

105TH CONGRESS  
2D SESSION

# S. 2432

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

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 2 (legislative day, AUGUST 31), 1998

Mr. JEFFORDS (for himself, Mr. HARKIN, Mr. BOND, Mr. KERRY, Mr. McCONNELL, Ms. COLLINS, Mr. KENNEDY, Mr. REED, and Mr. FRIST) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

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”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 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.

**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—

- 1 (A) live independently;  
2 (B) enjoy self-determination and make  
3 choices;  
4 (C) benefit from an education;  
5 (D) pursue meaningful careers; and  
6 (E) enjoy full inclusion and integration in  
7 the economic, political, social, cultural, and edu-  
8 cational mainstream of society in the United  
9 States.

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

17 (3) As technology has come to play an increas-  
18 ingly important role in the lives of all persons in the  
19 United States, in the conduct of business, in the  
20 functioning of government, in the fostering of com-  
21 munication, in the conduct of commerce, and in the  
22 provision of education, its impact upon the lives of  
23 the more than 50,000,000 individuals with disabil-  
24 ities in the United States has been comparable to its  
25 impact upon the remainder of the citizens of the

1 United States. Any development in mainstream tech-  
2 nology would have profound implications for individ-  
3 uals with disabilities in the United States.

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

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

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

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

1 (B) trained personnel to assist individuals  
2 with disabilities to use such devices and serv-  
3 ices;

4 (C) information among targeted individuals  
5 about the availability and potential benefit of  
6 technology for individuals with disabilities;

7 (D) outreach to underrepresented popu-  
8 lations and rural populations;

9 (E) systems that ensure timely acquisition  
10 and delivery of assistive technology devices and  
11 assistive technology services;

12 (F) coordination among State human serv-  
13 ices programs, and between such programs and  
14 private entities, particularly with respect to  
15 transitions between such programs and entities;  
16 and

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

19 (7) In the current technological environment,  
20 the line of demarcation between assistive technology  
21 and mainstream technology is becoming ever more  
22 difficult to draw.

23 (8) Many individuals with disabilities cannot ac-  
24 cess existing telecommunications and information  
25 technologies and are at risk of not being able to ac-

1        cess developing technologies. The failure of Federal  
2        and State governments, hardware manufacturers,  
3        software designers, information systems managers,  
4        and telecommunications service providers to account  
5        for the specific needs of individuals with disabilities  
6        in the design, manufacture, and procurement of tele-  
7        communications and information technologies results  
8        in the exclusion of such individuals from the use of  
9        telecommunications and information technologies  
10       and results in unnecessary costs associated with the  
11       retrofitting of devices and product systems.

12            (9) There are insufficient incentives for Federal  
13        contractors and other manufacturers of technology  
14        to address the application of technology advances to  
15        meet the needs of individuals with disabilities of all  
16        ages for assistive technology devices and assistive  
17        technology services.

18            (10) The use of universal design principles re-  
19        duces the need for many specific kinds of assistive  
20        technology devices and assistive technology services  
21        by building in accommodations for individuals with  
22        disabilities before rather than after production. The  
23        use of universal design principles also increases the  
24        likelihood that products (including services) will be  
25        compatible with existing assistive technologies. These

1 principles are increasingly important to enhance ac-  
2 cess to information technology, telecommunications,  
3 transportation, physical structures, and consumer  
4 products. There are insufficient incentives for com-  
5 mercial manufacturers to incorporate universal de-  
6 sign principles into the design and manufacturing of  
7 technology products, including devices of daily living,  
8 that could expand their immediate use by individuals  
9 with disabilities of all ages.

10 (11) There are insufficient incentives for com-  
11 mercial pursuit of the application of technology de-  
12 vices to meet the needs of individuals with disabil-  
13 ities, because of the perception that such individuals  
14 constitute a limited market.

15 (12) At the Federal level, the Federal Labora-  
16 tories, the National Aeronautics and Space Adminis-  
17 tration, and other similar entities do not recognize  
18 the value of, or commit resources on an ongoing  
19 basis to, technology transfer initiatives that would  
20 benefit, and especially increase the independence of,  
21 individuals with disabilities.

22 (13) At the Federal level, there is a lack of co-  
23 ordination among agencies that provide or pay for  
24 the provision of assistive technology devices and as-  
25 sistive technology services. In addition, the Federal

1 Government does not provide adequate assistance  
2 and information with respect to the quality and use  
3 of assistive technology devices and assistive tech-  
4 nology services to targeted individuals.

5 (14) There are changes in the delivery of assist-  
6 ive technology devices and assistive technology serv-  
7 ices, including—

8 (A) the impact of the increased prevalence  
9 of managed care entities as payors for assistive  
10 technology devices and assistive technology  
11 services;

12 (B) an increased focus on universal design;

13 (C) the increased importance of assistive  
14 technology in employment, as more individuals  
15 with disabilities move from public assistance to  
16 work through training and on-the-job accom-  
17 modations;

18 (D) the role and impact that new tech-  
19 nologies have on how individuals with disabil-  
20 ities will learn about, access, and participate in  
21 programs or services that will affect their lives;  
22 and

23 (E) the increased role that telecommuni-  
24 cations play in education, employment, health  
25 care, and social activities.



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

2 (1) to provide financial assistance to States to  
3 undertake activities that assist each State in main-  
4 taining and strengthening a permanent comprehen-  
5 sive statewide program of technology-related assist-  
6 ance, for individuals with disabilities of all ages, that  
7 is designed to—

8 (A) increase the availability of, funding  
9 for, access to, and provision of, assistive tech-  
10 nology devices and assistive technology services;

11 (B) increase the active involvement of indi-  
12 viduals with disabilities and their family mem-  
13 bers, guardians, advocates, and authorized rep-  
14 resentatives, in the maintenance, improvement,  
15 and evaluation of such a program;

16 (C) increase the involvement of individuals  
17 with disabilities and, if appropriate, their family  
18 members, guardians, advocates, and authorized  
19 representatives, in decisions related to the pro-  
20 vision of assistive technology devices and assist-  
21 ive technology services;

22 (D) increase the provision of outreach to  
23 underrepresented populations and rural popu-  
24 lations, to enable the 2 populations to enjoy the

benefits of activities carried out under this Act  
to the same extent as other populations;

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

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

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

(G) increase the probability that individ-  
uals with disabilities of all ages will, to the ex-  
tent appropriate, be able to secure and main-  
tain possession of assistive technology devices  
as such individuals make the transition between  
services offered by human service agencies or

1           between settings of daily living (for example,  
2           between home and work);

3           (H) enhance the skills and competencies of  
4           individuals involved in providing assistive tech-  
5           nology devices and assistive technology services;

6           (I) increase awareness and knowledge of  
7           the benefits of assistive technology devices and  
8           assistive technology services among targeted in-  
9           dividuals;

10          (J) increase the awareness of the needs of  
11          individuals with disabilities of all ages for as-  
12          sistive technology devices and for assistive tech-  
13          nology services; and

14          (K) increase the capacity of public agencies  
15          and private entities to provide and pay for as-  
16          sistive technology devices and assistive tech-  
17          nology services on a statewide basis for individ-  
18          uals with disabilities of all ages;

19          (2) to identify Federal policies that facilitate  
20          payment for assistive technology devices and assist-  
21          ive technology services, to identify those Federal  
22          policies that impede such payment, and to eliminate  
23          inappropriate barriers to such payment; and

24          (3) to enhance the ability of the Federal Gov-  
25          ernment to—

1 (A) provide States with financial assistance  
2 that supports—

3 (i) information and public awareness  
4 programs relating to the provision of as-  
5 sistive technology devices and assistive  
6 technology services;

7 (ii) improved interagency and public-  
8 private coordination, especially through  
9 new and improved policies, that result in  
10 increased availability of assistive tech-  
11 nology devices and assistive technology  
12 services; and

13 (iii) technical assistance and training  
14 in the provision or use of assistive tech-  
15 nology devices and assistive technology  
16 services; and

17 (B) fund national, regional, State, and  
18 local targeted initiatives that promote under-  
19 standing of and access to assistive technology  
20 devices and assistive technology services for tar-  
21 geted individuals.

22 **SEC. 3. DEFINITIONS AND RULE.**

23 (a) **DEFINITIONS.**—In this Act:

24 (1) **ADVOCACY SERVICES.**—The term “advocacy  
25 services”, except as used as part of the term “pro-

1        tection and advocacy services”, means services pro-  
 2        vided to assist individuals with disabilities and their  
 3        family members, guardians, advocates, and author-  
 4        ized representatives in accessing assistive technology  
 5        devices and assistive technology services.

6            (2) ASSISTIVE TECHNOLOGY.—The term “as-  
 7        sistive technology” means technology designed to be  
 8        utilized in an assistive technology device or assistive  
 9        technology service.

10           (3) ASSISTIVE TECHNOLOGY DEVICE.—The  
 11        term “assistive technology device” means any item,  
 12        piece of equipment, or product system, whether ac-  
 13        quired commercially, modified, or customized, that is  
 14        used to increase, maintain, or improve functional ca-  
 15        pabilities of individuals with disabilities.

16           (4) ASSISTIVE TECHNOLOGY SERVICE.—The  
 17        term “assistive technology service” means any serv-  
 18        ice that directly assists an individual with a disabil-  
 19        ity in the selection, acquisition, or use of an assistive  
 20        technology device. Such term includes—

21                (A) the evaluation of the assistive tech-  
 22                nology needs of an individual with a disability,  
 23                including a functional evaluation of the impact  
 24                of the provision of appropriate assistive tech-  
 25                nology and appropriate services to the individ-

1 ual in the customary environment of the indi-  
2 vidual;

3 (B) services consisting of purchasing, leas-  
4 ing, or otherwise providing for the acquisition  
5 of assistive technology devices by individuals  
6 with disabilities;

7 (C) services consisting of selecting, design-  
8 ing, fitting, customizing, adapting, applying,  
9 maintaining, repairing, or replacing assistive  
10 technology devices;

11 (D) coordination and use of necessary  
12 therapies, interventions, or services with assist-  
13 ive technology devices, such as therapies, inter-  
14 ventions or services associated with education  
15 and rehabilitation plans and programs;

16 (E) training or technical assistance for an  
17 individual with disabilities, or, where appro-  
18 priate, the family members, guardians, advo-  
19 cates, or authorized representatives of such an  
20 individual; and

21 (F) training or technical assistance for  
22 professionals (including individuals providing  
23 education and rehabilitation services), employ-  
24 ers, or other individuals who provide services to,  
25 employ, or are otherwise substantially involved

1 in the major life functions of individuals with  
2 disabilities.

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

6 (A) result in laws, regulations, policies,  
7 practices, procedures, or organizational struc-  
8 tures that promote consumer-responsive pro-  
9 grams or entities; and

10 (B) facilitate and increase access to, provi-  
11 sion of, and funding for, assistive technology  
12 devices and assistive technology services,

13 in order to empower individuals with disabilities to  
14 achieve greater independence, productivity, and inte-  
15 gration and inclusion within the community and the  
16 workforce.

17 (6) COMPREHENSIVE STATEWIDE PROGRAM OF  
18 TECHNOLOGY-RELATED ASSISTANCE.—The term  
19 “comprehensive statewide program of technology-re-  
20 lated assistance” means a consumer-responsive pro-  
21 gram of technology-related assistance for individuals  
22 with disabilities, implemented by a State, and equal-  
23 ly available to all individuals with disabilities resid-  
24 ing in the State, regardless of their type of disabil-  
25 ity, age, income level, or location of residence in the

1 State, or the type of assistive technology device or  
2 assistive technology service required.

3 (7) CONSUMER-RESPONSIVE.—The term “con-  
4 sumer-responsive”—

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

7 (i) respect for individual dignity, per-  
8 sonal responsibility, self-determination, and  
9 pursuit of meaningful careers, based on in-  
10 formed choice, of individuals with disabil-  
11 ities;

12 (ii) respect for the privacy, rights, and  
13 equal access (including the use of acces-  
14 sible formats) of such individuals;

15 (iii) inclusion, integration, and full  
16 participation of such individuals in society;

17 (iv) support for the involvement in de-  
18 cisions of a family member, a guardian, an  
19 advocate, or an authorized representative,  
20 if an individual with a disability requests,  
21 desires, or needs such involvement; and

22 (v) support for individual and systems  
23 advocacy and community involvement; and



1 (B) with respect to an entity, program, or  
2 activity, means that the entity, program, or ac-  
3 tivity—

4 (i) is easily accessible to, and usable  
5 by, individuals with disabilities and, when  
6 appropriate, their family members, guard-  
7 ians, advocates, or authorized representa-  
8 tives;

9 (ii) responds to the needs of individ-  
10 uals with disabilities in a timely and appro-  
11 priate manner; and

12 (iii) facilitates the full and meaningful  
13 participation of individuals with disabilities  
14 (including individuals from underrep-  
15 resented populations and rural popu-  
16 lations) and their family members, guard-  
17 ians, advocates, and authorized representa-  
18 tives, in—

19 (I) decisions relating to the provi-  
20 sion of assistive technology devices  
21 and assistive technology services to  
22 such individuals; and

23 (II) decisions related to the  
24 maintenance, improvement, and eval-  
25 uation of the comprehensive statewide

1                   program of technology-related assist-  
 2                   ance, including decisions that affect  
 3                   advocacy, capacity building, and ca-  
 4                   pacity building and advocacy activi-  
 5                   ties.

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

11                  (9) INDIVIDUAL WITH A DISABILITY; INDIVID-  
 12                  UALS WITH DISABILITIES.—

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

16                         (i) who has a disability; and

17                         (ii) who is or would be enabled by an  
 18                         assistive technology device or an assistive  
 19                         technology service to minimize deteriora-  
 20                         tion in functioning, to maintain a level of  
 21                         functioning, or to achieve a greater level of  
 22                         functioning in any major life activity.

23                  (B) INDIVIDUALS WITH DISABILITIES.—  
 24                  The term “individuals with disabilities” means  
 25                  more than 1 individual with a disability.

1 (10) INSTITUTION OF HIGHER EDUCATION.—

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

8 (11) PROTECTION AND ADVOCACY SERVICES.—

9 The term “protection and advocacy services” means  
10 services that—

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

18 (B) assist individuals with disabilities with  
19 respect to assistive technology devices and as-  
20 sistive technology services.

21 (12) SECRETARY.—The term “Secretary”  
22 means the Secretary of Education.

23 (13) STATE.—

24 (A) IN GENERAL.—Except as provided in  
25 subparagraph (B) and section 302, the term

“State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

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

(i) OUTLYING AREA.—The term “outlying area” means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(ii) STATE.—The term “State” does not include the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(14) TARGETED INDIVIDUALS.—The term “targeted individuals” means—

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

(B) individuals who work for public or private entities (including insurers or managed

1           care providers), that have contact with individ-  
2           uals with disabilities;

3           (C) educators and related services person-  
4           nel;

5           (D) technology experts (including engi-  
6           neers);

7           (E) health and allied health professionals;

8           (F) employers; and

9           (G) other appropriate individuals and enti-  
10          ties.

11          (15) TECHNOLOGY-RELATED ASSISTANCE.—

12          The term “technology-related assistance” means as-  
13          sistance provided through capacity building and ad-  
14          vocacy activities that accomplish the purposes de-  
15          scribed in any of subparagraphs (A) through (K) of  
16          section 2(b)(1).

17          (16) UNDERREPRESENTED POPULATION.—The

18          term “underrepresented population” means a popu-  
19          lation that is typically underrepresented in service  
20          provision, and includes populations such as persons  
21          who have low-incidence disabilities, persons who are  
22          minorities, poor persons, persons with limited-  
23          English proficiency, older individuals, or persons  
24          from rural areas.

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

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

## 14                   **TITLE I—STATE GRANT** 15                   **PROGRAMS**

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

19           (a) GRANTS TO STATES.—

20           (1) IN GENERAL.—The Secretary shall award  
 21     grants, in accordance with this section, to eligible  
 22     States to support capacity building and advocacy ac-  
 23     tivities, designed to assist the States in maintaining  
 24     permanent comprehensive statewide programs of

1       technology-related assistance that accomplish the  
2       purposes described in section 2(b)(1).

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

8       (b) USE OF FUNDS.—

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

15      (2) MANDATORY ACTIVITIES.—

16           (A) PUBLIC AWARENESS PROGRAM.—

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

23           (ii) LINK.—Such a public awareness  
24           program shall have an electronic link to

1 the National Public Internet Site author-  
2 ized under section 106(c)(1).

3 (iii) CONTENTS.—The public aware-  
4 ness program may include—

5 (I) the development and dissemi-  
6 nation of information relating to—

7 (aa) the nature of assistive  
8 technology devices and assistive  
9 technology services;

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

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

22 (II) the development of proce-  
23 dures for providing direct communica-  
24 tion between providers of assistive



1 technology and targeted individuals;  
2 and

3 (III) the development and dis-  
4 semination, to targeted individuals, of  
5 information about State efforts relat-  
6 ed to assistive technology.

7 (B) INTERAGENCY COORDINATION.—

8 (i) IN GENERAL.—The State shall de-  
9 velop and promote the adoption of policies  
10 that improve access to assistive technology  
11 devices and assistive technology services  
12 for individuals with disabilities of all ages  
13 in the State and that result in improved  
14 coordination among public and private en-  
15 tities that are responsible or have the au-  
16 thority to be responsible, for policies, pro-  
17 cedures, or funding for, or the provision of  
18 assistive technology devices and assistive  
19 technology services to, such individuals.

20 (ii) APPOINTMENT TO CERTAIN IN-  
21 FORMATION TECHNOLOGY PANELS.—The  
22 State shall appoint the director of the lead  
23 agency described in subsection (d) or the  
24 designee of the director, to any committee,  
25 council, or similar organization created by

1 the State to assist the State in the develop-  
 2 ment of the information technology policy  
 3 of the State.

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

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

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

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

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

24 (II) convening interagency work  
 25 groups, involving public and private

1 entities, to identify, create, or expand  
 2 funding options, and coordinate access  
 3 to funding, for assistive technology de-  
 4 vices and assistive technology services  
 5 for individuals with disabilities of all  
 6 ages; or

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

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

19 (i) the development and implementa-  
 20 tion of laws, regulations, policies, practices,  
 21 procedures, or organizational structures  
 22 that promote access to assistive technology  
 23 devices and assistive technology services  
 24 for individuals with disabilities in edu-  
 25 cation, health care, employment, and com-

1 community living contexts, and in other con-  
 2 texts such as leisure activities and the use  
 3 of telecommunications;

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

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

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

17 (bb) the rights of targeted indi-  
 18 viduals to assistive technology devices  
 19 and assistive technology services are  
 20 addressed under laws other than this  
 21 Act, to promote fuller independence,  
 22 productivity, and inclusion in and in-  
 23 tegration into society of such individ-  
 24 uals; or

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

6 (iii)(I) the enhancement of the assist-  
7 ive technology skills and competencies of—

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

13 (bb) educators and related serv-  
14 ices personnel;

15 (cc) technology experts (including  
16 engineers);

17 (dd) health and allied health pro-  
18 fessionals;

19 (ee) employers; and

20 (ff) other appropriate personnel;

21 and

22 (II) taking action to facilitate the de-  
23 velopment of standards, or, when appro-  
24 priate, the application of such standards,

1 to ensure the availability of qualified per-  
2 sonnel.

3 (D) 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.—

23 (A) ALTERNATIVE STATE-FINANCED SYS-  
24 TEMS.—The State may support activities to in-  
25 crease access to, and funding for, assistive tech-

nology devices and assistive technology services,  
including—

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

(I) the development of systems  
for the purchase, lease, other acquisi-  
tion, or payment for the provision, of  
assistive technology devices and assist-  
ive technology services; or

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

(aa) a low-interest loan  
fund;

(bb) an interest buy-down  
program;

(cc) a revolving loan fund;

(dd) a loan guarantee or in-  
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-

tion programs (as defined in section 7 of such Act), schools, senior citizen centers, State vocational rehabilitation offices, other State workforce offices, and other locations frequented or used by the public.

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

(I) develop, compile, and categorize print, large print, braille, audio, and video materials, computer disks, compact discs (including compact discs formatted with read-only memory), information in alternative formats that can be used in telephone-based information systems, and materials using such other media as technological innovation may make appropriate;

(II) identify and classify funding sources for obtaining assistive technology devices and assistive technology services, and the conditions of and criteria for access to such

sources, including any funding mechanisms or strategies developed by the State;

(III) identify support groups and systems designed to help individuals with disabilities make effective use of an activity carried out under another paragraph of this subsection, including groups that provide evaluations of assistive technology devices and assistive technology services; and

(IV) maintain a record of the extent to which citizens of the State use or make inquiries of the system established in clause (i), and of the nature of such inquiries.

(E) INTERSTATE ACTIVITIES.—

(i) IN GENERAL.—The State may enter into cooperative agreements with other States to expand the capacity of the States involved to assist individuals with disabilities of all ages to learn about, acquire, use, maintain, adapt, and upgrade assistive technology devices and assistive 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 duplica-  
 10          tion 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  
2 individuals, and through other means. The State  
3 shall, in appropriate cases, promote, consider, take  
4 into account, and incorporate the principles of uni-  
5 versal design.

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 ignated 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 5 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-



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

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

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

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

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

19           (D) the research activities carried out  
20           through the funded activities to improve under-  
21           standing of the costs and benefits of access to  
22           assistive technology for individuals with disabil-  
23           ities who represent a variety of ages and types  
24           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 determines that a national classification sys-  
17 tem for assistive technology devices and assistive  
18 technology services has been developed the Secretary  
19 shall present such information in the report in a  
20 manner consistent with such national classification  
21 system.

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

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

3 **SEC. 106. TECHNICAL ASSISTANCE PROGRAM.**

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

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

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

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

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

25 (c) SCOPE OF TECHNICAL ASSISTANCE.—

1 (1) NATIONAL PUBLIC INTERNET SITE.—

2 (A) ESTABLISHMENT OF INTERNET  
3 SITE.—The Secretary shall fund the establish-  
4 ment and maintenance of a National Public  
5 Internet Site for the purposes of providing to  
6 individuals with disabilities and the general  
7 public technical assistance and information on  
8 increased access to assistive technology devices,  
9 assistive technology services, and other disabili-  
10 ty-related resources.

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

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

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

24 (iii) delivering education, information,  
25 and referral services to individuals with

1 disabilities, including technology-based cur-  
 2 riculum development services for adults  
 3 with low-level reading skills;

4 (iv) developing cooperative partner-  
 5 ships with the private sector, particularly  
 6 with private sector computer software,  
 7 hardware, and Internet services entities;  
 8 and

9 (v) developing and designing advanced  
 10 Internet sites.

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

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

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

nology devices and assistive technology services resources.

(iii) RESOURCES.—

(I) LIBRARY ON ASSISTIVE TECHNOLOGY.—

The site shall include access to a comprehensive working library on assistive technology for all environments, including home, workplace, transportation, and other environments.

(II) RESOURCES FOR A NUMBER OF DISABILITIES.—

The site shall include resources relating to the largest possible number of disabilities, including resources relating to low-level reading skills.

(iv) LINKS TO PRIVATE SECTOR RESOURCES AND INFORMATION.—

To the extent feasible, the site shall be linked to relevant private sector resources and information, under agreements developed between the institution of higher education and cooperating private sector entities.

1 (D) MINIMUM LIBRARY COMPONENTS.—At  
2 a minimum, the Internet site shall maintain up-  
3 dated information on—

4 (i) how to plan, develop, implement,  
5 and evaluate activities to further extend  
6 comprehensive statewide programs of tech-  
7 nology-related assistance, including the de-  
8 velopment and replication of effective ap-  
9 proaches to—

10 (I) providing information and re-  
11 ferral services;

12 (II) promoting interagency co-  
13 ordination of training and service de-  
14 livery among public and private enti-  
15 ties;

16 (III) conducting outreach to  
17 underrepresented populations and  
18 rural populations;

19 (IV) mounting successful public  
20 awareness activities;

21 (V) improving capacity building  
22 in service delivery;

23 (VI) training personnel from a  
24 variety of disciplines; and

1 (VII) improving evaluation strat-  
 2 egies, research, and data collection;

3 (ii) effective approaches to the devel-  
 4 opment of consumer-controlled systems  
 5 that increase access to, funding for, and  
 6 awareness of, assistive technology devices  
 7 and assistive technology services;

8 (iii) successful approaches to increas-  
 9 ing the availability of public and private  
 10 funding for and access to the provision of  
 11 assistive technology devices and assistive  
 12 technology services by appropriate State  
 13 agencies; and

14 (iv) demonstration sites where individ-  
 15 uals may try out assistive technology.

16 (2) TECHNICAL ASSISTANCE EFFORTS.—In car-  
 17 rying out the technical assistance program, taking  
 18 into account the input required under subsection (b),  
 19 the Secretary shall ensure that entities—

20 (A) address State-specific information re-  
 21 quests concerning assistive technology from  
 22 other entities funded under this title and public  
 23 entities not funded under this title, including—

24 (i) requests for state-of-the-art, or  
 25 model, Federal, State, and local laws, regu-



1           lations, policies, practices, procedures, and  
2           organizational structures, that facilitate,  
3           and overcome barriers to, funding for, and  
4           access to, assistive technology devices and  
5           assistive technology services;

6           (ii) requests for examples of policies,  
7           practices, procedures, regulations, adminis-  
8           trative hearing decisions, or legal actions,  
9           that have enhanced or may enhance access  
10          to funding for assistive technology devices  
11          and assistive technology services for indi-  
12          viduals with disabilities;

13          (iii) requests for information on effec-  
14          tive approaches to Federal-State coordina-  
15          tion of programs for individuals with dis-  
16          abilities, related to improving funding for  
17          or access to assistive technology devices  
18          and assistive technology services for indi-  
19          viduals with disabilities of all ages;

20          (iv) requests for information on effec-  
21          tive approaches to the development of con-  
22          sumer-controlled systems that increase ac-  
23          cess to, funding for, and awareness of, as-  
24          sistive technology devices and assistive  
25          technology services, including information

on the identification and description of mechanisms and means that successfully support self-help and peer mentoring groups for individuals with disabilities;

(v) other requests for technical assistance from other entities funded under this title and public entities not funded under this title; and

(vi) other assignments specified by the Secretary, including assisting entities described in section 105(b) to develop corrective action plans; and

(B) assist targeted individuals by disseminating information about—

(i) Federal, State, and local laws, regulations, policies, practices, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for, and access to, assistive technology devices and assistive technology services, to promote fuller independence, productivity, and inclusion in society for individuals with disabilities of all ages; and

(ii) technical assistance activities undertaken under subparagraph (A).

1 (d) ELIGIBLE ENTITIES.—To be eligible to compete  
 2 for grants, contracts, and cooperative agreements under  
 3 this section, entities shall have documented experience  
 4 with and expertise in assistive technology service delivery  
 5 or systems, interagency coordination, and capacity build-  
 6 ing and advocacy activities.

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

12 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) IN GENERAL.—There are authorized to be appro-  
 14 priated to carry out this title \$36,000,000 for fiscal year  
 15 1999 and such sums as may be necessary for fiscal years  
 16 2000 through 2004.

17 (b) RESERVATIONS OF FUNDS.—

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

20 (A) if the amount appropriated under sub-  
 21 section (a) for a fiscal year is less than  
 22 \$33,000,000—

23 (i) 87.5 percent of the amount shall  
 24 be reserved to fund grants under sections  
 25 101 and 102;

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

3 (iii) 4.6 percent shall be reserved for  
4 activities funded under section 106;

5 (B) if the amount appropriated under sub-  
6 section (a) for a fiscal year is not less than  
7 \$33,000,000 and is less than \$36,000,000—

8 (i) 85 percent of the amount shall be  
9 reserved to fund grants under sections 101  
10 and 102;

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

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

15 (C) if the amount appropriated under sub-  
16 section (a) for a fiscal year is not less than  
17 \$36,000,000—

18 (i) 80 percent of the amount shall be  
19 reserved to fund grants under sections  
20 101, 102, and (to the extent provided in  
21 paragraph (2)) 103;

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

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

1           (2)   CONDITION   APPLICABLE   TO   SUPPLE-  
2   MENTARY GRANTS.—Beginning in fiscal year 2000,  
3   if the amount appropriated under subsection (a) for  
4   a fiscal year is not less than \$40,000,000, the Sec-  
5   retary may reserve not more than 5 percent of the  
6   amount to fund grants under section 103.

7           (3)   RESERVATION   FOR   CONTINUATION   OF  
8   TECHNICAL ASSISTANCE INITIATIVES.—For fiscal  
9   year 1999, the Secretary may use funds reserved  
10   under clause (iii) of subparagraph (A), (B), or (C)  
11   of paragraph (1) to continue funding technical as-  
12   sistance initiatives that were funded in fiscal year  
13   1998 under the Technology-Related Assistance for  
14   Individuals With Disabilities Act of 1988.

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

1 **TITLE II—NATIONAL ACTIVITIES**  
 2 **Subtitle A—Rehabilitation Act of**  
 3 **1973**

4 **SEC. 201. COORDINATION OF FEDERAL RESEARCH EF-**  
 5 **FORTS.**

6 Section 203 of the Rehabilitation Act of 1973 (as  
 7 amended by section 405 of the Workforce Investment Act  
 8 of 1988) is amended—

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

13 (2) in subsection (b)—

14 (A) by inserting “(1)” before “After receiv-  
 15 ing”;

16 (B) by striking “from individuals with dis-  
 17 abilities and the individuals’ representatives”  
 18 and inserting “from targeted individuals”;

19 (C) by inserting after “research” the fol-  
 20 lowing: (including assistive technology research  
 21 and research that incorporates the principles of  
 22 universal design)”;

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

24 “(2) In carrying out its duties with respect to the  
 25 conduct of Federal research (including assistive tech-

1 nology research and research that incorporates the prin-  
2 ciples of universal design) related to rehabilitation of indi-  
3 viduals with disabilities, the Committee shall—

4           “(A) share information regarding the range of  
5       assistive technology research, and research that in-  
6       corporates the principles of universal design, that is  
7       being carried out by members of the Committee and  
8       other Federal departments and organizations;

9           “(B) identify, and make efforts to address, gaps  
10      in assistive technology research and research that in-  
11      corporates the principles of universal design that are  
12      not being adequately addressed;

13          “(C) identify, and establish, clear research pri-  
14      orities related to assistive technology research and  
15      research that incorporates the principles of universal  
16      design for the Federal Government;

17          “(D) promote interagency collaboration and  
18      joint research activities relating to assistive tech-  
19      nology research and research that incorporates the  
20      principles of universal design at the Federal level,  
21      and reduce unnecessary duplication of effort regard-  
22      ing these types of research within the Federal Gov-  
23      ernment; and

24          “(E) optimize the productivity of Committee  
25      members through resource sharing and other cost-

1        saving activities, related to assistive technology re-  
2        search and research that incorporates the principles  
3        of universal design.”;

4                (3) by striking subsection (c) and inserting the  
5        following:

6        “(c) Not later than December 31 of each year, the  
7        Committee shall prepare and submit, to the President and  
8        to the Committee on Education and the Workforce of the  
9        House of Representatives and the Committee on Labor  
10       and Human Resources of the Senate, a report that—

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

13               “(2) makes such recommendations as the Com-  
14       mittee determines to be appropriate with respect to  
15       coordination of policy and development of objectives  
16       and priorities for all Federal programs relating to  
17       the conduct of research (including assistive tech-  
18       nology research and research that incorporates the  
19       principles of universal design) related to rehabilita-  
20       tion of individuals with disabilities; and

21               “(3) describes the activities that the Committee  
22       recommended to be funded through grants, con-  
23       tracts, cooperative agreements, and other mecha-  
24       nisms, for assistive technology research and develop-



1       ment and research and development that incor-  
2       porates the principles of universal design.”; and

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

4       “(d)(1) In order to promote coordination and co-  
5       operation among Federal departments and agencies con-  
6       ducting assistive technology research programs, to reduce  
7       duplication of effort among the programs, and to increase  
8       the availability of assistive technology for individuals with  
9       disabilities, the Committee may recommend activities to  
10      be funded through grants, contracts or cooperative agree-  
11      ments, or other mechanisms—

12              “(A) in joint research projects for assistive  
13      technology research and research that incorporates  
14      the principles of universal design; and

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

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

22       “(3) In recommending activities to be funded in the  
23      projects and programs, the Committee shall obtain input  
24      from targeted individuals, and other organizations and in-  
25      dividuals the Committee determines to be appropriate,

1 concerning the availability and potential of technology for  
2 individuals with disabilities.

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

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

8 Section 401 of the Rehabilitation Act of 1973 (as  
9 amended by section 407 of the Workforce Investment Act  
10 of 1998) is amended by adding at the end the following:

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

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

21 “(3) The Council shall submit the report, along with  
22 such recommendations as the Council determines to be ap-  
23 propriate, to the Committee on Labor and Human Re-  
24 sources of the Senate and the Committee on Education  
25 and the Workforce of the House of Representatives.”.

1 **SEC. 203. ARCHITECTURAL AND TRANSPORTATION BAR-**  
 2 **RIERS COMPLIANCE BOARD.**

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

5 (1) by redesignating subsections (d) through (i)  
 6 as subsections (e) through (j), respectively;

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

9 “(d) Beginning in fiscal year 2000, the Access Board,  
 10 after consultation with the Secretary, representatives of  
 11 such public and private entities as the Access Board deter-  
 12 mines to be appropriate (including the electronic and in-  
 13 formation technology industry), targeted individuals (as  
 14 defined in section 3 of the Assistive Technology Act of  
 15 1998), and State information technology officers, shall  
 16 provide training for Federal and State employees on any  
 17 obligations related to section 508 of the Rehabilitation Act  
 18 of 1973.”; and

19 (3) in the second sentence of paragraph (1) of  
 20 subsection (e) (as redesignated in paragraph (1)), by  
 21 striking “subsection (e)” and inserting “subsection  
 22 (f)”.

23 (b) CONFORMING AMENDMENT.—Section 506(c) of  
 24 the Rehabilitation Act of 1973 (29 U.S.C. 794(c)) is  
 25 amended by striking “section 502(h)(1)” and inserting  
 26 “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, non-profit, 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 the single assistive  
20       technology taxonomy developed by the Department.

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.

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

3   **SEC. 301. GENERAL AUTHORITY.**

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

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

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

1 (c) REQUIREMENTS.—

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

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

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

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