

115TH CONGRESS
2D SESSION

H. R. 7096

To establish the Office of Disability Congressional Research at the National Council on Disability.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 2018

Mr. LANGEVIN (for himself and Ms. SCHAKOWSKY) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To establish the Office of Disability Congressional Research at the National Council on Disability.

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 “Office of Disability
5 Congressional Research Act of 2018”.

6 **SEC. 2. ESTABLISHMENT OF THE OFFICE OF DISABILITY**
7 **CONGRESSIONAL RESEARCH.**

8 (a) ESTABLISHMENT.—Title IV of the Rehabilitation
9 Act of 1973 (29 U.S.C. 780 et seq.) is amended by insert-
10 ing after section 400 the following:

1 “ESTABLISHMENT OF THE OFFICE OF DISABILITY
2 CONGRESSIONAL RESEARCH

3 “SEC. 400A. There is established in the National
4 Council on Disability the Office of Disability Congres-
5 sional Research.”.

6 (b) PURPOSE.—Section 400(a)(2) of the Rehabilita-
7 tion Act of 1973 (29 U.S.C. 780(a)(2)) is amended to read
8 as follows:

9 “(2)(A) The purpose of the National Council on
10 Disability is to provide Congress, the executive
11 branch, the States, and the public with data, anal-
12 ysis, and policy recommendations that encourage
13 policies, programs, practices, and procedures that
14 promote the national policy goals of the Americans
15 with Disabilities Act (equality of all individuals with
16 disabilities, regardless of the nature or severity of
17 the disability; economic self-sufficiency; independent
18 living; and inclusion and integration into all aspects
19 of society). This data and analysis will take the form
20 of—

21 “(i) reports offered on a regular basis
22 regarding the effect of existing legislation,
23 regulations, and guidance on individuals
24 with disabilities, their families, and the ex-

1 isting systems of services and supports for
2 them;

3 “(ii) reports completed in legislative
4 time regarding the effect that proposed
5 Federal legislation, proposed regulations,
6 and proposed guidance would have on indi-
7 viduals with disabilities, their families, and
8 the existing systems of services and sup-
9 ports for them;

10 “(iii) reports regarding how proposed
11 Federal legislation, proposed regulations,
12 and proposed guidance will align with ex-
13 isting disability policy.

14 “(B) For purposes of conducting any analysis
15 or preparing any report under this paragraph, upon
16 request by National Council, the head of any agency,
17 department, establishment, or commission shall, to
18 the extent practicable, make available any data asset
19 and material maintained which the National Council
20 determines to be necessary in the performance of its
21 duties and functions (other than material or data,
22 the disclosure of which would be subject to a statute
23 that prohibits the sharing or intended use of such
24 asset in a manner as to leave no discretion on the
25 issue).”.

1 (c) CHAIRPERSON; SCOPE OF WORK; MEETINGS.—
2 Title IV of the Rehabilitation Act of 1973 (29 U.S.C. 780
3 et seq.) is further amended by inserting after section 400A
4 (as added by subsection (a)) the following:

5 “CHAIRPERSON; SCOPE OF WORK; MEETINGS

6 “SEC. 780B. The President shall designate the Chair-
7 person from among the members appointed to the Na-
8 tional Council. The Chairperson may analyze and report
9 any legislation, regulation, or guidance the Chairperson
10 determines appropriate to meet the purposes described in
11 section 780(a)(2). The National Council shall meet at the
12 call of the Chairperson, but not less often than four times
13 each year.”.

14 (d) DUTIES.—Section 401(a) of the Rehabilitation
15 Act of 1973 (29 U.S.C. 781(a)) is amended by adding at
16 the end of the following:

17 “(11) respond to requests by a member of the
18 Committee on the Budget, the Committee on Fi-
19 nance, the Committee on Health, Education, Labor
20 and Pensions, or the Committee on the Judiciary of
21 the Senate or the Committee on the Budget, the
22 Committee on Ways and Means, the Committee on
23 Education and the Workforce, the Committee on
24 Energy and Commerce, or the Committee on the Ju-
25 diciary of the House of Representatives regarding
26 the effect on individuals with disabilities, their fami-

1 lies, and the existing systems of services and sup-
2 ports for them by providing information to assist the
3 committee related to—

4 “(A) bills amending or affecting the sup-
5 plemental security income program under title
6 XVI of the Social Security Act (42 U.S.C. 1381
7 et seq.), the Medicaid program under title XIX
8 of the Social Security Act (42 U.S.C. 1396 et
9 seq.), the Medicare program under title XVIII
10 of the Social Security Act (42 U.S.C. 1395 et
11 seq.), the Individuals with Disabilities Edu-
12 cation Act (20 U.S.C. 1400 et seq.), the Fed-
13 eral old-age, survivors, and disability insurance
14 benefits program under title II of the Social Se-
15 curity Act (42 U.S.C. 401 et seq.), the Ameri-
16 cans with Disabilities Act of 1990 (42 U.S.C.
17 12101 et seq.), the Rehabilitation Act of 1973
18 (29 U.S.C. 701 et seq.), or any other law af-
19 fecting individuals with disabilities or disability
20 policy;

21 “(B) bills related to entitlements and
22 taxes;

23 “(C) regulations proposed by the executive
24 branch; and

1 “(D) existing legislation, regulations, or
2 guidance from Congress, the executive branch,
3 or decisions made by the Federal courts, includ-
4 ing the Supreme Court of the United States;

5 “(12) respond to other requests by any Senator
6 or Member of the House of Representatives, the Na-
7 tional Council shall provide information regarding
8 the effect on individuals with disabilities, their fami-
9 lies, and the existing systems of services and sup-
10 ports for them by providing information to assist the
11 Member of Congress related to—

12 “(A) bills amending or affecting the Med-
13 icaid program under title XIX of the Social Se-
14 curity Act (42 U.S.C. 1396 et seq.), the Medi-
15 care program under title XVIII of the Social
16 Security Act (42 U.S.C. 1395 et seq.), the Indi-
17 viduals with Disabilities Education Act (20
18 U.S.C. 1400 et seq.), the Federal old-age, sur-
19 vivors, and disability insurance benefits pro-
20 gram under title II of the Social Security Act
21 (42 U.S.C. 401 et seq.), or any other law af-
22 fecting individuals with disabilities or disability
23 policy;

24 “(B) bills related to entitlements and
25 taxes;

1 “(C) regulations proposed by the executive
2 branch; and

3 “(D) existing legislation, regulations, or
4 guidance from Congress, the executive branch,
5 or decisions made by the Federal courts, includ-
6 ing the Supreme Court of the United States;

7 “(13) ensure timely response to requests de-
8 scribed in paragraphs (11) and (12) by providing an
9 analysis and report relating to the legislation or reg-
10 ulation prior to a vote or the closing of public com-
11 ment on regulations, respectively;

12 “(14) prioritize requests described in para-
13 graphs (11) and (12) in the following way—

14 “(A) give priority to responding to a re-
15 quest from the Chairman or Ranking Minority
16 Member of a committee described in paragraph
17 (11);

18 “(B) give priority in analyzing legislation
19 based on the likelihood that a committee de-
20 scribed in paragraph (11) will consider the leg-
21 islation;

22 “(C) provide an initial report and analysis
23 not later than 3 business days after the date of
24 a request;

1 “(D) provide the full report and analysis of
2 the Office not later than 10 business days after
3 the date of a request;

4 “(E) to the extent practicable, provide a
5 full report and analysis of legislation before a
6 committee of the Senate or the House of Rep-
7 resentatives votes on the legislation; and

8 “(F) otherwise prioritize analyses and re-
9 porting on all other legislation, regulations, and
10 guidance in accordance with such criteria as the
11 National Council Chairperson shall establish;

12 “(15) prepare reports for requests described in
13 paragraphs (11) and (12) in the following way—

14 “(A) when possible and appropriate, use
15 geospatial standards, as defined by the Federal
16 Geographic Data Committee;

17 “(B) be prepared using plain language;

18 “(C) address issues at the national level
19 and, to the extent possible, at the State level;
20 and

21 “(D) be made publicly available, along with
22 the information and data used to prepare the
23 analysis or report, except to the extent that the
24 information or data is specifically exempted

1 from public disclosure by law or privacy regula-
2 tions; and

3 “(16) when appropriate, collaborate with the
4 Government Accountability Office and the Congres-
5 sional Research Service when conducting analyses
6 and preparing reports described in paragraphs (11)
7 and (12).”.

8 (e) ANNUAL REPORT.—Subsection (b) of section 401
9 of the Rehabilitation Act of 1973 (29 U.S.C. 781(b)) is
10 amended to read as follows:

11 “(b) Not later than 1 year after the date of enact-
12 ment of the Office of Disability Congressional Research
13 Act of 2018 and annually thereafter, the National Council
14 shall submit to the Committee on the Budget, the Com-
15 mittee on Finance, the Committee on Health, Education,
16 Labor, and Pensions, and the Committee on the Judiciary
17 of the Senate and the Committee on the Budget, the Com-
18 mittee on Ways and Means, the Committee on Education
19 and the Workforce, the Committee on Energy and Com-
20 merce, and the Committee on the Judiciary of the House
21 of Representatives an annual report on the bills enacted
22 into law, bills introduced, and regulation and guidance
23 promulgated or proposed by the executive branch that will
24 affect individuals with disabilities, their families, and the

1 existing systems of services and supports for them. The
2 report shall include recommendations for policy change.”.

3 (f) TECHNICAL AND SUPPORTIVE STAFF.—Section
4 403(a)(1) of the Rehabilitation Act of 1973 (29 U.S.C.
5 783(a)) is amended by adding at the end of the following:

6 “(3) The Executive Director shall hire such
7 technical and professional staff as necessary, but no
8 fewer than six full-time employees to respond timely
9 to duties and timeframes set forth in paragraphs
10 (11) through (16) of section 401(a).”.

11 (g) AUTHORIZATION OF APPROPRIATIONS.—Section
12 405 of the Rehabilitation Act of 1973 (29 U.S.C. 785)
13 is amended to read as follows:

14 “AUTHORIZATION OF APPROPRIATIONS
15 “SEC. 785. There are authorized to be appropriated
16 for each fiscal year such sums as may be necessary to
17 carry out this title.”.

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