

cans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

(8) make recommendations to the President, the Congress, the Secretary, the Director of the National Institute on Disability and Rehabilitation Research, and other officials of Federal agencies or other Federal entities, respecting ways to better promote the policies set forth in section 780(a)(2) of this title;

(9) provide to the Congress on a continuing basis advice, recommendations, legislative proposals, and any additional information that the National Council or the Congress deems appropriate; and

(10) review and evaluate on a continuing basis new and emerging disability policy issues affecting individuals with disabilities at the Federal, State, and local levels, and in the private sector, including the need for and coordination of adult services, access to personal assistance services, school reform efforts and the impact of such efforts on individuals with disabilities, access to health care, and policies that operate as disincentives for the individuals to seek and retain employment.

**(b) Annual reports**

(1) Not later than October 31, 1998, and annually thereafter, the National Council shall prepare and submit to the President and the appropriate committees of the Congress a report entitled “National Disability Policy: A Progress Report”.

(2) The report shall assess the status of the Nation in achieving the policies set forth in section 780(a)(2) of this title, with particular focus on the new and emerging issues impacting on the lives of individuals with disabilities. The report shall present, as appropriate, available data on health, housing, employment, insurance, transportation, recreation, training, prevention, early intervention, and education. The report shall include recommendations for policy change.

(3) In determining the issues to focus on and the findings, conclusions, and recommendations to include in the report, the National Council shall seek input from the public, particularly individuals with disabilities, representatives of organizations representing a broad range of individuals with disabilities, and organizations and agencies interested in individuals with disabilities.

(Pub. L. 93–112, title IV, § 401, as added Pub. L. 105–220, title IV, § 407, Aug. 7, 1998, 112 Stat. 1199; amended Pub. L. 105–394, title II, § 202, Nov. 13, 1998, 112 Stat. 3653; Pub. L. 106–402, title IV, § 401(b)(3)(B), Oct. 30, 2000, 114 Stat. 1737; Pub. L. 108–364, § 3(b)(2), Oct. 25, 2004, 118 Stat. 1737; Pub. L. 113–128, title IV, § 452, July 22, 2014, 128 Stat. 1675.)

REFERENCES IN TEXT

The Developmental Disabilities Assistance and Bill of Rights Act of 2000, referred to in subsec. (a)(5)(A), is Pub. L. 106–402, Oct. 30, 2000, 114 Stat. 1677, which is classified principally to chapter 144 (§15001 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 15001 of Title 42 and Tables.

The Americans with Disabilities Act of 1990, referred to in subsec. (a)(7), is Pub. L. 101–336, July 26, 1990, 104

Stat. 327, as amended, which is classified principally to chapter 126 (§12101 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 12101 of Title 42 and Tables.

PRIOR PROVISIONS

A prior section 781, Pub. L. 93–112, title IV, § 401, as added Pub. L. 95–602, title I, § 117, Nov. 6, 1978, 92 Stat. 2977; amended Pub. L. 98–221, title I, § 142, Feb. 22, 1984, 98 Stat. 27; Pub. L. 99–506, title I, § 103(d)(2)(C), title III, § 302(b), title V, § 502, Oct. 21, 1986, 100 Stat. 1810, 1821, 1828; Pub. L. 100–630, title II, § 205(c), Nov. 7, 1988, 102 Stat. 3310; Pub. L. 102–569, title I, § 102(p)(27), title IV, § 402, Oct. 29, 1992, 106 Stat. 4360, 4422; Pub. L. 104–66, title II, § 2131, Dec. 21, 1995, 109 Stat. 731, related to duties of National Council on Disability, prior to the general amendment of this subchapter by Pub. L. 105–220.

Another prior section 781, Pub. L. 93–112, title IV, § 401, Sept. 26, 1973, 87 Stat. 386, related to program and project evaluation, prior to repeal by Pub. L. 95–602, § 117.

AMENDMENTS

Subsec. (a)(1), (3), Pub. L. 113–128, § 452(1), substituted “National Institute on Disability, Independent Living, and Rehabilitation Research” for “National Institute on Disability and Rehabilitation Research”.

Subsec. (c), Pub. L. 113–128, § 452(2), struck out subsec. (c) which required a report describing the barriers in Federal assistive technology policy to increasing the availability of and access to assistive technology devices and assistive technology services for individuals with disabilities.

2004—Subsec. (c)(2), Pub. L. 108–364 substituted “targeted individuals and entities” for “targeted individuals”.

2000—Subsec. (a)(5)(A), Pub. L. 106–402, which directed substitution of “Developmental Disabilities Assistance and Bill of Rights Act of 2000” for “Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.)”, was executed by making the substitution for “Developmental Disabilities Assistance and Bill of Rights Act” to reflect the probable intent of Congress.

1998—Subsec. (c), Pub. L. 105–394 added subsec. (c).

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103–7 (in which a report to Congress required under subsec. (b) of this section is listed on page 182), see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

TRANSFER OF FUNCTIONS

Functions which the Director of the National Institute on Disability and Rehabilitation Research exercised before July 22, 2014 (including all related functions of any officer or employee of the National Institute on Disability and Rehabilitation Research), transferred to the National Institute on Disability, Independent Living, and Rehabilitation Research, see subsection (n) of section 3515e of Title 42, The Public Health and Welfare.

**§ 782. Compensation of National Council members**

**(a) Rate**

Members of the National Council shall be entitled to receive compensation at a rate equal to the rate of pay for level 4 of the Senior Executive Service Schedule under section 5382 of title 5, including travel time, for each day they are engaged in the performance of their duties as members of the National Council.

**(b) Full-time officers or employees of United States**

Members of the National Council who are full-time officers or employees of the United States shall receive no additional pay on account of their service on the National Council except for compensation for travel expenses as provided under subsection (c) of this section.

**(c) Travel expenses**

While away from their homes or regular places of business in the performance of services for the National Council, members of the National Council shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

(Pub. L. 93-112, title IV, §402, as added Pub. L. 105-220, title IV, §407, Aug. 7, 1998, 112 Stat. 1200.)

PRIOR PROVISIONS

A prior section 782, Pub. L. 93-112, title IV, §402, as added Pub. L. 95-602, title I, §117, Nov. 6, 1978, 92 Stat. 2978; amended Pub. L. 100-630, title II, §205(d), Nov. 7, 1988, 102 Stat. 3310; Pub. L. 102-569, title IV, §403, Oct. 29, 1992, 106 Stat. 4423, related to compensation of National Council members, prior to the general amendment of this subchapter by Pub. L. 105-220.

Another prior section 782, Pub. L. 93-112, title IV, §402, Sept. 26, 1973, 87 Stat. 387, authorized the Secretary to obtain information from Federal agencies, prior to repeal by Pub. L. 95-602, §117.

**§ 783. Staff of National Council**

**(a) Executive Director; technical and professional employees**

(1) The Chairperson of the National Council may appoint and remove, without regard to the provisions of title 5 governing appointments, the provisions of chapter 75 of such title (relating to adverse actions), the provisions of chapter 77 of such title (relating to appeals), or the provisions of chapter 51 and subchapter III of chapter 53 of such title (relating to classification and General Schedule pay rates), an Executive Director to assist the National Council to carry out its duties. The Executive Director shall be appointed from among individuals who are experienced in the planning or operation of programs for individuals with disabilities.

(2) The Executive Director is authorized to hire technical and professional employees to assist the National Council to carry out its duties.

**(b) Temporary or intermittent services; voluntary and uncompensated services; gifts, etc.; contracts and agreements; official representation and reception**

(1) The National Council may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5 (but at rates for individuals not to exceed the daily equivalent of the rate of pay for level 4 of the Senior Executive Service Schedule under section 5382 of title 5).

(2) The National Council may—

(A) accept voluntary and uncompensated services, notwithstanding the provisions of section 1342 of title 31;

(B) in the name of the Council, solicit, accept, employ, and dispose of, in furtherance of

this chapter, any money or property, real or personal, or mixed, tangible or nontangible, received by gift, devise, bequest, or otherwise; and

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

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

**(c) Administrative support services**

The Administrator of General Services shall provide to the National Council on a reimbursable basis such administrative support services as the Council may request.

**(d) Investment of amounts not required for current withdrawals**

(1) It shall be the duty of the Secretary of the Treasury to invest such portion of the amounts made available under subsection (a)(2)(B)<sup>1</sup> of this section as is not, in the Secretary's judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(2) The amounts described in paragraph (1), and the interest on, and the proceeds from the sale or redemption of, the obligations described in paragraph (1) shall be available to the National Council to carry out this subchapter.

(Pub. L. 93-112, title IV, §403, as added Pub. L. 105-220, title IV, §407, Aug. 7, 1998, 112 Stat. 1200.)

PRIOR PROVISIONS

A prior section 783, Pub. L. 93-112, title IV, §403, as added Pub. L. 95-602, title I, §117, Nov. 6, 1978, 92 Stat. 2978; amended Pub. L. 98-221, title I, §143, Feb. 22, 1984, 98 Stat. 28; Pub. L. 99-506, title I, §103(d)(2)(C), title V, §503, Oct. 21, 1986, 100 Stat. 1810, 1829; Pub. L. 100-630, title II, §205(e), Nov. 7, 1988, 102 Stat. 3310; Pub. L. 102-569, title I, §102(p)(28), title IV, §404, Oct. 29, 1992, 106 Stat. 4360, 4423; Pub. L. 103-73, title I, §111, Aug. 11, 1993, 107 Stat. 727, related to National Council staff, prior to the general amendment of this subchapter by Pub. L. 105-220.

Another prior section 783, Pub. L. 93-112, title IV, §403, Sept. 26, 1973, 87 Stat. 387; Pub. L. 93-516, title I, §108, Dec. 7, 1974, 88 Stat. 1619; Pub. L. 93-651, title I, §108, Nov. 21, 1974, 89 Stat. 2-4; Pub. L. 94-230, §§8, 11(b)(11), Mar. 15, 1976, 90 Stat. 212, 213, authorized appropriations to conduct program and project evaluations, prior to repeal by Pub. L. 95-602, §117.

**§ 784. Administrative powers of National Council**

**(a) Bylaws and rules**

The National Council may prescribe such bylaws and rules as may be necessary to carry out its duties under this subchapter.

**(b) Hearings**

The National Council may hold such hearings, sit and act at such times and places, take such

<sup>1</sup> So in original. Probably should be subsection "(b)(2)(B)".