

## PART 1206—NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

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SOURCE: 71 FR 27624, May 12, 2006, unless otherwise noted.

### Subpart A—General

#### § 1206.1 What does this part cover?

This part prescribes the procedures and rules governing the operation of the grant program of the National Historical Publications and Records Commission.

[71 FR 27624, May 12, 2006. Redesignated at 75 FR 66317, Oct. 28, 2010]

#### § 1206.3 What definitions apply to the regulations in Part 1206?

As used in Part 1206:

*Board* refers to a State historical records advisory board.

*Commission* (see NHPRC).

*Coordinator* means the coordinator of a State historical records advisory board.

*Cost sharing* means the financial contribution the applicant pledges toward the total cost of a project. Cost sharing can include both direct and indirect expenses, contributions provided by the applicant or by third parties as in-kind or cash contributions, and any income

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earned directly by the project. For a more detailed definition, see 2 CFR 306.

*Direct costs* means expenses that are attributable directly to the cost of a project, such as salaries, project supplies, travel expenses, equipment rented or purchased for the project, or services procured for the project.

*Grant opportunity announcement* refers to a document published on the NHPRC Web site and at <http://www.grants.gov> that describes a type of grant offered, eligibility requirements, and application instructions.

*Guidance* refers to a non-binding document published on the NHPRC Web site to clarify or explain Commission policy or to provide procedural details.

*Historical records* means documentary material having permanent or enduring value, including manuscripts, personal papers, official records, maps, audio-visual materials, and electronic files.

*Historical records repository* means organizations whose mission is to acquire, preserve, and promote the use of historical records. They include archives, special collections, museums, and historical societies.

*Indirect costs* means costs incurred for common or joint objectives of an applicant's organization and therefore not attributable to a specific project or activity. Typically, indirect costs include items such as overhead for facilities maintenance and accounting services. For a more detailed definition, see 2 CFR 306.

*NHPRC* means members of the National Historical Publications and Records Commission acting as a body.

*NHPRC staff* refers to the Executive Director and the staff of the Commission or the Executive Director of the Commission.

*State*, in §§1206.40 through 1206.42, means all 50 States of the Union, plus the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. For a more detailed definition, see 2 CFR 306.

*The Manual of Suggested Practices* refers to "The Manual of Suggested Practices for State Historical Records Advisory Boards." It is a type of guidance.

[75 FR 66317, Oct. 28, 2010, as amended at 79 FR 76080, Dec. 19, 2014]

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##### § 1206.4 What is the purpose of the Commission?

The National Historical Publications and Records Commission (NHPRC or Commission), a statutory body affiliated with the National Archives and Records Administration (NARA), supports a wide range of activities to preserve, publish, and encourage the use of primary documentary sources. Through the NHPRC's grant programs, training programs, and special projects, the Commission offers advice and assistance to State and local government agencies, non-Federal nonprofit organizations and institutions, and Federally-acknowledged or state-recognized Native American tribes or groups committed to the preservation, publication, or use of United States documentary resources.

[75 FR 66317, Oct. 28, 2010]

##### § 1206.5 Who serves on the Commission?

Established by Congress in 1934, the Commission is a 15-member body, chaired by the Archivist of the United States and comprised of representatives of the three branches of the Federal Government and of professional associations of archivists, historians, documentary editors, and records administrators.

##### § 1206.6 How do you organize the grant program?

We offer grants to support publications projects (subpart B), and records projects (subpart C). State grants (subpart D) are made to designated state agencies for statewide archival services and may include subgrants to individuals and institutions. We also support a variety of professional development opportunities.

##### § 1206.8 How do you operate the grant program?

(a) The Executive Director manages the program under Commission guidance and the immediate administrative direction of its Chairman, the Archivist of the United States.

(b) The Commission establishes grant program priorities as reflected in its grant opportunity announcements and, from time-to-time, issues non-binding,

clarifying guidance documents through the NHPRC Web site.

(c) To assure fair treatment of every application, all members of the Commission and its staff follow conflict-of-interest rules, available on the NHPRC Web site at <http://www.archives.gov/nhprc>.

(d) The purpose and work plan of all NHPRC-funded grant projects must be in accord with current Commission program guidance as reflected in the grant opportunity announcements.

(e) The Commission makes funding recommendations to the Archivist of the United States, who has the authority to award grants.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66317, Oct. 28, 2010; 79 FR 76080, Dec. 19, 2014]

#### **§ 1206.10 How do you make grant opportunities known?**

(a) The Commission annually determines which grant opportunities it will offer, and establishes eligibility, application deadlines, and programmatic requirements.

(b) The NHPRC staff prepares grant opportunity announcements consisting of all information necessary to apply for each grant and publishes the announcements on the NHPRC Web site (<http://www.archives.gov/nhprc>) at least three months before the final application due date.

(c) The NHPRC staff publishes notice of each announcement on <http://www.grants.gov>, a Federal government Web site widely available to the public, at least three months before the final application due date.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66317, Oct. 28, 2010]

#### **§ 1206.11 How may an applicant apply for an NHPRC grant?**

Applicants may apply for a grant using Grants.gov or by using other electronic or paper forms and documents, according to the instructions in each announcement.

#### **§ 1206.12 What are my responsibilities once I have received a grant?**

(a) Comply with all Federal regulations about grants administration that are contained in § 1206.72 and 2 CFR part 200.

(b) Comply with NHPRC grant announcements and other Commission guidance.

(c) Meet performance requirements defined in your grant application.

(d) Report on performance requirements defined in your grant application and other performance measures specified in the grant award.

(e) Comply with conditions set by the Commission according to § 1206.52.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66317, Oct. 28, 2010; 79 FR 76080, Dec. 19, 2014]

### **Subpart B—Publications Grants**

#### **§ 1206.20 What are the scope and purpose of publications grants?**

Publications grants support projects intended to make widely available those documentary source materials important to the study and understanding of United States history. In order to receive a publications grant, a project must intend to publish historical records of national value and interest.

#### **§ 1206.22 What type of proposal is eligible for a publications grant?**

(a) The Commission provides grants for publishing papers of United States leaders and historical records relating to outstanding events, topics, themes, or movements of national significance in United States history. These projects include the production of:

(1) Documentary editions that involve collecting, compiling, transcribing, editing, annotating, and publishing, either selectively or comprehensively, historical papers and records;

(2) Microfilm editions consisting of organized collections of images of original sources, usually without transcription and annotations;

(3) Electronic editions consisting of organized collections of images of original editions. Electronic editions may include transcriptions and/or annotations and other data to facilitate document discovery;

(4) Electronic editions of transcribed and annotated documents, including electronic republications of hard copy editions; and

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(5) Any combination of editions specified in paragraphs (a)(1) through (a)(4) of this section.

(b) The Commission may also support projects to develop methods, tools, techniques, and practices to improve and advance the documentary editing profession in the United States, and to support projects that apply information technology to publishing projects.

(c) The Commission may also support subvention grants to nonprofit presses to help defray publication costs of NHPRC-supported or endorsed editions.

(d) The Commission may also support fellowships, institutes, and other professional development opportunities related to this program.

(e) Detailed programmatic requirements established by the Commission are found in the grant opportunity announcements.

### § 1206.24 What type of proposal is ineligible for a publications grant?

(a) The Commission does not support:

(1) Historical research apart from what is necessary for editing documentary publications; or

(2) Documentary editing projects to publish the papers of someone who has been deceased for fewer than ten years.

(b) Other programmatic limitations established by the Commission are found in the grant opportunity announcements and the NHPRC Web site.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66317, Oct. 28, 2010; 79 FR 76080, Dec. 19, 2014]

## Subpart C—Records Grants

### § 1206.30 What is the scope and purpose of records grants?

(a) Records grants support projects designed to preserve and facilitate use of historical records of national, state, or local significance for the purpose of furthering an understanding and appreciation of United States history and assuring the rights of American citizens to free and equal access to government records.

(b) The Commission also supports projects to develop methods, tools, techniques, and practices to improve and advance the archival profession in the United States, and to support continuing education of archivists, records

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managers, and other keepers of historical records.

### § 1206.32 What type of proposal is eligible for a records grant?

(a) The Commission provides grants to historical records repositories for locating, preserving and encouraging use of records held by State, local, and other governmental units and private archives and collections of papers maintained in non-Federal, nonprofit repositories and special collections relating to the study of American history.

(b) The Commission provides support to historical records repositories and other institutions for:

(1) Advancing the state of the art in archival and records management and in the long-term maintenance of, and easy access to, authentic electronic records;

(2) Promoting cooperative efforts among institutions and organizations in archival and records management;

(3) Improving the knowledge, performance, and professional skills of those who work with historical records; and

(4) Continuing archival education, including fellowships, institutes, and symposia.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66317, Oct. 28, 2010]

### § 1206.34 What type of proposal is ineligible for a records grant?

In addition to other programmatic limitations established by the Commission as found in the grant opportunity announcements, NHPRC does not support proposals:

(a) For building projects;

(b) To purchase manuscripts or historical records;

(c) For projects involving substantial work with artifacts, library materials, or works of art; or

(d) For exhibits or celebrations, reenactments, and other observations of historical events.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66318, Oct. 28, 2010]

**Subpart D—State Records Program****§ 1206.40 What is a State records program?**

(a) Each State is eligible to receive NHPRC grants to support the work of the State historical records advisory board (board); to operate statewide historical records services; and to make sub-grants to eligible organizations within the State in support of historical records activities.

(b) Boards review and comment on applications for NHPRC records projects grants submitted from their states, according to The Manual of Suggested Practices.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66318, Oct. 28, 2010]

**§ 1206.41 What is a state historical records advisory board and how is it constituted?**

(a) *Responsibilities.* The board is the central advisory body for historical records coordination within the State and for NHPRC State and local records projects within the State. The board engages in planning; it develops, revises, and submits to the Commission a State plan including priorities for State historical records projects following “The Manual of Suggested Practices.” The board reviews all State and local records projects within the State and makes recommendations for State projects to the Commission.

(b) *Appointments.* Each State participating in the NHPRC State program must adopt an appointment process and appoint a board following “The Manual of Suggested Practices.” The appointment process and membership must be reported at least annually to the Commission. A majority of members should have recognizable experience in the administration of records, manuscripts, or archives. The board should be as broadly representative as possible of the public and private archives, records offices, and research institutions and organizations in the State.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66318, Oct. 28, 2010]

**§ 1206.42 What is a State Coordinator?**

(a) *Duties.* The State coordinator (coordinator) is the officer responsible for the NHPRC State program. He or she reports the State board appointment process, membership and recommendations to the NHPRC at least on an annual basis and may serve as chair of the board and may perform other duties following applicable State statute or regulation and “The Manual of Suggested Practices.”

(b) *Appointment.* The coordinator should be the full-time professional official in charge of the State archival program or agency, unless otherwise specified in State statute or regulation. The coordinator serves *ex officio*, unless otherwise specified in State statute or regulation. The coordinator is not deemed to be an official or employee of the Federal Government and receives no Federal compensation for such service.

(c) *Replacement.* In the absence of a deputy coordinator, the State board may select an acting coordinator until another coordinator is appointed, in order to conduct the necessary business of the board.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66318, Oct. 28, 2010]

**§ 1206.43 What are the duties of the deputy State coordinator?**

The coordinator may designate a deputy State coordinator to assist in carrying out the duties and responsibilities of the coordinator and to serve as an acting coordinator at the coordinator's direction or upon the coordinator's resignation or inability to serve.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66318, Oct. 28, 2010]

**§ 1206.44 Who is eligible for sub-grants?**

All organizations located within a State that has an active State historical records board and entities defined in § 1206.54 may be eligible, as determined by the board.

[75 FR 66318, Oct. 28, 2010]

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### **§ 1206.45 What rules govern sub-grant distribution, cost sharing, grant administration, and reporting?**

(a) The Commission will annually establish guidance published in the grant opportunity announcement for State grants regarding:

- (1) The distribution of re-grant funds;
- (2) Cost sharing and matching requirements; and
- (3) Reporting.

(b) Each participating State is responsible for ensuring that the sub-grantees comply with Federal grant administration and reporting requirements, including those in 2 CFR parts 230 and 2600.

(c) Each participating State must annually prepare a report to the NHPRC on its sub-grant program, following the requirements outlined in § 1206.80.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66318, Oct. 28, 2010; 79 FR 76080, Dec. 19, 2014]

## **Subpart E—Applying for NHPRC Grants**

### **§ 1206.50 What types of funding and cost sharing arrangements does the Commission make?**

(a) *Types of grants.* (1) *Matching grant.* A matching grant is a Federal grant awarded only after the applicant raises its share of non-Federal support for a project. We will match only funds raised from non-Federal sources, either monies provided by the applicant's own institution specifically for the project or from a non-Federal third-party source. The Commission does not ordinarily make matching grants.

(2) *Outright grant.* Outright grants are those awards we make without any matching requirement. However, outright grants usually include a cost-sharing requirement.

(b) *Cost sharing.* (1) Cost sharing consists of the applicant's contribution to the cost of the project. The Commission ordinarily expects the applicant to provide cost sharing in an amount equal to the amount of the Federal grant award. Exceptions to the one-to-one cost sharing requirement may be set by the Commission in specific grant opportunity announcements.

(2) Cost sharing may include cash or in-kind contributions provided by the

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applicant or by a non-Federal third party.

(3) As indicated in 2 CFR part 2600, we do not pay indirect costs from grant funds, but allow indirect costs to be used for cost sharing.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66318, Oct. 28, 2010; 79 FR 76080, Dec. 19, 2014]

### **§ 1206.52 Does the Commission ever place conditions on its grants?**

Yes, the Commission may place certain conditions on its grants. The Commission describes applicable conditions in each grant opportunity announcement.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66318, Oct. 28, 2010]

### **§ 1206.54 Who may apply for NHPRC grants?**

The Commission will consider applications from State government agencies in States where there is an active board; local government agencies; United States nonprofit organizations and institutions, including institutions of higher education; or Federally-acknowledged and State-recognized American Indian tribes or groups.

[75 FR 66318, Oct. 28, 2010]

### **§ 1206.56 When are applications due?**

The Commission generally meets twice a year, and considers grant proposals submitted by the deadlines set by the Commission. The deadlines are published in each grant opportunity announcement and at <http://www.grants.gov>. All proposals must be submitted by the published deadline.

[75 FR 66318, Oct. 28, 2010]

### **§ 1206.58 How do I apply for a grant?**

(a) *Contact the NHPRC staff.* The Commission encourages you to discuss your proposal through correspondence, by phone, or in person with NHPRC staff.

(b) *Contact your State Historical Records Advisory Board as appropriate.* NHPRC encourages you to discuss your proposal with your State historical records coordinator at all stages of your proposal's development and before you submit the proposal.

(1) Contact is not necessary if:

(i) Your proposal is for publications or subvention projects; or

(ii) You are an American Indian tribe.

(2) You will find the staff contacts and a list of State historical records coordinators on the Commission's Web site at <http://www.archives.gov/nhprc>.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66318, Oct. 28, 2010]

**§ 1206.60 What must I provide as a formal grant application?**

The forms and other documents you must submit are listed with each grant opportunity announcement on the NHPRC web site. OMB Control Number 3095-0013 has been assigned to this information collection.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66319, Oct. 28, 2010]

**§ 1206.62 Who reviews and evaluates grant proposals?**

(a) *State boards.* State historical records advisory boards may evaluate your proposal according to Commission grant opportunity announcements.

(b) *Peer reviewers.* The NHPRC staff may ask external peer reviewers to evaluate the proposal according to Commission grant announcements.

(c) *Other reviewers.* The Commission staff may require additional reviews.

(d) *NHPRC staff.* NHPRC staff analyzes the reviewers' comments, and considers the appropriateness of the project toward fulfilling Commission goals, the proposal's completeness and conformity to application requirements. The staff, through a questions letter or email to you, raises issues and concerns and allows you the opportunity to respond. The staff makes recommendations to the Commission.

(e) *The Commission.* The Commission deliberates on all eligible proposals and recommends to the Archivist of the United States what action to take on each (fund, partially fund, endorse, reject, resubmit). By statute the Archivist chairs the Commission and has final authority to make or deny a grant.

**§ 1206.64 What formal notification will I receive, and will it contain other information?**

(a) Successful grant applicants will receive a formal grant award document. The document and attachments specify terms of the grant. NHPRC staff notifies project directors informally of awards and any conditions soon after the Archivist approves the grants.

(b) The grant period begins and ends on the dates specified in the award document.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66319, Oct. 28, 2010]

**Subpart F—Grant Administration**

**§ 1206.70 Who is responsible for administration of NHPRC grants?**

The grantee institution and the institution-designated project director share primary responsibility for the administration of grants.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66318, Oct. 28, 2010]

**§ 1206.72 Where can I find the regulatory requirements that apply to NHPRC grants?**

(a) In addition to this Part 1206, NARA has issued other regulations that apply to NHPRC grants in 36 CFR parts 1202, 1208, 1211, 1212 and 2 CFR part 2600 (which incorporates OMB's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards guidance at 2 CFR part 200).

(b) The Commission provides additional policy guidance related to Title VI of the Civil Rights Act of 1964, regarding persons with limited English proficiency, at <http://www.archives.gov/nhprc/> and from the NHPRC staff.

[79 FR 76080, Dec. 19, 2014]

**§ 1206.74 Do I need prior written approval for changes to the grant project?**

You must obtain prior written approval from the NHPRC for most changes in the grant project and terms of the grant. Detailed instructions are found in *How to Administer an NHPRC Grant* available at <http://>

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*www.archives.gov/NHPRC* or from the NHPRC staff.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66319, Oct. 28, 2010]

### **§ 1206.76 May I receive an extension to my grant project?**

Yes, requests for extensions of the grant period should be signed by the grantee's authorized representative and submitted not more than two months before the scheduled end of the grant period. The NHPRC will not allow extensions unless a project is up-to-date in its submission of financial and narrative reports.

[75 FR 66319, Oct. 28, 2010]

### **§ 1206.80 What reports am I required to make?**

(a) Grant recipients are generally required to submit annual financial reports and semi-annual narrative progress reports, as well as final financial and narrative reports at the conclusion of the grant period. The grant award document will specify the dates on which your reports are due. In order to fulfill its oversight and monitoring responsibilities, the NHPRC or Commission may require additional reports or information at any time during the grant. OMB Control Number 3095-0013 has been assigned to this information collection.

(b) Detailed reporting requirements are found in *How to Administer an NHPRC Grant* available at <http://www.archives.gov/NHPRC> or from the NHPRC staff.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66319, Oct. 28, 2010]

### **§ 1206.82 What is the format and content of the financial report?**

Grant recipients must submit financial reports on Standard Form 425 and have them signed by the grantee's authorized representative or by an appropriate institutional fiscal officer.

[75 FR 66319, Oct. 28, 2010]

### **§ 1206.84 What is the format and content of the narrative report?**

(a) Interim narrative reports should state briefly the performance objectives and activities for the entire grant and then focus on those accomplished

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during the reporting period. The report should include a summary of project activities; whether the project proceeded on schedule; any revisions of the work plan, staffing pattern, or budget; any web address created by the project; and any other press releases, articles, or presentations relating to the grant project or its products. It should include an analysis of the objectives met during the reporting period and any objectives for the period that were not accomplished. For documentary editing projects, it also must include information about the publication of volumes and the completion of finding aids, as well as any work that is pending with publishers.

(b) The final report must provide a detailed assessment of the entire project, following the format in paragraph (a) of this section, including whether the performance objectives and goals set in the original proposal were realistic; whether there were unpredicted results or outcomes; whether the project encountered unexpected problems and how you faced them; and how you could have improved the project. You must discuss the project's impact, if any, on the grant-receiving institution and others. You must indicate whether all or part of the project activities will be continued after the end of the grant, whether any of these activities will be supported by institutional funds or by grant funds, and if the NHPRC grant was instrumental in obtaining these funds.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66319, Oct. 28, 2010]

### **§ 1206.86 What additional materials must I submit with the final narrative report?**

You must submit the materials required in the NHPRC grant announcements and in the grant award document.

[75 FR 66319, Oct. 28, 2010]

### **§ 1206.88 Does the NHPRC have any liability under a grant?**

No, NARA and the Commission cannot assume any liability for accidents, illnesses, or claims arising out of any



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work undertaken with the assistance of the grant.

[71 FR 27624, May 12, 2006, as amended at 75 FR 66319, Oct. 28, 2010]

### § 1206.90 Must I acknowledge NHPRC grant support?

Yes, grantee institutions, grant project directors, or grant staff personnel may publish results of any work supported by an NHPRC grant without review by the Commission; however, publications or other products resulting from the project must acknowledge the assistance of the NHPRC grant and all copies paid for by grant funds must be distributed at a reasonable cost.

## PART 1208—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

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AUTHORITY: 29 U.S.C. 794.

SOURCE: 53 FR 25884, 25885, July 8, 1988, unless otherwise noted.

### § 1208.101 Purpose.

The purpose of this regulation is to effectuate section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, which amended section

504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of handicap in programs or activities conducted by Executive agencies or the United States Postal Service.

### § 1208.102 Application.

This regulation (§§1208.101–1208.170) applies to all programs or activities conducted by the agency, except for programs or activities conducted outside the United States that do not involve individuals with handicaps in the United States.

### § 1208.103 Definitions.

For purposes of this regulation, the term—

*Assistant Attorney General* means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.

*Auxiliary aids* means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the agency. For example, auxiliary aids useful for persons with impaired vision include readers, Brailled materials, audio recordings, and other similar services and devices. Auxiliary aids useful for persons with impaired hearing include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TDD's), interpreters, notetakers, written materials, and other similar services and devices.

*Complete complaint* means a written statement that contains the complainant's name and address and describes the agency's alleged discriminatory action in sufficient detail to inform the agency of the nature and date of the alleged violation of section 504. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

*Facility* means all or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other conveyances, or other real or personal property.