
21 after “individuals who are deaf”.

22 (f) SECTION 207.—Section 207 (20 U.S.C. 4357) is
23 amended—

1 (1) in subsection (c)(3), by striking “Advisory
2 Board of NTID” and inserting “advisory group es-
3 tablished under section 112”;

4 (2) in subsection (e), by striking “investment
5 limitations and” and inserting “investment limita-
6 tions or”; and

7 (3) in subsection (i), by striking “the provisions
8 of the Education of the Deaf Act of 1986” and in-
9 serting “this Act as enacted on August 4, 1986”.

10 (g) SECTION 209.—Section 209 (20 U.S.C. 4359) is
11 amended—

12 (1) in subsection (a), by striking “title II” and
13 inserting “part B of title I”; and

14 (2) in subsection (b), by striking “the provi-
15 sions of”.

16 (h) SECTION 210.—Section 210 (20 U.S.C. 4360) is
17 amended—

18 (1) in subsection (b), by striking “75 percent
19 beginning the academic year 1993–1994, and 90
20 percent beginning the academic year 1994–1995”
21 and inserting “75 percent for the academic year
22 1993–1994 and 90 percent beginning with the aca-
23 demic year 1994–1995”; and

24 (2) in subsection (c)—

1 (A) by striking “Beginning the academic
2 year 1993–1994 and thereafter” and inserting
3 “Beginning with the academic year 1993–
4 1994”; and

5 (B) by redesignating subparagraphs (A),
6 (B), and (C) as paragraphs (1), (2), and (3),
7 respectively.

8 (i) SECTION 211.—Section 211(a) (20 U.S.C.
9 4361(a)) is amended by redesignating subparagraphs (A),
10 (B), and (C) as paragraphs (1), (2), and (3), respectively.

11 **TITLE III—OTHER ACTS**

12 **SEC. 301. COMMITTEE FOR PURCHASE FROM PEOPLE WHO** 13 **ARE BLIND OR SEVERELY DISABLED.**

14 Section 1 of the Act entitled “An Act to Create a
15 Committee on Purchases of Blind-made Products, and for
16 other purposes”, approved June 25, 1938 (commonly
17 known as the Wagner-O’Day Act; 41 U.S.C. 46) is amend-
18 ed by striking “From People Who Are Blind and Severely
19 Disabled” and inserting “From People Who Are Blind or
20 Severely Disabled”.

21 **SEC. 302. INDIVIDUALS WITH DISABILITIES EDUCATION** 22 **ACT.**

23 Section 631(a) of the Individuals with Disabilities
24 Education Act (20 U.S.C. 1431(a)) is amended by red-
25 ignating the second paragraph (8), as added by section

1 912(a) of the Rehabilitation Act Amendments of 1992
2 (Public Law 102-569), as paragraph (9).

○

S 1295 IS—2

S 1295 IS—3

S 1295 IS—4