

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 2339**

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**AMENDMENT**

***In the Senate of the United States,***

*August 5 (legislative day, June 30), 1993.*

*Resolved*, That the bill from the House of Representatives (H.R. 2339) entitled “An Act to revise and extend the programs of the Technology-Related Assistance for Individuals With Disabilities Act of 1988, and for other purposes”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Technology-Related As-*  
3 *istance Act Amendments of 1993”.*

4 ***SEC. 2. REFERENCES.***

5 *Except as otherwise specifically provided, whenever in*  
6 *this Act an amendment or repeal is expressed in terms of*  
7 *an amendment to, or a repeal of, a section or other provi-*  
8 *sion, the reference shall be considered to be made to a section*  
9 *or other provision of the Technology-Related Assistance for*

1 *Individuals With Disabilities Act of 1988 (29 U.S.C. 2201*  
2 *et seq.).*

3 **SEC. 3. FINDINGS, PURPOSES, AND POLICY.**

4 (a) *SECTION HEADING.*—Section 2 (29 U.S.C. 2201)  
5 *is amended by striking the heading and inserting the follow-*  
6 *ing:*

7 **“SEC. 2. FINDINGS, PURPOSES, AND POLICY.”.**

8 (b) *FINDINGS.*—Section 2(a) *is amended—*

9 (1) *in paragraph (3)(C), by striking “non-*  
10 *disabled individuals” and inserting “individuals who*  
11 *do not have disabilities”;*

12 (2) *by redesignating paragraphs (4) through (8)*  
13 *as paragraphs (5) through (9), respectively;*

14 (3) *by inserting after paragraph (3) the follow-*  
15 *ing new paragraph:*

16 “(4) *The goals of the Nation properly include*  
17 *providing individuals with disabilities with the tools,*  
18 *including assistive technology devices and assistive*  
19 *technology services, necessary to—*

20 “(A) *make informed choices and decisions;*  
21 *and*

22 “(B) *achieve equality of opportunity, full*  
23 *inclusion and integration in society, employ-*  
24 *ment, independent living, and economic and so-*  
25 *cial self-sufficiency, for such individuals.”;*

1           (4) in paragraph (6) (as redesignated in para-  
2 graph (2) of this subsection)—

3           (A) by striking “assistive technology devices  
4 and services” and inserting “assistive technology  
5 devices and assistive technology services”; and

6           (B) by striking “families” and inserting  
7 “the parents, family members, guardians, advo-  
8 cates, and authorized representatives”;

9           (5) in subparagraph (C) of paragraph (7) (as re-  
10 designated in paragraph (2) of this subsection), to  
11 read as follows:

12           “(C) information about the potential of  
13 technology available to individuals with disabil-  
14 ities, the parents, family members, guardians,  
15 advocates, and authorized representatives of the  
16 individuals, individuals who work for public  
17 agencies, or for private entities (including insur-  
18 ers), that have contact with individuals with dis-  
19 abilities, educators and related services person-  
20 nel, employers, and other appropriate individ-  
21 uals;”;

22           (6) in paragraph (8) (as redesignated in para-  
23 graph (2) of this subsection) by striking “limited  
24 markets” and inserting “a perception that such indi-  
25 viduals constitute a limited market”; and

1           (7) *in the second sentence of paragraph (9) (as*  
2 *redesignated in paragraph (2) of this subsection), by*  
3 *striking “to individuals with disabilities” and all*  
4 *that follows and inserting the following: “to individ-*  
5 *uals with disabilities, the parents, family members,*  
6 *guardians, advocates, and authorized representatives*  
7 *of the individuals, individuals who work for public*  
8 *agencies, or for private entities (including insurers),*  
9 *that have contact with individuals with disabilities,*  
10 *educators and related services personnel, employers,*  
11 *and other appropriate individuals.”.*

12           (c) *PURPOSES.—Section 2(b) is amended by striking*  
13 *paragraph (1) and inserting the following:*

14           “(1) *To provide financial assistance to the States*  
15 *to support systemic change and advocacy activities*  
16 *designed to assist each State in developing and imple-*  
17 *menting a consumer-responsive comprehensive state-*  
18 *wide program of technology-related assistance, for in-*  
19 *dividuals of all ages who are individuals with disabil-*  
20 *ities, that is designed to—*

21           “(A) *increase the availability of, funding*  
22 *for, access to, and provision of assistive tech-*  
23 *nology devices and assistive technology services*  
24 *for individuals with disabilities;*

1           “(B) increase the active involvement of in-  
2           dividuals with disabilities, and the parents, fam-  
3           ily members, guardians, advocates, and author-  
4           ized representatives of individuals with disabil-  
5           ities in the planning, development, implementa-  
6           tion and evaluation of such a program;

7           “(C) increase the involvement of individuals  
8           with disabilities, and, if appropriate, the par-  
9           ents, family members, guardians, advocates, or  
10          authorized representatives of individuals with  
11          disabilities, in decisions related to the provision  
12          of assistive technology devices and assistive tech-  
13          nology services;

14          “(D) increase and promote interagency co-  
15          ordination among State agencies, and between  
16          State agencies and private entities, that are in-  
17          volved in carrying out activities under section  
18          101, particularly providing assistive technology  
19          devices and assistive technology services, that ac-  
20          complish a purpose described in another sub-  
21          paragraph of this paragraph;

22          “(E)(i) increase the awareness of laws, reg-  
23          ulations, policies, practices, procedures, and or-  
24          ganizational structures, that facilitate the avail-

1           *ability or provision of assistive technology de-*  
2           *VICES and assistive technology services; and*

3           “(ii) facilitate the change of laws, regula-  
4           tions, policies, practices, procedures, and organi-  
5           zational structures, that impede the availability  
6           or provision of assistive technology devices or  
7           assistive technology services;

8           “(F) increase the probability that individ-  
9           uals of all ages who are individuals with disabili-  
10          ties will, to the extent appropriate, be able to se-  
11          cure and maintain possession of assistive tech-  
12          nology devices as such individuals make the  
13          transition between services offered by human  
14          service agencies or between settings of daily  
15          living;

16          “(G) enhance the skills and competencies of  
17          individuals involved in providing assistive tech-  
18          nology devices and assistive technology services;

19          “(H) increase awareness and knowledge of  
20          the efficacy of assistive technology devices, and  
21          assistive technology services, among—

22                  “(i) individuals with disabilities;

23                  “(ii) the parents, family members,  
24                  guardians, advocates, or authorized rep-  
25                  resentatives of individuals with disabilities;

1           “(iii) individuals who work for public  
2 agencies, or for private entities (including  
3 insurers), that have contact with individ-  
4 uals with disabilities;

5           “(iv) educators and related services  
6 personnel;

7           “(v) employers; and

8           “(vi) other appropriate individuals  
9 and entities;

10          “(I) increase the capacity of public entities  
11 and private entities to provide and pay for  
12 assistive technology devices and assistive tech-  
13 nology services, on a statewide basis for individ-  
14 uals of all ages who are individuals with disabil-  
15 ities; and

16          “(J) increase the awareness of the needs of  
17 individuals with disabilities for assistive tech-  
18 nology devices and for assistive technology serv-  
19 ices.”.

20          (d) *POLICY.*—At the end of section 2, add the following  
21 new subsection:

22          “(c) *POLICY.*—It is the policy of the United States that  
23 all programs, projects, and activities receiving assistance  
24 under this Act shall be carried out in a manner consistent  
25 with the principles of—

1           “(1) respect for individual dignity, personal re-  
2           sponsibility, self-determination, and pursuit of mean-  
3           ingful careers, based on informed choice, of individ-  
4           uals with disabilities;

5           “(2) respect for the privacy, rights, and equal ac-  
6           cess (including the use of accessible formats), of the  
7           individuals;

8           “(3) inclusion, integration, and full participa-  
9           tion of the individuals;

10          “(4) support for the involvement of a parent, a  
11          family member, a guardian, an advocate, or an au-  
12          thorized representative if an individual with a dis-  
13          ability requests, desires, or needs such support; and

14          “(5) support for individual and systemic advo-  
15          cacy and community involvement.”.

16 **SEC. 4. DEFINITIONS.**

17          Section 3 (29 U.S.C. 2202) is amended—

18                 (1) in paragraph (2)(E), by striking “for an in-  
19                 dividual” and all that follows and inserting the fol-  
20                 lowing “for an individual with a disability, or, where  
21                 appropriate, the parent, family member, guardian,  
22                 advocate, or authorized representative of an individ-  
23                 ual with a disability; and”;

1           (2) by redesignating paragraphs (3) through (8)  
2           as paragraphs (6), (7), (9), (10), (12), and (13), re-  
3           spectively;

4           (3) by inserting after paragraph (2) the follow-  
5           ing new paragraphs:

6           “(3) CONSUMER-RESPONSIVE COMPREHENSIVE  
7           STATEWIDE PROGRAM OF TECHNOLOGY-RELATED AS-  
8           SISTANCE.—The term ‘consumer-responsive com-  
9           prehensive statewide program of technology-related as-  
10          sistance’ means a statewide program of technology-re-  
11          lated assistance developed and implemented by a  
12          State under title I that—

13                 “(A) is consumer-responsive; and

14                 “(B)(i) addresses the needs of all individ-  
15                 uals with disabilities, including underserved  
16                 groups, who can benefit from the use of assistive  
17                 technology devices and assistive technology serv-  
18                 ices;

19                 “(ii) addresses such needs without regard to  
20                 the age, type of disability, race, ethnicity, or gen-  
21                 der of such individuals, or the particular major  
22                 life activity for which such individuals need the  
23                 assistance; and

1           “(iii) addresses such needs without requir-  
2           ing that the assistance be provided through any  
3           particular agency or service delivery system.

4           “(4)     CONSUMER-RESPONSIVE.—The     term  
5           ‘consumer-responsive’ means, with respect to an en-  
6           tity or program, that the entity or program—

7                     “(A) is easily accessible to and usable by in-  
8                     dividuals with disabilities and, when appro-  
9                     priate, the parents, family members, guardians,  
10                    advocates, or authorized representatives of such  
11                    individuals;

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

15                   “(C) facilitates the full and meaningful par-  
16                    ticipation of individuals with disabilities in—

17                             “(i) decisions relating to the provision  
18                             of assistive technology devices and assistive  
19                             technology services to such individuals; and

20                             “(ii) the planning, development, imple-  
21                             mentation, and evaluation of the consumer-  
22                             responsive comprehensive statewide program  
23                             of technology-related assistance for individ-  
24                             uals with disabilities.

1           “(5) *DISABILITY*.—The term ‘disability’ means a  
2           condition considered to be a disability or handicap  
3           for the purposes of any Federal law other than this  
4           Act or for the purposes of the law of the State in-  
5           volved.”;

6           (4) in paragraph (6) (as redesignated by para-  
7           graph (2) of this subsection), to read as follows:

8           “(6) *INDIVIDUAL WITH A DISABILITY; INDIVID-*  
9           *UALS WITH DISABILITIES*.—

10           “(A) *INDIVIDUAL WITH A DISABILITY*.—The  
11           term ‘individual with a disability’ means any  
12           individual—

13           “(i) who is considered to have a dis-  
14           ability for the purposes of any Federal law  
15           other than this Act or for the purposes of  
16           the law of the State in which the individual  
17           resides; and

18           “(ii) who is or would be enabled by  
19           assistive technology devices or assistive tech-  
20           nology services to maintain a level of func-  
21           tioning or to achieve a greater level of func-  
22           tioning in any major life activity.

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

1           (5) in paragraph (7) (as redesignated by para-  
2           graph (2) of this subsection) by striking “section  
3           435(b)” and inserting “section 481”;

4           (6) by inserting after such paragraph (7) the fol-  
5           lowing new paragraph:

6           “(8) *PROTECTION AND ADVOCACY SERVICES.*—  
7           The term ‘protection and advocacy services’ means  
8           services that—

9                   “(A) are described in part C of the Devel-  
10                  opmental Disabilities Assistance and Bill of  
11                  Rights Act (42 U.S.C. 6041 et seq.), the Protec-  
12                  tion and Advocacy for Mentally Ill Individuals  
13                  Act (42 U.S.C. 10801 et seq.), or section 509 of  
14                  the Rehabilitation Act of 1973 (29 U.S.C. 794e);  
15                  and

16                   “(B) assist individuals with disabilities, or  
17                  the parents, family members, guardians, advo-  
18                  cates, or authorized representatives of the indi-  
19                  viduals, with respect to assistive technology de-  
20                  vices and assistive technology services.”;

21           (7) in paragraph (10) (as redesignated by para-  
22           graph (2) of this subsection)—

23                   (A) by striking “several States” and insert-  
24                  ing “several States of the United States”;

1           (B) by striking “Virgin Islands” and in-  
2           serting “United States Virgin Islands”; and

3           (C) by striking “the Trust Territory of the  
4           Pacific Islands” and inserting “the Republic of  
5           Palau (until the Compact of Free Association  
6           with Palau takes effect)”;

7           (8) by inserting after such paragraph (10) the  
8           following new paragraph:

9           “(11) *SYSTEMIC CHANGE.*—The term ‘systemic  
10           change’ means efforts that result in public or private  
11           agencies and organizations having greater capacity or  
12           enhanced ability to be consumer-responsive and pro-  
13           vide funding for or access to assistive technology de-  
14           vices and assistive technology services, or otherwise  
15           increase the availability of such technology, to benefit  
16           individuals with disabilities, or the parents, family  
17           members, guardians, advocates, or authorized rep-  
18           resentatives of such individuals on a permanent  
19           basis.”; and

20           (9) in paragraph (12) (as redesignated by para-  
21           graph (2) of this subsection)—

22           (A) by striking “functions performed and”;

23           and

24           (B) by inserting “any of subparagraphs (A)  
25           through (J) of” before “section 2(b)(1)”.

1       **TITLE I—GRANTS TO STATES**

2       **SEC. 101. PROGRAM AUTHORIZED.**

3           (a) *GRANTS TO STATES.*—Section 101(a) (29 U.S.C.  
4   2211(a)) is amended—

5               (1) by inserting after “provisions of this title”  
6   the following: “to support systemic change and advo-  
7   cacy activities designed”; and

8               (2) by striking “to develop and implement” and  
9   inserting “in developing and implementing”.

10          (b) *ACTIVITIES.*—Section 101 is amended by striking  
11 *subsections (b) and (c) and inserting the following:*

12           “(b) *ACTIVITIES.*—

13               “(1) *USE OF FUNDS.*—

14                   “(A) *IN GENERAL.*—Any State that receives  
15   a grant under section 102 or 103 shall use the  
16   funds made available through the grant to ac-  
17   complish the purposes described in section  
18   2(b)(1) by carrying out any of the systemic  
19   change and advocacy activities described in  
20   paragraphs (2) through (12) in a manner that  
21   is consumer-responsive.

22                   “(B) *PARTICULAR ACTIVITIES.*—In carrying  
23   out such systemic change and advocacy activi-  
24   ties, the State shall particularly carry out activi-  
25   ties regarding—

1           “(i) the development, implementation,  
2           and monitoring of State, regional, and local  
3           laws, regulations, policies, practices, proce-  
4           dures, and organizational structures, that  
5           will improve access to and funding for  
6           assistive technology devices and assistive  
7           technology services;

8           “(ii) the development and implementa-  
9           tion of strategies to overcome barriers to  
10          funding of such devices and services, with  
11          particular emphasis on addressing the needs  
12          of underserved groups; and

13          “(iii) the development and implemen-  
14          tation of strategies to enhance the ability of  
15          individuals with disabilities, and the par-  
16          ents, family members, guardians, advocates,  
17          and authorized representatives of such indi-  
18          viduals, to successfully advocate for access  
19          to and funding for assistive technology de-  
20          vices and assistive technology services.

21          “(2) ACCESS TO AND FUNDING FOR ASSISTIVE  
22          TECHNOLOGY.—The State may support activities to  
23          increase access to and funding for assistive tech-  
24          nology, including—

1           “(A) the identification of barriers to fund-  
2           ing of assistive technology devices and assistive  
3           technology services for individuals of all ages  
4           who are individuals with disabilities, with prior-  
5           ity for identification of barriers to funding  
6           through State special education services, voca-  
7           tional rehabilitation services, and medical assist-  
8           ance services or, as appropriate, other health and  
9           human services; and

10           “(B) the development, and evaluation of the  
11           efficacy, of model delivery systems that provide  
12           assistive technology devices and assistive tech-  
13           nology services to individuals with disabilities,  
14           that pay for such devices and services, and that,  
15           if successful, could be replicated or generally ap-  
16           plied, such as—

17                   “(i) the development of systems for the  
18                   purchase, lease, other acquisition, or pay-  
19                   ment for the provision, of assistive tech-  
20                   nology devices and assistive technology serv-  
21                   ices; and

22                   “(ii) the establishment of alternative  
23                   State or privately financed systems of sub-  
24                   sidies for the provision of assistive tech-

1            *nology devices and assistive technology serv-*  
2            *ices, such as—*

3                    *“(I) a loan system for assistive*  
4                    *technology devices (including assistive*  
5                    *technology demonstration and recy-*  
6                    *cling centers);*

7                    *“(II) an income-contingent loan*  
8                    *fund;*

9                    *“(III) a low-interest loan fund;*

10                   *“(IV) a revolving loan fund;*

11                   *“(V) a loan insurance program;*  
12                   *and*

13                   *“(VI) a partnership with private*  
14                   *entities for the purchase, lease, or other*  
15                   *acquisition of assistive technology de-*  
16                   *vices and the provision of assistive*  
17                   *technology services.*

18                   *“(3) REPRESENTATION.—The State may support*  
19                   *individual case management or representation of in-*  
20                   *dividuals with disabilities to secure their rights to*  
21                   *assistive technology devices and assistive technology*  
22                   *services.*

23                   *“(4) INTERAGENCY COORDINATION.—The State*  
24                   *may support activities—*

1           “(A) to identify and coordinate Federal and  
2           State policies, resources, and services, relating to  
3           the provision of assistive technology devices and  
4           assistive technology services, for individuals with  
5           disabilities, including entering into interagency  
6           agreements;

7           “(B) to support the establishment or con-  
8           tinuation of partnerships and cooperative initia-  
9           tives among public sector agencies and between  
10          the public sector and the private sector to facili-  
11          tate the development and implementation of a  
12          consumer-responsive comprehensive statewide  
13          program of technology-related assistance for in-  
14          dividuals with disabilities;

15          “(C) to convene interagency work groups to  
16          enhance public funding options and coordinate  
17          access to funding for assistive technology devices  
18          and assistive technology services for individuals  
19          of all ages who are individuals with disabilities,  
20          with special attention to the issues of transition,  
21          home use, and individual involvement in the  
22          identification, planning, use, delivery, and eval-  
23          uation of such devices and services; or

24          “(D) to document and disseminate informa-  
25          tion about interagency activities that promote

1           *coordination with respect to assistive technology*  
2           *services and assistive technology devices, includ-*  
3           *ing evidence of increased participation of State*  
4           *and local special education, vocational rehabili-*  
5           *tation, and State medical assistance agencies*  
6           *and departments.*

7           “(5) *STATEWIDE NEEDS ASSESSMENT.*—*The*  
8           *State may conduct a statewide needs assessment,*  
9           *which may be based on data in existence on the date*  
10           *on which the assessment is initiated and may in-*  
11           *clude—*

12                   “(A) *estimates of the numbers of individuals*  
13                   *with disabilities within the State, categorized by*  
14                   *residence, type and extent of disabilities, age,*  
15                   *race, gender, and ethnicity;*

16                   “(B) *in the case of an assessment carried*  
17                   *out under a development grant, a description of*  
18                   *efforts, during the fiscal year preceding the first*  
19                   *fiscal year for which the State received such a*  
20                   *grant, to provide assistive technology devices and*  
21                   *assistive technology services to individuals with*  
22                   *disabilities within the State, including—*

23                           “(i) *the number of individuals with*  
24                           *disabilities who received appropriate*

1           *assistive technology devices and assistive*  
2           *technology services; and*

3                   “(ii) a description of the devices and  
4           services provided;

5                   “(C) information on the number of individ-  
6           uals with disabilities who are in need of assistive  
7           technology devices and assistive technology serv-  
8           ices, and a description of the devices and services  
9           needed;

10                   “(D) information on the cost of providing  
11           assistive technology devices and assistive tech-  
12           nology services to all individuals with disabil-  
13           ities within the State who need such devices and  
14           services;

15                   “(E) a description of State and local public  
16           resources and private resources (including insur-  
17           ance) that are available to establish a consumer-  
18           responsive comprehensive statewide program of  
19           technology-related assistance for individuals with  
20           disabilities;

21                   “(F) information identifying Federal and  
22           State laws, regulations, policies, practices, proce-  
23           dures, and organizational structures, that facili-  
24           tate or interfere with the operation of a

1           *consumer-responsive comprehensive statewide*  
2           *program of technology-related assistance;*

3           “(G) a description of the procurement poli-  
4           cies of the State and the extent to which such  
5           policies will ensure, to the extent practicable,  
6           that assistive technology devices purchased,  
7           leased, or otherwise acquired with assistance  
8           made available through a grant made under sec-  
9           tion 102 or 103 are compatible with other tech-  
10          nology devices, including technology devices de-  
11          signed primarily for use by—

12                   “(i) individuals who are not individ-  
13                   uals with disabilities;

14                   “(ii) individuals who are elderly; or

15                   “(iii) individuals with particular dis-  
16                   abilities; and

17           “(H) information resulting from an inquiry  
18           about whether a State agency or a task force  
19           (composed of individuals representing the State  
20           and individuals representing the private sector)  
21           should study the practices of private insurance  
22           companies holding licenses within the State that  
23           offer health or disability insurance policies under  
24           which an individual may obtain reimbursement  
25           for—

1                   “(i) the purchase, lease, or other acqui-  
2                   sition of assistive technology devices; or

3                   “(ii) the use of assistive technology  
4                   services.

5                   “(6) *OUTREACH.*—*The State may provide assist-*  
6                   *ance to statewide and community-based organiza-*  
7                   *tions, or systems, that provide assistive technology de-*  
8                   *vices and assistive technology services to individuals*  
9                   *with disabilities. Such assistance may include out-*  
10                  *reach to consumer organizations and groups in the*  
11                  *State to coordinate the activities of the organizations*  
12                  *and groups with consumer-driven efforts (including*  
13                  *self-help, support groups, and peer mentoring) to as-*  
14                  *assist individuals with disabilities, or the parents, fam-*  
15                  *ily members, guardians, advocates, or authorized rep-*  
16                  *resentatives of the individuals, to obtain funding for*  
17                  *and access to assistive technology devices and assistive*  
18                  *technology services.*

19                  “(7) *PUBLIC AWARENESS PROGRAM.*—

20                  “(A) *IN GENERAL.*—*The State may—*

21                  “(i) support a public awareness pro-  
22                  gram designed to provide information relat-  
23                  ing to the availability and efficacy of  
24                  assistive technology devices and assistive  
25                  technology services for—

1                   “(I) individuals with disabilities;

2                   “(II) the parents, family mem-  
3                   bers, guardians, advocates, or author-  
4                   ized representatives of such individ-  
5                   uals;

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

10                  “(IV) educators and related serv-  
11                  ices personnel;

12                  “(V) employers; and

13                  “(VI) other appropriate individ-  
14                  uals and entities; or

15                  “(ii) establish and support such a pro-  
16                  gram if no such program exists.

17                  “(B) CONTENTS.—Such a program may in-  
18                  clude—

19                  “(i) the development and dissemina-  
20                  tion of information relating to—

21                  “(I) the nature of assistive tech-  
22                  nology devices and assistive technology  
23                  services;

24                  “(II) the appropriateness, cost,  
25                  and availability of, and access to

1           *assistive technology devices and*  
2           *assistive technology services; and*

3           “(III) *the efficacy of assistive*  
4           *technology devices and assistive tech-*  
5           *nology services with respect to enhanc-*  
6           *ing the capacity of individuals with*  
7           *disabilities;*

8           “(ii) *the development of procedures for*  
9           *providing direct communication among*  
10           *public providers of assistive technology de-*  
11           *vices and assistive technology services and*  
12           *between public providers and private pro-*  
13           *viders of such devices and services (includ-*  
14           *ing employers); and*

15           “(iii) *the development and dissemina-*  
16           *tion of information relating to—*

17           “(I) *use of the program by indi-*  
18           *viduals with disabilities, the parents,*  
19           *family members, guardians, advocates,*  
20           *or authorized representatives of such*  
21           *individuals, professionals who work in*  
22           *a field related to an activity described*  
23           *in this section, and other appropriate*  
24           *individuals; and*

1                   “(II) the nature of the inquiries  
2                   made by the persons described in  
3                   subclause (I).

4                   “(8) TRAINING AND TECHNICAL ASSISTANCE.—  
5                   The State may carry out directly, or may provide  
6                   support to a public or private entity to carry out,  
7                   training and technical assistance activities—

8                   “(A) that—

9                   “(i) are provided for individuals with  
10                  disabilities, the parents, family members,  
11                  guardians, advocates, and authorized rep-  
12                  resentatives of the individuals, and other  
13                  appropriate individuals; and

14                  “(ii) may include—

15                  “(I) training in the use of  
16                  assistive technology devices and  
17                  assistive technology services;

18                  “(II) the development of written  
19                  materials, training, and technical as-  
20                  sistance describing the means by which  
21                  agencies consider the needs of an indi-  
22                  vidual with a disability for assistive  
23                  technology devices and assistive tech-  
24                  nology services in developing, for the  
25                  individual, any individualized edu-

1            *cation program described in section*  
2            *614(a)(5) of the Individuals with Dis-*  
3            *abilities Education Act (20 U.S.C.*  
4            *1414(a)(5)), any individualized writ-*  
5            *ten rehabilitation program described in*  
6            *section 102 of the Rehabilitation Act of*  
7            *1973 (29 U.S.C. 722), any individual-*  
8            *ized family service plan described in*  
9            *section 677 of the Individuals with*  
10           *Disabilities Education Act (20 U.S.C.*  
11           *1477), and any other individualized*  
12           *plans or programs;*

13           *“(III) training regarding the*  
14           *rights of the persons described in clause*  
15           *(i) to assistive technology devices and*  
16           *assistive technology services under pub-*  
17           *lic laws and regulations in existence at*  
18           *the time of the training, to promote*  
19           *fuller independence, productivity, and*  
20           *inclusion in and integration into soci-*  
21           *ety of such persons; and*

22           *“(IV) training to increase*  
23           *consumer participation in the identi-*  
24           *fication, planning, use, delivery, and*  
25           *evaluation of assistive technology de-*

1 *vices and assistive technology services;*

2 *and*

3 *“(B) that—*

4 *“(i) enhance the assistive technology*  
5 *skills and competencies of—*

6 *“(I) individuals who work for*  
7 *public agencies, or for private entities*  
8 *(including insurers), that have contact*  
9 *with individuals with disabilities;*

10 *“(II) educators and related serv-*  
11 *ices personnel;*

12 *“(III) employers; and*

13 *“(IV) other appropriate personnel;*

14 *and*

15 *“(ii) include—*

16 *“(I) developing and implementing*  
17 *strategies for including such training*  
18 *within State training initiatives; and*

19 *“(II) taking actions to facilitate*  
20 *the development of standards, or, when*  
21 *appropriate, the application of such*  
22 *standards, to ensure the availability of*  
23 *qualified personnel.*

1           “(9) *PROGRAM DATA.*—*The State may support*  
2 *the compilation and evaluation of appropriate data*  
3 *related to a program described in subsection (a).*

4           “(10) *ACCESS TO TECHNOLOGY-RELATED INFOR-*  
5 *MATION.*—

6           “(A) *IN GENERAL.*—*The State may develop,*  
7 *operate, or expand a system for public access to*  
8 *information concerning an activity carried out*  
9 *under another paragraph of this subsection, in-*  
10 *cluding information about assistive technology*  
11 *devices and assistive technology services, funding*  
12 *sources and costs of such assistance, and individ-*  
13 *uals, organizations, and agencies capable of car-*  
14 *rying out such an activity for individuals with*  
15 *disabilities.*

16           “(B) *SYSTEM.*—*In developing, operating, or*  
17 *expanding a system described in subparagraph*  
18 *(A), the State may—*

19           “(i) *develop, compile, and categorize*  
20 *print, braille, audio, and video materials,*  
21 *and materials in electronic formats, con-*  
22 *taining the information described in sub-*  
23 *paragraph (A);*

24           “(ii) *identify and classify existing*  
25 *funding sources, and the conditions of and*

1            *criteria for access to such sources, including*  
2            *any funding mechanisms or strategies devel-*  
3            *oped by the State;*

4            *“(iii) identify existing support groups*  
5            *and systems designed to help individuals*  
6            *with disabilities make effective use of an ac-*  
7            *tivity carried out under another paragraph*  
8            *of this subsection; and*

9            *“(iv) maintain a record of the extent to*  
10           *which citizens of the State use or make in-*  
11           *quiries of the system established in subpara-*  
12           *graph (A), and of the nature of such inquir-*  
13           *ies.*

14           *“(11) INTERSTATE AGREEMENTS.—The State*  
15           *may enter into cooperative agreements with other*  
16           *States to expand the capacity of the States involved*  
17           *to assist individuals of all ages who are individuals*  
18           *with disabilities to learn about, acquire, use, main-*  
19           *tain, adapt, and upgrade assistive technology devices*  
20           *and assistive technology services that such individuals*  
21           *need at home, at school, at work, or in other environ-*  
22           *ments that are part of daily living.*

23           *“(12) OTHER ACTIVITIES.—The State may uti-*  
24           *lize amounts made available through grants made*  
25           *under section 102 or 103 for any systemic change and*

1     *advocacy activities, other than the activities described*  
2     *in another paragraph of this subsection, that are nec-*  
3     *essary for developing, implementing, or evaluating the*  
4     *consumer-responsive comprehensive statewide pro-*  
5     *gram of technology-related assistance.”.*

6     (c) *CONFORMING AMENDMENT.*—*Section 231(b)(1) is*  
7     *amended by striking “section 101(c)(1)” and inserting “sec-*  
8     *tion 101(b)(2)(B)”.*

9     **SEC. 102. DEVELOPMENT GRANTS.**

10     *Section 102 (29 U.S.C. 2212) is amended—*

11             *(1) in subsection (a)—*

12                     *(A) by striking “3-year grants” and insert-*  
13                     *ing “3-year grants to support systemic change*  
14                     *and advocacy activities described in section*  
15                     *101(b)”;* and

16                     *(B) by striking “to develop and implement*  
17                     *statewide programs” and inserting “in develop-*  
18                     *ing and implementing consumer-responsive com-*  
19                     *prehensive statewide programs”;*

20             *(2) by striking subsection (b);*

21             *(3) by redesignating subsections (c) and (d) as*  
22     *subsections (b) and (c), respectively;*

23             *(4) in subsection (b) (as redesignated in para-*  
24     *graph (3) of this section)—*

- 1           (A) in paragraph (3)(C), by striking “state-  
2           wide program” and inserting “consumer-respon-  
3           sive comprehensive statewide program”; and
- 4           (B) in paragraph (5)—
- 5           (i) in subparagraph (A)—
- 6           (I) by striking “(A)” and insert-  
7           ing “(A) STATE.—”;
- 8           (II) by inserting “United States”  
9           before “Virgin Islands”; and
- 10          (III) by striking “Trust Territory  
11          of the Pacific Islands” and inserting  
12          “Republic of Palau”; and
- 13          (ii) in subparagraph (B)—
- 14          (I) by striking “(B)” and insert-  
15          ing “(B) TERRITORY.—”;
- 16          (II) by inserting “United States”  
17          before “Virgin Islands”; and
- 18          (III) by striking “Trust Territory  
19          of the Pacific Islands” and inserting  
20          “Republic of Palau (until the Compact  
21          of Free Association takes effect)”;
- 22          (5) in paragraph (2) of subsection (c) (as redes-  
23          ignated in paragraph (3) of this section) by striking  
24          “statewide programs” and inserting “consumer-re-  
25          sponsive comprehensive statewide programs”;

1           (6) by inserting after such subsection (c) the fol-  
2           lowing:

3           “(d) DESIGNATION OF THE LEAD AGENCY.—

4           “(1) DESIGNATION.—In each State that desires  
5           to receive a grant under this section, the Governor  
6           shall designate a lead agency responsible for—

7           “(A) submitting the application described  
8           in subsection (e) on behalf of the State;

9           “(B) administering and supervising the use  
10          of amounts made available under the grant;

11          “(C)(i) coordinating efforts related to, and  
12          supervising the preparation of the application;

13          “(ii) coordinating the planning, develop-  
14          ment, and implementation of the consumer-re-  
15          sponsive comprehensive statewide program of  
16          technology-related assistance among public agen-  
17          cies and between public agencies and private  
18          agencies, including coordinating efforts related to  
19          entering into interagency agreements; and

20          “(iii) coordinating efforts related to, and  
21          supervising, the active, timely, and meaningful  
22          participation by individuals with disabilities,  
23          the parents, family members, guardians, advo-  
24          cates, or authorized representatives of such indi-  
25          viduals, and other appropriate individuals, with

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

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

7           “(2) *QUALIFICATIONS.—In designating the lead*  
8           *agency, the Governor—*

9           “(A) *may designate—*

10           “(i) *a commission appointed by the*  
11           *Governor;*

12           “(ii) *a public-private partnership or*  
13           *consortium;*

14           “(iii) *a university-affiliated program;*

15           “(iv) *a public agency;*

16           “(v) *a council established under Fed-*  
17           *eral or State law; or*

18           “(vi) *another appropriate office, agen-*  
19           *cy, entity, or individual; and*

20           “(B) *shall designate an entity that provides*  
21           *evidence of ability to—*

22           “(i) *respond to needs of individuals*  
23           *with disabilities who represent a variety of*  
24           *ages and types of disabilities;*

1           “(ii) respond statewide to the assistive  
2           technology needs of individuals with disabili-  
3           ties;

4           “(iii) promote and accomplish systemic  
5           change;

6           “(iv) promote and accomplish the es-  
7           tablishment of public-private partnerships;

8           “(v) exercise leadership in identifying  
9           and responding to the technology needs of  
10          individuals with disabilities and the par-  
11          ents, family members, guardians, advocates,  
12          and authorized representatives of such indi-  
13          viduals;

14          “(vi) document consumer confidence  
15          in, and responsiveness to, the consumer-re-  
16          sponsive comprehensive statewide program  
17          of technology-related assistance; and

18          “(vii) exercise leadership in imple-  
19          menting effective strategies for capacity  
20          building and training for appropriate enti-  
21          ties, and enhancement of interagency co-  
22          ordination of activities related to funding  
23          for assistive technology devices and assistive  
24          technology services.”;

25               (7) in subsection (e)—

1           (A) by striking paragraphs (1), (2), and (3)  
2           and inserting the following:

3           “(1) *DESIGNATION OF THE LEAD AGENCY.*—In-  
4           formation identifying the lead agency designated by  
5           the Governor under subsection (d).

6           “(2) *AGENCY INVOLVEMENT.*—A description of  
7           the nature and extent of involvement of various State  
8           agencies, including the State insurance department,  
9           in the preparation of the application and the con-  
10          tinuing role of each such agency in the development,  
11          implementation, and evaluation of the consumer-re-  
12          sponsive comprehensive statewide program of tech-  
13          nology-related assistance, including a description of  
14          the process used by each agency for providing access  
15          to and funding for assistive technology devices and  
16          assistive technology services.

17          “(3) *INVOLVEMENT.*—

18                  “(A) *CONSUMER INVOLVEMENT.*—A descrip-  
19                  tion of procedures that—

20                          “(i) provide for—

21                                  “(I) the active involvement of in-  
22                                  dividuals with disabilities, the parents,  
23                                  family members, guardians, advocates,  
24                                  and authorized representatives of the  
25                                  individuals, and other appropriate in-

1 *dividuals, in the development, imple-*  
2 *mentation, and evaluation of the pro-*  
3 *gram; and*

4 *“(II) the active involvement, to*  
5 *the maximum extent appropriate, of*  
6 *individuals with disabilities who use*  
7 *assistive technology devices and*  
8 *assistive technology services, in deci-*  
9 *sions relating to such devices and serv-*  
10 *ices; and*

11 *“(i) shall include—*

12 *“(I) mechanisms to provide sup-*  
13 *port for the expenses related to such in-*  
14 *volvement of individuals with disabil-*  
15 *ities, including payment of travel ex-*  
16 *penses, qualified interpreters, readers,*  
17 *personal care assistants, or other simi-*  
18 *lar services and action necessary to en-*  
19 *sure participation by such individuals;*  
20 *and*

21 *“(II) mechanisms for determining*  
22 *consumer satisfaction and participa-*  
23 *tion of individuals with disabilities*  
24 *who represent a variety of ages and*  
25 *types of disabilities, in the consumer-*

1            *responsive comprehensive statewide*  
2            *program of technology-related assist-*  
3            *ance.*

4            *“(B) PUBLIC INVOLVEMENT.—A description*  
5            *of the nature and extent of—*

6            *“(i) the involvement of—*

7            *“(I) individuals with disabilities;*

8            *“(II) the parents, family mem-*  
9            *bers, guardians, advocates, or author-*  
10           *ized representatives of such individ-*  
11           *uals;*

12           *“(III) other appropriate individ-*  
13           *uals who are not employed by a State*  
14           *agency; and*

15           *“(IV) organizations, providers,*  
16           *and interested parties, in the private*  
17           *sector,*

18           *in the designation of the lead agency under*  
19           *subsection (d), and in the development of*  
20           *the application; and*

21           *“(ii) the continuing role of the individ-*  
22           *uals and entities described in clause (i) in*  
23           *the program.”;*

24           *(B) in paragraphs (4) and (5), by striking*  
25           *“statewide program” each place the term ap-*

1           *pears and inserting “consumer-responsive com-*  
2           *prehensive statewide program”;*

3           *(C) by striking paragraphs (6) and (7) and*  
4           *inserting the following:*

5           *“(6) GOALS, OBJECTIVES, ACTIVITIES, AND OUT-*  
6           *COMES.—Information on the program to be carried*  
7           *out under the grant with respect to—*

8           *“(A) the goals and objectives of the State for*  
9           *the program;*

10          *“(B) the systemic change and advocacy ac-*  
11          *tivities described in section 101(b) that the State*  
12          *plans to carry out under the program, including,*  
13          *at a minimum, activities related to access to,*  
14          *and funding for, assistive technology devices and*  
15          *assistive technology services, case management or*  
16          *representation, and interagency coordination as*  
17          *described in section 101(b), unless the State dem-*  
18          *onstrates through the progress reports required*  
19          *under section 104 that—*

20                  *“(i) significant progress has been made*  
21                  *in the development and implementation of*  
22                  *such a program; and*

23                  *“(ii) other systemic change and advo-*  
24                  *cacy activities described in section 101(b)*  
25                  *will increase the likelihood that the program*

1           *will accomplish the purposes set out in*  
2           *2(b)(1); and*

3           *“(C) the expected outcomes of the State for*  
4           *the program,*  
5           *consistent with the purposes described in section*  
6           *2(b)(1).*

7           *“(7) DATA COLLECTION AND EVALUATIONS.—A*  
8           *description of—*

9           *“(A) the data collection system used for*  
10           *compiling information about the program, con-*  
11           *sistent with such requirements as the Secretary*  
12           *may establish for such system, and, to the extent*  
13           *that a national classification system is developed*  
14           *pursuant to section 201, consistent with such*  
15           *classification system; and*

16           *“(B) the procedures that will be used to con-*  
17           *duct evaluations of the program.”;*

18           *(D) in paragraphs (11)(B)(i) and (12)(B)*  
19           *by striking “individual with disabilities” and*  
20           *inserting “individual with a disability”;*

21           *(E) in paragraph (16)(A), by striking*  
22           *“families or representatives” and inserting “par-*  
23           *ents, family members, guardians, advocates, or*  
24           *authorized representatives”;*

1           (F) by redesignating paragraph (17) as  
2           paragraph (22); and

3           (G) by inserting after paragraph (16) the  
4           following new paragraphs:

5           “(17) *AUTHORITY TO USE FUNDS.*—An assur-  
6           ance that the lead agency designated under subsection  
7           (d) will have the authority to use funds made avail-  
8           able through a grant made under section 102 or 103  
9           to comply with the requirements of section 102 or  
10          103, respectively, including the ability to hire quali-  
11          fied staff necessary to carry out activities under the  
12          program.

13          “(18) *PROTECTION AND ADVOCACY SERVICES.*—  
14          Either—

15                 “(A) an assurance that the State will annu-  
16                 ally provide, from the funds made available to  
17                 the State through a grant made under section  
18                 102 or 103, not less than an amount equal to the  
19                 lesser of—

20                         “(i) \$75,000; or

21                         “(ii) 10 percent of such funds,

22                         in order to make a grant or enter into a contract  
23                         to support protection and advocacy services to  
24                         assist individuals with disabilities in receiving  
25                         appropriate assistive technology devices and

1           *assistive technology services through the systems*  
2           *established to provide protection and advocacy*  
3           *under the Developmental Disabilities Assistance*  
4           *and Bill of Rights Act (42 U.S.C. 6000 et seq.),*  
5           *the Protection and Advocacy for Mentally Ill In-*  
6           *dividuals Act (42 U.S.C. 10801 et seq.), and sec-*  
7           *tion 509 of the Rehabilitation Act of 1973 (29*  
8           *U.S.C. 794e); or*

9           “(B) *at the discretion of the State, a request*  
10          *that the Secretary annually reserve, from the*  
11          *funds made available to the State through a*  
12          *grant made under section 102 or 103, not less*  
13          *than the amount described in subparagraph (A)*  
14          *in order for the Secretary to make a grant or*  
15          *enter into a contract to support the protection*  
16          *and advocacy services described in subparagraph*  
17          *(A) through entities described in subparagraph*  
18          *(A).*

19          “(19) *LIMIT ON INDIRECT COSTS.—An assurance*  
20          *that the State will not use more than 8 percent of the*  
21          *funds made available to the State through a grant*  
22          *made under section 102 or 103 for the indirect costs*  
23          *of the program.*

24          “(20) *COORDINATION WITH STATE COUNCILS.—*  
25          *An assurance that the lead agency will coordinate the*

1 *activities funded through a grant made under section*  
2 *102 or 103 with the activities carried out by other*  
3 *councils within the State, including—*

4 *“(A) any council or commission specified in*  
5 *the assurance provided by the State in accord-*  
6 *ance with section 101(36) of the Rehabilitation*  
7 *Act of 1973 (29 U.S.C. 721(36));*

8 *“(B) the Statewide Independent Living*  
9 *Council established under section 705 of the Re-*  
10 *habilitation Act (29 U.S.C. 796d);*

11 *“(C) the advisory panel established under*  
12 *section 613(a)(12) of the Individuals with Dis-*  
13 *abilities Education Act (20 U.S.C. 1413(a)(12));*

14 *“(D) the State Planning Council described*  
15 *in section 124 of the Developmental Disabilities*  
16 *Assistance and Bill of Rights Act (42 U.S.C.*  
17 *6024);*

18 *“(E) the State mental health planning*  
19 *council established under section 1914 of the*  
20 *Public Health Service Act (42 U.S.C. 300x-3);*  
21 *and*

22 *“(F) any council established under section*  
23 *204, 206(g)(2)(A), or 712(a)(3)(H) of the Older*  
24 *Americans Act of 1965 (42 U.S.C. 3015,*  
25 *3017(g)(2)(A), and 3058g(a)(3)(H).*

1           “(21) *COORDINATION WITH OTHER SYSTEMIC*  
2 *CHANGE PROJECTS.*—An assurance that the lead  
3 agency will coordinate the activities funded through a  
4 grant made under section 102 or 103 with the activi-  
5 ties carried out by other systemic change projects  
6 funded through Federal or State sources.”; and

7           (8) by adding at the end the following:

8           “(f) *PROTECTION AND ADVOCACY REQUIREMENTS.*—

9           “(1) *REQUIREMENTS.*—A State that, as of June  
10 30, 1993, has provided for protection and advocacy  
11 services through a program that—

12           “(A) is comparable to the program described  
13 in subsection (e)(18); and

14           “(B) is not carried out by an entity de-  
15 scribed in such subsection,

16 shall be considered to meet the requirements of such  
17 subsection.

18           “(2) *PROTECTION AND ADVOCACY SERVICE PRO-*  
19 *VIDER REPORT.*—

20           “(A) *PREPARATION.*—An entity that re-  
21 ceives funds reserved under subsection (e)(18)(B)  
22 to carry out the protection and advocacy services  
23 described in subsection (e)(18)(A) in a State  
24 shall prepare reports that—

1           “(i) describe the activities carried out  
2           by the entity with such funds; and

3           “(ii) contain such additional informa-  
4           tion as the Secretary may require.

5           “(B) *SUBMISSION.*—The entity shall submit  
6           the reports to the program described in sub-  
7           section (a) in the State not less often than every  
8           6 months.

9           “(C) *UPDATES.*—The entity shall provide  
10          monthly updates to the program described in  
11          subsection (a) concerning the activities and in-  
12          formation described in subparagraph (A).

13          “(3) *CONSULTATION WITH STATE PROGRAMS.*—  
14          Before making a grant or entering into a contract  
15          under subsection (e)(18)(B) to support the protection  
16          and advocacy services described in subsection  
17          (e)(18)(A) in a State, the Secretary shall solicit and  
18          consider the opinions of the lead agency designated  
19          under subsection (d) in the State with respect to the  
20          terms of the grant or contract.”.

21   **SEC. 103. EXTENSION GRANTS.**

22          Section 103 (29 U.S.C. 2213) is amended to read as  
23          follows:

24   **“SEC. 103. EXTENSION GRANTS.**

25          “(a) *EXTENSION GRANTS.*—

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

5           “(2) *ADDITIONAL EXTENSION GRANT.*—*The Sec-*  
6           *retary may award an additional 3-year extension*  
7           *grant to any State that meets the standards specified*  
8           *in subsection (b)(2).*

9           “(b) *STANDARDS.*—

10           “(1) *INITIAL EXTENSION GRANT.*—*In order for a*  
11           *State to receive an initial extension grant under this*  
12           *section, the designated lead agency of the State*  
13           *shall—*

14                   “(A) *provide the evidence described in sec-*  
15                   *tion 102(d)(2)(B); and*

16                   “(B) *demonstrate that the State has made*  
17                   *significant progress, and has carried out sys-*  
18                   *temic change and advocacy activities described*  
19                   *in section 101(b) that have resulted in signifi-*  
20                   *cant progress, toward development and the im-*  
21                   *plementation of a consumer-responsive com-*  
22                   *prehensive statewide program of technology-relat-*  
23                   *ed assistance, consistent with sections 2(b)(1),*  
24                   *101, and 102.*

1           “(2) *ADDITIONAL EXTENSION GRANT.*—*In order*  
2 *for a State to receive an additional extension grant*  
3 *under this section, the designated lead agency shall—*

4                   “(A) *provide the evidence and make the*  
5 *demonstration described in paragraph (1);*

6                   “(B) *describe the steps the State has taken*  
7 *or will take to continue on a permanent basis the*  
8 *consumer-responsive comprehensive statewide*  
9 *program of technology-related assistance with the*  
10 *ability to maintain, at a minimum, the out-*  
11 *comes achieved by the systemic change and advo-*  
12 *cacy activities; and*

13                   “(C) *identify future funding options and*  
14 *commitments for the program from the public*  
15 *and private sector and the key individuals, agen-*  
16 *cies, and organizations to be involved in, and to*  
17 *direct future efforts of, the program.*

18           “(c) *AMOUNTS OF GRANTS.*—

19                   “(1) *IN GENERAL.*—

20                   “(A) *STATES.*—*From amounts appro-*  
21 *priated under section 106 for any fiscal year, the*  
22 *Secretary shall pay to each State that receives a*  
23 *grant under this section an amount that is not*  
24 *less than \$500,000 and not more than*  
25 *\$1,500,000.*

1           “(B) *TERRITORIES.*—From amounts appro-  
2           priated under section 106 for any fiscal year, the  
3           Secretary shall pay to each territory that  
4           receives a grant under this section an amount  
5           that is not more than \$150,000.

6           “(C) *DEFINITIONS.*—For purposes of this  
7           paragraph:

8                   “(i) *STATE.*—The term ‘State’ does not  
9                   include the United States Virgin Islands,  
10                  Guam, American Samoa, the Common-  
11                  wealth of the Northern Mariana Islands, or  
12                  the Republic of Palau.

13                  “(ii) *TERRITORY.*—The term ‘territory’  
14                  means the United States Virgin Islands,  
15                  Guam, American Samoa, the Common-  
16                  wealth of the Northern Mariana Islands,  
17                  and the Republic of Palau (until the Com-  
18                  pact of Free Association takes effect).

19           “(2) *CALCULATION OF AMOUNT.*—The Secretary  
20           shall calculate the amount described in subparagraph  
21           (A) or (B) of paragraph (1) with respect to a State  
22           on the basis of—

23                   “(A) amounts available for making grants  
24                   pursuant to this section;

25                   “(B) the population of the State;

1           “(C) the types of assistance to be provided  
2           in the State; and

3           “(D) the amount of resources committed by  
4           the State and available to the State from other  
5           sources.

6           “(3) PRIORITY FOR PREVIOUSLY PARTICIPATING  
7           STATES.—Amounts appropriated in any fiscal year  
8           for purposes of carrying out the provisions of this sec-  
9           tion shall first be made available to States that re-  
10          ceived grants under this section during the fiscal year  
11          preceding the fiscal year concerned.

12          “(d) APPLICATION.—A State that desires to receive an  
13          extension grant under this section shall submit an applica-  
14          tion that contains the following information and assurances  
15          with respect to the consumer-responsive comprehensive  
16          statewide program of technology-related assistance in the  
17          State:

18                 “(1) INFORMATION AND ASSURANCES.—The in-  
19                 formation and assurances described in section 102(e),  
20                 except the preliminary needs assessment described in  
21                 section 102(e)(4).

22                 “(2) NEEDS; PROBLEMS; STRATEGIES; OUT-  
23                 REACH.—

24                         “(A) NEEDS.—A description of needs relat-  
25                         ing to technology-related assistance of individ-

1           uals with disabilities (including individuals  
2           from underserved groups), the parents, family  
3           members, guardians, advocates, or authorized  
4           representatives of individuals with disabilities,  
5           and other appropriate individuals within the  
6           State.

7           “(B) *PROBLEMS*.—A description of any  
8           problems that remain with the development and  
9           implementation of a consumer-responsive com-  
10          prehensive statewide program of technology-relat-  
11          ed assistance in the State.

12          “(C) *STRATEGIES*.—A description of the  
13          strategies that the State will pursue during the  
14          grant period to remedy the problems with the de-  
15          velopment and implementation of such a pro-  
16          gram.

17          “(D) *OUTREACH ACTIVITIES*.—A descrip-  
18          tion of outreach activities to be conducted by the  
19          State, including dissemination of information to  
20          eligible populations, with special attention to  
21          underserved groups.

22          “(3) *ACTIVITIES AND PROGRESS UNDER PRE-*  
23          *VIOUS GRANT*.—A description of—

24                  “(A) the specific systemic change and advo-  
25                  cacy activities described in section 101(b) carried

1            *out under the development grant received by the*  
2            *State under section 102, or, in the case of an ap-*  
3            *plication for a grant under subsection (a)(2),*  
4            *under an initial extension grant received by the*  
5            *State under this section, including—*

6                    *“(i) a description of State actions that*  
7                    *were undertaken to produce systemic change*  
8                    *on a permanent basis for individuals of all*  
9                    *ages who are individuals with disabilities;*

10                   *“(ii) a description of activities under-*  
11                   *taken to improve the involvement of indi-*  
12                   *viduals with disabilities in the program, in-*  
13                   *cluding training and technical assistance*  
14                   *efforts to improve individual access to*  
15                   *assistive technology devices and assistive*  
16                   *technology services as mandated under pub-*  
17                   *lic laws and regulations as in effect on the*  
18                   *date of the application; and*

19                   *“(iii) an evaluation of impact and re-*  
20                   *sults of the activities described in clauses (i)*  
21                   *and (ii);*

22                   *“(B) the relationship of such systemic*  
23                   *change and advocacy activities to the develop-*  
24                   *ment and implementation of a consumer-respon-*

1           *sive comprehensive statewide program of tech-*  
2           *nology-related assistance; and*

3           “(C) *the progress made toward the develop-*  
4           *ment and implementation of such a program.*

5           “(4) *PUBLIC INVOLVEMENT.—*

6           “(A) *REPORT.—In the case of an applica-*  
7           *tion for a grant under subsection (a)(1), a report*  
8           *on the hearing described in subsection (e)(1) or,*  
9           *in the case of an application for a grant under*  
10           *subsection (a)(2), a report on the hearing de-*  
11           *scribed in subsection (e)(2).*

12           “(B) *OTHER STATE ACTIONS.—A descrip-*  
13           *tion of State actions, other than such a hearing,*  
14           *designed to determine the degree of satisfaction of*  
15           *individuals with disabilities, the parents, family*  
16           *members, guardians, advocates, or authorized*  
17           *representatives of such individuals, public service*  
18           *providers and private service providers, edu-*  
19           *cators and related services providers, employers,*  
20           *and other appropriate individuals and entities*  
21           *with—*

22           “(i) *the degree of their ongoing involve-*  
23           *ment in the development and implementa-*  
24           *tion of the consumer-responsive comprehen-*

1            *sive statewide program of technology-related*  
2            *assistance;*

3            *“(ii) the specific systemic change and*  
4            *advocacy activities described in section*  
5            *101(b) carried out by the State under the*  
6            *development grant or the initial extension*  
7            *grant;*

8            *“(iii) progress made toward the devel-*  
9            *opment and implementation of a consumer-*  
10           *responsive comprehensive statewide program*  
11           *of technology-related assistance; and*

12           *“(iv) the ability of the lead agency to*  
13           *carry out the activities described in section*  
14           *102(d)(2)(B).*

15           *“(5) COMMENTS.—A summary of any comments*  
16           *received concerning the issues described in paragraph*  
17           *(4) and response of the State to such comments, solic-*  
18           *ited through a public hearing referred to in para-*  
19           *graph (4) or through other means, from individuals*  
20           *affected by the consumer-responsive comprehensive*  
21           *statewide program of technology-related assistance,*  
22           *including—*

23           *“(A) individuals with disabilities;*

1           “(B) the parents, family members, guard-  
2           ians, advocates, or authorized representatives of  
3           such individuals;

4           “(C) public service providers and private  
5           service providers;

6           “(D) educators and related services person-  
7           nel;

8           “(E) employers; and

9           “(F) other appropriate individuals and en-  
10          tities.

11          “(6) COMPATIBILITY AND ACCESSIBILITY OF  
12          ELECTRONIC EQUIPMENT.—An assurance that the  
13          State will comply with guidelines established under  
14          section 508 of the Rehabilitation Act of 1973 (29  
15          U.S.C. 794d).

16          “(e) PUBLIC HEARING.—

17                 “(1) INITIAL EXTENSION GRANT.—To be eligible  
18                 to receive a grant under subsection (a)(1), a State  
19                 shall hold a public hearing in the third year of a pro-  
20                 gram carried out under a grant made under section  
21                 102, after providing appropriate and sufficient notice  
22                 to allow interested groups and organizations and all  
23                 segments of the public an opportunity to comment on  
24                 the program.

1           “(2) *ADDITIONAL EXTENSION GRANT.*—To be eli-  
2           gible to receive a grant under subsection (a)(2), a  
3           State shall hold a public hearing in the second year  
4           of a program carried out under a grant made under  
5           subsection (a)(1), after providing the notice described  
6           in paragraph (1).”.

7           **SEC. 104. PROGRESS CRITERIA AND REPORTS.**

8           Section 104 (29 U.S.C. 2214) is amended to read as  
9           follows:

10          **“SEC. 104. PROGRESS CRITERIA AND REPORTS.**

11          “(a) *REGULATIONS.*—The Secretary shall by regula-  
12          tion establish criteria for determining, for purposes of this  
13          title, whether a State that received a grant under section  
14          102 or 103 is making significant progress in developing and  
15          implementing a consumer-responsive comprehensive state-  
16          wide program of technology-related assistance. Such cri-  
17          teria shall include standards for assessing the impact of the  
18          systemic change and advocacy activities described in section  
19          101(b) in the State in achieving the purposes described in  
20          section 2(b)(1).

21          “(b) *REPORTS.*—Each State that receives a grant  
22          under section 102 or 103 to carry out a program shall sub-  
23          mit to the Secretary annually a report that—

24                  “(1) documents the significant progress made by  
25                  the State in developing and implementing the pro-

1        *gram, consistent with the standards and criteria es-*  
2        *tablished under subsection (a); and*

3            *“(2) includes information on—*

4                    *“(A) identification of the successful systemic*  
5                    *change and advocacy activities carried out*  
6                    *through the program to increase funding for, and*  
7                    *access to, assistive technology devices and*  
8                    *assistive technology services, including an analy-*  
9                    *sis of laws, regulations, policies, practices, proce-*  
10                   *dures, and organizational structures, that—*

11                            *“(i) have changed as a result of the*  
12                            *program to facilitate the acquisition of*  
13                            *assistive technology;*

14                            *“(ii) the program has attempted to*  
15                            *change during the grant period; or*

16                            *“(iii) need to be changed in the next*  
17                            *grant period;*

18                            *“(B) the degree of consumer involvement of*  
19                            *individuals with disabilities who represent a va-*  
20                            *riety of ages and type of disabilities, in terms*  
21                            *of—*

22                            *“(i) the numbers of consumers in-*  
23                            *volved;*

24                            *“(ii) the activities that the consumers*  
25                            *are involved in; and*

1           “(iii) the outreach activities of the  
2           State intended to increase consumer partici-  
3           pation in the consumer-responsive com-  
4           prehensive statewide program of technology-  
5           related assistance;

6           “(C) the degree of consumer satisfaction  
7           with the program;

8           “(D) the degree of involvement of various  
9           State agencies, including the State insurance de-  
10          partment, in the preparation of the application  
11          for the program and the continuing role of each  
12          agency in the development and implementation  
13          of the program, including—

14               “(i) a description of the process used  
15               by each agency for providing access to and  
16               funding for assistive technology devices and  
17               assistive technology services; and

18               “(ii) a description of the activities un-  
19               dertaken to enhance interagency coordina-  
20               tion of the provision of assistive technology  
21               devices and assistive technology services;

22           “(E) documentation of efforts to collect and  
23           disseminate information on successful efforts to  
24           secure assistive technology devices and assistive  
25           technology services that occurred as a result of

1           systemic change and advocacy activities identi-  
2           fied in paragraph (2); and

3                   “(F) identification and documentation of  
4           State and local laws, regulations, policies, prac-  
5           tices, procedures, and organizational structures  
6           that have been developed or changed in order to  
7           inform individuals with disabilities, or the par-  
8           ents, family members, guardians, advocates, or  
9           authorized representatives of the individuals, of  
10          Federal requirements pertaining to assistive  
11          technology devices and assistive technology serv-  
12          ices, particularly under parts B and H of the  
13          Individuals with Disabilities Education Act (20  
14          U.S.C. 1411 et seq. and 1471 et seq.) and title  
15          I of the Rehabilitation Act of 1973 (29 U.S.C.  
16          720 et seq.).”.

17   **SEC. 105. ADMINISTRATIVE PROVISIONS.**

18          (a) *REVIEW OF PARTICIPATING STATES.*—Section  
19   105(a) (29 U.S.C. 2215(a)) is amended—

20               (1) in paragraph (1), by inserting before the pe-  
21          riod the following: “, consistent with the standards  
22          and criteria established under section 104(a)”;

23               (2) in paragraph (2), to read as follows:

24          “(2) *ONSITE VISITS.*—

1           “(A) *VISITS.*—*The Secretary shall conduct*  
2           *an onsite visit during the final year of each*  
3           *State’s participation in the development grant*  
4           *program. The Secretary shall conduct an addi-*  
5           *tional onsite visit to any State that received an*  
6           *extension grant under section 103 and whose ini-*  
7           *tial onsite visit occurred prior to the date of en-*  
8           *actment of the Technology-Related Assistance*  
9           *Amendments of 1993.*

10           “(B) *TEAM.*—*Two-thirds of the onsite mon-*  
11           *itoring team in each case shall be qualified peer*  
12           *reviewers, who—*

13                   “(i) *shall not be agency personnel;*

14                   “(ii) *shall be from States other than*  
15                   *the State being monitored; and*

16                   “(iii) *shall include an individual with*  
17                   *a disability, or a parent, family member,*  
18                   *guardian, advocate, or an authorized rep-*  
19                   *resentative of such an individual.*

20           “(C) *COMPENSATION.*—

21                   “(i) *OFFICERS OR EMPLOYEES.*—*Mem-*  
22                   *bers of any onsite monitoring team who are*  
23                   *officers or full-time employees of the United*  
24                   *States shall serve without compensation in*  
25                   *addition to that received for their services*

1           *as officers or employees of the United*  
2           *States, but they may be allowed travel ex-*  
3           *penditures, including per diem in lieu of sub-*  
4           *sistence, as authorized by section 5702 of*  
5           *title 5, United States Code, for individuals*  
6           *in the Government service traveling on offi-*  
7           *cial business.*

8           “(i) *OTHER MEMBERS.—Members of*  
9           *any onsite monitoring team who are not of-*  
10          *icers or full-time employees of the United*  
11          *States shall receive compensation at a rate*  
12          *not to exceed the daily equivalent of the rate*  
13          *of pay for level IV of the Executive Schedule*  
14          *under section 5315 of title 5, United States*  
15          *Code, for each day (including traveltime)*  
16          *during which such members are engaged in*  
17          *the actual performance of their duties as*  
18          *members of an onsite monitoring team. In*  
19          *addition, such members may be allowed*  
20          *travel expenses, including per diem in lieu*  
21          *of subsistence, as authorized by section 5703*  
22          *of title 5, United States Code, for individ-*  
23          *uals in the Government service employed*  
24          *intermittently.*

1           “(D) *REPORT.*—*The Secretary shall prepare*  
2           *a report of findings from the onsite visit. The*  
3           *Secretary shall consider the findings in deter-*  
4           *mining whether to continue funding the program*  
5           *either with or without changes. The report shall*  
6           *be available to the public.”;*

7           (3) *by redesignating paragraphs (3) and (4) as*  
8           *paragraphs (4) and (5), respectively;*

9           (4) *by inserting after paragraph (2) the follow-*  
10          *ing:*

11          “(3) *ADVANCE PUBLIC NOTICE.*—*The Secretary*  
12          *shall provide advance public notice of the onsite visit*  
13          *and solicit public comment through such notice from*  
14          *individuals with disabilities, and the parents, family*  
15          *members, guardians, advocates, and authorized rep-*  
16          *resentatives of such individuals, public service provid-*  
17          *ers and private service providers, educators and relat-*  
18          *ed services personnel, employers, and other appro-*  
19          *prate individuals and entities, regarding the State*  
20          *program funded through a grant made under section*  
21          *102 or 103. The public comment solicitation notice*  
22          *shall be included in the onsite visit report described*  
23          *in paragraph (2).”;* and

24          (5) *in paragraph (4) (as redesignated by para-*  
25          *graph (3) of this subsection) by striking “statewide*

1        *program” and inserting “consumer-responsive com-*  
2        *prehensive statewide program”.*

3        *(b) CORRECTIVE ACTION PLAN.—Section 105(b) is*  
4        *amended—*

5                *(1) in paragraph (2)—*

6                        *(A) in the heading, by striking “PEN-*  
7                        *ALTIES” and inserting “CORRECTIVE ACTIONS”;*

8                        *(B) by striking “or” at the end of subpara-*  
9                        *graph (B);*

10                      *(C) by striking the period at the end of sub-*  
11                      *paragraph (C) and inserting “; or”; and*

12                      *(D) by adding at the end the following:*

13                      *“(D) required redesignation of the lead*  
14                      *agency designated under section 102(d), after no-*  
15                      *tice and an opportunity for comment, in order*  
16                      *to continue to receive funds through a grant*  
17                      *made under section 102 or 103.”; and*

18                      *(2) in paragraph (3), by striking “subsection*  
19                      *(a)(4)” and inserting “subsection (a)(5)”.*

20        *(c) ADDITIONAL ADMINISTRATIVE PROVISIONS.—Sec-*  
21        *tion 105 is amended by adding at the end the following:*

22                *“(d) CHANGE OF PROTECTION AND ADVOCACY SERV-*  
23        *ICES PROVIDER.—*

24                      *“(1) DETERMINATION.—The Governor of a State,*  
25                      *based on input from individuals with disabilities, or*

1     *the parents, family members, guardians, advocates, or*  
2     *authorized representatives of such individuals, may*  
3     *determine that the entity providing protection and*  
4     *advocacy services required by section 102(e)(18) has*  
5     *not met the protection and advocacy service needs of*  
6     *the individuals with disabilities, or the parents, fam-*  
7     *ily members, guardians, advocates, or authorized*  
8     *representatives of such individuals for securing fund-*  
9     *ing for and access to assistive technology devices and*  
10    *assistive technology services, and that there is good*  
11    *cause to provide the required services for the State*  
12    *through a contract with another nonprofit agency, or-*  
13    *ganization or institution of higher education.*

14           “(2) NOTICE AND OPPORTUNITY TO BE HEARD.—  
15     *On making such a determination, the Governor*  
16     *shall—*

17                   “(A) *give the agency providing protection*  
18                   *and advocacy services—*

19                           “(i) *30 days notice of the intention of*  
20                           *the Governor to change the agency provid-*  
21                           *ing such services, including specification of*  
22                           *the good cause for such a change; and*

23                                   “(ii) *an opportunity to respond to the*  
24                                   *determination that good cause has been*  
25                                   *shown;*

1           “(B) provide individuals with disabilities,  
2           or the parents, family members, guardians, ad-  
3           vocates, or authorized representatives of such in-  
4           dividuals, with timely notice of the proposed  
5           change and an opportunity for public comment;  
6           and

7           “(C) provide the agency with the oppor-  
8           tunity to appeal the determination on the basis  
9           that the change was not for good cause.

10          “(3) REVIEW.—At the request of the agency, the  
11          Secretary shall review the protection and advocacy  
12          services provided by the entity pursuant to section  
13          102(e)(18), based on the criteria for such services set  
14          out in the grant or contract to support such services  
15          that is described in such section.

16          “(4) REVIEW.—Based on such review, the Sec-  
17          retary may refuse to change the agency providing the  
18          protection and advocacy services.

19          “(e) ANNUAL REPORT.—

20          “(1) IN GENERAL.—Not later than December 31  
21          of each year, the Secretary shall prepare, and submit  
22          to the President and to the Congress, a report on Fed-  
23          eral initiatives, including the initiatives funded  
24          under this Act, to improve the access of individuals

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

3 *“(2) CONTENTS.—Such report shall include in-*  
4 *formation on—*

5 *“(A) the demonstrated successes of such Fed-*  
6 *eral initiatives at the Federal and State levels in*  
7 *improving interagency coordination, streamlin-*  
8 *ing access to funding for assistive technology,*  
9 *and producing beneficial outcomes for users of*  
10 *assistive technology;*

11 *“(B) the demonstration activities carried*  
12 *out through the Federal initiatives to—*

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

17 *“(ii) establish additional options for*  
18 *obtaining such funding;*

19 *“(C) the education and training activities*  
20 *carried out through the Federal initiatives to*  
21 *promote such access in public programs and the*  
22 *health care system and the efforts carried out*  
23 *through such activities to train professionals in*  
24 *a variety of relevant disciplines, and increase the*

1           *competencies of the professionals with respect to*  
2           *technology-related assistance;*

3           “(D) *the education and training activities*  
4           *carried out through the Federal initiatives to*  
5           *train individuals with disabilities, the parents,*  
6           *family members, guardians, advocates, or au-*  
7           *thorized representatives of individuals with dis-*  
8           *abilities, individuals who work for public agen-*  
9           *cies, or for private entities (including insurers),*  
10          *that have contact with individuals with disabil-*  
11          *ities, educators and related services personnel,*  
12          *employers, and other appropriate individuals,*  
13          *about technology-related assistance;*

14          “(E) *the research activities carried out*  
15          *through the Federal initiatives to improve under-*  
16          *standing of the cost-benefit results of access to*  
17          *assistive technology for individuals with disabil-*  
18          *ities who represent a variety of ages and types*  
19          *of disabilities;*

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

23          “(G) *the activities carried out through the*  
24          *Federal initiatives that are targeted to reach un-*  
25          *derserved groups; and*

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

3           “(3) AVAILABILITY OF ASSISTIVE TECHNOLOGY  
4           DEVICES AND ASSISTIVE TECHNOLOGY SERVICES.—As  
5           soon as practicable, and to the extent that a national  
6           classification system for assistive technology devices  
7           and assistive technology services is developed pursu-  
8           ant to section 201, the Secretary shall include in the  
9           annual report required by this subsection information  
10          on the availability of assistive technology devices and  
11          assistive technology services for individuals with dis-  
12          abilities, and shall report such information in a man-  
13          ner consistent with such national classification sys-  
14          tem.

15          “(f) INTERAGENCY DISABILITY COORDINATING COUN-  
16          CIL.—

17                 “(1) CONTENTS.—On or before October 1, 1995,  
18                 the Interagency Disability Coordinating Council es-  
19                 tablished under section 507 of the Rehabilitation Act  
20                 of 1973 (29 U.S.C. 794c) shall prepare and submit to  
21                 the President and to the Congress a report contain-  
22                 ing—

23                         “(A) the response of the Interagency Dis-  
24                         ability Coordinating Council to—

1           “(i) the findings of the National Coun-  
2           cil on Disability resulting from the study  
3           entitled ‘Study on the Financing of  
4           Assistive Technology Devices and Services  
5           for Individuals with Disabilities’, carried  
6           out in accordance with section 201 of this  
7           Act, as in effect on the day before the date  
8           of enactment of this subsection; and

9           “(ii) the recommendations of the Na-  
10          tional Council on Disability for legislative  
11          and administrative change, resulting from  
12          such study; and

13          “(B) information on any other activities of  
14          the Interagency Disability Coordinating Council  
15          that facilitate the accomplishment of section  
16          2(b)(2) with respect to the Federal Government.

17          “(2) COMMENTS.—The report shall include any  
18          comments submitted by the National Council on Dis-  
19          ability as to the appropriateness of the response de-  
20          scribed in paragraph (1)(A) and the effectiveness of  
21          the activities described in paragraph (1)(B) in meet-  
22          ing the needs of individuals with disabilities for  
23          assistive technology devices and assistive technology  
24          services.”.

1 **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Section  
3 106(a) (29 U.S.C. 2216(a)) is amended by striking  
4 “\$9,000,000” and all that follows and inserting “such sums  
5 as may be necessary for each of the fiscal years 1994  
6 through 1996.”.

7 (b) *RESERVATIONS.*—Section 106(b) (29 U.S.C.  
8 2216(b)) is amended to read as follows:

9 “(b) *RESERVATIONS.*—

10 “(1) *PROVISION OF INFORMATION AND TECH-*  
11 *NICAL ASSISTANCE.*—

12 “(A) *IN GENERAL.*—Of the funds appro-  
13 priated for any fiscal year under subsection (a),  
14 the Secretary shall reserve 2 percent or  
15 \$1,500,000, whichever is greater, of such funds,  
16 for the purpose of providing information and  
17 technical assistance as described in subpara-  
18 graphs (B) and (C) to States, individuals with  
19 disabilities, the parents, family members, guard-  
20 ians, advocates, or authorized representatives of  
21 such individuals, community-based organiza-  
22 tions, and protection and advocacy agencies.

23 “(B) *TECHNICAL ASSISTANCE TO STATES.*—  
24 In providing such information and technical as-  
25 sistance to States the Secretary shall consider the  
26 input of the directors of consumer-responsive

1           *comprehensive statewide programs of technology-*  
2           *related assistance, and shall provide information*  
3           *and technical assistance that—*

4                     “(i) *facilitate service delivery capacity*  
5                     *building, training of personnel from a vari-*  
6                     *ety of disciplines, and improvement of eval-*  
7                     *uation strategies, research, and data collec-*  
8                     *tion;*

9                     “(ii) *foster the development and rep-*  
10                    *lication of effective approaches to informa-*  
11                    *tion referral, interagency coordination of*  
12                    *training and service delivery, outreach to*  
13                    *underserved groups, and public awareness*  
14                    *activities;*

15                    “(iii) *improve the awareness and*  
16                    *adoption of successful approaches to in-*  
17                    *creasing the availability of public and pri-*  
18                    *vate funding for and access to the provision*  
19                    *of assistive technology devices and assistive*  
20                    *technology services by appropriate State*  
21                    *agencies;*

22                    “(iv) *assist in planning, developing,*  
23                    *implementing, and evaluating appropriate*  
24                    *activities to further extend consumer-respon-*  
25                    *sive comprehensive statewide programs of*

1            *technology-related assistance for individuals*  
2            *with disabilities; and*

3            *“(v) promote effective approaches to the*  
4            *development of consumer-controlled systems*  
5            *that increase access to, funding for, and*  
6            *awareness of assistive technology devices*  
7            *and assistive technology services.*

8            *“(C) INFORMATION AND TECHNICAL ASSIST-*  
9            *ANCE TO INDIVIDUALS WITH DISABILITIES AND*  
10           *OTHER PERSONS.—The Secretary shall provide*  
11           *such information and technical assistance to in-*  
12           *dividuals with disabilities, the parents, family*  
13           *members, guardians, advocates, or authorized*  
14           *representatives of such individuals, community-*  
15           *based organizations, and protection and advo-*  
16           *cacy agencies, on a nationwide basis, to—*

17           *“(i) foster awareness and understand-*  
18           *ing of Federal, State, and local laws, regu-*  
19           *lations, policies, practices, procedures, and*  
20           *organizational structures, that facilitate,*  
21           *and overcome barriers to, funding for and*  
22           *access to assistive technology devices and*  
23           *assistive technology services, to promote*  
24           *fuller independence, productivity, and in-*

1 *clusion for individuals of all ages who are*  
2 *individuals with disabilities;*

3 *“(ii) facilitate effective systemic change*  
4 *activities;*

5 *“(iii) improve the understanding and*  
6 *use of assistive technology funding decisions*  
7 *made as a result of policies, practices, and*  
8 *procedures, or through regulations,*  
9 *administrative hearings, or legal actions,*  
10 *that enhance access to funding for assistive*  
11 *technology devices and assistive technology*  
12 *services for individuals with disabilities;*

13 *“(iv) promote effective approaches to*  
14 *Federal-State coordination of programs for*  
15 *individuals with disabilities, through infor-*  
16 *mation dissemination and technical assist-*  
17 *ance activities in response to funding policy*  
18 *issues identified on a nationwide basis by*  
19 *organizations, and individuals, that im-*  
20 *prove funding for or access to assistive tech-*  
21 *nology devices and assistive technology serv-*  
22 *ices for individuals of all ages who are indi-*  
23 *viduals with disabilities; and*

24 *“(v) promote effective approaches to the*  
25 *development of consumer-controlled systems*

1           that increase access to, funding for, and  
2           awareness of assistive technology devices  
3           and assistive technology services, including  
4           the identification and description of mecha-  
5           nisms and means that successfully support  
6           self-help and peer mentoring groups for in-  
7           dividuals with disabilities.

8           “(D) *COORDINATION.*—The Secretary shall  
9           coordinate the information and technical assist-  
10          ance activities carried out under subparagraph  
11          (B) or (C) with other activities funded under  
12          this Act.

13          “(E) *GRANTS, CONTRACTS, OR COOPERATIVE*  
14          *AGREEMENTS.*—

15                  “(i) *IN GENERAL.*—The Secretary shall  
16                  provide the technical assistance and infor-  
17                  mation described in subparagraphs (B) and  
18                  (C) through grants, contracts, or cooperative  
19                  agreements with public or private agencies  
20                  and organizations, including institutions of  
21                  higher education, with documented experi-  
22                  ence, expertise, and capacity to carry out  
23                  identified activities related to the provision  
24                  of such technical assistance and informa-  
25                  tion.

1           “(ii) *ENTITIES WITH EXPERTISE IN*  
2           *ASSISTIVE TECHNOLOGY SERVICE DELIVERY,*  
3           *INTERAGENCY COORDINATION, AND SYS-*  
4           *TEMIC CHANGE ACTIVITIES.—For the pur-*  
5           *pose of achieving the objectives described in*  
6           *paragraph (1)(B), the Secretary shall re-*  
7           *serve not less than 45 percent and not more*  
8           *than 55 percent of the funds reserved under*  
9           *subparagraph (A) for each fiscal year for*  
10           *grants to, or contracts or cooperative agree-*  
11           *ments with, public or private agencies or*  
12           *organizations with documented experience*  
13           *with and expertise in assistive technology*  
14           *service delivery, interagency coordination,*  
15           *and systemic change activities.*

16           “(iii) *ENTITIES WITH EXPERTISE IN*  
17           *ASSISTIVE TECHNOLOGY SYSTEMIC CHANGE,*  
18           *PUBLIC FUNDING OPTIONS, AND OTHER*  
19           *SERVICES.—For the purpose of achieving*  
20           *the objectives described in paragraph (1)(C),*  
21           *the Secretary shall reserve not less than 45*  
22           *percent and not more than 55 percent of the*  
23           *funds reserved under subparagraph (A) for*  
24           *each fiscal year for grants to, or contracts*  
25           *or cooperative agreements with, public or*

1           *private agencies or organizations with docu-*  
2           *mented experience with and expertise in—*

3                     *“(I) assistive technology systemic*  
4                     *change;*

5                     *“(II) public funding options; and*

6                     *“(III) services to increase nation-*  
7                     *wide the availability of funding for*  
8                     *assistive technology devices and*  
9                     *assistive technology services.*

10                    *“(iv) ENTITY WITH EXPERTISE IN*  
11                    *FUNDING.—The Secretary may reserve*  
12                    *funds equally from the amounts reserved*  
13                    *under clauses (ii) and (iii) for a fiscal year*  
14                    *in an amount up to \$300,000 for an addi-*  
15                    *tional grant to, or contract or cooperative*  
16                    *agreement with, a public or private organi-*  
17                    *zation with demonstrated expertise in fund-*  
18                    *ing. An organization that receives funding*  
19                    *through such a grant, contract, or agree-*  
20                    *ment shall use the funding to provide infor-*  
21                    *mation and technical assistance specifically*  
22                    *related to funding to assist the agencies,*  
23                    *and organizations described in clauses (ii)*  
24                    *and (iii) in carrying out activities under*  
25                    *this paragraph.*

1                   “(v) *APPLICATION.*—The Secretary  
2                   shall make any grants, and enter into any  
3                   contracts or cooperative agreements, under  
4                   this subsection on a competitive basis. To be  
5                   eligible to receive funds under this sub-  
6                   section an agency, organization, or institu-  
7                   tion shall submit an application to the Sec-  
8                   retary at such time, in such manner, and  
9                   containing such information as the Sec-  
10                  retary may require.

11                  “(2) *ONSITE VISITS.*—The Secretary may re-  
12                  serve, from amounts appropriated for any fiscal year  
13                  under subsection (a), such sums as the Secretary con-  
14                  siders to be necessary for the purposes of conducting  
15                  onsite visits as required by section 105(a)(2).”.

16 **SEC. 107. REPEALS.**

17                  Section 107 (29 U.S.C. 2217) is repealed.

18                                 **TITLE II—PROGRAMS OF**  
19                                 **NATIONAL SIGNIFICANCE**

20 **SEC. 201. NATIONAL CLASSIFICATION SYSTEM.**

21                  Part A of title II (29 U.S.C. 2231 et seq.) is amended  
22 to read as follows:

23                                 **“PART A—NATIONAL CLASSIFICATION SYSTEM**

24                                 **“SEC. 201. CLASSIFICATION SYSTEM.**

25                                 “(a) *PILOT PROJECT.*—

1           “(1) *IN GENERAL.*—*The Secretary shall conduct*  
2           *a pilot project to develop and test a national classi-*  
3           *fication system for assistive technology devices and*  
4           *assistive technology services, with the goal of obtain-*  
5           *ing uniform data through such a system on such de-*  
6           *vices and services across public programs and infor-*  
7           *mation and referral networks.*

8           “(2) *CONTRACTS AND COOPERATIVE AGREE-*  
9           *MENTS.*—*The Secretary may carry out this section*  
10          *directly, or, if necessary, by entering into contracts or*  
11          *cooperative agreements with appropriate entities.*

12          “(b) *SINGLE TAXONOMY.*—*In conducting the pilot*  
13          *project, the Secretary shall develop a national classification*  
14          *system that includes a single taxonomy and nomenclature*  
15          *for assistive technology devices and assistive technology*  
16          *services.*

17          “(c) *DATA COLLECTION INSTRUMENT.*—*In conducting*  
18          *the pilot project, the Secretary shall develop a data collec-*  
19          *tion instrument to—*

20                 “(1) *collect data regarding funding for assistive*  
21                 *technology devices and assistive technology services;*  
22                 *and*

23                 “(2) *collect such data from public programs, in-*  
24                 *cluding, at a minimum, programs carried out*  
25                 *under—*

1           “(A) title I, VI, or VII of the Rehabilitation  
2 Act of 1973 (29 U.S.C. 720 et seq., 795 et seq.,  
3 or 796 et seq.);

4           “(B) part B or H of the Individuals with  
5 Disabilities Education Act (20 U.S.C. 1411 et  
6 seq. or 1471 et seq.);

7           “(C) title V or XIX of the Social Security  
8 Act (42 U.S.C. 701 et seq. or 1396 et seq.);

9           “(D) the Older Americans Act of 1965 (42  
10 U.S.C. 3001 et seq.); or

11           “(E) the Developmental Disabilities Assist-  
12 ance and Bill of Rights Act (42 U.S.C. 6000 et  
13 seq.).

14           “(d) CONSULTATION AND COORDINATION.—

15           “(1) CONSULTATION.—The Secretary shall con-  
16 duct the pilot project in consultation with the Inter-  
17 agency Disability Coordinating Council established  
18 under section 507 of the Rehabilitation Act of 1973  
19 (29 U.S.C. 794c) and the National Council on Dis-  
20 ability established under section 400 of such Act (29  
21 U.S.C. 780).

22           “(2) COORDINATION.—The Secretary shall co-  
23 ordinate activities related to conducting the pilot  
24 project with—

1           “(A) activities carried out through State  
2 programs funded under title I;

3           “(B) the provision of technical assistance  
4 under section 106(b);

5           “(C) data collection activities that are being  
6 carried out on the date on which the Secretary  
7 initiates the pilot project;

8           “(D) activities being carried out through  
9 data collection systems in existence on such date;  
10 and

11           “(E) activities of appropriate entities, in-  
12 cluding entities involved in the information and  
13 referral field.

14           “(e) *TIMING.*—The Secretary shall complete the pilot  
15 project not later than 24 months after the date of enactment  
16 of this section.

17           “(f) *REPORT TO CONGRESS ON IMPLEMENTATION OF*  
18 *UNIFORM DATA COLLECTION SYSTEM.*—Not later than  
19 January 1, 1996, the Secretary shall prepare and submit  
20 to the appropriate committees of Congress a report contain-  
21 ing—

22           “(1) the results of the pilot project; and

23           “(2) the recommendations of the Secretary con-  
24 cerning the feasibility of implementing a uniform

1       *data collection system based on such a national clas-*  
2       *sification system.*

3       “(g) *RESERVATION.*—*From the amounts appropriated*  
4       *under part D, the Secretary shall reserve \$200,000 to carry*  
5       *out this part.”.*

6       **SEC. 202. TRAINING AND PUBLIC AWARENESS PROJECTS.**

7       *Section 221 (29 U.S.C. 2251) is amended—*

8               *(1) in subsection (a)—*

9                       *(A) in paragraph (1)—*

10                               *(i) by striking “institutions of higher*  
11                               *education” and inserting “institutions of*  
12                               *higher education and community-based or-*  
13                               *ganizations”;*

14                               *(ii) in subparagraph (A), by striking*  
15                               *“and” at the end;*

16                               *(iii) by striking the period at the end*  
17                               *of subparagraph (B), and inserting the fol-*  
18                               *lowing: “; to enhance opportunities for*  
19                               *independence, productivity, and inclusion of*  
20                               *individuals with disabilities; and”;* and

21                               *(iv) by adding at the end the following:*

22                               *“(C) providing training to develop aware-*  
23                               *ness, skills, and competencies of service provid-*  
24                               *ers, consumers, and volunteers, who are located*  
25                               *in rural areas, to increase the availability of*

1           *technology-related assistance in community-based*  
2           *settings for rural residents who are individuals*  
3           *with disabilities.”;*

4           *(B) in paragraph (2)—*

5                   *(i) by striking “needs of individuals*  
6                   *with disabilities” and all that follows and*  
7                   *inserting the following: “needs of individ-*  
8                   *uals with disabilities, the parents, family*  
9                   *members, guardians, advocates, and author-*  
10                   *ized representatives of the individuals, indi-*  
11                   *viduals who work for public agencies, or for*  
12                   *private entities (including insurers), that*  
13                   *have contact with individuals with disabil-*  
14                   *ities, educators and related services person-*  
15                   *nel, employers, and other appropriate indi-*  
16                   *viduals.”; and*

17           *(C) by adding at the end the following new*  
18           *paragraphs:*

19                   *“(3) USES OF FUNDS.—An agency or organiza-*  
20                   *tion that receives a grant under paragraph (1) may*  
21                   *use amounts made available through the grant to—*

22                           *“(A) pay for a portion of the cost of courses*  
23                           *of training or study related to technology-related*  
24                           *assistance; and*

1           “(B) *establish and maintain scholarships*  
2 *related to such courses of training or study, with*  
3 *such stipends and allowances as the Secretary*  
4 *may determine to be appropriate.*

5           “(4) *APPLICATION.—*

6           “(A) *IN GENERAL.—To be eligible to receive*  
7 *a grant under this section, an agency or organi-*  
8 *zation shall submit an application to the Sec-*  
9 *retary at such time, in such manner, and con-*  
10 *taining such information as the Secretary may*  
11 *require.*

12           “(B) *STRATEGIES.—At a minimum, any*  
13 *such application shall include a detailed descrip-*  
14 *tion of the strategies that the agency or organiza-*  
15 *tion will use to recruit and train persons to pro-*  
16 *vide technology-related assistance, in order to—*

17           “(i) *increase the extent to which such*  
18 *persons reflect the diverse populations of the*  
19 *United States; and*

20           “(ii) *increase the number of individ-*  
21 *uals with disabilities, and individuals who*  
22 *are members of minority groups, who are*  
23 *available to provide such assistance.”; and*

24           (2) *in subsection (b)—*

1           (A) in paragraph (1), by inserting “public  
2           and private agencies and organizations, includ-  
3           ing” before “institutions of higher education”;

4           (B) in paragraph (2), by striking “prepara-  
5           tion of personnel” and all that follows and in-  
6           serting the following: “interdisciplinary prepara-  
7           tion of personnel who provide or who will pro-  
8           vide technical assistance, who administer pro-  
9           grams, or who prepare other personnel, in order  
10          to—

11           “(A) support the development and imple-  
12          mentation of consumer-responsive comprehensive  
13          statewide programs of technology-related assist-  
14          ance to individuals with disabilities; and

15           “(B) enhance the skills and competencies of  
16          individuals involved in the provision of tech-  
17          nology-related assistance, including assistive  
18          technology devices and assistive technology serv-  
19          ices, to individuals with disabilities.”;

20          (C) in paragraph (3), to read as follows:

21          “(3) USES OF FUNDS.—An agency or organiza-  
22          tion that receives a grant under paragraph (1) may  
23          use amounts made available through the grant to—

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

4           “(B) establish and maintain scholarships  
5 related to such courses of training or study, with  
6 such stipends and allowances as the Secretary  
7 may determine to be appropriate.”; and

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

9           “(4) APPLICATION.—

10           “(A) IN GENERAL.—To be eligible to receive  
11 a grant under this section, an agency or organi-  
12 zation shall submit an application to the Sec-  
13 retary at such time, in such manner, and con-  
14 taining such information as the Secretary may  
15 require.

16           “(B) STRATEGIES.—At a minimum, any  
17 such application shall include a detailed descrip-  
18 tion of the strategies that the agency or organiza-  
19 tion will use to recruit and train persons to pro-  
20 vide technology-related assistance, in order to—

21           “(i) increase the extent to which such  
22 persons reflect the diverse populations of the  
23 United States; and

24           “(ii) increase the number of individ-  
25 uals with disabilities, and individuals who

1           are members of minority groups, who are  
2           available to provide such assistance.”.

3 **SEC. 203. DEMONSTRATION AND INNOVATION PROJECTS.**

4       Section 231(b)(3) (29 U.S.C. 2261(b)(3)) is amended  
5 to read as follows:

6           “(3) *DIRECT LOAN PROJECTS.*—*Demonstration*  
7 *projects carried out in accordance with regulations is-*  
8 *ssued by the Secretary (which may include a require-*  
9 *ment that the Secretary provide not more than 90*  
10 *percent of the costs of carrying out any such project*  
11 *under this section) to—*

12                   “(A) *examine alternative direct loan pro-*  
13 *grams, including—*

14                           “(i) *programs involving low-interest*  
15 *loan funds;*

16                           “(ii) *programs involving revolving*  
17 *loan funds; and*

18                           “(iii) *loan insurance programs,*  
19 *that would provide loans to individuals with dis-*  
20 *abilities, the parents, family members, guard-*  
21 *ians, advocates, or authorized representatives of*  
22 *individuals with disabilities, or employers of in-*  
23 *dividuals with disabilities; and*

24                           “(B) *evaluate the efficacy of the particular*  
25 *loan systems involved.”.*

1 **SEC. 204. AUTHORIZATION OF APPROPRIATIONS.**

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

4 **“SEC. 241. AUTHORIZATION OF APPROPRIATIONS.**

5 *“There are authorized to be appropriated to carry out*  
6 *this title such sums as may be necessary for each of the*  
7 *fiscal years 1994, 1995, and 1996.”.*

8 **SEC. 205. REPEALS AND REDESIGNATIONS.**

9 *Title II (29 U.S.C. 2231 et seq.) is amended—*

10 *(1) by repealing part B;*

11 *(2) by redesignating parts C, D, and E as parts*  
12 *B, C, and D, respectively;*

13 *(3) by repealing section 222;*

14 *(4) by redesignating sections 221 and 223 as sec-*  
15 *tions 211 and 212, respectively; and*

16 *(5) by redesignating sections 231 and 241 as sec-*  
17 *tions 221 and 231, respectively.*

18 **TITLE III—REQUIREMENTS**  
19 **UNDER HEAD START ACT**

20 **SEC. 301. ADMINISTRATIVE REQUIREMENTS UNDER THE**  
21 **HEAD START ACT.**

22 *Section 644(f) of the Head Start Act (42 U.S.C.*  
23 *9839(f)) is amended—*

24 *(1) in paragraph (1)—*

25 *(A) by inserting “, or to approve a prior*  
26 *purchase of” after “to purchase,”; and*

1           (B) by inserting before the period at the end  
2 thereof the following: “, and shall suspend any  
3 proceedings pending against any Head Start  
4 agency to claim costs incurred in purchasing  
5 such facilities until the agency has been afforded  
6 an opportunity to apply for approval of the pur-  
7 chase and the Secretary has determined whether  
8 the purchase will be approved. The Secretary  
9 shall not be required to repay claims previously  
10 satisfied by Head Start agencies for costs in-  
11 curred in the purchase of facilities”; and  
12 (2) in paragraph (2)—

13           (A) in subparagraph (A), by inserting “or  
14 that was previously purchased” before the semi-  
15 colon; and

16           (B) in subparagraph (C)—

17           (i) by inserting “, or the previous pur-  
18 chase has resulted,” after “purchase will re-  
19 sult” in clause (i); and

20           (ii) by inserting “, or would have pre-  
21 vented,” after “will prevent” in clause (ii).

Attest:

Secretary.

HR 2339 EAS—2

HR 2339 EAS—3

HR 2339 EAS—4

HR 2339 EAS—5

HR 2339 EAS—6

HR 2339 EAS—7

HR 2339 EAS—8

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