103D CONGRESS
1ST SESSION

H. R. 2339

AMENDMENT

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

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:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Technology-Related Assistance Act Amendments of 1993''.

SEC. 2. REFERENCES.

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

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

SEC. 3. FINDINGS, PURPOSES, AND POLICY.

(a) SECTION HEADING.—Section 2 (29 U.S.C. 2201) is amended by striking the heading and inserting the following:

"SEC. 2. FINDINGS, PURPOSES, AND POLICY.".

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

(1) in paragraph (3)(C), by striking ''non-disabled individuals'' and inserting ''individuals who do not have disabilities'';

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

(3) by inserting after paragraph (3) the following new paragraph:

''(4) The goals of the Nation properly include providing individuals with disabilities with the tools, including assistive technology devices and assistive technology services, necessary to—

''(A) make informed choices and decisions; and

''(B) achieve equality of opportunity, full inclusion and integration in society, employment, independent living, and economic and social self-sufficiency, for such individuals.'';

(4) in paragraph (6) (as redesignated in paragraph (2) of this subsection)—

(A) by striking ''assistive technology devices and services'' and inserting ''assistive technology devices and assistive technology services''; and

(B) by striking ''families'' and inserting ''the parents, family members, guardians, advocates, and authorized representatives'';

(5) in subparagraph (C) of paragraph (7) (as redesignated in paragraph (2) of this subsection), to read as follows:

''(C) information about the potential of technology available to individuals with disabilities, the parents, family members, guardians, advocates, and authorized representatives of the individuals, individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities, educators and related services personnel, employers, and other appropriate individuals;'';

(6) in paragraph (8) (as redesignated in paragraph (2) of this subsection) by striking ''limited markets'' and inserting ''a perception that such individuals constitute a limited market''; and

(7) in the second sentence of paragraph (9) (as redesignated in paragraph (2) of this subsection), by striking ''to individuals with disabilities'' and all that follows and inserting the following: ''to individuals with disabilities, the parents, family members, guardians, advocates, and authorized representatives of the individuals, individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities, educators and related services personnel, employers, and other appropriate individuals.''.

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

''(1) To provide financial assistance to the States to support systemic change and advocacy activities designed to assist each State in developing and implementing a consumer-responsive comprehensive statewide program of technology-related assistance, for individuals of all ages who are individuals with disabilities, that is designed to—

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

"(B) increase the active involvement of individuals with disabilities, and the parents, family members, guardians, advocates, and authorized representatives of individuals with disabilities in the planning, development, implementation and evaluation of such a program;

"(C) increase the involvement of individuals with disabilities, and, if appropriate, the parents, family members, guardians, advocates, or authorized representatives of individuals with disabilities, in decisions related to the provision of assistive technology devices and assistive technology services;

"(D) increase and promote interagency coordination among State agencies, and between State agencies and private entities, that are involved in carrying out activities under section 101, particularly providing assistive technology devices and assistive technology services, that accomplish a purpose described in another subparagraph of this paragraph;

"(E)(i) increase the awareness of laws, regulations, policies, practices, procedures, and organizational structures, that facilitate the avail-

ability or provision of assistive technology devices and assistive technology services; and

"(ii) facilitate the change of laws, regulations, policies, practices, procedures, and organizational structures, that impede the availability or provision of assistive technology devices or assistive technology services;

"(F) increase the probability that individuals of all ages who are individuals with disabilities will, to the extent appropriate, be able to secure and maintain possession of assistive technology devices as such individuals make the transition between services offered by human service agencies or between settings of daily living;

"(G) enhance the skills and competencies of individuals involved in providing assistive technology devices and assistive technology services;

"(H) increase awareness and knowledge of the efficacy of assistive technology devices, and assistive technology services, among—

"(i) individuals with disabilities;

"(ii) the parents, family members, guardians, advocates, or authorized representatives of individuals with disabilities;

"(iii) individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities;

"(iv) educators and related services personnel;

"(v) employers; and

"(vi) other appropriate individuals and entities;

"(I) increase the capacity of public entities and private entities to provide and pay for assistive technology devices and assistive technology services, on a statewide basis for individuals of all ages who are individuals with disabilities; and

"(J) increase the awareness of the needs of individuals with disabilities for assistive technology devices and for assistive technology services.".

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

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

''(1) respect for individual dignity, personal responsibility, self-determination, and pursuit of meaningful careers, based on informed choice, of individuals with disabilities;

''(2) respect for the privacy, rights, and equal access (including the use of accessible formats), of the individuals;

''(3) inclusion, integration, and full participation of the individuals;

''(4) support for the involvement of a parent, a family member, a guardian, an advocate, or an authorized representative if an individual with a disability requests, desires, or needs such support; and

''(5) support for individual and systemic advocacy and community involvement.''.

SEC. 4. DEFINITIONS.

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

(1) in paragraph (2)(E), by striking ''for an individual'' and all that follows and inserting the following ''for an individual with a disability, or, where appropriate, the parent, family member, guardian, advocate, or authorized representative of an individual with a disability; and'';

(2) by redesignating paragraphs (3) through (8) as paragraphs (6), (7), (9), (10), (12), and (13), respectively;

(3) by inserting after paragraph (2) the following new paragraphs:

"(3) CONSUMER-RESPONSIVE COMPREHENSIVE STATEWIDE PROGRAM OF TECHNOLOGY-RELATED ASSISTANCE.—The term 'consumer-responsive comprehensive statewide program of technology-related assistance' means a statewide program of technology-related assistance developed and implemented by a State under title I that—

"(A) is consumer-responsive; and

"(B)(i) addresses the needs of all individuals with disabilities, including underserved groups, who can benefit from the use of assistive technology devices and assistive technology services;

"(ii) addresses such needs without regard to the age, type of disability, race, ethnicity, or gender of such individuals, or the particular major life activity for which such individuals need the assistance; and

"(iii) addresses such needs without requiring that the assistance be provided through any particular agency or service delivery system.

"(4) CONSUMER-RESPONSIVE.—The term 'consumer-responsive' means, with respect to an entity or program, that the entity or program—

"(A) is easily accessible to and usable by individuals with disabilities and, when appropriate, the parents, family members, guardians, advocates, or authorized representatives of such individuals;

"(B) responds to the needs of individuals with disabilities in a timely and appropriate manner; and

"(C) facilitates the full and meaningful participation of individuals with disabilities in—

"(i) decisions relating to the provision of assistive technology devices and assistive technology services to such individuals; and

"(ii) the planning, development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance for individuals with disabilities.

"(5) DISABILITY.—The term 'disability' means a condition considered to be a disability or handicap for the purposes of any Federal law other than this Act or for the purposes of the law of the State involved.";

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

"(6) INDIVIDUAL WITH A DISABILITY; INDIVIDUALS WITH DISABILITIES.—

"(A) INDIVIDUAL WITH A DISABILITY.—The term 'individual with a disability' means any individual—

"(i) who is considered to have a disability for the purposes of any Federal law other than this Act or for the purposes of the law of the State in which the individual resides; and

"(ii) who is or would be enabled by assistive technology devices or assistive technology services to maintain a level of functioning or to achieve a greater level of functioning in any major life activity.

"(B) INDIVIDUALS WITH DISABILITIES.—The term 'individuals with disabilities' means more than one individual with a disability.";

(5) in paragraph (7) (as redesignated by paragraph (2) of this subsection) by striking ''section 435(b)'' and inserting ''section 481'';

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

''(8) PROTECTION AND ADVOCACY SERVICES.—The term 'protection and advocacy services' means services that—

''(A) are described in part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041 et seq.), the Protection and Advocacy for Mentally Ill Individuals Act (42 U.S.C. 10801 et seq.), or section 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e); and

''(B) assist individuals with disabilities, or the parents, family members, guardians, advocates, or authorized representatives of the individuals, with respect to assistive technology devices and assistive technology services.'';

(7) in paragraph (10) (as redesignated by paragraph (2) of this subsection)—

(A) by striking ''several States'' and inserting ''several States of the United States'';

(B) by striking ''Virgin Islands'' and inserting ''United States Virgin Islands''; and

(C) by striking ''the Trust Territory of the Pacific Islands'' and inserting ''the Republic of Palau (until the Compact of Free Association with Palau takes effect)'';

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

''(11) SYSTEMIC CHANGE.—The term 'systemic change' means efforts that result in public or private agencies and organizations having greater capacity or enhanced ability to be consumer-responsive and provide funding for or access to assistive technology devices and assistive technology services, or otherwise increase the availability of such technology, to benefit individuals with disabilities, or the parents, family members, guardians, advocates, or authorized representatives of such individuals on a permanent basis.''; and

(9) in paragraph (12) (as redesignated by paragraph (2) of this subsection)—

(A) by striking ''functions performed and''; and

(B) by inserting ''any of subparagraphs (A) through (J) of'' before ''section 2(b)(1)''.

TITLE I—GRANTS TO STATES

SEC. 101. PROGRAM AUTHORIZED.

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

(1) by inserting after ''provisions of this title'' the following: ''to support systemic change and advocacy activities designed''; and

(2) by striking ''to develop and implement'' and inserting ''in developing and implementing''.

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

''(b) ACTIVITIES.—

''(1) USE OF FUNDS.—

''(A) IN GENERAL.—Any State that receives a grant under section 102 or 103 shall use the funds made available through the grant to accomplish the purposes described in section 2(b)(1) by carrying out any of the systemic change and advocacy activities described in paragraphs (2) through (12) in a manner that is consumer-responsive.

''(B) PARTICULAR ACTIVITIES.—In carrying out such systemic change and advocacy activities, the State shall particularly carry out activities regarding—

"(i) the development, implementation, and monitoring of State, regional, and local laws, regulations, policies, practices, procedures, and organizational structures, that will improve access to and funding for assistive technology devices and assistive technology services;

"(ii) the development and implementation of strategies to overcome barriers to funding of such devices and services, with particular emphasis on addressing the needs of underserved groups; and

"(iii) the development and implementation of strategies to enhance the ability of individuals with disabilities, and the parents, family members, guardians, advocates, and authorized representatives of such individuals, to successfully advocate for access to and funding for assistive technology devices and assistive technology services.

"(2) ACCESS TO AND FUNDING FOR ASSISTIVE TECHNOLOGY.—The State may support activities to increase access to and funding for assistive technology, including—

"(A) the identification of barriers to funding of assistive technology devices and assistive technology services for individuals of all ages who are individuals with disabilities, with priority for identification of barriers to funding through State special education services, vocational rehabilitation services, and medical assistance services or, as appropriate, other health and human services; and

"(B) the development, and evaluation of the efficacy, of model delivery systems that provide assistive technology devices and assistive technology services to individuals with disabilities, that pay for such devices and services, and that, if successful, could be replicated or generally applied, such as—

"(i) the development of systems for the purchase, lease, other acquisition, or payment for the provision, of assistive technology devices and assistive technology services; and

"(ii) the establishment of alternative State or privately financed systems of subsidies for the provision of assistive tech-

nology devices and assistive technology services, such as—

"(I) a loan system for assistive technology devices (including assistive technology demonstration and recycling centers);

"(II) an income-contingent loan fund;

"(III) a low-interest loan fund;

"(IV) a revolving loan fund;

"(V) a loan insurance program; and

"(VI) a partnership with private entities for the purchase, lease, or other acquisition of assistive technology devices and the provision of assistive technology services.

"(3) REPRESENTATION.—The State may support individual case management or representation of individuals with disabilities to secure their rights to assistive technology devices and assistive technology services.

"(4) INTERAGENCY COORDINATION.—The State may support activities—

"(A) to identify and coordinate Federal and State policies, resources, and services, relating to the provision of assistive technology devices and assistive technology services, for individuals with disabilities, including entering into interagency agreements;

"(B) to support the establishment or continuation of partnerships and cooperative initiatives among public sector agencies and between the public sector and the private sector to facilitate the development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance for individuals with disabilities;

"(C) to convene interagency work groups to enhance public funding options and coordinate access to funding for assistive technology devices and assistive technology services for individuals of all ages who are individuals with disabilities, with special attention to the issues of transition, home use, and individual involvement in the identification, planning, use, delivery, and evaluation of such devices and services; or

"(D) to document and disseminate information about interagency activities that promote

coordination with respect to assistive technology services and assistive technology devices, including evidence of increased participation of State and local special education, vocational rehabilitation, and State medical assistance agencies and departments.

"(5) STATEWIDE NEEDS ASSESSMENT.—The State may conduct a statewide needs assessment, which may be based on data in existence on the date on which the assessment is initiated and may include—

"(A) estimates of the numbers of individuals with disabilities within the State, categorized by residence, type and extent of disabilities, age, race, gender, and ethnicity;

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

"(i) the number of individuals with disabilities who received appropriate

assistive technology devices and assistive technology services; and

"(ii) a description of the devices and services provided;

"(C) information on the number of individuals with disabilities who are in need of assistive technology devices and assistive technology services, and a description of the devices and services needed;

"(D) information on the cost of providing assistive technology devices and assistive technology services to all individuals with disabilities within the State who need such devices and services;

"(E) a description of State and local public resources and private resources (including insurance) that are available to establish a consumer-responsive comprehensive statewide program of technology-related assistance for individuals with disabilities;

"(F) information identifying Federal and State laws, regulations, policies, practices, procedures, and organizational structures, that facilitate or interfere with the operation of a

consumer-responsive comprehensive statewide program of technology-related assistance;

"(G) a description of the procurement policies of the State and the extent to which such policies will ensure, to the extent practicable, that assistive technology devices purchased, leased, or otherwise acquired with assistance made available through a grant made under section 102 or 103 are compatible with other technology devices, including technology devices designed primarily for use by—

"(i) individuals who are not individuals with disabilities;

"(ii) individuals who are elderly; or

"(iii) individuals with particular disabilities; and

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

"(i) the purchase, lease, or other acquisition of assistive technology devices; or

"(ii) the use of assistive technology services.

"(6) OUTREACH.—The State may provide assistance to statewide and community-based organizations, or systems, that provide assistive technology devices and assistive technology services to individuals with disabilities. Such assistance may include outreach to consumer organizations and groups in the State to coordinate the activities of the organizations and groups with consumer-driven efforts (including self-help, support groups, and peer mentoring) to assist individuals with disabilities, or the parents, family members, guardians, advocates, or authorized representatives of the individuals, to obtain funding for and access to assistive technology devices and assistive technology services.

"(7) PUBLIC AWARENESS PROGRAM.—

"(A) IN GENERAL.—The State may—

"(i) support a public awareness program designed to provide information relating to the availability and efficacy of assistive technology devices and assistive technology services for—

"(I) individuals with disabilities;

"(II) the parents, family members, guardians, advocates, or authorized representatives of such individuals;

"(III) individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities;

"(IV) educators and related services personnel;

"(V) employers; and

"(VI) other appropriate individuals and entities; or

"(ii) establish and support such a program if no such program exists.

"(B) CONTENTS.—Such a program may include—

"(i) the development and dissemination of information relating to—

"(I) the nature of assistive technology devices and assistive technology services;

"(II) the appropriateness, cost, and availability of, and access to

assistive technology devices and assistive technology services; and

"(III) the efficacy of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities;

"(ii) the development of procedures for providing direct communication among public providers of assistive technology devices and assistive technology services and between public providers and private providers of such devices and services (including employers); and

"(iii) the development and dissemination of information relating to—

"(I) use of the program by individuals with disabilities, the parents, family members, guardians, advocates, or authorized representatives of such individuals, professionals who work in a field related to an activity described in this section, and other appropriate individuals; and

"(II) the nature of the inquiries made by the persons described in subclause (I).

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

"(A) that—

"(i) are provided for individuals with disabilities, the parents, family members, guardians, advocates, and authorized representatives of the individuals, and other appropriate individuals; and

"(ii) may include—

"(I) training in the use of assistive technology devices and assistive technology services;

"(II) the development of written materials, training, and technical assistance describing the means by which agencies consider the needs of an individual with a disability for assistive technology devices and assistive technology services in developing, for the individual, any individualized edu-

cation program described in section 614(a)(5) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(a)(5)), any individualized written rehabilitation program described in section 102 of the Rehabilitation Act of 1973 (29 U.S.C. 722), any individualized family service plan described in section 677 of the Individuals with Disabilities Education Act (20 U.S.C. 1477), and any other individualized plans or programs;

"(III) training regarding the rights of the persons described in clause (i) to assistive technology devices and assistive technology services under public laws and regulations in existence at the time of the training, to promote fuller independence, productivity, and inclusion in and integration into society of such persons; and

"(IV) training to increase consumer participation in the identification, planning, use, delivery, and evaluation of assistive technology de-

vices and assistive technology services; and

"(B) that—

"(i) enhance the assistive technology skills and competencies of—

"(I) individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities;

"(II) educators and related services personnel;

"(III) employers; and

"(IV) other appropriate personnel; and

"(ii) include—

"(I) developing and implementing strategies for including such training within State training initiatives; and

"(II) taking actions to facilitate the development of standards, or, when appropriate, the application of such standards, to ensure the availability of qualified personnel.

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

"(10) ACCESS TO TECHNOLOGY-RELATED INFORMATION.—

"(A) IN GENERAL.—The State may develop, operate, or expand a system for public access to information concerning an activity carried out under another paragraph of this subsection, including information about assistive technology devices and assistive technology services, funding sources and costs of such assistance, and individuals, organizations, and agencies capable of carrying out such an activity for individuals with disabilities.

"(B) SYSTEM.—In developing, operating, or expanding a system described in subparagraph (A), the State may—

"(i) develop, compile, and categorize print, braille, audio, and video materials, and materials in electronic formats, containing the information described in subparagraph (A);

"(ii) identify and classify existing funding sources, and the conditions of and

criteria for access to such sources, including any funding mechanisms or strategies developed by the State;

"(iii) identify existing support groups and systems designed to help individuals with disabilities make effective use of an activity carried out under another paragraph of this subsection; and

"(iv) maintain a record of the extent to which citizens of the State use or make inquiries of the system established in subparagraph (A), and of the nature of such inquiries.

"(11) INTERSTATE AGREEMENTS.—The State may enter into cooperative agreements with other States to expand the capacity of the States involved to assist individuals of all ages who are individuals with disabilities to learn about, acquire, use, maintain, adapt, and upgrade assistive technology devices and assistive technology services that such individuals need at home, at school, at work, or in other environments that are part of daily living.

"(12) OTHER ACTIVITIES.—The State may utilize amounts made available through grants made under section 102 or 103 for any systemic change and

advocacy activities, other than the activities described in another paragraph of this subsection, that are necessary for developing, implementing, or evaluating the consumer-responsive comprehensive statewide program of technology-related assistance.''.

(c) CONFORMING AMENDMENT.—Section 231(b)(1) is amended by striking ''section 101(c)(1)'' and inserting ''section 101(b)(2)(B)''.

SEC. 102. DEVELOPMENT GRANTS.

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

(1) in subsection (a)—

(A) by striking ''3-year grants'' and inserting ''3-year grants to support systemic change and advocacy activities described in section 101(b)''; and

(B) by striking ''to develop and implement statewide programs'' and inserting ''in developing and implementing consumer-responsive comprehensive statewide programs'';

(2) by striking subsection (b);

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

(4) in subsection (b) (as redesignated in paragraph (3) of this section)—

(A) in paragraph (3)(C), by striking ''statewide program'' and inserting ''consumer-responsive comprehensive statewide program''; and

(B) in paragraph (5)—

(i) in subparagraph (A)—

(I) by striking ''(A)'' and inserting ''(A) STATE.—'';

(II) by inserting ''United States'' before ''Virgin Islands''; and

(III) by striking ''Trust Territory of the Pacific Islands'' and inserting ''Republic of Palau''; and

(ii) in subparagraph (B)—

(I) by striking ''(B)'' and inserting ''(B) TERRITORY.—'';

(II) by inserting ''United States'' before ''Virgin Islands''; and

(III) by striking ''Trust Territory of the Pacific Islands'' and inserting ''Republic of Palau (until the Compact of Free Association takes effect)'';

(5) in paragraph (2) of subsection (c) (as redesignated in paragraph (3) of this section) by striking ''statewide programs'' and inserting ''consumer-responsive comprehensive statewide programs'';

(6) by inserting after such subsection (c) the following:

"(d) DESIGNATION OF THE LEAD AGENCY.—

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

"(A) submitting the application described in subsection (e) on behalf of the State;

"(B) administering and supervising the use of amounts made available under the grant;

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

"(ii) coordinating the planning, development, and implementation of the consumer-responsive comprehensive statewide program of technology-related assistance among public agencies and between public agencies and private agencies, including coordinating efforts related to entering into interagency agreements; and

"(iii) coordinating efforts related to, and supervising, the active, timely, and meaningful participation by individuals with disabilities, the parents, family members, guardians, advocates, or authorized representatives of such individuals, and other appropriate individuals, with

respect to activities carried out under the grant; and

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

"(2) QUALIFICATIONS.—In designating the lead agency, the Governor—

"(A) may designate—

"(i) a commission appointed by the Governor;

"(ii) a public-private partnership or consortium;

"(iii) a university-affiliated program;

"(iv) a public agency;

"(v) a council established under Federal or State law; or

"(vi) another appropriate office, agency, entity, or individual; and

"(B) shall designate an entity that provides evidence of ability to—

"(i) respond to needs of individuals with disabilities who represent a variety of ages and types of disabilities;

''(ii) respond statewide to the assistive technology needs of individuals with disabilities;

''(iii) promote and accomplish systemic change;

''(iv) promote and accomplish the establishment of public-private partnerships;

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

''(vi) document consumer confidence in, and responsiveness to, the consumer-responsive comprehensive statewide program of technology-related assistance; and

''(vii) exercise leadership in implementing effective strategies for capacity building and training for appropriate entities, and enhancement of interagency coordination of activities related to funding for assistive technology devices and assistive technology services.'';

(7) in subsection (e)—

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

"(1) DESIGNATION OF THE LEAD AGENCY.—Information identifying the lead agency designated by the Governor under subsection (d).

"(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the preparation of the application and the continuing role of each such agency in the development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance, including a description of the process used by each agency for providing access to and funding for assistive technology devices and assistive technology services.

"(3) INVOLVEMENT.—

"(A) CONSUMER INVOLVEMENT.—A description of procedures that—

"(i) provide for—

"(I) the active involvement of individuals with disabilities, the parents, family members, guardians, advocates, and authorized representatives of the individuals, and other appropriate in-

dividuals, in the development, implementation, and evaluation of the program; and

"(II) the active involvement, to the maximum extent appropriate, of individuals with disabilities who use assistive technology devices and assistive technology services, in decisions relating to such devices and services; and

"(ii) shall include—

"(I) mechanisms to provide support for the expenses related to such involvement of individuals with disabilities, including payment of travel expenses, qualified interpreters, readers, personal care assistants, or other similar services and action necessary to ensure participation by such individuals; and

"(II) mechanisms for determining consumer satisfaction and participation of individuals with disabilities who represent a variety of ages and types of disabilities, in the consumer-

responsive comprehensive statewide program of technology-related assistance.

''(B) PUBLIC INVOLVEMENT.—A description of the nature and extent of—

''(i) the involvement of—

''(I) individuals with disabilities;

''(II) the parents, family members, guardians, advocates, or authorized representatives of such individuals;

''(III) other appropriate individuals who are not employed by a State agency; and

''(IV) organizations, providers, and interested parties, in the private sector,

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

''(ii) the continuing role of the individuals and entities described in clause (i) in the program.'';

(B) in paragraphs (4) and (5), by striking ''statewide program'' each place the term ap-

pears and inserting ''consumer-responsive comprehensive statewide program'';

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

''(6) GOALS, OBJECTIVES, ACTIVITIES, AND OUTCOMES.—Information on the program to be carried out under the grant with respect to—

''(A) the goals and objectives of the State for the program;

''(B) the systemic change and advocacy activities described in section 101(b) that the State plans to carry out under the program, including, at a minimum, activities related to access to, and funding for, assistive technology devices and assistive technology services, case management or representation, and interagency coordination as described in section 101(b), unless the State demonstrates through the progress reports required under section 104 that—

''(i) significant progress has been made in the development and implementation of such a program; and

''(ii) other systemic change and advocacy activities described in section 101(b) will increase the likelihood that the program

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

''(C) the expected outcomes of the State for the program,

consistent with the purposes described in section 2(b)(1).

''(7) DATA COLLECTION AND EVALUATIONS.—A description of—

''(A) the data collection system used for compiling information about the program, consistent with such requirements as the Secretary may establish for such system, and, to the extent that a national classification system is developed pursuant to section 201, consistent with such classification system; and

''(B) the procedures that will be used to conduct evaluations of the program.'';

(D) in paragraphs (11)(B)(i) and (12)(B) by striking ''individual with disabilities'' and inserting ''individual with a disability'';

(E) in paragraph (16)(A), by striking ''families or representatives'' and inserting ''parents, family members, guardians, advocates, or authorized representatives'';

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

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

"(17) AUTHORITY TO USE FUNDS.—An assurance that the lead agency designated under subsection (d) will have the authority to use funds made available through a grant made under section 102 or 103 to comply with the requirements of section 102 or 103, respectively, including the ability to hire qualified staff necessary to carry out activities under the program.

"(18) PROTECTION AND ADVOCACY SERVICES.—Either—

"(A) an assurance that the State will annually provide, from the funds made available to the State through a grant made under section 102 or 103, not less than an amount equal to the lesser of—

"(i) $75,000; or

"(ii) 10 percent of such funds,

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

assistive technology services through the systems established to provide protection and advocacy under the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.), the Protection and Advocacy for Mentally Ill Individuals Act (42 U.S.C. 10801 et seq.), and section 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e); or

"(B) at the discretion of the State, a request that the Secretary annually reserve, from the funds made available to the State through a grant made under section 102 or 103, not less than the amount described in subparagraph (A) in order for the Secretary to make a grant or enter into a contract to support the protection and advocacy services described in subparagraph (A) through entities described in subparagraph (A).

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

"(20) COORDINATION WITH STATE COUNCILS.—An assurance that the lead agency will coordinate the

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

"(A) any council or commission specified in the assurance provided by the State in accordance with section 101(36) of the Rehabilitation Act of 1973 (29 U.S.C. 721(36));

"(B) the Statewide Independent Living Council established under section 705 of the Rehabilitation Act (29 U.S.C. 796d);

"(C) the advisory panel established under section 613(a)(12) of the Individuals with Disabilities Education Act (20 U.S.C. 1413(a)(12));

"(D) the State Planning Council described in section 124 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6024);

"(E) the State mental health planning council established under section 1914 of the Public Health Service Act (42 U.S.C. 300x–3); and

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

"(21) COORDINATION WITH OTHER SYSTEMIC CHANGE PROJECTS.—An assurance that the lead agency will coordinate the activities funded through a grant made under section 102 or 103 with the activities carried out by other systemic change projects funded through Federal or State sources."; and

(8) by adding at the end the following:

"(f) PROTECTION AND ADVOCACY REQUIREMENTS.—

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

"(A) is comparable to the program described in subsection (e)(18); and

"(B) is not carried out by an entity described in such subsection,

shall be considered to meet the requirements of such subsection.

"(2) PROTECTION AND ADVOCACY SERVICE PROVIDER REPORT.—

"(A) PREPARATION.—An entity that receives funds reserved under subsection (e)(18)(B) to carry out the protection and advocacy services described in subsection (e)(18)(A) in a State shall prepare reports that—

"(i) describe the activities carried out by the entity with such funds; and

"(ii) contain such additional information as the Secretary may require.

"(B) SUBMISSION.—The entity shall submit the reports to the program described in subsection (a) in the State not less often than every 6 months.

"(C) UPDATES.—The entity shall provide monthly updates to the program described in subsection (a) concerning the activities and information described in subparagraph (A).

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

SEC. 103. EXTENSION GRANTS.

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

"SEC. 103. EXTENSION GRANTS.

"(a) EXTENSION GRANTS.—

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

"(2) ADDITIONAL EXTENSION GRANT.—The Secretary may award an additional 3-year extension grant to any State that meets the standards specified in subsection (b)(2).

"(b) STANDARDS.—

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

"(A) provide the evidence described in section 102(d)(2)(B); and

"(B) demonstrate that the State has made significant progress, and has carried out systemic change and advocacy activities described in section 101(b) that have resulted in significant progress, toward development and the implementation of a consumer-responsive comprehensive statewide program of technology-related assistance, consistent with sections 2(b)(1), 101, and 102.

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

"(A) provide the evidence and make the demonstration described in paragraph (1);

"(B) describe the steps the State has taken or will take to continue on a permanent basis the consumer-responsive comprehensive statewide program of technology-related assistance with the ability to maintain, at a minimum, the outcomes achieved by the systemic change and advocacy activities; and

"(C) identify future funding options and commitments for the program from the public and private sector and the key individuals, agencies, and organizations to be involved in, and to direct future efforts of, the program.

"(c) AMOUNTS OF GRANTS.—

"(1) IN GENERAL.—

"(A) STATES.—From amounts appropriated under section 106 for any fiscal year, the Secretary shall pay to each State that receives a grant under this section an amount that is not less than $500,000 and not more than $1,500,000.

"(B) TERRITORIES.—From amounts appropriated under section 106 for any fiscal year, the Secretary shall pay to each territory that receives a grant under this section an amount that is not more than $150,000.

"(C) DEFINITIONS.—For purposes of this paragraph:

"(i) STATE.—The term 'State' does not include the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Republic of Palau.

"(ii) TERRITORY.—The term 'territory' means the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until the Compact of Free Association takes effect).

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

"(A) amounts available for making grants pursuant to this section;

"(B) the population of the State;

"(C) the types of assistance to be provided in the State; and

"(D) the amount of resources committed by the State and available to the State from other sources.

"(3) PRIORITY FOR PREVIOUSLY PARTICIPATING STATES.—Amounts appropriated in any fiscal year for purposes of carrying out the provisions of this section shall first be made available to States that received grants under this section during the fiscal year preceding the fiscal year concerned.

"(d) APPLICATION.—A State that desires to receive an extension grant under this section shall submit an application that contains the following information and assurances with respect to the consumer-responsive comprehensive statewide program of technology-related assistance in the State:

"(1) INFORMATION AND ASSURANCES.—The information and assurances described in section 102(e), except the preliminary needs assessment described in section 102(e)(4).

"(2) NEEDS; PROBLEMS; STRATEGIES; OUTREACH.—

"(A) NEEDS.—A description of needs relating to technology-related assistance of individ-

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

"(B) PROBLEMS.—A description of any problems that remain with the development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance in the State.

"(C) STRATEGIES.—A description of the strategies that the State will pursue during the grant period to remedy the problems with the development and implementation of such a program.

"(D) OUTREACH ACTIVITIES.—A description of outreach activities to be conducted by the State, including dissemination of information to eligible populations, with special attention to underserved groups.

"(3) ACTIVITIES AND PROGRESS UNDER PREVIOUS GRANT.—A description of—

"(A) the specific systemic change and advocacy activities described in section 101(b) carried

out under the development grant received by the State under section 102, or, in the case of an application for a grant under subsection (a)(2), under an initial extension grant received by the State under this section, including—

''(i) a description of State actions that were undertaken to produce systemic change on a permanent basis for individuals of all ages who are individuals with disabilities;

''(ii) a description of activities undertaken to improve the involvement of individuals with disabilities in the program, including training and technical assistance efforts to improve individual access to assistive technology devices and assistive technology services as mandated under public laws and regulations as in effect on the date of the application; and

''(iii) an evaluation of impact and results of the activities described in clauses (i) and (ii);

''(B) the relationship of such systemic change and advocacy activities to the development and implementation of a consumer-respon-

sive comprehensive statewide program of technology-related assistance; and

"(C) the progress made toward the development and implementation of such a program.

"(4) PUBLIC INVOLVEMENT.—

"(A) REPORT.—In the case of an application for a grant under subsection (a)(1), a report on the hearing described in subsection (e)(1) or, in the case of an application for a grant under subsection (a)(2), a report on the hearing described in subsection (e)(2).

"(B) OTHER STATE ACTIONS.—A description of State actions, other than such a hearing, designed to determine the degree of satisfaction of individuals with disabilities, the parents, family members, guardians, advocates, or authorized representatives of such individuals, public service providers and private service providers, educators and related services providers, employers, and other appropriate individuals and entities with—

"(i) the degree of their ongoing involvement in the development and implementation of the consumer-responsive comprehen-

sive statewide program of technology-related assistance;

"(ii) the specific systemic change and advocacy activities described in section 101(b) carried out by the State under the development grant or the initial extension grant;

"(iii) progress made toward the development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance; and

"(iv) the ability of the lead agency to carry out the activities described in section 102(d)(2)(B).

"(5) COMMENTS.—A summary of any comments received concerning the issues described in paragraph (4) and response of the State to such comments, solicited through a public hearing referred to in paragraph (4) or through other means, from individuals affected by the consumer-responsive comprehensive statewide program of technology-related assistance, including—

"(A) individuals with disabilities;

"(B) the parents, family members, guardians, advocates, or authorized representatives of such individuals;

"(C) public service providers and private service providers;

"(D) educators and related services personnel;

"(E) employers; and

"(F) other appropriate individuals and entities.

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

"(e) PUBLIC HEARING.—

"(1) INITIAL EXTENSION GRANT.—To be eligible to receive a grant under subsection (a)(1), a State shall hold a public hearing in the third year of a program carried out under a grant made under section 102, after providing appropriate and sufficient notice to allow interested groups and organizations and all segments of the public an opportunity to comment on the program.

"(2) ADDITIONAL EXTENSION GRANT.—To be eligible to receive a grant under subsection (a)(2), a State shall hold a public hearing in the second year of a program carried out under a grant made under subsection (a)(1), after providing the notice described in paragraph (1).".

SEC. 104. PROGRESS CRITERIA AND REPORTS.

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

"SEC. 104. PROGRESS CRITERIA AND REPORTS.

"(a) REGULATIONS.—The Secretary shall by regulation establish criteria for determining, for purposes of this title, whether a State that received a grant under section 102 or 103 is making significant progress in developing and implementing a consumer-responsive comprehensive statewide program of technology-related assistance. Such criteria shall include standards for assessing the impact of the systemic change and advocacy activities described in section 101(b) in the State in achieving the purposes described in section 2(b)(1).

"(b) REPORTS.—Each State that receives a grant under section 102 or 103 to carry out a program shall submit to the Secretary annually a report that—

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

gram, consistent with the standards and criteria established under subsection (a); and

"(2) includes information on—

"(A) identification of the successful systemic change and advocacy activities carried out through the program to increase funding for, and access to, assistive technology devices and assistive technology services, including an analysis of laws, regulations, policies, practices, procedures, and organizational structures, that—

"(i) have changed as a result of the program to facilitate the acquisition of assistive technology;

"(ii) the program has attempted to change during the grant period; or

"(iii) need to be changed in the next grant period;

"(B) the degree of consumer involvement of individuals with disabilities who represent a variety of ages and type of disabilities, in terms of—

"(i) the numbers of consumers involved;

"(ii) the activities that the consumers are involved in; and

"(iii) the outreach activities of the State intended to increase consumer participation in the consumer-responsive comprehensive statewide program of technology-related assistance;

"(C) the degree of consumer satisfaction with the program;

"(D) the degree of involvement of various State agencies, including the State insurance department, in the preparation of the application for the program and the continuing role of each agency in the development and implementation of the program, including—

"(i) a description of the process used by each agency for providing access to and funding for assistive technology devices and assistive technology services; and

"(ii) a description of the activities undertaken to enhance interagency coordination of the provision of assistive technology devices and assistive technology services;

"(E) documentation of efforts to collect and disseminate information on successful efforts to secure assistive technology devices and assistive technology services that occurred as a result of

systemic change and advocacy activities identified in paragraph (2); and

''(F) identification and documentation of State and local laws, regulations, policies, practices, procedures, and organizational structures that have been developed or changed in order to inform individuals with disabilities, or the parents, family members, guardians, advocates, or authorized representatives of the individuals, of Federal requirements pertaining to assistive technology devices and assistive technology services, particularly under parts B and H of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq. and 1471 et seq.) and title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.).''.

SEC. 105. ADMINISTRATIVE PROVISIONS.

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

(1) in paragraph (1), by inserting before the period the following: '', consistent with the standards and criteria established under section 104(a)'';

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

''(2) ONSITE VISITS.—

"(A) VISITS.—The Secretary shall conduct an onsite visit during the final year of each State's participation in the development grant program. The Secretary shall conduct an additional onsite visit to any State that received an extension grant under section 103 and whose initial onsite visit occurred prior to the date of enactment of the Technology-Related Assistance Amendments of 1993.

"(B) TEAM.—Two-thirds of the onsite monitoring team in each case shall be qualified peer reviewers, who—

"(i) shall not be agency personnel;

"(ii) shall be from States other than the State being monitored; and

"(iii) shall include an individual with a disability, or a parent, family member, guardian, advocate, or an authorized representative of such an individual.

"(C) COMPENSATION.—

"(i) OFFICERS OR EMPLOYEES.—Members of any onsite monitoring team who are officers or full-time employees of the United States shall serve without compensation in addition to that received for their services

as officers or employees of the United States, but they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5702 of title 5, United States Code, for individuals in the Government service traveling on official business.

"(ii) OTHER MEMBERS.—Members of any onsite monitoring team who are not officers or full-time employees of the United States shall receive compensation at a rate not to exceed the daily equivalent of the rate of pay for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including traveltime) during which such members are engaged in the actual performance of their duties as members of an onsite monitoring team. In addition, such members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

"(D) REPORT.—The Secretary shall prepare a report of findings from the onsite visit. The Secretary shall consider the findings in determining whether to continue funding the program either with or without changes. The report shall be available to the public.";

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

(4) by inserting after paragraph (2) the following:

"(3) ADVANCE PUBLIC NOTICE.—The Secretary shall provide advance public notice of the onsite visit and solicit public comment through such notice from individuals with disabilities, and the parents, family members, guardians, advocates, and authorized representatives of such individuals, public service providers and private service providers, educators and related services personnel, employers, and other appropriate individuals and entities, regarding the State program funded through a grant made under section 102 or 103. The public comment solicitation notice shall be included in the onsite visit report described in paragraph (2)."; and

(5) in paragraph (4) (as redesignated by paragraph (3) of this subsection) by striking "statewide

program'' and inserting ''consumer-responsive comprehensive statewide program''.

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

(1) in paragraph (2)—

(A) in the heading, by striking ''PENALTIES'' and inserting ''CORRECTIVE ACTIONS'';

(B) by striking ''or'' at the end of subparagraph (B);

(C) by striking the period at the end of subparagraph (C) and inserting ''; or''; and

(D) by adding at the end the following:

''(D) required redesignation of the lead agency designated under section 102(d), after notice and an opportunity for comment, in order to continue to receive funds through a grant made under section 102 or 103.''; and

(2) in paragraph (3), by striking ''subsection (a)(4)'' and inserting ''subsection (a)(5)''.

(c) ADDITIONAL ADMINISTRATIVE PROVISIONS.—Section 105 is amended by adding at the end the following:

''(d) CHANGE OF PROTECTION AND ADVOCACY SERVICES PROVIDER.—

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

the parents, family members, guardians, advocates, or authorized representatives of such individuals, may determine that the entity providing protection and advocacy services required by section 102(e)(18) has not met the protection and advocacy service needs of the individuals with disabilities, or the parents, family members, guardians, advocates, or authorized representatives of such individuals for securing funding for and access to assistive technology devices and assistive technology services, and that there is good cause to provide the required services for the State through a contract with another nonprofit agency, organization or institution of higher education.

"(2) NOTICE AND OPPORTUNITY TO BE HEARD.—On making such a determination, the Governor shall—

"(A) give the agency providing protection and advocacy services—

"(i) 30 days notice of the intention of the Governor to change the agency providing such services, including specification of the good cause for such a change; and

"(ii) an opportunity to respond to the determination that good cause has been shown;

"(B) provide individuals with disabilities, or the parents, family members, guardians, advocates, or authorized representatives of such individuals, with timely notice of the proposed change and an opportunity for public comment; and

"(C) provide the agency with the opportunity to appeal the determination on the basis that the change was not for good cause.

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

"(4) REVIEW.—Based on such review, the Secretary may refuse to change the agency providing the protection and advocacy services.

"(e) ANNUAL REPORT.—

"(1) IN GENERAL.—Not later than December 31 of each year, the Secretary shall prepare, and submit to the President and to the Congress, a report on Federal initiatives, including the initiatives funded under this Act, to improve the access of individuals

with disabilities to assistive technology devices and assistive technology services.

"(2) CONTENTS.—Such report shall include information on—

"(A) the demonstrated successes of such Federal initiatives at the Federal and State levels in improving interagency coordination, streamlining access to funding for assistive technology, and producing beneficial outcomes for users of assistive technology;

"(B) the demonstration activities carried out through the Federal initiatives to—

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

"(ii) establish additional options for obtaining such funding;

"(C) the education and training activities carried out through the Federal initiatives to promote such access in public programs and the health care system and the efforts carried out through such activities to train professionals in a variety of relevant disciplines, and increase the

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

"(D) the education and training activities carried out through the Federal initiatives to train individuals with disabilities, the parents, family members, guardians, advocates, or authorized representatives of individuals with disabilities, individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities, educators and related services personnel, employers, and other appropriate individuals, about technology-related assistance;

"(E) the research activities carried out through the Federal initiatives to improve understanding of the cost-benefit results of access to assistive technology for individuals with disabilities who represent a variety of ages and types of disabilities;

"(F) the program outreach activities to rural and inner-city areas that are carried out through the Federal initiatives;

"(G) the activities carried out through the Federal initiatives that are targeted to reach underserved groups; and

"(H) the consumer involvement activities in the programs carried out under this Act.

"(3) AVAILABILITY OF ASSISTIVE TECHNOLOGY DEVICES AND ASSISTIVE TECHNOLOGY SERVICES.—As soon as practicable, and to the extent that a national classification system for assistive technology devices and assistive technology services is developed pursuant to section 201, the Secretary shall include in the annual report required by this subsection information on the availability of assistive technology devices and assistive technology services for individuals with disabilities, and shall report such information in a manner consistent with such national classification system.

"(f) INTERAGENCY DISABILITY COORDINATING COUNCIL.—

"(1) CONTENTS.—On or before October 1, 1995, the Interagency Disability Coordinating Council established under section 507 of the Rehabilitation Act of 1973 (29 U.S.C. 794c) shall prepare and submit to the President and to the Congress a report containing—

"(A) the response of the Interagency Disability Coordinating Council to—

"(i) the findings of the National Council on Disability resulting from the study entitled 'Study on the Financing of Assistive Technology Devices and Services for Individuals with Disabilities', carried out in accordance with section 201 of this Act, as in effect on the day before the date of enactment of this subsection; and

"(ii) the recommendations of the National Council on Disability for legislative and administrative change, resulting from such study; and

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

"(2) COMMENTS.—The report shall include any comments submitted by the National Council on Disability as to the appropriateness of the response described in paragraph (1)(A) and the effectiveness of the activities described in paragraph (1)(B) in meeting the needs of individuals with disabilities for assistive technology devices and assistive technology services.".

SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

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

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

''(b) RESERVATIONS.—

''(1) PROVISION OF INFORMATION AND TECHNICAL ASSISTANCE.—

''(A) IN GENERAL.—Of the funds appropriated for any fiscal year under subsection (a), the Secretary shall reserve 2 percent or $1,500,000, whichever is greater, of such funds, for the purpose of providing information and technical assistance as described in subparagraphs (B) and (C) to States, individuals with disabilities, the parents, family members, guardians, advocates, or authorized representatives of such individuals, community-based organizations, and protection and advocacy agencies.

''(B) TECHNICAL ASSISTANCE TO STATES.—In providing such information and technical assistance to States the Secretary shall consider the input of the directors of consumer-responsive

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

"(i) facilitate service delivery capacity building, training of personnel from a variety of disciplines, and improvement of evaluation strategies, research, and data collection;

"(ii) foster the development and replication of effective approaches to information referral, interagency coordination of training and service delivery, outreach to underserved groups, and public awareness activities;

"(iii) improve the awareness and adoption of successful approaches to increasing the availability of public and private funding for and access to the provision of assistive technology devices and assistive technology services by appropriate State agencies;

"(iv) assist in planning, developing, implementing, and evaluating appropriate activities to further extend consumer-responsive comprehensive statewide programs of

technology-related assistance for individuals with disabilities; and

"(v) promote effective approaches to the development of consumer-controlled systems that increase access to, funding for, and awareness of assistive technology devices and assistive technology services.

"(C) INFORMATION AND TECHNICAL ASSISTANCE TO INDIVIDUALS WITH DISABILITIES AND OTHER PERSONS.—The Secretary shall provide such information and technical assistance to individuals with disabilities, the parents, family members, guardians, advocates, or authorized representatives of such individuals, community-based organizations, and protection and advocacy agencies, on a nationwide basis, to—

"(i) foster awareness and understanding of Federal, State, and local laws, regulations, policies, practices, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for and access to assistive technology devices and assistive technology services, to promote fuller independence, productivity, and in-

clusion for individuals of all ages who are individuals with disabilities;

''(ii) facilitate effective systemic change activities;

''(iii) improve the understanding and use of assistive technology funding decisions made as a result of policies, practices, and procedures, or through regulations, administrative hearings, or legal actions, that enhance access to funding for assistive technology devices and assistive technology services for individuals with disabilities;

''(iv) promote effective approaches to Federal-State coordination of programs for individuals with disabilities, through information dissemination and technical assistance activities in response to funding policy issues identified on a nationwide basis by organizations, and individuals, that improve funding for or access to assistive technology devices and assistive technology services for individuals of all ages who are individuals with disabilities; and

''(v) promote effective approaches to the development of consumer-controlled systems

that increase access to, funding for, and awareness of assistive technology devices and assistive technology services, including the identification and description of mechanisms and means that successfully support self-help and peer mentoring groups for individuals with disabilities.

"(D) COORDINATION.—The Secretary shall coordinate the information and technical assistance activities carried out under subparagraph (B) or (C) with other activities funded under this Act.

"(E) GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.—

"(i) IN GENERAL.—The Secretary shall provide the technical assistance and information described in subparagraphs (B) and (C) through grants, contracts, or cooperative agreements with public or private agencies and organizations, including institutions of higher education, with documented experience, expertise, and capacity to carry out identified activities related to the provision of such technical assistance and information.

"(ii) ENTITIES WITH EXPERTISE IN ASSISTIVE TECHNOLOGY SERVICE DELIVERY, INTERAGENCY COORDINATION, AND SYSTEMIC CHANGE ACTIVITIES.—For the purpose of achieving the objectives described in paragraph (1)(B), the Secretary shall reserve not less than 45 percent and not more than 55 percent of the funds reserved under subparagraph (A) for each fiscal year for grants to, or contracts or cooperative agreements with, public or private agencies or organizations with documented experience with and expertise in assistive technology service delivery, interagency coordination, and systemic change activities.

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

private agencies or organizations with documented experience with and expertise in—

"(I) assistive technology systemic change;

"(II) public funding options; and

"(III) services to increase nationwide the availability of funding for assistive technology devices and assistive technology services.

"(iv) ENTITY WITH EXPERTISE IN FUNDING.—The Secretary may reserve funds equally from the amounts reserved under clauses (ii) and (iii) for a fiscal year in an amount up to $300,000 for an additional grant to, or contract or cooperative agreement with, a public or private organization with demonstrated expertise in funding. An organization that receives funding through such a grant, contract, or agreement shall use the funding to provide information and technical assistance specifically related to funding to assist the agencies, and organizations described in clauses (ii) and (iii) in carrying out activities under this paragraph.

"(v) APPLICATION.—The Secretary shall make any grants, and enter into any contracts or cooperative agreements, under this subsection on a competitive basis. To be eligible to receive funds under this subsection an agency, organization, or institution shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(2) ONSITE VISITS.—The Secretary may reserve, from amounts appropriated for any fiscal year under subsection (a), such sums as the Secretary considers to be necessary for the purposes of conducting onsite visits as required by section 105(a)(2).".

SEC. 107. REPEALS.

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

TITLE II—PROGRAMS OF NATIONAL SIGNIFICANCE

SEC. 201. NATIONAL CLASSIFICATION SYSTEM.

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

"PART A—NATIONAL CLASSIFICATION SYSTEM

"SEC. 201. CLASSIFICATION SYSTEM.

"(a) PILOT PROJECT.—

"(1) IN GENERAL.—The Secretary shall conduct a pilot project to develop and test a national classification system for assistive technology devices and assistive technology services, with the goal of obtaining uniform data through such a system on such devices and services across public programs and information and referral networks.

"(2) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary may carry out this section directly, or, if necessary, by entering into contracts or cooperative agreements with appropriate entities.

"(b) SINGLE TAXONOMY.—In conducting the pilot project, the Secretary shall develop a national classification system that includes a single taxonomy and nomenclature for assistive technology devices and assistive technology services.

"(c) DATA COLLECTION INSTRUMENT.—In conducting the pilot project, the Secretary shall develop a data collection instrument to—

"(1) collect data regarding funding for assistive technology devices and assistive technology services; and

"(2) collect such data from public programs, including, at a minimum, programs carried out under—

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

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

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

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

"(E) the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.).

"(d) CONSULTATION AND COORDINATION.—

"(1) CONSULTATION.—The Secretary shall conduct the pilot project in consultation with the Interagency Disability Coordinating Council established under section 507 of the Rehabilitation Act of 1973 (29 U.S.C. 794c) and the National Council on Disability established under section 400 of such Act (29 U.S.C. 780).

"(2) COORDINATION.—The Secretary shall coordinate activities related to conducting the pilot project with—

"(A) activities carried out through State programs funded under title I;

"(B) the provision of technical assistance under section 106(b);

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

"(D) activities being carried out through data collection systems in existence on such date; and

"(E) activities of appropriate entities, including entities involved in the information and referral field.

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

"(f) REPORT TO CONGRESS ON IMPLEMENTATION OF UNIFORM DATA COLLECTION SYSTEM.—Not later than January 1, 1996, the Secretary shall prepare and submit to the appropriate committees of Congress a report containing—

"(1) the results of the pilot project; and

"(2) the recommendations of the Secretary concerning the feasibility of implementing a uniform

data collection system based on such a national classification system.

''(g) RESERVATION.—From the amounts appropriated under part D, the Secretary shall reserve $200,000 to carry out this part.''.

SEC. 202. TRAINING AND PUBLIC AWARENESS PROJECTS.

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

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''institutions of higher education'' and inserting ''institutions of higher education and community-based organizations'';

(ii) in subparagraph (A), by striking ''and'' at the end;

(iii) by striking the period at the end of subparagraph (B), and inserting the following: '', to enhance opportunities for independence, productivity, and inclusion of individuals with disabilities; and''; and

(iv) by adding at the end the following:

''(C) providing training to develop awareness, skills, and competencies of service providers, consumers, and volunteers, who are located in rural areas, to increase the availability of

technology-related assistance in community-based settings for rural residents who are individuals with disabilities.'';

(B) in paragraph (2)—

(i) by striking ''needs of individuals with disabilities'' and all that follows and inserting the following: ''needs of individuals with disabilities, the parents, family members, guardians, advocates, and authorized representatives of the individuals, individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities, educators and related services personnel, employers, and other appropriate individuals.''; and

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

''(3) USES OF FUNDS.—An agency or organization that receives a grant under paragraph (1) may use amounts made available through the grant to—

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

"(B) establish and maintain scholarships related to such courses of training or study, with such stipends and allowances as the Secretary may determine to be appropriate.

"(4) APPLICATION.—

"(A) IN GENERAL.—To be eligible to receive a grant under this section, an agency or organization shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(B) STRATEGIES.—At a minimum, any such application shall include a detailed description of the strategies that the agency or organization will use to recruit and train persons to provide technology-related assistance, in order to—

"(i) increase the extent to which such persons reflect the diverse populations of the United States; and

"(ii) increase the number of individuals with disabilities, and individuals who are members of minority groups, who are available to provide such assistance."; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''public and private agencies and organizations, including'' before ''institutions of higher education'';

(B) in paragraph (2), by striking ''preparation of personnel'' and all that follows and inserting the following: ''interdisciplinary preparation of personnel who provide or who will provide technical assistance, who administer programs, or who prepare other personnel, in order to—

''(A) support the development and implementation of consumer-responsive comprehensive statewide programs of technology-related assistance to individuals with disabilities; and

''(B) enhance the skills and competencies of individuals involved in the provision of technology-related assistance, including assistive technology devices and assistive technology services, to individuals with disabilities.'';

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

''(3) USES OF FUNDS.—An agency or organization that receives a grant under paragraph (1) may use amounts made available through the grant to—

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

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

(D) by adding at the end the following:

"(4) APPLICATION.—

"(A) IN GENERAL.—To be eligible to receive a grant under this section, an agency or organization shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(B) STRATEGIES.—At a minimum, any such application shall include a detailed description of the strategies that the agency or organization will use to recruit and train persons to provide technology-related assistance, in order to—

"(i) increase the extent to which such persons reflect the diverse populations of the United States; and

"(ii) increase the number of individuals with disabilities, and individuals who

are members of minority groups, who are available to provide such assistance.''.

SEC. 203. DEMONSTRATION AND INNOVATION PROJECTS.

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

''(3) DIRECT LOAN PROJECTS.—Demonstration projects carried out in accordance with regulations issued by the Secretary (which may include a requirement that the Secretary provide not more than 90 percent of the costs of carrying out any such project under this section) to—

''(A) examine alternative direct loan programs, including—

''(i) programs involving low-interest loan funds;

''(ii) programs involving revolving loan funds; and

''(iii) loan insurance programs,

that would provide loans to individuals with disabilities, the parents, family members, guardians, advocates, or authorized representatives of individuals with disabilities, or employers of individuals with disabilities; and

''(B) evaluate the efficacy of the particular loan systems involved.''.

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

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

"SEC. 241. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title such sums as may be necessary for each of the fiscal years 1994, 1995, and 1996.''.

SEC. 205. REPEALS AND REDESIGNATIONS.

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

(1) by repealing part B;

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

(3) by repealing section 222;

(4) by redesignating sections 221 and 223 as sections 211 and 212, respectively; and

(5) by redesignating sections 231 and 241 as sections 221 and 231, respectively.

TITLE III—REQUIREMENTS UNDER HEAD START ACT

SEC. 301. ADMINISTRATIVE REQUIREMENTS UNDER THE HEAD START ACT.

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

(1) in paragraph (1)—

(A) by inserting '', or to approve a prior purchase of'' after ''to purchase,''; and

(B) by inserting before the period at the end thereof the following: ", and shall suspend any proceedings pending against any Head Start agency to claim costs incurred in purchasing such facilities until the agency has been afforded an opportunity to apply for approval of the purchase and the Secretary has determined whether the purchase will be approved. The Secretary shall not be required to repay claims previously satisfied by Head Start agencies for costs incurred in the purchase of facilities"; and

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting "or that was previously purchased" before the semicolon; and

(B) in subparagraph (C)—

(i) by inserting ", or the previous purchase has resulted," after "purchase will result" in clause (i); and

(ii) by inserting ", or would have prevented," after "will prevent" in clause (ii).

Attest:

Secretary.

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