

TITLE IV -- NATIONAL COUNCIL ON DISABILITY

SEC. 400. ESTABLISHMENT OF NATIONAL COUNCIL ON DISABILITY

[400](a)(1) There is established within the Federal Government a National Council on Disability (hereinafter in this title referred to as the "National Council"), which shall be composed of fifteen members appointed by the President, by and with the advice and consent of the Senate. The members of the National Council shall be appointed so as to be representative of individuals with handicaps, national organizations concerned with individuals, providers and administrators of services to individuals with handicaps, individuals engaged in conducting medical or scientific research relating to individuals with handicaps, business concerns, and labor organizations. At least five members of the National Council shall be individuals with handicaps or parents or guardians of individuals with handicaps.

[400-a](2) The purpose of the National Council is to promote the full integration, independence, and productivity of individuals with handicaps in the community, schools, the workplace and all other aspects of American life.

[400](b)(1) Members of the National Council shall be appointed to serve for terms of three years, except that of the members first appointed--

[400-b-1](A) five shall serve for terms of one year,

[400-b-1](B) five shall serve for terms of two years, and

[400-b-1](C) five shall serve for terms of three years,  
as designated by the President at the time of appointment.

[400-b](2) Members may be reappointed and may serve after the expiration of their terms until their successors have taken office.

[400-b](3) Any member appointed to fill a vacancy occurring before the expiration of the term for which such member's predecessor was appointed shall be appointed only for the remainder of such term.

[400](c) The President shall designate the Chairperson from among the members appointed to the National Council. The National Council shall meet at the call of the Chairperson but not less often than four times each year.

[400](d) Eight members of the National Council shall constitute a quorum and any vacancy in the National Council shall not affect its power to function.

SEC. 401. DUTIES OF NATIONAL COUNCIL

[401](a) The National Council shall--

[401-a](1) establish general policies for, and review the operation of, the National Institute on Disability and Rehabilitation Research;

[401-a](2) provide advice to the Commissioner with respect to the policies of and conduct of the Rehabilitation Services Administrator;

[401-a](3) advise the President, the Congress, the Commissioner, the appropriate Assistant Secretary of the Department of Education, and the Director of the National Institute on Disability and Rehabilitation Research on the development of the programs to be carried out under this Act;

[401-a](4) review and evaluate on a continuing basis--

[401-a-4](A) all policies, programs, and activities concerning individuals with handicaps and persons with disabilities conducted or assisted by Federal departments and agencies, including programs established or assisted under this Act or under the Developmental Disabilities Assistance and Bill of Rights Act; and

[401-a-4](B) all statutes pertaining to Federal programs which assist such individuals with handicaps and persons with disabilities;  
in order to assess the effectiveness of such policies, programs,

- activities, and statutes in meeting the needs of individuals with disabilities;
- [401-a](5) assess the extent to which such policies, programs, and activities provide incentives or disincentives to the establishment of community-based services for individuals with handicaps, promote the full integration of such individuals in the community, in schools, and in the workplace, and contribute to the independence and dignity of such individuals;
- [401-a](6) make recommendations to the President, the Congress, the Secretary, and the Director of the National Institute on Disability and Rehabilitation Research respecting ways to improve research concerning individuals with handicaps, the administration of services for individuals with handicaps, and the methods of collecting and disseminating the findings of such research, and make recommendations for facilitating the implementation of programs based upon such findings;
- [401-a](7) submit not later than March 31 of each year (beginning in 1980) an annual report to the Congress, and the President, containing
- [401-a-7](A) a statement of the current status of research concerning individuals with handicaps in the United States,
- [401-a-7](B) a review of the activities of the Rehabilitation Services Administration and the National Institute on Disability and Rehabilitation Research, and
- [401-a-7](C) such recommendations respecting the items described in clauses (A) and (B) as the National Council considers appropriate; and
- [401-a](8) provide to the Congress on a continuing basis advice, recommendations, legislative proposals and any additional information which the Council or the Congress deems appropriate.
- [401](b)(1) Not later than January 30, 1988, and annually thereafter, the National Council shall issue a report to the President and the Congress on the progress that has been made in implementing the recommendations contained in the Council's January 30, 1986, report Toward Independence.
- [401-b](2) The reports issued pursuant to paragraph (1) shall present, as appropriate, available data on health, housing, employment, insurance, transportation, recreation, and education, and shall include appropriate information on the current status and trends in the status of individuals with disabilities.

#### SEC. 402. COMPENSATION OF NATIONAL COUNCIL MEMBERS

- [402](a) Members of the National Council shall be entitled to receive compensation at a rate equal to the rate of basic pay payable for grade GS-18 of the General Schedule under section 5332 of title 5, United States Code, including travel time, for each day they are engaged in the performance of their duties as members of the National Council.
- [402](b) Members of the National Council who are full-time officers or employees of the United States shall receive no additional pay on account of their service on the National Council except for compensation for travel expenses as provided under subsection (c) of this section.
- [402](c) While away from their homes or regular places of business in the performance of services for the National Council, members of the National Council shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

#### SEC. 403. STAFF OF NATIONAL COUNCIL

- [403](a)(1) The National Council may appoint, without regard to the provisions of title 5, United States Code, governing appointments in

the competitive service, or the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates an Executive Director to assist the National Council to carry out its duties. The Executive Director shall be appointed from among individuals who are experienced in the planning or operation of programs for individuals with handicaps.

[403-a](2) The Executive Director is authorized to hire not to exceed 7 technical and professional employees to assist the National Council to carry out its duties.

[403](b)(1) The National Council may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, United States Code (but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay payable for grades GS-18 of the General Schedule under section 5332 of title 5, United States Code).

[403-b](2) The National Council may--

[403-b-2](A) accept voluntary and uncompensated services, notwithstanding the provisions of section 1342 of title 31, United States Code;

[403-b-2](B) in the name of the Council, accept employ and dispose of, in furtherance of this Act, any money, or property, real or personal, or mixed, tangible or nontangible, received by gift, devise, bequest, or otherwise; and

[403-b-2](C) enter into contracts and cooperative agreements with Federal and State agencies, private firms, institutions, and individuals for the conduct of research and surveys, preparation of reports and other activities necessary to the discharge of the Council's duties and responsibilities.

[403-b](3) Not more than 10 per centum of the total amounts available to the National Council in each fiscal year may be used for official representation and reception.

[403](c) The Administrator of General Services shall provide to the National Council on a reimbursable basis such administrative support services as the Council may request.

#### SEC. 404. ADMINISTRATIVE POWERS OF NATIONAL COUNCIL

[404](a) The National council may prescribe such bylaws and rules as may be necessary to carry out its duties under this title.

[404](b) The National Council may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as it deems advisable.

[404](c) The National Council may appoint advisory committees to assist the National Council in carrying out its duties. The members thereof shall serve without compensation.

[404](d) The National Council may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

#### SEC. 405. AUTHORIZATION OF APPROPRIATIONS

There are authorized to be appropriated to carry out this title such sums as may be necessary for each of the fiscal years 1987, 1988, 1989, 1990, and 1991.