

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2016

To establish a National Commission on the Future of Disability, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 14 (legislative day, APRIL 11), 1994

Mr. DOLE introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To establish a National Commission on the Future of Disability, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Commission  
5 on the Future of Disability Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) the Nation’s proper goals regarding individ-  
9 uals with disabilities are to ensure equality of oppor-

1 tunity, full participation, independent living, and  
2 economic self-sufficiency for such individuals;

3 (2) the vast changes underway in the work-  
4 place, information technologies, and other aspects of  
5 society have been insufficiently studied for the op-  
6 portunities and hazards such changes present for in-  
7 dividuals with disabilities;

8 (3) the Federal Government has created many  
9 programs to serve the needs of individuals with dis-  
10 abilities, including programs that provide financial  
11 assistance, medical care, education, vocational reha-  
12 bilitation, housing, transportation, legal assistance,  
13 and rehabilitation research and training, but many  
14 of these programs operate in a manner that is incon-  
15 sistent with the Nation's goals, work at cross-pur-  
16 poses with each other, are outdated, or could other-  
17 wise be improved, and new programs to serve indi-  
18 viduals with disabilities may need to be established;

19 (4) there are Federal programs that are not  
20 viewed as disability programs, yet serve significant  
21 numbers of individuals with disabilities, and the im-  
22 pact and value of such programs for individuals with  
23 disabilities have received insufficient attention;

24 (5) the Nation is not well informed about the  
25 increasing number of Americans with disabilities,

1 and disability is a health and social welfare issue of  
2 growing proportions, for which the Nation is ill pre-  
3 pared; and

4 (6) it is incumbent upon the Federal Govern-  
5 ment to examine its programs that serve individuals  
6 with disabilities to ensure they are consistent with  
7 the Nation's goals, reflect the best use of its re-  
8 sources, and properly anticipate societal and techno-  
9 logical change.

10 **SEC. 3. ESTABLISHMENT.**

11 There is established a commission to be known as the  
12 National Commission on the Future of Disability (referred  
13 to in this Act as the "Commission").

14 **SEC. 4. DUTIES OF THE COMMISSION.**

15 (a) IN GENERAL.—The Commission shall develop  
16 and carry out a comprehensive study of all matters related  
17 to the nature, purpose, and adequacy of all Federal pro-  
18 grams serving individuals with disabilities, in particular,  
19 programs authorized under the Social Security Act, in  
20 terms of both current performance and future value.

21 (b) MATTERS STUDIED.—The Commission shall pre-  
22 pare an inventory of Federal programs serving individuals  
23 with disabilities, and shall examine—

24 (1) trends and projections regarding the size  
25 and characteristics of the population of individuals

1 with disabilities, and the implications of such analy-  
2 ses for program planning;

3 (2) the feasibility and design of performance  
4 standards for the Nation's disability programs;

5 (3) the adequacy of Federal efforts in rehabili-  
6 tation research and training, and opportunities to  
7 improve the lives of individuals with disabilities  
8 through all manners of scientific and engineering re-  
9 search; and

10 (4) the adequacy of policy research available to  
11 the Federal Government, and what actions might be  
12 undertaken to improve the quality and scope of such  
13 research.

14 (c) RECOMMENDATIONS.—The Commission shall  
15 submit to the appropriate committees of the Congress and  
16 to the President recommendations and, as appropriate,  
17 proposals for legislation regarding—

18 (1) which (if any) Federal disability programs  
19 should be eliminated or augmented;

20 (2) what new Federal disability programs (if  
21 any) should be established;

22 (3) the suitability of the organization and loca-  
23 tion of disability programs within the Federal Gov-  
24 ernment;

1 (4) other actions the Federal Government  
2 should take to prevent disabilities and disadvantages  
3 associated with disabilities; and

4 (5) such other matters as the Commission con-  
5 siders appropriate.

6 **SEC. 5. MEMBERSHIP.**

7 (a) NUMBER AND APPOINTMENT.—

8 (1) IN GENERAL.—The Commission shall be  
9 composed of 12 members, of whom—

10 (A) four shall be appointed by the Presi-  
11 dent, of whom not more than 2 shall be of the  
12 same major political party;

13 (B) two shall be appointed by the Majority  
14 Leader of the Senate;

15 (C) two shall be appointed by the Minority  
16 Leader of the Senate;

17 (D) two shall be appointed by the Speaker  
18 of the House of Representatives; and

19 (E) two shall be appointed by the Minority  
20 Leader of the House of Representatives.

21 (2) REPRESENTATION.—The Commission mem-  
22 bers shall be chosen based on their education, train-  
23 ing, or experience. In appointing individuals as  
24 members of the Commission, the President and the  
25 Majority and Minority Leaders of the Senate and

1 the Speaker and Minority Leader of the House of  
2 Representatives shall seek to ensure that the mem-  
3 bership of the Commission reflects the diversity of  
4 individuals with disabilities in the United States.

5 (b) COMPTROLLER GENERAL.—The Comptroller  
6 General shall serve on the Commission as an ex officio  
7 member of the Commission to advise and oversee the  
8 methodology and approach of the study of the Commis-  
9 sion.

10 (c) PROHIBITION AGAINST OFFICER OR EM-  
11 PLOYEE.—Each individual appointed under subsection (a)  
12 shall not be an officer or employee of any government.

13 (d) DEADLINE FOR APPOINTMENT; TERM OF AP-  
14 POINTMENT.—Members of the Commission shall be ap-  
15 pointed not later than 60 days after the date of enactment  
16 of this Act. The members shall serve on the Commission  
17 for the life of the Commission.

18 (e) MEETINGS.—The Commission shall locate its  
19 headquarters in the District of Columbia, and shall meet  
20 at the call of the Chairperson, but not less than four times  
21 each year during the life of the Commission.

22 (f) QUORUM.—Ten members of the Commission shall  
23 constitute a quorum, but a lesser number may hold hear-  
24 ings.

1 (g) CHAIRPERSON AND VICE CHAIRPERSON.—Not  
2 later than 15 days after the members of the Commission  
3 are appointed, such members shall designate a Chair-  
4 person and Vice Chairperson from among the members of  
5 the Commission.

6 (h) CONTINUATION OF MEMBERSHIP.—If a member  
7 of the Commission becomes an officer or employee of any  
8 government after appointment to the Commission, the in-  
9 dividual may continue as a member until a successor mem-  
10 ber is appointed.

11 (i) VACANCIES.—A vacancy on the Commission shall  
12 be filled in the manner in which the original appointment  
13 was made not later than 30 days after the Commission  
14 is given notice of the vacancy.

15 (j) COMPENSATION.—Members of the Commission  
16 shall receive no additional pay, allowances, or benefits by  
17 reason of their service on the Commission.

18 (k) TRAVEL EXPENSES.—Each member of the Com-  
19 mission shall receive travel expenses, including per diem  
20 in lieu of subsistence, in accordance with sections 5702  
21 and 5703 of title 5, United States Code.

22 **SEC. 6. STAFF AND SUPPORT SERVICES.**

23 (a) DIRECTOR.—

1           (1) APPOINTMENT.—Upon consultation with  
2           the members of the Commission, the Chairperson  
3           shall appoint a Director of the Commission.

4           (2) COMPENSATION.—The Director shall be  
5           paid the rate of basic pay for level V of the Execu-  
6           tive Schedule.

7           (b) STAFF.—With the approval of the Commission,  
8           the Director may appoint such personnel as the Director  
9           considers appropriate.

10          (c) APPLICABILITY OF CIVIL SERVICE LAWS.—The  
11          staff of the Commission shall be appointed without regard  
12          to the provisions of title 5, United States Code, governing  
13          appointments in the competitive service, and shall be paid  
14          without regard to the provisions of chapter 51 and sub-  
15          chapter III of chapter 53 of such title relating to classi-  
16          fication and General Schedule pay rates.

17          (d) EXPERTS AND CONSULTANTS.—With the ap-  
18          proval of the Commission, the Director may procure tem-  
19          porary and intermittent services under section 3109(b) of  
20          title 5, United States Code.

21          (e) STAFF OF FEDERAL AGENCIES.—Upon the re-  
22          quest of the Commission, the head of any Federal agency  
23          may detail, on a reimbursable basis, any of the personnel  
24          of such agency to the Commission to assist in carrying  
25          out the duties of the Commission under this Act.

1 (f) OTHER RESOURCES.—The Commission shall have  
2 reasonable access to materials, resources, statistical data,  
3 and other information from the Library of Congress and  
4 agencies and elected representatives of the executive and  
5 legislative branches of the Federal Government. The  
6 Chairperson of the Commission shall make requests for  
7 such access in writing when necessary.

8 (g) PHYSICAL FACILITIES.—The Administrator of  
9 the General Services Administration shall locate suitable  
10 office space for the operation of the Commission. The fa-  
11 cilities shall serve as the headquarters of the Commission  
12 and shall include all necessary equipment and incidentals  
13 required for proper functioning of the Commission.

14 **SEC. 7. POWERS OF COMMISSION.**

15 (a) HEARINGS.—The Commission may conduct pub-  
16 lic hearings or forums at the discretion of the Commission,  
17 at any time and place the Commission is able to secure  
18 facilities and witnesses, for the purpose of carrying out  
19 the duties of the Commission under this Act.

20 (b) DELEGATION OF AUTHORITY.—Any member or  
21 agent of the Commission may, if authorized by the Com-  
22 mission, take any action the Commission is authorized to  
23 take by this section.

24 (c) INFORMATION.—The Commission may secure di-  
25 rectly from any Federal agency information necessary to

1 enable the Commission to carry out its duties under this  
2 Act. Upon request of the Chairperson or Vice Chairperson  
3 of the Commission, the head of a Federal agency shall fur-  
4 nish the information to the Commission to the extent per-  
5 mitted by law.

6 (d) GIFTS, BEQUESTS, AND DEVICES.—The Commis-  
7 sion may accept, use, and dispose of gifts, bequests, or  
8 devices of services or property, both real and personal, for  
9 the purpose of aiding or facilitating the work of the Com-  
10 mission. Gifts, bequests, or devises of money and proceeds  
11 from sales of other property received as gifts, bequests,  
12 or devices shall be deposited in the Treasury and shall be  
13 available for disbursement upon order of the Commission.

14 (e) MAILS.—The Commission may use the United  
15 States mails in the same manner and under the same con-  
16 ditions as other Federal agencies.

17 **SEC. 8. REPORTS.**

18 (a) INTERIM REPORT.—Not later than 1 year prior  
19 to the date on which the Commission terminates pursuant  
20 to section 9, the Commission shall submit an interim re-  
21 port to the President and to the Congress. The interim  
22 report shall contain a detailed statement of the findings  
23 and conclusions of the Commission, together with the  
24 Commission's recommendations for legislative and admin-  
25 istrative action, based on the activities of the Commission.

1 (b) FINAL REPORT.—Not later than the date on  
2 which the Commission terminates, the Commission shall  
3 submit to the Congress and to the President a final report  
4 containing—

5 (1) a detailed statement of final findings, con-  
6 clusions, and recommendations; and

7 (2) an assessment of the extent to which rec-  
8 ommendations of the Commission included in the in-  
9 terim report under subsection (a) have been imple-  
10 mented.

11 (c) PRINTING AND PUBLIC DISTRIBUTION.—Upon  
12 receipt of each report of the Commission under this sec-  
13 tion, the President shall—

14 (1) order the report to be printed; and

15 (2) make the report available to the public upon  
16 request.

17 **SEC. 9. TERMINATION.**

18 The Commission shall terminate on the date that is  
19 2 years after the date on which the members of the Com-  
20 mission have met and designated a Chairperson and Vice  
21 Chairperson.

22 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated such sums  
24 as may be necessary to carry out this Act.

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