

105TH CONGRESS
2D SESSION

S. 2432

AN ACT

To support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Assistive Technology Act of 1998”.

- 1 (b) TABLE OF CONTENTS.—The table of contents for
 2 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 challenge grants.
 Sec. 103. Supplementary millennium grants to States for State and local capacity building.
 Sec. 104. State grants for protection and advocacy related to assistive technology.
 Sec. 105. Administrative provisions.
 Sec. 106. Technical assistance program.
 Sec. 107. 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. Assistive technology taxonomy.
 Sec. 217. President’s Committee on Employment of People With Disabilities.
 Sec. 218. 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
4 experience and in no way diminishes the right of in-
5 dividuals 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.

15 (2) Technology has become 1 of the primary en-
16 gines for economic activity, education, and innova-
17 tion in the Nation, and throughout the world. The
18 commitment of the United States to the development
19 and utilization of technology is 1 of the main factors
20 underlying the strength and vibrancy of the economy
21 of the United States.

22 (3) As technology has come to play an increas-
23 ingly important role in the lives of all persons in the
24 United States, in the conduct of business, in the
25 functioning of government, in the fostering of com-
26 munication, in the conduct of commerce, and in the

1 provision of education, its impact upon the lives of
2 the more than 50,000,000 individuals with disabili-
3 ties in the United States has been comparable to its
4 impact upon the remainder of the citizens of the
5 United States. Any development in mainstream tech-
6 nology would have profound implications for individ-
7 uals with disabilities in the United States.

8 (4) Substantial progress has been made in the
9 development of assistive technology devices, includ-
10 ing adaptations to existing devices that facilitate ac-
11 tivities of daily living, that significantly benefit indi-
12 viduals with disabilities of all ages. Such devices and
13 adaptations increase the involvement of such individ-
14 uals in, and reduce expenditures associated with,
15 programs and activities such as early intervention,
16 education, rehabilitation and training, employment,
17 residential living, independent living, and recreation
18 programs and activities, and other aspects of daily
19 living.

20 (5) All States have comprehensive statewide
21 programs of technology-related assistance. Federal
22 support for such programs should continue,
23 strengthening the capacity of each State to assist in-
24 dividuals with disabilities of all ages with their as-
25 sistive technology needs.

1 (6) Notwithstanding the efforts of such State
2 programs, there is still a lack of—

3 (A) resources to pay for assistive tech-
4 nology devices and assistive technology services;

5 (B) trained personnel to assist individuals
6 with disabilities to use such devices and serv-
7 ices;

8 (C) information among targeted individuals
9 about the availability and potential benefit of
10 technology for individuals with disabilities;

11 (D) outreach to underrepresented popu-
12 lations and rural populations;

13 (E) systems that ensure timely acquisition
14 and delivery of assistive technology devices and
15 assistive technology services;

16 (F) coordination among State human serv-
17 ices programs, and between such programs and
18 private entities, particularly with respect to
19 transitions between such programs and entities;
20 and

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

23 (7) In the current technological environment,
24 the line of demarcation between assistive technology

1 and mainstream technology is becoming ever more
2 difficult to draw.

3 (8) Many individuals with disabilities cannot ac-
4 cess existing telecommunications and information
5 technologies and are at risk of not being able to ac-
6 cess developing technologies. The failure of Federal
7 and State governments, hardware manufacturers,
8 software designers, information systems managers,
9 and telecommunications service providers to account
10 for the specific needs of individuals with disabilities
11 in the design, manufacture, and procurement of tele-
12 communications and information technologies results
13 in the exclusion of such individuals from the use of
14 telecommunications and information technologies
15 and results in unnecessary costs associated with the
16 retrofitting of devices and product systems.

17 (9) There are insufficient incentives for Federal
18 contractors and other manufacturers of technology
19 to address the application of technology advances to
20 meet the needs of individuals with disabilities of all
21 ages for assistive technology devices and assistive
22 technology services.

23 (10) The use of universal design principles re-
24 duces the need for many specific kinds of assistive
25 technology devices and assistive technology services

1 by building in accommodations for individuals with
2 disabilities before rather than after production. The
3 use of universal design principles also increases the
4 likelihood that products (including services) will be
5 compatible with existing assistive technologies. These
6 principles are increasingly important to enhance ac-
7 cess to information technology, telecommunications,
8 transportation, physical structures, and consumer
9 products. There are insufficient incentives for com-
10 mercial manufacturers to incorporate universal de-
11 sign principles into the design and manufacturing of
12 technology products, including devices of daily living,
13 that could expand their immediate use by individuals
14 with disabilities of all ages.

15 (11) There are insufficient incentives for com-
16 mercial pursuit of the application of technology de-
17 vices to meet the needs of individuals with disabil-
18 ities, because of the perception that such individuals
19 constitute a limited market.

20 (12) At the Federal level, the Federal Labora-
21 tories, the National Aeronautics and Space Adminis-
22 tration, and other similar entities do not recognize
23 the value of, or commit resources on an ongoing
24 basis to, technology transfer initiatives that would

1 benefit, and especially increase the independence of,
2 individuals with disabilities.

3 (13) At the Federal level, there is a lack of co-
4 ordination among agencies that provide or pay for
5 the provision of assistive technology devices and as-
6 sistive technology services. In addition, the Federal
7 Government does not provide adequate assistance
8 and information with respect to the quality and use
9 of assistive technology devices and assistive tech-
10 nology services to targeted individuals.

11 (14) There are changes in the delivery of assist-
12 ive technology devices and assistive technology serv-
13 ices, including—

14 (A) the impact of the increased prevalence
15 of managed care entities as payors for assistive
16 technology devices and assistive technology
17 services;

18 (B) an increased focus on universal design;

19 (C) the increased importance of assistive
20 technology in employment, as more individuals
21 with disabilities move from public assistance to
22 work through training and on-the-job accom-
23 modations;

24 (D) the role and impact that new tech-
25 nologies have on how individuals with disabil-

ities will learn about, access, and participate in
programs or services that will affect their lives;
and

(E) the increased role that telecommunications play in education, employment, health care, and social activities.

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

(1) to provide financial assistance to States to undertake activities that assist each State in maintaining and strengthening a permanent comprehensive statewide program of technology-related assistance, for individuals with disabilities of all ages, that is designed to—

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

(B) increase the active involvement of individuals with disabilities and their family members, guardians, advocates, and authorized representatives, in the maintenance, improvement, and evaluation of such a program;

(C) increase the involvement of individuals with disabilities and, if appropriate, their family members, guardians, advocates, and authorized representatives, in decisions related to the pro-

1 vision of assistive technology devices and assist-
2 ive technology services;

3 (D) increase the provision of outreach to
4 underrepresented populations and rural popu-
5 lations, to enable the 2 populations to enjoy the
6 benefits of activities carried out under this Act
7 to the same extent as other populations;

8 (E) increase and promote coordination
9 among State agencies, between State and local
10 agencies, among local agencies, and between
11 State and local agencies and private entities
12 (such as managed care providers), that are in-
13 volved or are eligible to be involved in carrying
14 out activities under this Act;

15 (F)(i) increase the awareness of laws, reg-
16 ulations, policies, practices, procedures, and or-
17 ganizational structures, that facilitate the avail-
18 ability or provision of assistive technology de-
19 vices and assistive technology services; and

20 (ii) facilitate the change of laws, regula-
21 tions, policies, practices, procedures, and orga-
22 nizational structures, to obtain increased avail-
23 ability or provision of assistive technology de-
24 vices and assistive technology services;

1 (G) increase the probability that individ-
2 uals with disabilities of all ages will, to the ex-
3 tent appropriate, be able to secure and main-
4 tain possession of assistive technology devices
5 as such individuals make the transition between
6 services offered by human service agencies or
7 between settings of daily living (for example,
8 between home and work);

9 (H) enhance the skills and competencies of
10 individuals involved in providing assistive tech-
11 nology devices and assistive technology services;

12 (I) increase awareness and knowledge of
13 the benefits of assistive technology devices and
14 assistive technology services among targeted in-
15 dividuals;

16 (J) increase the awareness of the needs of
17 individuals with disabilities of all ages for as-
18 sistive technology devices and for assistive tech-
19 nology services; and

20 (K) increase the capacity of public agencies
21 and private entities to provide and pay for as-
22 sistive technology devices and assistive tech-
23 nology services on a statewide basis for individ-
24 uals with disabilities of all ages;

1 (2) to identify Federal policies that facilitate
2 payment for assistive technology devices and assist-
3 ive technology services, to identify those Federal
4 policies that impede such payment, and to eliminate
5 inappropriate barriers to such payment; and

6 (3) to enhance the ability of the Federal Gov-
7 ernment to—

8 (A) provide States with financial assistance
9 that supports—

10 (i) information and public awareness
11 programs relating to the provision of as-
12 sistive technology devices and assistive
13 technology services;

14 (ii) improved interagency and public-
15 private coordination, especially through
16 new and improved policies, that result in
17 increased availability of assistive tech-
18 nology devices and assistive technology
19 services; and

20 (iii) technical assistance and training
21 in the provision or use of assistive tech-
22 nology devices and assistive technology
23 services; and

24 (B) fund national, regional, State, and
25 local targeted initiatives that promote under-

1 standing of and access to assistive technology
2 devices and assistive technology services for tar-
3 geted individuals.

4 **SEC. 3. DEFINITIONS AND RULE.**

5 (a) DEFINITIONS.—In this Act:

6 (1) ADVOCACY SERVICES.—The term “advocacy
7 services”, except as used as part of the term “pro-
8 tection and advocacy services”, means services pro-
9 vided to assist individuals with disabilities and their
10 family members, guardians, advocates, and author-
11 ized representatives in accessing assistive technology
12 devices and assistive technology services.

13 (2) ASSISTIVE TECHNOLOGY.—The term “as-
14 sistive technology” means technology designed to be
15 utilized in an assistive technology device or assistive
16 technology service.

17 (3) ASSISTIVE TECHNOLOGY DEVICE.—The
18 term “assistive technology device” means any item,
19 piece of equipment, or product system, whether ac-
20 quired commercially, modified, or customized, that is
21 used to increase, maintain, or improve functional ca-
22 pabilities of individuals with disabilities.

23 (4) ASSISTIVE TECHNOLOGY SERVICE.—The
24 term “assistive technology service” means any serv-
25 ice that directly assists an individual with a disabil-

1 ity in the selection, acquisition, or use of an assistive
2 technology device. Such term includes—

3 (A) the evaluation of the assistive tech-
4 nology needs of an individual with a disability,
5 including a functional evaluation of the impact
6 of the provision of appropriate assistive tech-
7 nology and appropriate services to the individ-
8 ual in the customary environment of the indi-
9 vidual;

10 (B) services consisting of purchasing, leas-
11 ing, or otherwise providing for the acquisition
12 of assistive technology devices by individuals
13 with disabilities;

14 (C) services consisting of selecting, design-
15 ing, fitting, customizing, adapting, applying,
16 maintaining, repairing, or replacing assistive
17 technology devices;

18 (D) coordination and use of necessary
19 therapies, interventions, or services with assist-
20 ive technology devices, such as therapies, inter-
21 ventions, or services associated with education
22 and rehabilitation plans and programs;

23 (E) training or technical assistance for an
24 individual with disabilities, or, where appro-
25 priate, the family members, guardians, advo-

1 cates, or authorized representatives of such an
2 individual; and

3 (F) training or technical assistance for
4 professionals (including individuals providing
5 education and rehabilitation services), employ-
6 ers, or other individuals who provide services to,
7 employ, or are otherwise substantially involved
8 in the major life functions of individuals with
9 disabilities.

10 (5) CAPACITY BUILDING AND ADVOCACY AC-
11 TIVITIES.—The term “capacity building and advo-
12 cacy activities” means efforts that—

13 (A) result in laws, regulations, policies,
14 practices, procedures, or organizational struc-
15 tures that promote consumer-responsive pro-
16 grams or entities; and

17 (B) facilitate and increase access to, provi-
18 sion of, and funding for, assistive technology
19 devices and assistive technology services,

20 in order to empower individuals with disabilities to
21 achieve greater independence, productivity, and inte-
22 gration and inclusion within the community and the
23 workforce.

24 (6) COMPREHENSIVE STATEWIDE PROGRAM OF
25 TECHNOLOGY-RELATED ASSISTANCE.—The term

1 “comprehensive statewide program of technology-re-
 2 lated assistance” means a consumer-responsive pro-
 3 gram of technology-related assistance for individuals
 4 with disabilities, implemented by a State, and equal-
 5 ly available to all individuals with disabilities resid-
 6 ing in the State, regardless of their type of disabil-
 7 ity, age, income level, or location of residence in the
 8 State, or the type of assistive technology device or
 9 assistive technology service required.

10 (7) CONSUMER-RESPONSIVE.—The term “con-
 11 sumer-responsive”—

12 (A) with regard to policies, means that the
 13 policies are consistent with the principles of—

14 (i) respect for individual dignity, per-
 15 sonal responsibility, self-determination, and
 16 pursuit of meaningful careers, based on in-
 17 formed choice, of individuals with disabil-
 18 ities;

19 (ii) respect for the privacy, rights, and
 20 equal access (including the use of acces-
 21 sible formats) of such individuals;

22 (iii) inclusion, integration, and full
 23 participation of such individuals in society;

24 (iv) support for the involvement in de-
 25 cisions of a family member, a guardian, an

1 advocate, or an authorized representative,
2 if an individual with a disability requests,
3 desires, or needs such involvement; and

4 (v) support for individual and systems
5 advocacy and community involvement; and

6 (B) with respect to an entity, program, or
7 activity, means that the entity, program, or ac-
8 tivity—

9 (i) is easily accessible to, and usable
10 by, individuals with disabilities and, when
11 appropriate, their family members, guard-
12 ians, advocates, or authorized representa-
13 tives;

14 (ii) responds to the needs of individ-
15 uals with disabilities in a timely and appro-
16 priate manner; and

17 (iii) facilitates the full and meaningful
18 participation of individuals with disabilities
19 (including individuals from underrep-
20 resented populations and rural popu-
21 lations) and their family members, guard-
22 ians, advocates, and authorized representa-
23 tives, in—

24 (I) decisions relating to the provi-
25 sion of assistive technology devices

1 and assistive technology services to
2 such individuals; and

3 (II) decisions related to the
4 maintenance, improvement, and eval-
5 uation of the comprehensive statewide
6 program of technology-related assist-
7 ance, including decisions that affect
8 advocacy, capacity building, and ca-
9 pacity building and advocacy activi-
10 ties.

11 (8) DISABILITY.—The term “disability” means
12 a condition of an individual that is considered to be
13 a disability or handicap for the purposes of any Fed-
14 eral law other than this Act or for the purposes of
15 the law of the State in which the individual resides.

16 (9) INDIVIDUAL WITH A DISABILITY; INDIVID-
17 UALS WITH DISABILITIES.—

18 (A) INDIVIDUAL WITH A DISABILITY.—The
19 term “individual with a disability” means any
20 individual of any age, race, or ethnicity—

21 (i) who has a disability; and

22 (ii) who is or would be enabled by an
23 assistive technology device or an assistive
24 technology service to minimize deteriora-
25 tion in functioning, to maintain a level of

1 functioning, or to achieve a greater level of
2 functioning in any major life activity.

3 (B) INDIVIDUALS WITH DISABILITIES.—

4 The term “individuals with disabilities” means
5 more than 1 individual with a disability.

6 (10) INSTITUTION OF HIGHER EDUCATION.—

7 The term “institution of higher education” has the
8 meaning given such term in section 1201(a) of the
9 Higher Education Act of 1965 (20 U.S.C. 1141(a)),
10 and includes a community college receiving funding
11 under the Tribally Controlled Community College
12 Assistance Act of 1978 (25 U.S.C. 1801 et seq.).

13 (11) PROTECTION AND ADVOCACY SERVICES.—

14 The term “protection and advocacy services” means
15 services that—

16 (A) are described in part C of the Develop-
17 mental Disabilities Assistance and Bill of
18 Rights Act (42 U.S.C. 6041 et seq.), the Pro-
19 tection and Advocacy for Mentally Ill Individ-
20 uals Act of 1986 (42 U.S.C. 10801 et seq.), or
21 section 509 of the Rehabilitation Act of 1973;
22 and

23 (B) assist individuals with disabilities with
24 respect to assistive technology devices and as-
25 sistive technology services.

1 (12) SECRETARY.—The term “Secretary”
2 means the Secretary of Education.

3 (13) STATE.—

4 (A) IN GENERAL.—Except as provided in
5 subparagraph (B) and section 302, the term
6 “State” means each of the several States of the
7 United States, the District of Columbia, the
8 Commonwealth of Puerto Rico, the United
9 States Virgin Islands, Guam, American Samoa,
10 and the Commonwealth of the Northern Mari-
11 ana Islands.

12 (B) OUTLYING AREAS.—In sections
13 101(c), 102(c), 103(d), and 104(b):

14 (i) OUTLYING AREA.—The term “out-
15 lying area” means the United States Vir-
16 gin Islands, Guam, American Samoa, and
17 the Commonwealth of the Northern Mari-
18 ana Islands.

19 (ii) STATE.—The term “State” does
20 not include the United States Virgin Is-
21 lands, Guam, American Samoa, and the
22 Commonwealth of the Northern Mariana
23 Islands.

24 (14) TARGETED INDIVIDUALS.—The term “tar-
25 geted individuals” means—

1 (A) individuals with disabilities of all ages
2 and their family members, guardians, advo-
3 cates, and authorized representatives;

4 (B) individuals who work for public or pri-
5 vate entities (including insurers or managed
6 care providers), that have contact with individ-
7 uals with disabilities;

8 (C) educators and related services person-
9 nel;

10 (D) technology experts (including engi-
11 neers);

12 (E) health and allied health professionals;

13 (F) employers; and

14 (G) other appropriate individuals and enti-
15 ties.

16 (15) TECHNOLOGY-RELATED ASSISTANCE.—

17 The term “technology-related assistance” means as-
18 sistance provided through capacity building and ad-
19 vocacy activities that accomplish the purposes de-
20 scribed in any of subparagraphs (A) through (K) of
21 section 2(b)(1).

22 (16) UNDERREPRESENTED POPULATION.—The
23 term “underrepresented population” means a popu-
24 lation that is typically underrepresented in service
25 provision, and includes populations such as persons

1 who have low-incidence disabilities, persons who are
2 minorities, poor persons, persons with limited-
3 English proficiency, older individuals, or persons
4 from rural areas.

5 (17) UNIVERSAL DESIGN.—The term “universal
6 design” means a concept or philosophy for designing
7 and delivering products and services that are usable
8 by people with the widest possible range of func-
9 tional capabilities, which include products and serv-
10 ices that are directly usable (without requiring as-
11 sistive technologies) and products and services that
12 are made usable with assistive technologies.

13 (b) REFERENCES.—References in this Act to a provi-
14 sion of the Technology-Related Assistance for Individuals
15 With Disabilities Act of 1988 shall be considered to be
16 references to such provision as in effect on the day before
17 the date of enactment of this Act.

18 **TITLE I—STATE GRANT** 19 **PROGRAMS**

20 **SEC. 101. CONTINUITY GRANTS FOR STATES THAT RE-** 21 **CEIVED FUNDING FOR A LIMITED PERIOD** 22 **FOR TECHNOLOGY-RELATED ASSISTANCE.**

23 (a) GRANTS TO STATES.—

24 (1) IN GENERAL.—The Secretary shall award
25 grants, in accordance with this section, to eligible

1 States to support capacity building and advocacy ac-
2 tivities, designed to assist the States in maintaining
3 permanent comprehensive statewide programs of
4 technology-related assistance that accomplish the
5 purposes described in section 2(b)(1).

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

11 (b) USE OF FUNDS.—

12 (1) IN GENERAL.—Any State that receives a
13 grant under this section shall use the funds made
14 available through the grant to carry out the activi-
15 ties described in paragraph (2) and may use the
16 funds to carry out the activities described in para-
17 graph (3).

18 (2) MANDATORY ACTIVITIES.—

19 (A) PUBLIC AWARENESS PROGRAM.—

20 (i) IN GENERAL.—The State shall
21 support a public awareness program de-
22 signed to provide information to targeted
23 individuals relating to the availability and
24 benefits of assistive technology devices and
25 assistive technology services.

1 (ii) LINK.—Such a public awareness
2 program shall have an electronic link to
3 the National Public Internet Site author-
4 ized under section 106(c)(1).

5 (iii) CONTENTS.—The public aware-
6 ness program may include—

7 (I) the development and dissemi-
8 nation of information relating to—

9 (aa) the nature of assistive
10 technology devices and assistive
11 technology services;

12 (bb) the appropriateness of,
13 cost of, availability of, evaluation
14 of, and access to, assistive tech-
15 nology devices and assistive tech-
16 nology services; and

17 (cc) the benefits of assistive
18 technology devices and assistive
19 technology services with respect
20 to enhancing the capacity of indi-
21 viduals with disabilities of all
22 ages to perform activities of daily
23 living;

24 (II) the development of proce-
25 dures for providing direct communica-

tion between providers of assistive
technology and targeted individuals;
and

(III) the development and dissemination, to targeted individuals, of information about State efforts related to assistive technology.

(B) INTERAGENCY COORDINATION.—

(i) IN GENERAL.—The State shall develop and promote the adoption of policies that improve access to assistive technology devices and assistive technology services for individuals with disabilities of all ages in the State and that result in improved coordination among public and private entities that are responsible or have the authority to be responsible, for policies, procedures, or funding for, or the provision of assistive technology devices and assistive technology services to, such individuals.

(ii) APPOINTMENT TO CERTAIN INFORMATION TECHNOLOGY PANELS.—The State shall appoint the director of the lead agency described in subsection (d) or the designee of the director, to any committee,

1 council, or similar organization created by
2 the State to assist the State in the develop-
3 ment of the information technology policy
4 of the State.

5 (iii) COORDINATION ACTIVITIES.—The
6 development and promotion described in
7 clause (i) may include support for—

8 (I) policies that result in im-
9 proved coordination, including coordi-
10 nation between public and private en-
11 tities—

12 (aa) in the application of
13 Federal and State policies;

14 (bb) in the use of resources
15 and services relating to the provi-
16 sion of assistive technology de-
17 vices and assistive technology
18 services, including the use of
19 interagency agreements; and

20 (cc) in the improvement of
21 access to assistive technology de-
22 vices and assistive technology
23 services for individuals with dis-
24 abilities of all ages in the State;

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

9 (III) documenting and dissemi-
10 nating information about interagency
11 activities that promote coordination,
12 including coordination between public
13 and private entities, with respect to
14 assistive technology devices and assist-
15 ive technology services.

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

21 (i) the development and implementa-
22 tion of laws, regulations, policies, practices,
23 procedures, or organizational structures
24 that promote access to assistive technology
25 devices and assistive technology services

1 for individuals with disabilities in edu-
2 cation, health care, employment, and com-
3 munity living contexts, and in other con-
4 texts such as leisure activities and the use
5 of telecommunications;

6 (ii)(I) the development of training ma-
7 terials and the conduct of training in the
8 use of assistive technology devices and as-
9 sistive technology services; and

10 (II) the provision of technical assist-
11 ance, including technical assistance con-
12 cerning how—

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

19 (bb) the rights of targeted indi-
20 viduals to assistive technology devices
21 and assistive technology services are
22 addressed under laws other than this
23 Act, to promote fuller independence,
24 productivity, and inclusion in and in-

1 integration into society of such individ-
2 uals; 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)(I) the enhancement of the assist-
9 ive technology skills and competencies of—

10 (aa) individuals who work for
11 public or private entities (including in-
12 surers and managed care providers),
13 who have contact with individuals
14 with disabilities;

15 (bb) educators and related serv-
16 ices personnel;

17 (cc) technology experts (including
18 engineers);

19 (dd) health and allied health pro-
20 fessionals;

21 (ee) employers; and

22 (ff) other appropriate personnel;

23 and

24 (II) taking action to facilitate the de-
25 velopment of standards, or, when appro-

1 priate, the application of such standards,
2 to ensure the availability of qualified per-
3 sonnel.

4 (D) OUTREACH.—The State shall provide
5 support to statewide and community-based or-
6 ganizations that provide assistive technology de-
7 vices and assistive technology services to indi-
8 viduals with disabilities or that assist individ-
9 uals with disabilities in using assistive tech-
10 nology devices and assistive technology services,
11 including a focus on organizations assisting in-
12 dividuals from underrepresented populations
13 and rural populations. Such support may in-
14 clude outreach to consumer organizations and
15 groups in the State to coordinate efforts (in-
16 cluding self-help, support group activities, and
17 peer mentoring) to assist individuals with dis-
18 abilities of all ages and their family members,
19 guardians, advocates, or authorized representa-
20 tives, to obtain funding for, access to, and in-
21 formation on evaluation of assistive technology
22 devices and assistive technology services.

23 (3) DISCRETIONARY ACTIVITIES.—

24 (A) ALTERNATIVE STATE-FINANCED SYS-
25 TEMS.—The State may support activities to in-

1 crease access to, and funding for, assistive tech-
2 nology devices and assistive technology services,
3 including—

4 (i) the development of systems that
5 provide assistive technology devices and as-
6 sistive technology services to individuals
7 with disabilities of all ages, and that pay
8 for such devices and services, such as—

9 (I) the development of systems
10 for the purchase, lease, other acqui-
11 sition, or payment for the provision, of
12 assistive technology devices and assist-
13 ive technology services; or

14 (II) the establishment of alter-
15 native State or privately financed sys-
16 tems of subsidies for the provision of
17 assistive technology devices and assist-
18 ive technology services, such as—

19 (aa) a low-interest loan
20 fund;

21 (bb) an interest buy-down
22 program;

23 (cc) a revolving loan fund;

24 (dd) a loan guarantee or in-
25 surance program;

1 (ee) a program operated by
2 a partnership among private enti-
3 ties for the purchase, lease, or
4 other acquisition of assistive
5 technology devices or assistive
6 technology services; or

7 (ff) another mechanism that
8 meets the requirements of title
9 III and is approved by the Sec-
10 retary;

11 (ii) the short-term loan of assistive
12 technology devices to individuals, employ-
13 ers, public agencies, or public accommoda-
14 tions seeking strategies to comply with the
15 Americans with Disabilities Act of 1990
16 (42 U.S.C. 12101 et seq.) and section 504
17 of the Rehabilitation Act of 1973 (29
18 U.S.C. 794); or

19 (iii) the maintenance of information
20 about, and recycling centers for, the redis-
21 tribution of assistive technology devices
22 and equipment, which may include redis-
23 tribution through device and equipment
24 loans, rentals, or gifts.

1 (B) DEMONSTRATIONS.—The State, in col-
2 laboration with other entities in established,
3 recognized community settings (such as non-
4 profit organizations, libraries, schools, commu-
5 nity-based employer organizations, churches,
6 and entities operating senior citizen centers,
7 shopping malls, and health clinics), may dem-
8 onstrate assistive technology devices in settings
9 where targeted individuals can see and try out
10 assistive technology devices, and learn more
11 about the devices from personnel who are famil-
12 iar with such devices and their applications or
13 can be referred to other entities who have infor-
14 mation on the devices.

15 (C) OPTIONS FOR SECURING DEVICES AND
16 SERVICES.—The State, through public agencies
17 or nonprofit organizations, may support assist-
18 ance to individuals with disabilities and their
19 family members, guardians, advocates, and au-
20 thorized representatives about options for secur-
21 ing assistive technology devices and assistive
22 technology services that would meet individual
23 needs for such assistive technology devices and
24 assistive technology services. Such assistance

1 shall not include direct payment for an assistive
2 technology device.

3 (D) TECHNOLOGY-RELATED INFORMA-
4 TION.—

5 (i) IN GENERAL.—The State may op-
6 erate and expand a system for public ac-
7 cess to information concerning an activity
8 carried out under another paragraph of
9 this subsection, including information
10 about assistive technology devices and as-
11 sistive technology services, funding sources
12 and costs of such devices and services, and
13 individuals, organizations, and agencies ca-
14 pable of carrying out such an activity for
15 individuals with disabilities. The system
16 shall be part of, and complement the infor-
17 mation that is available through a link to,
18 the National Public Internet Site described
19 in section 106(c)(1).

20 (ii) ACCESS.—Access to the system
21 may be provided through community-based
22 locations, including public libraries, centers
23 for independent living (as defined in sec-
24 tion 702 of the Rehabilitation Act of
25 1973), locations of community rehabilita-

1 tion programs (as defined in section 7 of
2 such Act), schools, senior citizen centers,
3 State vocational rehabilitation offices,
4 other State workforce offices, and other lo-
5 cations frequented or used by the public.

6 (iii) INFORMATION COLLECTION AND
7 PREPARATION.—In operating or expanding
8 a system described in subparagraph (A),
9 the State may—

10 (I) develop, compile, and cat-
11 egorize print, large print, braille,
12 audio, and video materials, computer
13 disks, compact discs (including com-
14 pact discs formatted with read-only
15 memory), information in alternative
16 formats that can be used in telephone-
17 based information systems, and mate-
18 rials using such other media as tech-
19 nological innovation may make appro-
20 priate;

21 (II) identify and classify funding
22 sources for obtaining assistive tech-
23 nology devices and assistive tech-
24 nology services, and the conditions of
25 and criteria for access to such

1 sources, including any funding mecha-
2 nisms or strategies developed by the
3 State;

4 (III) identify support groups and
5 systems designed to help individuals
6 with disabilities make effective use of
7 an activity carried out under another
8 paragraph of this subsection, includ-
9 ing groups that provide evaluations of
10 assistive technology devices and assist-
11 ive technology services; and

12 (IV) maintain a record of the ex-
13 tent to which citizens of the State use
14 or make inquiries of the system estab-
15 lished in clause (i), and of the nature
16 of such inquiries.

17 (E) INTERSTATE ACTIVITIES.—

18 (i) IN GENERAL.—The State may
19 enter into cooperative agreements with
20 other States to expand the capacity of the
21 States involved to assist individuals with
22 disabilities of all ages to learn about, ac-
23 quire, use, maintain, adapt, and upgrade
24 assistive technology devices and assistive
25 technology services that such individuals

1 need at home, at school, at work, or in
 2 other environments that are part of daily
 3 living.

4 (ii) ELECTRONIC COMMUNICATION.—

5 The State may operate or participate in an
 6 electronic information exchange through
 7 which the State may communicate with
 8 other States to gain technical assistance in
 9 a timely fashion and to avoid the dupli-
 10 cation of efforts already undertaken in other
 11 States.

12 (F) PARTNERSHIPS AND COOPERATIVE INI-

13 TIATIVES.—The State may support partner-
 14 ships and cooperative initiatives between the
 15 public sector and the private sector to promote
 16 greater participation by business and industry
 17 in—

18 (i) the development, demonstration,
 19 and dissemination of assistive technology
 20 devices; and

21 (ii) the ongoing provision of informa-
 22 tion about new products to assist individ-
 23 uals with disabilities.

24 (G) EXPENSES.—The State may pay for
 25 expenses, including travel expenses, and serv-

ices, including services of qualified interpreters, readers, and personal care assistants, that may be necessary to ensure access to the comprehensive statewide program of technology-related assistance by individuals with disabilities who are determined by the State to be in financial need and not eligible for such payments or services through another public agency or private entity.

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

(c) AMOUNT OF FINANCIAL ASSISTANCE.—

(1) GRANTS TO OUTLYING AREAS.—From the funds appropriated under section 107(a) and reserved under clause (i) of subparagraph (A), (B), or (C) of section 107(b)(1) for any fiscal year for grants under this section, the Secretary shall make a grant in an amount of not more than \$105,000 to each eligible outlying area.

(2) GRANTS TO STATES.—From the funds described in paragraph (1) that are not used to make grants under paragraph (1), the Secretary shall make grants to States in accordance with the requirements described in paragraph (3).

(3) CALCULATION OF STATE GRANTS.—

1 (A) CALCULATIONS FOR GRANTS IN THE
2 SECOND OR THIRD YEAR OF A SECOND EXTEN-
3 SION GRANT.—For any fiscal year, the Sec-
4 retary shall calculate the amount of a grant
5 under paragraph (2) for each eligible State that
6 would be in the second or third year of a second
7 extension grant made under section 103 of the
8 Technology-Related Assistance for Individuals
9 With Disabilities Act of 1988, if that Act had
10 been reauthorized for that fiscal year, in ac-
11 cordance with section 103(c)(2) of such Act.

12 (B) CALCULATIONS FOR GRANTS IN THE
13 FOURTH OR FIFTH YEAR OF A SECOND EXTEN-
14 SION GRANT.—

15 (i) FOURTH YEAR.—An eligible State
16 that would have been in the fourth year of
17 a second extension grant made under sec-
18 tion 103 of the Technology-Related Assist-
19 ance for Individuals With Disabilities Act
20 of 1988 during a fiscal year, if that Act
21 had been reauthorized for that fiscal year,
22 shall receive under paragraph (2) a grant
23 in an amount equal to 75 percent of the
24 funding that the State received in the prior

1 fiscal year under section 103 of that Act or
2 under this section, as appropriate.

3 (ii) FIFTH YEAR.—An eligible State
4 that would have been in the fifth year of
5 a second extension grant made under sec-
6 tion 103 of the Technology-Related Assist-
7 ance for Individuals With Disabilities Act
8 of 1988 during a fiscal year, if that Act
9 had been reauthorized for that fiscal year,
10 shall receive under paragraph (2) a grant
11 in an amount equal to $66\frac{2}{3}$ percent of the
12 funding that the State received in the prior
13 fiscal year under section 103 of that Act or
14 under this section, as appropriate.

15 (C) ADDITIONAL STATES.—

16 (i) IN GENERAL.—For purposes of
17 this paragraph, the Secretary shall treat a
18 State described in clause (ii)—

19 (I) for fiscal years 1999 through
20 2001, as if the State were a State de-
21 scribed in subparagraph (A); and

22 (II) for fiscal year 2002 or 2003,
23 as if the State were a State described
24 in clause (i) or (ii), respectively, of
25 subparagraph (B).

1 (ii) STATE.—A State referred to in
2 clause (i) shall be a State that—

3 (I) in fiscal year 1998, was in the
4 second year of an initial extension
5 grant made under section 103 of the
6 Technology-Related Assistance for In-
7 dividuals With Disabilities Act of
8 1988; and

9 (II) meets such terms and condi-
10 tions as the Secretary shall determine
11 to be appropriate.

12 (d) LEAD AGENCY.—

13 (1) IDENTIFICATION.—

14 (A) IN GENERAL.—To be eligible to receive
15 a grant under this section, a State shall des-
16 ignate a lead agency to carry out appropriate
17 State functions under this section. The lead
18 agency shall be the current agency (as of the
19 date of submission of the application supple-
20 ment described in subsection (e)) administering
21 the grant awarded to the State for fiscal year
22 1998 under title I of the Technology-Related
23 Assistance for Individuals With Disabilities Act
24 of 1988, except as provided in subparagraph
25 (B).

1 (B) CHANGE IN AGENCY.—The Governor
2 may change the lead agency if the Governor
3 shows good cause to the Secretary why the des-
4 ignated lead agency should be changed, in the
5 application supplement described in subsection
6 (e), and obtains approval of the supplement.

7 (2) DUTIES OF THE LEAD AGENCY.—The du-
8 ties of the lead agency shall include—

9 (A) submitting the application supplement
10 described in subsection (e) on behalf of the
11 State;

12 (B) administering and supervising the use
13 of amounts made available under the grant re-
14 ceived by the State under this section;

15 (C)(i) coordinating efforts related to, and
16 supervising the preparation of, the application
17 supplement described in subsection (e);

18 (ii) continuing the coordination of the
19 maintenance and evaluation of the comprehen-
20 sive statewide program of technology-related as-
21 sistance among public agencies and between
22 public agencies and private entities, including
23 coordinating efforts related to entering into
24 interagency agreements; and

(iii) continuing the coordination of efforts, especially efforts carried out with entities that provide protection and advocacy services described in section 104, related to the active, timely, and meaningful participation by individuals with disabilities and their family members, guardians, advocates, or authorized representatives, and other appropriate individuals, with respect to activities carried out under the grant; and

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

(e) APPLICATION SUPPLEMENT.—

(1) SUBMISSION.—Any State that desires to receive a grant under this section shall submit to the Secretary an application supplement to the application the State submitted under section 103 of the Technology-Related Assistance for Individuals With Disabilities Act of 1988, at such time, in such manner, and for such period as the Secretary may specify, that contains the following information:

(A) GOALS AND ACTIVITIES.—A description of—

(i) the goals the State has set, for addressing the assistive technology needs of individuals with disabilities in the State, including any related to—

(I) health care;

(II) education;

(III) employment, including goals involving the State vocational rehabilitation program carried out under title I of the Rehabilitation Act of 1973;

(IV) telecommunication and information technology; or

(V) community living, including participation in recreation; and

(ii) the activities the State will undertake to achieve such goals, in accordance with the requirements of subsection (b).

(B) MEASURES OF GOAL ACHIEVEMENT.—

A description of how the State will measure whether the goals set by the State have been achieved.

(C) INVOLVEMENT OF INDIVIDUALS WITH DISABILITIES OF ALL AGES AND THEIR FAMILIES.—A description of how individuals with disabilities of all ages and their families—

1 (i) were involved in selecting—

2 (I) the goals;

3 (II) the activities to be under-
4 taken in achieving the goals; and

5 (III) the measures to be used in
6 judging if the goals have been
7 achieved; and

8 (ii) will be involved in measuring
9 whether the goals have been achieved.

10 (D) REDESIGNATION OF THE LEAD AGEN-
11 CY.—If the Governor elects to change the lead
12 agency, the following information:

13 (i) With regard to the original lead
14 agency, evidence of—

15 (I) lack of progress in employ-
16 ment of qualified staff;

17 (II) lack of consumer-responsive
18 activities;

19 (III) lack of resource allocation
20 for systems change and advocacy ac-
21 tivities;

22 (IV) lack of progress in meeting
23 the assurances in the application sub-
24 mitted by the State under section
25 102(e) of the Technology-Related As-

1 sistance for Individuals With Disabil-
2 ities Act of 1988; or

3 (V) inadequate fiscal manage-
4 ment.

5 (ii) With regard to the new lead agen-
6 cy, a description of—

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

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

15 (iii) Information identifying which
16 agency prepared the application supple-
17 ment.

18 (2) INTERIM STATUS OF STATE OBLIGA-
19 TIONS.—Except as provided in subsection (f)(2),
20 when the Secretary notifies a State that the State
21 shall submit the application supplement to the appli-
22 cation the State submitted under section 103 of the
23 Technology-Related Assistance for Individuals With
24 Disabilities Act of 1988, the Secretary shall specify
25 in the notification the time period for which the ap-

1 plication supplement shall apply, consistent with
 2 paragraph (4).

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

11 (4) DURATION OF APPLICATION SUPPLE-
 12 MENT.—

13 (A) DETERMINATION.—The Secretary
 14 shall determine and specify to the State the
 15 time period for which the application supple-
 16 ment shall apply, in accordance with subpara-
 17 graph (B).

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

1 (f) OPTIONS RELATED TO FUNDING FOR FISCAL
2 YEARS 1999 THROUGH 2004.—

3 (1) EXTENSIONS.—

4 (A) IN GENERAL.—In the case of a State
5 that was in the fifth year of a second extension
6 grant made under section 103 of the Tech-
7 nology-Related Assistance for Individuals With
8 Disabilities Act of 1988 in fiscal year 1998, the
9 Secretary may, in the discretion of the Sec-
10 retary, award a 1-year extension of the grant
11 received for fiscal year 1999 to such a State if
12 the State submits an application supplement
13 under subsection (e) and meets other related re-
14 quirements for a State seeking a grant under
15 this section.

16 (B) AMOUNT.—A State that receives a 1-
17 year extension of a grant under subparagraph
18 (A), shall receive through the grant, for fiscal
19 year 1999, an amount equivalent to the amount
20 the State received for fiscal year 1998 under
21 section 103 of the Technology-Related Assist-
22 ance for Individuals With Disabilities Act of
23 1988, from funds appropriated under section
24 107(a) and reserved under clause (i) of sub-

1 paragraph (A), (B), or (C) of section 107(b)(1)
 2 for grants under this section.

3 (2) CHALLENGE GRANTS.—For fiscal year
 4 2000, any State eligible to receive funds under this
 5 section may elect to meet the requirements of and
 6 receive funds under section 102 instead of meeting
 7 the requirements of and receiving funds under this
 8 section. No State may receive funds under this sec-
 9 tion and section 102 for a fiscal year.

10 **SEC. 102. STATE CHALLENGE GRANTS.**

11 (a) GRANTS TO STATES.—The Secretary shall award
 12 grants to States to assist the States in maintaining and
 13 improving comprehensive statewide programs of tech-
 14 nology-related assistance for individuals with disabilities
 15 in accordance with the provisions of this section. The Sec-
 16 retary shall provide assistance through such a grant to
 17 a State for 5 years.

18 (b) USE OF FUNDS.—

19 (1) IN GENERAL.—A State that receives a
 20 grant under this section shall use the funds made
 21 available through the grant to accomplish the pur-
 22 poses described in section 2(b)(1) by carrying out
 23 activities described in this subsection, based on an
 24 assessment of the needs for assistive technology de-
 25 vices and assistive technology services of individuals

1 with disabilities in the State, as reported by such in-
2 dividuals, and through other means. The State shall,
3 in appropriate cases, promote, consider, take into ac-
4 count, and incorporate the principles of universal de-
5 sign.

6 (2) MANDATORY ACTIVITIES.—

7 (A) INTERAGENCY COORDINATION.—The
8 State shall develop and promote the adoption of
9 policies that improve access to assistive tech-
10 nology devices and assistive technology services
11 for individuals with disabilities of all ages in the
12 State and that result in improved coordination
13 among public and private entities that affect
14 the provision of assistive technology devices and
15 assistive technology services for such individ-
16 uals. The State shall appoint the director of the
17 State Assistive Technology Office designated
18 under subsection (d)(1)(A) or the designee of
19 the director, to any committee, council, or simi-
20 lar organization created by the State to assist
21 the State in the development of the information
22 technology policy of the State.

23 (B) ASSISTIVE TECHNOLOGY INFORMATION
24 SYSTEM.—The State shall provide for the con-
25 tinuation and enhancement of a statewide infor-

1 mation and referral system for individuals with
2 disabilities and providers of services for individ-
3 uals with disabilities. The system shall include
4 an accessible Internet site with linkages to
5 other appropriate sites, such as the National
6 Public Internet Site described in section
7 106(c)(1). The system shall provide for public
8 access to information about assistive technology
9 devices and assistive technology services, includ-
10 ing information on the evaluation of such de-
11 vices and services and entities that provide such
12 evaluations, and funding sources for and costs
13 of obtaining such devices and services.

14 (C) PUBLIC AWARENESS PROGRAM.—The
15 State shall support, in collaboration with tar-
16 geted individuals, targeted public awareness
17 campaigns designed to provide information to
18 targeted individuals about the availability,
19 through public and private sources, and bene-
20 fits, of assistive technology devices and assistive
21 technology services.

22 (D) CAPACITY BUILDING AND ADVOCACY
23 ACTIVITIES; TECHNICAL ASSISTANCE AND
24 TRAINING.—

1 (i) IN GENERAL.—The State shall
2 support capacity building and advocacy ac-
3 tivities that include—

4 (I) the development and imple-
5 mentation of laws, regulations, poli-
6 cies, practices, procedures, or organi-
7 zational structures that promote ac-
8 cess to assistive technology devices
9 and assistive technology services for
10 individuals with disabilities in edu-
11 cation, health care, employment, and
12 community living contexts, and in
13 other contexts such as leisure activi-
14 ties and the use of telecommuni-
15 cations; and

16 (II) the training and preparation
17 of personnel to design, build, provide
18 instruction on the use of, repair, and
19 recycle assistive technology devices
20 and to provide assistive technology
21 services.

22 (ii) TARGETED TECHNICAL ASSIST-
23 ANCE AND TRAINING.—The State shall
24 also support public or private entities to

1 carry out targeted technical assistance and
2 training activities.

3 (E) OUTREACH.—The State shall provide
4 support to statewide and community-based or-
5 ganizations that provide assistive technology de-
6 vices and assistive technology services to indi-
7 viduals with disabilities or that assist individ-
8 uals with disabilities in using assistive tech-
9 nology devices and assistive technology services,
10 including a focus on organizations assisting in-
11 dividuals from underrepresented populations
12 and rural populations. Such support may in-
13 clude outreach to consumer organizations and
14 groups in the State to coordinate efforts (in-
15 cluding self-help, support group activities, and
16 peer mentoring) to assist individuals with dis-
17 abilities of all ages and their family members,
18 guardians, advocates, or authorized representa-
19 tives, to obtain funding for, access to, and in-
20 formation on evaluation of assistive technology
21 devices and assistive technology services.

22 (3) DISCRETIONARY ACTIVITIES.—A State that
23 receives a grant under this section may use the
24 funds made available through the grant to carry out
25 additional activities that were authorized under the

1 Technology-Related Assistance for Individuals With
2 Disabilities Act of 1988, or other activities identified
3 by the Secretary or the State, to which the Secretary
4 gives approval.

5 (c) AMOUNT OF FINANCIAL ASSISTANCE.—

6 (1) GRANTS TO OUTLYING AREAS.—From the
7 funds appropriated under section 107(a) and re-
8 served under clause (i) of subparagraph (A), (B), or
9 (C) of section 107(b)(1) for any fiscal year for
10 grants under this section, the Secretary shall make
11 a grant in an amount of not more than \$105,000 to
12 each eligible outlying area.

13 (2) GRANTS TO STATES.—From the funds de-
14 scribed in paragraph (1) that are not used to make
15 grants under paragraph (1), the Secretary shall
16 make grants to States from allotments made in ac-
17 cordance with the requirements described in para-
18 graph (3).

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

22 (A) the Secretary shall allot \$500,000 to
23 each State; and

24 (B) from the remainder of the funds—

1 (i) the Secretary shall allot to each
 2 State an amount that bears the same ratio
 3 to 80 percent of the remainder as the pop-
 4 ulation of the State bears to the population
 5 of all States; and

6 (ii) the Secretary shall allot to each
 7 State with a population density that is not
 8 more than 10 percent greater than the
 9 population density of the United States
 10 (according to the most recently available
 11 census data) an equal share from 20 per-
 12 cent of the remainder.

13 (d) STATE TECHNOLOGY PLAN.—Any State that de-
 14 sires to receive a grant under this section shall submit to
 15 the Secretary a plan, at such time, in such manner, and
 16 for such period as the Secretary may specify, that contains
 17 the following information and assurances:

18 (1) DESIGNATION OF PUBLIC AGENCY AND
 19 STATE ASSISTIVE TECHNOLOGY OFFICE.—

20 (A) IN GENERAL.—Information identify-
 21 ing, and a description of, the public agency des-
 22 igned by the Governor to control and admin-
 23 ister the funds made available through the
 24 grant awarded to the State under this section,
 25 and information identifying the entity des-

1 ignated by the Governor to be the State Assist-
 2 ive Technology Office (which shall carry out
 3 State activities under this section), if such en-
 4 tity is different than the designated public
 5 agency. In designating the entity to be the
 6 State Assistive Technology Office, the Governor
 7 may designate—

8 (i) a commission, council, or other of-
 9 ficial body appointed by the Governor;

10 (ii) a public-private partnership or
 11 consortium;

12 (iii) a public agency, including the im-
 13 mediate office of the Governor of the
 14 State, a State oversight office, a State
 15 agency, a public institution of higher edu-
 16 cation, a university-affiliated program, or
 17 another public entity;

18 (iv) a council established under Fed-
 19 eral or State law; or

20 (v) another appropriate office, agency,
 21 entity, or individual.

22 (B) EXPERTISE, EXPERIENCE, AND ABIL-
 23 ITY OF STATE ASSISTIVE TECHNOLOGY OF-
 24 FICE.—A description demonstrating that the
 25 entity designated as the State Assistive Tech-

nology Office has the expertise, experience, and ability to—

(i) provide leadership in developing State policy related to assistive technology, including policy relating to the procurement of accessible electronic and information technology by State agencies and the incorporation of principles of universal design in the State infrastructure;

(ii) respond to assistive technology needs of individuals with disabilities with the full range of disabilities and of all ages;

(iii) promote availability throughout the State of assistive technology devices and assistive technology services;

(iv) promote and implement system improvement and policy advocacy activities pertaining to assistive technology devices and assistive technology services;

(v) work proactively and collaboratively with State agencies and private entities involved in funding and delivering assistive technology devices and assistive technology services;

(vi) provide technical assistance for capacity building and advocacy activities and training relating to assistive technology devices and assistive technology services, and enhancement of access to funding for assistive technology, across all State agencies;

(vii) promote and develop public-private partnerships related to assistive technology devices and assistive technology services;

(viii) exercise leadership in identifying and responding to the technology needs of individuals with disabilities and their family members, guardians, advocates, and authorized representatives; and

(ix) promote consumer confidence, responsiveness, and advocacy related to assistive technology devices and assistive technology services.

(2) INVOLVEMENT OF ENTITIES AND TARGETED INDIVIDUALS IN THE DEVELOPMENT OF THE PLAN AND IMPLEMENTATION OF THE ACTIVITIES.—

(A) ENTITIES.—A description of how various public and private entities were involved in

1 the development of the plan and will be involved
2 in the planned implementation of the activities
3 to be carried out under the grant, including a
4 description of the nature and extent of each
5 type of involvement.

6 (B) TARGETED INDIVIDUALS.—A descrip-
7 tion of how targeted individuals, especially indi-
8 viduals with disabilities who use assistive tech-
9 nology, were involved in the development of the
10 plan and will be involved in the planned imple-
11 mentation of the activities, including a descrip-
12 tion of the nature and extent of each type of in-
13 volvement.

14 (3) ADVISORY GROUP.—A description of an ad-
15 visory group of targeted individuals, a majority of
16 whom are individuals with disabilities and parents of
17 such individuals, who will assist the State Assistive
18 Technology Office in identifying the unmet assistive
19 technology needs of individuals with disabilities and
20 assist the Office in deciding how the assistive tech-
21 nology needs of such individuals will be addressed by
22 the State.

23 (4) NEEDS ASSESSMENT.—A description and
24 the results of a needs assessment from which the
25 goals described in paragraph (7) were derived.

1 (5) STATE RESOURCES.—A description of State
2 resources and other resources that are available to
3 commit to the maintenance of the comprehensive
4 statewide program of technology-related assistance.

5 (6) ELECTRONIC AND INFORMATION TECH-
6 NOLOGY.—An assurance that the State, and any re-
7 cipient of funds made available to the State under
8 this section, not later than fiscal year 2001, will
9 have procurement policies and procedures in effect
10 that are consistent with the objectives, complaint
11 procedures, and standards of section 508 of the Re-
12 habilitation Act of 1973.

13 (7) GOALS AND ACTIVITIES.—

14 (A) IN GENERAL.—A description of—

15 (i) the goals the State has set, for ad-
16 dressing the assistive technology needs of
17 individuals with disabilities in the State,
18 including any goals related to—

19 (I) health care;

20 (II) education;

21 (III) employment, including goals
22 involving the State vocational rehabili-
23 tation program carried out under title
24 I of the Rehabilitation Act of 1973;

1 (IV) telecommunication and in-
2 formation technology; or

3 (V) community living, including
4 participation in recreation; and

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

8 (B) MEASURES OF GOAL ACHIEVEMENT.—
9 A description of how the State will measure
10 whether the goals set by the State have been
11 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 under-
19 taken in achieving the goals; and

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

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

1 (8) ANNUAL ASSESSMENT.—An assurance that
2 the State will conduct an annual assessment of the
3 comprehensive statewide program of technology-re-
4 lated assistance, in order to determine—

5 (A) the extent to which the goals described
6 in paragraph (7) have been achieved; and

7 (B) the areas of need that require atten-
8 tion in the next year.

9 (9) DATA COLLECTION.—A description of the
10 data collection system used for compiling informa-
11 tion on the program, which shall be consistent with
12 any standardized data collection requirements speci-
13 fied by the Secretary.

14 (10) USE OF GRANT FUNDS.—An assurance
15 that funds received through the grant will be ex-
16 pended in accordance with the provisions of this sec-
17 tion and of the State technology plan.

18 (11) SUPPLEMENT OTHER FUNDS.—An assur-
19 ance that funds received through the grant—

20 (A) will be used to supplement, and not
21 supplant, funds available from other sources for
22 technology-related assistance, including the pro-
23 vision of assistive technology devices and assist-
24 ive technology services; and

1 (B) will not be used to pay a financial obli-
2 gation for technology-related assistance (includ-
3 ing the provision of assistive technology devices
4 or assistive technology services) that would have
5 been paid with amounts available from other
6 sources if funds made available through the
7 grant had not been available.

8 (12) CONTROL OF FUNDS AND PROPERTY.—An
9 assurance that—

10 (A) the designated public agency shall con-
11 trol and administer funds made available
12 through the grant;

13 (B) the designated public agency shall hold
14 title to and administer property purchased with
15 such funds; and

16 (C) an individual with a disability may
17 control and use such property.

18 (13) REPORTS.—An assurance that the State
19 will—

20 (A) prepare reports to the Secretary at
21 such time, in such manner, and containing such
22 information as the Secretary may require to
23 carry out the functions of the Secretary under
24 this section or section 105; and

1 (B) keep such records and allow access to
 2 such records as the Secretary may require to
 3 ensure the correctness and verification of infor-
 4 mation provided to the Secretary under this
 5 paragraph.

6 (14) COMMINGLING OF FUNDS.—

7 (A) IN GENERAL.—An assurance that
 8 funds received through the grant will not be
 9 commingled with State or other funds.

10 (B) CONSTRUCTION.—Subparagraph (A)
 11 shall not be construed to prevent, subject to
 12 such requirements as the Secretary may estab-
 13 lish concerning documentation satisfactory to
 14 the Secretary, pooling of funds received through
 15 the grant with other public or private funds to
 16 achieve a goal specified in the grant application
 17 involved, as approved by the Secretary.

18 (15) FISCAL CONTROL AND ACCOUNTING PRO-
 19 CEDURES.—An assurance that the State will adopt
 20 such fiscal control and accounting procedures as
 21 may be necessary to ensure proper disbursement of
 22 and accounting for funds received through the grant.

23 (16) AVAILABILITY OF INFORMATION.—An as-
 24 surance that the State will make available to individ-
 25 uals with disabilities and their family members,

1 guardians, advocates, or authorized representatives
2 information concerning technology-related assistance
3 in a form that will allow such persons to effectively
4 use such information.

5 (17) AUTHORITY TO USE FUNDS.—An assur-
6 ance that the State Assistive Technology Office will
7 have the authority to use funds made available
8 through a grant awarded under this section.

9 (18) TRAINING ACTIVITIES.—An assurance that
10 the State will develop and implement strategies for
11 including personnel training regarding assistive tech-
12 nology within other federally funded and State fund-
13 ed training initiatives to enhance the assistive tech-
14 nology skills and competencies of personnel.

15 (19) LIMIT ON INDIRECT COSTS.—An assurance
16 that the percentage of the funds made available
17 under the grant that is used for indirect costs shall
18 not exceed 10 percent.

19 (20) COORDINATION WITH STATE COUNCILS.—
20 An assurance that the State Assistive Technology
21 Office will coordinate the activities funded through
22 the grant made under this section with the activities
23 carried out by other councils within the State, in-
24 cluding—

1 (A) any council or commission specified in
2 the State plan provision provided by the State
3 in accordance with section 101(a)(21) of the
4 Rehabilitation Act of 1973;

5 (B) the Statewide Independent Living
6 Council established under section 705 of the
7 Rehabilitation Act of 1973;

8 (C) the advisory panel established under
9 section 612(a)(21) of the Individuals with Dis-
10 abilities Education Act (20 U.S.C.
11 1412(a)(21));

12 (D) the State Interagency Coordinating
13 Council established under section 641 of the In-
14 dividuals with Disabilities Education Act (20
15 U.S.C. 1441);

16 (E) the State Developmental Disabilities
17 Council established under section 124 of the
18 Developmental Disabilities Assistance and Bill
19 of Rights Act (42 U.S.C. 6024);

20 (F) the State mental health planning coun-
21 cil established under section 1914 of the Public
22 Health Service Act (42 U.S.C. 300x-4); and

23 (G) any council established under section
24 204, 206(g)(2)(A), or 712(a)(3)(H) of the

1 Older Americans Act of 1965 (42 U.S.C. 3015,
2 3017(g)(2)(A), or 3058g(a)(3)(H)).

3 (21) OTHER INFORMATION AND ASSUR-
4 ANCES.—Such other information and assurances as
5 the Secretary may reasonably require.

6 (e) PROGRESS REPORTS.—Each State that receives
7 a grant under this section shall annually prepare and sub-
8 mit to the Secretary a report that documents progress in
9 meeting the goals described in subsection (d)(7) and main-
10 taining a comprehensive statewide program of technology-
11 related assistance, including—

12 (1) the results of the annual assessment de-
13 scribed in subsection (d)(8);

14 (2) to the extent not addressed through the
15 measurement and assessment conducted under para-
16 graph (7) or (8) of subsection (d), a description of
17 the capacity building and advocacy activities carried
18 out by the State, including a description of any writ-
19 ten policies and procedures that the State has devel-
20 oped and implemented regarding access to, provision
21 of, and funding for, assistive technology devices and
22 assistive technology services, particularly policies and
23 procedures regarding access to, provision of, and
24 funding for, such devices and services under edu-

1 cation (including special education), vocational reha-
 2 bilitation, and medical assistance programs;

3 (3) if not addressed under paragraph (1) or (2),
 4 a description of the degree of involvement of various
 5 State agencies and private entities, especially agen-
 6 cies and entities involved in providing health insur-
 7 ance and education, in the development, implementa-
 8 tion, and evaluation of the program, including a de-
 9 scription of any interagency agreements that the
 10 State has developed and implemented regarding ac-
 11 cess to, provision of, and funding for, assistive tech-
 12 nology devices and assistive technology services, such
 13 as agreements that identify available resources for
 14 assistive technology devices and assistive technology
 15 services and the responsibility of each such agency
 16 or entity for paying for such devices and services;
 17 and

18 (4) any other information the Secretary may
 19 reasonably require.

20 **SEC. 103. SUPPLEMENTARY MILLENNIUM GRANTS TO**
 21 **STATES FOR STATE AND LOCAL CAPACITY**
 22 **BUILDING.**

23 (a) GRANTS TO STATES.—

24 (1) IN GENERAL.—The Secretary shall award
 25 supplementary grants, on a competitive basis—

1 (A) to States, to carry out 1 or more of
2 the targeted activities described in subsection
3 (b) to expand the capacity of the States to ad-
4 dress the unmet assistive technology needs of
5 individuals with disabilities; or

6 (B) to States, to provide funds to local en-
7 tities on a competitive basis, through subgrants
8 or any other mechanism, to enable each such
9 local entity to carry out 1 of the targeted activi-
10 ties described in subsection (c) to expand the
11 capacity of the local entities to address the
12 unmet needs of individuals with disabilities for
13 assistive technology and assistive technology
14 services, especially the unmet needs of under-
15 represented populations.

16 (2) PERIOD.—The Secretary shall award the
17 grants for periods of not more than 5 years.

18 (3) ELIGIBLE STATES.—To be eligible to re-
19 ceive a grant under this section, a State shall have
20 received a grant under section 102.

21 (b) STATEWIDE CAPACITY BUILDING ACTIVITIES.—
22 The State may use funds made available through a grant
23 described in subsection (a)(1)(A) to carry out 1 or more
24 of the following activities:

1 (1) Obtaining, under State law or through other
2 equivalent means, the compliance of all public agen-
3 cies in the State with section 508 of the Rehabilita-
4 tion Act of 1973, which shall include establishing a
5 mechanism for informing individuals with disabilities
6 of their rights with regard to such section 508, ad-
7 dressing their complaints, and establishing a lead
8 agency to monitor and enforce compliance with such
9 section 508.

10 (2) Developing and implementing, documenting,
11 and reviewing a plan for enhancing the participation
12 of all individuals with disabilities in the State, in
13 education, employment, transportation, and commu-
14 nication, and enhancing general access of the indi-
15 viduals, in ways that complement and exceed the re-
16 quirements for public and private entities under the
17 Americans with Disabilities Act of 1990 (42 U.S.C.
18 12101 et seq.), through—

19 (A) incorporating concepts of universal de-
20 sign in physical structures, products, and serv-
21 ices; or

22 (B) providing fiscal-related incentives to
23 public and private telecommunication ventures.

24 (3) Developing and implementing activities for
25 incorporating the principles of universal design in

1 the construction and renovation of facilities, infor-
2 mation technology and telecommunications, and
3 other products and services such as transportation.

4 (4) Planning and adopting State personnel
5 standards or professional certification procedures
6 that apply to individuals who, or entities that, pro-
7 vide assistive technology services.

8 (5) Conducting evaluations of assistive tech-
9 nology devices and assistive technology services, in-
10 cluding computer software, for the purpose of evalu-
11 ating and documenting the effectiveness, benefits,
12 and compatibility of the devices or services with
13 other technologies, for individuals with disabilities.

14 (6) Engaging in another activity, pursuant to a
15 priority mechanism announced by the Secretary,
16 that will have a statewide impact and address the
17 unmet assistive technology needs of individuals with
18 disabilities.

19 (c) LOCAL CAPACITY BUILDING ACTIVITIES.—The
20 State may use funds made available through a grant de-
21 scribed in subsection (a)(1)(B) to provide funds to local
22 entities that submit acceptable plans, to enable each such
23 local entity to carry out 1 of the following activities:

24 (1) Developing and implementing micro-loan
25 and alternative financing programs.

1 (2) Planning and carrying out equipment dem-
2 onstrations in community settings frequented by the
3 public.

4 (3) Developing and implementing an equipment
5 loan program involving long-term and short-term
6 loans.

7 (4) Developing and implementing an equipment
8 recycling program.

9 (5) Developing and implementing outreach ac-
10 tivities and training, especially empowerment train-
11 ing, for individuals with disabilities, teachers and
12 parents of individuals with disabilities, and under-
13 served populations.

14 (6) Carrying out other initiatives, including
15 model innovative initiatives, that meet an unmet
16 local need related to assistive technology.

17 (d) AMOUNTS OF SUPPLEMENTARY GRANTS.—

18 (1) PAYMENTS TO STATES.—The Secretary
19 shall make payments to States and to outlying areas
20 that successfully compete for supplementary grants
21 awarded under this section, in accordance with the
22 requirements of this section.

23 (2) OBLIGATION AND EXPENDITURE.—A State
24 that receives a grant under this section may obligate

1 and expend the funds made available through the
2 grant during the period of the grant.

3 (3) MATCHING REQUIREMENT.—A State that
4 receives a grant under this section in an amount
5 that exceeds \$250,000 shall make available non-Fed-
6 eral contributions in an amount not less than \$1 for
7 every \$2 of the amount that exceeds \$250,000.

8 (e) APPLICATIONS.—Any State that desires to receive
9 a grant under this section shall submit to the Secretary
10 an application, at such time, and in such manner, as the
11 Secretary may require, that contains the following infor-
12 mation and assurances:

13 (1) PARTNERS.—

14 (A) STATE ASSISTIVE TECHNOLOGY OF-
15 FICE.—An assurance that the State Assistive
16 Technology Office designated under section
17 102(d)(1)(A) participated in the development of
18 the application and will participate in the imple-
19 mentation of the activities to be carried out
20 under the grant, even if the State Assistive
21 Technology Office is not the grant applicant
22 under this section.

23 (B) PARTNERS.—A description of the part-
24 ners of the State involved in carrying out state-
25 wide activities under the grant, including—

- 1 (i) the identity of each partner;
- 2 (ii) the role of each partner in the de-
- 3 velopment of the application;
- 4 (iii) the capacity of each partner to
- 5 contribute to the grant activities; and
- 6 (iv) the contribution of each partner
- 7 to the grant activities.

8 (2) TARGETED INDIVIDUALS.—A description of
9 how targeted individuals, especially individuals with
10 disabilities who use assistive technology, were in-
11 volved in the development of the application and will
12 be involved in the implementation of the activities to
13 be carried out under the grant.

14 (3) DATA.—Data that affected the selection of
15 the activities to be carried out under the grant.

16 (4) RESOURCES.—A description of State re-
17 sources and other resources that have been commit-
18 ted to carry out the activities.

19 (5) GOALS AND ACTIVITIES.—

20 (A) IN GENERAL.—A description of—

- 21 (i) the goals the State has set for the
- 22 supplementary grant; and
- 23 (ii) the activities the State will under-
- 24 take to achieve such goals, in accordance

1 with the requirements of subsections (b)
 2 and (c).

3 (B) MEASURES OF GOAL ACHIEVEMENT.—

4 A description of how the State will measure
 5 whether the goals set by the State have been
 6 achieved.

7 (C) INVOLVEMENT OF INDIVIDUALS WITH
 8 DISABILITIES OF ALL AGES AND THEIR FAMI-
 9 LIES.—A description of how individuals with
 10 disabilities of all ages and their families—

11 (i) were involved in selecting—

12 (I) the goals;

13 (II) the activities to be under-
 14 taken in achieving the goals; and

15 (III) the measures to be used in
 16 judging if the goals have been
 17 achieved; and

18 (ii) will be involved in measuring
 19 whether the goals have been achieved.

20 (6) ANNUAL ASSESSMENT.—An assurance that
 21 the State will conduct an annual assessment of the
 22 activities carried out under the grant, in order to de-
 23 termine—

24 (A) the extent to which the goals described
 25 in paragraph (5) have been achieved; and

1 (B) the areas of need that require atten-
2 tion in the next year.

3 (7) USE OF FUNDS.—An assurance that funds
4 received through the grant will be expended in ac-
5 cordance with the provisions of this section and of
6 the application.

7 (8) SUPPLEMENT OTHER FUNDS.—An assur-
8 ance that funds received through the grant will be
9 used to supplement, and not supplant, funds avail-
10 able from other sources for any activity carried out
11 under the grant.

12 (9) REPORTS.—An assurance that the State
13 will, or will ensure that a recipient of assistance
14 through the grant will—

15 (A) prepare reports to the Secretary at
16 such time, in such manner, and containing such
17 information as the Secretary may require to
18 carry out the functions of the Secretary under
19 this section or section 105; and

20 (B) keep such records and allow access to
21 such records as the Secretary may require to
22 ensure the correctness and verification of infor-
23 mation provided to the Secretary under this
24 paragraph.

25 (10) COMMINGLING OF FUNDS.—

1 (A) IN GENERAL.—An assurance that
2 funds received through the grant will not be
3 commingled with State or other funds.

4 (B) CONSTRUCTION.—Subparagraph (A)
5 shall not be construed to prevent, subject to
6 such requirements as the Secretary may estab-
7 lish concerning documentation satisfactory to
8 the Secretary, pooling of funds received through
9 the grant with other public or private funds to
10 achieve a goal specified in the grant application
11 involved, as approved by the Secretary.

12 (11) FISCAL CONTROL AND ACCOUNTING PRO-
13 CEDURES.—An assurance that the State will adopt,
14 and will ensure that a recipient of assistance
15 through the grant will adopt, such fiscal control and
16 accounting procedures as may be necessary to en-
17 sure proper disbursement of and accounting for
18 funds received through the grant.

19 (12) AUTHORITY TO USE FUNDS.—An assur-
20 ance that, the partners described in paragraph
21 (1)(B) will have the authority to use funds made
22 available through a grant awarded under this sec-
23 tion.

24 (13) LIMIT ON INDIRECT COSTS.—An assurance
25 that the percentage of the funds made available

1 under the grant that is used for indirect costs shall
2 not exceed 10 percent.

3 (14) OTHER INFORMATION AND ASSUR-
4 ANCES.—Such other information and assurances as
5 the Secretary may reasonably require.

6 (f) SUBMISSION.—

7 (1) JOINT SUBMISSION.—When a State submits
8 the State technology plan for the State under section
9 102(d), the State may jointly submit an application
10 described in subsection (e) for funding activities
11 under this section.

12 (2) SEPARATE INFORMATION.—In making such
13 a joint submission the State shall distinguish be-
14 tween activities to be carried out under a grant
15 awarded under section 102 and activities to be car-
16 ried out under a grant awarded under this section,
17 and include a budget that separately reflects pro-
18 posed expenditures for the 2 types of grant activities
19 for each fiscal year involved.

20 (g) PROGRESS REPORTS.—Each State that receives
21 a grant under this section, and any other entity that re-
22 ceives assistance through a grant awarded under this sec-
23 tion, shall annually prepare and submit to the Secretary
24 a report that documents the progress of the State or entity
25 in meeting the goals described in subsection (e)(5), and

1 any other information the Secretary may reasonably re-
2 quire.

3 **SEC. 104. STATE GRANTS FOR PROTECTION AND ADVOCACY**
4 **RELATED TO ASSISTIVE TECHNOLOGY.**

5 (a) GRANTS TO STATES.—

6 (1) IN GENERAL.—On the appropriation of
7 funds under section 107, the Secretary shall make a
8 grant to an entity in each State to support protec-
9 tion and advocacy services through the systems es-
10 tablished to provide protection and advocacy services
11 under the Developmental Disabilities Assistance and
12 Bill of Rights Act (42 U.S.C. 6000 et seq.) for the
13 purposes of assisting in the acquisition, utilization,
14 or maintenance of assistive technology or assistive
15 technology services for individuals with disabilities.

16 (2) CERTAIN STATES.—Notwithstanding para-
17 graph (1), for a State that, on the day before the
18 date of enactment of this Act, was described in sec-
19 tion 102(f)(1) of the Technology-Related Assistance
20 for Individuals With Disabilities Act of 1988, the
21 Secretary shall make the grant to the lead agency
22 designated under section 101(d) or the State Assist-
23 ive Technology Office designated under section
24 102(d)(1)(A) in that State, whichever is appropriate.
25 The lead agency or office shall determine how the

1 funds made available under this section shall be di-
2 vided among the entities that were providing protec-
3 tion and advocacy services in that State on that day,
4 and distribute the funds to the entities. In distribut-
5 ing the funds, the lead agency or office shall not es-
6 tablish any further eligibility or procedural require-
7 ments for an entity in that State that supports pro-
8 tection and advocacy services through the systems
9 established to provide protection and advocacy serv-
10 ices under the Developmental Disabilities Assistance
11 and Bill of Rights Act (42 U.S.C. 6000 et seq.).
12 Such an entity shall comply with the same require-
13 ments (including reporting and enforcement require-
14 ments) as any other entity that receives funding
15 under paragraph (1).

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

18 (b) AMOUNT OF FINANCIAL ASSISTANCE.—

19 (1) GRANTS TO OUTLYING AREAS.—From the
20 funds appropriated under section 107(a) and re-
21 served under clause (ii) of subparagraph (A), (B), or
22 (C) of section 107(b)(1) for any fiscal year, the Sec-
23 retary shall make a grant in an amount of not more
24 than \$30,000 to each eligible system within an out-
25 lying area.

1 (2) GRANTS TO STATES.—For any fiscal year,
2 after reserving funds to make grants under para-
3 graph (1), the Secretary shall make allotments from
4 the remainder of the funds described in paragraph
5 (1) in accordance with paragraph (3) to eligible sys-
6 tems within States to support protection and advo-
7 cacy services as described in subsection (a). The
8 Secretary shall make grants to the eligible systems
9 from the allotments.

10 (3) SYSTEMS WITHIN STATES.—

11 (A) POPULATION BASIS.—Except as pro-
12 vided in subparagraph (B), from such remain-
13 der for each fiscal year, the Secretary shall
14 make an allotment to the eligible system within
15 a State of an amount bearing the same ratio to
16 such remainder as the population of the State
17 bears to the population of all States.

18 (B) MINIMUMS.—Subject to the availabil-
19 ity of appropriations to carry out this section,
20 the allotment to any system under subpara-
21 graph (A) shall be not less than \$50,000, and
22 the allotment to any system under this para-
23 graph for any fiscal year that is less than
24 \$50,000 shall be increased to \$50,000.

1 (4) ADJUSTMENT FOR INFLATION.—For any
2 fiscal year, beginning in fiscal year 2000, in which
3 the total amount appropriated and reserved as de-
4 scribed in paragraph (1) exceeds the total amount so
5 appropriated and reserved for the preceding fiscal
6 year, the Secretary shall increase each of the mini-
7 mum allotments under paragraph (3)(B) by a per-
8 centage that shall not exceed the percentage increase
9 in the total amount so appropriated and reserved be-
10 tween the preceding fiscal year and the fiscal year
11 involved.

12 (5) PROPORTIONAL REDUCTION.—To provide
13 minimum allotments to systems within States (as in-
14 creased under paragraph (4)) under paragraph
15 (3)(B), the Secretary shall proportionately reduce
16 the allotments of the remaining systems within
17 States under paragraph (3), with such adjustments
18 as may be necessary to prevent the allotment of any
19 such remaining system within a State from being re-
20 duced to less than the minimum allotment for a sys-
21 tem within a State (as increased under paragraph
22 (4)) under paragraph (3)(B).

23 (6) REALLOTMENT.—Whenever the Secretary
24 determines that any amount of an allotment under
25 paragraph (3) to a system within a State for any fis-

1 cal year will not be expended by such system in car-
2 rying out the provisions of this section, the Sec-
3 retary shall make such amount available for carrying
4 out the provisions of this section to 1 or more of the
5 systems that the Secretary determines will be able to
6 use additional amounts during such year for carry-
7 ing out such provisions. Any amount made available
8 to a system for any fiscal year pursuant to the pre-
9 ceding sentence shall, for the purposes of this sec-
10 tion, be regarded as an increase in the allotment of
11 the system (as determined under the preceding pro-
12 visions of this section) for such year.

13 (c) REPORT TO SECRETARY.—An entity that receives
14 a grant under this section shall annually prepare and sub-
15 mit to the Secretary a report that contains such informa-
16 tion as the Secretary may require, including documenta-
17 tion of the progress of the entity in—

- 18 (1) conducting consumer-responsive activities,
19 including activities that will lead to increased access,
20 for individuals with disabilities, to funding for assist-
21 ive technology devices and assistive technology serv-
22 ices;
- 23 (2) engaging in informal advocacy to assist in
24 securing assistive technology and assistive tech-
25 nology services for individuals with disabilities;

1 (3) engaging in formal representation for indi-
2 viduals with disabilities to secure systems change,
3 and in advocacy activities to secure assistive tech-
4 nology and assistive technology services for individ-
5 uals with disabilities;

6 (4) developing and implementing strategies to
7 enhance the long-term abilities of individuals with
8 disabilities and their family members, guardians, ad-
9 vocates, and authorized representatives to advocate
10 the provision of assistive technology devices and as-
11 sistive technology services to which the individuals
12 with disabilities are entitled under law other than
13 this Act; and

14 (5) coordinating activities with protection and
15 advocacy services funded through sources other than
16 this title, and coordinating activities with the capac-
17 ity building and advocacy activities carried out by
18 the lead agency or State Assistive Technology Office,
19 as appropriate.

20 (d) REPORTS AND UPDATES TO STATE AGENCIES.—

21 An entity that receives a grant under this section shall
22 prepare and submit to the State Assistive Technology Of-
23 fice the report described in subsection (c) and quarterly
24 updates concerning the activities described in subsection
25 (c).

1 (e) COORDINATION.—On making a grant under this
 2 section to an entity in a State, the Secretary shall solicit
 3 and consider the opinions of the lead agency of the State
 4 designated under section 101(d), or the State Assistive
 5 Technology Office, whichever is appropriate, with respect
 6 to efforts at coordination, collaboration, and promoting
 7 outcomes between the lead agency or the State Assistive
 8 Technology Office, as appropriate, and the entity that re-
 9 ceives the grant under this section.

10 **SEC. 105. ADMINISTRATIVE PROVISIONS.**

11 (a) REVIEW OF PARTICIPATING ENTITIES.—

12 (1) IN GENERAL.—The Secretary shall assess
 13 the extent to which entities that receive grants pur-
 14 suant to this title are complying with the applicable
 15 requirements of this title and achieving the goals
 16 that are consistent with the requirements of the
 17 grant programs under which the entities applied for
 18 the grants.

19 (2) ONSITE VISITS OF STATES RECEIVING CER-
 20 TAIN GRANTS.—

21 (A) IN GENERAL.—The Secretary shall
 22 conduct an onsite visit—

23 (i) for each State that receives a
 24 grant under section 101 and that would
 25 have been in the third or fourth year of a

1 second extension grant under the Tech-
2 nology-Related Assistance for Individuals
3 With Disabilities Act of 1988 if that Act
4 had been reauthorized for that fiscal year,
5 prior to the end of that year; and

6 (ii) for each State that receives a
7 grant under section 102, prior to the end
8 of the fourth year of that grant.

9 (B) UNNECESSARY VISITS.—The Secretary
10 shall not be required to conduct a visit of a
11 State described in clause (i) or (ii) of subpara-
12 graph (A) if the Secretary determines that the
13 visit is not necessary to assess whether the
14 State is making significant progress toward de-
15 velopment and implementation of a comprehen-
16 sive statewide program of technology-related as-
17 sistance.

18 (3) ADVANCE PUBLIC NOTICE.—The Secretary
19 shall provide advance public notice of an onsite visit
20 conducted under paragraph (2) and solicit public
21 comment through such notice from targeted individ-
22 uals, regarding State goals and related activities to
23 achieve such goals funded through a grant made
24 under section 101 or 102, as appropriate.

1 (4) MINIMUM REQUIREMENTS.—At a minimum,
2 the visit shall allow the Secretary to determine the
3 extent to which the State is making progress in
4 meeting State goals and maintaining a comprehen-
5 sive statewide program of technology-related assist-
6 ance consistent with the purposes described in sec-
7 tion 2(b)(1).

8 (5) PROVISION OF INFORMATION.—To assist
9 the Secretary in carrying out the responsibilities of
10 the Secretary under this section, the Secretary may
11 require States to provide relevant information.

12 (b) CORRECTIVE ACTION AND SANCTIONS.—

13 (1) CORRECTIVE ACTION.—If the Secretary de-
14 termines that an entity fails to substantially comply
15 with the requirements of this title with respect to a
16 grant program, the Secretary shall assist the entity
17 through a technical assistance center funded under
18 section 106 or other means, within 90 days after
19 such determination, to develop a corrective action
20 plan.

21 (2) SANCTIONS.—An entity that fails to develop
22 and comply with a corrective action plan as de-
23 scribed in paragraph (1) during a fiscal year shall
24 be subject to 1 of the following corrective actions se-
25 lected by the Secretary:

1 (A) Partial or complete fund termination
2 under the grant program.

3 (B) Ineligibility to participate in the grant
4 program in the following year.

5 (C) Reduction in funding for the following
6 year under the grant program.

7 (D) Required redesignation of the lead
8 agency designated under section 101(d) or an
9 entity responsible for administering the grant
10 program.

11 (3) APPEALS PROCEDURES.—The Secretary
12 shall establish appeals procedures for entities that
13 are found to be in noncompliance with the require-
14 ments of this title.

15 (c) ANNUAL REPORT.—

16 (1) IN GENERAL.—Not later than December 31
17 of each year, the Secretary shall prepare, and submit
18 to the President and to Congress, a report on the
19 activities funded under this Act, to improve the ac-
20 cess of individuals with disabilities to assistive tech-
21 nology devices and assistive technology services.

22 (2) CONTENTS.—Such report shall include in-
23 formation on—

24 (A) the demonstrated successes of the
25 funded activities in improving interagency co-

ordination relating to assistive technology,
streamlining access to funding for assistive
technology, and producing beneficial outcomes
for users of assistive technology;

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

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

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

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

(D) the research activities carried out
through the funded activities to improve under-
standing of the costs and benefits of access to
assistive technology for individuals with disabil-
ities who represent a variety of ages and types
of disabilities;

1 (E) the program outreach activities to
2 rural and inner-city areas that are carried out
3 through the funded activities;

4 (F) the activities carried out through the
5 funded activities that are targeted to reach
6 underrepresented populations and rural popu-
7 lations; and

8 (G) the consumer involvement activities
9 carried out through the funded activities.

10 (3) AVAILABILITY OF ASSISTIVE TECHNOLOGY

11 DEVICES AND ASSISTIVE TECHNOLOGY SERVICES.—

12 As soon as practicable, the Secretary shall include in
13 the annual report required by this subsection infor-
14 mation on the availability of assistive technology de-
15 vices and assistive technology services. If the Sec-
16 retary develops an assistive technology taxonomy
17 under section 216, after the date of the development
18 the Secretary shall present such information in the
19 report in a manner consistent with such taxonomy.

20 (d) EFFECT ON OTHER ASSISTANCE.—This title may
21 not be construed as authorizing a Federal or a State agen-
22 cy to reduce medical or other assistance available, or to
23 alter eligibility for a benefit or service, under any other
24 Federal law.

1 **SEC. 106. TECHNICAL ASSISTANCE PROGRAM.**

2 (a) IN GENERAL.—Through grants, contracts, or co-
3 operative agreements, awarded on a competitive basis, the
4 Secretary is authorized to fund a technical assistance pro-
5 gram to provide technical assistance to entities, principally
6 entities funded under any of sections 101 through 104.

7 (b) INPUT.—In designing the program to be funded
8 under this section, and in deciding the differences in func-
9 tion between national and regionally based technical as-
10 sistance efforts carried out through the program, the Sec-
11 retary shall consider the input of the directors of com-
12 prehensive statewide programs of technology-related as-
13 sistance and other individuals the Secretary determines to
14 be appropriate, especially—

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

19 (2) family members, guardians, advocates, and
20 authorized representatives of such individuals; and

21 (3) individuals employed by protection and ad-
22 vocacy systems funded under section 104.

23 (c) SCOPE OF TECHNICAL ASSISTANCE.—

24 (1) NATIONAL PUBLIC INTERNET SITE.—

25 (A) ESTABLISHMENT OF INTERNET
26 SITE.—The Secretary shall fund the establish-

1 ment and maintenance of a National Public
2 Internet Site for the purposes of providing to
3 individuals with disabilities and the general
4 public technical assistance and information on
5 increased access to assistive technology devices,
6 assistive technology services, and other disabili-
7 ty-related resources.

8 (B) ELIGIBLE ENTITY.—To be eligible to
9 receive a grant or enter into a contract or coop-
10 erative agreement under subsection (a) to es-
11 tablish and maintain the Internet site, an entity
12 shall be an institution of higher education that
13 emphasizes research and engineering, has a
14 multidisciplinary research center, and has dem-
15 onstrated expertise in—

16 (i) working with assistive technology
17 and intelligent agent interactive informa-
18 tion dissemination systems;

19 (ii) managing libraries of assistive
20 technology and disability-related resources;

21 (iii) delivering education, information,
22 and referral services to individuals with
23 disabilities, including technology-based cur-
24 riculum development services for adults
25 with low-level reading skills;

(iv) developing cooperative partnerships with the private sector, particularly with private sector computer software, hardware, and Internet services entities; and

(v) developing and designing advanced Internet sites.

(C) FEATURES OF INTERNET SITE.—The National Public Internet Site described in subparagraph (A) shall contain the following features:

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

(ii) INNOVATIVE AUTOMATED INTELLIGENT AGENT.—The site shall be constructed with an innovative automated intelligent agent that is a diagnostic tool for assisting users in problem definition and the selection of appropriate assistive technology devices and assistive technology services resources.

(iii) RESOURCES.—

1 (I) LIBRARY ON ASSISTIVE TECH-
2 NOLOGY.—The site shall include ac-
3 cess to a comprehensive working li-
4 brary on assistive technology for all
5 environments, including home, work-
6 place, transportation, and other envi-
7 ronments.

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
13 reading skills.

14 (iv) LINKS TO PRIVATE SECTOR RE-
15 SOURCES AND INFORMATION.—To the ex-
16 tent feasible, the site shall be linked to rel-
17 evant private sector resources and informa-
18 tion, under agreements developed between
19 the institution of higher education and co-
20 operating private sector entities.

21 (D) MINIMUM LIBRARY COMPONENTS.—At
22 a 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 strat-
21 egies, research, and data collection;

22 (ii) effective approaches to the devel-
23 opment of consumer-controlled systems
24 that increase access to, funding for, and

1 awareness of, assistive technology devices
2 and assistive 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
17 other entities funded under this title and public
18 entities 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 indi-
7 viduals 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
13 and assistive technology services for indi-
14 viduals 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
20 technology services, including information
21 on the identification and description of
22 mechanisms and means that successfully
23 support self-help and peer mentoring
24 groups for individuals with disabilities;

1 (v) other requests for technical assist-
2 ance from other entities funded under this
3 title and public entities not funded under
4 this title; and

5 (vi) other assignments specified by the
6 Secretary, including assisting entities de-
7 scribed in section 105(b) to develop correc-
8 tive action plans; and

9 (B) assist targeted individuals by dissemi-
10 nating information about—

11 (i) Federal, State, and local laws, reg-
12 ulations, policies, practices, procedures,
13 and organizational structures, that facili-
14 tate, and overcome barriers to, funding for,
15 and access to, assistive technology devices
16 and assistive technology services, to pro-
17 mote fuller independence, productivity, and
18 inclusion in society for individuals with dis-
19 abilities of all ages; and

20 (ii) technical assistance activities un-
21 dertaken under subparagraph (A).

22 (d) ELIGIBLE ENTITIES.—To be eligible to compete
23 for grants, contracts, and cooperative agreements under
24 this section, entities shall have documented experience
25 with and expertise in assistive technology service delivery

1 or systems, interagency coordination, and capacity build-
 2 ing and advocacy activities.

3 (e) APPLICATION.—To be eligible to receive a grant,
 4 contract, or cooperative agreement under this section, an
 5 entity shall submit an application to the Secretary at such
 6 time, in such manner, and containing such information as
 7 the Secretary may require.

8 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) IN GENERAL.—There are authorized to be appro-
 10 priated to carry out this title \$36,000,000 for fiscal year
 11 1999 and such sums as may be necessary for fiscal years
 12 2000 through 2004.

13 (b) RESERVATIONS OF FUNDS.—

14 (1) IN GENERAL.—Except as provided in para-
 15 graphs (2) through (4)—

16 (A) if the amount appropriated under sub-
 17 section (a) for a fiscal year is less than
 18 \$33,000,000—

19 (i) 87.5 percent of the amount shall
 20 be reserved to fund grants under sections
 21 101 and 102;

22 (ii) 7.9 percent shall be reserved to
 23 fund grants under section 104; and

24 (iii) 4.6 percent shall be reserved for
 25 activities funded under section 106;

1 (B) if the amount appropriated under sub-
2 section (a) for a fiscal year is not less than
3 \$33,000,000 and is less than \$36,000,000—

4 (i) 85 percent of the amount shall be
5 reserved to fund grants under sections 101
6 and 102;

7 (ii) 11 percent shall be reserved to
8 fund grants under section 104; and

9 (iii) 4 percent shall be reserved for ac-
10 tivities funded under section 106; and

11 (C) if the amount appropriated under sub-
12 section (a) for a fiscal year is not less than
13 \$36,000,000—

14 (i) 80 percent of the amount shall be
15 reserved to fund grants under sections
16 101, 102, and (to the extent provided in
17 paragraph (2)) 103;

18 (ii) 15 percent shall be reserved to
19 fund grants under section 104; and

20 (iii) 5 percent shall be reserved for ac-
21 tivities funded under section 106.

22 (2) CONDITION APPLICABLE TO SUPPLE-
23 MENTARY GRANTS.—Beginning in fiscal year 2000,
24 if the amount appropriated under subsection (a) for
25 a fiscal year is not less than \$40,000,000, the Sec-

1 retary may reserve not more than 5 percent of the
2 amount to fund grants under section 103.

3 (3) RESERVATION FOR CONTINUATION OF
4 TECHNICAL ASSISTANCE INITIATIVES.—For fiscal
5 year 1999, the Secretary may use funds reserved
6 under clause (iii) of subparagraph (A), (B), or (C)
7 of paragraph (1) to continue funding technical as-
8 sistance initiatives that were funded in fiscal year
9 1998 under the Technology-Related Assistance for
10 Individuals With Disabilities Act of 1988.

11 (4) RESERVATION FOR ONSITE VISITS.—The
12 Secretary may reserve, from the amount appro-
13 priated under subsection (a) for any fiscal year, such
14 sums as the Secretary considers to be necessary for
15 the purposes of conducting onsite visits as required
16 by section 105(a)(2).

17 **TITLE II—NATIONAL ACTIVITIES**
18 **Subtitle A—Rehabilitation Act of**
19 **1973**

20 **SEC. 201. COORDINATION OF FEDERAL RESEARCH EF-**
21 **FORTS.**

22 Section 203 of the Rehabilitation Act of 1973 (as
23 amended by section 405 of the Workforce Investment Act
24 of 1988) is amended—

1 (1) in subsection (a)(1), by inserting after “pro-
2 grams,” insert “including programs relating to as-
3 sistive technology research and research that incor-
4 porates the principles of universal design,”;

5 (2) in subsection (b)—

6 (A) by inserting “(1)” before “After receiv-
7 ing”;

8 (B) by striking “from individuals with dis-
9 abilities and the individuals’ representatives”
10 and inserting “from targeted individuals”;

11 (C) by inserting after “research” the fol-
12 lowing: (including assistive technology research
13 and research that incorporates the principles of
14 universal design)”; and

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

16 “(2) In carrying out its duties with respect to the
17 conduct of Federal research (including assistive tech-
18 nology research and research that incorporates the prin-
19 ciples of universal design) related to rehabilitation of indi-
20 viduals with disabilities, the Committee shall—

21 “(A) share information regarding the range of
22 assistive technology research, and research that in-
23 corporates the principles of universal design, that is
24 being carried out by members of the Committee and
25 other Federal departments and organizations;

1 “(B) identify, and make efforts to address, gaps
2 in assistive technology research and research that in-
3 corporates the principles of universal design that are
4 not being adequately addressed;

5 “(C) identify, and establish, clear research pri-
6 orities related to assistive technology research and
7 research that incorporates the principles of universal
8 design for the Federal Government;

9 “(D) promote interagency collaboration and
10 joint research activities relating to assistive tech-
11 nology research and research that incorporates the
12 principles of universal design at the Federal level,
13 and reduce unnecessary duplication of effort regard-
14 ing these types of research within the Federal Gov-
15 ernment; and

16 “(E) optimize the productivity of Committee
17 members through resource sharing and other cost-
18 saving activities, related to assistive technology re-
19 search and research that incorporates the principles
20 of universal design.”;

21 (3) by striking subsection (c) and inserting the
22 following:

23 “(c) Not later than December 31 of each year, the
24 Committee shall prepare and submit, to the President and
25 to the Committee on Education and the Workforce of the

1 House of Representatives and the Committee on Labor
2 and Human Resources of the Senate, a report that—

3 “(1) describes the progress of the Committee in
4 fulfilling the duties described in subsection (b);

5 “(2) makes such recommendations as the Com-
6 mittee determines to be appropriate with respect to
7 coordination of policy and development of objectives
8 and priorities for all Federal programs relating to
9 the conduct of research (including assistive tech-
10 nology research and research that incorporates the
11 principles of universal design) related to rehabilita-
12 tion of individuals with disabilities; and

13 “(3) describes the activities that the Committee
14 recommended to be funded through grants, con-
15 tracts, cooperative agreements, and other mecha-
16 nisms, for assistive technology research and develop-
17 ment and research and development that incor-
18 porates the principles of universal design.”; and

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

20 “(d)(1) In order to promote coordination and co-
21 operation among Federal departments and agencies con-
22 ducting assistive technology research programs, to reduce
23 duplication of effort among the programs, and to increase
24 the availability of assistive technology for individuals with
25 disabilities, the Committee may recommend activities to

1 be funded through grants, contracts or cooperative agree-
2 ments, or other mechanisms—

3 “(A) in joint research projects for assistive
4 technology research and research that incorporates
5 the principles of universal design; and

6 “(B) in other programs designed to promote a
7 cohesive, strategic Federal program of research de-
8 scribed in subparagraph (A).

9 “(2) The projects and programs described in para-
10 graph (1) shall be jointly administered by at least 2 agen-
11 cies or departments with representatives on the Commit-
12 tee.

13 “(3) In recommending activities to be funded in the
14 projects and programs, the Committee shall obtain input
15 from targeted individuals, and other organizations and in-
16 dividuals the Committee determines to be appropriate,
17 concerning the availability and potential of technology for
18 individuals with disabilities.

19 “(e) In this section, the terms ‘assistive technology’,
20 ‘targeted individuals’, and ‘universal design’ have the
21 meanings given the terms in section 3 of the Assistive
22 Technology Act of 1998.”.

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

2 Section 401 of the Rehabilitation Act of 1973 (as
3 amended by section 407 of the Workforce Investment Act
4 of 1998) is amended by adding at the end the following:

5 “(c)(1) Not later than December 31, 1999, the Coun-
6 cil shall prepare a report describing the barriers in Federal
7 assistive technology policy to increasing the availability of
8 and access to assistive technology devices and assistive
9 technology services for individuals with disabilities.

10 “(2) In preparing the report, the Council shall obtain
11 input from the National Institute on Disability and Reha-
12 bilitation Research and the Association of Tech Act
13 Projects, and from targeted individuals, as defined in sec-
14 tion 3 of the Assistive Technology Act of 1998.

15 “(3) The Council shall submit the report, along with
16 such recommendations as the Council determines to be ap-
17 propriate, to the Committee on Labor and Human Re-
18 sources of the Senate and the Committee on Education
19 and the Workforce of the House of Representatives.”.

20 **SEC. 203. ARCHITECTURAL AND TRANSPORTATION BAR-**
21 **RIERS COMPLIANCE BOARD.**

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

24 (1) by redesignating subsections (d) through (i)
25 as subsections (e) through (j), respectively;

1 (2) by inserting after subsection (c) the follow-
2 ing:

3 “(d) Beginning in fiscal year 2000, the Access Board,
4 after consultation with the Secretary, representatives of
5 such public and private entities as the Access Board deter-
6 mines to be appropriate (including the electronic and in-
7 formation technology industry), targeted individuals (as
8 defined in section 3 of the Assistive Technology Act of
9 1998), and State information technology officers, shall
10 provide training for Federal and State employees on any
11 obligations related to section 508 of the Rehabilitation Act
12 of 1973.”; and

13 (3) in the second sentence of paragraph (1) of
14 subsection (e) (as redesignated in paragraph (1)), by
15 striking “subsection (e)” and inserting “subsection
16 (f)”.

17 (b) CONFORMING AMENDMENT.—Section 506(c) of
18 the Rehabilitation Act of 1973 (29 U.S.C. 794(c)) is
19 amended by striking “section 502(h)(1)” and inserting
20 “section 502(i)(1)”.

Subtitle B—Other National Activities

3 SEC. 211. SMALL BUSINESS INCENTIVES.

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

7 (b) CONTRACTS FOR DESIGN, DEVELOPMENT, AND
8 MARKETING.—

9 (1) IN GENERAL.—The Secretary may enter
10 into contracts with small businesses, to assist such
11 businesses to design, develop, and market assistive
12 technology devices or assistive technology services.
13 In entering into the contracts, the Secretary may
14 give preference to businesses owned or operated by
15 individuals with disabilities.

16 (2) SMALL BUSINESS INNOVATIVE RESEARCH
17 PROGRAM.—Contracts entered into pursuant to
18 paragraph (1) shall be administered in accordance
19 with the contract administration requirements appli-
20 cable to the Department of Education under the
21 Small Business Innovative Research Program, as de-
22 scribed in section 9(g) of the Small Business Act
23 (15 U.S.C. 638(g)). Contracts entered into pursuant
24 to paragraph (1) shall not be included in the calcula-

1 tion of the required expenditures of the Department
 2 under section 9(f) of such Act (15 U.S.C. 638(f)).

3 (c) GRANTS FOR EVALUATION AND DISSEMINATION
 4 OF INFORMATION ON EFFECTS OF TECHNOLOGY TRANS-
 5 FER.—The Secretary may make grants to small busi-
 6 nesses to enable such businesses—

7 (1) to work with any entity funded by the Sec-
 8 retary to evaluate and disseminate information on
 9 the effects of technology transfer on the lives of indi-
 10 viduals with disabilities;

11 (2) to benefit from the experience and expertise
 12 of such entities, in conducting such evaluation and
 13 dissemination; and

14 (3) to utilize any technology transfer and mar-
 15 ket research services such entities provide, to bring
 16 new assistive technology devices and assistive tech-
 17 nology services into commerce.

18 **SEC. 212. TECHNOLOGY TRANSFER AND UNIVERSAL DE-**
 19 **SIGN.**

20 (a) IN GENERAL.—The Director of the National In-
 21 stitute on Disability and Rehabilitation Research may col-
 22 laborate with the Federal Laboratory Consortium for
 23 Technology Transfer established under section 11(e) of
 24 the Stevenson-Wydler Technology Innovation Act of 1980
 25 (15 U.S.C. 3710(e)), to promote technology transfer that

1 will further development of assistive technology and prod-
2 ucts that incorporate the principles of universal design.

3 (b) COLLABORATION.—In promoting the technology
4 transfer, the Director and the Consortium described in
5 subsection (a) may collaborate—

6 (1) to enable the National Institute on Disabil-
7 ity and Rehabilitation Research to work more effec-
8 tively with the Consortium, and to enable the Con-
9 sortium to fulfill the responsibilities of the Consor-
10 tium to assist Federal agencies with technology
11 transfer under the Stevenson-Wydler Technology In-
12 novation Act of 1980 (15 U.S.C. 3701 et seq);

13 (2) to increase the awareness of staff members
14 of the Federal Laboratories regarding assistive tech-
15 nology issues and the principles of universal design;

16 (3) to compile a compendium of current and
17 projected Federal Laboratory technologies and
18 projects that have or will have an intended or recog-
19 nized impact on the available range of assistive tech-
20 nology for individuals with disabilities, including
21 technologies and projects that incorporate the prin-
22 ciples of universal design, as appropriate;

23 (4) to develop strategies for applying develop-
24 ments in assistive technology and universal design to
25 mainstream technology, to improve economies of

1 scale and commercial incentives for assistive tech-
 2 nology; and

3 (5) to cultivate developments in assistive tech-
 4 nology and universal design through demonstration
 5 projects and evaluations, conducted with assistive
 6 technology professionals and potential users of as-
 7 sistive technology.

8 (c) GRANTS, CONTRACTS, AND COOPERATIVE
 9 AGREEMENTS.—The Secretary may make grants to or
 10 enter into contracts or cooperative agreements with com-
 11 mercial, nonprofit, or other organizations, including insti-
 12 tutions of higher education, to facilitate interaction with
 13 the Consortium to achieve the objectives of this section.

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

17 (1) in subparagraph (I), by striking “; and”
 18 and inserting a semicolon;

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

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

22 “(K) work with the Director of the National In-
 23 stitute on Disability and Rehabilitation Research to
 24 compile a compendium of current and projected Fed-
 25 eral Laboratory technologies and projects that have

1 or will have an intended or recognized impact on the
2 available range of assistive technology for individuals
3 with disabilities (as defined in section 3 of the As-
4 sistive Technology Act of 1998), including tech-
5 nologies and projects that incorporate the principles
6 of universal design (as defined in section 3 of such
7 Act), as appropriate.”.

8 **SEC. 213. UNIVERSAL DESIGN IN PRODUCTS AND THE**
9 **BUILT ENVIRONMENT.**

10 The Secretary may make grants to commercial or
11 other enterprises and institutions of higher education for
12 the research and development of universal design concepts
13 for products (including information technology) and the
14 built environment. In making such grants, the Secretary
15 shall give preference to enterprises and institutions that
16 are owned or operated by individuals with disabilities. The
17 Secretary shall define the term “built environment” for
18 purposes of this section.

19 **SEC. 214. OUTREACH.**

20 (a) **ASSISTIVE TECHNOLOGY IN RURAL OR IMPOVER-**
21 **ISHED URBAN AREAS.**—The Secretary may make grants,
22 enter into cooperative agreements, or provide financial as-
23 sistance through other mechanisms, for projects designed
24 to increase the availability of assistive technology for rural
25 and impoverished urban populations, by determining the

1 unmet assistive technology needs of such populations, and
2 designing and implementing programs to meet such needs.

3 (b) ASSISTIVE TECHNOLOGY FOR CHILDREN AND
4 OLDER INDIVIDUALS.—The Secretary may make grants,
5 enter into cooperative agreements, or provide financial as-
6 sistance through other mechanisms, for projects designed
7 to increase the availability of assistive technology for pop-
8 ulations of children and older individuals, by determining
9 the unmet assistive technology needs of such populations,
10 and designing and implementing programs to meet such
11 needs.

12 **SEC. 215. TRAINING PERTAINING TO REHABILITATION EN-**
13 **GINEERS AND TECHNICIANS.**

14 (a) GRANTS AND CONTRACTS.—The Secretary shall
15 make grants, or enter into contracts with, public and pri-
16 vate agencies and organizations, including institutions of
17 higher education, to help prepare students, including stu-
18 dents preparing to be rehabilitation technicians, and fac-
19 ulty working in the field of rehabilitation engineering, for
20 careers related to the provision of assistive technology de-
21 vices and assistive technology services.

22 (b) ACTIVITIES.—An agency or organization that re-
23 ceives a grant or contract under subsection (a) may use
24 the funds made available through the grant or contract—

1 (1) to provide training programs for individuals
2 employed or seeking employment in the field of reha-
3 bilitation engineering, including postsecondary edu-
4 cation programs;

5 (2) to provide workshops, seminars, and con-
6 ferences concerning rehabilitation engineering that
7 relate to the use of assistive technology devices and
8 assistive technology services to improve the lives of
9 individuals with disabilities; and

10 (3) to design, develop, and disseminate curricu-
11 lar materials to be used in the training programs,
12 workshops, seminars, and conferences described in
13 paragraphs (1) and (2).

14 **SEC. 216. ASSISTIVE TECHNOLOGY TAXONOMY.**

15 (a) STUDY.—The Secretary may, directly or (if nec-
16 essary) by entering into contracts or cooperative agree-
17 ments with appropriate entities, conduct a study to deter-
18 mine the benefits of and obstacles to implementing
19 throughout the Federal Government a single assistive
20 technology taxonomy developed by the Secretary.

21 (b) REPORT.—Not later than December 31, 1999,
22 the Secretary shall prepare and submit to the Committee
23 on Education and the Workforce of the House of Rep-
24 resentatives and the Committee on Labor and Human Re-
25 sources of the Senate a report that contains information

1 detailing the benefits and obstacles described in subsection
2 (a) and that contains such policy recommendations as the
3 Secretary determines to be appropriate.

4 **SEC. 217. PRESIDENT’S COMMITTEE ON EMPLOYMENT OF**
5 **PEOPLE WITH DISABILITIES.**

6 (a) PROGRAMS.—The President’s Committee on Em-
7 ployment of People With Disabilities (referred to in this
8 section as “the Committee”) may design, develop, and im-
9 plement programs to increase the voluntary participation
10 of the private sector in making information technology ac-
11 cessible to individuals with disabilities, including increas-
12 ing the involvement of individuals with disabilities in the
13 design, development, and manufacturing of information
14 technology.

15 (b) ACTIVITIES.—The Committee may carry out ac-
16 tivities through the programs that may include—

17 (1) the development and coordination of a task
18 force, which—

19 (A) shall develop and disseminate informa-
20 tion on voluntary best practices for universal
21 accessibility in information technology; and

22 (B) shall consist of members of the public
23 and private sectors, including—

1 (i) representatives of organizations
2 representing individuals with disabilities;
3 and

4 (ii) individuals with disabilities; and
5 (2) the design, development, and implementa-
6 tion of outreach programs to promote the adoption
7 of best practices referred to in paragraph (1)(B).

8 (c) COORDINATION.—The Committee shall coordinate
9 the activities of the Committee under this section, as ap-
10 propriate, with the activities of the National Institute on
11 Disability and Rehabilitation Research and the activities
12 of the Department of Labor.

13 (d) TECHNICAL ASSISTANCE.—The Committee may
14 provide technical assistance concerning the programs car-
15 ried out under this section and may reserve such portion
16 of the funds appropriated to carry out this section as the
17 Committee determines to be necessary to provide the tech-
18 nical assistance.

19 (e) DEFINITION.—In this section, the term “informa-
20 tion technology” means any equipment or interconnected
21 system or subsystem of equipment, that is used in the
22 automatic acquisition, storage, manipulation, manage-
23 ment, movement, control, display, switching, interchange,
24 transmission, or reception of data or information, includ-
25 ing a computer, ancillary equipment, software, firmware

1 and similar procedures, services (including support serv-
2 ices), and related resources.

3 **SEC. 218. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) IN GENERAL.—There are authorized to be appro-
5 priated to carry out this title and the provisions described
6 in subsection (b)(1), \$15,000,000 for fiscal year 1999, and
7 such sums as may be necessary for each of fiscal years
8 2000 through 2004.

9 (b) RESERVATIONS.—Of the funds appropriated
10 under subsection (a) for a fiscal year, the Secretary shall
11 reserve not less than—

12 (1) 33 percent to carry out the provisions of
13 section 203 of the Rehabilitation Act of 1973 that
14 relate to research described in section 203(b)(2)(A)
15 of such Act;

16 (2) 16 percent to carry out section 211;

17 (3) 4 percent to carry out section 212;

18 (4) 8 percent to carry out section 215; and

19 (5) 10 percent to carry out section 217.

20 (c) AVAILABILITY.—Amounts appropriated under
21 subsection (a) for a fiscal year shall remain available for
22 obligation for the following fiscal year.

TITLE III—ALTERNATIVE FINANCING MECHANISMS

SEC. 301. GENERAL AUTHORITY.

(a) IN GENERAL.—The Secretary shall award grants to States to pay for the Federal share of the cost of the establishment and administration of, or the expansion and administration of, an alternative financing program featuring 1 or more alternative financing mechanisms to allow individuals with disabilities and their family members, guardians, advocates, and authorized representatives to purchase assistive technology devices and assistive technology services (referred to individually in this title as an “alternative financing mechanism”).

(b) MECHANISMS.—The alternative financing mechanisms may include—

- (1) a low-interest loan fund;
- (2) an interest buy-down program;
- (3) a revolving loan fund;
- (4) a loan guarantee or insurance program;
- (5) a program operated by a partnership among private entities for the purchase, lease, or other acquisition of assistive technology devices or assistive technology services; or
- (6) another mechanism that meets the requirements 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
8 than 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
22 make grants to States from allotments made in ac-
23 cordance with the requirements described in para-
24 graph (3).

1 (3) ALLOTMENTS.—From the funds described
2 in paragraph (1) that are not used to make grants
3 under 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 pop-
10 ulation 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
15 population density of the United States
16 (according to the most recently available
17 census data) an equal share from 20 per-
18 cent of the remainder.

19 (b) INSUFFICIENT FUNDS.—If the funds appro-
20 priated under this title for a fiscal year are insufficient
21 to fund the activities described in the acceptable applica-
22 tions submitted under this title for such year, a State
23 whose application was approved for such year but that did
24 not receive a grant under this title may update the appli-
25 cation for the succeeding fiscal year. Priority shall be

1 given in such succeeding fiscal year to such updated appli-
2 cations, if acceptable.

3 (c) DEFINITIONS.—In subsection (a):

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

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

13 (a) ELIGIBILITY.—States that receive or have re-
14 ceived grants under section 101 or 102 and comply with
15 subsection (b) shall be eligible to compete for grants under
16 this title.

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

22 (1) an assurance that the State will provide the
23 non-Federal share of the cost of the alternative fi-
24 nancing program in cash, from State, local, or pri-
25 vate 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 financ-
9 ing program will be used to supplement and not sup-
10 plant other Federal, State, and local public funds ex-
11 pended to provide alternative financing mechanisms;

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

14 (A) all funds that support the alternative
15 financing program, including funds repaid dur-
16 ing the life of the program, will be placed in a
17 permanent separate account and identified and
18 accounted 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 para-
7 graph (5) will be available to support the alter-
8 native financing program; and

9 (B) any interest or investment income that
10 accrues on or derives from such funds after
11 such funds have been placed under the control
12 of the organization administering the alter-
13 native financing program, but before such funds
14 are distributed for purposes of supporting the
15 program, will be the property of the organiza-
16 tion administering the program; and

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

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

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

3 (a) IN GENERAL.—A State that receives a grant
4 under this title shall enter into a contract with a commu-
5 nity-based organization (including a group of such organi-
6 zations) that has individuals with disabilities involved in
7 organizational decisionmaking at all organizational levels,
8 to 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
13 in a manner consistent with the provisions of this
14 title;

15 (2) include any provision the Secretary requires
16 concerning oversight and evaluation necessary to
17 protect Federal financial interests; and

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

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

24 (B) State financing agencies.

1 **SEC. 305. GRANT ADMINISTRATION REQUIREMENTS.**

2 A State that receives a grant under this title and any
3 community-based organization that enters into a contract
4 with the State under this title, shall submit to the Sec-
5 retary, pursuant to a schedule established by the Secretary
6 (or if the Secretary does not establish a schedule, within
7 12 months after the date that the State receives the
8 grant), each of the following policies or procedures for ad-
9 ministration of the alternative financing program:

10 (1) A procedure to review and process in a
11 timely manner requests for financial assistance for
12 immediate and potential technology needs, including
13 consideration of methods to reduce paperwork and
14 duplication of effort, particularly relating to need,
15 eligibility, and determination of the specific assistive
16 technology device or service to be financed through
17 the program.

18 (2) A policy and procedure to assure that ac-
19 cess to the alternative financing program shall be
20 given to consumers regardless of type of disability,
21 age, income level, location of residence in the State,
22 or type of assistive technology device or assistive
23 technology service for which financing is requested
24 through the program.

25 (3) A procedure to assure consumer-controlled
26 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 ap-
12 propriate to assist States to achieve the objectives of
13 this title.

14 (b) GRANTS, CONTRACTS, AND COOPERATIVE
15 AGREEMENTS.—The Secretary shall provide the informa-
16 tion and technical assistance described in subsection (a)
17 through grants, contracts, and cooperative agreements
18 with public or private agencies and organizations, includ-
19 ing institutions of higher education, with sufficient docu-
20 mented experience, expertise, and capacity to assist States
21 in the development and implementation of the alternative
22 financing programs carried out under this title.

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

24 Not later than December 31 of each year, the Sec-
25 retary shall submit a report to the Committee on Edu-
26 cation and the Workforce of the House of Representatives

1 and the Committee on Labor and Human Resources of
2 the Senate describing the progress of each alternative fi-
3 nancing program funded under this title toward achieving
4 the objectives of this title. The report shall include infor-
5 mation on—

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

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

13 (3) the type of alternative financing mecha-
14 nisms used by each State and the community-based
15 organization with which each State entered into a
16 contract, under the program; and

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

1 **SEC. 308. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There are authorized to be appro-
 3 priated to carry out this title \$25,000,000 for fiscal year
 4 1999 and such sums as may be necessary for each of fiscal
 5 years 2000 through 2004.

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

10 (c) AVAILABILITY.—Amounts appropriated under
 11 subsection (a) for a fiscal year shall remain available for
 12 obligation for the following fiscal year.

13 **TITLE IV—REPEAL AND**
 14 **CONFORMING AMENDMENTS**

15 **SEC. 401. REPEAL.**

16 The Technology-Related Assistance for Individuals
 17 With Disabilities Act of 1988 (29 U.S.C. 2201 et seq.)
 18 is repealed.

19 **SEC. 402. CONFORMING AMENDMENTS.**

20 (a) DEFINITIONS.—Section 6 of the Rehabilitation
 21 Act of 1973 (as amended by section 403 of the Workforce
 22 Investment Act of 1998) is amended—

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

1 and inserting “section 6 of the Assistive Technology
2 Act of 1998”; and

3 (2) in paragraph (4), by striking “section 3(3)
4 of the Technology-Related Assistance for Individuals
5 With Disabilities Act of 1988 (29 U.S.C. 2202(3))”
6 and inserting “section 6 of the Assistive Technology
7 Act of 1998”.

8 (b) RESEARCH AND OTHER COVERED ACTIVITIES.—
9 Section 204(b)(3) of the Rehabilitation Act of 1973 (as
10 amended by section 405 of the Workforce Investment Act
11 of 1998) is amended—

12 (1) in subparagraph (C)(i), by striking “the
13 Technology-Related Assistance for Individuals With
14 Disabilities Act of 1988 (29 U.S.C. 2201 et seq.)”
15 and inserting “the Assistive Technology Act of
16 1998”; and

17 (2) in subparagraph (G)(i), by striking “the
18 Technology-Related Assistance for Individuals With
19 Disabilities Act of 1988 (29 U.S.C. 2201 et seq.)”
20 and inserting “the Assistive Technology Act of
21 1998”.

22 (c) PROTECTION AND ADVOCACY.—Section 509(a)(2)
23 of the Rehabilitation Act of 1973 (as amended by section
24 408 of the Workforce Investment Act of 1998) is amended
25 by striking “the Technology-Related Assistance for Indi-

1 viduals With Disabilities Act of 1988 (42 U.S.C. 2201 et
2 seq.)” and inserting “the Assistive Technology Act of
3 1998”.

Passed the Senate October 5 (legislative day, October 2), 1998.

Attest:

Secretary.

105TH CONGRESS
2D SESSION

S. 2432

AN ACT

To support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes.