

## TITLE II -- RESEARCH AND TRAINING

### SEC. 200. DECLARATION OF PURPOSE

The purpose of this title is to--

- [200](1) provide for a comprehensive and coordinated approach to the administration and conduct of research, demonstration projects, and related activities for the rehabilitation of individuals with handicaps, including programs designed to train persons who provide rehabilitation services and persons who conduct research, by authorizing Federal assistance in accordance with a plan for rehabilitation research developed under this title;
- [200](2) facilitate the distribution of information concerning developments in rehabilitation procedures, methods, and devices to rehabilitation professionals and to individuals with handicaps to assist such individuals to live more independently;
- [200](3) improve the distribution of technological devices and equipment for individuals with handicaps by providing financial support for the development and distribution of such devices and equipment; and
- [200](4) increase the scientific and technological information presently available in the field of rehabilitation.

### SEC. 201. AUTHORIZATION OF APPROPRIATIONS

[201](a) There are authorized to be appropriated--

- [201-a](1) for the purpose of providing for the expenses of the National Institute on Disability and Rehabilitation Research under section 202, other than expenses to carry out section 204, such sums as may be necessary for fiscal year 1987, and for each succeeding fiscal year ending prior to October 1, 1991; and
  - [201-a](2) \$49,000,000 for fiscal year 1987, \$52,000,000 for fiscal year 1988, \$55,000,000 for fiscal year 1989, \$58,000,000 for fiscal year 1990, and \$60,378,500 for fiscal year 1991 for the purpose of carrying out section 204, of which \$1,000,000 shall be available for fiscal year 1987, \$1,050,000 for fiscal year 1988, \$1,102,500 for fiscal year 1989, \$1,160,000 for fiscal year 1990, and \$1,208,000 for fiscal year 1991 for the purpose of carrying out the last sentence of section 204(b)(2)(C).
- [201](b) Funds appropriated under this title shall remain available until expended.

### SEC. 202. NATIONAL INSTITUTE ON DISABILITY AND REHABILITATION RESEARCH

[202](a) In order to promote and coordinate research with respect to individuals with handicaps and to more effectively carry out the programs under section 204, there is established within the Department of Education, a National Institute on Disability and Rehabilitation Research (hereinafter in this title referred to as the "Institute"), which shall be headed by a Director (hereinafter in this title referred to as the "Director"). In the performance of the functions of the office, the Director shall be directly responsible to the Secretary or to the same Under Secretary or Assistant Secretary of the Department of Education, to whom the Commissioner is responsible under section 3(a) of this Act.

[202](b) The Director, through the Institute, shall be responsible for--

- [202-b](1) administering the programs described in section 204;
- [202-b](2) disseminating information acquired through research funded by the Institute to other Federal, State, tribal and local public agencies and to private organizations engaged in research relating to rehabilitation or providing rehabilitation services;
- [202-b](3) coordinating, through the Interagency Committee established by

section 203 of this Act, all Federal programs and policies relating to research in rehabilitation;

[202-b](4) disseminating educational materials to primary and secondary schools, institutions of higher education, and to public and private entities concerning how the quality of life of individuals with handicaps may be improved;

[202-b](5) conducting an education program to inform the public about ways of providing for the rehabilitation of individuals with handicaps, including information relating to family care and self care;

[202-b](6) conducting conferences, seminars, and workshops (including in-service training programs) concerning research and engineering advances in rehabilitation pertinent to the problems of individuals with handicaps;

[202-b](7) taking whatever action is necessary to keep the Congress fully and currently informed with respect to the implementation and conduct of programs and activities carried out under this title; and

[202-b](8) producing, in conjunction with the Department of Labor, the National Center for Health Statistics, the Bureau of the Census, the Social Security Administration, the Bureau of Indian Affairs, the Indian Health Service and other Federal departments and agencies, as may be appropriate, statistical reports and studies on the employment, health, income, and other demographic characteristics of individuals with handicaps and disseminating such reports, and studies to rehabilitation professionals and others to assist in the planning and evaluation of vocational and other rehabilitation services for the individuals with handicaps.

[202](c)(1) The Director of the Institute shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall be an individual with substantial experience in rehabilitation and in research administration. The Director shall be compensated at the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code. In carrying out any of the functions of the office under this section, the Director shall be guided by general policies of the National Council on Disability established in title IV. The Director shall not delegate any of the functions of the office to any officer who is not directly responsible to the Director.

[202-c](2) There shall be a Deputy Director of the Institute (hereinafter in this section referred to as the "Deputy Director") who shall be appointed by the Secretary. The Deputy Director shall be compensated at the rate provided for grade GS-17 of the General Schedule under section 5332 of title 5, United States Code, and shall act for the Director during the absence or disability of the Director, exercising such powers as the Director may prescribe. In the case of any vacancy in the office of the Director, the Deputy Director shall serve as Director until a Director is appointed under paragraph (1). The position created by this paragraph shall be in addition to the number of positions placed in grade GS-17 of the General Schedule under section 5108 of title 5, United States Code.

[202-c](3) The Director, subject to the approval of the President, may appoint, for terms not to exceed three years, without regard to the provisions of title 5, United States Code, governing appointment in the competitive service, and may compensate, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, such technical and professional employees of the Institute as the Director deems necessary to accomplish the functions of the Institute and also appoint and compensate without regard to such provisions, in a number not to exceed one-fifth of the number of full-time, regular technical and professional employees of the Institute.

[202-c](4) The Director may obtain the service of consultants, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

[202](d) The Director pursuant to regulations which the Secretary shall prescribe, may establish and maintain fellowships with such stipends and allowances, including travel and subsistence expenses provided for under title 5, United States Code, as the Director considers necessary to procure the assistance of highly qualified research fellows from the United States and foreign countries.

[202](e) The Director shall, pursuant to regulations which the Secretary shall prescribe, provide for scientific review of all research grants and programs over which the Director has authority by utilizing, to the maximum extent possible, appropriate peer review groups established within the Institute and composed of non-Federal scientists and other experts in the rehabilitation field.

[202](f) Not less than 90 percent of the funds appropriated under paragraph (2) of section 201(a) to carry out section 204 shall be expended by the Director to carry out such section through grants or contracts with qualified public or private agencies and individuals.

[202](g) The Director shall develop and submit to appropriate committees of the Congress within eighteen months after the effective date of this section a long-range plan for rehabilitation research which shall--

[202-g](1) identify any research which should be conducted respecting the problems encountered by individuals with handicaps in their daily activities, especially problems related to employment;

[202-g](2) determine the funding priorities for research activities under this section and explain the basis for such priorities, including a detailed description of any new types of research recommended under this paragraph for funding; and

[202-g](3) specify appropriate goals and timetables for activities to be conducted under this section.

The plan required by this subsection shall be developed by the Director in consultation with the Commissioner, the National Council on Disability established under title IV, the Secretary of Education, officials responsible for the administration of the Developmental Disabilities Assistance and Bill of Rights Act, the Interagency Committee established by section 203 and any other persons or entities the Director considers appropriate. Such plan shall be reviewed at least once every three years and may be revised at any time by the Director to the extent necessary.

[202](h) In order to promote cooperation among Federal departments and agencies conducting research programs, the Director shall consult with the administrators of such programs, and with the Interagency Committee established by section 203 regarding the design of research projects conducted by such entities and the result and applications of such research.

[202](i)(1) The Director shall take appropriate actions to provide for a comprehensive and coordinated research program under this title. In providing such a program the Director may undertake joint activities with other Federal entities engaged in research and with appropriate private entities. Any Federal entity proposing to establish any research project related to the purposes of this Act shall consult, through the Interagency Committee established by section 203, with the Director as Chairperson of such Committee and provide the Director with sufficient prior opportunity to comment on such project.

[202-i](2) Any person responsible for administering any program of the National Institutes of Health, the Veterans' Administration, the National Science Foundation, the National Aeronautics and Space Administration, the Office of Special Education and Rehabilitative Services, or of any other

Federal entity, shall, through the Interagency Committee established by section 203, consult and cooperate with the Director in carrying out such program if the program is related to the purposes of this section.

[202](j)(1) The Director shall make a grant for the establishment of a program of pediatric rehabilitation research.

[202-j](2) The Director shall establish, either directly or by way of a grant or contract, a Research and Training Center in the Pacific Basin in order to improve services to individuals with handicaps through relevant rehabilitation research and training in the Pacific Basin and to assist in the coordination of rehabilitation services provided by a broad range of agencies and entities. Such Center shall--

[202-j-2](A) develop a sound demographic base,

[202-j-2](B) analyze, develop, and utilize appropriate technology,

[202-j-2](C) develop a culturally relevant rehabilitation manpower development program, and

[202-j-2](D) facilitate interagency communication and cooperation, implementing advanced information technology; and

[202-j](3) The Director shall establish, directly or by grant or contract, a center associated with an institution of higher education, for research and training concerning the delivery of rehabilitation services to rural areas.

[202](k) The Director shall make grants to institutions of higher education for the training of researchers in the field of rehabilitation of individuals with handicaps.

[202](l) The Director shall submit to the Congress, not later than one year after the date of the enactment of the Rehabilitation Act Amendments of 1986, policy recommendations for the establishment by the Congress of an agency designed to ensure

[202-l](1) the development and cost-effective production and marketing of technological devices; and

[202-l](2) the efficient distribution of such technology to individuals with handicaps.

Such recommendations shall specifically evaluate the feasibility of the chartering by Congress of a private organization or the establishment of a joint public-private corporation to provide marketing and production-related services to the public and private sectors. The policy recommendation shall include suggested funding alternatives for an organization or agency and such other suggestions as the Director or the Committee on Handicapped Research may consider appropriate. Further such recommendations shall consider any potential conflicts of interest in the evaluation and marketing of new products for use by individuals with handicaps. In developing such policy recommendations, the Director shall solicit the views of the Interagency Interagency Committee on Disability Research and shall submit any dissenting views offered by any member of that Committee together with the submission of policy recommendations.

[202](m) The Director shall conduct a study of health insurance practices and policies which affect individuals with handicaps. Not later than February 1, 1990, the Director shall submit a report of the study to the appropriate committees of the Congress.

#### SEC. 203. INTERAGENCY COMMITTEE

[203](a)(1) In order to promote coordination and cooperation among Federal departments and agencies conducting rehabilitation research programs, there is established within the Federal Government an Interagency Committee on Disability Research (hereinafter in this section referred to as the "Committee"), chaired by the Director and comprised of such members as the President may designate, including the following (or their designees): the Director, the Commissioner, the Secretary of Education, the Administrator

of Veterans' Affairs, the Director of the National Institutes of Health, the Director of the National Institute of Mental Health, the Administrator of the National Aeronautics and Space Administration, the Secretary of Transportation, the Assistant Secretary of the Interior for Indian Affairs, the Director of the Indian Health Service and the Director of the National Science Foundation.

[203-a](2) The Committee shall meet not less than four times each year.

[203](b) The Committee shall identify, assess, and seek to coordinate all Federal programs, activities, and projects, and plans for such programs, activities, and projects with respect to the conduct of research related to rehabilitation of individuals with handicaps.

[203](c) The Committee, not later than eighteen months after the date of enactment of this section, and annually thereafter, shall submit to the President and to the appropriate committees of the Congress a report making such recommendations as the Committee deems appropriate with respect to coordination of policy and development of objectives and priorities for all Federal programs relating to the conduct of research related to rehabilitation of individuals with handicaps.

#### SEC. 204. RESEARCH

[204](a) The Director may make grants to and contracts with States and public or private agencies and organizations, including institutions of higher education, Indian tribes, and tribal organizations to pay part of the cost of projects for the purpose of planning and conducting research, demonstrations, and related activities which bear directly on the development of methods, procedures, and devices to assist in the provision of vocational and other rehabilitation services to individuals with handicaps, especially those with the most severe handicaps, under this Act. Such projects may include medical and other scientific, technical, methodological, and other investigations into the nature of disability, methods of analyzing it and restorative techniques, including basic research where related to rehabilitation techniques or services; studies and analysis of industrial, vocational, social, recreational, psychiatric, psychological, economic, and other factors affecting rehabilitation of individuals with handicaps; special problems of homebound and institutionalized individuals; studies, analyses, and demonstrations of architectural and engineering design adapted to meet the special needs of individuals with handicaps; studies, analyses, and other activities related to supported employment; and related activities which hold promise of increasing knowledge and improving methods in the rehabilitation of individuals with handicaps and individuals with the most severe handicaps.

[204](b) In addition to carrying out projects under subsection (a) of this section, the Director may make grants to pay part or all of the cost of the following specialized research activities:

[204-b](1) Establishment and support of Rehabilitation Research and Training Centers to be operated in collaboration with institutions of higher education for the purpose of

[204-b-1](A) providing training (including graduate training) to assist individuals to more effectively provide rehabilitation services,

[204-b-1](B) providing coordinated and advanced programs of research in rehabilitation, and

[204-b-1](C) providing training (including graduate training) for rehabilitation research and other rehabilitation personnel. The research to be carried out at each Center (and as appropriate shall include consideration of rural issues) shall be determined on the basis of the particular needs of individuals with handicaps in the geographic area served by the Center, and may include basic or applied medical rehabilitation research, research regarding the psychological and social

aspects of rehabilitation, and research related to vocational rehabilitation. The Centers shall be encouraged to develop practical applications for the findings of their research. Grants may include funds for services rendered by such a center to individuals with handicaps in connection with such research and training activities. Rehabilitation Research and Training Centers shall include both comprehensive centers dealing with multiple disabilities and centers focused on particular disabilities. Grants to Centers need not be automatically terminated at the end of a project period and may be renewed on the basis of a thorough evaluation and peer review including site visits. Training of students preparing to be rehabilitation personnel through centers shall be an important priority. Grants may include faculty support for teaching of rehabilitation related courses of study for credit and other courses offered by the institutions of higher education affiliated with the Center.

The peer review of all applications for the renewal of a Rehabilitation Research and Training Center grant shall take into account the past performance of the applicant in carrying out the grant. The host institution with which the Rehabilitation Research and Training Center is affiliated may not collect in excess of 15 percent in indirect cost charges. Beginning with fiscal year 1991, awards under clause (C) of this paragraph shall be made on a competitive basis.

[204-b](2) Establishment and support of Rehabilitation Engineering Research Centers to

[204-b-2](A) develop and disseminate innovative methods of applying advanced medical technology, scientific achievement, and psychiatric, psychological, and social knowledge to solve rehabilitation problems through planning and conducting research, including cooperative research with public or private agencies and organizations, designed to produce new scientific knowledge, equipment, and devices suitable for solving problems in the rehabilitation of individuals with handicaps and for reducing environmental barriers,

[204-b-2](B) demonstrate and disseminate innovative models for the delivery to rural and urban areas of cost-effective rehabilitation engineering services that promote utilization of engineering and other scientific research to assist in meeting the employment and independent living needs of individuals with severe handicaps,

[204-b-2](C) cooperate with State agencies designated pursuant to section 101 in developing systems of information exchange and coordination to promote the prompt utilization of engineering and other scientific research to assist in solving problems in the rehabilitation of individuals with handicaps, and

[204-b-2](D) demonstrate and disseminate innovative models for the delivery of cost-effective rehabilitation engineering services to assist in meeting the needs of, and addressing the barriers confronted by, individuals with handicaps. In fiscal year 1987, at least two such Rehabilitation Engineering Centers shall be established. One grant to provide demonstrations pursuant to clause (D) of this paragraph shall be made to an agency or organization in the State of South Carolina and one such grant shall be made to an agency or organization in the State of Connecticut.

[204-b](3) Conduct of a program for spinal cord injury research, to include support of spinal cord injuries projects and demonstrations established pursuant to sections 310 and 311, which will

[204-b-3](A) insure dissemination of research findings among all such Centers,

[204-b-3](B) provide encouragement and support for initiatives and new approaches by individuals and institutional investigations, and

[204-b-3](C) establish and maintain close working relationships with other governmental and voluntary institutions and organizations engaged in similar efforts, in order to unify and coordinate scientific efforts, encourage joint planning, and promote the interchange of data and reports among spinal cord injury investigations.

In the award of grants under this paragraph the Director shall take into account the location of any proposed Center and the appropriate geographic and regional allocation of such Centers.

[204-b](4) Conduct of a program for end-stage renal disease research to include support of projects and demonstrations for providing special services (including transplantation and dialysis), artificial kidneys, and supplies necessary for the rehabilitation of individuals suffering from such disease and which will

[204-b-4](A) insure dissemination of research findings,

[204-b-4](B) provide encouragement and support for initiatives and new approaches by individual and institutional investigators, and

[204-b-4](C) establish and maintain close working relationships with other governmental and voluntary institutions and organizations engaged in similar efforts, in order to unify and coordinate scientific efforts, encourage joint planning, and promote the interchange of data and reports among investigators in the field of end-stage renal disease. No person shall be selected to participate in such program who is eligible for services for such disease under any other provision of law.

[204-b](5) Conduct of a program for international rehabilitation research, demonstration, and training for the purpose of developing new knowledge and methods in the rehabilitation of individuals with handicaps in the United States, cooperating with and assisting in developing and sharing information found useful in other nations in the rehabilitation of individuals with handicaps, and initiating a program to exchange experts and technical assistance in the field of rehabilitation of individuals with handicaps with other nations as a means of increasing the levels of skill of rehabilitation personnel.

[204-b](6) Conduct of a research program concerning the use of existing telecommunications system (including telephone, television, satellite, radio, and other similar systems) which have the potential for substantially improving service delivery methods, and the development of appropriate programming to meet the particular needs of individuals with handicaps.

[204-b](7) Conduct of a program of joint projects with the National Institutes of Health, the National Institute of Mental Health, the Health Services Administration, the Administration on Aging, the National Science Foundation, the Veterans' Administration, the Department of Health and Human Services, the National Aeronautics and Space Administration, other Federal agencies, and private industry in areas of joint interest involving rehabilitation.

[204-b](8) Conduct of a program of research related to the rehabilitation of children with handicaps and of individuals with handicaps who are aged sixty or older except that research concerning Indian Americans with handicaps shall include those 55 and older.

[204-b](9) Conduct of a research program to develop and demonstrate innovative methods to attract and retain professionals to serve in rural areas in the rehabilitation of individuals with handicaps including individuals with severe handicaps.

[204-b](10) Conduct of a model research and demonstration project designed to assess the feasibility of establishing a center for producing and distributing to deaf individuals captioned video cassettes providing a broad range of educational, cultural, scientific, and vocational

programming.

[204-b](11) Conduct of a model research and demonstration program to develop innovative methods of providing services for preschool age children with handicaps, including the following:

[204-b-11](A) early intervention, parent counseling, infant stimulation, early identification, diagnosis, and evaluation of children with severe handicaps up to the age of five, with a special emphasis on children with severe handicaps up to the age of three;

[204-b-11](B) such physical therapy, language development, pediatric, nursing, psychological, and psychiatric services as are necessary for such children; and

[204-b-11](C) appropriate services for the parents of such children, including psychological and psychiatric services, parent counseling, and training.

[204-b](12) Conduct of a model research and training program under which model training centers shall be established to develop and use more advanced and effective methods of evaluating and developing the employment potential of individuals with handicaps, including programs which--

[204-b-12](A) provide training and continuing education for personnel involved with the employment of individuals with handicaps;

[204-b-12](B) develop model procedures for testing and evaluating the employment potential of individuals with handicaps;

[204-b-12](C) develop model training programs to teach individuals with handicaps skills which will lead to appropriate employment;

[204-b-12](D) develop new approaches for job placement of individuals with handicaps, including new followup procedures relating to such placement; and

[204-b-12](E) provide information services regarding education, training, employment, and job placement for individuals with handicaps.

[204-b](13) Conduct of a rehabilitation research program under which financial assistance is provided in order to

[204-b-13](A) test new concepts and innovative ideas,

[204-b-13](B) demonstrate research results of high potential benefits,

[204-b-13](C) purchase prototype aids and devices for evaluation,

[204-b-13](D) develop unique rehabilitation training curricula, and

[204-b-13](E) be responsive to special initiatives of the Director.

No single grant under this paragraph may exceed \$50,000 in any fiscal year and all payments made under this paragraph in any fiscal year may not exceed 5 percentum of the amount available under section 204 to the National Institute on Disability and Rehabilitation Research in any fiscal year. Regulations and administrative procedures with respect to financial assistance under this paragraph shall, to the maximum extent possible, be expedited.

[204-b](14) Conduct of studies of the rehabilitation needs of American Indian populations and of effective mechanisms for the delivery of rehabilitation services to Indians residing on and off reservations.

[204-b](15) Conduct of a demonstration program under which one or more projects national in scope shall be established to develop procedures to provide incentives for the development, manufacturing, and marketing of orphan technological devices designed to enable individuals with handicaps to achieve independence and access to gainful employment.

[204](c) The provisions of section 306 shall apply to assistance provided under this section, unless the context indicates to the contrary.

[204](d)(1) In carrying out evaluations of research demonstration and related projects under this section, the Director is authorized to make arrangements for site visits to obtain information on the accomplishments of the projects.

[204-d](2) The Director shall not make a grant under this section which

exceeds \$299,999 unless the peer review of the grant application has included a site visit.