Earlier this spring I was in Spearfish with a number of Black Hills residents who depend on a vibrant timber industry for their living. Their message was loud and clear: "Let us keep our jobs. We want to work and pay taxes, for their sake, I have urged Secretary Espy to act quickly on implementing the revised Forest Service appeal regulations.

Changing the appeals process will not silence the public's right to be heard. That is not the intent. Those citizens with valid interests still would be allowed an opportunity to participate in the decision making process from the beginning. By streamlining the appeal rules, jobs can be saved, timber can be available and the people's views can still be aired. We must moved forward on these changes and let the public know involved in responsible forest management.

NOTE

The text of S. 1283, Technology Related Assistance Act Amendments of 1993, passed by the Senate on August 5, 1993, is as follows:

"SEC. 2. FINDINGS, PURPOSES, AND POLICY.".

This Act may be cited as the "Technology-Related Assistance Act Amendments of 1993".

SEC. 3. REFERENCES.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Technology-Related Assistance Act of 1990 (29 U.S.C. 2201) et seq.

SEC. 4. FINDINGS, PURPOSES, AND POLICY.

(a) SEC. 4. FINDING, PURPOSE, AND POLICY.—Section 2 (29 U.S.C. 2201) is amended by striking the heading and inserting the following:

"SEC. 4. FINDING, PURPOSE, AND POLICY.—

(1) by striking "by striking "families" and inserting "individuals who donot have disabilities";

(2) by striking paragraph (4) through (8) as paragraphs (5) through (9), respectively;

(3) by inserting after paragraph (3) the following new paragraph:

"(4) the goals of the Nation properly include providing individuals with disabilities with the tools, including assistive technology devices and assistive technology services, necessary to—"

(A) make informed choices and decisions; and

(B) achieve equality of opportunity, full inclusion and integration in society, employment, independent living, and economic and social self-sufficiency, for such individuals;"

(4) in paragraph (4) as redesignated in paragraph (2) of this subsection—

(A) by striking "assistive technology devices and services" and inserting "assistive technology devices and assistive technology services"; and

(B) by striking "families" and inserting "the persons, or (section members, guardians, advocates, and authorized representatives);"
S 10778

CONGRESSIONAL RECORD—SENATE
August 6, 1993

bear major life activity for which such individu- 
als need the assistance; and

(iii) addresses such needs without requir- 
ing the development of systems through an 
appropriate agency or service delivery 
system.

(iii) tree CONSUMER RESPONSIVE.—The term 'consumer-responsive' means, with respect to an 
etal emergency or other assistance service delivery 
system:

(A) is easily accessible to and usable by 
individuals with disabilities and, when ap- 
propriate, the parents, family members, 
guardians, advocates, or authorized rep- 
resentatives of such individuals;

(B) responds to the needs of individuals 
with disabilities in a timely and appropriate 
manner; and

(C) facilitates the full and meaningful 
participation of individuals with disabilities in-

(ii) tree decisions relating to the provision 
of assistive technology devices and assistive 
technology services to such individuals; and

(iii) the planning, development, implemen- 
tation, and evaluation of the consumer-
responsive comprehensive statewide program of 
technology services and assistance for individu-
als with disabilities.

(iii) tree DISABILITY.—The term 'disability' 
means a condition considered to be a disabil-
ity or handicap for the purposes of any Fed-
eral law other than this Act or for the pur-
poses of the law of the State involved.

(iv) tree in paragraph (2) (as redesignated 
by paragraph (2) of this subsection), to read as 
follows:

"(v) tree INDIVIDUAL WITH A DISABIL-
ITY; INDIVIDUALS WITH DISABIL-
ITIES.—" 

(A) INDIVIDUAL WITH A DISABILITY.—The term 'individual with a disability' means any 
individual—

(i) who is or would be enabled by 
assistive technology devices or assistive 
technology services to maintain a level of 
functioning or to achieve a greater level of 
functioning in any major life activity.

(B) INDIVIDUALS WITH DISABILITIES.— 
The term 'individuals with disabilities' means more than one individual with a disability.;

(v) tree in paragraph (7) (as redesignated 
by paragraph (2) of this subsection) by striking 
"section 461" and inserting "section 461A";

(vi) tree in paragraph (7) the following 
new paragraph:

"(C) TECHNICAL ASSISTANCE.—The term 'protection and advocacy services' means services that—

(A) are easily accessible to and usable by 
individuals with disabilities and, when ap-
propriate, the parents, family members, 
guardians, advocates, or authorized rep-
 resentatives of such individuals;

(B) respond to the needs of individuals 
with disabilities in a timely and appropriate 
manner; and

(C) facilitate the full and meaningful 
participation of individuals with disabilities in-

(i) the number of individuals with disabilities; that pay for such devices and 
services, and that, if successful, could be 
replicated or generally applied, such as—

(i) the development of systems for the 
purchase, lease, other acquisition, or pay-
ment for the provision, of assistive tech-
 nology devices and assistive technology serv-
sices; and

(ii) the establishment of alternative State or 
privately financed systems of subsidies for 
the provision of assistive technology devices 
and assistive technology services, such as—

(i) a loan system for assistive technology 
devices (including assistive technology dem-
 onstration and recycling centers);

(ii) an income-contingent loan fund;

(iii) a low-interest loan fund;

(iv) a revolving loan fund;

(v) a loan insurance program; and

(vi) a partnership with private entities 
for the purchase, lease, or other acquisition 
of assistive technology devices and the provi-
sion of assistive technology services.

(iii) tree REPRESENTATION.—The State may 
support individual case management or repre-
 sentation of individuals with disabilities to 
secure their rights to assistive technology de-
 vices and assistive technology services, for 
individuals with disabilities, including enter-
ing into interagency agreements;

(iii) tree INTERAGENCY COORDINATION.— 
The State may support activities—

(i) to identify and coordinate Federal and 
State policies, resources, and services, to 
provide assistive technology services, 
and assistive technology services, for 
individuals with disabilities, including 
entering into interagency agreements;

(ii) to support the development and imple-
m entation of consumer-responsive 
comprehensive statewide programs of 
technology services, for individuals with dis-
abilities;

(iii) to convene interagency work groups 
to enhance public funding options and co-
ordinate access to funding for assistive tech-
nology devices and assistive technology 
services for individuals of all ages who are indi-
 viduals with disabilities, with special atten-
tion to the issues of transition, home use, 
and individual involvement in the identifica-
tion, planning, use, delivery, and evaluation 
of such devices and services;

(iv) to document and disseminate infor-
mation about interagency activities that 
provide coordination among public sector 
agencies and technology services, assistive 
technology services, and assistive technology 
services, providing evidence of in-
creased participation of all individuals 
with disabilities in educational, vocational 
rehabilitation, and State medical assistance 
agencies and departments.

(iii) tree STATEWIDE NEEDS ASSESS-
MENT.—The State may conduct a statewide needs assessment, which may be based on data in exist-
ence on the date on which the assessment is 
initiated and may include—

(A) estimates of the numbers of individu-
als with disabilities within the State, cat-
egorised by residence, type and extent of dis-
abilities, age, race, gender, and ethnicity;

(B) in the case of an assessment carried 
out under section 2(b)(1) of this Act, a descrip-
tion of efforts, during the fiscal year preceding 
the first fiscal year for which the State rel-
ated to the provision, of assistive technol-
y devices and assistive technology services, for 
individuals with disabilities, with particular 
attention to the issues of transition, home use, 
and individual involvement in the identifica-
tion, planning, use, delivery, and evaluation 
of such devices and services; and

(C) in the case of a Statewide needs as-
essment, a description of the efficacy of 
the management of systems that provide assistive technology devices and assistive technology services to individuals 
with disabilities, that pay for such devices and 
services, and that, if successful, could be 
replicated or generally applied, such as—

(i) the development of systems for the 
purchase, lease, other acquisition, or pay-
ment for the provision, of assistive technol-
y devices and assistive technology services; and

(ii) the establishment of alternative State or 
privately financed systems of subsidies for 
the provision of assistive technology devices 
and assistive technology services, such as—
(C) information on the number of individuals with disabilities who are in need of assistance if technology devices and assistive technology services, and a description of the devices and services needed;

(D) information on the cost of providing assistive technology devices and assistive technology services to all individuals with disabilities within the State who need such devices and services;

(E) information identifying Federal and State laws, regulations, policies, practices, procedures, and organizational structures, that facilitate or interfere with the operation of a consumer-responsive comprehensive statewide program of technology-related assistance;

(F) information identifying Federal and State laws and regulations, policies, practices, and organizational structures, that facilitate or interfere with the operation of a consumer-responsive comprehensive statewide program of technology-related assistance for individuals with disabilities.

(G) a description of the procurement policies, the standards, and the assurance under which such policies will ensure, to the extent practicable, that assistive technology devices and assistive technology services will be available to all individuals with disabilities within the State who need such devices and services;

(H) information resulting from an inquiry as to whether a State agency or a task force composed of individuals representing the State and individuals representing the private sector, have established the process for private insurance companies holding licenses within the State that offer health or disability insurance policies under which a private insurance company holding licenses within the State that offer health or disability insurance policies under which an individual may obtain reimbursement for—

(I) the purchase, lease, or other acquisition of assistive technology devices; or

(J) the use of assistive technology services.

(6) OUTREACH.—The State may provide assistance to statewide and community-based organizations or systems that provide assistive technology devices and assistive technology services to individuals with disabilities. Such assistance may be made available by: (A) developing, utilizing amounts made available through grants made under section 102 or 103 for any other States to expand the capacity of the States involved to assist individuals of all ages who are individuals with disabilities to learn about, acquire, use, maintain, adapt, and upgrade assistive technology devices and assistive technology services that such individuals need at home, at school, at work, or in other environments that are part of daily living.

(7) PUBLIC AWARENESS PROGRAM.—

(A) IN GENERAL.—The State may—

(i) support a public awareness program designed to provide information relating to the availability and efficacy of assistive technology devices and assistive technology services for—

(I) individuals with disabilities;

(II) the parents, family members, guardians, advocates, or authorized representatives of such individuals;

(III) individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities;

(IV) educators and related services personnel; or

(V) employers; and

(VI) other appropriate individuals and entities; or

(ii) establish and support such a program if no such program exists;

(B) CONTENT.—The contents of a program may include—

(I) the development and dissemination of information relating to—

(1) the nature of assistive technology devices and assistive technology services;

(2) the appropriate costs, and available availability of, and access to assistive technology devices and assistive technology services; and

(3) the efficacy of assistive technology devices and assistive technology services, with respect to enhancing the capacity of individuals with disabilities;

(II) the development of written materials, training, and technical assistance describing the means by which agencies consider the needs of an individual with a disability for assistive technology devices and assistive technology services in developing, for the individual, any individualized education plan described in section 614(a)(5) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(a)(5)) and any individualized written rehabilitation program described in section 102 of the Rehabilitation Act of 1973 (29 U.S.C. 722), any individualized family service plan described in section 677 of the Individuals with Disabilities Education Act (20 U.S.C. 1418), and any other individualized plans or programs;

(III) training regarding the rights of the persons described in clause (I) to assistive technology devices and assistive technology services under public laws and regulations in existence at the time of the training, to promote fuller independence, productivity, and inclusion and in and integration into society of such persons; and

(iv) training to increase consumer participation in the identification, planning, use, delivery, and evaluation of assistive technology devices and assistive technology services;

(II) establish the assistive technology skills and competencies of—

(I) individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities;

(II) educators and related services personnel;

(III) employers; and

(IV) other appropriate personnel; and

(II) develop and implement strategies for including such training within State training initiatives; and

(III) take actions to facilitate the development of standards, or, when appropriate, the establishment of such standards, that improve the availability of qualified personnel.

(8) PROGRAM DATA.—The State may support the compilation and evaluation of appropriate data related to a program described in subsection (7).

(9) PROGRAM DATA.—The State may develop, operate, or expand a system described in subparagraph (A), the State may—

(I) develop, compile, and categorize print, braille, audio, and video materials, and materials in electronic formats, containing the information described in subparagraph (A); and

(II) identify and classify existing funding sources, and the conditions of and criteria for accessing such sources, including any funding mechanisms or strategies developed by the State.

(10) ACCESS TO TECHNOLOGY-RELATED INFORMATION.—

(A) IN GENERAL.—The State may develop, operate, or expand a system described in subparagraph (A), the State may—

(I) public awareness program; and

(II) public awareness program.

(B) INFORMATION.—

(i) the development and dissemination of information relating to—

(1) the nature of assistive technology devices and assistive technology services;

(2) the appropriate costs, and availability of, and access to assistive technology devices and assistive technology services; and

(3) the efficacy of assistive technology devices and assistive technology services, with respect to enhancing the capacity of individuals with disabilities;

(ii) the development of written materials, training, and technical assistance describing the means by which agencies consider the needs of an individual with a disability for assistive technology devices and assistive technology services in developing, for the individual, any individualized education plan described in section 614(a)(5) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(a)(5)) and any individualized written rehabilitation program described in section 102 of the Rehabilitation Act of 1973 (29 U.S.C. 722), any individualized family service plan described in section 677 of the Individuals with Disabilities Education Act (20 U.S.C. 1418), and any other individualized plans or programs;

(iii) training regarding the rights of the persons described in clause (I) to assistive technology devices and assistive technology services under public laws and regulations in existence at the time of the training, to promote fuller independence, productivity, and inclusion and in and integration into society of such persons; and

(iv) training to increase consumer participation in the identification, planning, use, delivery, and evaluation of assistive technology devices and assistive technology services;

(II) establish the assistive technology skills and competencies of—

(I) individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities;

(II) educators and related services personnel;
(4) in paragraph (b) as redesignated in paragraph (3) of this section)—
(A) in paragraph (3)(C), by striking “statewide program” and inserting “consumer-responsive comprehensive statewide program”;
(B) in paragraph (6)—
(i) in subparagraph (A)—
(A) by striking “(A)” and inserting “(A)”; and
(ii) by striking “(ii) a public-private partnership” and inserting “(ii) a public-private partnership or consortium;”;
(C) in paragraph (7), by striking the comma and inserting “and”;
(D) in paragraphs (4) and (6), by striking “statewide program” each place the term appears and inserting “consumer-responsive comprehensive statewide program”;
(E) by striking paragraphs (6) and (7) and inserting the following:
(6) GOALS, OBJECTIVES, ACTIVITIES, AND OUTCOMES.—Information on the program to be carried out under the grant with respect to
(A) the goals and objectives of the State for the program;
(B) the systemic change and advocacy activities described in section 101(b) that the State plans to carry out under the program, including, at a minimum, activities related to access to, and funding for, assistive technology devices and assistive technology services;
(C) the expected outcomes of the State for the program consistent with the purposes described in section 2(b)(1); and
(D) the procedures that will be used to conduct evaluations of the program.

iv) promote and accomplish the establishment of public-private partnerships;
(v) exercise leadership in identifying and responding to the technology needs of individuals with disabilities and the parents, family members, guardians, advocates, and authorized representatives of such individuals;
(vi) document consumer confidence in and responsiveness to consumer-responsive comprehensive statewide program of technology-related assistance; and
(vii) exercise leadership in implementing effective strategies for capacity building and training for appropriate entities, and enhancement of interagency coordination of activities related to funding for assistive technology devices and assistive technology services.

(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the preparation of the application and the continuing role of such agencies in development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance, including a description of the process used by each agency for providing access to and funding for assistive technology devices and assistive technology services.

(3) INVOLVEMENT.—
(A) CONSUMER INVOLVEMENT.—A description of procedures that—
(i) provide for—
(1) the active involvement of individuals with disabilities, the parents, family members, guardians, advocates, and authorized representatives of the individuals, and other appropriate individuals, in the development, implementation, and evaluation of the program; and
(2) the systemic change and advocacy activities described in section 101(b) that the State plans to carry out under the program, including, at a minimum, activities related to access to, and funding for, assistive technology devices and assistive technology services, inclusive of the active, timely, and meaningful participation by such individuals; and
(ii) significant progress has been made in the development and implementation of such a program; and
(II) the parents, family members, guardians, advocates, and authorized representatives of such individuals; and
(III) other appropriate individuals who are not employed by a State agency; and
(B) PUBLIC INVOLVEMENT.—A description of the procedures that—

(viii) the involvement of—
(I) individuals with disabilities;
(II) the parents, family members, guardians, advocates, and authorized representatives of such individuals; and
(III) other appropriate individuals who are not employed by a State agency; and

(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the preparation of the application and the continuing role of such agencies in development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance, including a description of the process used by each agency for providing access to and funding for assistive technology devices and assistive technology services.

(3) INVOLVEMENT.—
(A) CONSUMER INVOLVEMENT.—A description of procedures that—

iv) promote and accomplish the establishment of public-private partnerships;
(v) exercise leadership in identifying and responding to the technology needs of individuals with disabilities and the parents, family members, guardians, advocates, and authorized representatives of such individuals;
(vi) document consumer confidence in and responsiveness to consumer-responsive comprehensive statewide program of technology-related assistance; and
(vii) exercise leadership in implementing effective strategies for capacity building and training for appropriate entities, and enhancement of interagency coordination of activities related to funding for assistive technology devices and assistive technology services.

(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the preparation of the application and the continuing role of such agencies in development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance, including a description of the process used by each agency for providing access to and funding for assistive technology devices and assistive technology services.

(3) INVOLVEMENT.—
(A) CONSUMER INVOLVEMENT.—A description of procedures that—

iv) promote and accomplish the establishment of public-private partnerships;
(v) exercise leadership in identifying and responding to the technology needs of individuals with disabilities and the parents, family members, guardians, advocates, and authorized representatives of such individuals;
(vi) document consumer confidence in and responsiveness to consumer-responsive comprehensive statewide program of technology-related assistance; and
(vii) exercise leadership in implementing effective strategies for capacity building and training for appropriate entities, and enhancement of interagency coordination of activities related to funding for assistive technology devices and assistive technology services.

(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the preparation of the application and the continuing role of such agencies in development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance, including a description of the process used by each agency for providing access to and funding for assistive technology devices and assistive technology services.

(3) INVOLVEMENT.—
(A) CONSUMER INVOLVEMENT.—A description of procedures that—

iv) promote and accomplish the establishment of public-private partnerships;
(v) exercise leadership in identifying and responding to the technology needs of individuals with disabilities and the parents, family members, guardians, advocates, and authorized representatives of such individuals;
(vi) document consumer confidence in and responsiveness to consumer-responsive comprehensive statewide program of technology-related assistance; and
(vii) exercise leadership in implementing effective strategies for capacity building and training for appropriate entities, and enhancement of interagency coordination of activities related to funding for assistive technology devices and assistive technology services.

(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the preparation of the application and the continuing role of such agencies in development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance, including a description of the process used by each agency for providing access to and funding for assistive technology devices and assistive technology services.

(3) INVOLVEMENT.—
(A) CONSUMER INVOLVEMENT.—A description of procedures that—

iv) promote and accomplish the establishment of public-private partnerships;
(v) exercise leadership in identifying and responding to the technology needs of individuals with disabilities and the parents, family members, guardians, advocates, and authorized representatives of such individuals;
(vi) document consumer confidence in and responsiveness to consumer-responsive comprehensive statewide program of technology-related assistance; and
(vii) exercise leadership in implementing effective strategies for capacity building and training for appropriate entities, and enhancement of interagency coordination of activities related to funding for assistive technology devices and assistive technology services.

(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the preparation of the application and the continuing role of such agencies in development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance, including a description of the process used by each agency for providing access to and funding for assistive technology devices and assistive technology services.

(3) INVOLVEMENT.—
(A) CONSUMER INVOLVEMENT.—A description of procedures that—

iv) promote and accomplish the establishment of public-private partnerships;
(v) exercise leadership in identifying and responding to the technology needs of individuals with disabilities and the parents, family members, guardians, advocates, and authorized representatives of such individuals;
(vi) document consumer confidence in and responsiveness to consumer-responsive comprehensive statewide program of technology-related assistance; and
(vii) exercise leadership in implementing effective strategies for capacity building and training for appropriate entities, and enhancement of interagency coordination of activities related to funding for assistive technology devices and assistive technology services.

(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the preparation of the application and the continuing role of such agencies in development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance, including a description of the process used by each agency for providing access to and funding for assistive technology devices and assistive technology services.

(3) INVOLVEMENT.—
(A) CONSUMER INVOLVEMENT.—A description of procedures that—

iv) promote and accomplish the establishment of public-private partnerships;
(v) exercise leadership in identifying and responding to the technology needs of individuals with disabilities and the parents, family members, guardians, advocates, and authorized representatives of such individuals;
(vi) document consumer confidence in and responsiveness to consumer-responsive comprehensive statewide program of technology-related assistance; and
(vii) exercise leadership in implementing effective strategies for capacity building and training for appropriate entities, and enhancement of interagency coordination of activities related to funding for assistive technology devices and assistive technology services.

(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the preparation of the application and the continuing role of such agencies in development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance, including a description of the process used by each agency for providing access to and funding for assistive technology devices and assistive technology services.

(3) INVOLVEMENT.—
(A) CONSUMER INVOLVEMENT.—A description of procedures that—

iv) promote and accomplish the establishment of public-private partnerships;
(v) exercise leadership in identifying and responding to the technology needs of individuals with disabilities and the parents, family members, guardians, advocates, and authorized representatives of such individuals;
(vi) document consumer confidence in and responsiveness to consumer-responsive comprehensive statewide program of technology-related assistance; and
(vii) exercise leadership in implementing effective strategies for capacity building and training for appropriate entities, and enhancement of interagency coordination of activities related to funding for assistive technology devices and assistive technology services.

(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the preparation of the application and the continuing role of such agencies in development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance, including a description of the process used by each agency for providing access to and funding for assistive technology devices and assistive technology services.

(3) INVOLVEMENT.—
(A) CONSUMER INVOLVEMENT.—A description of procedures that—

iv) promote and accomplish the establishment of public-private partnerships;
(v) exercise leadership in identifying and responding to the technology needs of individuals with disabilities and the parents, family members, guardians, advocates, and authorized representatives of such individuals;
(vi) document consumer confidence in and responsiveness to consumer-responsive comprehensive statewide program of technology-related assistance; and
(vii) exercise leadership in implementing effective strategies for capacity building and training for appropriate entities, and enhancement of interagency coordination of activities related to funding for assistive technology devices and assistive technology services.
SEC. 103. EXTENSION GRANTS.

(a) INITIAL EXTENSION GRANT.—The Secretary may award an initial 2-year extension grant to any State that meets the standards specified in subsection (b)(1).

(b) STANDARDS.—

(i) INITIAL EXTENSION GRANT.—In order for a State to receive an extension grant under this section, the designated lead agency shall:

(A) provide the evidence described in subsection (b)(2)(A); and

(B) demonstrate that the State has made significant progress, and has carried out systemic change and advocacy activities described in sections 105(b)(2) and 105(g)(1) that have resulted in significant progress toward development and the implementation of a consumer-responsive, comprehensive statewide program of technology-related assistance, consistent with sections 2(b)(1), 101, and 102.

(ii) ADDITIONAL EXTENSION GRANT.—In order for a State to receive an additional extension grant under this section, the designated lead agency shall:

(A) provide the evidence and make the demonstration described in paragraph (b)(1); (B) describe the steps the State has taken or will take to continue on a permanent basis the benefits for those persons that are not more than $150,000.

(ii) an evaluation of the activities described in clauses (i) and (ii).

(iii) the relationship of such systemic change and advocacy activities to the development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance, and

(iv) the progress made toward the development and implementation of such a program.

(c) AMOUNTS OF GRANTS.—

(i) IN GENERAL.—

(A) STANDARDS.—A State that desires to receive an extension grant under this section shall submit an application that contains a description of State actions that are comparable to the program described in subsection (c)(3) and the implementation of a consumer-responsive comprehensive statewide program of technology-related assistance, consistent with sections 2(b)(1), 101, and 102.

(B) ACCOUNTABILITY.—From amounts appropriated to any State under section 106, the Secretary shall pay to each State that receives a grant under subsection (c)(1) an amount that is not less than $500,000 and not more than $1,500,000.

(ii) LIMIT ON INDIRECT COSTS.—An assurance that the lead agency will coordinate the activities funded through a grant made under section 102 or 103 with the activities carried out by other systemic change projects funded through Federal or State sources.

(iii) LIMITATION.—The amount that is not more than $150,000.

(iv) RETROACTIVE.—From amounts appropriated to any State under section 106 for any fiscal year, the Secretary shall pay to each State that receives a grant under subsection (c)(2), or, is under section 102, or, is under section 105(b)(2), an amount that is not less than $500,000 and not more than $1,500,000.

(v) LIMITATION.—The amount that is not more than $150,000.

(vi) RETROACTIVE.—From amounts appropriated to any State under section 106 for any fiscal year, the Secretary shall pay to each State that receives a grant under subsection (c)(2), or, is under section 102, or, is under section 105(b)(2), an amount that is not less than $500,000 and not more than $1,500,000.

(vii) LIMITATION.—The amount that is not more than $150,000.

(viii) RETROACTIVE.—From amounts appropriated to any State under section 106 for any fiscal year, the Secretary shall pay to each State that receives a grant under subsection (c)(2), or, is under section 102, or, is under section 105(b)(2), an amount that is not less than $500,000 and not more than $1,500,000.

(viii) LIMITATION.—The amount that is not more than $150,000.

(vii) RETROACTIVE.—From amounts appropriated to any State under section 106 for any fiscal year, the Secretary shall pay to each State that receives a grant under subsection (c)(2), or, is under section 102, or, is under section 105(b)(2), an amount that is not less than $500,000 and not more than $1,500,000.

(vii) LIMITATION.—The amount that is not more than $150,000.

(vi) RETROACTIVE.—From amounts appropriated to any State under section 106 for any fiscal year, the Secretary shall pay to each State that receives a grant under subsection (c)(2), or, is under section 102, or, is under section 105(b)(2), an amount that is not less than $500,000 and not more than $1,500,000.

(vi) LIMITATION.—The amount that is not more than $150,000.

(v) RETROACTIVE.—From amounts appropriated to any State under section 106 for any fiscal year, the Secretary shall pay to each State that receives a grant under subsection (c)(2), or, is under section 102, or, is under section 105(b)(2), an amount that is not less than $500,000 and not more than $1,500,000.

(v) LIMITATION.—The amount that is not more than $150,000.
under subsection (a)(2), a report on the hearing shall be included in the report described in paragraph (2). (B) OTHER STATE ACTIONS.—A description of State actions, other than those described in paragraph (A), that are consistent with the standards and criteria established under subsection (a); and (C) REPORTS.—Each State that receives a grant under section 102 or 103 shall conduct at least one additional onsite visit to any State that received an extension grant under section 103 for whose initial onsite visit occurred prior to the date of enactment of the Technology- Related Assistance Amendments of 1993.

SEC. 106. ADMINISTRATIVE PROVISIONS.
(a) REVIEW OF PARTICIPATING STATES.—Section 105(a) of title 6, United States Code, is amended— (1) in paragraph (1), by striking "PEN-" and inserting "CORRECTIVE ACTION PLAN;" (B) by striking "or" at the end of subparagraph (A) and inserting in its stead "or employees of the United States, but they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5702 of title 5, United States Code, for individuals in the Government service traveling on official business;"; and (II) OTHER MEMBERS.—Members of any on-site monitoring team who are officers or full-time employees of the United States shall receive compensation at a rate not to exceed the daily equivalent of the basic rate of pay for level IV of the Executive Schedule under section 5311 of title 5, United States Code, for each day (including travel time) during which such members are engaged in the actual performance of their duties as members of an onsite monitoring team. In addition, such members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5702 of title 5, United States Code, for individuals in the Government service traveling on official business; (D) TEAM.—Two-thirds of the onsite monitoring team in each case shall be qualified peer reviewers, who— (I) shall not be agency personnel; (II) shall be from States other than the State being monitored; and (III) shall include an individual with a disability, or a parent, family member, guardian, advocate, or an authorized representative of such an individual.

(C) COMPENSATION.—(I) OFFICERS OR EMPLOYEES.—Members of any onsite monitoring team who are officers or full-time employees of the United States shall receive pay for each day (including travel time) during which they are engaged in the actual performance of their duties as members of an onsite monitoring team, at a rate not to exceed the daily equivalent of the rate of pay for level IV of the Executive Schedule under section 5311 of title 5, United States Code, for each day (including travel time) during which such members are engaged in the actual performance of their duties as members of an onsite monitoring team. In addition, such members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5702 of title 5, United States Code, for individuals in the Government service traveling on official business; (II) OTHER MEMBERS.—Members of any on-site monitoring team who are officers or full-time employees of the United States shall receive compensation at a rate not to exceed the daily equivalent of the basic rate of pay for level IV of the Executive Schedule under section 5311 of title 5, United States Code, for each day (including travel time) during which such members are engaged in the actual performance of their duties as members of an onsite monitoring team. In addition, such members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5702 of title 5, United States Code, for individuals in the Government service traveling on official business; (D) REPORT.—The Secretary shall prepare and submit a report of findings from the onsite visit. The Secretary shall consider the findings in determining whether to continue funding the program either with or without changes. The report shall be available to the public; (E) by redesignating paragraphs (1) and (4) of section 105(b) as paragraphs (2) and (3), respectively; and (F) by inserting after paragraph (2) the following: (3) ADVANCE PUBLIC NOTICE.—The Secretary shall provide advance public notice of the onsite visit and solicit public comment through such notice from individuals with disabilities, and the parents, family members, guardians, advocates, and authorized representatives of such individuals, public service providers and private service providers, educators and related service providers, employers, and other appropriate individuals and entities, for the purpose of soliciting comments on the Federal requirements pertaining to assistive technology devices and assistive technology services, particularly under part B and part H of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq. and 1471 et seq.) and title I of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

SEC. 107. PROGRESS CRITERIA AND REPORTS. Section 104 (29 U.S.C. 2214) is amended to read as follows: (b) PROGRESS CRITERIA AND REPORTS. (a) REGULATIONS.—The Secretary shall by regulation establish criteria for determining, for purposes of this title, whether a State that received a grant under section 102 or 103 is making progress in developing and implementing a consumer-responsive comprehensive statewide program of technology-related assistance. Such criteria shall include standards for assessing the impact of the systemic change and advocacy activities described in section 104(b), and in the State in achieving the purposes described in section 104(a).

"(b) REPORTS.—Each State that receives a grant under section 102 or 103 shall conduct at least one additional onsite visit to any State that received an extension grant under section 103 for whose initial onsite visit occurred prior to the date of enactment of the Technology-Related Assistance Amendments of 1993.

"(c) REPORT.—The Secretary shall prepare and submit a report of findings from the onsite visit. The Secretary shall consider the findings in determining whether to continue funding the program either with or without changes. The report shall be available to the public; (B) by striking "or" at the end of subparagraph (A) and inserting in its stead "or employees of the United States, but they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5702 of title 5, United States Code, for individuals in the Government service traveling on official business; (II) OTHER MEMBERS.—Members of any on-site monitoring team who are officers or full-time employees of the United States shall receive compensation at a rate not to exceed the daily equivalent of the basic rate of pay for level IV of the Executive Schedule under section 5311 of title 5, United States Code, for each day (including travel time) during which such members are engaged in the actual performance of their duties as members of an onsite monitoring team. In addition, such members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5702 of title 5, United States Code, for individuals in the Government service traveling on official business; (D) TEAM.—Two-thirds of the onsite monitoring team in each case shall be qualified peer reviewers, who— (I) shall not be agency personnel; (II) shall be from States other than the State being monitored; and (III) shall include an individual with a disability, or a parent, family member, guardian, advocate, or an authorized representative of such an individual.

"(C) COMPENSATION.—(I) OFFICERS OR EMPLOYEES.—Members of any onsite monitoring team who are officers or full-time employees of the United States shall receive pay for each day (including travel time) during which they are engaged in the actual performance of their duties as members of an onsite monitoring team, at a rate not to exceed the daily equivalent of the rate of pay for level IV of the Executive Schedule under section 5311 of title 5, United States Code, for each day (including travel time) during which such members are engaged in the actual performance of their duties as members of an onsite monitoring team. In addition, such members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5702 of title 5, United States Code, for individuals in the Government service traveling on official business; (II) OTHER MEMBERS.—Members of any on-site monitoring team who are officers or full-time employees of the United States shall receive compensation at a rate not to exceed the daily equivalent of the basic rate of pay for level IV of the Executive Schedule under section 5311 of title 5, United States Code, for each day (including travel time) during which such members are engaged in the actual performance of their duties as members of an onsite monitoring team. In addition, such members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5702 of title 5, United States Code, for individuals in the Government service traveling on official business; (D) REPORT.—The Secretary shall prepare and submit a report of findings from the onsite visit. The Secretary shall consider the findings in determining whether to continue funding the program either with or without changes. The report shall be available to the public; (E) by redesignating paragraphs (1) and (4) of section 105(b) as paragraphs (2) and (3), respectively; and (F) by inserting after paragraph (2) the following: (3) ADVANCE PUBLIC NOTICE.—The Secretary shall provide advance public notice of the onsite visit and solicit public comment through such notice from individuals with disabilities, and the parents, family members, guardians, advocates, and authorized representatives of such individuals, public service providers and private service providers, educators and related service providers, employers, and other appropriate individuals and entities, for the purpose of soliciting comments on the Federal requirements pertaining to assistive technology devices and assistive technology services, particularly under part B and part H of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq. and 1471 et seq.) and title I of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).
SEC. 102. DEMONSTRATION ACTIVITIES.

(A) AUTHORIZATION OF APPROPRIATIONS.—On or before October 1, 1995, the Secretary shall prepare, pursuant to section 102(e)(18), based on the basis that the change was not for good cause.

SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 106(a) (29 U.S.C. 2003) is amended by inserting "8," and 31 of each year, the Secretary shall prepare, pursuant to section 102(e)(18), based on the basis that the change was not for good cause.

(b) RESERVATIONS.—Section 106(b) (29 U.S.C. 2003(h)) is amended to read as follows:

"(b) RESERVATIONS.—"(1) FUNDING FOR ASSISTIVE TECHNOLOGY DEVICES AND ASSISTIVE TECHNOLOGY SERVICES.—The Secretary may, in the paragraphs specified in subparagraph (a) of section 102(2), for programs that were in existence on the date of the initiation of the demonstration activities, and (ii) 31 of each year, the Secretary shall prepare, pursuant to section 102(e)(18), based on the basis that the change was not for good cause.

(2) CONTENTS.—Such report shall include

(i) promote access to such funding in programs that were in existence on the date of the initiation of the demonstration activities, and

(ii) establish additional options for obtaining such funding.

(3) DEMONSTRATION ACTIVITIES.—The demonstration activities carried out through the Federal initiatives to improve access to assistive technology devices and assistive technology services, and (ii) 31 of each year, the Secretary shall prepare, pursuant to section 102(e)(18), based on the basis that the change was not for good cause.

(ii) a opportunity to respond to the determination that good cause has been shown;

(b) provide individuals with disabilities, or the parents, family members, guardians, advocates, or authorized representatives of such individuals, with timely notice of the proposed change and an opportunity for public comment; and

(c) provide the agency with the opportunity to appeal the determination on the basis that the change was not for good cause.

(c) REVIEW.—At the request of the agency, the Secretary shall review the protection and advocacy services provided by the entity pursuant to section 102(k)(18) based on the criteria for such services set out in the grant or contract to support such services that is described in such section.

(d) ANNUAL REPORT.—

"(1) IN GENERAL.—Not later than December 31 of each year, the Secretary shall prepare, pursuant to section 102(h)(2), based on the criteria for such services set out in the grant or contract to support such services that is described in such section.

(2) CONTENTS.—Such report shall include information on—

(A) the demonstrated successes of such Federal initiatives at the Federal and State levels in improving interagency coordination, increasing access to funding for assistive technology, and producing beneficial outcomes for users of assistive technology;

(B) the demonstration activities carried out through the Federal initiatives to—

(i) increase access to such funding in public programs that were in existence on the date of the initiation of the demonstration activities, and

(ii) establish additional options for obtaining such funding;

(C) the education and training activities carried out through the Federal initiatives to promote such funding for assistive technology devices and the health care system and the efforts to carry out such activities to train professionals in a variety of relevant disciplines, and increase the competencies of the professionals with respect to technology-related assistance;

(D) the education and training activities carried out through the Federal initiatives to train individuals with disabilities, the parents, family members, guardians, advocates, or authorized representatives of individuals with disabilities, individuals who work for public or private entities (including insurers), that have contact with individuals with disabilities, educators and related services personnel, employers, and other appropriate individuals, about technology-related assistance;

(E) research activities carried out through the Federal initiatives to improve understanding of the cost-benefit results of access to assistive technology for individuals with disabilities who represent a variety of ages and types of disabilities;

(F) the program outreach activities to rural and inner-city areas that are carried out through the Federal initiatives;

(G) the activities carried out through the Federal initiatives that are targeted to reach underserved groups;

(H) the consumer involvement activities in the programs carried out under this Act.

(3) AVAILABILITY OF ASSISTIVE TECHNOLOGY DEVICES AND ASSISTIVE TECHNOLOGY SERVICES.—As soon as practicable, and to the extent that a national classification system for assistive technology devices and assistive technology services is established pursuant to section 201, the Secretary shall include in the annual report required by this subsection information on the availability of assistive technology devices and assistive technology services for individuals with disabilities, and shall report such information in a manner consistent with such national classification system.

"(1) INTERAGENCY DISABILITY COORDINATING COUNCIL.—

(A) COMMENTS.—On or before October 1, 1965, the Interagency Disability Coordinating Council established under section 107 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) shall prepare and submit to the President and to the Congress a report containing—

(i) the response of the Interagency Disability Coordinating Council to—

(i) the findings of the National Council on Disability resulting from the study entitled 'Study on the Financing of Assistive Technology Devices for Individuals with Disabilities', carried out in accordance with section 201 of this Act, as in effect on the day before the date of enactment of this subsection; and

(ii) the recommendations of the National Council on Disability for legislative and administrative change, resulting from such study; and

(B) information on any other activities of the Interagency Disability Coordinating Council that facilitate the accomplishment of subsection; and

(2) RESERVATIONS. browser is not supported. Please use a supported browser to view this content.
...promote effective approaches to Federal-State coordination of programs for individuals with disabilities, through information, consultation, and technical assistance in response to funding policy issues identified on a nationwide basis by ...able to receive funds under this subsection an agency, organization, or institution shall submit an annual report to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(D) ONSITE VISITS.—The Secretary may re­serve, from amounts appropriated for any fiscal year under subsection (a), such sums as the Secretary considers to be necessary for the purpose of conducting onsite visits as required by section 109(a).

SEC. 107. REPEALED.
Section 107 (29 U.S.C. 227) is repealed.

TITLE II—PROGRAMS OF NATIONAL SIGNIFICANCE

SEC. 201. NATIONAL CLASSIFICATION SYSTEM.
Part A of title II (29 U.S.C. 225 et seq.) is amended to read as follows:  "PART A—NATIONAL CLASSIFICATION SYSTEM

"SEC. 201. CLASSIFICATION SYSTEM.
"(a) PILOT PROJECT.—
"(1) IN GENERAL.—The Secretary shall con­duct a pilot project to develop and test a na­tional classification system for assistive technology devices and assistive technology services with the goal of obtaining uniform data through such a system on such devices and services across public programs and in­formation and referral networks.

"(2) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary may carry out this section directly, or, if necessary, by entering into contracts or cooperative agreements with appropriate entities.

"(b) SINGLE TAXONOMY.—In conducting the pilot project, the Secretary shall develop a national classification system for assistive technology devices and assistive technology services.

"(c) DATA COLLECTION INSTRUMENT.—In conducting the pilot project, the Secretary shall develop a data collection instrument to—

"(1) collect data regarding funding for assistive technology devices and assistive technology services; and

"(2) collect such data from public programs, including, at a minimum, programs carried out under—

"(A) title I, VI, or VII of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.); (B) part B or H of the Individuals with Disabilities Education Act (29 U.S.C. 1411 et seq.); or (C) the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001 et seq.).

"(d) CONSULTATION AND COORDINATION.—
"(1) CONSULTATION.—The Secretary shall conduct the pilot project in consultation with the Interagency Disability Coordinating Council established under section 507 of the Rehabilitation Act of 1973 (29 U.S.C. 794c) and the National Council on Disability established under section 400 of such Act (29 U.S.C. 795).

"(2) COORDINATION.—The Secretary shall coordinate activities related to conducting the pilot project with—

"(A) activities carried out through State programs funded under section 1; and

"(B) the provision of technical assistance under section 19(b).

"(e) DATA COLLECTION ACTIVITIES.—Data collection activities that are being carried out on the date on which the Secretary initiates the pilot project:

... "(A) activities being carried out through data collection systems in existence on such date; and

... activities of appropriate entities, including entities involved in the information and referral field.

(b) PILOT PROJECT.—
(1) IN GENERAL.—The Secretary shall complete the pilot project not later than 24 months after the date of enactment of this section.

(2) REPORT TO CONGRESS ON IMPLEMENTATION OF UNIFORM DATA COLLECTION SYSTEM.—Not later than January 1, 1993, the Secretary shall prepare and submit to the appropriate committees of Congress a report containing—

"(I) the results of the pilot project; and

"(II) the recommendations of the Secretary concerning the feasibility of implementing a uniform data collection system based on such a national classification system.

... "(F) RESERVATION.—From the amounts ap­propriated under part D, the Secretary shall reserve $500,000 to carry out this part.

SEC. 202. TRAINING AND PUBLIC AWARENESS PROJECTS.
Section 221 (29 U.S.C. 2251) is amended—
"(1) in section 202(b) (1), by striking "institutions of higher education and community-based organiza­tions" and all that follows and inserting—

"(ii) in subparagraph (A), by striking "and" at the end; and

"(iii) by striking the period at the end of subparagraph (B), and inserting the follow­ing:—

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

... "(3) USES OF FUNDS.—An agency or organization that receives a grant under paragraph (1) may use amounts made available through the grant to—

"(A) pay for a portion of the cost of courses of training or study related to technology-related assistance; and

"(B) establish and maintain scholarships related to such courses of training or study, with such stipends and allowances as the Secretary may determine to be appropriate.

... "(A) in general.—To be eligible to receive a grant under this section, an agency or or­ganization shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secre­tary may require.

"(B) STREAMLINING.—At a minimum, any such application shall include a detailed de­scription of the strategies that the agency or organization intends to use to recruit and train persons to provide technology-related assist­ance, in order to—

...
"(I) increase the extent to which such persons reflect the diverse populations of the United States and nationalities of such individuals, and specifically the interests of members of minority groups, who are available to provide such assistance;" and (II) increase the number of individuals with disabilities, and individuals who are members of minority groups, who are available to provide such assistance.;" and (B) evaluation of personnel;" and all that follows and "(B) evaluate the efficacy of the particular loan systems involved.

Section 241 (29 U.S.C. 2271) is amended to read as follows:

"(A) IN GENERAL.—TO be eligible to receive a grant under this section, an agency or organization shall submit an application to the Secretary to— (1) by inserting "or, to approve a prior purchase of "after "to purchase,"; and (2) by inserting before the period at the end thereof the following: "; and (B) by inserting after "will prevent" in clause (ii)." after "purchase will result" in clause (i); and (1) by inserting " , or the previous purchase has resulted," after "purchase will result" in clause (i) and (2) by inserting " , or would have prevented," after "will prevent" in clause (i)."

"(B) by inserting before the period at the end thereof the following: "; and (C) by inserting " , or would have prevented," after "will prevent" in clause (i)."

"STREET NAME: Congress Avenue, SW

CITY: Washington, D.C.

STATE: District of Columbia

ZIP CODE: 20515

ADDRESS: Rayburn House Office Building

DATE: August 6, 1993

CONGRESSIONAL RECORD — SENATE S 10785

STATEMENT OF THE NOMINATION OF JAMES HALL

Mr. President, let me explain my specific concerns with Mr. Hall's nomination. First, by his own admission, Mr. Hall does not have the professional qualifications as defined by law. Therefore, my view must consider the qualifications of all nominees of the National Transportation Safety Board (NTSB), when they were appointed. Furthermore, I have serious concerns with the responses Mr. Hall gave during his nomination hearing. I ask him numerous questions relating to transportation safety and policy. Unfortunately, I found Mr. Hall's responses to be extremely vague at best. As a result, I do not have a clear understanding of Mr. Hall's general philosophy regarding transportation safety. That troubles me. I should trouble my colleagues, too. In fact, I encourage my colleagues to examine thoroughly the hearing record.

Mr. President, it is the responsibility of each Member to determine whether, in their judgment, a nominee should be confirmed for the position that he or she has been nominated. Lastly confirming any nominee who is fit to fill a critical position in the administration is wrong. We have a duty and a responsibility to scrutinize each nominee's qualifications.

In this case, we are asked to confirm a nominee who will affect greatly our Nation's transportation safety. That is why the law provides a minimum standard of qualifications for NTSB membership. In my opinion, that nominee should be held to the highest standards of hands-on transportation experience and working knowledge. Let me make myself perfectly clear. Mr. Hall's personal character and reputation are admirable. My sole concerns are based principally on the law's requirement that he have three years of experience in the field of transportation safety. Furthermore, I urge my colleagues to read the nomination hearing transcript and also to scrutinize carefully the nominee's professional expertise in relation to the qualifications of the other NTSB members.

At any given time, no less than three members of the Board shall be individuals who have been appointed on the basis of technical qualification, professional standing, and demonstrated knowledge in the fields of accident investigation, engineering, human factors, transportation safety, or transportation regulation.

Given the law's specific professional requirements for NTSB membership, as well as the fact that the NTSB is one of the most critical agencies affecting transportation safety, I believe it is essential that the qualifications of any NTSB nominee—Democratic or Republican—receive a thorough examination by the Senate prior to confirmation. That is why I have asked the Commerce Committee not to "rubber stamp" this nomination.