

MEMORANDUM

To: ACRM Members
From: Bobby Silverstein
Date: May 22, 2014

REAUTHORIZATION OF TITLE II OF THE REHABILITATION ACT— RESEARCH AND TRAINING

On May 21, 2014, congressional leaders announced a bipartisan/bicameral agreement reauthorizing the Workforce Investment Act and the Rehabilitation Act. The bill number is H.R. 803 and the short title of the bill is the Workforce Innovation and Opportunity Act. I am including a link to the entire bill, a section-by-section analysis prepared by congressional staff and a one-page summary.

<http://edworkforce.house.gov/news/documentsingle.aspx?DocumentID=380687>

Below is a summary of the changes to Title II of the Rehabilitation Act pertaining to NIDRR and disability and rehabilitation research and training. The changes are designed to elevate the stature and visibility of disability, independent living, and rehabilitation research, emphasize the dissemination of research findings to clarify research implications for policy and practice, and provide for a government-wide strategic plan for disability, independent living, and rehabilitation research.

I am also including a document (often called the “Red-Line”) which highlights the changes to current law using strike outs and inserts (bold and underline).

1. **NAME CHANGE.** The bill strikes the current name of the Institute (National Institute on Disability and Rehabilitation Research) and inserts a new name—the National Institute on Disability, Independent Living, and Rehabilitation Research.
2. **RELOCATION.** Currently NIDRR is located in the Office of Special Education and Rehabilitation Services of the Department of Education. Under the bill, the Institute is relocated to the Administration for Community Living of the Department of Health and Human Services. The relocation is effective on the date of enactment, however the bill provides for an orderly transition “for such period of time as may reasonably be needed to facilitate the orderly implementation of [the relocation].”
3. **APPROPRIATIONS.** Current law authorizes to be appropriated “such sums as may be necessary” to carry out Title II of the Rehabilitation Act pertaining to research. The bill includes specific amounts for each of the fiscal years 2015-2020.

- FY 2014(current)—\$103,970,000
- FY 2015—\$103,970,000
- FY 2016—\$112,001,000
- FY 2017—\$114,325,000
- FY 2018—\$116,860,000
- FY 2019—\$119,608,000
- FY 2020—\$122,143,000

4. **BACKGROUND OF INSTITUTE DIRECTOR.** The Institute Director must be an individual with substantial knowledge and experience in independent living, rehabilitation, and research administration.
5. **PORTFOLIO.** Under current law and the current long range plan the Institute’s portfolio includes employment, community participation, and health and function as well as disability demographics and assistive technology. The bill retains this broad portfolio and includes additional references to “independent living” and “health and wellness.”
6. **GENERAL STRATEGIES.** In addition to research and training, the bill adds several references to “technical assistance” and “dissemination of information that clarifies research implications for policy and practice” (including the “practical implications of research outcomes and anticipated next steps”), and taking “what action is necessary to keep Congress fully and currently informed.”
7. **PEER REVIEW.** “Scientific peer review shall be conducted by individuals who are not DHHS employees. The Secretary shall consider for peer review individuals who are scientists or other experts in disability, independent living, and rehabilitation, including individuals with disabilities and the individuals’ representatives and who have sufficient expertise to review projects.”
8. **TRAINING OF RESEARCHERS.** Under current law, the Director is authorized to make grants to institutions of higher education for the training of rehabilitation researchers. The bill includes new language focusing particular attention to research areas that support the implementation and objectives of the Rehabilitation Act and improve the effectiveness of services authorized under the Act.
9. **AWARDING OF GRANTS.** Under the bill, the Director must award funding on a competitive basis. Applications for funding must include information describing, among other things, measurable goals and a timeline and specific plan for meeting the goals that the applicant has established; how the project will address one or more of the following: commercialization of a marketable product, technology transfer (if applicable), dissemination of any research results, and other priorities established by the Director; how the applicant will quantifiably measure the goals to determine whether such goals have been accomplished. In the case of an application for funding to carry out a covered activity that results in the development of a marketable product, the application must also include a commercialization and marketing plan. Funding received under Title II may not be used to carry out the commercialization and marketing strategies. In the case of any other application

for funding, the application must also include a dissemination plan, containing strategies for disseminating educational materials, research results, or findings, conclusions, and recommendations.

10. **REPORT OF FUNDING RECEIVED.** The bill adds a new provision requiring the Director to prepare a report that includes a compilation and summary describing funding under Title II (Research) and the progress of recipients in achieving measurable goals and a summary of implications of research outcomes on practice.
11. **FAILURE OF RECIPIENT TO COMPLY AND MAKE PROGRESS.** The bill includes a new provision specifying that if the Director determines that a grant recipient fails to comply with applicable requirements or to make progress toward achieving measurable goals, the Director must use available monitoring and enforcement measures.
12. **CHAIR OF ICDR.** Under current law, the NIDRR director is chair of the Interagency Committee on Disability Research. Under the bill, the chair is elevated to the Secretary of HHS or the Secretary's designee.
13. **ICDR—COMPREHENSIVE GOVERNMENT-WIDE STRATEGIC PLAN.** The bill directs the ICDR to develop a comprehensive government wide strategic plan for disability, independent living, and rehabilitation research. The strategic plan must include, at a minimum,
 - a description of the—
 - measurable goals and objectives;
 - existing resources each agency will devote to carrying out the plan;
 - timetables for completing the projects outlined in the plan; and
 - assignment of responsible individuals and agencies for carrying out the research activities;
 - research priorities and recommendations;
 - a description of how funds from each agency will be combined, as appropriate, for projects administered among Federal agencies, and how such funds will be administered;
 - the development and ongoing maintenance of a searchable government wide inventory of disability, independent living, and rehabilitation research for trend and data analysis across Federal agencies;
 - guiding principles, policies, and procedures, consistent with the best research practices available, for conducting and administering disability, independent living, and rehabilitation research across Federal agencies; and
 - a summary of underemphasized and duplicative areas of research.

The strategic plan must be submitted to the President and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

The annual report prepared by ICDR must, among other things, a report of the progress made in implementing the strategic plan, including progress toward implementing the elements described above and detailed budget information.

14. ICDR—INVITATION FOR INPUT. For not less than 1 of ICDR’s meetings at least every 2 years, ICDR must invite policymakers, representatives from other Federal agencies conducting relevant research, individuals with disabilities, organizations representing individuals with disabilities, researchers, and providers, to offer input on the Committee’s work, including the development and implementation of the strategic plan.