

105TH CONGRESS
2^D SESSION

S. 2432

AMENDMENT

In the House of Representatives, U. S.,

October 9, 1998.

Resolved, That the bill from the Senate (S. 2432) entitled “An Act to support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2 *(a) SHORT TITLE.—This Act may be cited as the “As-*
3 *istive Technology Act of 1998”.*

4 *(b) TABLE OF CONTENTS.—The table of contents for*
5 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purposes.

Sec. 3. Definitions and rule.

TITLE I—STATE GRANT PROGRAMS

Sec. 101. Continuity grants for States that received funding for a limited period for technology-related assistance.

Sec. 102. State grants for protection and advocacy related to assistive technology.

Sec. 103. Administrative provisions.

Sec. 104. Technical assistance program.

Sec. 105. Authorization of appropriations.

TITLE II—NATIONAL ACTIVITIES

Subtitle A—Rehabilitation Act of 1973

Sec. 201. Coordination of Federal research efforts.

Sec. 202. National Council on Disability.

Sec. 203. Architectural and Transportation Barriers Compliance Board.

Subtitle B—Other National Activities

- Sec. 211. Small business incentives.*
Sec. 212. Technology transfer and universal design.
Sec. 213. Universal design in products and the built environment.
Sec. 214. Outreach.
Sec. 215. Training pertaining to rehabilitation engineers and technicians.
Sec. 216. President's Committee on Employment of People With Disabilities.
Sec. 217. Authorization of appropriations.

TITLE III—ALTERNATIVE FINANCING MECHANISMS

- Sec. 301. General authority.*
Sec. 302. Amount of grants.
Sec. 303. Applications and procedures.
Sec. 304. Contracts with community-based organizations.
Sec. 305. Grant administration requirements.
Sec. 306. Information and technical assistance.
Sec. 307. Annual report.
Sec. 308. Authorization of appropriations.

TITLE IV—REPEAL AND CONFORMING AMENDMENTS

- Sec. 401. Repeal.*
Sec. 402. Conforming amendments.

1 SEC. 2. FINDINGS AND PURPOSES.

2 (a) *FINDINGS.*—*Congress finds the following:*

3 (1) *Disability is a natural part of the human ex-*
4 *perience and in no way diminishes the right of indi-*
5 *viduals to—*

6 (A) *live independently;*

7 (B) *enjoy self-determination and make*
8 *choices;*

9 (C) *benefit from an education;*

10 (D) *pursue meaningful careers; and*

11 (E) *enjoy full inclusion and integration in*
12 *the economic, political, social, cultural, and edu-*
13 *cational mainstream of society in the United*
14 *States.*

1 (2) *Technology has become 1 of the primary en-*
2 *gines for economic activity, education, and innova-*
3 *tion in the Nation, and throughout the world. The*
4 *commitment of the United States to the development*
5 *and utilization of technology is 1 of the main factors*
6 *underlying the strength and vibrancy of the economy*
7 *of the United States.*

8 (3) *As technology has come to play an increas-*
9 *ingly important role in the lives of all persons in the*
10 *United States, in the conduct of business, in the func-*
11 *tioning of government, in the fostering of communica-*
12 *tion, in the conduct of commerce, and in the provi-*
13 *sion of education, its impact upon the lives of the*
14 *more than 50,000,000 individuals with disabilities in*
15 *the United States has been comparable to its impact*
16 *upon the remainder of the citizens of the United*
17 *States. Any development in mainstream technology*
18 *would have profound implications for individuals*
19 *with disabilities in the United States.*

20 (4) *Substantial progress has been made in the*
21 *development of assistive technology devices, including*
22 *adaptations to existing devices that facilitate activi-*
23 *ties of daily living, that significantly benefit individ-*
24 *uals with disabilities of all ages. Such devices and ad-*
25 *aptations increase the involvement of such individuals*

1 *in, and reduce expenditures associated with, programs*
2 *and activities such as early intervention, education,*
3 *rehabilitation and training, employment, residential*
4 *living, independent living, and recreation programs*
5 *and activities, and other aspects of daily living.*

6 *(5) All States have comprehensive statewide pro-*
7 *grams of technology-related assistance. Federal sup-*
8 *port for such programs should continue, strengthening*
9 *the capacity of each State to assist individuals with*
10 *disabilities of all ages with their assistive technology*
11 *needs.*

12 *(6) Notwithstanding the efforts of such State pro-*
13 *grams, there is still a lack of—*

14 *(A) resources to pay for assistive technology*
15 *devices and assistive technology services;*

16 *(B) trained personnel to assist individuals*
17 *with disabilities to use such devices and services;*

18 *(C) information among targeted individuals*
19 *about the availability and potential benefit of*
20 *technology for individuals with disabilities;*

21 *(D) outreach to underrepresented popu-*
22 *lations and rural populations;*

23 *(E) systems that ensure timely acquisition*
24 *and delivery of assistive technology devices and*
25 *assistive technology services;*

1 (F) coordination among State human serv-
2 ices programs, and between such programs and
3 private entities, particularly with respect to
4 transitions between such programs and entities;
5 and

6 (G) capacity in such programs to provide
7 the necessary technology-related assistance.

8 (7) In the current technological environment, the
9 line of demarcation between assistive technology and
10 mainstream technology is becoming ever more dif-
11 ficult to draw.

12 (8) Many individuals with disabilities cannot
13 access existing telecommunications and information
14 technologies and are at risk of not being able to access
15 developing technologies. The failure of Federal and
16 State governments, hardware manufacturers, software
17 designers, information systems managers, and tele-
18 communications service providers to account for the
19 specific needs of individuals with disabilities in the
20 design, manufacture, and procurement of tele-
21 communications and information technologies results
22 in the exclusion of such individuals from the use of
23 telecommunications and information technologies and
24 results in unnecessary costs associated with the retro-
25 fitting of devices and product systems.

1 (9) *There are insufficient incentives for Federal*
2 *contractors and other manufacturers of technology to*
3 *address the application of technology advances to*
4 *meet the needs of individuals with disabilities of all*
5 *ages for assistive technology devices and assistive tech-*
6 *nology services.*

7 (10) *The use of universal design principles re-*
8 *duces the need for many specific kinds of assistive*
9 *technology devices and assistive technology services by*
10 *building in accommodations for individuals with dis-*
11 *abilities before rather than after production. The use*
12 *of universal design principles also increases the likeli-*
13 *hood that products (including services) will be com-*
14 *patible with existing assistive technologies. These*
15 *principles are increasingly important to enhance ac-*
16 *cess to information technology, telecommunications,*
17 *transportation, physical structures, and consumer*
18 *products. There are insufficient incentives for com-*
19 *mercial manufacturers to incorporate universal de-*
20 *sign principles into the design and manufacturing of*
21 *technology products, including devices of daily living,*
22 *that could expand their immediate use by individuals*
23 *with disabilities of all ages.*

24 (11) *There are insufficient incentives for com-*
25 *mercial pursuit of the application of technology de-*

1 *vices to meet the needs of individuals with disabili-*
2 *ties, because of the perception that such individuals*
3 *constitute a limited market.*

4 *(12) At the Federal level, the Federal Labora-*
5 *tories, the National Aeronautics and Space Adminis-*
6 *tration, and other similar entities do not recognize*
7 *the value of, or commit resources on an ongoing basis*
8 *to, technology transfer initiatives that would benefit,*
9 *and especially increase the independence of, individ-*
10 *uals with disabilities.*

11 *(13) At the Federal level, there is a lack of co-*
12 *ordination among agencies that provide or pay for*
13 *the provision of assistive technology devices and as-*
14 *istive technology services. In addition, the Federal*
15 *Government does not provide adequate assistance and*
16 *information with respect to the quality and use of as-*
17 *istive technology devices and assistive technology*
18 *services to targeted individuals.*

19 *(14) There are changes in the delivery of assist-*
20 *ive technology devices and assistive technology serv-*
21 *ices, including—*

22 *(A) the impact of the increased prevalence*
23 *of managed care entities as payors for assistive*
24 *technology devices and assistive technology serv-*
25 *ices;*

1 (B) an increased focus on universal design;

2 (C) the increased importance of assistive
3 technology in employment, as more individuals
4 with disabilities move from public assistance to
5 work through training and on-the-job accom-
6 modations;

7 (D) the role and impact that new tech-
8 nologies have on how individuals with disabil-
9 ities will learn about, access, and participate in
10 programs or services that will affect their lives;
11 and

12 (E) the increased role that telecommuni-
13 cations play in education, employment, health
14 care, and social activities.

15 (b) *PURPOSES.*—The purposes of this Act are—

16 (1) to provide financial assistance to States to
17 undertake activities that assist each State in main-
18 taining and strengthening a permanent comprehen-
19 sive statewide program of technology-related assist-
20 ance, for individuals with disabilities of all ages, that
21 is designed to—

22 (A) increase the availability of, funding for,
23 access to, and provision of, assistive technology
24 devices and assistive technology services;

1 (B) increase the active involvement of indi-
2 viduals with disabilities and their family mem-
3 bers, guardians, advocates, and authorized rep-
4 resentatives, in the maintenance, improvement,
5 and evaluation of such a program;

6 (C) increase the involvement of individuals
7 with disabilities and, if appropriate, their fam-
8 ily members, guardians, advocates, and author-
9 ized representatives, in decisions related to the
10 provision of assistive technology devices and as-
11 sistive technology services;

12 (D) increase the provision of outreach to
13 underrepresented populations and rural popu-
14 lations, to enable the 2 populations to enjoy the
15 benefits of activities carried out under this Act
16 to the same extent as other populations;

17 (E) increase and promote coordination
18 among State agencies, between State and local
19 agencies, among local agencies, and between
20 State and local agencies and private entities
21 (such as managed care providers), that are in-
22 volved or are eligible to be involved in carrying
23 out activities under this Act;

24 (F)(i) increase the awareness of laws, regu-
25 lations, policies, practices, procedures, and orga-

1 *nizational structures, that facilitate the avail-*
2 *ability or provision of assistive technology de-*
3 *vices and assistive technology services; and*

4 *(ii) facilitate the change of laws, regula-*
5 *tions, policies, practices, procedures, and organi-*
6 *zational structures, to obtain increased availabil-*
7 *ity or provision of assistive technology devices*
8 *and assistive technology services;*

9 *(G) increase the probability that individ-*
10 *uals with disabilities of all ages will, to the ex-*
11 *tent appropriate, be able to secure and maintain*
12 *possession of assistive technology devices as such*
13 *individuals make the transition between services*
14 *offered by human service agencies or between set-*
15 *tings of daily living (for example, between home*
16 *and work);*

17 *(H) enhance the skills and competencies of*
18 *individuals involved in providing assistive tech-*
19 *nology devices and assistive technology services;*

20 *(I) increase awareness and knowledge of the*
21 *benefits of assistive technology devices and assist-*
22 *ive technology services among targeted individ-*
23 *uals;*

24 *(J) increase the awareness of the needs of*
25 *individuals with disabilities of all ages for as-*

1 *sistive technology devices and for assistive tech-*
2 *nology services; and*

3 *(K) increase the capacity of public agencies*
4 *and private entities to provide and pay for as-*
5 *istive technology devices and assistive technology*
6 *services on a statewide basis for individuals with*
7 *disabilities of all ages;*

8 *(2) to identify Federal policies that facilitate*
9 *payment for assistive technology devices and assistive*
10 *technology services, to identify those Federal policies*
11 *that impede such payment, and to eliminate inappro-*
12 *priate barriers to such payment; and*

13 *(3) to enhance the ability of the Federal Govern-*
14 *ment to—*

15 *(A) provide States with financial assistance*
16 *that supports—*

17 *(i) information and public awareness*
18 *programs relating to the provision of assist-*
19 *ive technology devices and assistive tech-*
20 *nology services;*

21 *(ii) improved interagency and public-*
22 *private coordination, especially through*
23 *new and improved policies, that result in*
24 *increased availability of assistive technology*

1 *devices and assistive technology services;*
2 *and*
3 (iii) *technical assistance and training*
4 *in the provision or use of assistive tech-*
5 *nology devices and assistive technology serv-*
6 *ices; and*
7 (B) *fund national, regional, State, and*
8 *local targeted initiatives that promote under-*
9 *standing of and access to assistive technology de-*
10 *vices and assistive technology services for tar-*
11 *geted individuals.*

12 **SEC. 3. DEFINITIONS AND RULE.**

13 (a) *DEFINITIONS.—In this Act:*

14 (1) *ADVOCACY SERVICES.—The term “advocacy*
15 *services”, except as used as part of the term “protec-*
16 *tion and advocacy services”, means services provided*
17 *to assist individuals with disabilities and their fam-*
18 *ily members, guardians, advocates, and authorized*
19 *representatives in accessing assistive technology de-*
20 *vices and assistive technology services.*

21 (2) *ASSISTIVE TECHNOLOGY.—The term “assist-*
22 *ive technology” means technology designed to be uti-*
23 *lized in an assistive technology device or assistive*
24 *technology service.*

1 (3) *ASSISTIVE TECHNOLOGY DEVICE.*—*The term*
2 *“assistive technology device” means any item, piece of*
3 *equipment, or product system, whether acquired com-*
4 *mercially, modified, or customized, that is used to in-*
5 *crease, maintain, or improve functional capabilities*
6 *of individuals with disabilities.*

7 (4) *ASSISTIVE TECHNOLOGY SERVICE.*—*The term*
8 *“assistive technology service” means any service that*
9 *directly assists an individual with a disability in the*
10 *selection, acquisition, or use of an assistive technology*
11 *device. Such term includes—*

12 (A) *the evaluation of the assistive tech-*
13 *nology needs of an individual with a disability,*
14 *including a functional evaluation of the impact*
15 *of the provision of appropriate assistive tech-*
16 *nology and appropriate services to the individ-*
17 *ual in the customary environment of the individ-*
18 *ual;*

19 (B) *services consisting of purchasing, leas-*
20 *ing, or otherwise providing for the acquisition of*
21 *assistive technology devices by individuals with*
22 *disabilities;*

23 (C) *services consisting of selecting, design-*
24 *ing, fitting, customizing, adapting, applying,*

1 *maintaining, repairing, or replacing assistive*
2 *technology devices;*

3 *(D) coordination and use of necessary*
4 *therapies, interventions, or services with assistive*
5 *technology devices, such as therapies, interven-*
6 *tions, or services associated with education and*
7 *rehabilitation plans and programs;*

8 *(E) training or technical assistance for an*
9 *individual with disabilities, or, where appro-*
10 *priate, the family members, guardians, advo-*
11 *cates, or authorized representatives of such an*
12 *individual; and*

13 *(F) training or technical assistance for pro-*
14 *essionals (including individuals providing edu-*
15 *cation and rehabilitation services), employers, or*
16 *other individuals who provide services to, em-*
17 *ploy, or are otherwise substantially involved in*
18 *the major life functions of individuals with dis-*
19 *abilities.*

20 *(5) CAPACITY BUILDING AND ADVOCACY ACTIVI-*
21 *TIES.—The term “capacity building and advocacy ac-*
22 *tivities” means efforts that—*

23 *(A) result in laws, regulations, policies,*
24 *practices, procedures, or organizational struc-*

1 *tures that promote consumer-responsive pro-*
 2 *grams or entities; and*

3 *(B) facilitate and increase access to, provi-*
 4 *sion of, and funding for, assistive technology de-*
 5 *vices and assistive technology services,*

6 *in order to empower individuals with disabilities to*
 7 *achieve greater independence, productivity, and inte-*
 8 *gration and inclusion within the community and the*
 9 *workforce.*

10 *(6) COMPREHENSIVE STATEWIDE PROGRAM OF*
 11 *TECHNOLOGY-RELATED ASSISTANCE.—The term*
 12 *“comprehensive statewide program of technology-re-*
 13 *lated assistance” means a consumer-responsive pro-*
 14 *gram of technology-related assistance for individuals*
 15 *with disabilities, implemented by a State, and equal-*
 16 *ly available to all individuals with disabilities resid-*
 17 *ing in the State, regardless of their type of disability,*
 18 *age, income level, or location of residence in the State,*
 19 *or the type of assistive technology device or assistive*
 20 *technology service required.*

21 *(7) CONSUMER-RESPONSIVE.—The term “con-*
 22 *sumer-responsive”—*

23 *(A) with regard to policies, means that the*
 24 *policies are consistent with the principles of—*

1 (i) respect for individual dignity, per-
2 sonal responsibility, self-determination, and
3 pursuit of meaningful careers, based on in-
4 formed choice, of individuals with disabili-
5 ties;

6 (ii) respect for the privacy, rights, and
7 equal access (including the use of accessible
8 formats) of such individuals;

9 (iii) inclusion, integration, and full
10 participation of such individuals in society;

11 (iv) support for the involvement in de-
12 cisions of a family member, a guardian, an
13 advocate, or an authorized representative, if
14 an individual with a disability requests, de-
15 sires, or needs such involvement; and

16 (v) support for individual and systems
17 advocacy and community involvement; and

18 (B) with respect to an entity, program, or
19 activity, means that the entity, program, or ac-
20 tivity—

21 (i) is easily accessible to, and usable
22 by, individuals with disabilities and, when
23 appropriate, their family members, guard-
24 ians, advocates, or authorized representa-
25 tives;

1 (ii) responds to the needs of individ-
2 uals with disabilities in a timely and ap-
3 propriate manner; and

4 (iii) facilitates the full and meaningful
5 participation of individuals with disabil-
6 ities (including individuals from underrep-
7 resented populations and rural populations)
8 and their family members, guardians, advo-
9 cates, and authorized representatives, in—

10 (I) decisions relating to the provi-
11 sion of assistive technology devices and
12 assistive technology services to such in-
13 dividuals; and

14 (II) decisions related to the main-
15 tenance, improvement, and evaluation
16 of the comprehensive statewide pro-
17 gram of technology-related assistance,
18 including decisions that affect advo-
19 cacy, capacity building, and capacity
20 building and advocacy activities.

21 (8) *DISABILITY*.—The term “disability” means a
22 condition of an individual that is considered to be a
23 disability or handicap for the purposes of any Fed-
24 eral law other than this Act or for the purposes of the
25 law of the State in which the individual resides.

1 (9) *INDIVIDUAL WITH A DISABILITY; INDIVID-*
2 *UALS WITH DISABILITIES.—*

3 (A) *INDIVIDUAL WITH A DISABILITY.—The*
4 *term “individual with a disability” means any*
5 *individual of any age, race, or ethnicity—*

6 (i) *who has a disability; and*

7 (ii) *who is or would be enabled by an*
8 *assistive technology device or an assistive*
9 *technology service to minimize deterioration*
10 *in functioning, to maintain a level of func-*
11 *tioning, or to achieve a greater level of func-*
12 *tioning in any major life activity.*

13 (B) *INDIVIDUALS WITH DISABILITIES.—The*
14 *term “individuals with disabilities” means more*
15 *than 1 individual with a disability.*

16 (10) *INSTITUTION OF HIGHER EDUCATION.—The*
17 *term “institution of higher education” has the mean-*
18 *ing given such term in section 1201(a) of the Higher*
19 *Education Act of 1965 (20 U.S.C. 1141(a)), and in-*
20 *cludes a community college receiving funding under*
21 *the Tribally Controlled Community College Assistance*
22 *Act of 1978 (25 U.S.C. 1801 et seq.).*

23 (11) *PROTECTION AND ADVOCACY SERVICES.—*
24 *The term “protection and advocacy services” means*
25 *services that—*

1 (A) are described in part C of the Develop-
 2 mental Disabilities Assistance and Bill of Rights
 3 Act (42 U.S.C. 6041 et seq.), the Protection and
 4 Advocacy for Mentally Ill Individuals Act of
 5 1986 (42 U.S.C. 10801 et seq.), or section 509 of
 6 the Rehabilitation Act of 1973; and

7 (B) assist individuals with disabilities with
 8 respect to assistive technology devices and assist-
 9 ive technology services.

10 (12) *SECRETARY*.—The term “Secretary” means
 11 the Secretary of Education.

12 (13) *STATE*.—

13 (A) *IN GENERAL*.—Except as provided in
 14 subparagraph (B) and section 302, the term
 15 “State” means each of the several States of the
 16 United States, the District of Columbia, the
 17 Commonwealth of Puerto Rico, the United States
 18 Virgin Islands, Guam, American Samoa, and
 19 the Commonwealth of the Northern Mariana Is-
 20 lands.

21 (B) *OUTLYING AREAS*.—In sections 101(c)
 22 and 102(b):

23 (i) *OUTLYING AREA*.—The term “outly-
 24 ing area” means the United States Virgin
 25 Islands, Guam, American Samoa, and the

1 *Commonwealth of the Northern Mariana Is-*
 2 *lands.*

3 (ii) *STATE.*—*The term “State” does*
 4 *not include the United States Virgin Is-*
 5 *lands, Guam, American Samoa, and the*
 6 *Commonwealth of the Northern Mariana Is-*
 7 *lands.*

8 (14) *TARGETED INDIVIDUALS.*—*The term “tar-*
 9 *geted individuals” means—*

10 (A) *individuals with disabilities of all ages*
 11 *and their family members, guardians, advocates,*
 12 *and authorized representatives;*

13 (B) *individuals who work for public or pri-*
 14 *vate entities (including insurers or managed*
 15 *care providers), that have contact with individ-*
 16 *uals with disabilities;*

17 (C) *educators and related services personnel;*

18 (D) *technology experts (including engi-*
 19 *neers);*

20 (E) *health and allied health professionals;*

21 (F) *employers; and*

22 (G) *other appropriate individuals and enti-*
 23 *ties.*

24 (15) *TECHNOLOGY-RELATED ASSISTANCE.*—*The*
 25 *term “technology-related assistance” means assistance*

1 *provided through capacity building and advocacy ac-*
2 *tivities that accomplish the purposes described in any*
3 *of subparagraphs (A) through (K) of section 2(b)(1).*

4 (16) *UNDERREPRESENTED POPULATION.*—*The*
5 *term “underrepresented population” means a popu-*
6 *lation that is typically underrepresented in service*
7 *provision, and includes populations such as persons*
8 *who have low-incidence disabilities, persons who are*
9 *minorities, poor persons, persons with limited-English*
10 *proficiency, older individuals, or persons from rural*
11 *areas.*

12 (17) *UNIVERSAL DESIGN.*—*The term “universal*
13 *design” means a concept or philosophy for designing*
14 *and delivering products and services that are usable*
15 *by people with the widest possible range of functional*
16 *capabilities, which include products and services that*
17 *are directly usable (without requiring assistive tech-*
18 *nologies) and products and services that are made us-*
19 *able with assistive technologies.*

20 (b) *REFERENCES.*—*References in this Act to a provi-*
21 *sion of the Technology-Related Assistance for Individuals*
22 *With Disabilities Act of 1988 shall be considered to be ref-*
23 *erences to such provision as in effect on the day before the*
24 *date of enactment of this Act.*

**TITLE I—STATE GRANT
PROGRAMS**

**SEC. 101. CONTINUITY GRANTS FOR STATES THAT RE-
CEIVED FUNDING FOR A LIMITED PERIOD
FOR TECHNOLOGY-RELATED ASSISTANCE.**

(a) *GRANTS TO STATES.*—

(1) *IN GENERAL.*—*The Secretary shall award grants, in accordance with this section, to eligible States to support capacity building and advocacy activities, designed to assist the States in maintaining permanent comprehensive statewide programs of technology-related assistance that accomplish the purposes described in section 2(b)(1).*

(2) *ELIGIBLE STATES.*—*To be eligible to receive a grant under this section a State shall be a State that received grants for less than 10 years under title I of the Technology-Related Assistance for Individuals With Disabilities Act of 1988.*

(b) *USE OF FUNDS.*—

(1) *IN GENERAL.*—*Any State that receives a grant under this section shall use the funds made available through the grant to carry out the activities described in paragraph (2) and may use the funds to carry out the activities described in paragraph (3).*

(2) *REQUIRED ACTIVITIES.*—

1 (A) *PUBLIC AWARENESS PROGRAM.*—

2 (i) *IN GENERAL.*—*The State shall sup-*
3 *port a public awareness program designed*
4 *to provide information to targeted individ-*
5 *uals relating to the availability and benefits*
6 *of assistive technology devices and assistive*
7 *technology services.*

8 (ii) *LINK.*—*Such a public awareness*
9 *program shall have an electronic link to the*
10 *National Public Internet Site authorized*
11 *under section 104(c)(1).*

12 (iii) *CONTENTS.*—*The public aware-*
13 *ness program may include—*

14 (I) *the development and dissemi-*
15 *nation of information relating to—*

16 (aa) *the nature of assistive*
17 *technology devices and assistive*
18 *technology services;*

19 (bb) *the appropriateness of,*
20 *cost of, availability of, evaluation*
21 *of, and access to, assistive tech-*
22 *nology devices and assistive tech-*
23 *nology services; and*

24 (cc) *the benefits of assistive*
25 *technology devices and assistive*

1 *technology services with respect to*
2 *enhancing the capacity of individ-*
3 *uals with disabilities of all ages to*
4 *perform activities of daily living;*
5 *(II) the development of procedures*
6 *for providing direct communication be-*
7 *tween providers of assistive technology*
8 *and targeted individuals; and*
9 *(III) the development and dis-*
10 *semination, to targeted individuals, of*
11 *information about State efforts related*
12 *to assistive technology.*

13 *(B) INTERAGENCY COORDINATION.—*

14 *(i) IN GENERAL.—The State shall de-*
15 *velop and promote the adoption of policies*
16 *that improve access to assistive technology*
17 *devices and assistive technology services for*
18 *individuals with disabilities of all ages in*
19 *the State and that result in improved co-*
20 *ordination among public and private enti-*
21 *ties that are responsible or have the author-*
22 *ity to be responsible, for policies, proce-*
23 *dures, or funding for, or the provision of as-*
24 *istive technology devices and assistive tech-*
25 *nology services to, such individuals.*

1 (ii) *APPOINTMENT TO CERTAIN INFOR-*
2 *MATION TECHNOLOGY PANELS.—The State*
3 *shall appoint the director of the lead agency*
4 *described in subsection (d) or the designee of*
5 *the director, to any committee, council, or*
6 *similar organization created by the State to*
7 *assist the State in the development of the*
8 *information technology policy of the State.*

9 (iii) *COORDINATION ACTIVITIES.—The*
10 *development and promotion described in*
11 *clause (i) may include support for—*

12 (I) *policies that result in im-*
13 *proved coordination, including coordi-*
14 *nation between public and private en-*
15 *tities—*

16 (aa) *in the application of*
17 *Federal and State policies;*

18 (bb) *in the use of resources*
19 *and services relating to the provi-*
20 *sion of assistive technology devices*
21 *and assistive technology services,*
22 *including the use of interagency*
23 *agreements; and*

24 (cc) *in the improvement of*
25 *access to assistive technology de-*

1 *vices and assistive technology*
2 *services for individuals with dis-*
3 *abilities of all ages in the State;*

4 *(II) convening interagency work*
5 *groups, involving public and private*
6 *entities, to identify, create, or expand*
7 *funding options, and coordinate access*
8 *to funding, for assistive technology de-*
9 *vices and assistive technology services*
10 *for individuals with disabilities of all*
11 *ages; or*

12 *(III) documenting and dissemi-*
13 *nating information about interagency*
14 *activities that promote coordination,*
15 *including coordination between public*
16 *and private entities, with respect to as-*
17 *istive technology devices and assistive*
18 *technology services.*

19 *(C) TECHNICAL ASSISTANCE AND TRAIN-*
20 *ING.—The State shall carry out directly, or pro-*
21 *vide support to public or private entities to*
22 *carry out, technical assistance and training ac-*
23 *tivities for targeted individuals, including—*

24 *(i) the development and implementa-*
25 *tion of laws, regulations, policies, practices,*

1 *procedures, or organizational structures*
2 *that promote access to assistive technology*
3 *devices and assistive technology services for*
4 *individuals with disabilities in education,*
5 *health care, employment, and community*
6 *living contexts, and in other contexts such*
7 *as the use of telecommunications;*

8 *(ii)(I) the development of training ma-*
9 *terials and the conduct of training in the*
10 *use of assistive technology devices and as-*
11 *istive technology services; and*

12 *(II) the provision of technical assist-*
13 *ance, including technical assistance con-*
14 *cerning how—*

15 *(aa) to consider the needs of an*
16 *individual with a disability for assist-*
17 *ive technology devices and assistive*
18 *technology services in developing any*
19 *individualized plan or program au-*
20 *thorized under Federal or State law;*

21 *(bb) the rights of targeted individ-*
22 *uals to assistive technology devices and*
23 *assistive technology services are ad-*
24 *dressed under laws other than this Act,*
25 *to promote fuller independence, produc-*

1 *tivity, and inclusion in and integra-*
2 *tion into society of such individuals; or*

3 *(cc) to increase consumer partici-*
4 *pation in the identification, planning,*
5 *use, delivery, and evaluation of assist-*
6 *ive technology devices and assistive*
7 *technology services; and*

8 *(iii) the enhancement of the assistive*
9 *technology skills and competencies of—*

10 *(I) individuals who work for pub-*
11 *lic or private entities (including insur-*
12 *ers and managed care providers), who*
13 *have contact with individuals with dis-*
14 *abilities;*

15 *(II) educators and related services*
16 *personnel;*

17 *(III) technology experts (including*
18 *engineers);*

19 *(IV) health and allied health pro-*
20 *fessionals;*

21 *(V) employers; and*

22 *(VI) other appropriate personnel.*

23 *(D) OUTREACH.—The State shall provide*
24 *support to statewide and community-based orga-*
25 *nizations that provide assistive technology de-*

1 *vices and assistive technology services to individ-*
2 *uals with disabilities or that assist individuals*
3 *with disabilities in using assistive technology de-*
4 *vices and assistive technology services, including*
5 *a focus on organizations assisting individuals*
6 *from underrepresented populations and rural*
7 *populations. Such support may include outreach*
8 *to consumer organizations and groups in the*
9 *State to coordinate efforts to assist individuals*
10 *with disabilities of all ages and their family*
11 *members, guardians, advocates, or authorized*
12 *representatives, to obtain funding for, access to,*
13 *and information on evaluation of assistive tech-*
14 *nology devices and assistive technology services.*

15 *(3) DISCRETIONARY ACTIVITIES.—*

16 *(A) ALTERNATIVE STATE-FINANCED SYS-*
17 *TEMS.—The State may support activities to in-*
18 *crease access to, and funding for, assistive tech-*
19 *nology devices and assistive technology services,*
20 *including—*

21 *(i) the development of systems that*
22 *provide assistive technology devices and as-*
23 *sistive technology services to individuals*
24 *with disabilities of all ages, and that pay*
25 *for such devices and services, such as—*

1 (I) the development of systems for
2 the purchase, lease, other acquisition,
3 or payment for the provision, of assist-
4 ive technology devices and assistive
5 technology services; or

6 (II) the establishment of alter-
7 native State or privately financed sys-
8 tems of subsidies for the provision of
9 assistive technology devices and assist-
10 ive technology services, such as—

11 (aa) a low-interest loan fund;

12 (bb) an interest buy-down
13 program;

14 (cc) a revolving loan fund;

15 (dd) a loan guarantee or in-
16 surance program;

17 (ee) a program operated by a
18 partnership among private enti-
19 ties for the purchase, lease, or
20 other acquisition of assistive tech-
21 nology devices or assistive tech-
22 nology services; or

23 (ff) another mechanism that
24 meets the requirements of title III
25 and is approved by the Secretary;

1 (ii) the short-term loan of assistive
2 technology devices to individuals, employers,
3 public agencies, or public accommodations
4 seeking strategies to comply with the Ameri-
5 cans with Disabilities Act of 1990 (42
6 U.S.C. 12101 et seq.) and section 504 of the
7 Rehabilitation Act of 1973 (29 U.S.C. 794);
8 or

9 (iii) the maintenance of information
10 about, and recycling centers for, the redis-
11 tribution of assistive technology devices and
12 equipment, which may include redistribu-
13 tion through device and equipment loans,
14 rentals, or gifts.

15 (B) DEMONSTRATIONS.—The State, in col-
16 laboration with other entities in established, rec-
17 ognized community settings (such as nonprofit
18 organizations, libraries, schools, community-
19 based employer organizations, churches, and en-
20 tities operating senior citizen centers, shopping
21 malls, and health clinics), may demonstrate as-
22 sistive technology devices in settings where tar-
23 geted individuals can see and try out assistive
24 technology devices, and learn more about the de-
25 vices from personnel who are familiar with such

1 *devices and their applications or can be referred*
2 *to other entities who have information on the de-*
3 *vices.*

4 (C) *OPTIONS FOR SECURING DEVICES AND*
5 *SERVICES.—The State, through public agencies*
6 *or nonprofit organizations, may support assist-*
7 *ance to individuals with disabilities and their*
8 *family members, guardians, advocates, and au-*
9 *thorized representatives about options for secur-*
10 *ing assistive technology devices and assistive*
11 *technology services that would meet individual*
12 *needs for such assistive technology devices and*
13 *assistive technology services. Such assistance*
14 *shall not include direct payment for an assistive*
15 *technology device.*

16 (D) *TECHNOLOGY-RELATED INFORMATION.—*
17

18 (i) *IN GENERAL.—The State may oper-*
19 *ate and expand a system for public access*
20 *to information concerning an activity car-*
21 *ried out under another paragraph of this*
22 *subsection, including information about as-*
23 *istive technology devices and assistive tech-*
24 *nology services, funding sources and costs of*
25 *such devices and services, and individuals,*

1 *organizations, and agencies capable of car-*
2 *rying out such an activity for individuals*
3 *with disabilities. The system shall be part*
4 *of, and complement the information that is*
5 *available through a link to, the National*
6 *Public Internet Site described in section*
7 *104(c)(1).*

8 *(ii) ACCESS.—Access to the system*
9 *may be provided through community-based*
10 *locations, including public libraries, centers*
11 *for independent living (as defined in section*
12 *702 of the Rehabilitation Act of 1973), loca-*
13 *tions of community rehabilitation programs*
14 *(as defined in section 7 of such Act),*
15 *schools, senior citizen centers, State voca-*
16 *tional rehabilitation offices, other State*
17 *workforce offices, and other locations fre-*
18 *quented or used by the public.*

19 *(iii) INFORMATION COLLECTION AND*
20 *PREPARATION.—In operating or expanding*
21 *a system described in subparagraph (A), the*
22 *State may—*

23 *(I) develop, compile, and cat-*
24 *egorize print, large print, braille,*
25 *audio, and video materials, computer*

1 *disks, compact discs (including com-*
2 *compact discs formatted with read-only*
3 *memory), information in alternative*
4 *formats that can be used in telephone-*
5 *based information systems, and mate-*
6 *rials using such other media as techno-*
7 *logical innovation may make appro-*
8 *priate;*

9 *(II) identify and classify funding*
10 *sources for obtaining assistive tech-*
11 *nology devices and assistive technology*
12 *services, and the conditions of and cri-*
13 *teria for access to such sources, includ-*
14 *ing any funding mechanisms or strate-*
15 *gies developed by the State;*

16 *(III) identify support groups and*
17 *systems designed to help individuals*
18 *with disabilities make effective use of*
19 *an activity carried out under another*
20 *paragraph of this subsection, including*
21 *groups that provide evaluations of as-*
22 *istive technology devices and assistive*
23 *technology services; and*

24 *(IV) maintain a record of the ex-*
25 *tent to which citizens of the State use*

1 or make inquiries of the system estab-
2 lished in clause (i), and of the nature
3 of such inquiries.

4 (E) *INTERSTATE ACTIVITIES.*—

5 (i) *IN GENERAL.*—*The State may enter*
6 *into cooperative agreements with other*
7 *States to expand the capacity of the States*
8 *involved to assist individuals with disabil-*
9 *ities of all ages to learn about, acquire, use,*
10 *maintain, adapt, and upgrade assistive*
11 *technology devices and assistive technology*
12 *services that such individuals need at home,*
13 *at school, at work, or in other environments*
14 *that are part of daily living.*

15 (ii) *ELECTRONIC COMMUNICATION.*—
16 *The State may operate or participate in an*
17 *electronic information exchange through*
18 *which the State may communicate with*
19 *other States to gain technical assistance in*
20 *a timely fashion and to avoid the duplica-*
21 *tion of efforts already undertaken in other*
22 *States.*

23 (F) *PARTNERSHIPS AND COOPERATIVE INI-*
24 *TIATIVES.*—*The State may support partnerships*
25 *and cooperative initiatives between the public*

1 *sector and the private sector to promote greater*
2 *participation by business and industry in—*

3 *(i) the development, demonstration,*
4 *and dissemination of assistive technology*
5 *devices; and*

6 *(ii) the ongoing provision of informa-*
7 *tion about new products to assist individ-*
8 *uals with disabilities.*

9 *(G) EXPENSES.—The State may pay for ex-*
10 *penses, including travel expenses, and services,*
11 *including services of qualified interpreters, read-*
12 *ers, and personal care assistants, that may be*
13 *necessary to ensure access to the comprehensive*
14 *statewide program of technology-related assist-*
15 *ance by individuals with disabilities who are de-*
16 *termined by the State to be in financial need*
17 *and not eligible for such payments or services*
18 *through another public agency or private entity.*

19 *(H) ADVOCACY SERVICES.—The State may*
20 *provide advocacy services.*

21 *(c) AMOUNT OF FINANCIAL ASSISTANCE.—*

22 *(1) GRANTS TO OUTLYING AREAS.—From the*
23 *funds appropriated under section 105(a) and reserved*
24 *under section 105(b)(1)(A) for any fiscal year for*
25 *grants under this section, the Secretary shall make a*

1 *grant in an amount of not more than \$105,000 to*
2 *each eligible outlying area.*

3 (2) *GRANTS TO STATES.—From the funds de-*
4 *scribed in paragraph (1) that are not used to make*
5 *grants under paragraph (1), the Secretary shall make*
6 *grants to States in accordance with the requirements*
7 *described in paragraph (3).*

8 (3) *CALCULATION OF STATE GRANTS.—*

9 (A) *CALCULATIONS FOR GRANTS IN THE*
10 *SECOND OR THIRD YEAR OF A SECOND EXTEN-*
11 *SION GRANT.—For any fiscal year, the Secretary*
12 *shall calculate the amount of a grant under*
13 *paragraph (2) for each eligible State that would*
14 *be in the second or third year of a second exten-*
15 *sion grant made under section 103 of the Tech-*
16 *nology-Related Assistance for Individuals With*
17 *Disabilities Act of 1988, if that Act had been re-*
18 *authorized for that fiscal year.*

19 (B) *CALCULATIONS FOR GRANTS IN THE*
20 *FOURTH OR FIFTH YEAR OF A SECOND EXTEN-*
21 *SION GRANT.—*

22 (i) *FOURTH YEAR.—An eligible State*
23 *that would have been in the fourth year of*
24 *a second extension grant made under sec-*
25 *tion 103 of the Technology-Related Assist-*

1 *ance for Individuals With Disabilities Act*
2 *of 1988 during a fiscal year, if that Act had*
3 *been reauthorized for that fiscal year, shall*
4 *receive under paragraph (2) a grant in an*
5 *amount equal to 75 percent of the funding*
6 *that the State received in the prior fiscal*
7 *year under section 103 of that Act or under*
8 *this section, as appropriate.*

9 *(ii) FIFTH YEAR.—An eligible State*
10 *that would have been in the fifth year of a*
11 *second extension grant made under section*
12 *103 of the Technology-Related Assistance for*
13 *Individuals With Disabilities Act of 1988*
14 *during a fiscal year, if that Act had been*
15 *reauthorized for that fiscal year, shall re-*
16 *ceive under paragraph (2) a grant in an*
17 *amount equal to 50 percent of the funding*
18 *that the State received in the third year of*
19 *a second extension grant under section 103*
20 *of that Act or under this section, as appro-*
21 *priate.*

22 *(C) PROHIBITION ON FUNDS AFTER FIFTH*
23 *YEAR OF A SECOND EXTENSION GRANT.—Except*
24 *as provided in subsection (f), an eligible State*
25 *that would have been in the fifth year of a sec-*

1 *ond extension grant made under section 103 of*
2 *the Technology-Related Assistance for Individ-*
3 *uals With Disabilities Act of 1988 during a fis-*
4 *cal year, if that Act had been reauthorized for*
5 *that fiscal year, may not receive any Federal*
6 *funds under this title for any fiscal year after*
7 *such fiscal year.*

8 *(D) ADDITIONAL STATES.—*

9 *(i) IN GENERAL.—For purposes of this*
10 *paragraph, the Secretary shall treat a State*
11 *described in clause (ii)—*

12 *(I) for fiscal years 1999 through*
13 *2001, as if the State were a State de-*
14 *scribed in subparagraph (A); and*

15 *(II) for fiscal year 2002 or 2003,*
16 *as if the State were a State described*
17 *in clause (i) or (ii), respectively, of*
18 *subparagraph (B).*

19 *(ii) STATE.—A State referred to in*
20 *clause (i) shall be a State that—*

21 *(I) in fiscal year 1998, was in the*
22 *second year of an initial extension*
23 *grant made under section 103 of the*
24 *Technology-Related Assistance for In-*

1 *dividuals With Disabilities Act of*
2 *1988; and*

3 *(II) meets such terms and condi-*
4 *tions as the Secretary shall determine*
5 *to be appropriate.*

6 *(d) LEAD AGENCY.—*

7 *(1) IDENTIFICATION.—*

8 *(A) IN GENERAL.—To be eligible to receive*
9 *a grant under this section, a State shall des-*
10 *ignate a lead agency to carry out appropriate*
11 *State functions under this section. The lead*
12 *agency shall be the current agency (as of the date*
13 *of submission of the application supplement de-*
14 *scribed in subsection (e)) administering the*
15 *grant awarded to the State for fiscal year 1998*
16 *under title I of the Technology-Related Assist-*
17 *ance for Individuals With Disabilities Act of*
18 *1988, except as provided in subparagraph (B).*

19 *(B) CHANGE IN AGENCY.—The Governor*
20 *may change the lead agency if the Governor*
21 *shows good cause to the Secretary why the des-*
22 *ignated lead agency should be changed, in the*
23 *application supplement described in subsection*
24 *(e), and obtains approval of the supplement.*

1 (2) *DUTIES OF THE LEAD AGENCY.*—*The duties*
2 *of the lead agency shall include—*

3 (A) *submitting the application supplement*
4 *described in subsection (e) on behalf of the State;*

5 (B) *administering and supervising the use*
6 *of amounts made available under the grant re-*
7 *ceived by the State under this section;*

8 (C)(i) *coordinating efforts related to, and*
9 *supervising the preparation of, the application*
10 *supplement described in subsection (e);*

11 (ii) *continuing the coordination of the*
12 *maintenance and evaluation of the comprehen-*
13 *sive statewide program of technology-related as-*
14 *sistance among public agencies and between pub-*
15 *lic agencies and private entities, including co-*
16 *ordinating efforts related to entering into inter-*
17 *agency agreements; and*

18 (iii) *continuing the coordination of efforts,*
19 *especially efforts carried out with entities that*
20 *provide protection and advocacy services de-*
21 *scribed in section 102, related to the active, time-*
22 *ly, and meaningful participation by individuals*
23 *with disabilities and their family members,*
24 *guardians, advocates, or authorized representa-*
25 *tives, and other appropriate individuals, with*

1 *respect to activities carried out under the grant;*
 2 *and*

3 *(D) the delegation, in whole or in part, of*
 4 *any responsibilities described in subparagraph*
 5 *(A), (B), or (C) to 1 or more appropriate offices,*
 6 *agencies, entities, or individuals.*

7 *(e) APPLICATION SUPPLEMENT.—*

8 *(1) SUBMISSION.—Any State that desires to re-*
 9 *ceive a grant under this section shall submit to the*
 10 *Secretary an application supplement to the applica-*
 11 *tion the State submitted under section 103 of the*
 12 *Technology-Related Assistance for Individuals With*
 13 *Disabilities Act of 1988, at such time, in such man-*
 14 *ner, and for such period as the Secretary may specify,*
 15 *that contains the following information:*

16 *(A) GOALS AND ACTIVITIES.—A description*
 17 *of—*

18 *(i) the goals the State has set, for ad-*
 19 *ressing the assistive technology needs of in-*
 20 *dividuals with disabilities in the State, in-*
 21 *cluding any related to—*

22 *(I) health care;*

23 *(II) education;*

24 *(III) employment, including goals*
 25 *involving the State vocational rehabili-*

1 *tation program carried out under title*
 2 *I of the Rehabilitation Act of 1973;*

3 *(IV) telecommunication and infor-*
 4 *mation technology; or*

5 *(V) community living; and*

6 *(ii) the activities the State will under-*
 7 *take to achieve such goals, in accordance*
 8 *with the requirements of subsection (b).*

9 *(B) MEASURES OF GOAL ACHIEVEMENT.—A*
 10 *description of how the State will measure wheth-*
 11 *er the goals set by the State have been achieved.*

12 *(C) INVOLVEMENT OF INDIVIDUALS WITH*
 13 *DISABILITIES OF ALL AGES AND THEIR FAMI-*
 14 *LIES.—A description of how individuals with*
 15 *disabilities of all ages and their families—*

16 *(i) were involved in selecting—*

17 *(I) the goals;*

18 *(II) the activities to be undertaken*
 19 *in achieving the goals; and*

20 *(III) the measures to be used in*
 21 *judging if the goals have been achieved;*

22 *and*

23 *(ii) will be involved in measuring*
 24 *whether the goals have been achieved.*

1 (D) *REDESIGNATION OF THE LEAD AGEN-*
2 *CY.—If the Governor elects to change the lead*
3 *agency, the following information:*

4 (i) *With regard to the original lead*
5 *agency, a description of the deficiencies of*
6 *the agency; and*

7 (ii) *With regard to the new lead agen-*
8 *cy, a description of—*

9 (I) *the capacity of the new lead*
10 *agency to administer and conduct ac-*
11 *tivities described in subsection (b) and*
12 *this paragraph; and*

13 (II) *the procedures that the State*
14 *will implement to avoid the defi-*
15 *ciencies, described in clause (i), of the*
16 *original lead agency.*

17 (iii) *Information identifying which*
18 *agency prepared the application supple-*
19 *ment.*

20 (2) *INTERIM STATUS OF STATE OBLIGATIONS.—*
21 *Except as provided in subsection (f)(2), when the Sec-*
22 *retary notifies a State that the State shall submit the*
23 *application supplement to the application the State*
24 *submitted under section 103 of the Technology-Related*
25 *Assistance for Individuals With Disabilities Act of*

1 1988, the Secretary shall specify in the notification
2 the time period for which the application supplement
3 shall apply, consistent with paragraph (4).

4 (3) *CONTINUING OBLIGATIONS.*—Each State that
5 receives a grant under this section shall continue to
6 abide by the assurances the State made in the appli-
7 cation the State submitted under section 103 of the
8 *Technology-Related Assistance for Individuals With*
9 *Disabilities Act of 1988* and continue to comply with
10 reporting requirements under that Act.

11 (4) *DURATION OF APPLICATION SUPPLEMENT.*—

12 (A) *DETERMINATION.*—The Secretary shall
13 determine and specify to the State the time pe-
14 riod for which the application supplement shall
15 apply, in accordance with subparagraph (B).

16 (B) *LIMIT.*—Such time period for any State
17 shall not extend beyond the year that would have
18 been the fifth year of a second extension grant
19 made for that State under section 103 of the
20 *Technology-Related Assistance for Individuals*
21 *With Disabilities Act of 1988*, if the Act had been
22 reauthorized through that year.

23 (f) *EXTENSION OF FUNDING.*—In the case of a State
24 that was in the fifth year of a second extension grant in
25 fiscal year 1998 or is in the fifth year of a second extention

1 *grant in any of the fiscal years 1999 through 2004 made*
 2 *under section 103 of the Technology-Related Assistance for*
 3 *Individuals With Disabilities Act of 1988, or made under*
 4 *this section, as appropriate, the Secretary may, in the dis-*
 5 *cretion of the Secretary, award a 3-year extension of the*
 6 *grant to such State if the State submits an application sup-*
 7 *plement under subsection (e) and meets other related re-*
 8 *quirements for a State seeking a grant under this section.*

9 (2) *AMOUNT.—A State that receives an extension*
 10 *of a grant under paragraph (1), shall receive through*
 11 *the grant, for each of fiscal years of the extension of*
 12 *the grant, an amount equivalent to the amount the*
 13 *State received for the fifth year of a second extension*
 14 *grant made under section 103 of the Technology-Related*
 15 *Assistance for Individuals With Disabilities Act*
 16 *of 1988, or made under this section, as appropriate,*
 17 *from funds appropriated under section 105(a) and re-*
 18 *served under section 105(b)(1)(A) for grants under*
 19 *this section.*

20 (3) *LIMITATION.—A State may not receive*
 21 *amounts under an extension of a grant under para-*
 22 *graph (1) after September 30, 2004.*

23 **SEC. 102. STATE GRANTS FOR PROTECTION AND ADVOCACY**
 24 **RELATED TO ASSISTIVE TECHNOLOGY.**

25 (a) *GRANTS TO STATES.—*

1 (1) *IN GENERAL.*—On the appropriation of funds
2 under section 105, the Secretary shall make a grant
3 to an entity in each State to support protection and
4 advocacy services through the systems established to
5 provide protection and advocacy services under the
6 *Developmental Disabilities Assistance and Bill of*
7 *Rights Act (42 U.S.C. 6000 et seq.)* for the purposes
8 of assisting in the acquisition, utilization, or mainte-
9 nance of assistive technology or assistive technology
10 services for individuals with disabilities.

11 (2) *CERTAIN STATES.*—Notwithstanding para-
12 graph (1), for a State that, on the day before the date
13 of enactment of this Act, was described in section
14 102(f)(1) of the *Technology-Related Assistance for In-*
15 *dividuals With Disabilities Act of 1988*, the Secretary
16 shall make the grant to the lead agency designated
17 under section 101(d). The lead agency shall determine
18 how the funds made available under this section shall
19 be divided among the entities that were providing
20 protection and advocacy services in that State on that
21 day, and distribute the funds to the entities. In dis-
22 tributing the funds, the lead agency shall not establish
23 any further eligibility or procedural requirements for
24 an entity in that State that supports protection and
25 advocacy services through the systems established to

1 *provide protection and advocacy services under the*
2 *Developmental Disabilities Assistance and Bill of*
3 *Rights Act (42 U.S.C. 6000 et seq.). Such an entity*
4 *shall comply with the same requirements (including*
5 *reporting and enforcement requirements) as any other*
6 *entity that receives funding under paragraph (1).*

7 (3) *PERIODS.—The Secretary shall provide as-*
8 *sistance through such a grant to a State for 6 years.*

9 (b) *AMOUNT OF FINANCIAL ASSISTANCE.—*

10 (1) *GRANTS TO OUTLYING AREAS.—From the*
11 *funds appropriated under section 105(a) and reserved*
12 *under section 105(b)(1)(A) for any fiscal year, the*
13 *Secretary shall make a grant in an amount of not*
14 *more than \$30,000 to each eligible system within an*
15 *outlying area.*

16 (2) *GRANTS TO STATES.—For any fiscal year,*
17 *after reserving funds to make grants under paragraph*
18 *(1), the Secretary shall make allotments from the re-*
19 *mainder of the funds described in paragraph (1) in*
20 *accordance with paragraph (3) to eligible systems*
21 *within States to support protection and advocacy*
22 *services as described in subsection (a). The Secretary*
23 *shall make grants to the eligible systems from the al-*
24 *lotments.*

25 (3) *SYSTEMS WITHIN STATES.—*

1 (A) *POPULATION BASIS.*—*Except as pro-*
2 *vided in subparagraph (B), from such remainder*
3 *for each fiscal year, the Secretary shall make an*
4 *allotment to the eligible system within a State of*
5 *an amount bearing the same ratio to such re-*
6 *mainder as the population of the State bears to*
7 *the population of all States.*

8 (B) *MINIMUMS.*—*Subject to the availability*
9 *of appropriations to carry out this section, the*
10 *allotment to any system under subparagraph (A)*
11 *shall be not less than \$50,000, and the allotment*
12 *to any system under this paragraph for any fis-*
13 *cal year that is less than \$50,000 shall be in-*
14 *creased to \$50,000.*

15 (4) *REALLOTMENT.*—*Whenever the Secretary de-*
16 *termines that any amount of an allotment under*
17 *paragraph (3) to a system within a State for any fis-*
18 *cal year will not be expended by such system in car-*
19 *rying out the provisions of this section, the Secretary*
20 *shall make such amount available for carrying out the*
21 *provisions of this section to 1 or more of the systems*
22 *that the Secretary determines will be able to use addi-*
23 *tional amounts during such year for carrying out*
24 *such provisions. Any amount made available to a sys-*
25 *tem for any fiscal year pursuant to the preceding sen-*

1 *tence shall, for the purposes of this section, be re-*
2 *garded as an increase in the allotment of the system*
3 *(as determined under the preceding provisions of this*
4 *section) for such year.*

5 *(c) REPORT TO SECRETARY.—An entity that receives*
6 *a grant under this section shall annually prepare and sub-*
7 *mit to the Secretary a report that contains such informa-*
8 *tion as the Secretary may require, including documentation*
9 *of the progress of the entity in—*

10 *(1) conducting consumer-responsive activities,*
11 *including activities that will lead to increased access,*
12 *for individuals with disabilities, to funding for assist-*
13 *ive technology devices and assistive technology serv-*
14 *ices;*

15 *(2) engaging in informal advocacy to assist in*
16 *securing assistive technology and assistive technology*
17 *services for individuals with disabilities;*

18 *(3) engaging in formal representation for indi-*
19 *viduals with disabilities to secure systems change, and*
20 *in advocacy activities to secure assistive technology*
21 *and assistive technology services for individuals with*
22 *disabilities;*

23 *(4) developing and implementing strategies to*
24 *enhance the long-term abilities of individuals with*
25 *disabilities and their family members, guardians, ad-*

1 *vocates, and authorized representatives to advocate the*
2 *provision of assistive technology devices and assistive*
3 *technology services to which the individuals with dis-*
4 *abilities are entitled under law other than this Act;*
5 *and*

6 *(5) coordinating activities with protection and*
7 *advocacy services funded through sources other than*
8 *this title, and coordinating activities with the capac-*
9 *ity building and advocacy activities carried out by*
10 *the lead agency.*

11 *(d) REPORTS AND UPDATES TO STATE AGENCIES.—*
12 *An entity that receives a grant under this section shall pre-*
13 *pare and submit to the lead agency the report described in*
14 *subsection (c) and quarterly updates concerning the activi-*
15 *ties described in subsection (c).*

16 *(e) COORDINATION.—On making a grant under this*
17 *section to an entity in a State, the Secretary shall solicit*
18 *and consider the opinions of the lead agency of the State*
19 *designated under section 101(d) with respect to efforts at*
20 *coordination, collaboration, and promoting outcomes be-*
21 *tween the lead agency and the entity that receives the grant*
22 *under this section.*

23 **SEC. 103. ADMINISTRATIVE PROVISIONS.**

24 *(a) REVIEW OF PARTICIPATING ENTITIES.—*

1 (1) *IN GENERAL.*—*The Secretary shall assess the*
2 *extent to which entities that receive grants pursuant*
3 *to this title are complying with the applicable re-*
4 *quirements of this title and achieving the goals that*
5 *are consistent with the requirements of the grant pro-*
6 *grams under which the entities applied for the grants.*

7 (2) *ONSITE VISITS OF STATES RECEIVING CER-*
8 *TAIN GRANTS.*—

9 (A) *IN GENERAL.*—*The Secretary shall con-*
10 *duct an onsite visit for each State that receives*
11 *a grant under section 101 and that would have*
12 *been in the third or fourth year of a second ex-*
13 *tension grant under the Technology-Related As-*
14 *sistance for Individuals With Disabilities Act of*
15 *1988 if that Act had been reauthorized for that*
16 *fiscal year, prior to the end of that year.*

17 (B) *UNNECESSARY VISITS.*—*The Secretary*
18 *shall not be required to conduct a visit of a State*
19 *described in subparagraph (A) if the Secretary*
20 *determines that the visit is not necessary to as-*
21 *sess whether the State is making significant*
22 *progress toward development and implementa-*
23 *tion of a comprehensive statewide program of*
24 *technology-related assistance.*

1 (3) *ADVANCE PUBLIC NOTICE.*—*The Secretary*
2 *shall provide advance public notice of an onsite visit*
3 *conducted under paragraph (2) and solicit public*
4 *comment through such notice from targeted individ-*
5 *uals, regarding State goals and related activities to*
6 *achieve such goals funded through a grant made*
7 *under section 101.*

8 (4) *MINIMUM REQUIREMENTS.*—*At a minimum,*
9 *the visit shall allow the Secretary to determine the ex-*
10 *tent to which the State is making progress in meeting*
11 *State goals and maintaining a comprehensive state-*
12 *wide program of technology-related assistance consist-*
13 *ent with the purposes described in section 2(b)(1).*

14 (5) *PROVISION OF INFORMATION.*—*To assist the*
15 *Secretary in carrying out the responsibilities of the*
16 *Secretary under this section, the Secretary may re-*
17 *quire States to provide relevant information.*

18 (b) *CORRECTIVE ACTION AND SANCTIONS.*—

19 (1) *CORRECTIVE ACTION.*—*If the Secretary deter-*
20 *mines that an entity fails to substantially comply*
21 *with the requirements of this title with respect to a*
22 *grant program, the Secretary shall assist the entity*
23 *through technical assistance funded under section 104*
24 *or other means, within 90 days after such determina-*
25 *tion, to develop a corrective action plan.*

1 (2) *SANCTIONS.*—*An entity that fails to develop*
2 *and comply with a corrective action plan as described*
3 *in paragraph (1) during a fiscal year shall be subject*
4 *to 1 of the following corrective actions selected by the*
5 *Secretary:*

6 (A) *Partial or complete fund termination*
7 *under the grant program.*

8 (B) *Ineligibility to participate in the grant*
9 *program in the following year.*

10 (C) *Reduction in funding for the following*
11 *year under the grant program.*

12 (D) *Required redesignation of the lead*
13 *agency designated under section 101(d) or an en-*
14 *tity responsible for administering the grant pro-*
15 *gram.*

16 (3) *APPEALS PROCEDURES.*—*The Secretary shall*
17 *establish appeals procedures for entities that are*
18 *found to be in noncompliance with the requirements*
19 *of this title.*

20 (c) *ANNUAL REPORT.*—

21 (1) *IN GENERAL.*—*Not later than December 31 of*
22 *each year, the Secretary shall prepare, and submit to*
23 *the President and to Congress, a report on the activi-*
24 *ties funded under this Act, to improve the access of*

1 *individuals with disabilities to assistive technology*
2 *devices and assistive technology services.*

3 (2) *CONTENTS.*—*Such report shall include infor-*
4 *mation on—*

5 (A) *the demonstrated successes of the funded*
6 *activities in improving interagency coordination*
7 *relating to assistive technology, streamlining ac-*
8 *cess to funding for assistive technology, and pro-*
9 *ducing beneficial outcomes for users of assistive*
10 *technology;*

11 (B) *the demonstration activities carried out*
12 *through the funded activities to—*

13 (i) *promote access to such funding in*
14 *public programs that were in existence on*
15 *the date of the initiation of the demonstra-*
16 *tion activities; and*

17 (ii) *establish additional options for ob-*
18 *taining such funding;*

19 (C) *the education and training activities*
20 *carried out through the funded activities to edu-*
21 *cate and train targeted individuals about assist-*
22 *ive technology, including increasing awareness of*
23 *funding through public programs for assistive*
24 *technology;*

1 (D) the research activities carried out
2 through the funded activities to improve under-
3 standing of the costs and benefits of access to as-
4 sistive technology for individuals with disabili-
5 ties who represent a variety of ages and types
6 of disabilities;

7 (E) the program outreach activities to rural
8 and inner-city areas that are carried out
9 through the funded activities;

10 (F) the activities carried out through the
11 funded activities that are targeted to reach
12 underrepresented populations and rural popu-
13 lations; and

14 (G) the consumer involvement activities car-
15 ried out through the funded activities.

16 (3) AVAILABILITY OF ASSISTIVE TECHNOLOGY
17 DEVICES AND ASSISTIVE TECHNOLOGY SERVICES.—As
18 soon as practicable, the Secretary shall include in the
19 annual report required by this subsection information
20 on the availability of assistive technology devices and
21 assistive technology services.

22 (d) EFFECT ON OTHER ASSISTANCE.—This title may
23 not be construed as authorizing a Federal or a State agency
24 to reduce medical or other assistance available, or to alter

1 *eligibility for a benefit or service, under any other Federal*
2 *law.*

3 **SEC. 104. TECHNICAL ASSISTANCE PROGRAM.**

4 (a) *IN GENERAL.*—*Through grants, contracts, or coop-*
5 *erative agreements, awarded on a competitive basis, the*
6 *Secretary is authorized to fund a technical assistance pro-*
7 *gram to provide technical assistance to entities, principally*
8 *entities funded under section 101 or 102.*

9 (b) *INPUT.*—*In designing the program to be funded*
10 *under this section, and in deciding the differences in func-*
11 *tion between national and regionally based technical assist-*
12 *ance efforts carried out through the program, the Secretary*
13 *shall consider the input of the directors of comprehensive*
14 *statewide programs of technology-related assistance and*
15 *other individuals the Secretary determines to be appro-*
16 *priate, especially—*

17 (1) *individuals with disabilities who use assist-*
18 *ive technology and understand the barriers to the ac-*
19 *quisition of such technology and assistive technology*
20 *services;*

21 (2) *family members, guardians, advocates, and*
22 *authorized representatives of such individuals; and*

23 (3) *individuals employed by protection and ad-*
24 *vocacy systems funded under section 102.*

25 (c) *SCOPE OF TECHNICAL ASSISTANCE.*—

1 (1) *NATIONAL PUBLIC INTERNET SITE.*—

2 (A) *ESTABLISHMENT OF INTERNET SITE.*—

3 *The Secretary shall fund the establishment and*
4 *maintenance of a National Public Internet Site*
5 *for the purposes of providing to individuals with*
6 *disabilities and the general public technical as-*
7 *sistance and information on increased access to*
8 *assistive technology devices, assistive technology*
9 *services, and other disability-related resources.*

10 (B) *ELIGIBLE ENTITY.*—*To be eligible to re-*
11 *ceive a grant or enter into a contract or coopera-*
12 *tive agreement under subsection (a) to establish*
13 *and maintain the Internet site, an entity shall*
14 *be an institution of higher education that em-*
15 *phasizes research and engineering, has a multi-*
16 *disciplinary research center, and has dem-*
17 *onstrated expertise in—*

18 (i) *working with assistive technology*
19 *and intelligent agent interactive informa-*
20 *tion dissemination systems;*

21 (ii) *managing libraries of assistive*
22 *technology and disability-related resources;*

23 (iii) *delivering education, information,*
24 *and referral services to individuals with*
25 *disabilities, including technology-based cur-*

1 *riculum development services for adults*
 2 *with low-level reading skills;*

3 *(iv) developing cooperative partner-*
 4 *ships with the private sector, particularly*
 5 *with private sector computer software, hard-*
 6 *ware, and Internet services entities; and*

7 *(v) developing and designing advanced*
 8 *Internet sites.*

9 *(C) FEATURES OF INTERNET SITE.—The*
 10 *National Public Internet Site described in sub-*
 11 *paragraph (A) shall contain the following fea-*
 12 *tures:*

13 *(i) AVAILABILITY OF INFORMATION AT*
 14 *ANY TIME.—The site shall be designed so*
 15 *that any member of the public may obtain*
 16 *information posted on the site at any time.*

17 *(ii) INNOVATIVE AUTOMATED INTEL-*
 18 *LIGENT AGENT.—The site shall be con-*
 19 *structed with an innovative automated in-*
 20 *telligent agent that is a diagnostic tool for*
 21 *assisting users in problem definition and*
 22 *the selection of appropriate assistive tech-*
 23 *nology devices and assistive technology serv-*
 24 *ices resources.*

25 *(iii) RESOURCES.—*

1 (I) *LIBRARY ON ASSISTIVE TECH-*
2 *NOLOGY.—The site shall include access*
3 *to a comprehensive working library on*
4 *assistive technology for all environ-*
5 *ments, including home, workplace,*
6 *transportation, and other environ-*
7 *ments.*

8 (II) *RESOURCES FOR A NUMBER*
9 *OF DISABILITIES.—The site shall in-*
10 *clude resources relating to the largest*
11 *possible number of disabilities, includ-*
12 *ing resources relating to low-level read-*
13 *ing skills.*

14 (iv) *LINKS TO PRIVATE SECTOR RE-*
15 *SOURCES AND INFORMATION.—To the extent*
16 *feasible, the site shall be linked to relevant*
17 *private sector resources and information,*
18 *under agreements developed between the in-*
19 *stitution of higher education and cooperat-*
20 *ing private sector entities.*

21 (D) *MINIMUM LIBRARY COMPONENTS.—At a*
22 *minimum, the Internet site shall maintain up-*
23 *dated information on—*

24 (i) *how to plan, develop, implement,*
25 *and evaluate activities to further extend*

1 *comprehensive statewide programs of tech-*
2 *nology-related assistance, including the de-*
3 *velopment and replication of effective ap-*
4 *proaches to—*

5 *(I) providing information and re-*
6 *ferral services;*

7 *(II) promoting interagency co-*
8 *ordination of training and service de-*
9 *livery among public and private enti-*
10 *ties;*

11 *(III) conducting outreach to*
12 *underrepresented populations and*
13 *rural populations;*

14 *(IV) mounting successful public*
15 *awareness activities;*

16 *(V) improving capacity building*
17 *in service delivery;*

18 *(VI) training personnel from a*
19 *variety of disciplines; and*

20 *(VII) improving evaluation strate-*
21 *gies, research, and data collection;*

22 *(ii) effective approaches to the develop-*
23 *ment of consumer-controlled systems that*
24 *increase access to, funding for, and aware-*

1 ness of, assistive technology devices and as-
2 sistive technology services;

3 (iii) successful approaches to increas-
4 ing the availability of public and private
5 funding for and access to the provision of
6 assistive technology devices and assistive
7 technology services by appropriate State
8 agencies; and

9 (iv) demonstration sites where individ-
10 uals may try out assistive technology.

11 (2) *TECHNICAL ASSISTANCE EFFORTS.*—In car-
12 rying out the technical assistance program, taking
13 into account the input required under subsection (b),
14 the Secretary shall ensure that entities—

15 (A) address State-specific information re-
16 quests concerning assistive technology from other
17 entities funded under this title and public enti-
18 ties not funded under this title, including—

19 (i) requests for state-of-the-art, or
20 model, Federal, State, and local laws, regu-
21 lations, policies, practices, procedures, and
22 organizational structures, that facilitate,
23 and overcome barriers to, funding for, and
24 access to, assistive technology devices and
25 assistive technology services;

1 (ii) requests for examples of policies,
2 practices, procedures, regulations, adminis-
3 trative hearing decisions, or legal actions,
4 that have enhanced or may enhance access
5 to funding for assistive technology devices
6 and assistive technology services for individ-
7 uals with disabilities;

8 (iii) requests for information on effec-
9 tive approaches to Federal-State coordina-
10 tion of programs for individuals with dis-
11 abilities, related to improving funding for
12 or access to assistive technology devices and
13 assistive technology services for individuals
14 with disabilities of all ages;

15 (iv) requests for information on effec-
16 tive approaches to the development of con-
17 sumer-controlled systems that increase ac-
18 cess to, funding for, and awareness of, as-
19 sistive technology devices and assistive tech-
20 nology services;

21 (v) other requests for technical assist-
22 ance from other entities funded under this
23 title and public entities not funded under
24 this title; and

1 (vi) other assignments specified by the
2 Secretary, including assisting entities de-
3 scribed in section 103(b) to develop correc-
4 tive action plans; and

5 (B) assist targeted individuals by dissemi-
6 nating information about—

7 (i) Federal, State, and local laws, reg-
8 ulations, policies, practices, procedures, and
9 organizational structures, that facilitate,
10 and overcome barriers to, funding for, and
11 access to, assistive technology devices and
12 assistive technology services, to promote
13 fuller independence, productivity, and in-
14 clusion in society for individuals with dis-
15 abilities of all ages; and

16 (ii) technical assistance activities un-
17 dertaken under subparagraph (A).

18 (d) *ELIGIBLE ENTITIES.*—To be eligible to compete for
19 grants, contracts, and cooperative agreements under this
20 section, entities shall have documented experience with and
21 expertise in assistive technology service delivery or systems,
22 interagency coordination, and capacity building and advo-
23 cacy activities.

24 (e) *APPLICATION.*—To be eligible to receive a grant,
25 contract, or cooperative agreement under this section, an

1 *entity shall submit an application to the Secretary at such*
2 *time, in such manner, and containing such information as*
3 *the Secretary may require.*

4 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

5 *(a) IN GENERAL.—There are authorized to be appro-*
6 *riated to carry out this title \$36,000,000 for fiscal year*
7 *1999 and such sums as may be necessary for each of fiscal*
8 *years 2000 through 2004.*

9 *(b) RESERVATIONS OF FUNDS.—*

10 *(1) IN GENERAL.—Except as provided in para-*
11 *graphs (2) and (3), of the amount appropriated under*
12 *subsection (a) for a fiscal year—*

13 *(A) 87.5 percent of the amount shall be re-*
14 *served to fund grants under section 101;*

15 *(B) 7.9 percent shall be reserved to fund*
16 *grants under section 102; and*

17 *(C) 4.6 percent shall be reserved for activi-*
18 *ties funded under section 104.*

19 *(2) RESERVATION FOR CONTINUATION OF TECH-*
20 *NICAL ASSISTANCE INITIATIVES.—For fiscal year*
21 *1999, the Secretary may use funds reserved under*
22 *subparagraph (C) of paragraph (1) to continue fund-*
23 *ing technical assistance initiatives that were funded*
24 *in fiscal year 1998 under the Technology-Related As-*
25 *sistance for Individuals With Disabilities Act of 1988.*

1 (3) *RESERVATION FOR ONSITE VISITS.*—*The Sec-*
 2 *retary may reserve, from the amount appropriated*
 3 *under subsection (a) for any fiscal year, such sums as*
 4 *the Secretary considers to be necessary for the pur-*
 5 *poses of conducting onsite visits as required by section*
 6 *103(a)(2).*

7 ***TITLE II—NATIONAL ACTIVITIES***
 8 ***Subtitle A—Rehabilitation Act of***
 9 ***1973***

10 ***SEC. 201. COORDINATION OF FEDERAL RESEARCH EF-***
 11 ***FORTS.***

12 *Section 203 of the Rehabilitation Act of 1973 (as*
 13 *amended by section 405 of the Workforce Investment Act*
 14 *of 1988) is amended—*

15 (1) *in subsection (a)(1), by inserting after “pro-*
 16 *grams,” insert “including programs relating to assist-*
 17 *ive technology research and research that incorporates*
 18 *the principles of universal design,”;*

19 (2) *in subsection (b)—*

20 (A) *by inserting “(1)” before “After receiv-*
 21 *ing”;*

22 (B) *by striking “from individuals with dis-*
 23 *abilities and the individuals’ representatives”*
 24 *and inserting “from targeted individuals”;*

1 (C) by inserting after “research” the follow-
2 ing: (including assistive technology research and
3 research that incorporates the principles of uni-
4 versal design)”; and

5 (D) by adding at the end the following:

6 “(2) In carrying out its duties with respect to the con-
7 duct of Federal research (including assistive technology re-
8 search and research that incorporates the principles of uni-
9 versal design) related to rehabilitation of individuals with
10 disabilities, the Committee shall—

11 “(A) share information regarding the range of
12 assistive technology research, and research that incor-
13 porates the principles of universal design, that is
14 being carried out by members of the Committee and
15 other Federal departments and organizations;

16 “(B) identify, and make efforts to address, gaps
17 in assistive technology research and research that in-
18 corporates the principles of universal design that are
19 not being adequately addressed;

20 “(C) identify, and establish, clear research prior-
21 ities related to assistive technology research and re-
22 search that incorporates the principles of universal
23 design for the Federal Government;

24 “(D) promote interagency collaboration and
25 joint research activities relating to assistive tech-

1 *nology research and research that incorporates the*
2 *principles of universal design at the Federal level,*
3 *and reduce unnecessary duplication of effort regard-*
4 *ing these types of research within the Federal Govern-*
5 *ment; and*

6 *“(E) optimize the productivity of Committee*
7 *members through resource sharing and other cost-sav-*
8 *ing activities, related to assistive technology research*
9 *and research that incorporates the principles of uni-*
10 *versal design.”;*

11 *(3) by striking subsection (c) and inserting the*
12 *following:*

13 *“(c) Not later than December 31 of each year, the Com-*
14 *mittee shall prepare and submit, to the President and to*
15 *the Committee on Education and the Workforce of the*
16 *House of Representatives and the Committee on Labor and*
17 *Human Resources of the Senate, a report that—*

18 *“(1) describes the progress of the Committee in*
19 *fulfilling the duties described in subsection (b);*

20 *“(2) makes such recommendations as the Com-*
21 *mittee determines to be appropriate with respect to*
22 *coordination of policy and development of objectives*
23 *and priorities for all Federal programs relating to the*
24 *conduct of research (including assistive technology re-*
25 *search and research that incorporates the principles of*

1 *universal design) related to rehabilitation of individ-*
2 *uals with disabilities; and*

3 “(3) describes the activities that the Committee
4 *recommended to be funded through grants, contracts,*
5 *cooperative agreements, and other mechanisms, for as-*
6 *istive technology research and development and re-*
7 *search and development that incorporates the prin-*
8 *ciples of universal design.”; and*

9 (4) by adding at the end the following:

10 “(d)(1) In order to promote coordination and coopera-
11 *tion among Federal departments and agencies conducting*
12 *assistive technology research programs, to reduce duplica-*
13 *tion of effort among the programs, and to increase the avail-*
14 *ability of assistive technology for individuals with disabil-*
15 *ities, the Committee may recommend activities to be funded*
16 *through grants, contracts or cooperative agreements, or*
17 *other mechanisms—*

18 “(A) in joint research projects for assistive tech-
19 *nology research and research that incorporates the*
20 *principles of universal design; and*

21 “(B) in other programs designed to promote a
22 *cohesive, strategic Federal program of research de-*
23 *scribed in subparagraph (A).*

1 “(2) *The projects and programs described in para-*
 2 *graph (1) shall be jointly administered by at least 2 agen-*
 3 *cies or departments with representatives on the Committee.*

4 “(3) *In recommending activities to be funded in the*
 5 *projects and programs, the Committee shall obtain input*
 6 *from targeted individuals, and other organizations and in-*
 7 *dividuals the Committee determines to be appropriate, con-*
 8 *cerning the availability and potential of technology for in-*
 9 *dividuals with disabilities.*

10 “(e) *In this section, the terms ‘assistive technology’,*
 11 *‘targeted individuals’, and ‘universal design’ have the*
 12 *meanings given the terms in section 3 of the Assistive Tech-*
 13 *nology Act of 1998.”.*

14 **SEC. 202. NATIONAL COUNCIL ON DISABILITY.**

15 *Section 401 of the Rehabilitation Act of 1973 (as*
 16 *amended by section 407 of the Workforce Investment Act*
 17 *of 1998) is amended by adding at the end the following:*

18 “(c)(1) *Not later than December 31, 1999, the Council*
 19 *shall prepare a report describing the barriers in Federal*
 20 *assistive technology policy to increasing the availability of*
 21 *and access to assistive technology devices and assistive tech-*
 22 *nology services for individuals with disabilities.*

23 “(2) *In preparing the report, the Council shall obtain*
 24 *input from the National Institute on Disability and Reha-*
 25 *bilitation Research and the Association of Tech Act Projects,*

1 *and from targeted individuals, as defined in section 3 of*
2 *the Assistive Technology Act of 1998.*

3 “(3) *The Council shall submit the report, along with*
4 *such recommendations as the Council determines to be ap-*
5 *propriate, to the Committee on Labor and Human Re-*
6 *sources of the Senate and the Committee on Education and*
7 *the Workforce of the House of Representatives.”.*

8 **SEC. 203. ARCHITECTURAL AND TRANSPORTATION BAR-**
9 **RIERS COMPLIANCE BOARD.**

10 (a) *IN GENERAL.*—*Section 502 of the Rehabilitation*
11 *Act of 1973 (29 U.S.C. 792) is amended—*

12 (1) *by redesignating subsections (d) through (i)*
13 *as subsections (e) through (j), respectively;*

14 (2) *by inserting after subsection (c) the follow-*
15 *ing:*

16 “(d) *Beginning in fiscal year 2000, the Access Board,*
17 *after consultation with the Secretary, representatives of*
18 *such public and private entities as the Access Board deter-*
19 *mines to be appropriate (including the electronic and infor-*
20 *mation technology industry), targeted individuals (as de-*
21 *finied in section 3 of the Assistive Technology Act of 1998),*
22 *and State information technology officers, shall provide*
23 *training for Federal and State employees on any obliga-*
24 *tions related to section 508 of the Rehabilitation Act of*
25 *1973.”; and*

1 (3) *in the second sentence of paragraph (1) of*
 2 *subsection (e) (as redesignated in paragraph (1)), by*
 3 *striking “subsection (e)” and inserting “subsection*
 4 *(f)”.*

5 (b) *CONFORMING AMENDMENT.—Section 506(c) of the*
 6 *Rehabilitation Act of 1973 (29 U.S.C. 794(c)) is amended*
 7 *by striking “section 502(h)(1)” and inserting “section*
 8 *502(i)(1)”.*

9 ***Subtitle B—Other National***
 10 ***Activities***

11 ***SEC. 211. SMALL BUSINESS INCENTIVES.***

12 (a) *DEFINITION.—In this section, the term “small*
 13 *business” means a small-business concern, as described in*
 14 *section 3(a) of the Small Business Act (15 U.S.C. 632(a)).*

15 (b) *CONTRACTS FOR DESIGN, DEVELOPMENT, AND*
 16 *MARKETING.—*

17 (1) *IN GENERAL.—The Secretary may enter into*
 18 *contracts with small businesses, to assist such busi-*
 19 *nesses to design, develop, and market assistive tech-*
 20 *nology devices or assistive technology services. In en-*
 21 *tering into the contracts, the Secretary may give pref-*
 22 *erence to businesses owned or operated by individuals*
 23 *with disabilities.*

24 (2) *SMALL BUSINESS INNOVATIVE RESEARCH*
 25 *PROGRAM.—Contracts entered into pursuant to para-*

1 *graph (1) shall be administered in accordance with*
2 *the contract administration requirements applicable*
3 *to the Department of Education under the Small*
4 *Business Innovative Research Program, as described*
5 *in section 9(g) of the Small Business Act (15 U.S.C.*
6 *638(g)). Contracts entered into pursuant to para-*
7 *graph (1) shall not be included in the calculation of*
8 *the required expenditures of the Department under*
9 *section 9(f) of such Act (15 U.S.C. 638(f)).*

10 *(c) GRANTS FOR EVALUATION AND DISSEMINATION OF*
11 *INFORMATION ON EFFECTS OF TECHNOLOGY TRANSFER.—*

12 *The Secretary may make grants to small businesses to en-*
13 *able such businesses—*

14 *(1) to work with any entity funded by the Sec-*
15 *retary to evaluate and disseminate information on the*
16 *effects of technology transfer on the lives of individ-*
17 *uals with disabilities;*

18 *(2) to benefit from the experience and expertise*
19 *of such entities, in conducting such evaluation and*
20 *dissemination; and*

21 *(3) to utilize any technology transfer and market*
22 *research services such entities provide, to bring new*
23 *assistive technology devices and assistive technology*
24 *services into commerce.*

1 **SEC. 212. TECHNOLOGY TRANSFER AND UNIVERSAL DE-**
2 **SIGN.**

3 (a) *IN GENERAL.*—*The Director of the National Insti-*
4 *tute on Disability and Rehabilitation Research may col-*
5 *laborate with the Federal Laboratory Consortium for Tech-*
6 *nology Transfer established under section 11(e) of the Ste-*
7 *venson-Wydler Technology Innovation Act of 1980 (15*
8 *U.S.C. 3710(e)), to promote technology transfer that will*
9 *further development of assistive technology and products*
10 *that incorporate the principles of universal design.*

11 (b) *COLLABORATION.*—*In promoting the technology*
12 *transfer, the Director and the Consortium described in sub-*
13 *section (a) may collaborate—*

14 (1) *to enable the National Institute on Disability*
15 *and Rehabilitation Research to work more effectively*
16 *with the Consortium, and to enable the Consortium to*
17 *fulfill the responsibilities of the Consortium to assist*
18 *Federal agencies with technology transfer under the*
19 *Stevenson-Wydler Technology Innovation Act of 1980*
20 *(15 U.S.C. 3701 et seq);*

21 (2) *to increase the awareness of staff members of*
22 *the Federal Laboratories regarding assistive tech-*
23 *nology issues and the principles of universal design;*

24 (3) *to compile a compendium of current and*
25 *projected Federal Laboratory technologies and projects*
26 *that have or will have an intended or recognized im-*

1 *pact on the available range of assistive technology for*
2 *individuals with disabilities, including technologies*
3 *and projects that incorporate the principles of univer-*
4 *sal design, as appropriate;*

5 *(4) to develop strategies for applying develop-*
6 *ments in assistive technology and universal design to*
7 *mainstream technology, to improve economies of scale*
8 *and commercial incentives for assistive technology;*
9 *and*

10 *(5) to cultivate developments in assistive tech-*
11 *nology and universal design through demonstration*
12 *projects and evaluations, conducted with assistive*
13 *technology professionals and potential users of assist-*
14 *ive technology.*

15 *(c) GRANTS, CONTRACTS, AND COOPERATIVE AGREE-*
16 *MENTS.—The Secretary may make grants to or enter into*
17 *contracts or cooperative agreements with commercial, non-*
18 *profit, or other organizations, including institutions of*
19 *higher education, to facilitate interaction with the Consor-*
20 *tium to achieve the objectives of this section.*

21 *(d) RESPONSIBILITIES OF CONSORTIUM.—Section*
22 *11(e)(1) of the Stevenson-Wydler Technology Innovation*
23 *Act of 1980 (15 U.S.C. 3710(e)(1)) is amended—*

24 *(1) in subparagraph (I), by striking “; and” and*
25 *inserting a semicolon;*

1 (2) *in subparagraph (J), by striking the period*
2 *and inserting “; and”; and*

3 (3) *by adding at the end the following:*

4 “(K) *work with the Director of the National In-*
5 *stitute on Disability and Rehabilitation Research to*
6 *compile a compendium of current and projected Fed-*
7 *eral Laboratory technologies and projects that have or*
8 *will have an intended or recognized impact on the*
9 *available range of assistive technology for individuals*
10 *with disabilities (as defined in section 3 of the Assist-*
11 *ive Technology Act of 1998), including technologies*
12 *and projects that incorporate the principles of univer-*
13 *sal design (as defined in section 3 of such Act), as ap-*
14 *propriate.”.*

15 **SEC. 213. UNIVERSAL DESIGN IN PRODUCTS AND THE**
16 **BUILT ENVIRONMENT.**

17 *The Secretary may make grants to commercial or other*
18 *enterprises and institutions of higher education for the re-*
19 *search and development of universal design concepts for*
20 *products (including information technology) and the built*
21 *environment. In making such grants, the Secretary shall*
22 *give consideration to enterprises and institutions that are*
23 *owned or operated by individuals with disabilities. The Sec-*
24 *retary shall define the term “built environment” for pur-*
25 *poses of this section.*

1 **SEC. 214. OUTREACH.**

2 (a) *ASSISTIVE TECHNOLOGY IN RURAL OR IMPOVER-*
3 *ISHED URBAN AREAS.*—*The Secretary may make grants,*
4 *enter into cooperative agreements, or provide financial as-*
5 *sistance through other mechanisms, for projects designed to*
6 *increase the availability of assistive technology for rural*
7 *and impoverished urban populations, by determining the*
8 *unmet assistive technology needs of such populations, and*
9 *designing and implementing programs to meet such needs.*

10 (b) *ASSISTIVE TECHNOLOGY FOR CHILDREN AND*
11 *OLDER INDIVIDUALS.*—*The Secretary may make grants,*
12 *enter into cooperative agreements, or provide financial as-*
13 *sistance through other mechanisms, for projects designed to*
14 *increase the availability of assistive technology for popu-*
15 *lations of children and older individuals, by determining*
16 *the unmet assistive technology needs of such populations,*
17 *and designing and implementing programs to meet such*
18 *needs.*

19 **SEC. 215. TRAINING PERTAINING TO REHABILITATION EN-**
20 **GINEERS AND TECHNICIANS.**

21 (a) *GRANTS AND CONTRACTS.*—*The Secretary shall*
22 *make grants, or enter into contracts with, public and pri-*
23 *vate agencies and organizations, including institutions of*
24 *higher education, to help prepare students, including stu-*
25 *dents preparing to be rehabilitation technicians, and fac-*
26 *ulty working in the field of rehabilitation engineering, for*

1 *careers related to the provision of assistive technology de-*
 2 *vices and assistive technology services.*

3 (b) *ACTIVITIES.*—*An agency or organization that re-*
 4 *ceives a grant or contract under subsection (a) may use the*
 5 *funds made available through the grant or contract—*

6 (1) *to provide training programs for individuals*
 7 *employed or seeking employment in the field of reha-*
 8 *bilitation engineering, including postsecondary edu-*
 9 *cation programs;*

10 (2) *to provide workshops, seminars, and con-*
 11 *ferences concerning rehabilitation engineering that re-*
 12 *late to the use of assistive technology devices and as-*
 13 *sistive technology services to improve the lives of indi-*
 14 *viduals with disabilities; and*

15 (3) *to design, develop, and disseminate curricu-*
 16 *lar materials to be used in the training programs,*
 17 *workshops, seminars, and conferences described in*
 18 *paragraphs (1) and (2).*

19 **SEC. 216. PRESIDENT'S COMMITTEE ON EMPLOYMENT OF**
 20 **PEOPLE WITH DISABILITIES.**

21 (a) *PROGRAMS.*—*The President's Committee on Em-*
 22 *ployment of People With Disabilities (referred to in this sec-*
 23 *tion as "the Committee") may design, develop, and imple-*
 24 *ment programs to increase the voluntary participation of*
 25 *the private sector in making information technology acces-*

1 sible to individuals with disabilities, including increasing
2 the involvement of individuals with disabilities in the de-
3 sign, development, and manufacturing of information tech-
4 nology.

5 (b) *ACTIVITIES.*—The Committee may carry out ac-
6 tivities through the programs that may include—

7 (1) the development and coordination of a task
8 force, which—

9 (A) shall develop and disseminate informa-
10 tion on voluntary best practices for universal ac-
11 cessibility in information technology; and

12 (B) shall consist of members of the public
13 and private sectors, including—

14 (i) representatives of organizations
15 representing individuals with disabilities;
16 and

17 (ii) individuals with disabilities; and

18 (2) the design, development, and implementation
19 of outreach programs to promote the adoption of best
20 practices referred to in paragraph (1)(B).

21 (c) *COORDINATION.*—The Committee shall coordinate
22 the activities of the Committee under this section, as appro-
23 priate, with the activities of the National Institute on Dis-
24 ability and Rehabilitation Research and the activities of
25 the Department of Labor.

1 (d) *TECHNICAL ASSISTANCE.*—*The Committee may*
2 *provide technical assistance concerning the programs car-*
3 *ried out under this section and may reserve such portion*
4 *of the funds appropriated to carry out this section as the*
5 *Committee determines to be necessary to provide the tech-*
6 *nical assistance.*

7 (e) *DEFINITION.*—*In this section, the term “informa-*
8 *tion technology” means any equipment or interconnected*
9 *system or subsystem of equipment, that is used in the auto-*
10 *matic acquisition, storage, manipulation, management,*
11 *movement, control, display, switching, interchange, trans-*
12 *mission, or reception of data or information, including a*
13 *computer, ancillary equipment, software, firmware and*
14 *similar procedures, services (including support services),*
15 *and related resources.*

16 **SEC. 217. AUTHORIZATION OF APPROPRIATIONS.**

17 *There are authorized to be appropriated to carry out*
18 *this title, and the provisions of section 203 of the Rehabili-*
19 *tation Act of 1973 that relate to research described in sec-*
20 *tion 203(b)(2)(A) of such Act, \$10,000,000 for fiscal year*
21 *1999, and such sums as may be necessary for fiscal year*
22 *2000.*

1 **TITLE III—ALTERNATIVE**
2 **FINANCING MECHANISMS**

3 **SEC. 301. GENERAL AUTHORITY.**

4 (a) *IN GENERAL.*—*The Secretary shall award grants*
5 *to States to pay for the Federal share of the cost of the estab-*
6 *lishment and administration of, or the expansion and ad-*
7 *ministration of, an alternative financing program featur-*
8 *ing 1 or more alternative financing mechanisms to allow*
9 *individuals with disabilities and their family members,*
10 *guardians, advocates, and authorized representatives to*
11 *purchase assistive technology devices and assistive tech-*
12 *nology services (referred to individually in this title as an*
13 *“alternative financing mechanism”).*

14 (b) *MECHANISMS.*—*The alternative financing mecha-*
15 *nisms may include—*

- 16 (1) *a low-interest loan fund;*
17 (2) *an interest buy-down program;*
18 (3) *a revolving loan fund;*
19 (4) *a loan guarantee or insurance program;*
20 (5) *a program operated by a partnership among*
21 *private entities for the purchase, lease, or other acqui-*
22 *sition of assistive technology devices or assistive tech-*
23 *nology services; or*
24 (6) *another mechanism that meets the require-*
25 *ments of this title and is approved by the Secretary.*

1 (c) *REQUIREMENTS.*—

2 (1) *PERIOD.*—*The Secretary may award grants*
3 *under this title for periods of 1 year.*

4 (2) *LIMITATION.*—*No State may receive more*
5 *than 1 grant under this title.*

6 (d) *FEDERAL SHARE.*—*The Federal share of the cost*
7 *of the alternative financing program shall not be more than*
8 *50 percent.*

9 (e) *CONSTRUCTION.*—*Nothing in this section shall be*
10 *construed as affecting the authority of a State to establish*
11 *an alternative financing program under title I.*

12 **SEC. 302. AMOUNT OF GRANTS.**

13 (a) *IN GENERAL.*—

14 (1) *GRANTS TO OUTLYING AREAS.*—*From the*
15 *funds appropriated under section 308 for any fiscal*
16 *year that are not reserved under section 308(b), the*
17 *Secretary shall make a grant in an amount of not*
18 *more than \$105,000 to each eligible outlying area.*

19 (2) *GRANTS TO STATES.*—*From the funds de-*
20 *scribed in paragraph (1) that are not used to make*
21 *grants under paragraph (1), the Secretary shall make*
22 *grants to States from allotments made in accordance*
23 *with the requirements described in paragraph (3).*

1 (3) *ALLOTMENTS.*—*From the funds described in*
2 *paragraph (1) that are not used to make grants under*
3 *paragraph (1)—*

4 (A) *the Secretary shall allot \$500,000 to*
5 *each State; and*

6 (B) *from the remainder of the funds—*

7 (i) *the Secretary shall allot to each*
8 *State an amount that bears the same ratio*
9 *to 80 percent of the remainder as the popu-*
10 *lation of the State bears to the population*
11 *of all States; and*

12 (ii) *the Secretary shall allot to each*
13 *State with a population density that is not*
14 *more than 10 percent greater than the pop-*
15 *ulation density of the United States (ac-*
16 *ording to the most recently available cen-*
17 *sus data) an equal share from 20 percent of*
18 *the remainder.*

19 (b) *INSUFFICIENT FUNDS.*—*If the funds appropriated*
20 *under this title for a fiscal year are insufficient to fund*
21 *the activities described in the acceptable applications sub-*
22 *mitted under this title for such year, a State whose applica-*
23 *tion was approved for such year but that did not receive*
24 *a grant under this title may update the application for the*
25 *succeeding fiscal year. Priority shall be given in such suc-*

1 *ceeding fiscal year to such updated applications, if accept-*
 2 *able.*

3 *(c) DEFINITIONS.—In subsection (a):*

4 *(1) OUTLYING AREA.—The term “outlying area”*
 5 *means the United States Virgin Islands, Guam,*
 6 *American Samoa, and the Commonwealth of the*
 7 *Northern Mariana Islands.*

8 *(2) STATE.—The term “State” does not include*
 9 *the United States Virgin Islands, Guam, American*
 10 *Samoa, and the Commonwealth of the Northern Mari-*
 11 *ana Islands.*

12 **SEC. 303. APPLICATIONS AND PROCEDURES.**

13 *(a) ELIGIBILITY.—States that receive or have received*
 14 *grants under section 101 and comply with subsection (b)*
 15 *shall be eligible to compete for grants under this title.*

16 *(b) APPLICATION.—To be eligible to compete for a*
 17 *grant under this title, a State shall submit an application*
 18 *to the Secretary at such time, in such manner, and contain-*
 19 *ing such information as the Secretary may require, includ-*
 20 *ing—*

21 *(1) an assurance that the State will provide the*
 22 *non-Federal share of the cost of the alternative financ-*
 23 *ing program in cash, from State, local, or private*
 24 *sources;*

1 (2) *an assurance that the alternative financing*
2 *program will continue on a permanent basis;*

3 (3) *an assurance that, and information describ-*
4 *ing the manner in which, the alternative financing*
5 *program will expand and emphasize consumer choice*
6 *and control;*

7 (4) *an assurance that the funds made available*
8 *through the grant to support the alternative financing*
9 *program will be used to supplement and not supplant*
10 *other Federal, State, and local public funds expended*
11 *to provide alternative financing mechanisms;*

12 (5) *an assurance that the State will ensure*
13 *that—*

14 (A) *all funds that support the alternative fi-*
15 *nancing program, including funds repaid during*
16 *the life of the program, will be placed in a per-*
17 *manent separate account and identified and ac-*
18 *counted for separately from any other fund;*

19 (B) *if the organization administering the*
20 *program invests funds within this account, the*
21 *organization will invest the funds in low-risk se-*
22 *curities in which a regulated insurance company*
23 *may invest under the law of the State; and*

24 (C) *the organization will administer the*
25 *funds with the same judgment and care that a*

1 *person of prudence, discretion, and intelligence*
2 *would exercise in the management of the finan-*
3 *cial affairs of such person;*

4 (6) *an assurance that—*

5 (A) *funds comprised of the principal and*
6 *interest from the account described in paragraph*
7 *(5) will be available to support the alternative fi-*
8 *nancing program; and*

9 (B) *any interest or investment income that*
10 *accrues on or derives from such funds after such*
11 *funds have been placed under the control of the*
12 *organization administering the alternative fi-*
13 *nancing program, but before such funds are dis-*
14 *tributed for purposes of supporting the program,*
15 *will be the property of the organization admin-*
16 *istering the program; and*

17 (7) *an assurance that the percentage of the funds*
18 *made available through the grant that is used for in-*
19 *direct costs shall not exceed 10 percent.*

20 (c) *LIMIT.—The interest and income described in sub-*
21 *section (b)(6)(B) shall not be taken into account by any*
22 *officer or employee of the Federal Government for purposes*
23 *of determining eligibility for any Federal program.*

1 **SEC. 304. CONTRACTS WITH COMMUNITY-BASED ORGANIZA-**
2 **TIONS.**

3 (a) *IN GENERAL.*—A State that receives a grant under
4 this title shall enter into a contract with a community-
5 based organization (including a group of such organiza-
6 tions) that has individuals with disabilities involved in or-
7 ganizational decisionmaking at all organizational levels, to
8 administer the alternative financing program.

9 (b) *PROVISIONS.*—The contract shall—

10 (1) include a provision requiring that the pro-
11 gram funds, including the Federal and non-Federal
12 shares of the cost of the program, be administered in
13 a manner consistent with the provisions of this title;

14 (2) include any provision the Secretary requires
15 concerning oversight and evaluation necessary to pro-
16 tect Federal financial interests; and

17 (3) require the community-based organization to
18 enter into a contract, to expand opportunities under
19 this title and facilitate administration of the alter-
20 native financing program, with—

21 (A) commercial lending institutions or or-
22 ganizations; or

23 (B) State financing agencies.

24 **SEC. 305. GRANT ADMINISTRATION REQUIREMENTS.**

25 A State that receives a grant under this title and any
26 community-based organization that enters into a contract

1 *with the State under this title, shall submit to the Secretary,*
2 *pursuant to a schedule established by the Secretary (or if*
3 *the Secretary does not establish a schedule, within 12*
4 *months after the date that the State receives the grant), each*
5 *of the following policies or procedures for administration*
6 *of the alternative financing program:*

7 (1) *A procedure to review and process in a time-*
8 *ly manner requests for financial assistance for imme-*
9 *diate and potential technology needs, including con-*
10 *sideration of methods to reduce paperwork and dupli-*
11 *cation of effort, particularly relating to need, eligi-*
12 *bility, and determination of the specific assistive tech-*
13 *nology device or service to be financed through the*
14 *program.*

15 (2) *A policy and procedure to assure that access*
16 *to the alternative financing program shall be given to*
17 *consumers regardless of type of disability, age, income*
18 *level, location of residence in the State, or type of as-*
19 *sistive technology device or assistive technology service*
20 *for which financing is requested through the program.*

21 (3) *A procedure to assure consumer-controlled*
22 *oversight of the program.*

1 **SEC. 306. INFORMATION AND TECHNICAL ASSISTANCE.**

2 (a) *IN GENERAL.*—*The Secretary shall provide infor-*
3 *mation and technical assistance to States under this title,*
4 *which shall include—*

5 (1) *providing assistance in preparing applica-*
6 *tions for grants under this title;*

7 (2) *assisting grant recipients under this title to*
8 *develop and implement alternative financing pro-*
9 *grams; and*

10 (3) *providing any other information and tech-*
11 *nical assistance the Secretary determines to be appro-*
12 *priate to assist States to achieve the objectives of this*
13 *title.*

14 (b) *GRANTS, CONTRACTS, AND COOPERATIVE AGREE-*
15 *MENTS.*—*The Secretary shall provide the information and*
16 *technical assistance described in subsection (a) through*
17 *grants, contracts, and cooperative agreements with public*
18 *or private agencies and organizations, including institu-*
19 *tions of higher education, with sufficient documented expe-*
20 *rience, expertise, and capacity to assist States in the devel-*
21 *opment and implementation of the alternative financing*
22 *programs carried out under this title.*

23 **SEC. 307. ANNUAL REPORT.**

24 *Not later than December 31 of each year, the Secretary*
25 *shall submit a report to the Committee on Education and*
26 *the Workforce of the House of Representatives and the Com-*

1 *mittee on Labor and Human Resources of the Senate de-*
2 *scribing the progress of each alternative financing program*
3 *funded under this title toward achieving the objectives of*
4 *this title. The report shall include information on—*

5 (1) *the number of grant applications received*
6 *and approved by the Secretary under this title, and*
7 *the amount of each grant awarded under this title;*

8 (2) *the ratio of funds provided by each State for*
9 *the alternative financing program of the State to*
10 *funds provided by the Federal Government for the*
11 *program;*

12 (3) *the type of alternative financing mechanisms*
13 *used by each State and the community-based organi-*
14 *zation with which each State entered into a contract,*
15 *under the program; and*

16 (4) *the amount of assistance given to consumers*
17 *through the program (who shall be classified by age,*
18 *type of disability, type of assistive technology device*
19 *or assistive technology service financed through the*
20 *program, geographic distribution within the State,*
21 *gender, and whether the consumers are part of an*
22 *underrepresented population or rural population).*

23 **SEC. 308. AUTHORIZATION OF APPROPRIATIONS.**

24 (a) *IN GENERAL.—There are authorized to be appro-*
25 *priated to carry out this title \$10,000,000 for fiscal year*

1 1999 and such sums as may be necessary for fiscal year
2 2000.

3 (b) *RESERVATION.*—Of the amounts appropriated
4 under subsection (a) for a fiscal year, the Secretary shall
5 reserve 2 percent for the purpose of providing information
6 and technical assistance to States under section 306.

7 **TITLE IV—REPEAL AND**
8 **CONFORMING AMENDMENTS**

9 **SEC. 401. REPEAL.**

10 *The Technology-Related Assistance for Individuals*
11 *With Disabilities Act of 1988 (29 U.S.C. 2201 et seq.) is*
12 *repealed.*

13 **SEC. 402. CONFORMING AMENDMENTS.**

14 (a) *DEFINITIONS.*—Section 6 of the *Rehabilitation Act*
15 *of 1973 (as amended by section 403 of the Workforce Invest-*
16 *ment Act of 1998) is amended—*

17 (1) *in paragraph (3), by striking “section 3(2)*
18 *of the Technology-Related Assistance for Individuals*
19 *With Disabilities Act of 1988 (29 U.S.C. 2202(2))”*
20 *and inserting “section 3 of the Assistive Technology*
21 *Act of 1998”; and*

22 (2) *in paragraph (4), by striking “section 3(3)*
23 *of the Technology-Related Assistance for Individuals*
24 *With Disabilities Act of 1988 (29 U.S.C. 2202(3))”*

1 *and inserting “section 3 of the Assistive Technology*
2 *Act of 1998”.*

3 *(b) RESEARCH AND OTHER COVERED ACTIVITIES.—*
4 *Section 204(b)(3) of the Rehabilitation Act of 1973 (as*
5 *amended by section 405 of the Workforce Investment Act*
6 *of 1998) is amended—*

7 *(1) in subparagraph (C)(i), by striking “the*
8 *Technology-Related Assistance for Individuals With*
9 *Disabilities Act of 1988 (29 U.S.C. 2201 et seq.)” and*
10 *inserting “the Assistive Technology Act of 1998”; and*

11 *(2) in subparagraph (G)(i), by striking “the*
12 *Technology-Related Assistance for Individuals With*
13 *Disabilities Act of 1988 (29 U.S.C. 2201 et seq.)” and*
14 *inserting “the Assistive Technology Act of 1998”.*

15 *(c) PROTECTION AND ADVOCACY.—Section 509(a)(2)*
16 *of the Rehabilitation Act of 1973 (as amended by section*
17 *408 of the Workforce Investment Act of 1998) is amended*
18 *by striking “the Technology-Related Assistance for Individ-*
19 *uals With Disabilities Act of 1988 (42 U.S.C. 2201 et seq.)”*
20 *and inserting “the Assistive Technology Act of 1998”.*

Attest:

Clerk.