

fiscal year ending September 30, 1997, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. GORTON, Mr. MCCONNELL, Mr. BURNS, Mr. SHELBY, Mr. GREGG, Mr. BENNETT, Mr. CAMPBELL, Mr. CRAIG, Mr. FAIRCLOTH, Mrs. HUTCHISON, Mr. BYRD, Mr. INOUE, Mr. HOLLINGS, Mr. LEAHY, Mr. BUMPERS, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mr. REID, Mr. KOHL, Mrs. MURRAY, Mr. DORGAN, and Mrs. BOXER to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 476. An act to provide for the establishment of not less than 2,500 Boys and Girls Clubs of America facilities by the year 2000.

The message also announced that pursuant to sections 276h-276k, of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Utah [Mr. HATCH], the Senator from Alabama [Mr. SHELBY], and the Senator from Arizona [Mr. MCCAIN] as members of the Senate delegation to the Mexico-United States Interparliamentary Group meeting to be held in Santa Fe, New Mexico, May 16-18, 1997.

The SPEAKER pro tempore. The Committee will resume its sitting.

#### EMPLOYMENT, TRAINING, AND LITERACY ENHANCEMENT ACT OF 1997

The Committee resumed its sitting.

The CHAIRMAN. Are there further amendments to division A?

AMENDMENT OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-MCDONALD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. MILLENDER-MCDONALD:

Page 205, beginning on line 3, strike "or employees".

Page 205, line 20, strike "interest" and insert "success".

Page 205, line 21, after "students" insert "and graduates of literacy programs living in areas with a population census tract having a poverty rate of at least 15 percent (using the most recent decennial census data)".

Page 205, line 24, after "governments" insert ", including State directors of adult education".

Page 205, line 24, insert "and" at the end.

Page 205, line 25, strike "; and" and insert a period.

Page 206, strike lines 1 and 2.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I offer today an amendment that will amend section 321 regarding qualifications for membership on the National Institute for Literacy Advisory Board.

Mr. Chairman, the amendment permits Federal employees to serve on the literacy board. It also requires that businesses not simply have an interest,

but rather a demonstration of success in literacy programs. Most importantly, this amendment creates the opportunity for those who have graduated from a literacy program and live in the areas of the country with a poverty level of at least 15 percent to serve on the board.

Mr. Chairman, I do ask that I engage in a colloquy with the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Chairman, will the gentlewoman yield?

Ms. MILLENDER-MCDONALD. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, when we got the gentlewoman's amendment last evening, we called the executive director of the National Institute for Literacy, and he assured us that he will be very happy to work with the gentlewoman's staff and our staff so that by the time we are finished with conference, we will have incorporated the idea that the gentlewoman has into the legislation.

Ms. MILLENDER-MCDONALD. I thank the gentleman. Therefore, I do not need to present this amendment.

Mr. Chairman, for that reason, I ask unanimous consent to withdraw this amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

The CHAIRMAN. Are there other amendments to division A?

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Mr. KENNEDY of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY of Massachusetts:

Page 116, line 4, strike "and".

Page 116, line 8, strike the period and insert "; and".

Page 116, after line 8, add the following:

"(F) support for a workforce development coordinator on site at the secondary or post-secondary educational institution.

Mr. KENNEDY of Massachusetts (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KENNEDY of Massachusetts. Mr. Chairman, first of all, I want to acknowledge the fine work done by the chairman of the committee, the gentleman from Pennsylvania [Mr. GOODLING], as well as my friend, the gentleman from Michigan [Mr. KILDEE], in their efforts to improve the quality of our education and job training programs for the people of our country.

I do believe that there is a wonderful opportunity for our country to prepare our youngsters for the jobs of the future by recognizing that while we have the highest number of college-educated individuals of any nation in the world,

we still have around 50 percent of all of our adults in America that have a high school education or less.

We have greater opportunities in America to grow our job force into the high-wage jobs of the future by making certain that we in fact have trained workers that understand and are competently trained in the jobs that are going to be made available to some country that is going to be able to attract the companies of the future.

In Massachusetts, as a for instance, we are losing literally tens of thousands of jobs each year because we simply do not have a trained work force that is competently prepared to accept the jobs in the high-technology industry. There is a program in the city of Boston called Pro-Tech run by Neal Sullivan at the Private Industry Council which has linked up between high schools and the high-technology industry not only after-school training programs and summer youth jobs, but really working with the high schools to develop a curriculum that can then prepare those youngsters for the jobs of the future.

That same model can be used, as I saw just last week at Massasoit Community College, where Cummings Diesel Engine Co. has actually provided wonderful high-technology diesel equipment and training for the people that go to Massasoit, where there are 20,000 jobs in that company alone that need to be filled in the future. Mr. Chairman, 50,000 jobs in the diesel industry alone nationwide need to be filled. Yet, we are simply not training enough diesel engineers, diesel mechanics, to be able to handle the job opportunities of the future.

Mr. Chairman, this proposal would allow for a job training coordinator to be assigned to high schools and community colleges throughout the country to coordinate with the various companies that surround that particular high school or community college, and allow that high school and community college to develop a curriculum that would be coordinated with the job market in that specific geographic area, or in the field that that company would like to work in.

I know that this is something that both the gentleman from Michigan [Mr. KILDEE] and the gentleman from Pennsylvania [Mr. GOODLING] have worked on in the past, and perhaps the gentleman from Pennsylvania would be willing to enter into a colloquy that would suggest how he sees this initiative moving forward on the fastest possible track.

Mr. GOODLING. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, I thank the gentleman for yielding to me. As he knows, we have tried to be very, very careful that we did not get involved in K through 12 in this legislation, and in fact, in the Graham en bloc

amendments today it was made very, very clear that we would not get involved.

Vocational education is the area where what the gentleman is talking about would be more applicable. I would appreciate it if the gentleman would withdraw the amendment, and work with us between now and the time we bring vocational education to the floor.

Mr. KENNEDY of Massachusetts. Mr. Chairman, with the understanding that the chairman of the committee would support the general concept that we are trying to advocate here, and with the recognition that this would be something that could be done not only in the high school years but also in terms of community college, and his commitment to working together on this issue in the vocational education bill that would be coming forward later this year, I would be happy to withdraw for the purposes of continuing this effort.

Mr. GOODLING. Mr. Chairman, I would be happy to work with the gentleman.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PAUL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this bill is an attempt to improve the Federal jobs training program. We now have over 700 different programs, and quite literally, it is a mess. This bill is a well-intentioned piece of legislation that does make some token changes and some improvement. They may work, they may not.

I would like to address another subject, which is, should we be involved at all? If we have tried it for 30 years and it is not working, when will we ask ourselves, should we be in the business of job training? Quite frankly, I am not very confident that we here in the Congress are smart enough to do it.

Always the argument is that if this is a slightly better approach to last year's approach, this is a movement in the right direction. But some day we have to ask the question whether or not endorsing the same philosophic principle of a bad program is really going to solve our problems. We have no evidence that this approach will work. Most likely this will become just a bureaucratic adjustment. There will be a cost in the adjustment, but ultimately Government will once again fail in its attempt to do something that it was not designed to do. This idea of local control and block grants is something that sounds good, it sounds like they are moving in the right direction, but the odds of it really benefiting are very, very slim.

Government really is not smart enough to do what is intended in a program like job training. We are not,

here in the Congress, smart enough to know what the future is and to make business decisions. It is rather sad to see our business leaders advocating a piece of legislation like this, rather than them understanding and resorting to the market to decide when and how to train workers.

Instead, they use their energies to come and transfer funds from one group to another in the pretense that they are able, in partnership with the Government, to design a program that will fit the marketplace. There is no sign, there is no evidence that a program like this has been permitted under the Constitution. But better yet, under today's circumstances, and eventually this will prevail, do we really have the funds to do something that is not working? The funds are not there, and any time we deal with a program like this, we have to think that it is a contribution to the high deficits that we are running.

Mr. Chairman, H.R. 1385 is flawed in that it endorses the very same principles that have been used for 30 years, arguing that the Federal Government and government bureaucrats know more than what the market knows.

I would like to list a few mandates of the bill. No. 1, it mandates that States submit a 35-year plan for adult job training and literacy on the approval of the Secretaries of Education and Labor. It mandates that States establish local work force development boards whose functions and composition are determined by Federal law.

It mandates that the local work force board meet Federal core indicators. It mandates that local work force boards be dominated by representatives of the business community. That does not give me a whole lot of encouragement, another step toward replacing the free enterprise system with corporatism.

If Members like mandates, they certainly will be pleased with this piece of legislation. It spends taxpayers' dollars, the victims, for skill upgrading for incumbent workers. Those who are still working are required to pay for those who think they are going to get trained, thus creating a new entitlement program for already-employed workers.

It spends taxpayers' dollars on grants to business and unions for demonstration projects. It spends taxpayers' dollars on family literacy services. It spends taxpayers' dollars on the National Institute for Literacy, the type of bureaucracy this Congress should be shutting down, not expanding. It spends taxpayers' dollars on job training services which the business community and individual workers should be paying for themselves.

Incidentally, Mr. Chairman, and I know this would be of the least amount of interest to so many here, but the truth of the matter is, Congress has no constitutional authority to mandate or operate any job training programs.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from Illinois.

□ 1215

Mr. HYDE. Mr. Chairman, I thank the gentleman for yielding to me. I wanted to associate myself with the thrust of his remarks. I may feel a little more benignly toward the uses of government than he, but essentially his critique of this bill I share.

The CHAIRMAN. The time of the gentleman from Texas [Mr. PAUL] has expired.

Mr. HYDE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to preface my remarks by saying that I have the maximum high regard for the gentleman from Pennsylvania [Mr. GOODLING], the gentleman from California [Mr. MCKEON] and the gentleman from Michigan [Mr. KILDEE]. They are splendid Members, they are honorable and they do marvelous work. I hope that those words will be taken seriously because I do not want to impair friendships over my dissent of their bill. I know how territorial chairmen can get over their bills. But I just cannot support this bill. I think it only fair to give a couple of reasons for my feeling.

First of all, family literacy services, on page 15 and 16, really troubles me. Page 16, subparagraph B, training for parents on how to be the primary teacher for their children and full partners in the education of their children; I think that goes awfully far, beyond job training, to teach parents how to be parents. That is exactly moving in the wrong direction from having the government less intrusive, less influential on our lives. And who is the other partner, a full partner means the other partner has as much to say as you have to say. Those are troubling words and they trouble me.

Another problem, and there are many with this bill, there is a migratory workers program. Funds made available under this section shall be used to carry out comprehensive work force and career development activities and related services for migrant farm workers, seasonal farm workers, which may include employment, training, educational assistance, literacy assistance and English literacy program, worker safety training, housing, so we have a housing program here, supportive services and the continuation of the case management database.

Now, supportive services in this bill consists of transportation, child care, dependent care, and needs-based payments.

I wondered what needs-based payments were and I found that it is money. If a worker, an X worker, a displaced worker, meaning an unemployed worker, has run out of unemployment benefits and has no other income, he is entitled to needs-based payments.

So we are going to pay, provide child care and all these things and that is wonderful. Oh, if we could only afford it. But there is no requirement in this

migratory workers program that they be in the country legally. Far be it from asking that they be citizens but that they even have a green card or be in the country legally. I wonder if this would invite illegal immigration. I just wonder.

Now, we have a bureaucracy run amok. Instead of launching the 747, I think this is a dirigible.

National partnership and special training; the secretary, not a political person, we can be sure, may award special grants to eligible entities. Guess who they are? Labor, industry, public interest groups, community-based organizations, et cetera, et cetera.

So the grantsmanship that is possible under this is awesome.

So for these reasons, it is too much government. It moves in the opposite direction. We promised to downsize government, to save money, to keep it out of our lives. This moves in the opposite direction.

I cannot support it, and I thank the chairman for giving me the time.

Mr. GOODLING. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would agree with the Congressman from Texas that existing programs do not work. I would also have to inform him that if we do not make an attempt to revise and reform those programs, those existing programs will go on and on and on as they have in the past. He does not have the votes to do anything about that. I do not have the votes to do anything about that. So the attempt is to try to do something to make the programs work by getting them back to the States and back to the local government where that decisionmaking may be more productive than it has been coming from Washington.

I want to make sure that everyone understands that the training part and the literacy part are two separate parts. The part dealing with parenting is in the adult education section, not in the training section. The partners are the parents and the child.

Now, when I left eighth grade in a two-room school and went to a city junior high school, a farm boy, who thought, this is 60 years ago, who thought that every child had loving parents, every child had literate parents and every child had wonderful grandparents living on either side. That is the way it was in little Loganville in the farm community. And what a shock when I got to the junior high school in center city and discovered that I was unusual. I was not the norm.

That was many, many years ago, when an illiterate parent or a functionally illiterate parent could get a job, could support a family and, above all, they did not want anyone to know that they could not read or write. But that is not the world we are living in today. The world we are living in today requires not only that someone is functionally literate but somebody that can read and write and comprehend, it

will be by the year 2000, on the 12th grade level. It is a totally different world we are dealing with. We are dealing with many, many children that are being born to 13, 14, 15-year-olds.

I wish I had a magic wand and could put the wonderful American family back together as we think we remember it. I cannot do that. But what I can do is make sure that those children have an opportunity to get a piece of the American dream. They cannot get a piece of the American dream unless their parents can help them get a piece of the American dream. Parenting skills, literacy skills are very, very important to center city America, to rural poor America, to many other areas throughout America. They want their children to succeed. They want to be participants. They want to make sure that their children have an opportunity to get the best, but they do not have that opportunity at the present time.

So when we talk about the National Institute for Literacy, just a few of the statistics, 51 percent of those who have participated in those programs have gone on and got their GED's or their high school diploma. Thirteen percent of them went on to a form of higher education; about 50 percent of those have dropped off the welfare rolls.

That is what it is all about. We are trying to help those most in need. We are trying to make our program that we passed last year, a program from welfare to work, successful. It will not happen overnight. I ask all to support the opportunity to take 160 programs, get rid of many that should not be there in the first place, consolidate the others into three block grants, get them back to local and State government. And they are going to be responsible for making the welfare reform bill work. We are just offering a helping hand. I ask that all support the legislation. The alternative is disastrous.

Mr. SOUDER. Mr. Chairman, I move to strike the last word.

I wanted to respond to two of my good friends, first my distinguished colleague, the gentleman from Texas [Mr. PAUL]. He is one of the most consistent Members I have ever met in Congress. As a Libertarian he does not believe in Federal job training or most Federal anything, and in that he has been consistent and logical. I appreciate that, and I support him and vote with him most of the time. But I am not a Libertarian and so sometimes we are going to disagree.

The gentleman from Illinois [Mr. HYDE] has been one of my personal heroes. He has been a champion of human values and of conservative principles. On this I believe he is wrong.

One question that he had asked is, are we smart enough at the Federal level? The answer is, we are not; that is why we are doing this bill and trying to change it.

I want to point out to my conservative friends and people listening across the country that a critical part

of helping Americans when we do welfare reform is making sure that when we cut them off the welfare rolls, there are some options out there in helping, particularly targeting to, the most needy.

We do not need job training programs that pick the people who are going to get a job anyway. Most of them move in or out of welfare within 2 years. That is why we need some general direction down to the States where we expect, because we are going to be held accountable by the taxpayers of this country for the money that we take from them and then spend, we are held accountable, not Governor, not the State legislature, not the local mayor. We are held accountable to give them direction as to who we want served and what results we expect. What we should not be doing is micromanaging their lives.

This bill is not perfect, but it is a dramatic improvement on the current law. I did not hear any objections that are not true now; in other words, that is not a reason to defeat this bill. We are giving more power to States and local communities, more likely to result in people being trained for work through greater involvement of the business community.

Do I believe all these programs work? No. Do I believe some work a little bit? Yes. And some work dramatically. But they are doing more than nothing and we are about to be crushed. We are going to wind up spending more on homeless spending, more on welfare spending, more on health care, if we do not actually follow through on our welfare programs.

This bill includes private sector providers; that is an innovation. We are involving employers in the design and implementation of job training programs. We are transferring responsibility for design and implementation. We are eliminating many Federal programs to focus funding on things that people at local communities and States and people who work with people and training them to employ can make those decisions.

We are making the program more trainee friendly so they can figure out where to go. A lot of the problems are that we do not even know where to go to try to get the job training.

We are preserving local boards. I believe having local boards is an important thing. I know that has been an internal battle as well, but I want to have people in Fort Wayne and around the country in their communities having an impact.

We set out some guidelines. I participated in setting some of those guidelines and saying how to target some responsibilities, not micromanaging but setting guidelines.

We have worked with conservative groups now for nearly two years to try to address some of their concerns. We have made many internal amendments, many improvements.

Some, for example, a number of the things that were in the Graham amendment today were not needed. In fact, most of the things were not needed, but we put extra protections in to make sure that we said voluntary, to make sure that we double and triple made sure that home schoolers were not included, that things were only considerations, that there was not doubling, that we did not get into areas that we were not supposed to be in.

The question is, what else are we supposed to do other than eliminate job training? It gets frustrating after awhile when we have tried to do that.

Two major things I heard for two years was we were going to take little elementary school kids who are from middle and upper class families, not just at risk kids, and make everybody at risk. And we were going to take over the education system. The truth is, now we have separated vocational education. That eliminated the biggest thing last year that was supposedly bad with the bill. We are going to deal with vocational education. It was never our intent anyway.

We are only going to deal with at risk kids and, there is not enough money to draw everybody in even if we wanted to, which we do not.

The second thing was my distinguished colleague from Colorado offered an amendment to make sure that State legislators were not cut out of the process so those who want to fight this can raise at the State level.

Now it does not have to even come through and be accepted by a State. They can look at that.

I think those are two huge changes. I really do not understand much of the opposition. I clearly understand the opposition of the gentleman from Texas [Mr. PAUL]. He stated it clearly and succinctly. The opposition of the gentleman from Illinois [Mr. HYDE] though well intended, I believe, is incorrect. Everything he said is also true of current law.

And lastly let me say this: Not every conservative believes, in fact, I would say most conservatives do not believe that we do not have any role for somebody who cannot read and write. As I worked and have worked over time with people who have been out of work and they cannot read or write, it is devastating. We do have to get into literacy programs in a lot of these things.

□ 1230

Mr. RIGGS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I know that we are anxious to conclude the debate, but I simply could not allow, in good conscience, the gentleman from Illinois [Mr. HYDE] and the gentleman from Texas [Mr. PAUL] to mischaracterize this bill.

Let me preface my remarks by saying that the gentleman from Illinois has a very well-deserved reputation for being one of the most respected, even revered Members of Congress, and the

gentleman from Texas, as the gentleman from Indiana [Mr. SOUDER], pointed out, has been absolutely consistent and constant in his views both as a private citizen and as a political leader in the country. But, Mr. Chairman, this bill empowers individuals, not government. Yes, it is based on the premise that the Federal Government, in partnership with State and local government, and the private sector, and that Federal taxpayers have a very legitimate role in helping to educate and train the most disadvantaged youth and adults and to help prepare them for the real world of work.

I say again, as other speakers before me have said, this legislation consolidates over 60 separate Federal categorical education and job training programs into three block grants. And in that regard, the gentleman from Pennsylvania, Chairman GOODLING, and the gentleman from California, Subcommittee Chairman MCKEON, in particular, and the ranking member, the gentleman from Michigan, Mr. KILDEE, deserve a tremendous amount of credit.

This bill will make a very positive impact on adults as they prepare for the jobs of the future, and it is going to help workers get the retraining necessary to compete, whether we like it or not, Mr. Chairman, in an increasingly complex and global economy. Because if the economy of today is the size of a beach ball, that economy of the 21st century, right around the corner, is going to be the size of a golf ball. I do not want to retreat from that reality.

Let me also point out that this bill provides services to adult job training recipients through a voucher which we call a skill grant. What can be more Republican and more conservative a philosophy than that idea? We empower individuals. We let them decide the training that is appropriate for them and we let them seek out the job training provider in their community who is going to provide that training.

Now, some of the naysayers say this approach will encourage the fly-by-night companies, the so-called proprietary schools, to deceive the job-seeking public. But this bill has a number of protections in the form of requirements that providers must meet in order to receive the funds. That provider must either be an accredited eligible postsecondary education program or be recognized by the local, emphasis again on the word "local," work force development board which will determine if the provider meets acceptable locally established performance standards.

So, again, this is all about empowering individuals, giving them a say in the training and education that is right for them.

As I pointed out earlier today, it takes a work-first approach to training, driving resources for intensive training services to welfare recipients and other individuals with multiple barriers to employment. It amends cur-

rent adult education programs, encouraging literacy and other educational programs to really, again, try to tie the real world of work to education.

And again I want to say one more time, particularly to our more conservative colleagues on this side of the aisle, that this legislation promotes individual responsibility through vouchers. It encourages competition in the marketplace among training providers and it drives resources and authority out of Washington to States and localities.

So do not be misled or deceived by the mischaracterization of this bill. By decreasing the size and the scope of the Federal Government's control, this is truly a work-first bill for adults and it will also, as we debated earlier, help get economically disadvantaged youth back to school. It is a bill that is going to give Americans the tools they need for the 21st century. It is worthy of our support.

The CHAIRMAN. Are there any other amendments to division A?

If not, the Clerk will designate division B.

The text of division B is as follows:

#### **DIVISION B—VOCATIONAL REHABILITATION PROGRAMS**

#### **TITLE XXI—AMENDMENTS TO GENERAL PROVISIONS**

##### **SEC. 2101. REHABILITATION SERVICES ADMINISTRATION.**

Section 3 of the Rehabilitation Act of 1973 (29 U.S.C. 702) is amended—

(1) in subsection (b), by striking ", as well as unexpended appropriations for carrying out the Vocational Rehabilitation Act (29 U.S.C. 31-42)," and

(2) by striking subsection (c).

##### **SEC. 2102. DEFINITIONS.**

Section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 706) is amended—

(1) by striking paragraph (12);

(2) in paragraph (15)(A), by inserting a comma after "subparagraph (B) or (C)";

(3) by adding at the end the following:

"(36) The term 'administrative costs' means—

"(A) expenditures not incurred by the State unit for—

"(i) rehabilitation counselors;

"(ii) rehabilitation case coordinators; or

"(iii) other direct service personnel; and

"(B) notwithstanding subparagraph (A) includes expenditures incurred by the State unit in the performance of administrative functions under the vocational rehabilitation program, including expenses related to program planning, development, monitoring, and evaluation, including—

"(i) quality assurance;

"(ii) budgeting, accounting, financial management, information systems, and related data processing;

"(iii) providing information about the program to the public;

"(iv) technical assistance to other State agencies, private nonprofit organizations, and businesses and industries;

"(v) the State Rehabilitation Advisory Council and other advisory committees;

"(vi) professional organization membership dues for State unit employees;

"(vii) the removal architectural barriers in State vocational rehabilitation agency offices and State operated rehabilitation facilities;

"(viii) operating and maintaining State unit facilities, equipment, and grounds;

"(ix) supplies;

"(x) administration of the comprehensive system of personnel development, including personnel administration, administration of affirmative action plans, and training and staff development, administrative salaries, including clerical and other support staff salaries, in support of these functions;

"(xi) travel costs related to carrying out the program, other than travel costs related to the provision of services;

"(xii) costs incurred in conducting reviews of rehabilitation counselor or coordinator determinations; and

"(xiii) legal expenses required in the administration of the program."; and

(4) by redesignating paragraphs (36), (22), (23), (24), (25), (1), (2), (3), (26), (4), (5), (6), (27), (7), (28), (29), (30), (20), (21), (8), (31), (15), (32), (9), (10), (33), (11), (19), (13), (14), (16), (18), (34), (35), and (17) as paragraphs (1) through (35), respectively.

#### SEC. 2103. REPORTS.

Section 13 of the Rehabilitation Act of 1973 (29 U.S.C. 712) is amended by inserting after the third sentence "The Commissioner shall also annually collect information with respect to the title I, vocational rehabilitation services program, on administrative costs and other expenditures under the program."

### TITLE XXII—AMENDMENTS TO VOCATIONAL REHABILITATION SERVICES

#### SUBTITLE A—GENERAL PROVISIONS

#### SEC. 2201. DECLARATION OF POLICY; AUTHORIZATION OF APPROPRIATIONS.

Section 100(b) of the Rehabilitation Act of 1973 (29 U.S.C. 720(b)) is amended in each of paragraphs (1) and (2) by striking "fiscal years 1993 through 1997" and inserting "fiscal years 1998, 1999, and 2000".

#### SEC. 2202. STATE PLANS.

Section 101(a) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)) is amended—

(1) in paragraph (4)—

(A) by striking "except that in the case" and inserting "except that—

"(A) in the case";

(B) by striking "to the extent permitted by such regulations";

(C) by inserting "and" after the semicolon; and

(D) by adding at the end the following:

"(B) in the case of earmarked funds used as the State match for Federal funds, where such funds are earmarked for particular geographic areas within a State";

(2) in paragraph (7)(A)—

(A) by striking clause (i)(II) and all that follows;

(B) by striking "which shall include—

"(i) a description" and inserting "which shall include a description";

(C) by striking "on an annual basis—

"(1) the number and type" and inserting "on an annual basis the number and type"; and

(D) by striking "counselors to clients; and" and inserting "counselors to clients";

(3) in paragraph (11)(A)—

(A) by striking "(20 U.S.C. 2301 et seq.), and" and inserting "(20 U.S.C. 2301 et seq.)"; and

(B) by inserting after "(41 U.S.C. 46 et seq.)" the following: "and State use contracting programs";

(4) by striking paragraph (13);

(5) by striking paragraph (17);

(6) in paragraph (24)—

(A) in the matter preceding subparagraph (A), by striking "students who are individuals" and inserting "students"; and

(B) in subparagraph (B), by striking "individualized written rehabilitation program" and inserting "individualized education program";

(7) in paragraph (25), by striking "Secretary" and inserting "Commissioner";

(8) in paragraph (28), by adding at the end before the semicolon the following: "and State use contracting programs";

(9) by striking paragraph (30);

(10) in paragraph (33), by striking "and working relationships";

(11) in paragraph (36)—

(A) in subparagraph (B)(i), by moving the margin two ems to the left;

(B) in clauses (i), (ii), and (iii) of subparagraph (C) (including subclause (II) of each of such clauses (ii) and (iii)), by moving the margin two ems to the left; and

(12) by redesignating paragraphs (14), (15), (16), (18) through (22), (24) through (29), and (31) through (36) as paragraphs (13) through (32), respectively.

#### SEC. 2203. SCOPE OF VOCATIONAL REHABILITATION SERVICES.

Section 103(a) of the Rehabilitation Act of 1973 (29 U.S.C. 723(a)) is amended—

(1) by striking paragraph (7); and

(2) by redesignating paragraphs (8) through (16) as paragraphs (7) through (15), respectively.

#### SEC. 2204. STATE REHABILITATION ADVISORY COUNCIL.

Section 105 of the Rehabilitation Act of 1973 (29 U.S.C. 725) is amended by striking subsection (i).

#### SEC. 2205. EVALUATION STANDARDS AND PERFORMANCE INDICATORS.

Section 106(a) of the Rehabilitation Act of 1973 (29 U.S.C. 726(a)) is amended in paragraph (1) by adding at the end the following: "After such date, the Commissioner shall review and, if necessary, revise the evaluation standards and performance indicators every three years. Any necessary revisions shall be developed with input from State vocational rehabilitation agencies, related professional and consumer organizations, recipients of vocational rehabilitation services, and other interested parties. Any proposed revisions shall be subject to the notice, publication, and comment provisions described in paragraph (3)."

#### SEC. 2206. MONITORING AND REVIEW.

Section 107(a) of the Rehabilitation Act of 1973 (29 U.S.C. 727(a)) is amended by adding at the end the following:

"(5) MONITORING AND REVIEW REPORTS.—Any reports detailing the findings of the annual reviews and periodic on-site monitoring visits shall be made available to the State Rehabilitation Advisory Council for use in the development and modification of the State plan."

#### SUBTITLE B—BASIC VOCATIONAL REHABILITATION SERVICES

#### SEC. 2211. STATE ALLOTMENTS.

Section 110(d)(2) of the Rehabilitation Act of 1973 (29 U.S.C. 730(d)(2)) is amended—

(1) by striking "the Secretary" and all that follows through "(B) not less than" and inserting "the Secretary, not less than"; and

(2) by striking "fiscal years 1995, 1996, and 1997" and inserting "fiscal years 1998, 1999, and 2000".

#### SEC. 2212. PAYMENTS TO STATES.

Section 111(a)(2)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 731(a)(2)(B)) is amended—

(1) by striking clause (i); and

(2) by striking "(ii)".

#### SEC. 2213. CLIENT ASSISTANCE PROGRAM.

Section 112(h) of the Rehabilitation Act of 1973 (29 U.S.C. 732(h)) is amended by striking "fiscal years 1993 through 1997" and inserting "fiscal years 1998, 1999, and 2000".

### TITLE XXIII—AMENDMENTS TO RESEARCH AND TRAINING

#### SEC. 2221. AUTHORIZATION OF APPROPRIATIONS.

Section 201(a) of the Rehabilitation Act of 1973 (29 U.S.C. 761(a)) is amended—

(1) in paragraph (1), by striking "each of fiscal years 1993 through 1997" and inserting "fiscal years 1998, 1999, and 2000"; and

(2) in paragraph (2), by striking "each of fiscal years 1993 through 1997" and inserting "fiscal years 1998, 1999, and 2000".

#### SEC. 2222. NATIONAL INSTITUTE ON DISABILITY AND REHABILITATION RESEARCH.

Section 202(c) of the Rehabilitation Act of 1973 (29 U.S.C. 761a(c)) is amended—

(1) by striking "except that" and all that follows through "regular technical and professional employees of the Institute"; and

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

### TITLE XXIV—AMENDMENTS TO TRAINING AND DEMONSTRATION PROJECTS

#### Subtitle A—Training Programs and Community Rehabilitation Programs

#### SEC. 2231. TRAINING.

Section 302 of the Rehabilitation Act of 1973 (29 U.S.C. 771a) is amended—

(1) in subsection (a)(1)(B)(iv), by moving the margin two ems to the left;

(2) by striking subsection (e);

(4) in subsection (g)(3)(A)—

(A) in clause (ii), by adding "and" at the end;

(B) in clause (iii), by striking "and" and inserting a period; and

(C) by striking clause (iv); and

(4) in subsection (h), by striking "fiscal years 1993 through 1997" and inserting "fiscal years 1998, 1999, and 2000"; and

(5) by redesignating subsections (f) through (i) as subsections (e) through (h), respectively.

#### SEC. 2232. REPEALERS.

(a) IN GENERAL.—Sections 303, 304, 305, and 306 of the Rehabilitation Act of 1973 (29 U.S.C. 772, 773, 775, and 776) are hereby repealed.

(b) CONFORMING AMENDMENT.—The table of contents of such Act (29 U.S.C. 701 note) is amended by striking the items relating to sections 303, 304, 305, and 306.

#### SEC. 2233. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 310 of the Rehabilitation Act of 1973 (29 U.S.C. 777) is amended—

(1) by striking "each of fiscal years 1993 through 1997" and inserting "fiscal years 1998, 1999, and 2000";

(2) by redesignating such section as section 303; and

(3) by inserting such section after section 302.

(b) CONFORMING AMENDMENT.—The table of contents of such Act (29 U.S.C. 701 note) is amended—

(1) by striking the item relating to section 310 (as such section was in effect prior to the redesignation of such section under subsection (a)(2)); and

(2) by inserting after the item relating to section 302 the following:

"Sec. 303. Authorization of appropriations."

#### Subtitle B—Special Projects and Supplementary Services

#### SEC. 2241. SPECIAL DEMONSTRATION PROGRAMS.

Section 311 of the Rehabilitation Act of 1973 (29 U.S.C. 777a) is amended—

(1) in subsection (a), by striking "Subject to the provisions of section 306, the" and inserting "The";

(2) by striking subsection (b);

(3) in subsections (c) and (d), by striking "fiscal years 1993 through 1997" each place it appears and inserting "fiscal years 1998, 1999, and 2000"

(4) by striking subsection (e); and

(5) by redesignating subsections (c), (d), and (f) as subsections (b), (c), and (d), respectively.

**SEC. 2242. MIGRATORY WORKERS.**

Section 312(b) of the Rehabilitation Act of 1973 (29 U.S.C. 777b(b)) is amended by striking "fiscal years 1993 through 1997" and inserting "fiscal years 1998, 1999, and 2000".

**SEC. 2243. REPEALERS.**

(a) IN GENERAL.—Sections 314 and 315 of the Rehabilitation Act of 1973 (29 U.S.C. 777d and 777e) are hereby repealed.

(b) CONFORMING AMENDMENT.—The table of contents of such Act (29 U.S.C. 701 note) is amended by striking the items relating to sections 314 and 315.

**SEC. 2244. SPECIAL RECREATIONAL PROGRAMS.**

(a) IN GENERAL.—Section 316 of the Rehabilitation Act of 1973 (29 U.S.C. 777f) is amended—

(1) in subsection (b), by striking "fiscal years 1993 through 1997" and inserting "fiscal years 1998, 1999, and 2000";

(2) by redesignating such section as section 313; and

(3) by inserting such section after section 312, as amended by this Act.

(b) CONFORMING AMENDMENT.—The table of contents of such Act (29 U.S.C. 701 note) is amended—

(1) by striking the item relating to section 316 (as such section was in effect prior to the redesignation of such section under subsection (a)(2)); and

(2) by inserting after the item relating to section 312 the following:

"Sec. 313. Special recreational programs."

**TITLE XXV—AMENDMENTS TO NATIONAL COUNCIL ON DISABILITY****SEC. 2251. AUTHORIZATION OF APPROPRIATIONS.**

Section 405 of the Rehabilitation Act of 1973 (29 U.S.C. 785) is amended by striking "fiscal years 1993 through 1997" and inserting "fiscal years 1998, 1999, and 2000".

**TITLE XXVI—AMENDMENTS TO RIGHTS AND ADVOCACY****SEC. 2261. EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES.**

Section 501(a) of the Rehabilitation Act of 1973 (29 U.S.C. 791(a)) is amended in the third sentence by striking "the Handicapped" and inserting "People With Disabilities".

**SEC. 2262. ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD.**

Section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792) is amended—

(1) in subsection (a), by striking "Chairperson" and inserting "chairperson"; and

(2) in subsection (g)(2), by striking "Committee on Education and Labor" and inserting "Committee on Education and the Workforce".

**SEC. 2263. PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.**

Section 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e) is amended—

(1) by redesignating subsection (n) as subsection (i);

(2) in subsection (l), by striking "Committee on Education and Labor" and inserting "Committee on Education and the Workforce"; and

(3) in subsection (m), by striking "each of the fiscal years 1993, 1994, 1995, 1996, and 1997" and inserting "each of the fiscal years 1998, 1999, and 2000".

**TITLE XXVII—AMENDMENTS TO EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES****SEC. 2271. AUTHORIZATION OF APPROPRIATIONS.**

Sections 622 and 638 of the Rehabilitation Act of 1973 (29 U.S.C. 795i and 795q) are each amended by striking "each of fiscal years 1993 through 1997" and inserting "each of the fiscal years 1998, 1999, and 2000".

**SEC. 2272. REPEALERS.**

(a) IN GENERAL.—Parts A and D of title VI of the Rehabilitation Act of 1973 (29 U.S.C. 795 et seq. and 795r) are hereby repealed.

**(b) CONFORMING AMENDMENTS.—**

(1) IN GENERAL.—Parts B and C of title VI of such Act (29 U.S.C. 795g et seq. and 795k et seq.) are redesignated as parts A and B of title VI of such Act, respectively.

(2) TABLE OF CONTENTS.—The table of contents of such Act (29 U.S.C. 701 note) is amended—

(A) by striking the items relating to parts A and D of title VI (as such parts were in effect prior to the repeal of such parts under subsection (a)); and

(B) by redesignating the items relating to parts B and C of title VI (as such parts were in effect prior to the redesignation of such parts under paragraph (1)) as items relating to parts A and B of title VI of such Act, respectively.

**TITLE XXVIII—AMENDMENTS TO INDEPENDENT LIVING SERVICES AND CENTERS FOR INDEPENDENT LIVING****SEC. 2281. AUTHORIZATION OF APPROPRIATIONS.**

(a) SECTIONS 714 AND 727.—Sections 714 and 727 of the Rehabilitation Act of 1973 (29 U.S.C. 796e-3 and 796f-6) are amended by striking "each of the fiscal years 1993, 1994, 1995, 1996, and 1997" and inserting "each of the fiscal years 1998, 1999, and 2000".

(b) SECTION 753.—Section 753 of such Act (29 U.S.C. 796i) is amended by striking "each of the fiscal years 1993 through 1997" and inserting "each of the fiscal years 1998, 1999, and 2000".

**SEC. 2282. PROGRAM AUTHORIZATION FOR CENTERS FOR INDEPENDENT LIVING.**

Section 721(c)(1)(A) of the Rehabilitation Act of 1973 (29 U.S.C. 796f(c)(1)(A)) is amended by striking "," and inserting a comma.

**TITLE XXIX—AMENDMENTS TO SPECIAL DEMONSTRATIONS AND TRAINING PROJECTS****SEC. 2291. AUTHORIZATION OF APPROPRIATIONS.**

Section 801 of the Rehabilitation Act of 1973 (29 U.S.C. 797) is amended by striking "1993 through 1997." each place such term appears and inserting "1998 through 2000".

**SEC. 2292. DEMONSTRATION ACTIVITIES.**

Section 802 of the Rehabilitation Act of 1973 (29 U.S.C. 797a) is amended to read as follows:

**"SEC. 802. DEMONSTRATION PROJECTS TO INCREASE CLIENT CHOICE.**

"(a) GRANTS.—The Commissioner may make grants to States and public or non-profit 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.

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

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

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

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

"(1) a description of—

"(A) 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;

"(B) 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

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

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

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

"(B) 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

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

"(d) AWARD OF GRANTS.—In selecting entities to receive grants under subsection (a), the Commissioner shall take into consideration the—

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

"(2) geographic distribution of projects; and

"(3) diversity of clients to be served.

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

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

"(g) 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 evaluation for a fiscal year from the amounts appropriated to carry out projects under this section for the fiscal year.

"(h) DEFINITIONS.—For the purposes of this section:

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

"(2) 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."

**SEC. 2293. TRAINING ACTIVITIES.**

(a) IN GENERAL.—Section 803 of the Rehabilitation Act of 1973 (29 U.S.C. 797b) is amended—

(1) by striking subsections (d) and (e) and redesignating subsection (f) as subsection (d);

(2) in subsection (d) (as so redesignated by paragraph (1))—

(A) by striking "(g)" and inserting "(f)"; and

(B) by striking the last sentence; and

(3) by striking subsection (a) and redesignating subsections (b) through (d) (as so redesignated by paragraph (1)) as subsections (a) through (c).

(b) EFFECTIVE DATES.—

(1) PARAGRAPHS (1) AND (2).—The amendments made by paragraphs (1) and (2) of subsection (a) shall take effect on October 1, 1997.

(2) SUBSECTION (a)(3).—The amendment made by paragraph (3) of subsection (a) shall take effect on October 1, 1998.

**TITLE XXX—AMENDMENTS TO THE HELEN KELLER NATIONAL CENTER ACT****SEC. 2295. AUTHORIZATION OF APPROPRIATIONS.**

Section 205(a) of the Helen Keller National Center Act (29 U.S.C. 1904(a)) and section

208(h) of such Act (29 U.S.C. 1907(h)) are each amended by striking "1993 through 1997" and inserting "1998, 1999, and 2000".

#### TITLE XXXI—EFFECTIVE DATE

##### SEC. 2297. EFFECTIVE DATE.

Except as provided in section 2293, this division and the amendments made by this division shall take effect on October 1, 1997.

The CHAIRMAN. Are there any amendments to division B?

AMENDMENT NO. 3 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, I offer amendment No. 3.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. MCKEON: Page 6, after the item relating to section 2263, insert the following:

Sec. 2264. Requirement that Federal agencies provide certification of compliance with electronic and information technology accessibility guidelines.

Page 277, after line 3, insert the following: (1) in paragraph (5), by inserting after "supported employment" the following: "and self-employment or business ownership";

Page 277, line 4, strike "(1)" and insert "(2)".

Page 277, line 5, strike "(2)" and insert "(3)".

Page 277, line 7, strike "(3)" and insert "(4)".

Page 279, line 6, strike "(4)" and insert "(5)".

Page 279, after line 23, insert the following: (a) DECLARATION OF POLICY.—Section 100(a)(3)(C) of the Rehabilitation Act of 1973 (29 U.S.C. 720(a)(3)(C)) is amended to read as follows:

"(C) Applicants and eligible individuals must be active and full partners in the vocational rehabilitation process, making meaningful and informed choices—

"(i) during assessments to determine eligibility and vocational rehabilitation needs; and

"(ii) in the selection of the employment goal, services needed to achieve the goal, entities providing such services, and the methods used to procure such services."

Page 279, line 24, strike "Section 100(b)" and insert "(b) AUTHORIZATION OF APPROPRIATIONS.—Section 100(b)".

Page 280, strike line 19 and all that follows through line 4 on page 281 and insert the following:

(2) in paragraph (7)(A) to read as follows:

"(A) include a description, consistent with the purposes of this Act, of a comprehensive system of personnel development, which, at a minimum, shall consist of—

"(i) a description of the procedures and activities the State agency will undertake to address the current and projected training needs of all personnel in the designated State unit to ensure that they are adequately trained and prepared;

"(ii) a plan to coordinate and facilitate efforts between the designated State unit and institutions of higher education and professional institutions to recruit, prepare, and retain qualified personnel, including personnel from minority backgrounds and personnel who are individuals with disabilities; and

"(iii) the development and maintenance of a system for determining on an annual basis the number and type of personnel that are employed by the State agency in the provision of vocational rehabilitation services, including ratios of counselors to clients;"

Page 281, after line 5, insert the following:

(A) by inserting "the Rural Development Administration of the Department of Agri-

culture," after "the Department of Veterans Affairs,";

Page 281, line 6, strike "(A)" and insert "(B)".

Page 281, line 9, strike "(B)" and insert "(C)".

Page 282, after line 3, insert the following: (11) in paragraph (35), by striking "and" at the end;

Page 282, strike lines 4 through 10 and insert the following:

(12) in paragraph (36)—

(A) in subparagraph (b)(i), by moving the margin two ems to the left;

(B) in clauses (i), (ii), and (iii) of subparagraph (C) (including subclause (II) of each of such clauses (ii) and (iii)), by moving the margin two ems to the left; and

(C) by striking the period at the end and inserting "; and";

(13) by adding at the end the following:

"(37) provide assurances that the State, or any recipient of funds made available to the State under this title, will comply with the guidelines established under section 508(a) of this Act."; and

Page 282, line 11, strike "(12)" and insert "(14)".

Page 282, line 13, strike "(36)" and insert "(37)".

Page 282, line 13, strike "(32)," and insert "(33)".

Page 282, after line 14, add line 14, add the following (and conform the table of contents of the bill accordingly):

##### SEC. 2203. INDIVIDUALIZED PLAN FOR EMPLOYMENT.

(a) SECTION HEADING.—Section 102 of the Rehabilitation Act of 1973 (29 U.S.C. 722) is amended in the section heading by striking "INDIVIDUALIZED WRITTEN REHABILITATION PROGRAM" and inserting "INDIVIDUALIZED PLAN FOR EMPLOYMENT".

(B) ASSESSMENT.—Section 102(b) of such Act (29 U.S.C. 722(b)) is amended to read as follows:

"(b)(1) As soon as a determination has been made that an individual is eligible for vocational rehabilitation services, the designated State unit shall complete the assessment described in subparagraphs (B) and (C) of section 7(2), if such assessment is necessary, and ensure that an individualized plan for employment is—

"(A) either—

"(i) at the request of the individual, developed by the individual or, as appropriate, the eligible individual's representative and approved by the vocational rehabilitation counselor; or

"(ii) developed and approved by the individual or, as appropriate, by a parent, a family member, a guardian, an advocate, or an authorized representative of such individual (hereafter referred to in this subsection as the 'eligible individual's representative') and the vocational rehabilitation counselor;

"(B) based on the findings of the assessment to determine the individual's eligibility and vocational rehabilitation needs described in section 7(2);

"(C) written, and, as appropriate, otherwise documented, and provided to the individual or, as appropriate, to the eligible individual's representative in the native language or mode of communication of the individual or, as appropriate, of the eligible individual's representative;

"(D) implemented in a timely manner;

"(E) reviewed at least annually by the vocational rehabilitation counselor and the individual or, as appropriate, the eligible individual's representative; and

"(F) amended, as necessary, by the individual or, as appropriate, the eligible individual's representative, in collaboration with the counselor, when there are substantive changes in the employment goal, the serv-

ices to be provided, or the service providers (such revisions or amendments shall not take effect until agreed to and signed by the individual or, as appropriate, by the eligible individual's representative, and the vocational rehabilitation counselor).

"(2) The individual plan for employment shall be developed and implemented in a manner that affords eligible individuals the opportunity to exercise informed choice in selecting the employment goal, the specific vocational rehabilitation services to be provided, the entity or entities that will provide the vocational rehabilitation services, and the methods used to procure the services, consistent with the informed choice provisions in subsection (e).

"(3) The individualized plan for employment shall identify—

"(A) the specific employment goal that is chosen by the individual, consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, and informed choice of the individual, and is, to the maximum extent appropriate, in an integrated setting;

"(B) the specific vocational rehabilitation services that are—

"(i) needed to achieve the employment goal, including, as appropriate, assistive technology devices and services, and personal assistance services, including training in the management of such services; and

"(ii) provided in the most integrated setting that is appropriate to the service being provided and is consistent with the informed choice of the individual;

"(C) the entity or entities chosen by the individual or, as appropriate, the eligible individual's representative, that will provide the vocational rehabilitation services and the methods used to procure such services;

"(D) timelines for the achievement of the employment goal and for the initiation of services;

"(E) the terms and conditions of the individualized plan for employment, including—

"(i) the responsibilities of the designated State unit and the individual under such plan, including participation in the costs of the plan;

"(ii) criteria to evaluate progress toward achievement of the employment goals; and

"(iii) the use of comparable services and benefits under such plan, in accordance with section 101(a)(8);

"(F) prior to the determination that the individual has achieved an employment outcome, the expected need for post-employment services; and

"(G) the rights and remedies available to the individual as provided in subsection (d), including notification of the availability of assistance from the client assistance program under section 112 of this Act.

"(4) For an individual with the most severe disabilities for whom an employment goal in a supported employment setting has been determined to be appropriate, the individualized plan for employment shall, in addition to the requirements identified in subsection (b)(3), identify—

"(A) the extended services needed by the individual;

"(B) the source of extended services or, to the extent that the sources to provide the extended services cannot be identified at the time of the development of the individualized plan for employment, a description of the basis for concluding that there is a reasonable expectation that such sources will become available; and

"(C) in cases in which multiple extended service providers are available to the individual, the providers of such services chosen by the individual or, as appropriate, the eligible individual's representative."

(c) INFORMED CHOICE.—Section 102 of such Act (29 U.S.C. 722) is amended by adding at the end the following:



"(e) Each State agency, in consultation with its State Rehabilitation Advisory Council, if it has one, shall, consistent with section 100(a)(3)(C), develop and implement written policies and procedures that enable each individual to exercise informed choice throughout the vocational rehabilitation process, including policies and procedures that require the State agency—

"(1) to inform each applicant and eligible individual (including students with disabilities who are making the transition from programs under the responsibility of an educational agency to programs under the responsibility of the designated State unit), through appropriate modes of communication, about the availability of, and opportunities to exercise, informed choice, including the availability of support services for individuals with cognitive or other disabilities who require assistance in exercising informed choice;

"(2) to assist applicants and eligible individuals to exercise informed choice in decisions related to the provision of assessment services;

"(3) to develop and implement flexible procurement policies and methods that facilitate the provision of services and that afford eligible individuals meaningful choices among the methods used to procure services;

"(4) to provide or assist eligible individuals in acquiring information that enables those individuals to exercise informed choice in the selection of—

"(A) the employment goal;

"(B) the specific services needed to achieve the individual's employment goal;

"(C) the providers of the selected services;

"(D) the employment setting and the settings in which services are provided; and

"(E) the methods available for procuring the selected services; and

"(5) to ensure that the availability and scope of informed choice under this section is consistent with the State agency's obligations under section 12(e)."

(d) CONFORMING AMENDMENT.—Section 102 of such Act (29 U.S.C. 722) is amended by striking "individualized written rehabilitation program" each place it appears and inserting "individualized plan for employment".

Page 282, line 15, strike "2203" and insert "2204".

Page 282, line 22, strike "2204" and insert "2205".

Page 283, line 1, strike "2205" and insert "2206".

Page 283, line 14, strike "2206" and insert "2207".

Page 285, strike line 16 and all that follows through line 20 and insert the following:

(1) in paragraph (1)—

(A) by striking ", except that" and all that follows through "continue to serve as Director"; and

(B) by striking the third and fourth sentences;

(2) by striking paragraph (2);

(3) in paragraph (3)—

(A) by striking "necessary" and inserting "necessary"; and

(B) by redesignating such paragraph as paragraph (2); and

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

Page 286, after line 6, insert the following (and conform the table of contents of the bill accordingly):

#### SEC. 2231. DECLARATION OF PURPOSE.

Section 301(l)(A) of the Rehabilitation Act of 1973 (29 U.S.C. 770(l)(A)) is amended by inserting after "independent living services programs" the following: ", through community economic or business development programs".

Page 286, line 7, strike "2231" and insert "2232".

Page 286, after line 9, insert the following:

(1) in subsection (a)(1)—

(A) by striking "and (E)" and inserting "(E)";

(B) by striking the period at the end and inserting the following: ", and (F) personnel specifically trained to deliver services to individuals whose vocational goal is self-employment or business ownership.";

Page 286, strike lines 10 and 11 and insert the following:

(2) in subsection (b)(1)(B)—

(A) in clause (ii)—

(i) by redesignating subclauses (IV) and (V) as subclauses (V) and (VI), respectively; and

(ii) by inserting after subclauses (III) the following:

"(IV) assistance and support to individuals pursuing self-employment or business ownership as their rehabilitation goal"; and

(B) in clause (iv), by moving the margin two ems to the left;

Page 286, line 12, strike "(2)" and insert "(3)".

Page 286, line 13, strike "(3)" and insert "(4)".

Page 286, line 19, strike "(4)" and insert "(5)".

Page 286, line 22, strike "(5)" and insert "(6)".

Page 287, line 1, strike "2232" and insert "2233".

Page 287, line 8, strike "2233" and insert "2234".

Page 288, lines 6 and 7 and insert the following:

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "Subject to the provisions of section 306, the" and inserting "The";

(B) in paragraph (3), by striking "and" at the end;

(C) in paragraph (4), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(5) establishing programs for supporting the effects of vocational rehabilitation programs to promote self-employment or business ownership goals of people with disabilities."

Page 291, after line 13, insert the following:

#### SEC. 2264. REQUIREMENT THAT FEDERAL AGENCIES PROVIDE CERTIFICATION OF COMPLIANCE WITH ELECTRONIC AND INFORMATION TECHNOLOGY ACCESSIBILITY GUIDELINES.

Section 508(b) of the Rehabilitation Act of 1973 (29 U.S.C. 794d(b)) is amended to read as follows:

"(b) COMPLIANCE.—

"(1) IN GENERAL.—Each Federal agency shall comply with the guidelines established under this section.

"(2) CERTIFICATION.—

"(A) ESTABLISHMENT OF CERTIFICATION PROCEDURES.—The Director of the Office of Management and Budget shall establish uniform procedures under which the head of each Federal agency shall submit to the Director a written certification, containing such information as the Director may reasonably require, that such agency is in compliance with the guidelines established under this section.

"(B) SUBMISSION OF CERTIFICATION.—Not later than September 30 of each year, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a written certification in accordance with the procedures established under subparagraph (A).

"(C) REVIEW OF CERTIFICATION.—The Director of the Office of Management and Budget—

"(i) shall review each certification submitted by each Federal agency under subparagraph (B); and

"(ii) shall provide notice to each such Federal agency that such agency is either in compliance or not in compliance with the guidelines established under this section, as the case may be.

"(D) ASSISTANCE FOR AND MONITORING OF AGENCIES NOT IN COMPLIANCE.—In the case of a Federal agency that is not in compliance with the guidelines established under this section, the Director of the Office of Management and Budget—

"(i) shall assist such agency in its efforts to comply with such guidelines; and

"(ii) shall monitor the progress of such agency to comply with such guidelines."

Mr. McKEON. Mr. Chairman, these amendments are those changes that have been worked out by Republicans, Democrats, and the administration since the full committee markup, as requested by the chairman and ranking member at that markup.

The amendment will streamline the current individualized written rehabilitation plan as the individualized plan for employment, add a collection of consumer choice provisions to the act to increase the ability of individuals with disabilities to control the content, scope, and services of the program, add provisions to emphasize that self-employment or starting your own business is a viable vocational outcome, transfer of certain existing obligations of States under the Disabilities Technology-related Assistance Act to the Rehabilitation Act, and technical refinements to amendments that were included in the marked-up bill.

Mr. Chairman, I urge support of this amendment.

Mr. KILDEE. Mr. Chairman, I rise in support of the amendment.

I concur with the statements made by my subcommittee chairman, the gentleman from California [Mr. McKEON], and urge the adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. McKEON].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to division B?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. COLLINS] having assumed the chair, Mr. NEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1385), to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States, and for other purposes, pursuant to House Resolution 150, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.



Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CLAY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 343, nays 60, not voting 30, as follows:

[Roll No. 138]

YEAS—343

Abercrombie	Costello	Goodlatte
Allen	Coyne	Goodling
Archer	Cramer	Gordon
Army	Cubin	Graham
Bachus	Cummings	Granger
Baesler	Cunningham	Green
Baldacci	Danner	Greenwood
Barcia	Davis (FL)	Gutknecht
Barrett (NE)	Davis (VA)	Hall (OH)
Barrett (WI)	Deal	Hamilton
Bartlett	DeFazio	Hansen
Bass	Delahunt	Harman
Bateman	DeLauro	Hastert
Becerra	DeLay	Hastings (FL)
Bentsen	Dellums	Hastings (WA)
Bereuter	Deutsch	Herger
Berman	Diaz-Balart	Hill
Berry	Dicks	Hilleary
Bilbray	Dingell	Hilliard
Bilirakis	Dixon	Hinchey
Bishop	Doggett	Hinojosa
Blagojevich	Dooley	Hobson
Bliley	Doyle	Hoekstra
Blumenauer	Dreier	Holden
Blunt	Dunn	Hooley
Boehner	Edwards	Horn
Bonilla	Ehlers	Houghton
Bonior	Ehrlich	Hoyer
Bono	Engel	Hunter
Borski	English	Inglis
Boswell	Ensign	Jackson (IL)
Boucher	Eshoo	Jackson-Lee
Boyd	Etheridge	(TX)
Brady	Evans	Jenkins
Brown (CA)	Ewing	John
Brown (FL)	Farr	Johnson (CT)
Bryant	Fattah	Johnson (WI)
Bunning	Fawell	Johnson, E.B.
Burr	Fazio	Johnson, Sam
Buyer	Filner	Kanjorski
Calvert	Foglietta	Kaptur
Camp	Foley	Kasich
Canady	Forbes	Kelly
Capps	Ford	Kennedy (MA)
Cardin	Fowler	Kennedy (RI)
Carson	Fox	Kennelly
Castle	Frank (MA)	Kildee
Chabot	Franks (NJ)	Kilpatrick
Chambliss	Frelinghuysen	Kim
Christensen	Frost	Kind (WI)
Clay	Furse	Klecza
Clayton	Gallegly	Klug
Clement	Ganske	Knollenberg
Clyburn	Gejdenson	Kolbe
Coburn	Gekas	Kucinich
Combest	Gibbons	LaFalce
Condit	Gilchrest	Lampson
Conyers	Gilman	Lantos
Cooksey	Gonzalez	Largent

Latham	Nussle	Shimkus
LaTourette	Oberstar	Shuster
Lazio	Obe	Sisisky
Leach	Olver	Skaggs
Levin	Ortiz	Skeen
Lewis (CA)	Owens	Slaughter
Lewis (GA)	Oxley	Smith (MI)
Linder	Pallone	Smith (NJ)
Lipinski	Parker	Smith (OR)
Livingston	Pascrell	Smith (TX)
Lofgren	Pastor	Smith, Adam
Lowe	Paxon	Snowbarger
Lucas	Payne	Snyder
Luther	Pease	Souder
Maloney (CT)	Pelosi	Spence
Maloney (NY)	Peterson (MN)	Spratt
Markey	Peterson (PA)	Stabenow
Martinez	Pickering	Stark
Mascara	Pickett	Stenholm
Matsui	Pitts	Stokes
McCarthy (MO)	Pomeroy	Strickland
McCarthy (NY)	Porter	Stupak
McCollum	Portman	Sununu
McCrery	Poshard	Tanner
McDade	Price (NC)	Tauscher
McDermott	Pryce (OH)	Tauzin
McGovern	Rahall	Taylor (NC)
McHale	Ramstad	Thomas
McHugh	Rangel	Thompson
McInnis	Regula	Thornberry
McIntosh	Reyes	Thurman
McIntyre	Riggs	Tiahrt
McKeon	Rivers	Tierney
McKinney	Rodriguez	Torres
McNulty	Roemer	Traficant
Meehan	Rogers	Turner
Meek	Rohrabacher	Upton
Menendez	Ros-Lehtinen	Velazquez
Mica	Rothman	Vento
Millender-McDonald	Roukema	Visclosky
Miller (FL)	Roybal-Allard	Walsh
Minge	Rush	Waters
Mink	Ryun	Watt (NC)
Moakley	Sabo	Waxman
Mollohan	Sanchez	Weldon (PA)
Moran (KS)	Sanders	Weller
Moran (VA)	Sandlin	Wexler
Morella	Sawyer	Weygand
Myrick	Saxton	White
Nadler	Schaffer, Bob	Whitfield
Neal	Schumer	Wise
Nethercutt	Scott	Wolf
Ney	Serrano	Woolsey
Northup	Shaw	Wynn
Norwood	Shays	Yates
	Sherman	Young (AK)

NAYS—60

Aderholt	Goss	Radanovich
Barr	Hall (TX)	Riley
Burton	Hayworth	Rogan
Callahan	Hefley	Royce
Campbell	Hostettler	Salmon
Cannon	Hulshof	Sanford
Chenoweth	Hutchinson	Scarborough
Coble	Hyde	Schaefer, Dan
Collins	Jones	Sensenbrenner
Cook	King (NY)	Sessions
Cox	Kingston	Shadegg
Crane	LaHood	Smith, Linda
Crapo	Lewis (KY)	Solomon
Davis (IL)	Manzullo	Stearns
Dickey	Metcalfe	Stump
Doolittle	Neumann	Talent
Duncan	Pappas	Taylor (MS)
Emerson	Paul	Thune
Everett	Petri	Wamp
Goode	Pombo	Weldon (FL)

NOT VOTING—30

Ackerman	Gillmor	Murtha
Andrews	Gutierrez	Packard
Baker	Hefner	Quinn
Ballenger	Istook	Schiff
Barton	Jefferson	Skelton
Boehlert	Klink	Towns
Brown (OH)	LoBiondo	Watkins
DeGette	Manton	Watts (OK)
Flake	Miller (CA)	Wicker
Gephardt	Molinari	Young (FL)

□ 1258

Mr. WELDON of Florida and Mr. DUNCAN changed their vote from "yea" to "nay."

Messrs. HINCHEY, TIAHRT and BARTLETT of Maryland changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1385, EMPLOYMENT, TRAINING, AND LITERACY ENHANCEMENT ACT OF 1997

Mr. McKEON. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1385, the Clerk be authorized to make technical corrections and conforming changes to the bill.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from California?

There was no objection.

## GENERAL LEAVE

Mr. McKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1385, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

# APPOINTMENT OF CONFEREES ON H.R. 1469, 1997 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR RECOVERY FROM NATURAL DISASTERS, AND FOR OVERSEAS PEACEKEEPING EFFORTS, INCLUDING THOSE IN BOSNIA

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1469) making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

□ 1300

## MOTION TO INSTRUCT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

Ms. KAPTUR moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 1469, be instructed to insist on the House position with respect to funding for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), providing a funding level of \$76,000,000, to ensure no reduction in the number of participants being served by this program.