

108TH CONGRESS
1ST SESSION

H. R. 2385

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2003

Mr. SIMPSON (for himself and Mr. ABERCROMBIE) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

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

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

3 **SECTION 1. STATE ALLOTMENTS FOR CENTERS FOR INDE-**
4 **PENDENT LIVING.**

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

8 “(c) ALLOTMENTS TO STATES.—

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

1 “(A) ADDITIONAL APPROPRIATION.—The
2 term ‘additional appropriation’ means the
3 amount (if any) by which the appropriation for
4 a fiscal year exceeds the total of—

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

7 “(ii) the appropriation for fiscal year
8 2003.

9 “(B) APPROPRIATION.—The term ‘appro-
10 priation’ means the amount appropriated to
11 carry out this part.

12 “(C) BASE APPROPRIATION.—The term
13 ‘base appropriation’ means the portion of the
14 appropriation for a fiscal year that is equal to
15 the lesser of—

16 “(i) an amount equal to 100 percent
17 of the appropriation, minus the amount re-
18 served under subsection (b) for that fiscal
19 year; or

20 “(ii) the appropriation for fiscal year
21 2003.

22 “(2) ALLOTMENTS TO STATES FROM BASE AP-
23 PROPRIATION.—After the reservation required by
24 subsection (b) has been made, the Commissioner
25 shall allot to each State whose State plan has been

1 approved under section 706 an amount that bears
2 the same ratio to the base appropriation as the
3 amount the State received under this subsection for
4 fiscal year 2003 bears to the total amount that all
5 States received under this subsection for fiscal year
6 2003.

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

12 “(A) an amount that bears the same ratio
13 to 50 percent of the additional appropriation as
14 the population of the State bears to the popu-
15 lation of all States; and

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

18 “(4) MAINTENANCE OF EFFORT.—

19 “(A) IN GENERAL.—The Commissioner
20 shall not make a payment for the allotments de-
21 scribed in this subsection to any State for a fis-
22 cal year unless the Commissioner—

23 “(i) determines that the State inde-
24 pendent living expenditure for the first
25 preceding fiscal year is not less than the

1 State independent living expenditure for
2 the second preceding fiscal year; or

3 “(ii) reduces the amount of the pay-
4 ment by the amount by which the State
5 independent living expenditure for the sec-
6 ond preceding fiscal year exceeds the State
7 independent living expenditure for the first
8 preceding fiscal year.

9 “(B) DEFINITION.—In this subsection, the
10 term ‘State independent living expenditure’,
11 used with respect to a fiscal year, means the
12 total expenditure in the State of other Federal
13 funds (other than funds made available to carry
14 out this part), State funds, and local funds for
15 that fiscal year to provide assistance for centers
16 for independent living.”.

17 **SEC. 2. REPORT.**

18 Section 704(m)(4)(D) of the Rehabilitation Act of
19 1973 (42 U.S.C. 795c(m)(4)(D)) is amended by inserting
20 “, including reports indicating the manner in which and
21 extent to which the State complied with the maintenance
22 of effort requirement specified in section 721(c)(4)(A)(i)”
23 before the semicolon.

○