

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4297
OFFERED BY MR. HOLT**

Strike title V of the bill and insert the following
(and conform the table of contents accordingly):

**1 TITLE V—AMENDMENTS TO THE
2 REHABILITATION ACT OF 1973
3 Subtitle A—Introductory
4 Provisions**

5 SEC. 501. REFERENCES.

6 Except as otherwise specifically provided, whenever in
7 this title an amendment or repeal is expressed in terms
8 of an amendment to, or repeal of, a provision, the amend-
9 ment or repeal shall be considered to be made to a provi-
10 sion of the Rehabilitation Act of 1973 (29 U.S.C. 701 et
11 seq.).

12 SEC. 502. FINDINGS, PURPOSE, POLICY.

13 (a) FINDINGS.—Section 2(a) is amended—

14 (1) in paragraph (5), by striking “and” at the
15 end;

16 (2) in paragraph (6), by striking the period and
17 inserting “; and”; and

18 (3) by adding at the end the following:

1 “(7)(A) a high proportion of students are leav-
2 ing secondary education without being employed in
3 competitive integrated employment, or being enrolled
4 in postsecondary education; and

5 “(B) there is a substantial need to support such
6 students as they transition from school to postsec-
7 ondary life.”.

8 (b) PURPOSE.—Section 2(b) (29 U.S.C. 701(b)) is
9 amended—

10 (1) in paragraph (1)—

11 (A) in the matter preceding subparagraph
12 (A), by striking “with disabilities” and all that
13 follows through “economic” and inserting “with
14 disabilities, including individuals with the most
15 significant disabilities, to maximize opportuni-
16 ties for competitive integrated employment and
17 to achieve economic”; and

18 (B) at the end of subparagraph (F), by
19 striking “and”;

20 (2) in paragraph (2), by striking the period at
21 the end and inserting a semicolon; and

22 (3) by adding at the end the following:

23 “(3) to increase employment opportunities and
24 employment outcomes for individuals with disabil-
25 ities, including through encouraging meaningful in-

1 involvement by employers and vocational rehabilitation
2 service providers on successful and prospective em-
3 ployment and placement strategies; and

4 “(4) to ensure, to the greatest extent possible,
5 that youth with disabilities and students with dis-
6 abilities who are transitioning from receipt of special
7 education services under the Individuals with Dis-
8 abilities Education Act (20 U.S.C. 1400 et seq.) and
9 receiving accommodations and supports consistent
10 with section 504 of the Rehabilitation Act of 1973
11 (29 U.S.C. 794) are either continuing their edu-
12 cation or employed in competitive integrated employ-
13 ment.”.

14 **SEC. 503. REHABILITATION SERVICES ADMINISTRATION.**

15 Section 3 (29 U.S.C. 702) is amended—

16 (1) in subsection (a)—

17 (A) in the first sentence, by striking “Of-
18 fice of the Secretary” and inserting “Office of
19 Special Education and Rehabilitative Services”;

20 (B) in the second sentence, by striking “IV
21 and V” and inserting “IV, V, VII, and VIII”;
22 and

23 (C) by striking the last 3 sentences and in-
24 serting “The functions of the Commissioner
25 shall not be delegated to any officer, unless the

1 officer is directly responsible to the Assistant
2 Secretary for Special Education and Rehabilita-
3 tive Services.”;

4 (2) by redesignating subsection (b) as sub-
5 section (c);

6 (3) by inserting after subsection (a) the fol-
7 lowing:

8 “(b) The Secretary shall ensure that—

9 “(1) the Rehabilitation Services Administration
10 provides oversight of, conducts monitoring of, and
11 provides technical assistance to, the designated State
12 agencies funded under this Act; and

13 “(2) the staff providing such oversight, moni-
14 toring, and technical assistance includes individuals
15 who have training in and experience with the pro-
16 grams administered by the Rehabilitation Services
17 Administration.”; and

18 (4) in subsection (c), as redesignated by para-
19 graph (2), by striking “for the programs” and all
20 that follows and insert “in a manner that is con-
21 sistent with the purposes of the program for which
22 the funds are appropriated and of this Act, as enu-
23 merated in section 2(b)”.

24 **SEC. 504. DEFINITIONS.**

25 Section 7 (29 U.S.C. 705) is amended—

1 (1) in paragraph (2)—

2 (A) in the matter preceding subparagraph
3 (A), by inserting after “means” the following:
4 “an assessment that presumes the attainment
5 of an employment outcome for all individuals
6 with disabilities (including individuals with sig-
7 nificant disabilities and individuals with the
8 most significant disabilities), and that relies
9 on”; and

10 (B) in subparagraph (B)—

11 (i) in clause (iii), by striking “and” at
12 the end;

13 (ii) in clause (iv), by striking the
14 semicolon and inserting “; and”; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(v) to the maximum extent possible,
18 relies on information obtained from experi-
19 ences in integrated employment settings in
20 the community, and other integrated com-
21 munity settings;”;

22 (2) in paragraph (5)—

23 (A) in the matter preceding subparagraph
24 (A), by striking “for employment, including ca-
25 reer advancement” and inserting “for competi-

1 tive integrated employment and for career ad-
2 vancement, including”;

3 (B) by redesignating subparagraphs (O)
4 through (Q) as subparagraphs (P) through (R);

5 (C) by inserting after subparagraph (N)
6 the following:

7 “(O) customized employment services;”;

8 and

9 (D) in subparagraph (R), as redesignated
10 by subparagraph (B) of this paragraph, by
11 striking “(P)” and inserting “(Q)”;

12 (3) by redesignating paragraphs (6) as para-
13 graph (7) and inserting after paragraph (5) the fol-
14 lowing new paragraph:

15 “(6) COMPETITIVE INTEGRATED EMPLOY-
16 MENT.—

17 “(A) IN GENERAL.—The term ‘competitive
18 integrated employment’ means work by an em-
19 ployee who is an individual with a disability—

20 “(i) that is compensated at a rate
21 that—

22 “(I) is the same rate as the rate
23 for other employees who are not indi-
24 viduals with disabilities, and who are
25 similarly situated in similar occupa-

1 tions by the same employer and who
2 have similar training, experience, and
3 skills; and

4 “**(II)** shall be in accordance with
5 the applicable law, but in no event
6 less than the higher of the rate speci-
7 fied in section 6(a)(1) of the Fair
8 Labor Standards Act of 1938 (29
9 U.S.C. 206(a)(1)) or the applicable
10 State or local minimum wage law;

11 “(ii) for which the employee receives
12 health and employment benefits com-
13 parable to those of other employees;

14 “(iii) that is at a location typically
15 found in the community where the em-
16 ployee interacts frequently with other em-
17 ployees and individuals who are not indi-
18 viduals with disabilities to the same extent
19 that non-disabled employees in comparable
20 positions interact with others; and

21 “(iv) that provides opportunities for
22 advancement that are equivalent to those
23 for other employees who are not individ-
24 uals with disabilities and who have com-
25 parable positions.

1 “(B) INCLUSION OF CUSTOMIZED OR SUP-
2 PORTED EMPLOYMENT.—The term ‘competitive
3 integrated employment’ includes integrated em-
4 ployment resulting from the provision of cus-
5 tomized employment strategies or supported
6 employment services, provided the work in-
7 volved satisfies the criteria described in sub-
8 paragraph (A).

9 “(C) INCLUSION OF SELF-EMPLOYMENT
10 OR MICRO-ENTERPRISES.—The term ‘competi-
11 tive integrated employment’ includes self-em-
12 ployment or micro-enterprises, as long as the
13 work involved satisfies the criteria described in
14 subparagraph (A).”;

15 (4) by redesignating paragraphs (8) through
16 (28) as paragraphs (9) through (29), respectively,
17 and inserting after paragraph (7) the following:

18 “(8) CUSTOMIZED EMPLOYMENT.—The term
19 ‘customized employment’ means an employment out-
20 come in competitive integrated employment, for an
21 individual with a significant disability, that is based
22 on an individualized determination of the strengths,
23 needs, and interests of the individual with a signifi-
24 cant disability, is designed to meet the specific abili-
25 ties of the individual with a significant disability and

1 the business needs of the employer, and is carried
2 out through flexible strategies, such as—

3 “(A) job exploration by the individual; and

4 “(B) working with an employer to facili-
5 tate placement, including—

6 “(i) customizing a job description
7 based on current employer needs or on pre-
8 viously unidentified and unmet employer
9 needs;

10 “(ii) developing a set of job duties (in-
11 cluding a work schedule) and specifics of
12 supervision (including performance evalua-
13 tion and review), and determining job loca-
14 tion;

15 “(iii) representation by a professional
16 chosen by the individual, or self-represen-
17 tation by the individual, in working with
18 an employer to facilitate placement; and

19 “(iv) providing services and supports
20 at the job location.”;

21 (5) in paragraph (12) (as so redesignated)—

22 (A) in subparagraph (A), by striking
23 “competitive employment in the integrated
24 labor market” and inserting “competitive inte-
25 grated employment”; and

1 (B) in subparagraph (C), by inserting
2 “customized employment,” after “outcome of”;
3 (6) in paragraph (18) (as so redesignated)—

4 (A) by striking the “and” at the end of
5 subparagraph (C);

6 (B) in subparagraph (D), by striking the
7 period at the end and inserting a semicolon;
8 and

9 (C) by adding at the end the following:

10 “(E) transition and prevention services
11 that—

12 “(i) facilitate the transition of individ-
13 uals with significant disabilities from nurs-
14 ing homes and other institutions to home
15 and community-based residences, with the
16 required supports and services;

17 “(ii) provide assistance to individuals
18 with significant disabilities who are at risk
19 of entering institutions so that the individ-
20 uals may remain in the community; and

21 “(iii) facilitate the transition of youth
22 (including students) who are individuals
23 with significant disabilities, who were eligi-
24 ble for individualized education programs
25 under section 614(d) of the Individuals

1 with Disabilities Education Act (20 U.S.C.
2 1414(d)), and who have completed their
3 secondary education or otherwise left
4 school, to postsecondary life, including em-
5 ployment; and

6 “(F) services to promote full access to
7 community life.”;

8 (7) in paragraph (21)(B), by striking “and
9 VII” and inserting “VII, and VIII”;

10 (8) by redesignating paragraphs (29) through
11 (34) as paragraphs (32) through (37), respectively;

12 (9) by inserting after paragraph (29) the fol-
13 lowing:

14 “(30) POST-EMPLOYMENT SERVICE.—The term
15 ‘post-employment service’ means a service identified
16 under section 103(a) that is—

17 “(A) provided subsequent to the achieve-
18 ment of an employment outcome; and

19 “(B) necessary for an individual to main-
20 tain or regain an employment outcome in com-
21 petitive integrated employment, consistent with
22 the individual’s strengths, resources, priorities,
23 concerns, abilities, capabilities, interests, and
24 informed choice.

1 “(31) PRE-EMPLOYMENT TRANSITION SERV-
2 ICES.—

3 “(A) IN GENERAL.—The term ‘pre-employ-
4 ment transition services’ means a coordinated
5 set activities for an eligible student with a dis-
6 ability, designed within an outcome-oriented
7 process, that promotes movement from school
8 to any of the following post-school activities:
9 postsecondary education, vocational training,
10 competitive integrated employment (including
11 supported employment), adult education, adult
12 services, independent living, or community par-
13 ticipation.

14 “(B) SPECIFIC SERVICES.—The term ‘pre-
15 employment transition services’ means a set of
16 services, that is available to students with dis-
17 abilities, and that makes available, at a min-
18 imum—

19 “(i) career counseling;

20 “(ii) work-based learning experience,
21 including in-school and after school work
22 experience, or work experience outside the
23 traditional school setting (such as experi-
24 ence through job training or internships),

1 that is provided in an integrated environ-
2 ment to the maximum extent possible;

3 “(iii) counseling on opportunities for
4 enrollment in a comprehensive transition
5 or postsecondary educational program at
6 an institution of higher education;

7 “(iv) school-based preparatory em-
8 ployment experiences such as role playing,
9 social skills development, and independent
10 living training, coordinated with any tran-
11 sition services provided by the local edu-
12 cational agency under the Individuals with
13 Disabilities Education Act (20 U.S.C.
14 1400 et seq.); and

15 “(v) training in self-advocacy, indi-
16 vidual rights, self-determination skills, and
17 the informed consent process, as well as
18 peer mentoring.

19 “(C) COORDINATED SET OF ACTIVITIES.—
20 For purposes of subparagraph (A), the coordi-
21 nated set of activities shall be based on the in-
22 dividual student’s needs, taking into account
23 the student’s preferences and interests, and
24 shall include education and training, community
25 experiences, the development of employment

1 and other adult living objectives, and, when ap-
2 propriate, acquisition of daily living skills and
3 functional vocational evaluation.”;

4 (10) by redesignating paragraphs (35) through
5 (39) as paragraphs (39) through (43), respectively,
6 and inserting after paragraph (37) (as so redesign-
7 nated) the following:

8 “(38) STUDENT WITH A DISABILITY.—

9 “(A) IN GENERAL.—The term ‘student
10 with a disability’ means an individual with a
11 disability who—

12 “(i) attends a secondary school;

13 “(ii)(I) is not younger than the ear-
14 liest age for the provision of transition
15 services under section
16 614(d)(1)(A)(i)(VIII) of the Individuals
17 with Disabilities Education Act (20 U.S.C.
18 1414(d)(1)(A)(i)(VIII)); and

19 “(II)(aa) is not older than 21 years of
20 age; or

21 “(bb) if the State law for the State
22 provides for a higher maximum age for re-
23 ceipt of services under the Individuals with
24 Disabilities Education Act (20 U.S.C.

1 1400 et seq.), is not older than that max-
2 imum age; and

3 “(iii)(I) is eligible for, and receiving,
4 special education or related services under
5 part B of the Individuals with Disabilities
6 Education Act (20 U.S.C. 1411 et seq.); or

7 “(II) is an individual with a disability,
8 for purposes of section 504.”;

9 (11) by striking paragraphs (38) and (39), as
10 redesignated by paragraph (12), and inserting the
11 following:

12 “(38) SUPPORTED EMPLOYMENT.—The term
13 ‘supported employment’ means an employment out-
14 come in competitive integrated employment, includ-
15 ing customized employment, that is consistent with
16 the strengths, resources, priorities, concerns, abili-
17 ties, capabilities, interests, and informed choice of
18 the individuals involved, for individuals with the
19 most significant disabilities—

20 “(A)(i) for whom competitive integrated
21 employment has not historically occurred; or

22 “(ii) for whom competitive integrated em-
23 ployment has been interrupted or intermittent
24 as a result of a significant disability;

1 “(B) who, because of the nature and sever-
2 ity of their disability—

3 “(i) need intensive supported employ-
4 ment services for the period described in
5 paragraph (39); and

6 “(ii) need extended services described
7 in paragraph (13) in order to continue to
8 perform in such work beyond the period
9 described in paragraph (39); and

10 “(C) to the extent that on-going extended
11 services, as described in paragraph (13) of this
12 section, are needed, the designated State unit
13 will assist the individual in identifying providers
14 of those services.

15 “(39) SUPPORTED EMPLOYMENT SERVICES.—
16 The term ‘supported employment services’ means
17 ongoing support services, including customized em-
18 ployment, needed to support and maintain an indi-
19 vidual with a most significant disability in an em-
20 ployment, outcome that—

21 “(A) are provided singly or in combination
22 and organized and made available in such a
23 way as to assist an eligible individual to succeed
24 in competitive integrated employment;

1 “(B) are based on a determination of the
2 needs of an eligible individual, as specified in an
3 individualized plan for employment; and

4 “(C) are provided by the designated State
5 unit for a period of not more than 24 months,
6 except that the period may be extended, if nec-
7 essary, in order to achieve the employment out-
8 come identified in the individualized plan for
9 employment.”; and

10 (12) by inserting after paragraph (43) (as so
11 redesignated) the following:

12 “(44) YOUTH WITH A DISABILITY.—The term
13 ‘youth with a disability’ means an individual with a
14 disability who—

15 “(A) is not younger than 14 years of age;

16 and

17 “(B) is not older than 24 years of age.”.

18 **SEC. 505. ADMINISTRATION OF THE ACT.**

19 Section 12(a)(1) (29 U.S.C. 709) is amended—

20 (1) by striking “(1)” and inserting “(1)(A)”;
21 and

22 (2) by adding at the end the following:

23 “(B) provide technical assistance to the des-
24 ignated State units on developing successful partner-
25 ships with local and multi-State businesses to in-

1 crease the employment of individuals with disabil-
2 ities; and

3 “(C) provide technical assistance to providers
4 and organizations on developing self-employment op-
5 portunities and outcomes for individuals with dis-
6 abilities.”.

7 **SEC. 506. REPORTS.**

8 Section 13 (29 U.S.C. 710) is amended—

9 (1) in section (c)—

10 (A) by striking “(c)” and inserting
11 “(c)(1)”; and

12 (B) by adding at the end the following:

13 “(2) The ILA Director described in section 701A
14 shall include, in the annual report, information on the ex-
15 tent to which centers for independent living receiving
16 funds under part C of title VII have complied with the
17 standards and assurances set forth in section 725. The
18 ILA Director may identify individual centers for inde-
19 pendent living in the analysis contained in that informa-
20 tion. The ILA Director shall include in the report the re-
21 sults of onsite compliance reviews, identifying individual
22 centers for independent living and other recipients of as-
23 sistance under part C of title VII.”; and

24 (2) by adding at the end the following:

1 “(d)(1)(A) The Commissioner shall ensure that the
2 reports, information, and data described in subparagraph
3 (B) are made publicly available in a timely and accessible
4 manner, including through electronic means, in order to
5 inform the public about the administration and perform-
6 ance of programs in each State under this Act.

7 “(B) The reports, information, and data referred to
8 in subparagraph (A) shall consist of—

9 “(i) reports submitted by a designated State
10 agency or designated State unit under this Act;

11 “(ii) accountability information, including State
12 performance information relating to evaluation
13 standards and performance indicators, and addi-
14 tional performance accountability indicators, under
15 section 106, including information on compliance
16 with such standards, indicators, and measures, relat-
17 ing to individuals with disabilities, submitted by a
18 designated State agency or designated State unit
19 under this Act, or submitted by a State to the Sec-
20 retary of Labor or the Secretary of Education under
21 section 136 of the Workforce Investment Act of
22 1998;

23 “(iii) data collected from each designated State
24 unit under this Act; and

1 “(iv) reports from monitoring conducted under
2 this Act, including relevant reports required under
3 section 136 of the Workforce Investment Act of
4 1998 and other relevant reports, information, and
5 data required under title I of such Act.

6 “(C)(i) The Commissioner shall ensure that the infor-
7 mation described in clause (ii) is made publicly available
8 in a timely and accessible manner, including through elec-
9 tronic means.

10 “(ii) The information referred to in clause (i) is—

11 “(I) the reports, information, and data required
12 to be submitted by designated State units or des-
13 ignated State agencies under this Act;

14 “(II) evaluations, studies, and audits conducted
15 by Federal agencies, concerning programs carried
16 out under this Act; and

17 “(III) a list that specifies the designated State
18 unit or designated State agency for each State, in-
19 cluding a link to the website maintained by each
20 such unit or agency.

21 “(2) The Commissioner shall maintain public use
22 read-only access to the State and aggregated reports, and
23 analyzed data, concerning programs carried out under this
24 Act, that are filed and maintained in the Rehabilitation
25 Services Administration management information system

1 or a system maintained by the Department of Edu-
2 cation.”.

3 **SEC. 507. EVALUATION.**

4 Section 14(f)(2) (29 U.S.C. 711(f)(2)) is amended by
5 striking “nonintegrated to integrated employment” and
6 inserting “nonintegrated to competitive integrated employ-
7 ment”.

8 **SEC. 508. CARRYOVER.**

9 Section 19 (29 U.S.C. 716) is amended—

10 (1) in subsection (a), by striking “part B of
11 title I” and all that follows through “including” and
12 inserting “part B of title I (except the client assist-
13 ance program funded under section 112), part B of
14 title VI, or chapter 2 and 4 of title VII including”;
15 and

16 (2) by adding at the end the following:

17 “(c) CLIENT ASSISTANCE PROGRAM; PROTECTION
18 AND ADVOCACY OF INDIVIDUAL RIGHTS.—

19 “(1) APPROPRIATED AMOUNTS.—Notwith-
20 standing any other provision of law, any funds ap-
21 propriated for a fiscal year to carry out a grant pro-
22 gram under section 112 or 509 (except as provided
23 in section 509(b)), including any funds reallocated
24 during that fiscal year under such grant program,
25 that are not obligated and expended by a recipient

1 prior to the beginning of the succeeding fiscal year,
2 shall remain available for obligation and expenditure
3 by such recipient during such succeeding fiscal year.

4 “(2) PROGRAM INCOME.—Notwithstanding any
5 other provision of law, any amount of program in-
6 come received by a recipient under a grant program
7 under section 112 or 509 in a fiscal year that is not
8 obligated and expended by the recipient prior to the
9 beginning of the succeeding fiscal year, shall remain
10 available until expended.”

11 **SEC. 509. TRADITIONALLY UNDERSERVED POPULATIONS.**

12 Section 21 (29 U.S.C. 718) is amended in subsection
13 (a), by striking paragraphs (1) and (2) and inserting the
14 following:

15 “(1) RACIAL PROFILE.—The demographic pro-
16 file of the United States is changing at an unprece-
17 dented rate, with the population of the Nation be-
18 coming far more ethnically diverse than in the past.
19 Within the United States, while the rate of increase
20 from 2000 to 2010 for White Americans was 7.9
21 percent, the rate of increase during that period for
22 racial and ethnic minorities was much higher: 42.0
23 percent for Latinos, 11.4 percent for African-Ameri-
24 cans, and 34.9 percent for Asian-Americans.

1 “(2) RATE OF DISABILITY.—Ethnic and racial
2 minorities tend to have disabling conditions at a dis-
3 proportionately high rate. In 2005—

4 “(A) among Americans ages 25 through
5 64, the rate of disability was 17.3 percent;

6 “(B) among African-Americans in that age
7 range, the disability rate was more than twice
8 as high, at 21.3 percent; and

9 “(C) for American Indians in the same age
10 range, the disability rate was 25.6 percent of
11 the general population.”.

12 **Subtitle B—Vocational**
13 **Rehabilitation Services**

14 **SEC. 511. DECLARATION OF POLICY; AUTHORIZATION OF**
15 **APPROPRIATIONS.**

16 (a) FINDINGS; PURPOSE; POLICY.—Section 100(a)
17 (29 U.S.C. 720(a)) is amended—

18 (1) in paragraph (1)(C), by striking “gainful
19 employment in integrated settings” and inserting
20 “gainful employment in competitive integrated em-
21 ployment settings”;

22 (2) in paragraph (2)(B), by striking “gainful
23 employment” and inserting “high quality employ-
24 ment that will increase opportunities for economic
25 self-sufficiency”; and

1 (3) in paragraph (3)—

2 (A) in subparagraph (B), by striking
3 “gainful employment in integrated settings”
4 and inserting “competitive integrated employ-
5 ment”;

6 (B) in subparagraph (C)(ii), by striking
7 “for the individuals”; and

8 (C) in subparagraph (E), by inserting
9 “should” before “facilitate”.

10 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
11 100(b)(1) (29 U.S.C. 720(b)(1)) is amended by striking
12 “fiscal years 1999 through 2003” and inserting “fiscal
13 years 2012 through 2016”.

14 **SEC. 512. STATE PLANS.**

15 (a) PLAN REQUIREMENTS.—Section 101(a) (29
16 U.S.C. 721(a)) is amended—

17 (1) in paragraph (1)—

18 (A) in subparagraph (A), by striking “to
19 participate” and all that follows and inserting
20 “to receive funds under this title for a fiscal
21 year, a State shall submit, and have approved
22 by the Secretary and the Secretary of Labor a
23 State plan in accordance with section 112, or a
24 State unified plan in accordance with section
25 113. The State plan or State unified plan shall

1 include the provisions of a State plan for voca-
2 tional rehabilitation services, described in this
3 subsection.”;

4 (B) in subparagraph (B)—

5 (i) by striking “in the State plan for
6 vocational rehabilitation services,” and in-
7 serting “as part of the vocational rehabili-
8 tation services portion of the State plan or
9 State unified plan submitted in accordance
10 with subparagraph (A),”; and

11 (ii) by striking “Rehabilitation Act
12 Amendments of 1998” and inserting
13 “Workforce Investment Act of 2012”; and
14 (C) in subparagraph (C)—

15 (i) by striking “The State plan shall
16 remain in effect subject to the submission
17 of such modifications” and inserting “The
18 vocational rehabilitation services portion of
19 the State plan or State unified plan sub-
20 mitted in accordance with subparagraph
21 (A) shall remain in effect until the State is
22 required to submit the plan in accordance
23 with subparagraph (A) or until the submis-
24 sion of such modifications”; and

1 (ii) by striking “, until the State sub-
2 mits and receives approval of a new State
3 plan”;

4 (2) in paragraph (2)—

5 (A) in subparagraph (A), by striking “The
6 State plan” and inserting “The State plan for
7 vocational rehabilitation services”;

8 (B) in subparagraph (B)(ii)—

9 (i) in subclause (III), by striking
10 “and” at the end;

11 (ii) in subclause (IV), by striking the
12 period and inserting “; and”; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(V)(aa) has the authority and
16 responsibility within the State to en-
17 sure that the funds appropriated
18 under this title are expended only in
19 a manner that is consistent with the
20 purposes of this title; and

21 “(bb) the authority and responsi-
22 bility described in subparagraph (aa)
23 may not be delegated to or performed
24 by another agency, including the des-
25 ignated State agency for the voca-

1 tional rehabilitation program, and or
2 individual.”;

3 (3) in paragraph (5)—

4 (A) in subparagraph (C), by striking
5 “and” at the end;

6 (B) by redesignating subparagraph (D) as
7 subparagraph (E); and

8 (C) by inserting after subparagraph (C)
9 the following:

10 “(D) notwithstanding subparagraph (C),
11 assure that the designated State unit may give
12 priority for the provision of services to those eli-
13 gible individuals who require specific services or
14 equipment in accordance with an approved indi-
15 vidualized plan for employment to maintain an
16 employment outcome under the vocational reha-
17 bilitation program; and”;

18 (4) in paragraph (6)(B), by striking “to employ
19 and advance in employment” and inserting “to re-
20 cruit, employ, and advance in competitive integrated
21 employment”;

22 (5) in paragraph (7)(A)(v)—

23 (A) by striking subclause (I) and inserting
24 the following:

1 “(I) a system for the continuing
2 education of rehabilitation profes-
3 sionals and paraprofessionals within
4 the designated State unit, particularly
5 with respect to rehabilitation tech-
6 nology, including training imple-
7 mented in coordination with entities
8 carrying out State programs under
9 section 4 of the Assistive Technology
10 Act of 1998 (29 U.S.C. 3003); and”;

11 (6) in paragraph (8)—

12 (A) in subparagraph (A), by striking
13 “(5)(D)” and inserting “(5)(E)”;

14 (B) in subparagraph (B)—

15 (i) in the matter preceding clause (i)
16 by striking “(5)(D)” and inserting
17 “(5)(E)”;

18 (ii) in clause (iv), by striking
19 “(5)(D)” and inserting “(5)(E)”;

20 (C) in subparagraph (C)(i), by striking
21 “(5)(D)” and inserting “(5)(E)”;

22 (7) in paragraph (10)—

23 (A) in subparagraph (B), by striking “an-
24 nual” and all that follows through “of 1998”
25 and inserting “annual reporting of information,

1 on eligible individuals receiving the services,
2 that is necessary to assess the State’s perform-
3 ance on those primary indicators of perform-
4 ance (described in section 136(b)(2)(A) of the
5 Workforce Investment Act of 2012”);

6 (B) in subparagraph (C)—

7 (i) in the matter preceding clause (i),
8 by inserting “, from each individual
9 State,” after “additional data”;

10 (ii) in clause (i)(II), by striking “de-
11 termined” and all that follows and insert-
12 ing “determined to be ineligible for voca-
13 tional rehabilitation services, and the rea-
14 son for such determination of ineligibility
15 (disaggregated by type of disability, and
16 age);”;

17 (iii) in clause (ii)—

18 (I) in subclause (I), by striking
19 “(5)(D)” and inserting “(5)(E)”;

20 (II) in subclause (II), by striking
21 “and” at the end; and

22 (III) by adding at the end the
23 following:

24 “(IV) the total number of indi-
25 viduals with ongoing open cases

1 (disaggregated by individuals who are
2 in training settings, and individuals
3 who are in postsecondary education),
4 and the services individuals described
5 in this subclause are receiving;

6 “(V) the total number of stu-
7 dents with disabilities that are receiv-
8 ing pre-employment transition serv-
9 ices, and the total cost for providing
10 those services for each full fiscal year
11 after the date of enactment of the
12 Workforce Investment Act of 2012;

13 “(VI) the total number of stu-
14 dents with disabilities that are receiv-
15 ing transition services, and the total
16 cost for providing those services for
17 each full fiscal year after the date of
18 enactment of the Workforce Invest-
19 ment Act of 2012;

20 “(VII) the number of individuals
21 referred to one-stop centers, as de-
22 fined in section 134(c) of the Work-
23 force Investment Act of 1998; and

24 “(VIII) the number of individuals
25 referred from such one-stop centers to

1 designated State units and the out-
2 comes of such referrals;”;

3 (iv) by striking all of clause (iii) and
4 inserting the following:

5 “(iii) the number of applicants and el-
6 igible recipients, including the numbers of
7 individuals with significant disabilities, who
8 exited the program carried out under this
9 title and the number who achieved employ-
10 ment outcomes after receiving vocational
11 rehabilitation services, including—

12 “(I) the number of youth with
13 disabilities who—

14 “(aa) entered postsecondary
15 education and the earnings of
16 such youth who completed post-
17 secondary education, by academic
18 fields;

19 “(bb) attained academic lev-
20 els and job skills needed for em-
21 ployment, such as a high school
22 diploma, certificate, or other edu-
23 cational credential required for
24 the employment outcome speci-

1 fied in the individual’s individual-
2 ized plan for employment;

3 “(cc) entered postsecondary
4 training or programs for appren-
5 ticeships registered under the Act
6 of August 16, 1937 (commonly
7 known as the ‘National Appren-
8 ticeship Act’; 50 Stat. 664, chap-
9 ter 663; 29 U.S.C. 50 et seq.);
10 and

11 “(dd) the number of youth
12 with disabilities who entered em-
13 ployment;

14 “(II) for individuals who obtained
15 an employment outcome with wages—

16 “(aa) the average length of
17 time for obtaining employment;

18 “(bb) the average earnings
19 of individuals who obtained an
20 employment outcome;

21 “(cc) the number who
22 earned the minimum wage rate
23 specified in section 6(a)(1) of the
24 Fair Labor Standards Act of
25 1938 (29 U.S.C. 206(a)(1)) or

1 another wage level set by the
2 Commissioner, during such em-
3 ployment; and

4 “(dd) the number who re-
5 ceived employment benefits from
6 an employer during such employ-
7 ment;

8 “(III) a comparison, among indi-
9 viduals who obtained employment, of
10 the number of individuals who no
11 longer used public benefits; and

12 “(IV) for those individuals who
13 received supported employment serv-
14 ices—

15 “(aa) the number of individ-
16 uals who were employed 6
17 months after receiving such serv-
18 ices;

19 “(bb) the number of individ-
20 uals who were employed 12
21 months after receiving such serv-
22 ices; and

23 “(cc) the number of individ-
24 uals who earned wages at not
25 less than the minimum wage rate

1 determined under section 6(a)(1)
2 of the Fair Labor Standards Act
3 of 1938 (29 U.S.C. 206(a)(1))
4 during their employment; and”;
5 and

6 (v) by striking clause (iv) and insert-
7 ing the following:

8 “(iv)(I) the transition from school to
9 postsecondary life, including employment,
10 and achievement of the postsecondary vo-
11 cational goals, of students with disabilities
12 served under the program carried out
13 under this title; and

14 “(II) the provision of supported em-
15 ployment services; and”;

16 (C) in subparagraph (E)(ii), by striking
17 “of the State” and all that follows and inserting
18 “of the State in meeting the standards and in-
19 dicators established pursuant to section 106.”;
20 and

21 (D) by adding at the end the following:

22 “(G) RULES FOR REPORTING OF DATA.—
23 The disaggregation of data under this section
24 shall not be required within a category if the
25 number of participants in a category is insuffi-

1 cient to yield statistically reliable information,
2 or required if the results would reveal person-
3 ally identifiable information about an individual
4 participant.

5 “(H) COMPREHENSIVE REPORT.—The
6 State plan shall specify that the Commissioner
7 will provide an annual comprehensive report
8 that includes the reports and data required
9 under this section, as well as a summary of the
10 reports and data, for each fiscal year. The
11 Commissioner shall submit the report to the
12 Committee on Education and the Workforce of
13 the House of Representatives, the Committee
14 on Appropriations of the House of Representa-
15 tives, the Committee on Health, Education,
16 Labor, and Pensions of the Senate, and the
17 Committee on Appropriations of the Senate, not
18 later than 180 days after the end of the fiscal
19 year involved.”;

20 (8) in paragraph (11)—

21 (A) in subparagraph (A)(i)(II), by insert-
22 ing “(including programmatic accessibility and
23 physical accessibility)” after “program accessi-
24 bility”;

25 (B) in subparagraph (C)—

1 (i) by inserting “the State programs
2 carried out under section 4 of the Assistive
3 Technology Act of 1998 (29 U.S.C.
4 3003),” after “including”;

5 (ii) by inserting “noneducational
6 agencies serving out-of-school youth,” after
7 “Agriculture”; and

8 (iii) by striking “such agencies and
9 programs” and inserting “such Federal,
10 State, and local agencies and programs”;

11 (C) in subparagraph (D)—

12 (i) in clause (ii), by striking “comple-
13 tion” and inserting “implementation”;

14 (ii) by redesignating clauses (iii) and
15 (iv) as clauses (iv) and (v), respectively;
16 and

17 (iii) by inserting after clause (ii) the
18 following:

19 “(iii) identifying options for additional
20 education and training, in order to facili-
21 tate the provision of services for youth
22 with disabilities, including transition serv-
23 ices for students with disabilities, such as
24 services provided under section 114;”;

1 (D) by redesignating subparagraphs (E)
2 and (F) as subparagraphs (F) and (H), respec-
3 tively;

4 (E) by inserting after subparagraph (D)
5 the following:

6 “(E) COORDINATION WITH EMPLOYERS.—
7 The State plan shall contain plans, policies, and
8 procedures for coordination between the des-
9 ignated State units, State workforce investment
10 boards, local workforce investment boards, and
11 employers that provide for building relation-
12 ships with employers and identifying commu-
13 nity-based competitive integrated employment
14 opportunities and career exploration opportuni-
15 ties, in order to facilitate the provision of tran-
16 sition services for youth with disabilities and
17 students with disabilities, such as services pro-
18 vided under section 114;”;

19 (F) in subparagraph (F), as redesignated
20 by subparagraph (E) of this paragraph—

21 (i) by inserting “chapter 1 of” after
22 “part C of”; and

23 (ii) by inserting “, as appropriate” be-
24 fore the period;

1 (G) by inserting after subparagraph (F),
2 as redesignated by subparagraph (E) of this
3 paragraph, the following:

4 “(G) COOPERATIVE AGREEMENT REGARD-
5 ING INDIVIDUALS ELIGIBLE FOR HOME AND
6 COMMUNITY-BASED WAIVER PROGRAMS.—The
7 State plan shall include an assurance that the
8 designated State unit has entered into an inter-
9 agency agreement or other mechanism for inter-
10 agency coordination with the State agency re-
11 sponsible for administering the State Medicaid
12 plan under title XIX of the Social Security Act
13 (42 U.S.C. 1396 et seq.) and the State des-
14 ignated agency described in section 125(d) of
15 the Developmental Disabilities Assistance and
16 Bill of Rights Act of 2000 (42 U.S.C. 15025)
17 with respect to the delivery of vocational reha-
18 bilitation services, including extended services,
19 for individuals with the most significant disabili-
20 ties who have been determined to be eligible for
21 home- and community-based services under a
22 Medicaid waiver, Medicaid State plan amend-
23 ment, or other authority related to a State
24 Medicaid program. The agreement shall de-
25 scribe strategies for collaboration and coordina-

1 tion in providing vocational rehabilitation serv-
2 ices to such individuals receiving Medicaid
3 home- and community-based services in a man-
4 ner consistent with the person-centered plan-
5 ning process required by Medicaid.”;

6 (H) in subparagraph (H), as redesignated
7 by subparagraph (E) of this paragraph—

8 (i) in clause (ii)—

9 (I) by inserting “on or” before
10 “near”; and

11 (II) by striking “and” at the end;

12 (ii) by redesignating clause (iii) as
13 clause (iv); and

14 (iii) by inserting after clause (ii) the
15 following:

16 “(iii) strategies for the provision of
17 transition planning, by personnel of the
18 designated State unit, the State edu-
19 cational agency, and the recipient of funds
20 under part C, that will facilitate the devel-
21 opment and implementation of the individ-
22 ualized education programs under section
23 614(d) of the Individuals with Disabilities
24 Education Act (20 U.S.C. 1414(d)) and,
25 as appropriate, the development and com-

1 pletion of the individualized plans for em-
2 ployment under section 102, in order to
3 enable students with disabilities to achieve
4 employment outcomes;” and

5 (I) by adding at the end the following:

6 “(I) COORDINATION WITH ASSISTIVE
7 TECHNOLOGY PROGRAMS.—The State plan shall
8 include an assurance that the designated State
9 unit, and the lead agency and implementing en-
10 tity (if any) designated by the Governor of the
11 State under section 4 of the Assistive Tech-
12 nology Act of 1998 (29 U.S.C. 3003), have de-
13 veloped working relationships and will enter
14 into agreements for the coordination of their ac-
15 tivities, including the referral of individuals
16 with disabilities to programs and activities de-
17 scribed in that section.

18 “(J) COORDINATION WITH TICKET TO
19 WORK AND SELF-SUFFICIENCY PROGRAM.—The
20 State plan shall include an assurance that the
21 designated State unit will coordinate activities
22 in consultation with any other State agency
23 that is functioning as an employment network
24 under the Ticket to Work and Self-Sufficiency

1 Program established under section 1148 of the
2 Social Security Act (42 U.S.C. 1320b-19).”;

3 (9) in paragraph (14)—

4 (A) in the paragraph header, by striking
5 “ANNUAL” and inserting “SEMIANNUAL”;

6 (B) in subparagraph (A)—

7 (i) by striking “annual” and inserting
8 “semiannual”;

9 (ii) by striking “(and thereafter” and
10 all that follows through “representative)”
11 and inserting “, and annually thereafter”;
12 and

13 (iii) by striking “to competitive” and
14 all that follows and inserting the following:
15 “to competitive integrated employment or
16 training for competitive integrated employ-
17 ment;”;

18 (C) in subparagraph (B), by striking
19 “and” at the end;

20 (D) in subparagraph (C), by striking “the
21 individuals described” and all that follows and
22 inserting “individuals in attaining competitive
23 integrated employment; and”; and

24 (E) by adding at the end the following:

1 “(D) an assurance that the State will re-
2 port the information generated under subpara-
3 graphs (A), (B), and (C), for each of the indi-
4 viduals, to the Administrator of the Wage and
5 Hour Division of the Department of Labor for
6 each fiscal year, not later than 60 days after
7 the end of the fiscal year.”;

8 (10) in paragraph (15)—

9 (A) in subparagraph (A)—

10 (i) in clause (i)—

11 (I) in subclause (II), by striking
12 “and” at the end; and

13 (II) by adding at the end the fol-
14 lowing:

15 “(IV) individuals with disabilities
16 receiving Medicaid home- and commu-
17 nity-based waiver habilitation services
18 (reference), including pre-vocational
19 and supported employment services;
20 and

21 “(V) youth with disabilities, and
22 students with disabilities, including
23 their need for pre-employment transi-
24 tion services described in section 114
25 or other transition services; and”;

1 (ii) by striking clauses (ii) and (iii)
2 and inserting the following:

3 “(ii) include an assessment of the
4 needs of individuals with disabilities for
5 transition services and pre-employment
6 transition services provided under this Act,
7 and coordinated with transition services
8 provided under the Individuals with Dis-
9 abilities Education Act (20 U.S.C. 1400 et
10 seq.), and an assessment as to whether the
11 transition and pre-employment transition
12 services provided under those Acts meet
13 the needs of individuals with disabilities.”;
14 (B) in subparagraph (B)—

15 (i) by redesignating clause (iii) as
16 clause (iv); and

17 (ii) by inserting after clause (ii) the
18 following:

19 “(iii) the number of individuals who
20 are eligible for services under this title, but
21 are not receiving such services due to an
22 order of selection; and”;
23 (C) in subparagraph (D)—

1 (i) by redesignating clauses (iii)
2 through (v) as clauses (iv) through (vi);
3 and

4 (ii) by inserting after clause (ii) the
5 following:

6 “(iii) the methods to be used to im-
7 prove and expand vocational rehabilitation
8 services for students with disabilities, in-
9 cluding the coordination of services de-
10 signed to facilitate the transition of such
11 students from the receipt of educational
12 services in school to postsecondary life (in-
13 cluding the receipt of vocational rehabilita-
14 tion services under this title, postsecondary
15 education, employment, and pre-employ-
16 ment transition services under section
17 114);”;

18 (11) in paragraph (20)—

19 (A) by redesignating subparagraph (B) as
20 subparagraph (C); and

21 (B) by inserting after subparagraph (A)
22 the following:

23 “(B) INFORMATION ON ASSISTANCE FOR
24 BENEFICIARIES OF ASSISTANCE UNDER TITLE
25 II OR XVI OF THE SOCIAL SECURITY ACT.—The

1 State plan shall include an assurance that the
2 designated State unit will make available, to in-
3 dividuals entitled to benefits under title II or
4 XVI of the Social Security Act (42 U.S.C. 401
5 et seq., 1381 et seq.) on the basis of a disability
6 or blindness—

7 “(i) information on the availability of
8 benefits and medical assistance authorized
9 under the State Medicaid program under
10 title XIX of the Social Security Act (42
11 U.S.C. 1396 et seq.) or under the Medi-
12 care program under title XVIII of the So-
13 cial Security Act (42 U.S.C. 1395 et seq.),
14 and medical assistance authorized under
15 other federally funded programs;

16 “(ii) information on the availability of
17 assistance through benefits planning and
18 assistance programs authorized under sec-
19 tion 1149 of the Social Security Act (42
20 U.S.C. 1320b–20) and services provided by
21 the State protection and advocacy system
22 and authorized under section 1150 of the
23 Social Security Act (42 U.S.C. 1320b–21);
24 and

1 “(iii) in the case of individuals who
2 are also eligible for a ticket under the
3 Ticket to Work and Self-Sufficiency Pro-
4 gram established under section 1148 of the
5 Social Security Act (42 U.S.C. 1320b–19),
6 general information regarding the options
7 for using the ticket and information on
8 how to contact a program manager of the
9 Ticket to Work and Self-Sufficiency Pro-
10 gram to obtain information on approved
11 employment networks, on providers for the
12 benefits planning and assistance programs
13 described in clause (ii) in the State, and on
14 the services provided by the State protec-
15 tion and advocacy system and described in
16 clause (ii).”;

17 (12) by adding at the end the following:

18 “(25) SERVICES FOR STUDENTS WITH DISABIL-
19 ITIES.—The State plan shall provide an assurance
20 satisfactory to the Secretary that, with respect to
21 students with disabilities, the State—

22 “(A) has developed and will implement—

23 “(i) strategies to address the needs
24 identified in the assessments described in
25 paragraph (15); and

1 “(ii) strategies to achieve the goals
2 and priorities identified by the State, in ac-
3 cordance with paragraph (15), to improve
4 and expand vocational rehabilitation serv-
5 ices for students with disabilities on a
6 statewide basis; and

7 “(B) has developed and will implement a
8 plan to carry out the provision of pre-employ-
9 ment transition services in accordance with sec-
10 tion 114.

11 “(26) JOB GROWTH AND DEVELOPMENT.—The
12 State plan shall provide an assurance describing how
13 the State will utilize initiatives involving in-demand
14 industry sectors or occupations as defined in section
15 101 of the Workforce Investment Act of 2012 to in-
16 crease competitive integrated employment opportuni-
17 ties for individuals with disabilities.”.

18 (b) APPROVAL.—Section 101(b) (29 U.S.C. 721(b))
19 is amended to read as follows:

20 “(b) SUBMISSION; APPROVAL; MODIFICATION.—The
21 State plan for vocational rehabilitation services shall be
22 subject to—

23 “(1) section 112 of the Workforce Investment
24 Act of 1998, in a case in which that plan is a por-

1 tion of the State plan described in that section 112;
2 and

3 “(2) section 113 of such Act in a case in which
4 that State plan for vocational rehabilitation services
5 is a portion of the State unified plan described in
6 that section 113.”.

7 (c) CONSTRUCTION.—Section 101 (29 U.S.C. 721) is
8 amended by adding at the end the following:

9 “(c) CONSTRUCTION.—Nothing in this part shall be
10 construed to reduce the obligation of a local educational
11 agency or any other agency to provide or pay for any tran-
12 sition services that are allowable under the programs of
13 the respective agencies.”.

14 **SEC. 513. ELIGIBILITY AND INDIVIDUALIZED PLAN FOR EM-**
15 **PLOYMENT.**

16 (a) ELIGIBILITY.—Section 102(a) (29 U.S.C. 722(a))
17 is amended—

18 (1) in paragraph (2)—

19 (A) in subparagraph (A)—

20 (i) in the subparagraph header, by
21 striking “DEMONSTRATION” and inserting
22 “APPLICANTS”; and

23 (ii) by striking “, unless” and all that
24 follows and inserting a period; and

25 (B) in subparagraph (B)—

1 (i) in the subparagraph header, by
2 striking “METHODS” and inserting “RE-
3 SPONSIBILITIES”;

4 (ii) in the first sentence—

5 (I) by striking “In making the
6 demonstration required under sub-
7 paragraph (A),” and inserting “Prior
8 to determining under this subsection
9 that an applicant described in sub-
10 paragraph (A) is unable to benefit due
11 to the severity of the individual’s dis-
12 ability or that the individual is ineli-
13 gible for vocational rehabilitation serv-
14 ices,”; and

15 (II) by striking “, except under”
16 and all that follows and inserting a
17 period; and

18 (iii) in the second sentence, by strik-
19 ing “individual or to determine” and all
20 that follows and inserting “individual. In
21 providing the trial experiences, the des-
22 ignated State unit shall provide the indi-
23 vidual with the opportunity to try different
24 employment experiences, including sup-
25 ported employment, and the opportunity to

1 become employed in competitive integrated
2 employment.”;

3 (2) in paragraph (3)(A)(ii), by striking “out-
4 come from” and all that follows and inserting “out-
5 come, including supported employment, from voca-
6 tional rehabilitation services due to the current (as
7 of the date of the determination) severity of the dis-
8 ability of the individual.”;

9 (3) in paragraph (5)—

10 (A) in the matter preceding subparagraph

11 (A)—

12 (i) by striking “If an individual” and
13 inserting “If, after the designated State
14 unit carries out the activities described in
15 paragraph (2)(B), a review of existing
16 data, and, to the extent necessary, the as-
17 sessment activities described in section
18 7(2)(A)(ii), an individual”; and

19 (ii) by striking “is determined” and
20 all that follows through “not to be” and in-
21 serting “is determined not to be”;

22 (B) by redesignating subparagraphs (A)
23 through (D) as subparagraphs (B) through (E),
24 respectively;

1 (C) by inserting before subparagraph (B)
2 the following:

3 “(A) the ineligibility determination shall be
4 an individualized one, based on the available
5 data, and shall not be based on disability cat-
6 egory;”; and

7 (D) in clause (i) of subparagraph (C), as
8 redesignated by subparagraph (B) of this para-
9 graph, by inserting after “determination” the
10 following: “, including clear and convincing evi-
11 dence that forms the basis for the determina-
12 tion of ineligibility”; and

13 (4) in paragraph (6), by striking “60 days”
14 each place it appears and inserting “45 days”.

15 (b) DEVELOPMENT OF AN INDIVIDUALIZED PLAN
16 FOR EMPLOYMENT, AND RELATED INFORMATION.—Sec-
17 tion 102(b) (29 U.S.C. 722(b))—

18 (1) in paragraph (1)—

19 (A) by redesignating subparagraphs (B),
20 (C), and (D) as subparagraphs (C), and (D),
21 and (E), respectively; and

22 (B) by inserting after subparagraph (A)
23 the following:

24 “(B) information on the availability of as-
25 sistance from consumer organizations, as de-

1 fined in section 106(a)(4) (including a listing of
2 such organizations) that can assist an indi-
3 vidual in the development of an individualized
4 plan for employment;”;

5 (2) in paragraph (3), as redesignated by para-
6 graph (2) of this subsection—

7 (A) in subparagraph (E)—

8 (i) in clause (i), by striking “and” at
9 the end;

10 (ii) in clause (ii), by striking the pe-
11 riod and inserting “; and”; and

12 (iii) by adding at the end the fol-
13 lowing:

14 “(iii) amended, as necessary, to in-
15 clude the post-employment services and
16 service providers that are necessary for the
17 individual to maintain or regain employ-
18 ment, consistent with the individual’s
19 strengths, resources, priorities, concerns,
20 abilities, capabilities, interests, and in-
21 formed choice.”; and

22 (B) by adding at the end the following:

23 “(F) TIMEFRAME FOR COMPLETING THE
24 INDIVIDUALIZED PLAN FOR EMPLOYMENT.—

25 The individualized plan for employment shall be

1 developed as soon as possible, but not later
2 than a deadline of 90 days after the date of the
3 determination of eligibility described in para-
4 graph (1), unless the designated State unit and
5 the eligible individual agree to an extension of
6 that deadline to a specific date by which the in-
7 dividualized plan for employment shall be com-
8 pleted.

9 “(G) FAILURE TO DEVELOP THE INDIVID-
10 UALIZED PLAN FOR EMPLOYMENT WITHIN THE
11 SPECIFIED TIMEFRAME.—In the event the indi-
12 vidualized plan for employment is not completed
13 by the deadline or extended deadline, as appro-
14 priate, under subparagraph (F), the eligible in-
15 dividual shall have the right to request both me-
16 diation and an impartial due process hearing
17 according to the procedures described in sub-
18 section (e). At such hearing, the hearing officer
19 shall have the authority to order the designated
20 State unit to complete the individualized plan
21 for employment within a specific period of time,
22 not to exceed 60 days from the date of the deci-
23 sion, in addition to any other authority given to
24 the officer under this section.”; and
25 (3) in paragraph (3)—

1 (A) in subparagraph (A), by striking
2 “choice of the” and all that follows and insert-
3 ing “choice of the eligible individual, consistent
4 with the employment outcome of competitive in-
5 tegrated employment (except that in the case of
6 an eligible individual who is a student, the de-
7 scription may be a description of the student’s
8 projected employment outcome);”;

9 (B) in subparagraph (B)(i)—

10 (i) by redesignating subclause (II) as
11 subclause (III); and

12 (ii) by striking subclause (I) and in-
13 sserting the following:

14 “(I) needed to achieve the employ-
15 ment outcome, including, as appropriate—

16 “(aa) the provision of assistive
17 technology devices and assistive tech-
18 nology services (including referrals de-
19 scribed in section 103(a)(3) to the de-
20 vice reutilization programs and dem-
21 onstrations described in subpara-
22 graphs (B) and (D) of section 4(e)(2)
23 of the Assistive Technology Act of
24 1998 (29 U.S.C. 3003(e)(2))) through

1 agreements developed under section
2 101(a)(11)(H); and

3 “(bb) personal assistance services
4 (including training in the management
5 of such services);

6 “(II) in the case of a plan for an eligi-
7 ble individual that is a student, the specific
8 transition services and supports (including
9 work experience, mentoring activities, and
10 supported employment) needed to achieve
11 the student’s employment outcome or pro-
12 jected employment outcome; and”;

13 (C) in subparagraph (F), by striking
14 “and” at the end;

15 (D) in subparagraph (G), by striking the
16 period and inserting “; and”; and

17 (E) by adding at the end the following:

18 “(H) for an individual who also is receiving
19 assistance from an employment network under
20 the Ticket to Work and Self-Sufficiency Pro-
21 gram established under section 1148 of the So-
22 cial Security Act (42 U.S.C. 1320b–19), a list
23 of the services that are listed in the individual
24 work plan that the individual developed with
25 the employment network under subsection (g)

1 of that section, and a description of how re-
2 sponsibility for service delivery will be divided
3 between the employment network and the des-
4 ignated State unit in accordance with the agree-
5 ment between the two parties required under
6 the Ticket to Work and Self-Sufficiency Pro-
7 gram.”.

8 (c) PROCEDURES.—Section 102(c) (29 U.S.C.
9 722(c)) is amended—

10 (1) in paragraph (1), by adding at the end the
11 following: “These procedures also shall allow for the
12 review of any delay in the vocational rehabilitation
13 process.”;

14 (2) in paragraph (2)—

15 (A) in subparagraph (A)—

16 (i) in clause (ii), by striking “and” at
17 the end;

18 (ii) in clause (iii), by striking the pe-
19 riod and inserting “; and”; and

20 (iii) by adding at the end the fol-
21 lowing:

22 “(iv) any applicable State limit on the
23 time by which a request for mediation
24 under paragraph (4) or a hearing under
25 paragraph (5) shall be made, and any re-

1 quired procedure by which the request
2 shall be made.”; and

3 (B) in subparagraph (B)(iii), by inserting
4 “the denial,” before “reduction,”; and

5 (3) in paragraph (5)—

6 (A) by striking subparagraph (A) and in-
7 serting the following:

8 “(A) OFFICER.—A due process hearing de-
9 scribed in paragraph (2) shall be conducted by
10 an impartial hearing officer who, on reviewing
11 all the evidence presented, shall issue a written
12 decision based on the provisions of the approved
13 State plan, requirements specified in this Act
14 (including regulations implementing this Act),
15 and State regulations and policies that are con-
16 sistent with the Federal requirements specified
17 in this title. The officer shall provide the writ-
18 ten decision to the applicant or eligible indi-
19 vidual, or, as appropriate, the applicant’s rep-
20 resentative or individual’s representative, and to
21 the designated State unit. The impartial hear-
22 ing officer shall have the authority to render a
23 decision and require actions, consistent with the
24 requirements specified in this title (including
25 regulations implementing this title), regarding

1 all aspects of the applicant’s or eligible individ-
2 ual’s vocational rehabilitation services under
3 this title.”; and

4 (B) in subparagraph (B), by striking “in
5 laws (including regulations)” and inserting
6 “about Federal and State laws (including regu-
7 lations) and the approved State plan”.

8 **SEC. 514. VOCATIONAL REHABILITATION SERVICES.**

9 Section 103 (29 U.S.C. 723) is amended—

10 (1) in subsection (a)—

11 (A) by striking paragraph (15) and insert-
12 ing the following:

13 “(15) transition services for students with dis-
14 abilities, that facilitate the transition from school to
15 postsecondary life, such as achievement of an em-
16 ployment outcome in competitive integrated employ-
17 ment, or pre-employment transition services de-
18 scribed in section 114;”;

19 (B) by redesignating paragraphs (17) and
20 (18) as paragraphs (18) and (19), respectively;

21 (C) by inserting after paragraph (16) the
22 following:

23 “(17) customized employment services;”;

1 (D) in paragraph (18), as redesignated by
2 subparagraph (C) of this paragraph, by striking
3 the “and” at the end;

4 (E) in paragraph (19), as redesignated by
5 subparagraph (C) of this paragraph, by striking
6 the period and inserting “; and”; and

7 (F) by adding at the end the following:

8 “(20) mentoring services.”; and

9 (2) in subsection (b)—

10 (A) in paragraph (2)(A), by striking the
11 second sentence and inserting “Such programs
12 shall be used to provide services that promote
13 integration into the community and that result
14 in competitive integrated employment, including
15 supported employment and customized employ-
16 ment.”; and

17 (B) by striking paragraph (6) and insert-
18 ing the following:

19 “(6) Consultation and technical assistance serv-
20 ices to assist State educational agencies and local
21 educational agencies in planning for the transition of
22 students with disabilities from school to postsec-
23 ondary life, including employment.”.

24 **SEC. 515. STATE REHABILITATION COUNCIL.**

25 Section 105 (29 U.S.C. 725) is amended—

1 (1) in subsection (b)(1)—

2 (A) in subparagraph (A)—

3 (i) by striking clause (ix) and insert-
4 ing the following:

5 “(ix) in a State in which one or more
6 projects are funded under section 121 and
7 in which such services are provided
8 through those projects, at least one rep-
9 resentative of the directors of the projects
10 located in such State;”;

11 (ii) in clause (x), by striking “and” at
12 the end;

13 (iii) in clause (xi), by striking the pe-
14 riod and inserting “; and”; and

15 (iv) by adding at the end the fol-
16 lowing:

17 “(xii) the director of the State’s com-
18 prehensive statewide program of tech-
19 nology-related assistance funded under sec-
20 tion 4 of the Assistive Technology Act of
21 1998 (29 U.S.C. 3003).”; and

22 (B) in subparagraph (B)—

23 (i) in clause (xi), by striking “and” at
24 the end;

1 (ii) in clause (xii), by striking the pe-
2 riod and inserting “; and”; and

3 (iii) by adding at the end the fol-
4 lowing:

5 “(xiii) the director of the State’s com-
6 prehensive statewide program of tech-
7 nology-related assistance funded under sec-
8 tion 4 of the Assistive Technology Act of
9 1998 (29 U.S.C. 3003).”; and

10 (2) in subsection (c)(6), by striking “Service
11 Act” and all that follows and inserting “Service Act
12 (42 U.S.C. 300x–3(a)) and the State workforce in-
13 vestment board, and with the activities of entities
14 carrying out programs under the Assistive Tech-
15 nology Act of 1998 (29 U.S.C. 3001 et seq.);”.

16 **SEC. 516. PERFORMANCE ACCOUNTABILITY MEASURES.**

17 Section 106 (29 U.S.C. 726) is amended—

18 (1) by striking subsection (a) and inserting the
19 following:

20 “(a) IN GENERAL.—

21 “(1) STANDARDS AND INDICATORS.—The eval-
22 uation standards and performance indicators for the
23 vocational rehabilitation program carried out under
24 this title shall be subject to the performance ac-

1 countability provisions described in section 136(b) of
2 the Workforce Investment Act of 2012.

3 “(2) ADDITIONAL PERFORMANCE ACCOUNT-
4 ABILITY INDICATORS.—

5 “(A) IN GENERAL.—Subject to subpara-
6 graph (B), the Commissioner may establish
7 through regulation additional performance ac-
8 countability indicators, which may include out-
9 come and related measures of program perform-
10 ance.

11 “(B) COMMENT.—Such additional per-
12 formance accountability indicators shall be de-
13 veloped with input from State vocational reha-
14 bilitation agencies, related professional and con-
15 sumer organizations, recipients of vocational re-
16 habilitation services, and other interested par-
17 ties.

18 “(3) REPORTS.—Each State that receives funds
19 under this title shall submit a report to the Commis-
20 sioner containing information on any additional per-
21 formance accountability indicators established under
22 paragraph (2).

23 “(4) CONSUMER ORGANIZATION.—In this sub-
24 section, the term ‘consumer organization’ means a
25 membership organization, or disability advocacy

1 group, for which a majority of the members of the
2 board of directors of the organization or group are
3 individuals with disabilities or family members of in-
4 dividuals with disabilities.”; and

5 (2) in subsection (b)(2)(B), by striking clause
6 (i) and inserting the following:

7 “(i) on a biannual basis, review the
8 program improvement efforts of the State
9 and, if the State has not improved its per-
10 formance to acceptable levels, as deter-
11 mined by the Commissioner, direct the
12 State to make revisions to the plan to im-
13 prove performance; and”.

14 **SEC. 517. MONITORING AND REVIEW.**

15 (a) IN GENERAL.—Section 107(a) (29 U.S.C.
16 727(a)) is amended—

17 (1) in paragraph (3)(E), by inserting before the
18 period the following: “, including personnel of a cli-
19 ent assistance program under section 112, and past
20 or current recipients of vocational rehabilitation
21 services”; and

22 (2) in paragraph (4)—

23 (A) by striking subparagraphs (A) and (B)
24 and inserting the following:

1 “(A)(i) the eligibility process to ensure
2 compliance with the requirements set forth in
3 section 102(a); and

4 “(ii) implementation of an order of selec-
5 tion, if applicable, to ensure compliance with
6 the requirements set forth in section 101(a)(5);
7 and

8 “(B) the provision of services to ensure
9 compliance with section 103;”;

10 (B) in subparagraph (C), by striking
11 “and” at the end;

12 (C) by redesignating subparagraph (D) as
13 subparagraph (E); and

14 (D) by inserting after subparagraph (C)
15 the following:

16 “(D) data on individuals determined to be
17 ineligible for services due to severity of their
18 disability, to determine if systematic changes
19 could result in increased capacity to meet the
20 needs of such individuals; and”.

21 (b) REVIEW.—Section 107(d) of the Rehabilitation
22 Act of 1973 (29 U.S.C. 727(d)) is amended, in paragraphs
23 (1) and (2), by striking “a final determination of the Com-
24 missioner under section 101(b) or subsection (c)” and in-
25 serting “a final determination on a State plan for voca-

1 tional rehabilitation services under the procedures ref-
2 erenced in section 101(b), or a final determination by the
3 Commissioner under subsection (c)”.

4 **SEC. 518. TRAINING AND SERVICES FOR EMPLOYERS.**

5 Section 109 (29 U.S.C. 728a) is amended to read as
6 follows:

7 **“SEC. 109. TRAINING AND SERVICES FOR EMPLOYERS.**

8 “A State may expend payments received under sec-
9 tion 111 to educate and provide services to employers who
10 have hired or are interested in hiring individuals with dis-
11 abilities under programs carried out under this title, in-
12 cluding—

13 “(1) providing training and technical assistance
14 to employers regarding the employment of individ-
15 uals with disabilities, including disability awareness,
16 and the requirements of the Americans with Disabil-
17 ities Act of 1990 (42 U.S.C. 12101 et seq.) and
18 other employment-related laws;

19 “(2) working with employers to—

20 “(A) provide opportunities for work-based
21 learning experience (including internships,
22 short-term employment, apprenticeships, and
23 fellowships), such as opportunities in conjunc-
24 tion with pre-employment transition services;

1 “(B) recruit qualified applicants with dis-
2 abilities;

3 “(C) train employees with disabilities; and

4 “(D) promote retention of employees who
5 are at risk of losing a job due to disability-re-
6 lated barriers;

7 “(3) providing consultations, technical assist-
8 ance, and support to employers on workplace accom-
9 modations, assistive technology, and facilities and
10 workplace access;

11 “(4) assisting employers with utilizing available
12 financial support, including tax credits and deduc-
13 tions available for hiring or accommodating individ-
14 uals with disabilities; and

15 “(5) supporting the development of working re-
16 lationships between State vocational rehabilitation
17 agencies, the workforce investment system, their
18 community partners, and employers on multi-State
19 and national levels, including—

20 “(A) encouraging employers to recruit
21 qualified individuals with disabilities for avail-
22 able employment opportunities;

23 “(B) facilitating such recruitment by dis-
24 seminating information about specific available
25 employment opportunities to qualified individ-

1 uals who are recipients of vocational rehabilita-
2 tion services under this subtitle, or who are ap-
3 plicants for such services;

4 “(C) matching qualified individuals who
5 are recipients of vocational rehabilitation serv-
6 ices under this subtitle, or who are applicants
7 for such services, with employers that have
8 available employment opportunities on the local,
9 regional, or national level; and

10 “(D) providing support services, as appro-
11 priate, to employers to facilitate the hiring of
12 qualified individuals who are recipients of voca-
13 tional rehabilitation services under this subtitle,
14 or who are applicants for such services.”.

15 **SEC. 519. STATE ALLOTMENTS.**

16 (a) IN GENERAL.—Section 110 (29 U.S.C. 730) is
17 amended—

18 (1) in subsection (a)(1), by striking “Subject to
19 the provisions of subsection (c)” and inserting “Sub-
20 ject to the provisions of subsections (c), (d), and (e),
21 and section 303(d)”;

22 (2) by striking subsections (b) and (c) and in-
23 serting the following:

24 “(b)(1) Not later than 45 days prior to the end of
25 the fiscal year, the Commissioner shall determine, after

1 reasonable opportunity for the submission to the Commis-
2 sioner of comments by the State agency administering or
3 supervising the program established under this title,
4 whether any amount from the payment of an allotment
5 to a State under section 111(a) for any fiscal year will
6 not be utilized by such State in carrying out the purposes
7 of this title.

8 “(2)(A) As soon as practicable but not later than the
9 end of the fiscal year, the Commissioner shall reallocate the
10 amount available under paragraph (1) to other States,
11 consistent with subparagraphs (B) and (C), for carrying
12 out the purposes of this title to the extent the Commis-
13 sioner determines that another State will be able to use
14 an additional amount, during that fiscal year or the subse-
15 quent fiscal year for carrying out such purposes.

16 “(B)(i) The Commissioner shall reallocate a portion of
17 the amount available under paragraph (1) for a fiscal year
18 to each State whose allotment under subsection (a) for
19 such fiscal year is less than such State’s allotment under
20 subsection (a) for the immediately preceding fiscal year,
21 adjusted by the percentage change in the funds available
22 for subsection (a) from the immediately preceding fiscal
23 year.

24 “(ii)(I) Subject to subclause (II), a State that is eligi-
25 ble to receive a reallocation under clause (i) shall receive

1 a portion for a fiscal year from the amount available for
2 reallocation under paragraph (1) that is equal to the dif-
3 ference between—

4 “(aa) the amount such State was allotted under
5 subsection (a) for such fiscal year; and

6 “(bb) the amount such State was allotted under
7 subsection (a) for the immediately preceding fiscal
8 year, adjusted by the percentage change in the funds
9 available for subsection (a) from the immediately
10 preceding fiscal year.

11 “(II) If the amount available for reallocation under
12 paragraph (1) is insufficient to provide each State eligible
13 to receive a reallocation under clause (i) with the portion
14 described in subclause (I), the amount reallocated to each
15 eligible State shall be determined by the Commissioner.

16 “(C) If there are funds remaining after each State
17 eligible to receive a reallocation under subparagraph (B)(i)
18 receives the portion described in subparagraph (B)(ii), the
19 Commissioner shall reallocate the remaining funds among the
20 States requesting a reallocation.

21 “(3) The Commissioner shall reallocate an amount to a
22 State under this subsection only if the State will be able
23 to make sufficient payments from non-Federal sources to
24 pay for the non-Federal share of the cost of vocational

1 rehabilitation services under the State plan for the fiscal
2 year for which the amount was appropriated.

3 “(4) For the purposes of this part, any portion made
4 available to a State for any fiscal year pursuant to this
5 subsection shall be regarded as an increase of such State’s
6 allotment (as determined under the preceding provisions
7 of this section) for such year.

8 “(c)(1) For fiscal year 2012 and for each fiscal year
9 thereafter, the Commissioner shall reserve, from the funds
10 appropriated under section 100(b)(1) for each fiscal year,
11 an amount that is not less than 1.23 percent and not more
12 than 1.5 percent of those funds in order to carry out sec-
13 tion 121, provided that the minimum percentage that may
14 be reserved shall increase by 0.01 percent for each suc-
15 ceeding fiscal year after fiscal year 2012.

16 “(2) Notwithstanding paragraph (1), there shall be
17 no increase in the minimum percentage of funds reserved
18 under paragraph (1) unless there is an equivalent increase
19 in the funds appropriated under section 100(b)(1).”.

20 (b) RESERVATION FOR TRANSITION AND PRE-EM-
21 PLOYMENT TRANSITION SERVICES.—Section 110 (29
22 U.S.C. 730) is amended by adding at the end the fol-
23 lowing:

24 “(d) From any State allotment under subsection (a)
25 for a fiscal year, the State shall reserve not less than 10

1 percent of the allotted funds for the provision of transition
2 services to assist students with disabilities and youth with
3 disabilities in transitioning from education or training to
4 employment, which includes pre-employment transition
5 services under section 114.”.

6 **SEC. 520. CLIENT ASSISTANCE PROGRAM.**

7 Section 112 (29 U.S.C. 732) is amended—

8 (1) in subsection (a), in the first sentence—

9 (A) by striking “grants to States” and in-
10 sserting “grants to agencies designated under
11 subsection (c) (referred to individually in this
12 section as a ‘designated CAP agency’)”;

13 (B) by inserting “including under sections
14 114,” after “all available benefits under this
15 Act,”; and

16 (C) by inserting “and eligibility” after “to
17 ensure the protection of the rights”;

18 (2) in subsection (b), by striking the matter
19 preceding paragraph (1) and inserting “Neither an
20 agency within the State, nor the State, may receive
21 payments from an allotment under subsection (e) in
22 any fiscal year unless the State has designated
23 under subsection (c) an agency that—”;

24 (3) in subsection (c)—

1 (A) in paragraph (2), by inserting “(as de-
2 fined in section 106(a))” after “consumer orga-
3 nizations”; and

4 (B) in paragraph (3), by striking “agency
5 designated under this subsection” and inserting
6 “designated CAP agency”;

7 (4) in subsection (d), by striking “agency des-
8 igned under subsection (c) of this section” and in-
9 serting “designated CAP agency”;

10 (5) in subsection (e)—

11 (A) in paragraph (1)—

12 (i) by striking subparagraph (A) and
13 inserting the following:

14 “(A) After reserving funds under subparagraphs (E)
15 and (F), the Secretary shall allot the remainder of the
16 sums appropriated for each fiscal year under this section
17 among the designated CAP agencies within the States on
18 the basis of relative population of each State, except that
19 no such agency shall receive less than \$50,000.”;

20 (ii) in subparagraph (B), by inserting
21 “the designated CAP agencies located in”
22 before “American Samoa”; and

23 (iii) by striking subparagraph (D) and
24 inserting the following:

1 “(D)(i) For any fiscal year for which the funds ap-
2 propriated for such fiscal year under subsection (h) exceed
3 \$7,500,000, the minimum allotment under this subsection
4 shall be \$100,000 for the designated CAP agencies located
5 in States and \$45,000 for the designated CAP agencies
6 located in territories.

7 “(ii) For any fiscal year for which the total amount
8 appropriated under subsection (h) exceeds the total
9 amount appropriated under such subsection (or the cor-
10 responding provision) for the preceding fiscal year, the
11 Secretary shall increase each of the minimum allotments
12 under clause (i) by a percentage that shall not exceed the
13 percentage increase, calculated by dividing such total
14 amount for the fiscal year involved by such total amount
15 for the preceding fiscal year.

16 “(E)(i) For any fiscal year for which the amount ap-
17 propriated under subsection (h) equals or exceeds
18 \$13,000,000, the Secretary shall reserve funds appro-
19 priated under subsection (h) to make a grant to the pro-
20 tection and advocacy system serving the American Indian
21 Consortium, to provide designated CAP agency services in
22 accordance with the requirements of this section. The
23 amount of such a grant shall be the same amount as is
24 provided to a territory under subparagraph (B), as in-

1 creased under clauses (i) and, if applicable, (ii) of subpara-
2 graph (D).

3 “(ii) In this subparagraph:

4 “(I) The term ‘American Indian Consortium’
5 has the meaning given the term in section 102 of the
6 Developmental Disabilities Assistance and Bill of
7 Rights Act of 2000 (42 U.S.C. 15002).

8 “(II) The term ‘protection and advocacy sys-
9 tem’ means a protection and advocacy system estab-
10 lished under subtitle C of title I of the Develop-
11 mental Disabilities Assistance and Bill of Rights Act
12 of 2000 (42 U.S.C. 15041 et seq.).

13 “(F) For any fiscal year for which the amount appro-
14 priated under subsection (h) equals or exceeds
15 \$14,000,000, the Secretary shall reserve not less than 1.8
16 percent and not more than 2.2 percent of such amount
17 to provide a grant for training and technical assistance
18 for the programs established under this section. Such
19 training and technical assistance shall be coordinated with
20 activities provided under section 509(c)(1)(A).”;

21 (B) in paragraph (2)—

22 (i) except as provided in clause (ii), by
23 striking “State” each place it appears and
24 inserting “designated CAP agency”; and

1 (ii) by striking “States” each place it
2 appears and inserting “designated CAP
3 agencies”; and

4 (C) in paragraph (3), by striking “agency
5 designated” and all that follows and inserting
6 “designated CAP agency the amount specified
7 in the application approved under subsection
8 (f).”;

9 (6) in subsection (f), by striking “State” and
10 inserting “designated CAP agency”;

11 (7) in paragraph (1) of subsection (g), by strik-
12 ing “such programs” and inserting “the designated
13 CAP agency of a State”; and

14 (8) in subsection (h), by striking “1999
15 through 2003” and inserting “2012 through 2016”.

16 **SEC. 521. TECHNICAL ASSISTANCE FOR QUALITY SERVICES.**

17 Part B of title I (29 U.S.C. 730 et seq.), is amended
18 by adding at the end the following:

19 **“SEC. 113. ADDITIONAL TECHNICAL ASSISTANCE.**

20 “The Commissioner shall provide technical assistance
21 for programs provided under this title regarding improv-
22 ing the quality of vocational rehabilitation services pro-
23 vided through the programs, including—

24 “(1) consulting with the Department of Labor,
25 the Small Business Administration, other appro-

1 piate Federal agencies, State and local workforce
2 investment boards, and businesses or business-led
3 intermediaries;

4 “(2) based on information obtained through the
5 consultations, providing—

6 “(A) technical assistance that improves
7 quality by enabling designated State units to
8 develop successful partnerships with local and
9 multi-State businesses in an effort to employ in-
10 individuals with disabilities; and

11 “(B) technical assistance on developing
12 self-employment opportunities and improving
13 employment outcomes for individuals with dis-
14 abilities; and

15 “(3) providing technical assistance to improve
16 the quality of vocation rehabilitation services pro-
17 grams carried out under section 121.”.

18 **SEC. 522. PRE-EMPLOYMENT TRANSITION SERVICES.**

19 Part B of title I (29 U.S.C. 730 et seq.), as amended
20 by section 521, is further amended by adding at the end
21 the following:

1 **“SEC. 114. PROVISION OF PRE-EMPLOYMENT TRANSITION**
2 **SERVICES FOR STUDENTS WITH DISABIL-**
3 **ITIES.**

4 “(a) IN GENERAL.—From the funds reserved under
5 section 110(d), and funds made available from State,
6 local, and private funding sources (consistent with require-
7 ments that apply to the acceptance and use of such funds),
8 each State shall ensure that—

9 “(1) the designated State unit shall provide, or
10 arrange for the provision of, pre-employment transi-
11 tion services for all students with disabilities who are
12 in need of such services; and

13 “(2) the designated State unit will not expend
14 more than 5 percent of the funds reserved to carry
15 out this section to pay for the administrative costs
16 associated with providing pre-employment transition
17 services under this section.

18 “(b) LOCAL PRE-EMPLOYMENT TRANSITION COOR-
19 DINATOR.—

20 “(1) COORDINATOR.—Each local office of a des-
21 ignated State unit shall designate at least 1 staff
22 person to carry out the responsibilities of a Local
23 Pre-Employment Transition Coordinator for stu-
24 dents with disabilities, as well as appropriate staff to
25 support the Coordinator in carrying out the respon-
26 sibilities as described in paragraph (2).

1 “(2) RESPONSIBILITIES.—It shall be the re-
2 sponsibility of a Local Pre-Employment Transition
3 Coordinator to—

4 “(A) attend individualized education pro-
5 gram meetings, as appropriate, for students
6 with disabilities;

7 “(B) work with the local workforce invest-
8 ment boards, one-stop centers, and employers to
9 develop job opportunities for students with dis-
10 abilities, including internships, summer employ-
11 ment opportunities and other employment op-
12 portunities available throughout the school year,
13 and apprenticeships; and

14 “(C) work with schools, including those
15 carrying out activities under section
16 614(d)(1)(A)(i)(VIII) of the Individuals with
17 Disabilities Education Act (20 U.S.C.
18 1414(d)(1)(A)(i)(VIII)), to coordinate and en-
19 sure the provision of pre-employment transition
20 services for students with disabilities, including
21 services described in clauses (i) through (v) of
22 section 7(30)(B).

23 “(c) NATIONAL PRE-EMPLOYMENT TRANSITION CO-
24 ORDINATION.—

1 “(1) IN GENERAL.—The Secretary of Education
2 and the Secretary of Labor shall each designate a
3 lead staff person to fulfill the responsibilities of a
4 National Pre-Employment Transition Coordinator
5 for Students with Disabilities. The National Pre-
6 Employment Transition Coordinators shall work in
7 consultation with, and with other Federal agencies
8 including the Corporation for National and Commu-
9 nity Service, to develop and coordinate—

10 “(A) agency policies related to pre-employ-
11 ment transition services; and

12 “(B) resources to increase job opportuni-
13 ties for students with disabilities, including in-
14 ternships, summer employment opportunities
15 and other employment opportunities available
16 throughout the school year, and apprentice-
17 ships.

18 “(2) CONSTRUCTION.—Nothing in this sub-
19 section shall be construed to prohibit either Sec-
20 retary from assigning additional responsibilities,
21 other than the responsibilities described in this sub-
22 section, to a staff person designated under this sub-
23 section.”.

1 **SEC. 523. AMERICAN INDIAN VOCATIONAL REHABILITA-**
2 **TION SERVICES.**

3 Section 121 (29 U.S.C. 741) is amended—

4 (1) in subsection (a), in the first sentence, by
5 inserting before the period the following: “(referred
6 to in this section as ‘eligible individuals’), consistent
7 with such eligible individuals’ strengths, resources,
8 priorities, concerns, abilities, capabilities, interests,
9 and informed choice, so that such individuals may
10 prepare for, and engage in, high quality employment
11 that will increase opportunities for economic self-suf-
12 ficiency”;

13 (2) in subsection (b)—

14 (A) in paragraph (1)—

15 (i) in subparagraph (B), by striking
16 “and” at the end;

17 (ii) in subparagraph (C), by striking
18 the period and inserting “; and”; and

19 (iii) by adding at the end the fol-
20 lowing:

21 “(D) contains assurances that—

22 “(i) all decisions affecting eligibility
23 for vocational rehabilitation services, the
24 nature and scope of available vocational re-
25 habilitation services, and the provision of
26 such services, will be made by a represent-

1 ative of the tribal vocational rehabilitation
2 program funded through the grant; and

3 “(ii) such decisions will not be dele-
4 gated to another agency or individual.”;
5 and

6 (B) by striking paragraphs (3) and (4) and
7 inserting the following:

8 “(3) If an application is approved under this part for
9 a grant, the resulting grant shall be for 5 years, if the
10 grant recipient complies with the program requirements
11 for the program carried out under this part (including the
12 regulations promulgated for the program). The grant shall
13 be renewed for additional 5-year periods if the Commis-
14 sioner determines that the grant recipient demonstrated
15 acceptable past performance and the grant recipient sub-
16 mits, and obtains approval by the Commissioner, for a
17 plan, including a proposed budget, that identifies future
18 performance criteria, goals, and objectives. The State shall
19 continue to provide vocational rehabilitation services under
20 the State plan to American Indians residing on or near
21 a reservation whenever such State includes any such
22 American Indians in its State population under section
23 110(a)(1).

24 “(4) In allocating funds for grants under this part,
25 the Secretary shall give priority to paying the continuation

1 costs of projects in existence on the date of the allocation
2 and may provide for increases in funding for such projects
3 that the Secretary determines to be necessary.”;

4 (3) by redesignating subsection (c) as sub-
5 section (d); and

6 (4) by inserting after subsection (b) the fol-
7 lowing:

8 “(c)(1) From the funds appropriated and made avail-
9 able to carry out this part for any fiscal year, beginning
10 with fiscal year 2012, the Commissioner shall first reserve
11 not less than 1.8 percent and not more than 2 percent
12 of the funds to provide training and technical assistance
13 to governing bodies described in subsection (a) for such
14 fiscal year.

15 “(2) From the funds reserved under paragraph (1),
16 the Commissioner shall make grants to, and enter into
17 contracts and other arrangements with, entities that have
18 experience in the operation of vocational rehabilitation
19 services programs under this section to provide such train-
20 ing and technical assistance with respect to developing,
21 conducting, administering, and evaluating such programs.

22 “(3) The Commissioner shall conduct a survey of the
23 governing bodies regarding training and technical assist-
24 ance needs in order to determine funding priorities for
25 such grants, contracts, or other arrangements.

1 “(4) To be eligible to receive a grant or enter into
2 a contract or other arrangement under this section, such
3 an entity shall submit an application to the Commissioner
4 at such time, in such manner, and containing a proposal
5 to provide such training and technical assistance, and con-
6 taining such additional information as the Commissioner
7 may require. The Commissioner shall provide for peer re-
8 view of grant applications by panels that include persons
9 who are not government employees and who have experi-
10 ence in the operation of vocational rehabilitation services
11 programs under this section.”.

12 **Subtitle C—Research and Training**

13 **SEC. 531. PURPOSE.**

14 Section 200 (29 U.S.C. 760) is amended—

15 (1) in paragraph (1), by inserting “technical as-
16 sistance,” after “training,”;

17 (2) in paragraph (2), by inserting “technical as-
18 sistance,” after “training,”;

19 (3) in paragraph (3)—

20 (A) in the matter preceding subparagraph

21 (A)—

22 (i) by inserting “, use, and adoption”
23 after “transfer”; and

24 (ii) by inserting “in a timely and effi-
25 cient manner,” after “disabilities”; and

1 (B) in subparagraph (D), by inserting
2 “and dissemination of research findings to indi-
3 viduals with disabilities and other interested en-
4 tities” after “technology”;

5 (4) in paragraph (5), by striking “and” after
6 the semicolon;

7 (5) in paragraph (6), by striking the period and
8 inserting “; and”; and

9 (6) by adding at the end the following:

10 “(7) identify effective strategies for supporting
11 the employment of individuals with disabilities in
12 competitive integrated employment.”.

13 **SEC. 532. AUTHORIZATION OF APPROPRIATIONS.**

14 Section 201(a) (29 U.S.C. 761(a)) is amended—

15 (1) in paragraph (1), by striking “1999
16 through 2003” and inserting “2012 through 2016”;
17 and

18 (2) in paragraph (2), by striking “1999
19 through 2003” and inserting “2012 through 2016”.

20 **SEC. 533. NATIONAL INSTITUTE ON DISABILITY AND REHA-
21 BILITATION RESEARCH.**

22 Section 202 (29 U.S.C. 762) is amended—

23 (1) in subsection (a)(1)(A)—

1 (A) in clause (ii), by striking “and train-
2 ing; and” and inserting “, training, and tech-
3 nical assistance;”;

4 (B) by redesignating clause (iii) as clause
5 (iv); and

6 (C) by inserting after clause (ii) the fol-
7 lowing:

8 “(iii) knowledge translation and dis-
9 semination; and”;

10 (2) in subsection (b)—

11 (A) in paragraph (3), by striking “in reha-
12 bilitation” and inserting “on disability and re-
13 habilitation”;

14 (B) in paragraph (4)—

15 (i) in the matter preceding subpara-
16 graph (A), by inserting “education, health
17 and health care,” after “independent liv-
18 ing,”; and

19 (ii) by striking subparagraphs (A)
20 through (D) and inserting the following:

21 “(A) public and private entities, includ-
22 ing—

23 “(i) elementary schools and secondary
24 schools (as defined in section 9101 of the

1 Elementary and Secondary Education Act
2 of 1965);
3 “(ii) institutions of higher education;
4 and
5 “(iii) nongovernmental agencies and
6 organizations;
7 “(B) rehabilitation practitioners;
8 “(C) employers and organizations rep-
9 resenting employers with respect to employ-
10 ment-based educational materials or research;
11 “(D) individuals with disabilities (espe-
12 cially such individuals who are members of mi-
13 nority groups or of populations that are
14 unserved or underserved by programs under
15 this Act);
16 “(E) the individuals’ representatives for
17 the individuals described in subparagraph (D);
18 and
19 “(F) the Committee on Health, Education,
20 Labor, and Pensions of the Senate, the Com-
21 mittee on Appropriations of the Senate, the
22 Committee on Education and the Workforce of
23 the House of Representatives, the Committee
24 on Appropriations of the House of Representa-
25 tives, and the National Council on Disability;”.

1 (C) in paragraph (6)—

2 (i) by inserting “disability and” after
3 “advances in”; and

4 (ii) by inserting “education, health
5 and health care,” after “independent liv-
6 ing,”;

7 (D) in paragraph (7), by striking “taking
8 whatever action is necessary to keep the Con-
9 gress fully and currently informed” and insert-
10 ing “reporting to Congress on a continuing and
11 yearly basis”;

12 (E) in paragraph (8), by striking “health,
13 income,” and inserting “health and health care,
14 income, education,”;

15 (F) in paragraph (10), by striking “and
16 telecommuting; and” and inserting “, supported
17 employment (including customized employ-
18 ment), and telecommuting;”;

19 (G) in paragraph (11), by striking the pe-
20 riod and inserting “; and”; and

21 (H) by adding at the end the following:

22 “(12) ensuring that the research activities and
23 findings, demonstration projects, reports, evalua-
24 tions, studies, information described in this section,
25 as well as information about any reports in progress,

1 will be made publicly available in a timely manner,
2 including through electronic means (such as the
3 website of the Department of Education and other
4 relevant government agency websites) in order to in-
5 form the public about the research and activities
6 performed under this title.”;

7 (3) in subsection (d)(1), in the second sentence,
8 by inserting before the period the following: “, and
9 shall not be an employee of the Department of Edu-
10 cation during the 90-day period before such appoint-
11 ment”;

12 (4) in subsection (f)(1), by striking the second
13 sentence and inserting the following: “The scientific
14 peer review shall be conducted by individuals who
15 are not Department of Education employees, who
16 are scientists or other experts in the disability and
17 rehabilitation field (including the independent living
18 field), including individuals with disabilities and the
19 individuals’ representatives, and who have sufficient
20 knowledge to review applications for the financial as-
21 sistance. Such panel shall include a member of the
22 covered school community (for any activity resulting
23 in educational materials or a product to be used in
24 a covered school), a member of the business commu-
25 nity (for an activity resulting in a product to be used

1 in an employment activity), a member of the assist-
2 ive technology community (for an activity relating to
3 assistive technology), and an accessible electronic
4 and information technology vendor or manufacturer
5 (for an activity relating to accessible electronic and
6 information technology). The peer review panel shall
7 include a director of a designated State unit for a
8 panel that considers research related to the oper-
9 ation or administration of the vocational rehabilita-
10 tion program.”;

11 (5) in subsection (h)—

12 (A) in paragraph (1)(A)—

13 (i) by inserting “disability and” after
14 “priorities for”; and

15 (ii) by inserting “dissemination,” after
16 “training,”; and

17 (B) in paragraph (2)(A), by striking “, es-
18 pecially in the area of employment”;

19 (6) by redesignating subsections (i), (j), and
20 (k), as subsections (j), (k), and (l), respectively;

21 (7) by inserting after subsection (h) the fol-
22 lowing:

23 “(i)(1) The Director shall determine if entities that
24 received financial assistance under this title are complying
25 with the applicable requirements of this Act and achieving

1 measurable goals, described in section 204(d)(2), that are
2 consistent with the requirements of the programs under
3 which the entities received the financial assistance.

4 “(2) To assist the Director in carrying out the re-
5 sponsibilities described in paragraph (1), the Director
6 shall require recipients of financial assistance under this
7 title to submit relevant information to evaluate program
8 outcomes with respect to the measurable goals described
9 in section 204(d)(2) pursuant to section 75.118 of title
10 34, Code of Federal Regulations.”;

11 (8) in subsection (k), as redesignated by para-
12 graph (6), by striking paragraph (3); and

13 (9) by striking subsection (l), as redesignated
14 by paragraph (6), and inserting the following:

15 “(l) The Director shall make grants to institutions
16 of higher education for the training of rehabilitation re-
17 searchers, including individuals with disabilities and tradi-
18 tionally underserved populations of individuals with dis-
19 abilities, as described in section 21, with particular atten-
20 tion to research areas that—

21 “(1) support the implementation and objectives
22 of this Act; and

23 “(2) improve the effectiveness of services au-
24 thorized under this Act.

1 “(m)(1) Not later than December 31 of each year,
2 the Director shall prepare, and submit to the Secretary,
3 the Committee on Health, Education, Labor, and Pen-
4 sions of the Senate, and the Committee on Education and
5 the Workforce of the House of Representatives, a report
6 on the activities funded under this title.

7 “(2) The report under paragraph (1) shall include—

8 “(A) a compilation and summary of the infor-
9 mation provided by recipients of financial assistance
10 for such activities under this title;

11 “(B) a summary of recipients of financial as-
12 sistance received under this title and the progress of
13 the recipients of financial assistance in achieving the
14 measurable goals described in section 204(d)(2); and

15 “(C) a summary of practical implications of re-
16 search outcomes and anticipated next steps.

17 “(n)(1) If the Director determines that an entity that
18 receives financial assistance under this title fails to comply
19 with the applicable requirements of this Act, or to make
20 progress toward achieving the measurable goals described
21 in section 204(d)(2), with respect to the covered activities
22 involved, the Director shall enact monitoring and enforce-
23 ment measures pursuant to section 75.253 of title 34,
24 Code of Federal Regulations.

1 “(2) As part of the annual report required under sub-
2 section (m), the Secretary shall describe each action taken
3 by the Secretary under paragraph (1) and the outcomes
4 of such action.”.

5 **SEC. 534. INTERAGENCY COMMITTEE.**

6 Section 203 (29 U.S.C. 763) is amended—

7 (1) in subsection (a)(1)—

8 (A) by striking “and cooperation” and in-
9 serting “, cooperation, and collaboration”;

10 (B) by inserting “disability and” after
11 “agencies conducting”; and

12 (C) by inserting “the Chairman of the Na-
13 tional Council on Disability, the Assistant Sec-
14 retary for Disability Employment Policy,” after
15 “Assistant Secretary for Special Education and
16 Rehabilitative Services,”;

17 (2) in subsection (b)—

18 (A) in paragraph (1), by striking “from
19 targeted individuals” and inserting “individuals
20 with disabilities and their representatives”; and

21 (B) in paragraph (2)—

22 (i) by striking subparagraphs (A) and
23 (B) and inserting the following:

24 “(A) share information regarding the
25 range of assistive technology research, rehabili-

1 tation research, and research that incorporates
2 the principles of universal design, that is being
3 carried out by members of the Committee and
4 other Federal departments and organizations;

5 “(B) identify and make efforts to address,
6 gaps in assistive technology research, rehabilita-
7 tion research, and research that incorporates
8 the principles of universal design, that are not
9 being adequately addressed;”;

10 (ii) in subparagraph (D)—

11 (I) by striking “and research
12 that incorporates the principles of uni-
13 versal design” and inserting “, reha-
14 bilitation research, and research that
15 incorporates the principles of uni-
16 versal design”; and

17 (II) by striking “and” after the
18 semicolon; and

19 (iii) in subparagraph (E), by striking
20 “and research that incorporates the prin-
21 ciples of universal design.” and inserting “,
22 rehabilitation research, and research that
23 incorporates the principles of universal de-
24 sign; and”;

25 (3) by striking subsection (d);

1 (4) by redesignating subsection (c) as sub-
2 section (d);

3 (5) by inserting after subsection (b) the fol-
4 lowing:

5 “(c)(1) Not later than 2 years after the date of enact-
6 ment of the Workforce Investment Act of 2012, and peri-
7 odically thereafter, the Committee shall host a disability
8 and rehabilitation research summit, for the purposes of
9 establishing a research agenda to ensure projects are rel-
10 evant and applicable, bringing together policymakers, rep-
11 resentatives from Federal agencies conducting disability
12 and rehabilitation research, nongovernmental funders of
13 rehabilitation research, and organizations representing in-
14 dividuals with disabilities, researchers, and providers.

15 “(2) Based on the proceedings of the summit de-
16 scribed in paragraph (1), the Committee shall develop a
17 comprehensive Government-wide strategic plan for dis-
18 ability and rehabilitation research. The strategic plan shall
19 include measurable goals and objectives, action-oriented
20 measures, timetables, budgets, and assignment of respon-
21 sible individuals and agencies for carrying out research ac-
22 tivities. At a minimum, the strategic plan shall include—

23 “(A) research priorities and recommendations;

24 “(B) the development of a searchable Govern-
25 ment-wide inventory of disability and rehabilitation

1 research for trend and data analysis across Federal
2 agencies;

3 “(C) a set of guiding principles and policies and
4 procedures for conducting and administering dis-
5 ability and rehabilitation research across Federal
6 agencies; and

7 “(D) a summary of underemphasized and of
8 duplicative areas of research.

9 “(3) Not later than 90 days after the conclusion of
10 the summit described in paragraph (1), the strategic plan
11 described in paragraph (2) shall be submitted to the Presi-
12 dent and the Committee on Health, Education, Labor, and
13 Pensions of the Senate and the Committee on Education
14 and the Workforce of the House of Representatives.

15 “(4) The annual report prepared by the Committee
16 under subsection (d) shall include an annual accounting
17 of the progress made in implementing the strategic plan
18 described in paragraph (2), including achievement of
19 measurable goals and objectives, timetables, budgets, and
20 the assignment of responsible individuals and agencies.

21 “(5) The Committee shall have the authority to facili-
22 tate collaborative projects among Federal agencies by re-
23 ceiving the transfer of funds from such agencies.”;

1 (6) in subsection (d), as redesignated by para-
2 graph (4), by striking paragraph (1) and inserting
3 the following:

4 “(1) describes the progress of the Committee in
5 fulfilling the duties described in subsections (b) and
6 (c), and including specifically for subsection (c)—

7 “(A) a report of the progress made in im-
8 plementing the strategic plan;

9 “(B) a description of the achievement of
10 measurable goals, objectives, and timetables;

11 “(C) detailed budgetary information; and

12 “(D) the assignment of responsible individ-
13 uals and agencies.”; and

14 (7) in subsection (e)—

15 (A) in paragraph (1), by striking “and”
16 after the semicolon; and

17 (B) in paragraph (2), by striking the pe-
18 riod at the end and inserting “; and”; and

19 (C) by adding at the end the following:

20 “(3) the term ‘rehabilitation research’ means
21 research on issues and topics related to attaining
22 maximum self sufficiency and function by individuals
23 with disabilities, including research on assistive tech-
24 nology and universal design, employment, education,

1 health and function, and community integration and
2 participation.”.

3 **SEC. 535. RESEARCH AND OTHER COVERED ACTIVITIES.**

4 Section 204 (20 U.S.C. 764) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1)—

7 (i) by inserting “have practical real
8 life applications and” before “maximize”;
9 and

10 (ii) by striking “employment, inde-
11 pendent living,” and inserting “employ-
12 ment, education, independent living, health
13 and health care,”;

14 (B) in paragraph (2)—

15 (i) in subparagraph (A), by inserting
16 “and from which the research findings can
17 be transferred to practice” after “State
18 agencies”; and

19 (ii) in subparagraph (B)—

20 (I) by striking clause (ii) and in-
21 serting the following:

22 “(ii) studies and analysis of policies and the
23 interaction of how particular factors (industrial, vo-
24 cational, educational, employment, social, rec-
25 reational, psychiatric, psychological, economic, and

1 health and health care), including for traditionally
2 underserved populations as described in section 21,
3 affect the rehabilitation of individuals with disabili-
4 ties;”;

5 (II) in clause (iii), by striking
6 “are homebound” and inserting “have
7 significant challenges attempting to
8 engage with community life outside of
9 their homes”;

10 (III) in clause (iv), by inserting
11 “, including the principles of universal
12 design and the interoperability of
13 products and services” after “disabili-
14 ties”;

15 (IV) in clause (v), by inserting “,
16 and to promote employment opportu-
17 nities in competitive integrated em-
18 ployment” after “employment”;

19 (V) in clause (vi), by striking
20 “and” after the semicolon;

21 (VI) in clause (vii), by striking
22 “and assistive technology.” and in-
23 serting “, assistive technology, and
24 communications technology; and”;

1 (VII) by adding at the end the
2 following:

3 “(viii) studies, analyses, and other activities af-
4 fecting employment outcomes as defined in section
5 7(11), including self-employment and telecommuting,
6 of individuals with disabilities.”; and

7 (C) by adding at the end the following:

8 “(3) In carrying out this section, the Director shall
9 emphasize covered activities that include plans for—

10 “(A) dissemination of high quality materials,
11 scientifically valid research results, or findings, con-
12 clusions, and recommendations resulting from cov-
13 ered activities, including through electronic means
14 (such as the website of the Department of Edu-
15 cation), so that such information is available in a
16 timely manner to the general public; or

17 “(B) the commercialization of marketable prod-
18 ucts, research results, or findings, resulting from the
19 covered activities.”;

20 (2) in subsection (b)—

21 (A) in paragraph (1), by striking “(18)”
22 both places the term appears and inserting
23 “(17)”;

24 (B) in paragraph (2)—

1 (i) in subparagraph (A), by striking
2 clauses (i) and (ii) and inserting the fol-
3 lowing:

4 “(i) be operated in collaboration with institu-
5 tions of higher education or providers of rehabilita-
6 tion services, developers or providers of assistive
7 technology devices, assistive technology services, or
8 information technology devices or services, or pro-
9 viders of other appropriate services; and

10 “(ii) serve as centers of national excellence and
11 national or regional resources for individuals with
12 disabilities, as well as providers, educators, and re-
13 searchers.”;

14 (ii) in subparagraph (B)—

15 (I) in clause (i), by striking “al-
16 leviate or stabilize” and all that fol-
17 lows through the semicolon and in-
18 serting “maximize health and function
19 (including alleviating or stabilizing
20 conditions, or preventing secondary
21 conditions), and promote maximum
22 social and economic independence of
23 individuals with disabilities, including
24 promoting the ability of the individ-

1 uals to prepare for, secure, retain, re-
2 gain, or advance in employment;”;

3 (II) in clause (iii), by striking
4 “and” after the semicolon; and

5 (III) by striking clause (iv) and
6 inserting the following:

7 “(iv) serving as an informational and technical
8 assistance resource to individuals with disabilities, as
9 well as to providers, educators, and researchers,
10 through conferences, workshops, public education
11 programs, in-service training programs, and similar
12 activities and providing knowledge translation to
13 promote the use of research findings through train-
14 ing, technical assistance, and dissemination, includ-
15 ing identifying potential new areas of research; and

16 “(v) developing practical applications for the
17 findings of the research of the Centers.”; and

18 (iii) in subparagraph (C)—

19 (I) in clause (i), by inserting “,
20 including research on assistive tech-
21 nology devices, assistive technology
22 services, and accessible electronic and
23 information technology devices” after
24 “research”;

1 (II) in clause (ii), by striking
2 “and social” and inserting “, social,
3 and economic”;

4 (III) by striking clauses (iii)
5 through (vi) and inserting the fol-
6 lowing:

7 “(iii) improving the evaluation process for de-
8 termining the assistive technology needs of individ-
9 uals with disabilities;

10 “(iv) research related to vocational rehabilita-
11 tion, including the use of assistive technology devices
12 and accessible electronic and information technology
13 devices in employment;

14 “(v) continuation of research that promotes the
15 emotional, social, educational, and functional growth
16 of children who are individuals with disabilities, as
17 well as their integration in school, employment, and
18 community activities;

19 “(vi) continuation of research to develop and
20 evaluate interventions, policies, and services that
21 support families of children and adults who are indi-
22 viduals with disabilities;

23 “(vii) continuation of research that will improve
24 services and policies that foster the independence
25 and social integration of individuals with disabilities,

1 and enable individuals with disabilities, including in-
2 dividuals with intellectual disabilities and other de-
3 velopmental disabilities, to live in their communities;
4 and

5 “(viii) research, dissemination, and technical as-
6 sistance on best practices in supported employment
7 and other strategies to promote competitive inte-
8 grated employment for persons with the most signifi-
9 cant disabilities.”;

10 (IV) by striking subparagraph

11 (D) and inserting the following:

12 “(D) Training of students preparing to be rehabilita-
13 tion personnel or to provide rehabilitative, assistive, or
14 supportive services (such as rehabilitation counseling, per-
15 sonal care services, direct care, job coaching, aides in
16 school based setting, or advice or assistance in utilizing
17 assistive technology devices, assistive technology services,
18 and accessible electronic and information technology de-
19 vices and services) shall be an important priority for each
20 such Center.”;

21 (V) by striking subparagraph (I);

22 and

23 (VI) by redesignating subpara-
24 graphs (J) through (O) as subpara-
25 graphs (I) through (N), respectively;

1 (C) in paragraph (3)—
2 (i) in subparagraph (B)—
3 (I) in clause (ii)(II), by striking
4 “employment” and inserting “edu-
5 cational, employment,”; and
6 (II) in clause (iii)(II), by striking
7 “employment” and inserting “edu-
8 cational, employment,”;
9 (ii) in subparagraph (D)(ii), by add-
10 ing at the end the following: “Each such
11 Center conducting an activity relating to
12 assistive technology or relating to acces-
13 sible electronic and information technology
14 shall include in the advisory committee a
15 member of the assistive technology or ac-
16 cessible electronic and information tech-
17 nology community, respectively. Each such
18 Center conducting an activity resulting in
19 educational materials or a product to be
20 used in a covered school, or resulting in a
21 product to be used in an employment activ-
22 ity, shall include in the advisory committee
23 a member of the covered school commu-
24 nity, or a member of the business commu-
25 nity, respectively.”; and

1 (iii) in subparagraph (G)(ii), by in-
2 sserting “the success of any commercialized
3 product researched or developed through
4 the Center,” after “individuals with dis-
5 abilities,”;

6 (D) in paragraph (4)(B)—

7 (i) in clause (i)—

8 (I) by striking “special” and in-
9 sserting “unique”; and

10 (II) by inserting “social and
11 functional needs, and” before “acute
12 care”; and

13 (ii) in clause (iv), by inserting “edu-
14 cation, health and health care,” after “em-
15 ployment,”;

16 (E) in paragraph (8), by inserting “the
17 Department of Labor,” after “Space Adminis-
18 tration,”;

19 (F) by striking paragraphs (9) and (11);

20 (G) by redesignating paragraphs (10),
21 (12), (13), (14), (15), (16), (17), and (18), as
22 paragraphs (9), (10), (11), (12), (13), (14),
23 (15), and (16), respectively;

24 (H) in paragraph (11), as redesignated by
25 subparagraph (G)—

1 (i) in the matter preceding subpara-
2 graph (A), by striking “employment needs
3 of individuals with disabilities,” and insert-
4 ing “employment needs, opportunities, and
5 outcomes (including those relating to self-
6 employment, supported employment, and
7 telecommuting) of individuals with disabil-
8 ities, including older individuals with dis-
9 abilities, students with disabilities who are
10 transitioning from school to postsecondary
11 life, including employment, and out of
12 school youth with disabilities,”;

13 (ii) in subparagraph (B), by inserting
14 “and employment related” after “the em-
15 ployment”;

16 (iii) in subparagraph (E), by striking
17 “and” after the semicolon;

18 (iv) in subparagraph (F), by striking
19 the period at the end and inserting “;
20 and”;

21 (v) by adding at the end the following:

22 “(G) develop models and alternatives to
23 help transition sheltered workshops for individ-
24 uals with disabilities to competitive integrated
25 employment for such individuals, and develop

1 recommendations for decreasing reliance on the
2 special minimum wage certificate program
3 under section 14(c) of the Fair Labor Stand-
4 ards Act of 1938 (29 U.S.C. 214(c)).”;

5 (I) in paragraph (14), as redesignated by
6 subparagraph (G), by striking “and access to
7 gainful employment.” and inserting “, full par-
8 ticipation, equal opportunity, and economic self-
9 sufficiency.”; and

10 (J) by adding at the end the following:

11 “(17) Research grants may be used to provide for re-
12 search and training concerning the delivery of vocational
13 rehabilitation services. Such projects and activities may in-
14 clude projects and activities designed to—

15 “(A) identify, develop, and evaluate evidence-
16 based practices or policies that are effective in im-
17 proving employment outcomes for individuals with
18 disabilities;

19 “(B) conduct research related to improving the
20 provision of services for underserved or special popu-
21 lations, such as strategies to enhance employment
22 services and outcomes for middle-aged and older
23 workers with disabilities or American Indians with
24 disabilities;

1 “(C) conduct research on the delivery of voca-
2 tional rehabilitation services to rural areas;

3 “(D) demonstrate innovative models of service
4 delivery or testing methods of service delivery that
5 have the potential to improve the effectiveness of
6 programs authorized under this Act, including the
7 use of assistive technology devices and accessible
8 electronic and information technology devices in em-
9 ployment;

10 “(E) conduct research on ways to improve the
11 performance of State vocational rehabilitation agen-
12 cies;

13 “(F) disseminate and promote the implementa-
14 tion of evidence-based practices identified through
15 these activities; and

16 “(G) conduct rigorous evaluations of programs
17 and activities administered by the Rehabilitation
18 Services Administration or supported under this
19 Act.”; and

20 (3) by adding at the end the following:

21 “(d)(1) The Director shall award the grants, con-
22 tracts, or other financial assistance under this title on a
23 competitive basis.

24 “(2)(A) To be eligible to receive financial assistance
25 under this section for a covered activity, an entity shall

1 submit an application to the Director at such time, in such
2 manner, and containing such information as the Director
3 may require.

4 “(B) The application shall include information de-
5 scribing—

6 “(i) measurable goals, as established through
7 section 1115 of title 31, United States Code, and a
8 timeline and specific plan for meeting the goals, that
9 the applicant has set for addressing priorities related
10 to—

11 “(I) commercialization of a marketable
12 product (including a marketable curriculum or
13 research) resulting from the covered activity;

14 “(II) in the case of a covered activity relat-
15 ing to technology, technology transfer;

16 “(III) in the case of research, dissemina-
17 tion of research results to, as applicable, Gov-
18 ernment entities, individuals with disabilities,
19 covered schools, the business community, the
20 assistive technology community, and the acces-
21 sible electronic and information technology com-
22 munity; and

23 “(IV) other priorities as required by the
24 Director; and

1 “(ii) how the applicant will quantifiably meas-
2 ure the goals to determine whether the goals have
3 been accomplished.

4 “(3)(A) In the case of an application for financial as-
5 sistance under this section to carry out a covered activity
6 that results in the development of a marketable product,
7 the application shall also include a commercialization and
8 dissemination plan, as appropriate, containing commer-
9 cialization and marketing strategies for the product in-
10 volved, and strategies for disseminating information about
11 the product. The financial assistance shall not be used to
12 carry out the commercialization and marketing strategies.

13 “(B) In the case of any other application for financial
14 assistance to carry out a covered activity under this sec-
15 tion, the application shall also include a dissemination
16 plan, containing strategies for disseminating educational
17 materials, research results, or findings, conclusions, and
18 recommendations, resulting from the covered activity.”.

19 **SEC. 536. REHABILITATION RESEARCH ADVISORY COUNCIL.**

20 Section 205 (29 U.S.C. 765) is amended—

21 (1) in subsection (a), by inserting “not less
22 than” after “composed of”; and

23 (2) by striking subsection (c) and inserting the
24 following:

1 “(c) **QUALIFICATIONS.**—Members of the Council
2 shall include representatives of rehabilitation profes-
3 sionals, rehabilitation researchers, the directors of commu-
4 nity rehabilitation programs, the business community (in-
5 cluding a representative of the small business community)
6 that has experience with the system of vocational rehabili-
7 tation services carried out under this Act and with hiring
8 individuals with disabilities, assistive technology devel-
9 opers and manufacturers, information technology vendors
10 and manufacturers, entities carrying out programs under
11 the Assistive Technology Act of 1998 (29 U.S.C. 3001 et
12 seq.), covered school professionals, individuals with dis-
13 abilities, and the individuals’ representatives. At least one-
14 half of the members shall be individuals with disabilities
15 or the individuals’ representatives.”.

16 **SEC. 537. DEFINITION OF COVERED SCHOOL.**

17 Title II (29 U.S.C. 760) is amended by adding at
18 the end the following:

19 **“SEC. 206. DEFINITION OF COVERED SCHOOL.**

20 “‘In this title, the term ‘covered school’ means an ele-
21 mentary school or secondary school (as such terms are de-
22 fined in section 9101 of the Elementary and Secondary
23 Education Act of 1965 (20 U.S.C. 7801)) or an institution
24 of higher education.”.

1 **Subtitle D—Professional Develop-**
2 **ment and Special Projects and**
3 **Demonstration**

4 **SEC. 541. TRAINING.**

5 Section 302 (29 U.S.C. 772) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1)—

8 (i) in subparagraph (E)—

9 (I) by striking all after “deliver”
10 and inserting “supported employment
11 services and customized employment
12 services to individuals with the most
13 significant disabilities”; and

14 (II) by striking “and” after the
15 semicolon;

16 (ii) in subparagraph (F), by striking
17 “and” after the semicolon;

18 (iii) in subparagraph (G), by striking
19 the period at the end and inserting “;
20 and”; and

21 (iv) by adding at the end the fol-
22 lowing:

23 “(H) personnel trained in providing assist-
24 ive technology services.”;

1 (2) in subsection (b)(1)(B)(i), by striking “or
2 prosthetics and orthotics” and inserting “prosthetics
3 and orthotics, rehabilitation teaching for the blind,
4 or orientation and mobility instruction”;

5 (3) in subsection (g)—

6 (A) in paragraph (1), by adding after the
7 period the following: “Any technical assistance
8 provided to community rehabilitation programs
9 shall be focused on the employment outcome of
10 competitive integrated employment for individ-
11 uals with disabilities.”; and

12 (B) in paragraph (3)—

13 (i) in subparagraph (A), by striking
14 clause (iv) and inserting the following:

15 “(iv) for the 2 years following the
16 date of enactment of the Workforce Invest-
17 ment Act of 2012, to provide training re-
18 garding the amendments made to this
19 Act.”; and

20 (ii) in subparagraph (B), by striking
21 “on the date of enactment of the Rehabili-
22 tation Act Amendments of 1998” and in-
23 serting “on the date of enactment of the
24 Workforce Investment Act of 2012”; and

1 (4) in subsection (i), by striking “fiscal years
2 1999 through 2003” and inserting “fiscal years
3 2012 through 2016”.

4 **SEC. 542. DEMONSTRATION AND TRAINING PROGRAMS.**

5 Section 303 (29 U.S.C. 773) is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (5)—

8 (i) in subparagraph (A)—

9 (I) by striking clause (i) and in-
10 serting the following:

11 “(i) special projects and demonstra-
12 tion programs focused on improving transi-
13 tion from education to competitive inte-
14 grated employment for youth who are indi-
15 viduals with significant disabilities;” and

16 (II) by striking clause (iii) and
17 inserting the following:

18 “(iii) increasing competitive integrated
19 employment for individuals with significant
20 disabilities.”; and

21 (B) by striking paragraph (6);

22 (2) in subsection (c)(2)—

23 (A) in subparagraph (E), by striking
24 “and” after the semicolon;

1 (B) by redesignating subparagraph (F) as
2 subparagraph (G); and

3 (C) by inserting after subparagraph (E)
4 the following:

5 “(F) to provide support and guidance in
6 helping individuals with significant disabilities,
7 including students with disabilities, transition
8 to competitive integrated employment; and”;
9 and

10 (3) by striking subsection (e) and inserting the
11 following:

12 “(i) AUTHORIZATION OF APPROPRIATIONS.—For the
13 purpose of carrying out this section (other than sub-
14 sections (c) and (e)), there are authorized to be appro-
15 priated such sums as may be necessary for each of the
16 fiscal years 2012 through 2016.”.

17 **SEC. 543. MIGRANT AND SEASONAL FARMWORKERS.**

18 Section 304(b) (29 U.S.C. 774(b)) is amended by
19 striking “fiscal years 1999 through 2003” and inserting
20 “fiscal years 2012 through 2016”.

21 **SEC. 544. RECREATIONAL PROGRAMS.**

22 Section 305 (29 U.S.C. 776) is amended—

23 (1) in subsection (a)(1)(B), by striking “con-
24 struction of facilities for aquatic rehabilitation ther-
25 apy,”; and

1 (2) in subsection (b), by striking “fiscal years
2 1999 through 2003” and inserting “fiscal years
3 2012 through 2016”.

4 **Subtitle E—National Council on**
5 **Disability**

6 **SEC. 551. REPORT.**

7 Section 401 (29 U.S.C. 781) is amended by striking
8 subsection (c).

9 **SEC. 552. AUTHORIZATION OF APPROPRIATIONS.**

10 Section 405 (29 U.S.C. 785) is amended by striking
11 “fiscal years 1999 through 2003” and inserting “fiscal
12 years 2012 through 2016”.

13 **Subtitle F—Rights and Advocacy**

14 **SEC. 556. BOARD AND COUNCIL.**

15 (a) ARCHITECTURAL AND TRANSPORTATION BAR-
16 RIERS COMPLIANCE BOARD.—Section 502(j) (29 U.S.C.
17 792(j)) is amended by striking “1999 through 2003” and
18 inserting “2012 through 2016”.

19 (b) PROGRAM OR ACTIVITY.—Section 504(b)(2)(B)
20 (29 U.S.C. 794(b)(2)(B)) is amended by striking “voca-
21 tional education” and inserting “career and technical edu-
22 cation”.

23 (c) INTERAGENCY DISABILITY COORDINATING COUN-
24 CIL.—Section 507(a) (29 U.S.C. 794e(a)) is amended by

1 inserting “the Chairperson of the National Council on Dis-
2 ability,” before “and such other”.

3 **SEC. 557. PROTECTION AND ADVOCACY OF INDIVIDUAL**
4 **RIGHTS.**

5 Section 509 (29 U.S.C. 794e) is amended—

6 (1) in subsection (c)(1)(A), by inserting “a
7 grant or contract for” before “training”;

8 (2) in subsection (f)—

9 (A) in paragraph (2)—

10 (i) by striking “general” and all that
11 follows through “records” and inserting
12 “general authorities (including rights and
13 remedies), including the authority to access
14 records”; and

15 (ii) by inserting “of title I” after
16 “subtitle C”; and

17 (B) in paragraph (3), by striking “author-
18 ity” and inserting “authority (including the
19 right)”;

20 (3) in subsection (g)(2), by striking “was paid”
21 and all that follows and inserting “was paid, except
22 that program income generated from the amount
23 paid to an eligible system for a fiscal year shall re-
24 main available to such system in accordance with
25 section 19 of this Act.”;

1 (4) in subsection (l), by striking “1999 through
2 2003” and inserting “2012 through 2016”;

3 (5) by redesignating subsections (l) and (m) as
4 subsections (m) and (n), respectively; and

5 (6) by inserting after subsection (k) the fol-
6 lowing:

7 “(l) SYSTEM AUTHORITY.—For purposes of serving
8 persons eligible for services under this section, an eligible
9 system shall have the same general authorities, including
10 access to records, as the system is afforded under subtitle
11 C of title I of the Developmental Disabilities Assistance
12 and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.),
13 as determined by the Commissioner of the Administration
14 on Developmental Disabilities.”.

15 **SEC. 558. STANDARDS FOR ACCESSIBLE MEDICAL DIAG-**
16 **NOSTIC EQUIPMENT.**

17 Section 510 (29 U.S.C. 794f) is amended—

18 (1) by redesignating subsection (c) as sub-
19 section (d);

20 (2) by inserting after subsection (b) the fol-
21 lowing:

22 “(c) REGULATIONS.—Not later than 6 months after
23 the date of the issuance of the standards under subsection
24 (a), each appropriate Federal agency authorized to pro-
25 mulgate regulations under section 504 or the Americans

1 with Disabilities Act of 1990 shall prescribe regulations
2 in an accessible format, to the extent necessary to carry
3 out the provisions of this section, section 504, and the
4 Americans with Disabilities Act of 1990, as applicable,
5 that include accessibility standards that are consistent
6 with the standards issued under subsection (a).”; and

7 (3) in subsection (d), as redesignated by para-
8 graph (1), by adding at the end the following: “Not
9 later than 6 months after the date of the issuance
10 of such amended standards, each Federal agency
11 covered by subsection (c) shall prescribe revised reg-
12 ulations, in an accessible format, that are consistent
13 with the amended standards.”.

14 **Subtitle G—Employment Opportu-**
15 **nities for Individuals With Dis-**
16 **abilities**

17 **SEC. 561. PROJECTS WITH INDUSTRY.**

18 Section 611 (29 U.S.C. 795) is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (1)—

21 (i) by striking “in the competitive”
22 and inserting “in competitive integrated
23 employment in the”; and

24 (ii) by inserting “locally” after “ca-
25 reer advancement”;

1 (B) in paragraph (2)—

2 (i) in the matter preceding subpara-
3 graph (A)—

4 (I) by inserting “local and na-
5 tional” after “jointly financed”; and

6 (II) by inserting “in competitive
7 integrated employment” after “career
8 opportunities”;

9 (ii) in subparagraph (A)—

10 (I) by striking clause (ii) and in-
11 sserting the following:

12 “(ii) identify job and career availability
13 within the community in consultations with
14 local workforce investment boards, consistent
15 with the existing and emerging in-demand in-
16 dustry sectors and occupations as defined in
17 section 101 of the Workforce Investment Act of
18 2012, and the employment needs of employers
19 in those industry sectors and occupations;”;

20 (II) in clause (iii), by striking
21 “and” after the semicolon;

22 (III) in clause (iv), by inserting
23 “and” after the semicolon; and

24 (IV) by adding at the end the fol-
25 lowing:

1 “(v) coordinate such training and job
2 placement activities with the local workforce in-
3 vestment boards described in clause (ii) as ap-
4 propriate, and with the Job Corps center indus-
5 try councils established under section 154 of
6 the Workforce Investment Act of 2012.”; and

7 (iii) in subparagraph (C)—

8 (I) in clause (i), by striking
9 “and” after the semicolon;

10 (II) by redesignating clause (ii)
11 as clause (iii); and

12 (III) by inserting after clause (i)
13 the following:

14 “(ii) internship programs for individuals
15 with disabilities who seek employment; and”;

16 (2) in subsection (e)(2), by striking “in States,
17 portions of States, Indian tribes, or tribal organiza-
18 tions” and inserting “nationally or in States, in por-
19 tions of States, across multiple States, or in Indian
20 tribes or tribal organizations”; and

21 (3) by adding at the end the following:

22 “(i) PROHIBITED USE OF FUNDS.—Grant funds
23 awarded under this section shall not be used to support
24 services in sheltered workshops or segregated settings.”.

1 **SEC. 562. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 612 (29 U.S.C. 795a) is amended by striking
3 “fiscal years 1999 through 2003” and inserting “fiscal
4 years 2012 through 2016”.

5 **SEC. 563. SUPPORTED EMPLOYMENT SERVICES.**

6 Part B of title VI (29 U.S.C. 795g) is amended to
7 read as follows:

8 **“PART B—SUPPORTED EMPLOYMENT SERVICES**

9 **“SEC. 621. PURPOSE.**

10 “It is the purpose of this part to authorize allotments,
11 in addition to grants for vocational rehabilitation services
12 under title I, to assist States in developing collaborative
13 programs with appropriate entities to provide supported
14 employment services for individuals with the most signifi-
15 cant disabilities, including youth with the most significant
16 disabilities, to enable such individuals to achieve an em-
17 ployment outcome of supported employment in competitive
18 integrated employment.

19 **“SEC. 622. ALLOTMENTS.**

20 “(a) IN GENERAL.—

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

25 “(A) no State shall receive less than
26 \$250,000, or $\frac{1}{3}$ of 1 percent of the sums ap-

1 appropriated for the fiscal year for which the al-
2 lotment is made, whichever amount is greater;
3 and

4 “(B) if the sums appropriated to carry out
5 this part for the fiscal year exceed the sums ap-
6 propriated to carry out this part for fiscal year
7 1992 by \$1,000,000 or more, no State shall re-
8 ceive less than \$300,000, or $\frac{1}{3}$ of 1 percent of
9 the sums appropriated for the fiscal year for
10 which the allotment is made, whichever amount
11 is greater.

12 “(2) CERTAIN TERRITORIES.—

13 “(A) IN GENERAL.—For the purposes of
14 this subsection, Guam, American Samoa, the
15 United States Virgin Islands, and the Common-
16 wealth of the Northern Mariana Islands shall
17 not be considered to be States.

18 “(B) ALLOTMENT.—Each jurisdiction de-
19 scribed in subparagraph (A) shall be allotted
20 not less than $\frac{1}{8}$ of 1 percent of the amounts
21 appropriated for the fiscal year for which the
22 allotment is made.

23 “(b) REALLOTMENT.—Whenever the Commissioner
24 determines that any amount of an allotment to a State
25 for any fiscal year will not be expended by such State for

1 carrying out the provisions of this part, the Commissioner
2 shall make such amount available for carrying out the pro-
3 visions of this part to one or more of the States that the
4 Commissioner determines will be able to use additional
5 amounts during such year for carrying out such provi-
6 sions. Any amount made available to a State for any fiscal
7 year pursuant to the preceding sentence shall, for the pur-
8 poses of this section, be regarded as an increase in the
9 allotment of the State (as determined under the preceding
10 provisions of this section) for such year.

11 “(c) LIMITATIONS ON ADMINISTRATIVE COSTS.—A
12 State that receives an allotment under this part shall not
13 use more than 5 percent of the funds made available
14 through the allotment to pay for administrative costs.

15 “(d) SERVICES FOR YOUTH WITH THE MOST SIG-
16 NIFICANT DISABILITIES.—A State that receives an allot-
17 ment under this part shall expend half of the allotment
18 for the provision of supported employment services, in-
19 cluding extended services, to youth with the most signifi-
20 cant disabilities in order to assist those youth to achieve
21 an employment outcome in supported employment.

22 **“SEC. 623. AVAILABILITY OF SERVICES.**

23 “(a) SUPPORTED EMPLOYMENT SERVICES.—Funds
24 provided under this part may be used to provide supported

1 employment services to individuals who are eligible under
2 this part.

3 “(b) **EXTENDED SERVICES.**—Except as provided in
4 paragraph (c), funds provided under this part, or title I,
5 may not be used to provide extended services to individuals
6 who are eligible under this part or title I.

7 “(c) **EXTENDED SERVICES FOR YOUTH WITH THE**
8 **MOST SIGNIFICANT DISABILITIES.**—Funds allotted under
9 this part, or title I, and used for the provision of services
10 under this part to youth with the most significant disabil-
11 ities pursuant to section 622(d) of this part, may be used
12 to provide extended services to youth with the most signifi-
13 cant disabilities for a period not to exceed four years.

14 **“SEC. 624. ELIGIBILITY.**

15 “An individual, including a youth with a disability,
16 shall be eligible under this part to receive supported em-
17 ployment services authorized under this part if—

18 “(1) the individual, including a youth with a
19 disability, is eligible for vocational rehabilitation
20 services under title I;

21 “(2) the individual, including a youth, is deter-
22 mined to be an individual with a most significant
23 disability; and

24 “(3) a comprehensive assessment of rehabilita-
25 tion needs of the individual or youth described in

1 section 7(2)(B), including an evaluation of rehabili-
2 tation, career, and job needs, identifies supported
3 employment as the appropriate employment outcome
4 for the individual or youth.

5 **“SEC. 625. STATE PLAN.**

6 “(a) STATE PLAN SUPPLEMENTS.—To be eligible for
7 an allotment under this part, a State shall submit to the
8 Commissioner, as part of the State plan under section
9 101, a State plan supplement for providing supported em-
10 ployment services authorized under this Act to individuals,
11 including youth with the most significant disabilities, who
12 are eligible under this Act to receive the services. Each
13 State shall make such annual revisions in the plan supple-
14 ment as may be necessary.

15 “(b) CONTENTS.—Each such plan supplement
16 shall—

17 “(1) indicate each designated State agency as
18 the agency to administer the program assisted under
19 this part;

20 “(2) summarize the results of the comprehen-
21 sive, statewide assessment conducted under section
22 101(a)(15)(A)(i), with respect to the rehabilitation
23 needs of individuals, including youth, with signifi-
24 cant disabilities and the need for supported employ-

1 ment services, including needs related to coordina-
2 tion;

3 “(3) describe the quality, scope, and extent of
4 supported employment services authorized under this
5 Act to be provided to individuals, including youth
6 with the most significant disabilities, who are eligible
7 under this Act to receive the services and specify the
8 goals and plans of the State with respect to the dis-
9 tribution of funds received under section 622;

10 “(4) demonstrate evidence of the efforts of the
11 designated State agency to identify and make ar-
12 rangements (including entering into cooperative
13 agreements) with other State agencies and other ap-
14 propriate entities to assist in the provision of sup-
15 ported employment services;

16 “(5) demonstrate evidence of the efforts of the
17 designated State agency to identify and make ar-
18 rangements (including entering into cooperative
19 agreements) with other public or nonprofit agencies
20 or organizations within the State, employers, natural
21 supports, and other entities with respect to the pro-
22 vision of extended services;

23 “(6) a description of the activities to be con-
24 ducted under this part, using the funds specified in
25 section 622(d) of this title, for providing supported

1 employment services to youth with the most signifi-
2 cant disabilities, including—

3 “(A) the provision of extended services for
4 a period not to exceed four years; and

5 “(B) how the State will use the funds spec-
6 ified in section 622(d) to leverage other public
7 and private funds to increase resources for ex-
8 tended services and expand supported employ-
9 ment opportunities for youth with the most sig-
10 nificant disabilities;

11 “(7) provide assurances that—

12 “(A) funds made available under this part
13 will only be used to provide supported employ-
14 ment services authorized under this Act to indi-
15 viduals, including youth, who are eligible under
16 this part to receive the services;

17 “(B) the comprehensive assessments of in-
18 dividuals with significant disabilities, including
19 youth with the most significant disabilities, con-
20 ducted under section 102(b)(1) and funded
21 under title I will include consideration of sup-
22 ported employment as an appropriate employ-
23 ment outcome;

24 “(C) an individualized plan for employ-
25 ment, as required by section 102, will be devel-

1 oped and updated using funds under title I in
2 order to—

3 “(i) specify the supported employment
4 services to be provided, including as appro-
5 priate for youth with the most significant
6 disabilities, transition services and pre-em-
7 ployment transition services provided in ac-
8 cordance with sections 101(a)(25) and
9 114;

10 “(ii) specify the expected extended
11 services needed, including the extended
12 services that may be provided to youth
13 with the most significant disabilities under
14 this part, in accordance with an approved
15 individualized plan for employment, for a
16 period not to exceed four years; and

17 “(iii) identify, as appropriate, the
18 source of extended services, which may in-
19 clude natural supports, or to the extent
20 that it is not possible to identify the source
21 of extended services at the time the indi-
22 vidualized plan for employment is devel-
23 oped;

24 “(D) the State will use funds provided
25 under this part only to supplement, and not

1 supplant, the funds provided under title I, in
2 providing supported employment services speci-
3 fied in the individualized plan for employment;

4 “(E) services provided under an individual-
5 ized plan for employment will be coordinated
6 with services provided under other individual-
7 ized plans established under other Federal or
8 State programs;

9 “(F) to the extent jobs skills training is
10 provided, the training will be provided onsite;

11 “(G) supported employment services will
12 include placement in an integrated setting
13 based on the unique strengths, resources, prior-
14 ities, concerns, abilities, capabilities, interests,
15 and informed choice of individuals with the
16 most significant disabilities;

17 “(H) the State agencies designated under
18 paragraph (1) will expend not more than 5 per-
19 cent of the allotment of the State under this
20 part for administrative costs of carrying out
21 this part; and

22 “(I) with respect to supported employment
23 services provided to youth with the most signifi-
24 cant disabilities with the funds described in sec-
25 tion 622(d), the designated State agency will

1 provide, directly or indirectly through public or
2 private entities, non-Federal contributions to-
3 wards the grant award in an amount that is not
4 less than 10 percent of such costs; and

5 “(8) contain such other information and be sub-
6 mitted in such manner as the Commissioner may re-
7 quire.

8 **“SEC. 626. RESTRICTION.**

9 “Each State agency designated under section
10 625(b)(1) shall collect the information required by section
11 101(a)(10) separately for eligible—

12 “(1)(A) individuals receiving supported employ-
13 ment services under this part; and

14 “(B) individuals receiving supported employ-
15 ment services under title I; and

16 “(2)(A) youth receiving supported employment
17 services under this part; and

18 “(B) youth receiving supported employment
19 services under title I.

20 **“SEC. 627. SAVINGS PROVISION.**

21 “(a) SUPPORTED EMPLOYMENT SERVICES.—Noth-
22 ing in this Act shall be construed to prohibit a State from
23 providing supported employment services in accordance
24 with the State plan submitted under section 101 by using

1 funds made available through a State allotment under sec-
2 tion 110.

3 “(b) POST-EMPLOYMENT SERVICES.—Nothing in
4 this part shall be construed to prohibit a State from pro-
5 viding discrete post-employment services in accordance
6 with the State plan submitted under section 101 by using
7 funds made available through a State allotment under sec-
8 tion 110 to an individual who is eligible under this sub-
9 part.

10 **“SEC. 628. AUTHORIZATION OF APPROPRIATIONS.**

11 “There is authorized to be appropriated to carry out
12 this part, including for technical assistance, such sums as
13 may be necessary for each of the fiscal years 2012 through
14 2016.”.

15 **Subtitle H—Independent Living**
16 **Services and Centers for Inde-**
17 **pendent Living**

18 **CHAPTER 1—GENERAL PROVISIONS**

19 **SEC. 571. PURPOSE.**

20 Section 701 (29 U.S.C. 796) is amended, in para-
21 graph (3), by inserting before the period the following: “,
22 with the goal of improving the independence of and equal
23 opportunity for individuals with disabilities”.

1 **SEC. 572. INDEPENDENT LIVING ADMINISTRATION.**

2 Title VII (29 U.S.C. 796 et seq.) is amended by in-
3 serting after section 701 the following:

4 **“SEC. 701A. INDEPENDENT LIVING ADMINISTRATION.**

5 “(a) **ESTABLISHMENT.**—In order to promote the phi-
6 losophy and purpose of section 701, there is established
7 within the Department of Education an Independent Liv-
8 ing Administration, independent of the Rehabilitation
9 Services Administration.

10 “(b) **DIRECTOR.**—The Independent Living Adminis-
11 tration shall be headed by a Director (referred to in this
12 title as the ‘ILA Director’) appointed by the Secretary.
13 The ILA Director shall not have been an employee of the
14 Department of Education during the 90-day period before
15 such appointment, and shall have substantial knowledge
16 of independent living services. The Independent Living
17 Administration shall be the principal agency, and the ILA
18 Director shall be the principal officer, of the Department
19 for carrying out this title. The ILA Director shall have
20 the same reporting relationship as is outlined in section
21 202(a)(2), and shall be a different individual than the
22 Commissioner.

23 “(c) **GENERAL COUNSEL.**—The Office of the General
24 Counsel of the Department of Education shall designate
25 1 or more individuals, with substantial background in and
26 knowledge of independent living services and centers for

1 independent living under this title, to provide advice, sup-
2 port, and technical assistance to the ILA Director.

3 “(d) INPUT.—The ILA Director shall have the au-
4 thority to seek such input and advice, including convening
5 meetings, as the ILA Director determines to be appro-
6 priate with respect to the policies and conduct of the Inde-
7 pendent Living Administration.

8 “(e) STAFF.—The Secretary shall ensure that—

9 “(1) the Independent Living Administration has
10 sufficient staff to provide oversight of, conduct au-
11 diting of, and provide technical assistance to, the
12 centers for independent living and Statewide Inde-
13 pendent Living Councils funded under this Act; and

14 “(2) such staff includes qualified individuals
15 who have significant experience with centers for
16 independent living or Statewide Independent Living
17 Councils described in section 705.”

18 **SEC. 573. DEFINITIONS.**

19 Section 702 (29 U.S.C. 796a) is amended—

20 (1) in paragraph (1)—

21 (A) in the matter before subparagraph (A),
22 by inserting “for individuals with significant
23 disabilities (regardless of age or income)” be-
24 fore “that—”;

1 (B) in subparagraph (A), by striking
2 “and” at the end;

3 (C) in subparagraph (B), by striking the
4 period and inserting “, including, at a min-
5 imum, independent living core services as de-
6 fined in section 7(17); and”; and

7 (D) by adding at the end the following:

8 “(C) has sufficient staff to provide the
9 services described in subparagraph (B).”; and

10 (2) in paragraph (2), by striking the period and
11 inserting the following: “, both in terms of—

12 “(A) the management, staffing, decision-
13 making, and operation of the center; and

14 “(B) the center’s establishment of policies,
15 direction, and provision of services.”.

16 **SEC. 574. STATE PLAN.**

17 Section 704 (29 U.S.C. 796c) is amended—

18 (1) in subsection (a)—

19 (A) in paragraph (1)—

20 (i) by inserting after “State plan” the
21 following: “developed and signed in accord-
22 ance with paragraph (2).”; and

23 (ii) by striking “Commissioner” each
24 place it appears and inserting “ILA Direc-
25 tor”;

1 (B) in paragraph (2)—

2 (i) in the matter preceding subpara-
3 graph (A), by striking “developed and
4 signed by”; and

5 (ii) by striking subparagraphs (A) and
6 (B) and inserting the following:

7 “(A) developed by the chairperson of the
8 Statewide Independent Living Council, the di-
9 rector of the designated State entity described
10 in subsection (c), and the directors of the cen-
11 ters for independent living in the State, after
12 receiving public input from individuals with dis-
13 abilities throughout the State; and

14 “(B) signed by—

15 “(i) the chairperson of the Statewide
16 Independent Living Council, acting on be-
17 half of and at the direction of the Council;

18 “(ii) the director of the designated
19 State entity described in subsection (c);
20 and

21 “(iii) not less than 51 percent of the
22 directors of the centers for independent liv-
23 ing in the State.”;

24 (C) in paragraph (3)—

1 (i) in subparagraph (A), by striking
2 “State independent living services” and in-
3 serting “independent living services in the
4 State”;

5 (ii) in subparagraph (B), by striking
6 “and” at the end; and

7 (iii) by striking subparagraph (C) and
8 inserting the following:

9 “(C) working relationships and collabora-
10 tion between—

11 “(i) centers for independent living;
12 and

13 “(ii)(I) entities carrying out programs
14 that provide independent living services, in-
15 cluding those serving older individuals;

16 “(II) other community-based organi-
17 zations that provide or coordinate the pro-
18 vision of housing, transportation, employ-
19 ment, information and referral assistance,
20 services, and supports for individuals with
21 significant disabilities; and

22 “(III) entities carrying out the voca-
23 tional rehabilitation program established
24 under title I, and other programs providing

1 services for individuals with disabilities;
2 and

3 “(D) cooperative agreements and partner-
4 ships to provide a seamless model for provision
5 of services to individuals with disabilities and to
6 avoid duplication of services.”;

7 (D) in paragraph (4), by striking “Com-
8 missioner” each place it appears and inserting
9 “ILA Director”; and

10 (E) by adding at the end the following:

11 “(5) STATEWIDE BASIS.—The State plan shall
12 provide for the provision of independent living serv-
13 ices on a statewide basis, to the greatest extent pos-
14 sible, including through the establishment of addi-
15 tional centers for independent living or focused out-
16 reach to serve underserved populations.”;

17 (2) in subsection (b), by striking the period and
18 inserting the following: “, as well as a plan for fund-
19 ing the administrative costs of the Council.”;

20 (3) in subsection (c)—

21 (A) in the subsection heading, by striking
22 “UNIT” and inserting “ENTITY”;

23 (B) in the matter preceding paragraph (1),
24 by striking “the designated State unit of such
25 State” and inserting “a State entity of such

1 State (referred to in this title as the ‘designated
2 State entity’), which may be the designated
3 State unit, an entity within the designated
4 State agency, or an entity within a different
5 State agency,”;

6 (C) in paragraphs (3) and (4), by striking
7 “Commissioner” each place it appears and in-
8 serting “ILA Director”;

9 (D) in paragraph (3), by striking “and” at
10 the end; and

11 (E) in paragraph (4), by striking the pe-
12 riod and inserting “; and”;

13 (4) in subsection (i), by striking paragraphs (1)
14 and (2) and inserting the following:

15 “(1) the Statewide Independent Living Council;

16 “(2) centers for independent living;

17 “(3) the designated State entity; and

18 “(4) other State agencies or entities rep-
19 resented on the Council, other councils that address
20 the needs and issues of specific disability popu-
21 lations, and other public and private entities deter-
22 mined to be appropriate by the Council.”;

23 (5) in subsection (m)—

1 (A) in paragraph (4), by striking “Com-
2 missioner” each place it appears and inserting
3 “ILA Director”; and

4 (B) in paragraph (5), by striking “Com-
5 missioner” each place it appears and inserting
6 “ILA Director”; and

7 (6) by adding at the end the following:

8 “(o) PROMOTING FULL ACCESS TO COMMUNITY
9 LIFE.—

10 “(1) IN GENERAL.—The plan shall describe
11 how the State will provide independent living serv-
12 ices that promote full access to community life for
13 individuals with significant disabilities.

14 “(2) SERVICES.—The services shall include—

15 “(A) facilitating transitions of individuals
16 with significant disabilities from nursing homes
17 and other institutions, to home- and commu-
18 nity-based residences, with the requisite sup-
19 ports and services;

20 “(B) providing assistance to individuals
21 with significant disabilities that are at risk of
22 entering institutions so that the individuals may
23 remain in the community; and

24 “(C) facilitating transitions of youth (in-
25 cluding students) who are individuals with sig-

1 nificant disabilities, who were eligible for indi-
2 vidualized education programs under section
3 614(d) of the Individuals with Disabilities Edu-
4 cation Act (20 U.S.C. 1414(d)), and who have
5 completed their secondary education or other-
6 wise left school, to postsecondary life, including
7 employment.”.

8 **SEC. 575. STATEWIDE INDEPENDENT LIVING COUNCIL.**

9 Section 705 (29 U.S.C. 796d) is amended—

10 (1) in subsection (b)—

11 (A) by striking paragraph (2) and insert-
12 ing the following:

13 “(2) COMPOSITION.—The Council shall in-
14 clude—

15 “(A) among its voting members, at least 1
16 director of a center for independent living cho-
17 sen by the directors of centers for independent
18 living within the State;

19 “(B) among its voting members, for a
20 State in which 1 or more centers are funded
21 under section 721(c)(4), at least 1 representa-
22 tive of the directors of the centers; and

23 “(C) as ex officio, nonvoting members, a
24 representative of the designated State entity,
25 and representatives from State agencies that

1 provide services for individuals with disabili-
2 ties.”;

3 (B) in paragraph (3)—

4 (i) by redesignating subparagraphs
5 (C) through (F) as subparagraphs (D)
6 through (G), respectively;

7 (ii) in subparagraph (B), by striking
8 “parents and guardians of”; and

9 (iii) by inserting after paragraph (B)
10 the following:

11 “(C) parents and guardians of individuals
12 with disabilities;”; and

13 (C) in paragraph (5)(B), by striking
14 “paragraph (3)” and inserting “paragraph
15 (1)”;

16 (2) by striking subsection (c) and inserting the
17 following:

18 “(c) FUNCTIONS.—

19 “(1) DUTIES.—The Council shall—

20 “(A) in conjunction with the directors of
21 the centers for independent living in the State,
22 and the designated State entity, jointly develop
23 and sign the State plan as provided in section
24 704(a)(2);

1 “(B) monitor, review, and evaluate the im-
2 plementation of the State plan;

3 “(C) have at least 4 regularly scheduled
4 meetings per year, and ensure that such meet-
5 ings of the Council are open to the public and
6 sufficient advance notice of such meetings is
7 provided;

8 “(D) submit to the ILA Director such
9 periodic reports as the ILA Director may rea-
10 sonably request, and keep such records, and af-
11 ford such access to such records, as the ILA
12 Director finds necessary to verify the informa-
13 tion in such reports; and

14 “(E) as appropriate, coordinate activities
15 with the State Rehabilitation Council estab-
16 lished under section 105, if the State has such
17 a Council, or the commission described in sec-
18 tion 101(a)(21)(A), if the State has such a
19 commission, and councils that address the
20 needs of specific disability populations and
21 issues under other Federal law.

22 “(2) AUTHORITIES.—The Council may, con-
23 sistent with the State plan described in section 704,
24 unless prohibited by State law—

1 “(A) facilitate the improvement and co-
2 ordination of services provided to individuals
3 with disabilities by centers for independent liv-
4 ing, the designated State unit, other govern-
5 ment agencies, and community organizations;

6 “(B) conduct resource development activi-
7 ties to obtain funding from public and private
8 resources to support the activities described in
9 this subsection or to support the provision of
10 independent living services by centers for inde-
11 pendent living; and

12 “(C) perform such other functions, con-
13 sistent with the purpose of this chapter and
14 comparable to other functions described in this
15 subsection, as the Council determines to be ap-
16 propriate.

17 “(3) LIMITATION.—The Council shall not pro-
18 vide independent living services directly to individ-
19 uals with significant disabilities or manage such
20 services.”;

21 (3) in subsection (e)—

22 (A) in paragraph (1), in the first sentence,
23 by striking “prepare” and all that follows
24 through “a plan” and inserting “prepare, in

1 conjunction with the designated State entity, a
2 plan”; and

3 (B) in paragraph (3), by striking “agency”
4 and inserting “entity”; and
5 (4) in subsection (f)—

6 (A) by striking “such resources” and in-
7 serting “available resources”; and

8 (B) by striking “(including” and all that
9 follows through “compensation” and inserting
10 “(such as personal assistance services), and to
11 pay reasonable compensation”.

12 **SEC. 576. RESPONSIBILITIES OF THE ILA DIRECTOR.**

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

14 (1) by striking the title of the section and in-
15 serting the following:

16 **“SEC. 706. RESPONSIBILITIES OF THE ILA DIRECTOR.”;**

17 (2) in subsection (a)—

18 (A) in paragraph (1), by striking “Com-
19 missioner” each place it appears and inserting
20 “ILA Director”; and

21 (B) in paragraph (2)—

22 (i) in subparagraph (A), by striking
23 “Commissioner” each place it appears and
24 inserting “ILA Director”; and

25 (ii) in subparagraph (B)—

1 (I) in clause (i)—
2 (aa) by striking “Secretary”
3 and inserting “Secretary or the
4 Commissioner”; and
5 (bb) by striking “to the
6 Commissioner; and” and insert-
7 ing “to the ILA Director;”;
8 (II) by redesignating clause (ii)
9 as clause (iii); and
10 (III) by inserting after clause (i)
11 the following:
12 “(ii) to the State agency shall be
13 deemed to be references to the designated
14 State entity; and”;
15 (3) by striking subsection (b) and inserting the
16 following:
17 “(b) INDICATORS.—Not later than 1 year after the
18 date of enactment of the Workforce Investment Act of
19 2012, the ILA Director shall develop and publish in the
20 Federal Register indicators of minimum compliance for
21 centers for independent living (consistent with the stand-
22 ards set forth in section 725), and indicators of minimum
23 compliance for Statewide Independent Living Councils.”;
24 (4) in subsection (c)—

1 (A) by striking paragraph (1) and insert-
2 ing the following:

3 “(1) REVIEWS.—

4 “(A) TYPES OF REVIEWS.—The ILA Di-
5 rector shall annually conduct—

6 “(i) onsite compliance reviews of at
7 least 15 percent of the centers for inde-
8 pendent living that receive funds under
9 section 722 and shall periodically conduct
10 such a review of each such center;

11 “(ii) onsite compliance reviews of at
12 least one-third of the designated State
13 units that receive funding under section
14 723, and, to the extent necessary to deter-
15 mine the compliance of such a State unit
16 with subsections (f) and (g) of section 723,
17 centers that receive funding under section
18 723 in such State; and

19 “(iii) onsite compliance reviews for at
20 least 10 percent of the Statewide Inde-
21 pendent Living Councils established in
22 each State under section 705.

23 “(B) SELECTIONS.—The ILA Director
24 shall select the centers, State units, and Coun-

1 cils described in this paragraph for review on a
2 random basis.”; and

3 (B) in paragraph (2)—

4 (i) in the matter preceding subpara-
5 graph (A), by striking “Commissioner”
6 and inserting “ILA Director”;

7 (ii) in subparagraph (A), by striking
8 “such a review” and inserting “a review
9 described in paragraph (1)”;

10 (iii) in subparagraphs (A) and (B), by
11 striking “Department” each place it ap-
12 pears and inserting “Independent Living
13 Administration”; and

14 (5) by striking subsection (d).

15 **CHAPTER 2—INDEPENDENT LIVING**

16 **SERVICES**

17 **SEC. 577. ADMINISTRATION.**

18 (a) ALLOTMENTS.—Section 711 (29 U.S.C. 796e) is
19 amended—

20 (1) in subsection (a)—

21 (A) in paragraph (1)(A)—

22 (i) by striking “Except” and inserting
23 “After the reservation required by section
24 711A is made, and except”; and

1 (ii) by inserting “the remainder of
2 the” before “sums appropriated”; and

3 (B) in paragraph (2)(B), by striking
4 “amounts made available for purposes of this
5 part” and inserting “remainder described in
6 paragraph (1)(A)”;

7 (2) in subsections (a), (b), and (c), by striking
8 “Commissioner” each place it appears and inserting
9 “ILA Director”; and

10 (3) by adding at the end the following:

11 “(d) ADMINISTRATION.—Funds allotted or made
12 available to a State under this section shall be adminis-
13 tered by the designated State entity, in accordance with
14 the approved State plan, except for States covered by sec-
15 tion 723.”.

16 (b) TRAINING AND TECHNICAL ASSISTANCE.—Part
17 B of title VII is amended by inserting after section 711
18 (29 U.S.C. 796e) the following:

19 **“SEC. 711A. TRAINING AND TECHNICAL ASSISTANCE.**

20 “(a) IN GENERAL.—From the funds appropriated to
21 carry out this part for any fiscal year, beginning with fis-
22 cal year 2012, the ILA Director shall first reserve not less
23 than 1.8 percent and not more than 2 percent of the funds
24 to provide training and technical assistance to Statewide
25 Independent Living Councils for such fiscal year.

1 “(b) ALLOCATION.—From the funds reserved under
2 subsection (a), the ILA Director shall make grants to, and
3 enter into contracts and other arrangements with, entities
4 that have experience in the operation of Statewide Inde-
5 pendent Living Councils to provide such training and tech-
6 nical assistance with respect to developing, conducting, ad-
7 ministering, and evaluating Statewide Independent Living
8 Councils.

9 “(c) FUNDING PRIORITIES.—The ILA Director shall
10 conduct a survey of Statewide Independent Living Coun-
11 cils regarding training and technical assistance needs in
12 order to determine funding priorities for such grants, con-
13 tracts, or other arrangements.

14 “(d) REVIEW.—To be eligible to receive a grant or
15 enter into a contract or other arrangement under this sec-
16 tion, such an entity shall submit an application to the ILA
17 Director at such time, in such manner, and containing a
18 proposal to provide such training and technical assistance,
19 and containing such additional information as the ILA Di-
20 rector may require. The ILA Director shall provide for
21 peer review of grant applications by panels that include
22 persons who are not government employees and who have
23 experience in the operation of Statewide Independent Liv-
24 ing Councils.”.

1 (c) PAYMENTS.—Section 712(a) (29 U.S.C. 796e–
2 1(a)) is amended by striking “Commissioner” and insert-
3 ing “ILA Director.”

4 (d) AUTHORIZED USES OF FUNDS.—Section 713 (29
5 U.S.C. 796e–2) is amended—

6 (1) by striking the matter preceding paragraph
7 (1) and inserting the following:

8 “(a) IN GENERAL.—The State may use funds re-
9 ceived under this part (but not more than 30 percent of
10 the funds paid to the State under section 712) to provide
11 the resources described in section 705(e), relating to the
12 Statewide Independent Living Council, may retain funds
13 under section 704(c)(5), and shall distribute the remain-
14 der of the funds received under this part in a manner con-
15 sistent with the approved State plan under section 704
16 for the activities described in subsection (b).

17 “(b) ACTIVITIES.—The State may use the remainder
18 of the funds described in subsection (a)—”; and

19 (2) in paragraph (1), by inserting “, particu-
20 larly those in unserved areas of the State” after
21 “disabilities”.

22 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
23 714 (29 U.S.C. 796e–3) is amended by striking “1999
24 through 2003” and inserting “2012 through 2016”.

1 **CHAPTER 3—CENTERS FOR**
2 **INDEPENDENT LIVING**

3 **SEC. 581. PROGRAM AUTHORIZATION.**

4 Section 721 (29 U.S.C. 796f) is amended—

5 (1) in subsection (a)—

6 (A) by striking “1999” and inserting
7 “2012”;

8 (B) by striking “Commissioner shall allot”
9 and inserting “ILA Director shall make avail-
10 able”; and

11 (C) by inserting “, centers for independent
12 living,” after “States”;

13 (2) in subsection (b)—

14 (A) in paragraph (1)—

15 (i) by striking “For” and all that fol-
16 lows through “Commissioner” and insert-
17 ing “From the funds appropriated to carry
18 out this part for any fiscal year, beginning
19 with fiscal year 2012, the ILA Director”;

20 (ii) by inserting “not less than 1.8
21 percent and not more than 2 percent of the
22 funds” after “reserve”; and

23 (iii) by striking “eligible agencies”
24 and all that follows and inserting “centers

1 for independent living and eligible agencies
2 for such fiscal year.”;

3 (B) in paragraph (2)—

4 (i) by striking “Commissioner” and
5 inserting “ILA Director”; and

6 (ii) by inserting “fiscal management
7 of,” before “planning.”;

8 (C) in paragraphs (3), (4), and (5), by
9 striking “Commissioner” each place it appears
10 and inserting “ILA Director”; and

11 (D) in paragraph (3), by striking “State-
12 wide Independent Living Councils and”;

13 (3) by striking subsection (c) and inserting the
14 following:

15 “(c) ALLOTMENTS TO STATES.—

16 “(1) DEFINITIONS.—In this subsection:

17 “(A) ADDITIONAL APPROPRIATION.—The
18 term ‘additional appropriation’ means the
19 amount (if any) by which the appropriation for
20 a fiscal year exceeds the total of—

21 “(i) the amount reserved under sub-
22 section (b) for that fiscal year; and

23 “(ii) the appropriation for fiscal year
24 2008.

1 “(B) APPROPRIATION.—The term ‘appro-
2 piation’ means the amount appropriated to
3 carry out this part.

4 “(C) BASE APPROPRIATION.—The term
5 ‘base appropriation’ means the portion of the
6 appropriation for a fiscal year that is equal to
7 the lesser of—

8 “(i) an amount equal to 100 percent
9 of the appropriation, minus the amount re-
10 served under subsection (b) for that fiscal
11 year; or

12 “(ii) the appropriation for fiscal year
13 2008.

14 “(2) ALLOTMENTS TO STATES FROM BASE AP-
15 PROPRIATION.—After the reservation required by
16 subsection (b) has been made, the ILA Director
17 shall allot to each State whose State plan has been
18 approved under section 706 an amount that bears
19 the same ratio to the base appropriation as the
20 amount the State received under this subsection for
21 fiscal year 2008 bears to the total amount that all
22 States received under this subsection for fiscal year
23 2008.

24 “(3) ALLOTMENTS TO STATES OF ADDITIONAL
25 APPROPRIATION.—From the portion of any addi-

1 tional appropriation for each fiscal year that remains
2 after the application of paragraph (4), the ILA Di-
3 rector shall allot to each State whose State plan has
4 been approved under section 706 an amount equal
5 to the sum of—

6 “(A) an amount that bears the same ratio
7 to 50 percent of the portion as the population
8 of the State bears to the population of all
9 States; and

10 “(B) $\frac{1}{56}$ of 50 percent of that portion.

11 “(4) GRANTS FOR CENTERS FOR AMERICAN IN-
12 DIANS.—

13 “(A) GRANTS.—The ILA Director may re-
14 serve not more than 5 percent of the additional
15 appropriation for any fiscal year. The ILA Di-
16 rector shall use the reserved funds to make in-
17 dividual grants to support new or existing cen-
18 ters for independent living run by, or in con-
19 junction with, the governing bodies of American
20 Indian tribes located on Federal or State res-
21 ervations (including consortia of such governing
22 bodies). A governing body that receives such a
23 grant shall use the grant funds for such a cen-
24 ter that serves American Indians who are indi-

1 viduals with disabilities residing on or near
2 such a reservation.

3 “(B) APPLICATIONS.—

4 “(i) IN GENERAL.—To be eligible to
5 receive a grant under this paragraph for
6 an independent living center, a governing
7 body, or a governing body in conjunction
8 with a center for independent living, shall
9 submit an application to the ILA Director
10 at such time, in such manner and con-
11 taining such information as the ILA Direc-
12 tor may require, and obtain approval for
13 the application.

14 “(ii) CONTENTS.—At a minimum, the
15 application shall contain an assurance that
16 the center—

17 “(I) will meet the definition of a
18 center for independent living under
19 section 702;

20 “(II) will provide independent liv-
21 ing core services (as defined in section
22 7(17)) to American Indians described
23 in subparagraph (A) and, in appro-
24 priate cases, may provide to such

1 American Indians services tradition-
2 ally used by Indian tribes;

3 “(III) will have sufficient staff to
4 provide the services described in sub-
5 clause (II); and

6 “(IV) will comply with the stand-
7 ards and provide and comply with the
8 assurances for centers for independent
9 living under section 725.

10 “(C) CARRYOVER AUTHORITY.—Notwith-
11 standing any other provision of law, any funds
12 provided through a grant made under subpara-
13 graph (A) to an individual grant recipient for a
14 fiscal year that are not obligated or expended
15 by the recipient prior to the beginning of the
16 succeeding fiscal year shall remain available for
17 obligation and expenditure by such recipient
18 during that succeeding fiscal year and the sub-
19 sequent fiscal year.

20 “(D) RESERVATION.—In this paragraph,
21 the term ‘reservation’ has the meaning given
22 the term in section 121(d).”;

23 (4) in subsection (d), by striking “Commis-
24 sioner” each place it appears and inserting “ILA Di-
25 rector”; and

1 (5) by adding at the end the following:

2 “(e) CARRYOVER AUTHORITY.—Notwithstanding any
3 other provision of law—

4 “(1) any funds appropriated for a fiscal year to
5 carry out a grant program under section 722 or
6 723, that are not obligated and expended by the re-
7 cipients prior to the beginning of the succeeding fis-
8 cal year shall remain available for obligation and ex-
9 penditure by such recipients during that succeeding
10 fiscal year and the subsequent fiscal year; and

11 “(2) any amounts of program income received
12 by recipients under a grant program under section
13 722 or 723 in a fiscal year, that are not obligated
14 and expended by the recipients prior to the begin-
15 ning of the succeeding fiscal year, shall remain avail-
16 able for obligation and expenditure by such recipi-
17 ents during that succeeding fiscal year and the sub-
18 sequent fiscal year.”.

19 **SEC. 582. CENTERS.**

20 (a) CENTERS IN STATES IN WHICH FEDERAL FUND-
21 ING EXCEEDS STATE FUNDING.—Section 722 (29 U.S.C.
22 796f–1) is amended—

23 (1) in subsections (a), (b), and (c), by striking
24 “Commissioner” each place it appears and inserting
25 “ILA Director”;

1 (2) in subsection (c)—

2 (A) by striking “grants” and inserting
3 “grants for a fiscal year”; and

4 (B) by striking “by September 30, 1997”
5 and inserting “for the preceding fiscal year”;

6 (3) in subsection (d)—

7 (A) in paragraph (1)—

8 (i) by striking “Commissioner” and
9 inserting “ILA Director”; and

10 (ii) by striking “region, consistent”
11 and all that follows and inserting “region.
12 The ILA Director’s determination of the
13 most qualified applicant shall be consistent
14 with the provisions in the State plan set-
15 ting forth the design of the State for es-
16 tablishing a statewide network of centers
17 for independent living.”; and

18 (B) in paragraph (2)—

19 (i) in the matter preceding subpara-
20 graph (A), by striking “Commissioner”
21 and inserting “ILA Director”; and

22 (ii) by striking subparagraph (A) and
23 inserting the following:

24 “(A) shall consider comments regarding
25 the application—

1 “(i) by individuals with disabilities
2 and other interested parties within the new
3 region proposed to be served;

4 “(ii) if any, by the Statewide Inde-
5 pendent Living Council in the State in
6 which the applicant is located;”; and

7 (iii) in subparagraph (C), by inserting
8 “, and consistent with the other objectives
9 of this title” before the period; and

10 (4) in subsections (e) and (g) by striking “Com-
11 missioner” each place it appears and inserting “ILA
12 Director.”.

13 (b) CENTERS IN STATES IN WHICH STATE FUNDING
14 EXCEEDS FEDERAL FUNDING.—Section 723 (29 U.S.C.
15 796f–2) is amended—

16 (1) in subsections (a), (b), (g), (h), and (i), by
17 striking “Commissioner” each place it appears and
18 inserting “ILA Director”;

19 (2) in subsection (a), in the header of para-
20 graph (3), by striking “COMMISSIONER” and insert-
21 ing “ILA DIRECTOR”; and

22 (3) in subsection (c)—

23 (A) by striking “grants” and inserting
24 “grants for a fiscal year”; and

1 (B) by striking “by September 30, 1997”
2 and inserting “for the preceding fiscal year”.

3 (c) CENTERS OPERATED BY STATE AGENCIES.—Sec-
4 tion 724 (29 U.S.C. 796f–3) is amended—

5 (1) in the matter preceding paragraph (1)—

6 (A) by striking “1993” and inserting
7 “2012”;

8 (B) by striking “Rehabilitation Act
9 Amendments of 1998” and inserting “Work-
10 force Investment Act of 2012”; and

11 (C) by striking “1994” and inserting
12 “2012”; and

13 (2) by striking “Commissioner” each place it
14 appears and inserting “ILA Director”.

15 **SEC. 583. STANDARDS AND ASSURANCES.**

16 Section 725 (29 U.S.C. 796f–4) is amended—

17 (1) in subsection (b)—

18 (A) in paragraph (1)(D), by striking “to
19 society” and inserting “, both within the com-
20 munity and throughout the United States,”;
21 and

22 (B) in paragraph (5)—

23 (i) by inserting “(as defined in section
24 7(17))” after “core services”; and

1 (ii) by inserting before the period the
2 following: “to eligible individuals, to pro-
3 mote full access to community life”; and

4 (2) in subsection (c), by striking “Commis-
5 sioner” each place it appears and inserting “ILA Di-
6 rector”.

7 **SEC. 584. AUTHORIZATION OF APPROPRIATIONS.**

8 Section 727 (29 U.S.C. 796f–6) is amended by strik-
9 ing “fiscal years 1999 through 2003” and inserting “fiscal
10 years 2012 through 2016”.

11 **CHAPTER 4—INDEPENDENT LIVING SERV-**
12 **ICES FOR OLDER INDIVIDUALS WHO**
13 **ARE BLIND**

14 **SEC. 586. INDEPENDENT LIVING SERVICES FOR OLDER IN-**
15 **DIVIDUALS WHO ARE BLIND.**

16 Chapter 2 of title VII of the Rehabilitation Act of
17 1973 (29 U.S.C. 796j et seq.) is amended—

18 (1) by redesignating sections 752 and 753 as
19 sections 753 and 754, respectively; and

20 (2) by inserting after section 751 the following:

21 **“SEC. 752. TRAINING AND TECHNICAL ASSISTANCE.**

22 **“(a) GRANTS; CONTRACTS; OTHER ARRANGE-**
23 **MENTS.—**For any fiscal year for which the funds appro-
24 priated to carry out this chapter exceed the funds appro-
25 priated to carry out this chapter for fiscal year 2008, the

1 Commissioner shall first reserve from such excess, to pro-
2 vide training and technical assistance to designated State
3 agencies, or other providers of independent living services
4 for older individuals who are blind, that are funded under
5 this chapter for such fiscal year, not less than 1.8 percent,
6 and not more than 2 percent, of the funds appropriated
7 to carry out this chapter for the fiscal year involved.

8 “(b) ALLOCATION.—From the funds reserved under
9 subsection (a), the Commissioner shall make grants to,
10 and enter into contracts and other arrangements with, en-
11 tities that demonstrate expertise in the provision of serv-
12 ices to older individuals who are blind, to provide training
13 and technical assistance with respect to planning, devel-
14 oping, conducting, administering, and evaluating inde-
15 pendent living programs for older individuals who are
16 blind.

17 “(c) FUNDING PRIORITIES.—The Commissioner shall
18 conduct a survey of designated State agencies that receive
19 grants under section 753 regarding training and technical
20 assistance needs in order to determine funding priorities
21 for grants, contracts, and other arrangements under this
22 section.

23 “(d) APPLICATION.—To be eligible to receive a grant
24 or enter into a contract or other arrangement under this
25 section, an entity shall submit an application to the Com-

1 missioner at such time, in such manner, containing a pro-
2 posal to provide such training and technical assistance,
3 and containing such additional information as the Com-
4 missioner may require.

5 “(e) PROHIBITION ON COMBINED FUNDS.—No funds
6 reserved by the Commissioner under this section may be
7 combined with funds appropriated under any other Act or
8 portion of this Act if the purpose of combining funds is
9 to make a single discretionary grant or a single discre-
10 tionary payment, unless such reserved funds are sepa-
11 rately identified in the agreement for such grant or pay-
12 ment and are used for the purposes of this chapter.”.

13 **SEC. 587. PROGRAM OF GRANTS.**

14 Section 753 of the Rehabilitation Act of 1973 (29
15 U.S.C. 796k), as redesignated by section 486, is amend-
16 ed—

17 (1) by striking subsection (h);

18 (2) by redesignating subsections (i) and (j) as
19 subsections (h) and (i), respectively;

20 (3) in subsection (b), by striking “section 753”
21 and inserting “section 754”;

22 (4) in subsection (c)—

23 (A) in paragraph (1), by striking “section
24 753” and inserting “section 754”; and

25 (B) in paragraph (2)—

1 (i) by striking “subsection (j)” and in-
2 serting “subsection (i)”; and

3 (ii) by striking “subsection (i)” and
4 inserting “subsection (h)”;

5 (5) in subsection (g), by inserting “, or con-
6 tracts with,” after “grants to”;

7 (6) in subsection (h), as redesignated by para-
8 graph (2)—

9 (A) in paragraph (1), by striking “sub-
10 section (j)(4)” and inserting “subsection
11 (i)(4)”; and

12 (B) in paragraph (2)—

13 (i) in subparagraph (A)(vi), by adding
14 “and” after the semicolon;

15 (ii) in subparagraph (B)(ii)(III), by
16 striking “; and” and inserting a period;
17 and

18 (iii) by striking subparagraph (C);

19 and

20 (7) in subsection (i), as redesignated by para-
21 graph (2)—

22 (A) by striking paragraph (2) and insert-
23 ing the following:

24 “(2) MINIMUM ALLOTMENT.—

1 “(A) STATES.—In the case of any of the
2 several States, the District of Columbia, or the
3 Commonwealth of Puerto Rico, the amount re-
4 ferred to in paragraph (1)(A) for a fiscal year
5 is the greater of—

6 “(i) \$350,000;

7 “(ii) an amount equal to the amount
8 the State, the District of Columbia, or the
9 Commonwealth of Puerto Rico received to
10 carry out this chapter for fiscal year 2008;
11 or

12 “(iii) an amount equal to $\frac{1}{3}$ of 1 per-
13 cent of the amount appropriated under sec-
14 tion 754, and not reserved under section
15 752, for the fiscal year and available for
16 allotments under subsection (a).

17 “(B) CERTAIN TERRITORIES.—In the case
18 of Guam, American Samoa, the United States
19 Virgin Islands, or the Commonwealth of the
20 Northern Mariana Islands, the amount referred
21 to in paragraph (1)(A) for a fiscal year is
22 \$60,000.”;

23 (B) in paragraph (3)(A), by striking “sec-
24 tion 753” and inserting “section 754, and not
25 reserved under section 752,”; and

1 (C) in paragraph (4)(B)(i), by striking
2 “subsection (i)” and inserting “subsection (h)”.

3 **SEC. 588. INDEPENDENT LIVING SERVICES FOR OLDER IN-**
4 **DIVIDUALS WHO ARE BLIND AUTHORIZATION**
5 **OF APPROPRIATIONS.**

6 Section 754 of the Rehabilitation Act of 1973 (29
7 U.S.C. 796l), as redesignated by section 486, is amended
8 by striking “fiscal years 1999 through 2003” and insert-
9 ing “fiscal years 2012 through 2016”.

10 **Subtitle I—Increasing Employment**
11 **Opportunities for Individuals**
12 **With Disabilities**

13 **SEC. 591. DISABILITY EMPLOYMENT.**

14 The Rehabilitation Act of 1973 (29 U.S.C. 701 et
15 seq.) is amended by adding at the end the following:

16 **“TITLE VIII—INCREASING EM-**
17 **PLOYMENT OPPORTUNITIES**
18 **FOR INDIVIDUALS WITH DIS-**
19 **ABILITIES**

20 **“SEC. 801. PUBLIC EDUCATION CAMPAIGNS ABOUT HIRING**
21 **INDIVIDUALS WITH DISABILITIES.**

22 “(a) IN GENERAL.—Not later than 120 days after
23 the date of enactment of the Workforce Investment Act
24 of 2012, the Secretary of Labor, acting through the As-
25 sistant Secretary and in consultation with the Commis-

1 sioner of the Rehabilitation Services Administration, the
2 Commissioner of Social Security, the Commissioner of the
3 Internal Revenue Service, and the heads of other relevant
4 Federal agencies and divisions of Federal agencies, shall
5 develop and carry out public education campaigns that
6 educate employers (including small businesses), employees
7 (including individuals with disabilities), and members of
8 the general public (including young adults) on the benefits
9 of hiring individuals with disabilities. The public education
10 campaign for employers (including small businesses) shall
11 include information on—

12 “(1) the work opportunity credit under section
13 51 of the Internal Revenue Code of 1986; and

14 “(2) tax incentives available to businesses to
15 help cover the cost of improving accessibility, includ-
16 ing—

17 “(A) the disabled access credit under sec-
18 tion 44 of the Internal Revenue Code of 1986;
19 and

20 “(B) the tax deduction available under sec-
21 tion 190 of the Internal Revenue Code of 1986,
22 for expenses for architectural barrier removal.

23 “(b) EDUCATIONAL MATERIALS.—The public edu-
24 cation campaigns described in subsection (a) shall include,
25 as necessary, different educational materials in order to

1 adequately target and educate, small businesses, employ-
2 ers generally, employees, and members of the general pub-
3 lic, including educational materials on work incentives that
4 may assist individuals with disabilities in leaving programs
5 of public benefits, entering the workforce, advancing their
6 economic status, and contributing to and participating
7 more fully in their communities.”.

8 **SEC. 592. TABLE OF CONTENTS.**

9 The table of contents in section 1(b) is amended—

10 (1) by striking the item relating to section 109

11 and inserting the following:

“Sec. 109. Training and services for employers.”;

12 (2) by inserting after the item relating to sec-

13 tion 112 the following:

“Sec. 113. Additional technical assistance.

“Sec. 114. Pre-employment transition services.”;

14 (3) by inserting after the item relating to sec-

15 tion 205 the following:

“Sec. 206. Definition of covered school.”;

16 (4) by inserting after the item relating to sec-

17 tion 509 the following:

“Sec. 510. Establishment of standards for accessible medical diagnostic equip-
ment.”;

18 (5) by striking the items relating to part B of

19 title VI and inserting the following:

“PART B—SUPPORTED EMPLOYMENT SERVICES

“Sec. 620. Authorization of appropriations.”;

20 (6) in the items relating to title VII—

1 (A)(i) by inserting after the item relating
2 to section 701 the following:

“Sec. 701A. Independent Living Administration.”;

3 and

4 (ii) by striking the item relating to section
5 706 and inserting the following:

“Sec. 706. Responsibilities of the ILA Director.”;

6 (B) by inserting after the item relating to
7 section 711 the following:

“Sec. 711A. Training and technical assistance.”;

8 and

9 (C) by striking the items relating to sec-
10 tions 752 and 753 and inserting the following:

“Sec. 752. Training and technical assistance.

“Sec. 753. Program of grants.

“Sec. 754. Authorization of appropriations.”;

11 and

12 (7) by adding at the end the following:

“TITLE VIII—INCREASING EMPLOYMENT OPPORTUNITIES FOR
INDIVIDUALS WITH DISABILITIES

“Sec. 801. Public education campaigns about hiring individuals with disabili-
ties.”.

