

108TH CONGRESS
1ST SESSION

S. 1237

To amend the Rehabilitation Act of 1973 to provide for more equitable allotment of funds to States for centers for independent living.

IN THE SENATE OF THE UNITED STATES

JUNE 11, 2003

Mr. BENNETT (for himself, Mr. HATCH, Mr. CRAPO, Mr. CRAIG, and Mr. DORGAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Rehabilitation Act of 1973 to provide for more equitable allotment of funds to States for centers for independent living.

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.**

4 This Act may be cited as the “Independent Living
5 Improvement Act of 2003”.

1 **SEC. 2. STATE ALLOTMENTS FOR CENTERS FOR INDE-**
2 **PENDENT LIVING.**

3 Section 721 of the Rehabilitation Act of 1973 (42
4 U.S.C. 796f) is amended by striking subsection (c) and
5 inserting the following:

6 “(c) ALLOTMENTS TO STATES.—

7 “(1) DEFINITIONS.—In this subsection:

8 “(A) ADDITIONAL APPROPRIATION.—The
9 term ‘additional appropriation’ means the
10 amount (if any) by which the appropriation for
11 a fiscal year exceeds the total of—

12 “(i) the amount reserved under sub-
13 section (b) for that fiscal year; and

14 “(ii) the appropriation for fiscal year
15 2003.

16 “(B) APPROPRIATION.—The term ‘appro-
17 priation’ means the amount appropriated to
18 carry out this part.

19 “(C) BASE APPROPRIATION.—The term
20 ‘base appropriation’ means the portion of the
21 appropriation for a fiscal year that is equal to
22 the lesser of—

23 “(i) an amount equal to 100 percent
24 of the appropriation, minus the amount re-
25 served under subsection (b) for that fiscal
26 year; or

1 “(ii) the appropriation for fiscal year
2 2003.

3 “(2) ALLOTMENTS TO STATES FROM BASE AP-
4 PROPRIATION.—After the reservation required by
5 subsection (b) has been made, the Commissioner
6 shall allot to each State whose State plan has been
7 approved under section 706 an amount that bears
8 the same ratio to the base appropriation as the
9 amount the State received under this subsection for
10 fiscal year 2003 bears to the total amount that all
11 States received under this subsection for fiscal year
12 2003.

13 “(3) ALLOTMENTS TO STATES ADDITIONAL AP-
14 PROPRIATION.—From any additional appropriation
15 for each fiscal year, the Commissioner shall allot to
16 each State whose State plan has been approved
17 under section 706 an amount equal to the sum of—

18 “(A) an amount that bears the same ratio
19 to 50 percent of the additional appropriation as
20 the population of the State bears to the popu-
21 lation of all States; and

22 “(B) $\frac{1}{56}$ of 50 percent of the additional
23 appropriation.

24 “(4) MAINTENANCE OF EFFORT.—

1 “(A) IN GENERAL.—The Commissioner
2 shall not make a payment for the allotments de-
3 scribed in this subsection to any State for a fis-
4 cal year unless the Commissioner—

5 “(i) determines that the State inde-
6 pendent living expenditure for the first
7 preceding fiscal year is not less than the
8 State independent living expenditure for
9 the second preceding fiscal year; or

10 “(ii) reduces the amount of the pay-
11 ment by the amount by which the State
12 independent living expenditure for the sec-
13 ond preceding fiscal year exceeds the State
14 independent living expenditure for the first
15 preceding fiscal year.

16 “(B) DEFINITION.—In this subsection, the
17 term ‘State independent living expenditure’,
18 used with respect to a fiscal year, means the
19 total expenditure in the State of other Federal
20 funds (other than funds made available to carry
21 out this part), State funds, and local funds for
22 that fiscal year to provide assistance for centers
23 for independent living.”.

1 SEC. 3. REPORT.

2 Section 704(m)(4)(D) of the Rehabilitation Act of
3 1973 (42 U.S.C. 795c(m)(4)(D)) is amended by inserting
4 “, including reports indicating the manner in which and
5 extent to which the State complied with the maintenance
6 of effort requirement specified in section 721(c)(4)(A)(i)”
7 before the semicolon.

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