

(III) organizations representing State officials and agencies engaged in the delivery of assistive technology;

(IV) other qualified protection and advocacy system technical assistance providers and qualified technical assistance providers;

(V) providers of State financing activities, including alternative financing programs for assistive technology;

(VI) providers of device loans, device demonstrations, and device reutilization; and

(VII) any other organizations determined appropriate by the provider or the Secretary; and

(ii) in the case of a qualified technical assistance provider, include activities identified as priorities by State advisory councils and lead agencies and implementing entities for grants under section 3003 of this title.

**(2) Use of funds for assistive technology data collection and reporting assistance**

A qualified data collection and reporting entity or a qualified protection and advocacy system technical assistance provider receiving a grant, contract, or cooperative agreement under subsection (b)(2) shall assist States or protection and advocacy systems receiving a grant under section 3003 or 3004 of this title, respectively, to develop and implement effective and accessible data collection and reporting systems that—

(A) focus on quantitative and qualitative data elements;

(B) help measure the impact of the activities to individuals who need assistive technology;

(C) in the case of systems that will serve States receiving grants under section 3003 of this title—

(i) measure the outcomes of all activities described in section 3003(e) of this title and the progress of the States toward achieving the measurable goals described in section 3003(d)(3)(C) of this title; and

(ii) provide States with the necessary information required under this chapter or by the Secretary for reports described in section 3003(f)(2) of this title; and

(D) are in full compliance with all relevant State and Federal laws, regulations, and policies with respect to data privacy and security.

(Pub. L. 105-394, § 6, as added Pub. L. 108-364, § 2, Oct. 25, 2004, 118 Stat. 1727; amended Pub. L. 110-69, title III, § 3002(c)(7), Aug. 9, 2007, 121 Stat. 587; Pub. L. 113-128, title IV, § 491(o)(2), July 22, 2014, 128 Stat. 1698; Pub. L. 117-263, div. E, title LIV, § 5402, Dec. 23, 2022, 136 Stat. 3281.)

**Editorial Notes**

AMENDMENTS

2022—Pub. L. 117-263 amended section generally. Prior to amendment, section related to awarding of grants, contracts, and cooperative agreements for various national activities designed to improve the administration of this chapter.

2014—Subsec. (d)(4). Pub. L. 113-128 substituted “Health and Human Services” for “Education”.

2007—Subsec. (b)(4)(B)(v). Pub. L. 110-69 substituted “the National Institute of Standards and Technology,” for “the Technology Administration of the Department of Commerce.”

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117-263 effective on the day that is 6 months after Dec. 23, 2022, see section 5403 of Pub. L. 117-263, set out as a note under section 3001 of this title.

**§ 3006. Projects of national significance**

**(a) Definition of project of national significance**

In this section, the term “project of national significance”—

(1) means a project that—

(A) increases access to, and acquisition of, assistive technology; and

(B) creates opportunities for individuals with disabilities to directly and fully contribute to, and participate in, all facets of education, employment, community living, and recreational activities; and

(2) may—

(A) develop and expand partnerships between State Medicaid agencies and recipients of grants under section 3003 of this title to reutilize durable medical equipment;

(B) increase collaboration between the recipients of grants under section 3003 of this title and States receiving grants under the Money Follows the Person Rebalancing Demonstration under section 6071 of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note);

(C) increase collaboration between recipients of grants under section 3003 of this title and area agencies on aging, as such term is defined in section 3002 of title 42, which may include collaboration on emergency preparedness, safety equipment, or assistive technology toolkits;

(D) provide aid to assist youth with disabilities to transition from school to adult life, especially in—

(i) finding employment and postsecondary education opportunities; and

(ii) upgrading and changing any assistive technology devices that may be needed as a youth matures;

(E) increase access to and acquisition of assistive technology addressing the needs of aging individuals and aging caregivers in the community;

(F) increase effective and efficient use of assistive technology as part of early intervention for infants and toddlers with disabilities from birth to age 3;

(G) increase awareness of and access to the Disability Funds-Financial Assistance funding provided by the Community Development Financial Institutions Fund that supports acquisition of assistive technology; and

(H) increase awareness of and access to assistive technology, such as through models described in subclauses (I) through (IV) of

section 3003(e)(2)(A)(iii) of this title and other Federally funded disability programs.

**(b) Projects authorized**

If funds are available pursuant to section 3008(c) of this title to carry out this section for a fiscal year, the Secretary may award, on a competitive basis, grants, contracts, and cooperative agreements to public or private nonprofit entities to enable the entities to carry out projects of national significance.

**(c) Application**

A public or private nonprofit entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing a description of the project of national significance the entity proposes to carry out under this section.

**(d) Award preference**

For each grant award period, the Secretary may give preference for 1 or more categories of projects of national significance described in subparagraphs (A) through (H) of subsection (a)(2).

**(e) Minimum funding level required**

The Secretary may only award grants, contracts, or cooperative agreements under this section if the amount made available under section 3008 of this title to carry out sections 3003, 3004, and 3005 of this title is equal to or greater than \$49,000,000.

(Pub. L. 105-394, § 7, as added Pub. L. 108-364, § 2, Oct. 25, 2004, 118 Stat. 1734; amended Pub. L. 113-128, title IV, § 491(o)(3), July 22, 2014, 128 Stat. 1698; Pub. L. 117-263, div. E, title LIV, § 5402, Dec. 23, 2022, 136 Stat. 3286.)

**Editorial Notes**

REFERENCES IN TEXT

Section 6071 of the Deficit Reduction Act of 2005, referred to in subsec. (a)(2)(B), is section 6071 of Pub. L. 109-171, which is set out as a note under section 1396a of Title 42, The Public Health and Welfare.

AMENDMENTS

2022—Pub. L. 117-263 amended section generally. Prior to amendment, section contained provisions for the administration of this chapter.

2014—Subsec. (a)(1). Pub. L. 113-128, § 491(o)(3)(A)(i), substituted “the Administrator of the Administration for Community Living” for “the Assistant Secretary for Special Education and Rehabilitative Services of the Department of Education, acting through the Rehabilitation Services Administration.”.

Subsec. (a)(2). Pub. L. 113-128, § 491(o)(3)(A)(ii), substituted “The Administrator of the Administration for Community Living shall consult with the Office of Special Education Programs of the Department of Education, the Rehabilitation Services Administration of the Department of Education, the Office of Disability Employment Policy of the Department of Labor, the National Institute on Disability, Independent Living, and Rehabilitation Research, and other appropriate Federal entities in the administration of this chapter.” for “The Assistant Secretary for Special Education and Rehabilitative Services shall consult with the Office of Special Education Programs, the Rehabilitation Services Administration, and the National Institute on Disability and Rehabilitation Research in the Office of Special Education and Rehabilitative Services, and appropriate Federal entities in the administration of this chapter.”

Subsec. (a)(3). Pub. L. 113-128, § 491(o)(3)(A)(iii), substituted “the Administrator of the Administration for Community Living” for “the Rehabilitation Services Administration”.

Subsec. (c)(5). Pub. L. 113-128, § 491(o)(3)(B), substituted “Health and Human Services” for “Education”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117-263 effective on the day that is 6 months after Dec. 23, 2022, see section 5403 of Pub. L. 117-263, set out as a note under section 3001 of this title.

**§ 3007. Administrative provisions**

**(a) General administration**

**(1) In general**

Notwithstanding any other provision of law, the Administrator of the Administration for Community Living of the Department of Health and Human Services (referred to in this section as the “Administrator”) shall be responsible for the administration of this chapter.

**(2) Collaboration**

The Administrator shall consult with the Office of Special Education Programs of the Department of Education, the Rehabilitation Services Administration of the Department of Education, the Office of Disability Employment Policy of the Department of Labor, and other appropriate Federal entities in the administration of this chapter.

**(3) Administration**

**(A) In general**

In administering this chapter, the Administrator shall ensure that programs funded under this chapter will address—

- (i) the needs of individuals with all types of disabilities and across the lifespan; and
- (ii) the use of assistive technology in all potential environments, including employment, education, and community living.

**(B) Funding limitations**

For each fiscal year, not more than ½ of 1 percent of the total funding appropriated for this chapter shall be used by the Administrator to support the administration of this chapter.

**(b) Review of participating entities**

**(1) In general**

The Secretary shall assess the extent to which entities that receive grants under this chapter are complying with the applicable requirements of this chapter and achieving measurable goals that are consistent with the requirements of the grant programs under which the entities received the grants.

**(2) Provision of information**

To assist the Secretary in carrying out the responsibilities of the Secretary under this section, the Secretary may require States to provide relevant information, including the information required under subsection (d).

**(c) Corrective action and sanctions**

**(1) Corrective action**

If the Secretary determines that an entity that receives a grant under this chapter fails