

1       **TITLE [\_\_\_\_\_]—21ST CENTURY**  
2       **ASSISTIVE TECHNOLOGY ACT**

3       **SEC. [\_\_01]. SHORT TITLE.**

4           This title may be cited as the “21st Century Assistive  
5 Technology Act”.

6       **SEC. [\_\_02]. REAUTHORIZATION.**

7           The Assistive Technology Act of 1998 (29 U.S.C.  
8 3001 et seq.) is amended to read as follows:

9       **“SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

10           “(a) SHORT TITLE.—This Act may be cited as the  
11 ‘Assistive Technology Act of 1998’.

12           “(b) TABLE OF CONTENTS.—The table of contents  
13 of this Act is as follows:

“Sec. 1. Short title; table of contents.

“Sec. 2. Purposes.

“Sec. 3. Definitions.

“Sec. 4. Grants for State assistive technology programs.

“Sec. 5. Grants for protection and advocacy services related to assistive tech-  
nology.

“Sec. 6. Technical assistance and data collection support.

“Sec. 7. Projects of national significance.

“Sec. 8. Administrative provisions.

“Sec. 9. Authorization of appropriations; reservations and distribution of funds.

14       **“SEC. 2. PURPOSES.**

15           “‘The purposes of this Act are to—

16                   “(1) to support State efforts to improve the  
17 provision of assistive technology to individuals with  
18 disabilities of all ages, including underrepresented

1 populations, through comprehensive statewide pro-  
2 grams of technology-related assistance that are de-  
3 signed to—

4 “(A) increase the availability of, funding  
5 for, access to, provision of, and education about  
6 assistive technology devices and assistive tech-  
7 nology services;

8 “(B) increase the ability of individuals  
9 with disabilities to secure and maintain posses-  
10 sion of assistive technology devices as such indi-  
11 viduals make the transition between services of-  
12 fered by educational or human service agencies  
13 or between settings of daily living (for example,  
14 between home and work);

15 “(C) increase the capacity of public agen-  
16 cies and private entities to provide and pay for  
17 assistive technology devices and assistive tech-  
18 nology services on a statewide basis for individ-  
19 uals with disabilities;

20 “(D) increase the involvement of individ-  
21 uals with disabilities and, if appropriate, their  
22 family members, guardians, advocates, and au-  
23 thorized representatives, in decisions related to  
24 the provision of assistive technology devices and  
25 assistive technology services;

1           “(E) increase and promote coordination  
2           among and between State and local agencies  
3           and private entities (such as managed care pro-  
4           viders), that are involved in carrying out activi-  
5           ties under this Act;

6           “(F) increase the awareness and facilitate  
7           the change of laws, regulations, policies, prac-  
8           tices, procedures, and organizational structures  
9           that facilitate the availability or provision of as-  
10          sistive technology devices and assistive tech-  
11          nology services; and

12          “(G) increase awareness and knowledge of  
13          the benefits of assistive technology devices and  
14          assistive technology services among targeted in-  
15          dividuals and entities and the general popu-  
16          lation; and

17          “(2) to provide States and protection and advo-  
18          cacy systems with financial assistance that supports  
19          programs designed to maximize the ability of indi-  
20          viduals with disabilities and their family members,  
21          guardians, advocates, and authorized representatives  
22          to obtain assistive technology devices and assistive  
23          technology services.

24       **“SEC. 3. DEFINITIONS.**

25       “In this Act:

1           “(1) ADULT SERVICE PROGRAM.—The term  
2           ‘adult service program’ means a program that pro-  
3           vides services to, or is otherwise substantially in-  
4           volved with the major life functions of, individuals  
5           with disabilities. Such term includes—

6                   “(A) a program providing residential, sup-  
7                   portive, or employment-related services, to indi-  
8                   viduals with disabilities;

9                   “(B) a program carried out by a center for  
10                  independent living, such as a center described  
11                  in part C of title VII of the Rehabilitation Act  
12                  of 1973 (29 U.S.C. 796f et seq.);

13                  “(C) a program carried out by an employ-  
14                  ment support agency connected to adult voca-  
15                  tional rehabilitation, such as a one-stop partner,  
16                  as defined in section 3 of the Workforce Inno-  
17                  vation and Opportunity Act (29 U.S.C. 3102);  
18                  and

19                  “(D) a program carried out by another or-  
20                  ganization or vender licensed or registered by  
21                  the designated State agency, as defined in sec-  
22                  tion 7 of the Rehabilitation Act of 1973 (29  
23                  U.S.C. 705).

24           “(2) AMERICAN INDIAN CONSORTIUM.—The  
25           term ‘American Indian consortium’ means an entity

1 that is an American Indian Consortium (as defined  
2 in section 102 of the Developmental Disabilities As-  
3 sistance and Bill of Rights Act of 2000 (42 U.S.C.  
4 15002)), and that is established to provide protec-  
5 tion and advocacy services for purposes of receiving  
6 funding under subtitle C of title I of such Act (42  
7 U.S.C. 15041 et seq.).

8 “(3) ASSISTIVE TECHNOLOGY.—The term ‘as-  
9 sistive technology’ means technology designed to be  
10 utilized in an assistive technology device or assistive  
11 technology service.

12 “(4) ASSISTIVE TECHNOLOGY DEVICE.—The  
13 term ‘assistive technology device’ means any item,  
14 piece of equipment, or product system, whether ac-  
15 quired commercially, modified, or customized, that is  
16 used to increase, maintain, or improve functional ca-  
17 pabilities of individuals with disabilities.

18 “(5) ASSISTIVE TECHNOLOGY SERVICE.—The  
19 term ‘assistive technology service’ means any service  
20 that directly assists an individual with a disability in  
21 the selection, acquisition, or use of an assistive tech-  
22 nology device. Such term includes—

23 “(A) the evaluation of the assistive tech-  
24 nology needs of an individual with a disability,  
25 including a functional evaluation of the impact

1 of the provision of appropriate assistive tech-  
2 nology devices and services to the individual in  
3 the customary environment of the individual;

4 “(B) a service consisting of purchasing,  
5 leasing, or otherwise providing for the acquisi-  
6 tion of assistive technology devices by individ-  
7 uals with disabilities;

8 “(C) a service consisting of selecting, de-  
9 signing, fitting, customizing, adapting, apply-  
10 ing, maintaining, repairing, replacing, or donat-  
11 ing assistive technology devices;

12 “(D) coordination and use of necessary  
13 therapies, interventions, or services with assist-  
14 ive technology devices, such as therapies, inter-  
15 ventions, or services associated with education  
16 and rehabilitation plans and programs;

17 “(E) instruction or technical assistance for  
18 an individual with a disability or, where appro-  
19 priate, the family members, guardians, advo-  
20 cates, or authorized representatives of such an  
21 individual;

22 “(F) instruction or technical assistance for  
23 professionals (including individuals providing  
24 education and rehabilitation services and enti-  
25 ties that manufacture or sell assistive tech-

1 nology devices), employers, providers of employ-  
2 ment and training services, or other individuals  
3 who provide services to, employ, or are other-  
4 wise substantially involved in the major life  
5 functions of individuals with disabilities; and

6 “(G) a service consisting of expanding the  
7 availability of access to technology, including  
8 electronic and information technology, to indi-  
9 viduals with disabilities.

10 “(6) CAPACITY BUILDING AND ADVOCACY AC-  
11 TIVITIES.—The term ‘capacity building and advo-  
12 cacy activities’ means efforts that—

13 “(A) result in laws, regulations, policies,  
14 practices, procedures, or organizational struc-  
15 tures that promote consumer-responsive pro-  
16 grams or entities; and

17 “(B) facilitate and increase access to, pro-  
18 vision of, and funding for assistive technology  
19 devices and assistive technology services, in  
20 order to empower individuals with disabilities to  
21 achieve greater independence, productivity, and  
22 integration and inclusion within the community  
23 and the workforce.

24 “(7) COMPREHENSIVE STATEWIDE PROGRAM OF  
25 TECHNOLOGY-RELATED ASSISTANCE.—The term

1 ‘comprehensive statewide program of technology-re-  
2 lated assistance’ means a consumer-responsive pro-  
3 gram of technology-related assistance for individuals  
4 with disabilities that—

5 “(A) is implemented by a State;

6 “(B) is equally available to all individuals  
7 with disabilities residing in the State, regardless  
8 of their type of disability, age, income level, or  
9 location of residence in the State, or the type  
10 of assistive technology device or assistive tech-  
11 nology service required; and

12 “(C) incorporates all the activities de-  
13 scribed in section 4(e) (unless excluded pursu-  
14 ant to section 4(e)(5)).

15 “(8) CONSUMER-RESPONSIVE.—The term ‘con-  
16 sumer-responsive’—

17 “(A) with regard to policies, means that  
18 the policies are consistent with the principles  
19 of—

20 “(i) respect for individual dignity, per-  
21 sonal responsibility, self-determination, and  
22 pursuit of meaningful careers, based on in-  
23 formed choice, of individuals with disabil-  
24 ities;

1           “(ii) respect for the privacy, rights,  
2           and equal access (including the use of ac-  
3           cessible formats) of such individuals;

4           “(iii) inclusion, integration, and full  
5           participation of such individuals in society;

6           “(iv) support for the involvement in  
7           decisions of a family member, a guardian,  
8           an advocate, or an authorized representa-  
9           tive, if an individual with a disability re-  
10          quests, desires, or needs such involvement;  
11          and

12          “(v) support for individual and sys-  
13          tems advocacy and community involve-  
14          ment; and

15          “(B) with respect to an entity, program, or  
16          activity, means that the entity, program, or ac-  
17          tivity—

18                 “(i) is easily accessible to, and usable  
19                 by, individuals with disabilities and, when  
20                 appropriate, their family members, guard-  
21                 ians, advocates, or authorized representa-  
22                 tives;

23                 “(ii) responds to the needs of individ-  
24                 uals with disabilities in a timely and appro-  
25                 priate manner; and



1           “(B) who is or would be enabled by an as-  
2           sistive technology device or an assistive tech-  
3           nology service to minimize deterioration in func-  
4           tioning, to maintain a level of functioning, or to  
5           achieve a greater level of functioning in any  
6           major life activity.

7           “(11) INSTITUTION OF HIGHER EDUCATION.—  
8           The term ‘institution of higher education’ has the  
9           meaning given such term in section 101(a) of the  
10          Higher Education Act of 1965 (20 U.S.C. 1001(a)),  
11          and includes a community college receiving funding  
12          under the Tribally Controlled Colleges and Univer-  
13          sities Assistance Act of 1978 (25 U.S.C. 1801 et  
14          seq.).

15          “(12) PROTECTION AND ADVOCACY SERV-  
16          ICES.—The term ‘protection and advocacy services’  
17          means services that—

18                 “(A) are described in subtitle C of title I  
19                 of the Developmental Disabilities Assistance  
20                 and Bill of Rights Act of 2000 (42 U.S.C.  
21                 15041 et seq.), the Protection and Advocacy for  
22                 Individuals with Mental Illness Act (42 U.S.C.  
23                 10801 et seq.), or section 509 of the Rehabilita-  
24                 tion Act of 1973 (29 U.S.C. 794e); and

1           “(B) assist individuals with disabilities  
2           with respect to assistive technology devices and  
3           assistive technology services.

4           “(13) SECRETARY.—The term ‘Secretary’  
5           means the Secretary of Health and Human Services,  
6           acting through the Administrator of the Administra-  
7           tion for Community Living.

8           “(14) STATE.—

9           “(A) IN GENERAL.—Except as provided in  
10           subparagraph (B), the term ‘State’ means each  
11           of the 50 States of the United States, the Dis-  
12           trict of Columbia, the Commonwealth of Puerto  
13           Rico, the United States Virgin Islands, Guam,  
14           American Samoa, and the Commonwealth of  
15           the Northern Mariana Islands.

16           “(B) OUTLYING AREAS.—In section 4(b):

17           “(i) OUTLYING AREA.—The term ‘out-  
18           lying area’ means the United States Virgin  
19           Islands, Guam, American Samoa, and the  
20           Commonwealth of the Northern Mariana  
21           Islands.

22           “(ii) STATE.—The term ‘State’ does  
23           not include the United States Virgin Is-  
24           lands, Guam, American Samoa, and the

1 Commonwealth of the Northern Mariana  
2 Islands.

3 “(15) STATE ASSISTIVE TECHNOLOGY PRO-  
4 GRAM.—The term ‘State assistive technology pro-  
5 gram’ means a program authorized under section 4.

6 “(16) TARGETED INDIVIDUALS AND ENTI-  
7 TIES.—The term ‘targeted individuals and entities’  
8 means—

9 “(A) individuals with disabilities and their  
10 family members, guardians, advocates, and au-  
11 thorized representatives;

12 “(B) underrepresented populations;

13 “(C) individuals who work for public or  
14 private entities (including centers for inde-  
15 pendent living described in part C of title VII  
16 of the Rehabilitation Act of 1973 (29 U.S.C.  
17 796f et seq.), insurers, or managed care pro-  
18 viders) that have contact with, or provide serv-  
19 ices to, individuals with disabilities;

20 “(D) educators and related services per-  
21 sonnel, including personnel in elementary, sec-  
22 ondary, and postsecondary schools, and in voca-  
23 tional and early intervention programs;

24 “(E) technology experts (including web de-  
25 signers and procurement officials);

1           “(F) health, allied health, and rehabilita-  
2           tion professionals, and employees of hospitals,  
3           skilled nursing, intermediate care, and assisted  
4           living facilities (including discharge planners);

5           “(G) employers, especially small business  
6           employers, and providers of employment and  
7           training services;

8           “(H) entities that manufacture or sell as-  
9           sistive technology devices;

10          “(I) entities that carry out community pro-  
11          grams designed to develop essential community  
12          services in rural and urban areas; and

13          “(J) other appropriate individuals and en-  
14          tities, including public and private entities in-  
15          volved in housing and transportation, as deter-  
16          mined for a State by the State.

17          “(17) UNDERREPRESENTED POPULATION.—

18          The term ‘underrepresented population’ means a  
19          population that is typically underrepresented in serv-  
20          ice provision, and includes populations such as indi-  
21          viduals who have low-incidence disabilities, racial  
22          and ethnic minorities, low income individuals, home-  
23          less individuals (including children and youth), chil-  
24          dren in foster care, individuals with limited English  
25          proficiency, individuals living in institutions seeking

1 to transition to the community from institutional  
2 settings, youth with disabilities aging into adulthood,  
3 older individuals, or individuals living in rural areas.

4 “(18) UNIVERSAL DESIGN.—The term ‘uni-  
5 versal design’ means a concept or philosophy for de-  
6 signing and delivering products and services that are  
7 usable by people with the widest possible range of  
8 functional capabilities, which include products and  
9 services that are directly accessible (without requir-  
10 ing assistive technologies) and products and services  
11 that are interoperable with assistive technologies.

12 **“SEC. 4. GRANTS FOR STATE ASSISTIVE TECHNOLOGY PRO-**  
13 **GRAMS.**

14 “(a) GRANTS TO STATES.—The Secretary shall  
15 award grants under subsection (b) to States to maintain  
16 a comprehensive statewide program of assistive tech-  
17 nology-related assistance described in subsection (e)  
18 through State assistive technology programs that are de-  
19 signed to—

20 “(1) maximize the ability of individuals with  
21 disabilities across the human lifespan and across the  
22 wide array of disabilities, and their family members,  
23 guardians, advocates, and authorized representa-  
24 tives, to obtain assistive technology; and

25 “(2) increase access to assistive technology.

1 “(b) AMOUNT OF FINANCIAL ASSISTANCE.—

2 “(1) IN GENERAL.—From funds made available  
3 to carry out this section, the Secretary shall award  
4 a grant to each State, and outlying area, that meets  
5 the requirements of this section from an allotment  
6 determined in accordance with paragraph (2).

7 “(2) CALCULATION OF STATE GRANTS.—

8 “(A) BASE YEAR.—Except as provided in  
9 subparagraphs (B) and (C), the Secretary shall  
10 allot to each State and outlying area for a fiscal  
11 year an amount that is not less than the  
12 amount the State or outlying area received  
13 under the grants provided under section 4 of  
14 this Act (as in effect on the day before the ef-  
15 fective date of the 21st Century Assistive Tech-  
16 nology Act) for fiscal year 2022.

17 “(B) RATABLE REDUCTION.—

18 “(i) IN GENERAL.—If funds made  
19 available to carry out this section for any  
20 fiscal year are insufficient to make the al-  
21 lotments required for each State and out-  
22 lying area under subparagraph (A) for  
23 such fiscal year, the Secretary shall ratably  
24 reduce the allotments for such fiscal year.



1           that bears the same relationship to  
2           such 50 percent as the population of  
3           the State bears to the population of  
4           all States,

5           until each State has received an allotment  
6           of not less than \$410,000 under clause (i)  
7           and this clause; and

8           “(iii) from the remainder of the funds  
9           after the Secretary makes the allotments  
10          described in clause (ii), the Secretary  
11          shall—

12                   “(I) from 80 percent of the re-  
13                   mainder, allot to each State an  
14                   amount that bears the same relation-  
15                   ship to such 80 percent as the popu-  
16                   lation of the State bears to the popu-  
17                   lation of all States; and

18                   “(II) from 20 percent of the re-  
19                   mainder, allot to each State an equal  
20                   amount.

21                   “(D) APPROPRIATION HIGHER THAN  
22                   THRESHOLD AMOUNT.—For a fiscal year for  
23                   which the amount of funds made available to  
24                   carry out this section is \$40,000,000 or greater,  
25                   the Secretary shall—

1                   “(i) make the allotments described in  
2                   subparagraph (A);

3                   “(ii) from the funds remaining after  
4                   the allotment described in clause (i), allot  
5                   to each outlying area an amount of such  
6                   funds until each outlying area has received  
7                   an allotment of exactly \$150,000 under  
8                   clause (i) and this clause;

9                   “(iii) from a portion of the remainder  
10                  of the funds after the Secretary makes the  
11                  allotments described in clauses (i) and (ii),  
12                  the Secretary shall—

13                         “(I) from 50 percent of the por-  
14                         tion, allot to each State an equal  
15                         amount; and

16                         “(II) from 50 percent of the por-  
17                         tion, allot to each State an amount  
18                         that bears the same relationship to  
19                         such 50 percent as the population of  
20                         the State bears to the population of  
21                         all States,

22                   until each State has received an allotment  
23                   of not less than \$450,000 under clause (i)  
24                   and this clause; and

1                   “(iv) from the remainder of the funds  
2                   after the Secretary makes the allotments  
3                   described in clause (iii), the Secretary  
4                   shall—

5                   “(I) from 80 percent of the re-  
6                   mainder, allot to each State an  
7                   amount that bears the same relation-  
8                   ship to such 80 percent as the popu-  
9                   lation of the State bears to the popu-  
10                  lation of all States; and

11                  “(II) from 20 percent of the re-  
12                  mainder, allot to each State an equal  
13                  amount.

14                  “(3) AVAILABILITY OF FUNDS.—Amounts made  
15                  available for a fiscal year under this section shall be  
16                  available for the fiscal year and the year following  
17                  the fiscal year.

18                  “(c) LEAD AGENCY, IMPLEMENTING ENTITY, AND  
19                  ADVISORY COUNCIL.—

20                  “(1) LEAD AGENCY AND IMPLEMENTING ENTI-  
21                  TY.—

22                  “(A) LEAD AGENCY.—

23                  “(i) IN GENERAL.—The Governor of a  
24                  State shall designate a public agency as a  
25                  lead agency—

1           “(I) to control and administer  
2           the funds made available through the  
3           grant awarded to the State under this  
4           section; and

5           “(II) to submit the application  
6           described in subsection (d) on behalf  
7           of the State, to ensure conformance  
8           with Federal and State accounting re-  
9           quirements.

10           “(ii) DUTIES.—The duties of the lead  
11           agency shall include—

12           “(I) preparing the application de-  
13           scribed in subsection (d) and carrying  
14           out State activities described in that  
15           application, including making pro-  
16           grammatic and resource allocation de-  
17           cisions necessary to implement the  
18           comprehensive statewide program of  
19           technology-related assistance;

20           “(II) coordinating the activities  
21           of the comprehensive statewide pro-  
22           gram of technology-related assistance  
23           among public and private entities, in-  
24           cluding coordinating efforts related to  
25           entering into interagency agreements

1 and maintaining and evaluating the  
2 program; and

3 “(III) coordinating efforts, in a  
4 way that acknowledges the demo-  
5 graphic characteristics of individuals,  
6 related to the active, timely, and  
7 meaningful participation by individ-  
8 uals with disabilities and their family  
9 members, guardians, advocates, or au-  
10 thORIZED representatives, and other ap-  
11 propriate individuals, with respect to  
12 activities carried out through the  
13 grant.

14 “(B) IMPLEMENTING ENTITY.—The Gov-  
15 ernor may designate an agency, office, or other  
16 entity to carry out State activities under this  
17 section (referred to in this section as the ‘imple-  
18 menting entity’), if such implementing entity is  
19 different from the lead agency. The imple-  
20 menting entity shall carry out responsibilities  
21 under this Act through a subcontract or an-  
22 other administrative agreement with the lead  
23 agency.

24 “(C) CHANGE IN AGENCY OR ENTITY.—

1                   “(i) IN GENERAL.—On obtaining the  
2 approval of the Secretary—

3                   “(I) the Governor may redesignate the lead agency of a State, if the  
4 Governor shows to the Secretary, in  
5 accordance with subsection (d)(2)(B),  
6 good cause why the agency designated  
7 as the lead agency should not serve as  
8 that agency; and

9                   “(II) the Governor may redesignate the implementing entity of a  
10 State, if the Governor shows to the  
11 Secretary in accordance with sub-  
12 section (d)(2)(B), good cause why the  
13 entity designated as the implementing  
14 entity should not serve as that entity.

15                   “(ii) CONSTRUCTION.—Nothing in  
16 this paragraph shall be construed to re-  
17 quire the Governor of a State to change  
18 the lead agency or implementing entity of  
19 the State to an agency other than the lead  
20 agency or implementing entity of such  
21 State as of the date of enactment of the  
22 ‘21st Century Assistive Technology Act’.

23                   “(2) ADVISORY COUNCIL.—

1           “(A) IN GENERAL.—There shall be estab-  
2           lished an advisory council to provide consumer-  
3           responsive, consumer-driven advice to the State  
4           for planning, implementation, and evaluation of  
5           the activities carried out through the grant, in-  
6           cluding setting the measurable goals described  
7           in subsection (d)(3)(C).

8           “(B) COMPOSITION AND REPRESENTA-  
9           TION.—

10           “(i) COMPOSITION.—The advisory  
11           council shall be composed of—

12                   “(I) individuals with disabilities  
13                   who use assistive technology or the  
14                   family members or guardians of the  
15                   individuals;

16                   “(II) a representative of the des-  
17                   ignated State agency, as defined in  
18                   section 7 of the Rehabilitation Act of  
19                   1973 (29 U.S.C. 705);

20                   “(III) a representative of the des-  
21                   ignated State agency for individuals  
22                   who are blind or that provides assist-  
23                   ance or services to adults who are  
24                   blind (within the meaning of section  
25                   101 of that Act (29 U.S.C. 721)), if

1 such agency is separate from the  
2 agency described in subclause (II);

3 “(IV) a representative of a State  
4 center for independent living described  
5 in part C of title VII of the Rehabili-  
6 tation Act of 1973 (29 U.S.C. 796f et  
7 seq.), or the Statewide Independent  
8 Living Council established under sec-  
9 tion 705 of such Act (29 U.S.C.  
10 796d);

11 “(V) a representative of the  
12 State workforce development board es-  
13 tablished under section 101 of the  
14 Workforce Innovation and Oppor-  
15 tunity Act (29 U.S.C. 3111);

16 “(VI) a representative of the  
17 State educational agency, as defined  
18 in section 8101 of the Elementary and  
19 Secondary Education Act of 1965 (20  
20 U.S.C. 7801);

21 “(VII) a representative of an al-  
22 ternative financing program for assist-  
23 ive technology if—

1                   “(aa) there is an alternative  
2 financing program for assistive  
3 technology in the State;

4                   “(bb) such program is sepa-  
5 rate from the State assistive  
6 technology program supported  
7 under subsection (e)(2); and

8                   “(cc) the program described  
9 in item (aa) is operated by a non-  
10 profit entity;

11                   “(VIII) a representative of 1 or  
12 more of—

13                   “(aa) the agency responsible  
14 for administering the State Med-  
15 icaid program under title XIX of  
16 the Social Security Act (42  
17 U.S.C. 1396 et seq.);

18                   “(bb) the designated State  
19 agency for purposes of section  
20 124 of the Developmental Dis-  
21 abilities Assistance and Bill of  
22 Rights Act of 2000 (42 U.S.C.  
23 15024);

24                   “(cc) the State agency des-  
25 igned under section 305(a)(1)

1 of the Older Americans Act of  
2 1965 (42 U.S.C. 3025(a)(1)), or  
3 an organization that receives as-  
4 sistance under such Act (42  
5 U.S.C. 3001 et seq.);

6 “(dd) an organization rep-  
7 resenting disabled veterans;

8 “(ee) a University Center  
9 for Excellence in Developmental  
10 Disabilities Education, Research,  
11 and Service designated under  
12 section 151(a) of the Develop-  
13 mental Disabilities Assistance  
14 and Bill of Rights Act of 2000  
15 (42 U.S.C. 15061(a));

16 “(ff) the State protection  
17 and advocacy system established  
18 in accordance with section 143 of  
19 the Developmental Disabilities  
20 Assistance and Bill of Rights Act  
21 of 2000 (42 U.S.C. 15043); or

22 “(gg) the State Council on  
23 Developmental Disabilities estab-  
24 lished under section 125 of the  
25 Developmental Disabilities As-

1 assistance and Bill of Rights Act of  
2 2000 (42 U.S.C. 15025); and

3 “(IX) representatives of other  
4 State agencies, public agencies, or pri-  
5 vate organizations, as determined by  
6 the State.

7 “(ii) MAJORITY.—

8 “(I) IN GENERAL.—Not less than  
9 51 percent of the members of the ad-  
10 visory council shall be members ap-  
11 pointed under clause (i)(I), a majority  
12 of whom shall be individuals with dis-  
13 abilities.

14 “(II) REPRESENTATIVES OF  
15 AGENCIES.—Members appointed  
16 under subclauses (II) through (IX) of  
17 clause (i) shall not count toward the  
18 majority membership requirement es-  
19 tablished in subclause (I).

20 “(iii) REPRESENTATION.—The advi-  
21 sory council shall be geographically rep-  
22 resentative of the State and reflect the di-  
23 versity of the State with respect to race,  
24 ethnicity, age, and types of disabilities, and  
25 users of types of services that an individual

1 with a disability may receive, including  
2 home and community-based services (as  
3 defined in section 9817(a)(2) of the Amer-  
4 ican Rescue Plan Act of 2021 (42 U.S.C.  
5 1396d note)), vocational rehabilitation  
6 services (as defined in section 7 of the Re-  
7 habilitation Act of 1973 (29 U.S.C. 705)),  
8 and services through the Individuals with  
9 Disabilities Education Act (20 U.S.C.  
10 1400 et seq.).

11 “(C) EXPENSES.—The members of the ad-  
12 visory council shall receive no compensation for  
13 their service on the advisory council, but shall  
14 be reimbursed for reasonable and necessary ex-  
15 penses actually incurred in the performance of  
16 official duties for the advisory council.

17 “(D) IMPACT ON EXISTING STATUTES,  
18 RULES, OR POLICIES.—Nothing in this para-  
19 graph shall be construed to affect State stat-  
20 utes, rules, or official policies relating to advi-  
21 sory bodies for State assistive technology pro-  
22 grams or require changes to governing bodies of  
23 incorporated agencies that carry out State as-  
24 sistive technology programs.

25 “(d) APPLICATION.—

1           “(1) IN GENERAL.—Any State that desires to  
2 receive a grant under this section shall submit an  
3 application to the Secretary, at such time, in such  
4 manner, and containing such information as the Sec-  
5 retary may require.

6           “(2) LEAD AGENCY AND IMPLEMENTING ENTI-  
7 TY.—

8           “(A) IN GENERAL.—The application shall  
9 contain—

10           “(i) information identifying and de-  
11 scribing the lead agency referred to in sub-  
12 section (c)(1)(A);

13           “(ii) information identifying and de-  
14 scribing the implementing entity referred  
15 to in subsection (c)(1)(B), if the Governor  
16 of the State designates such an entity; and

17           “(iii) a description of how individuals  
18 with disabilities were involved in the devel-  
19 opment of the application and will be in-  
20 volved in the implementation of the activi-  
21 ties to be carried out through the grant  
22 and through the advisory council estab-  
23 lished in accordance with subsection (c)(2).

24           “(B) CHANGE IN LEAD AGENCY OR IMPLE-  
25 MENTING ENTITY.—In any case where—

1                   “(i) the Governor requests to redesignig-  
2                   nate a lead agency, the Governor shall in-  
3                   clude in, or amend, the application to re-  
4                   quest the redesignation and provide a writ-  
5                   ten description of the rationale for the re-  
6                   quested change; or

7                   “(ii) the Governor requests to redesignig-  
8                   nate an implementing entity, the Governor  
9                   shall include in, or amend, the application  
10                  to request the redesignation and provide a  
11                  written description of the rationale for the  
12                  requested change.

13                  “(3) STATE PLAN.—The application under this  
14                  subsection shall include a State plan for assistive  
15                  technology consisting of—

16                  “(A) a description of how the State will  
17                  carry out a comprehensive statewide program  
18                  that provides assistive technology activities de-  
19                  scribed in subsection (e) (unless excluded by the  
20                  State pursuant to subsection (e)(5));

21                  “(B) a description of how the State will al-  
22                  locate and utilize grant funds to implement the  
23                  activities described in subparagraph (A), includ-  
24                  ing describing proposed budget allocations and

1           planned procedures for tracking expenditures  
2           for the activities;

3           “(C) measurable goals, and a timeline for  
4           meeting the goals, that the State has set for ad-  
5           dressing the assistive technology needs of indi-  
6           viduals with disabilities in the State related  
7           to—

8                   “(i) education, including goals involv-  
9                   ing the provision of assistive technology to  
10                  individuals with disabilities who receive  
11                  services under the Individuals with Disabil-  
12                  ities Education Act (20 U.S.C. 1400 et  
13                  seq.);

14                  “(ii) employment, including goals in-  
15                  volving the State vocational rehabilitation  
16                  program carried out under title I of the  
17                  Rehabilitation Act of 1973 (29 U.S.C. 720  
18                  et seq.);

19                  “(iii) access to teleassistive technology  
20                  to aid in the access of health care services,  
21                  including mental health and substance use  
22                  disorder services;

23                  “(iv) accessible information and com-  
24                  munication technology instruction for indi-

1           viduals with disabilities receiving assistive  
2           technology under this section; and

3                   “(v) community living;

4                   “(D) information describing how the State  
5           will quantifiably measure the goals, in a manner  
6           consistent with the data submitted through the  
7           progress reports under subsection (f), to deter-  
8           mine whether the goals have been achieved; and

9                   “(E) a description of any activities de-  
10          scribed in subsection (e) that the State will sup-  
11          port with State or other non-Federal funds.

12                   “(4) INVOLVEMENT OF PUBLIC AND PRIVATE  
13          ENTITIES.—The application shall describe how var-  
14          ious public and private entities, including individuals  
15          with disabilities and their families, were involved in  
16          the development of the application, including the  
17          measurable goals and timeline described in para-  
18          graph (3)(C) and the description of how the goals  
19          will be quantifiably measured described in paragraph  
20          (3)(D), and will be involved in the implementation of  
21          the activities to be carried out through the grant, in-  
22          cluding—

23                   “(A) in cases determined to be appropriate  
24          by the State, a description of the nature and  
25          extent of resources that will be committed by

1 public and private partners to assist in accom-  
2 plishing identified goals; and

3 “(B) a description of the mechanisms es-  
4 tablished to ensure coordination of activities  
5 and collaboration between the implementing en-  
6 tity, if any, and the State.

7 “(5) ASSURANCES.—The application shall in-  
8 clude assurances that—

9 “(A) the State will annually collect data  
10 related to the required activities implemented  
11 by the State under this section in order to pre-  
12 pare the progress reports required under sub-  
13 section (f);

14 “(B) funds received through the grant—

15 “(i) will be expended in accordance  
16 with this section; and

17 “(ii) will be used to supplement, and  
18 not supplant, funds available from other  
19 sources for technology-related assistance,  
20 including the provision of assistive tech-  
21 nology devices and assistive technology  
22 services;

23 “(C) the lead agency will control and ad-  
24 minister the funds received through the grant;

1           “(D) the State will adopt such fiscal con-  
2           trol and accounting procedures as may be nec-  
3           essary to ensure proper disbursement of and ac-  
4           counting for the funds received through the  
5           grant;

6           “(E) the physical facility of the lead agen-  
7           cy and implementing entity, if any, meets the  
8           requirements of the Americans with Disabilities  
9           Act of 1990 (42 U.S.C. 12101 et seq.) regard-  
10          ing accessibility for individuals with disabilities;

11          “(F) a public agency or an individual with  
12          a disability holds title to any property pur-  
13          chased with funds received under the grant and  
14          administers that property;

15          “(G) activities carried out in the State that  
16          are authorized under this Act, and supported by  
17          Federal funds received under this Act, will com-  
18          ply with the standards established by the Archi-  
19          tectural and Transportation Barriers Compli-  
20          ance Board under section 508 of the Rehabilita-  
21          tion Act of 1973 (29 U.S.C. 794d); and

22          “(H) the State will—

23                 “(i) prepare reports to the Secretary  
24                 in such form and containing such informa-  
25                 tion as the Secretary may require to carry

1 out the Secretary's functions under this  
2 Act; and

3 “(ii) keep such records and allow ac-  
4 cess to such records as the Secretary may  
5 require to ensure the correctness and  
6 verification of information provided to the  
7 Secretary under this subparagraph.

8 “(e) USE OF FUNDS.—

9 “(1) REQUIRED ACTIVITIES.—

10 “(A) IN GENERAL.—Except as provided in  
11 subparagraph (B) and paragraph (5), any State  
12 that receives a grant under this section shall—

13 “(i) use a portion of not more than 40  
14 percent of the funds made available  
15 through the grant to carry out all activities  
16 described in paragraph (3), of which not  
17 less than 5 percent of such portion shall be  
18 available for activities described in para-  
19 graph (3)(A)(iii); and

20 “(ii) use a portion of the funds made  
21 available through the grant to carry out all  
22 of the activities described in paragraph (2).

23 “(B) STATE OR OTHER NON-FEDERAL FI-  
24 NANCIAL SUPPORT.—A State receiving a grant  
25 under this section shall not be required to use

1 grant funds to carry out the category of activi-  
2 ties described in subparagraph (A), (B), (C), or  
3 (D) of paragraph (2) in that State if, for such  
4 category of activities, financial support is pro-  
5 vided in that State—

6 “(i) from State or other non-Federal  
7 resources or entities; and

8 “(ii) in an amount that is comparable  
9 to, or greater than, the amount of the por-  
10 tion of the funds made available through  
11 the grant that the State would have ex-  
12 pended for such category of activities, in  
13 the absence of this subparagraph.

14 “(2) STATE-LEVEL ACTIVITIES.—

15 “(A) STATE FINANCING ACTIVITIES.—The  
16 State shall support State financing activities to  
17 increase access to, and funding for, assistive  
18 technology devices and assistive technology  
19 services (which shall not include direct payment  
20 for such a device or service for an individual  
21 with a disability but may include support and  
22 administration of a program to provide such  
23 payment), including development of systems to  
24 provide and pay for such devices and services,

1 for targeted individuals and entities described  
2 in section 3(16)(A), including—

3 “(i) support for the development of  
4 systems for the purchase, lease, or other  
5 acquisition of, or payment for, assistive  
6 technology devices and assistive technology  
7 services;

8 “(ii) another mechanism that is ap-  
9 proved by the Secretary; or

10 “(iii) support for the development of a  
11 State-financed or privately financed alter-  
12 native financing program engaged in the  
13 provision of assistive technology devices,  
14 such as—

15 “(I) a low-interest loan fund;

16 “(II) an interest buy-down pro-  
17 gram;

18 “(III) a revolving loan fund; or

19 “(IV) a loan guarantee or insur-  
20 ance program.

21 “(B) DEVICE REUTILIZATION PRO-  
22 GRAMS.—The State shall directly, or in collabo-  
23 ration with public or private entities, carry out  
24 assistive technology device reutilization pro-  
25 grams that provide for the exchange, repair, re-

1 cycling, or other reutilization of assistive tech-  
2 nology devices, which may include redistribution  
3 through device sales, loans, rentals, or dona-  
4 tions.

5 “(C) DEVICE LOAN PROGRAMS.—The  
6 State shall directly, or in collaboration with  
7 public or private entities, carry out device loan  
8 programs that provide short-term loans of as-  
9 sistive technology devices to individuals, employ-  
10 ers, public agencies, or others seeking to meet  
11 the needs of targeted individuals and entities,  
12 including others seeking to comply with the In-  
13 dividuals with Disabilities Education Act (20  
14 U.S.C. 1400 et seq.), the Americans with Dis-  
15 abilities Act of 1990 (42 U.S.C. 12101 et seq.),  
16 and section 504 of the Rehabilitation Act of  
17 1973 (29 U.S.C. 794).

18 “(D) DEVICE DEMONSTRATIONS.—

19 “(i) IN GENERAL.—The State shall  
20 directly, or in collaboration with public and  
21 private entities, such as one-stop partners,  
22 as defined in section 3 of the Workforce  
23 Innovation and Opportunity Act (29  
24 U.S.C. 3102), demonstrate a variety of as-  
25 sistive technology devices and assistive

1 technology services (including assisting in-  
2 dividuals in making informed choices re-  
3 garding, and providing experiences with,  
4 the devices and services), using personnel  
5 who are familiar with such devices and  
6 services and their applications.

7 “(ii) COMPREHENSIVE INFORMA-  
8 TION.—The State shall directly, or through  
9 referrals, provide to individuals, to the ex-  
10 tent practicable, comprehensive informa-  
11 tion about State and local assistive tech-  
12 nology venders, providers, and repair serv-  
13 ices.

14 “(3) STATE LEADERSHIP ACTIVITIES.—

15 “(A) EDUCATIONAL ACTIVITIES AND  
16 TECHNICAL ASSISTANCE.—

17 “(i) IN GENERAL.—The State shall,  
18 directly or through the provision of support  
19 to public or private entities with dem-  
20 onstrated expertise in collaborating with  
21 public or private agencies that serve indi-  
22 viduals with disabilities, develop and dis-  
23 seminate training materials, conduct edu-  
24 cational activities, and provide technical  
25 assistance, for individuals statewide, in-

1 cluding representatives of State and local  
2 educational agencies, State vocational re-  
3 habilitation programs, other State and  
4 local agencies, early intervention programs,  
5 adult service programs, hospitals and other  
6 health care facilities, institutions of higher  
7 education, and businesses.

8 “(ii) AUTHORIZED ACTIVITIES.—In  
9 carrying out activities under clause (i), the  
10 State shall carry out activities that en-  
11 hance the knowledge, skills, and com-  
12 petencies of individuals from local settings  
13 described in such clause, which may in-  
14 clude—

15 “(I) raising awareness and pro-  
16 viding instruction on the benefits of  
17 assistive technology and the Federal,  
18 State, and private funding sources  
19 available to assist targeted individuals  
20 and entities in acquiring assistive  
21 technology;

22 “(II) skills development in as-  
23 sessing the need for assistive tech-  
24 nology devices and assistive tech-  
25 nology services;

1                   “(III) instruction to ensure the  
2                   appropriate application and use of as-  
3                   sistive technology devices, assistive  
4                   technology services, and accessible in-  
5                   formation and communication tech-  
6                   nology for e-government functions;

7                   “(IV) instruction in the impor-  
8                   tance of multiple approaches to as-  
9                   sessment and implementation nec-  
10                  essary to meet the individualized  
11                  needs of individuals with disabilities;  
12                  and

13                  “(V) technical instruction on in-  
14                  tegrating assistive technology into the  
15                  development and implementation of  
16                  service plans, including any education,  
17                  health, discharge, Olmstead, employ-  
18                  ment, or other plan required under  
19                  Federal or State law.

20                  “(iii) TRANSITION ASSISTANCE TO IN-  
21                  DIVIDUALS WITH DISABILITIES.—The  
22                  State shall (directly or through the provi-  
23                  sion of support to public or private enti-  
24                  ties) develop and disseminate educational  
25                  materials, conduct educational activities,

1 facilitate access to assistive technology,  
2 and provide technical assistance, to as-  
3 sist—

4 “(I) students with disabilities,  
5 within the meaning of the Individuals  
6 with Disabilities Education Act (20  
7 U.S.C. 1400 et seq.), that receive  
8 transition services; and

9 “(II) adults who are individuals  
10 with disabilities maintaining or  
11 transitioning to community living.

12 “(B) PUBLIC-AWARENESS ACTIVITIES.—

13 “(i) IN GENERAL.—The State shall  
14 conduct public-awareness activities de-  
15 signed to provide information to targeted  
16 individuals and entities relating to the  
17 availability, benefits, appropriateness, and  
18 costs of assistive technology devices and  
19 assistive technology services, including—

20 “(I) the development of proce-  
21 dures for providing direct communica-  
22 tion between providers of assistive  
23 technology and targeted individuals  
24 and entities, which may include part-  
25 nerships with entities in the statewide

1 and local workforce development sys-  
2 tems established under the Workforce  
3 Innovation and Opportunity Act (29  
4 U.S.C. 3101 et seq.), State vocational  
5 rehabilitation programs, public and  
6 private employers, centers for inde-  
7 pendent living described in part C of  
8 title VII of the Rehabilitation Act of  
9 1973 (29 U.S.C. 796f et seq.), Aging  
10 and Disability Resource Centers (as  
11 defined in section 102 of the Older  
12 Americans Act of 1965 (42 U.S.C.  
13 3002)), or elementary schools and sec-  
14 ondary schools (as defined in section  
15 8101 of the Elementary and Sec-  
16 ondary Education Act of 1965 (20  
17 U.S.C. 7801));

18 “(II) the development and dis-  
19 semination, to targeted individuals  
20 and entities, of information about  
21 State efforts related to assistive tech-  
22 nology; and

23 “(III) the distribution of mate-  
24 rials to appropriate public and private  
25 agencies that provide social, medical,

1 educational, employment, housing,  
2 and transportation services to individ-  
3 uals with disabilities.

4 “(ii) STATEWIDE INFORMATION AND  
5 REFERRAL SYSTEM.—

6 “(I) IN GENERAL.—The State  
7 shall directly, or in collaboration with  
8 public or private entities (including  
9 nonprofit organizations), provide for  
10 the continuation and enhancement of  
11 a statewide information and referral  
12 system designed to meet the needs of  
13 targeted individuals and entities.

14 “(II) CONTENT.—The system  
15 shall deliver information on assistive  
16 technology devices, assistive tech-  
17 nology services (with specific data re-  
18 garding provider availability within  
19 the State), and the availability of re-  
20 sources, including funding through  
21 public and private sources, to obtain  
22 assistive technology devices and assist-  
23 ive technology services. The system  
24 shall also deliver information on the  
25 benefits of assistive technology devices

1                   and assistive technology services with  
2                   respect to enhancing the capacity of  
3                   individuals with disabilities to perform  
4                   activities of daily living.

5                   “(C) COORDINATION AND COLLABORA-  
6                   TION.—The State shall coordinate activities de-  
7                   scribed in paragraph (2) and this paragraph,  
8                   among public and private entities that are re-  
9                   sponsible for policies, procedures, or funding for  
10                  the provision of assistive technology devices and  
11                  assistive technology services to improve access  
12                  to such devices and services in the State.

13                  “(4) FUNDING RULES.—

14                  “(A) PROHIBITION.—Funds made avail-  
15                  able through a grant to a State under this sec-  
16                  tion shall not be used for direct payment for an  
17                  assistive technology device for an individual  
18                  with a disability.

19                  “(B) FEDERAL PARTNER COLLABORA-  
20                  TION.—In order to coordinate efforts regarding  
21                  the availability of funding to access and acquire  
22                  assistive technology through device demonstra-  
23                  tion, loan, reuse, and State financing activities,  
24                  a State receiving a grant under this section  
25                  shall ensure that the lead agency or imple-

1           menting entity is conducting outreach to and,  
2           as appropriate, collaborating with, other State  
3           agencies that receive Federal funding for assist-  
4           ive technology, including—

5                   “(i) the State educational agency re-  
6                   ceiving assistance under the Individuals  
7                   with Disabilities Education Act (20 U.S.C.  
8                   1400 et seq.);

9                   “(ii) the State vocational rehabilita-  
10                  tion agency receiving assistance under title  
11                  I of the Rehabilitation Act of 1973 (29  
12                  U.S.C. 720 et seq.);

13                  “(iii) the agency responsible for ad-  
14                  ministering the State Medicaid program  
15                  under title XIX of the Social Security Act  
16                  (42 U.S.C. 1396 et seq.);

17                  “(iv) the State agency receiving as-  
18                  sistance under the Older Americans Act of  
19                  1965 (42 U.S.C. 3001 et seq.); and

20                  “(v) any other agency in a State that  
21                  funds assistive technology.

22                  “(C) INDIRECT COSTS.—Not more than 10  
23                  percent of the funds made available through a  
24                  grant to a State under this section may be used  
25                  for indirect costs.

1           “(5) STATE FLEXIBILITY.—

2                   “(A) IN GENERAL.—Notwithstanding para-  
3 graph (1)(A) and subject to subparagraph (B),  
4 a State may use funds that the State receives  
5 under a grant awarded under this section to  
6 carry out any 2 or more of the activities de-  
7 scribed in paragraph (2).

8                   “(B) SPECIAL RULE.—Notwithstanding  
9 paragraph (1)(A), any State that exercises its  
10 authority under subparagraph (A)—

11                           “(i) shall carry out each of the re-  
12 quired activities described in paragraph  
13 (3); and

14                           “(ii) shall use not more than 30 per-  
15 cent of the funds made available through  
16 the grant to carry out such activities.

17           “(6) ASSISTIVE TECHNOLOGY DEVICE DISPOSI-  
18 TION.—Notwithstanding other equipment disposition  
19 policy under Federal law, an assistive technology de-  
20 vice purchased to be used in activities authorized  
21 under this section may be reutilized to the maximum  
22 extent possible and then donated to a public agency,  
23 private nonprofit agency, or individual with a dis-  
24 ability in need of such device.

25           “(f) ANNUAL PROGRESS REPORTS.—

1           “(1) DATA COLLECTION.—Each State receiving  
2 a grant under this section shall participate in data  
3 collection as required by law, including data collec-  
4 tion required for preparation of the reports de-  
5 scribed in paragraph (2).

6           “(2) REPORTS.—

7           “(A) IN GENERAL.—Each State shall pre-  
8 pare and submit to the Secretary an annual  
9 progress report on the activities carried out by  
10 the State in accordance with subsection (e), in-  
11 cluding activities funded by State or other non-  
12 Federal sources under subsection (e)(1)(B) at  
13 such time, and in such manner, as the Sec-  
14 retary may require.

15           “(B) CONTENTS.—The report shall include  
16 data collected pursuant to this section. The re-  
17 port shall document, with respect to activities  
18 carried out under this section in the State—

19           “(i) the type of State financing activi-  
20 ties described in subsection (e)(2)(A) used  
21 by the State;

22           “(ii) the amount and type of assist-  
23 ance given to consumers of the State fi-  
24 nancing activities described in subsection  
25 (e)(2)(A) (which shall be classified by type

1 of assistive technology device or assistive  
2 technology service financed through the  
3 State financing activities, and geographic  
4 distribution within the State), including—

5 “(I) the number of applications  
6 for assistance received;

7 “(II) the number of applica-  
8 tions—

9 “(aa) approved;

10 “(bb) denied; or

11 “(cc) withdrawn;

12 “(III) the number, percentage,  
13 and dollar amount of defaults for the  
14 financing activities;

15 “(IV) the range and average in-  
16 terest rate for the financing activities;

17 “(V) the range and average in-  
18 come of approved applicants for the  
19 financing activities; and

20 “(VI) the types and dollar  
21 amounts of assistive technology fi-  
22 nanced;

23 “(iii) the number, type, and length of  
24 time of loans of assistive technology de-  
25 vices provided to individuals with disabil-

1 ities, employers, public agencies, or public  
2 accommodations through the device loan  
3 program described in subsection (e)(2)(C),  
4 and an analysis of the types of such de-  
5 vices provided through the program, and  
6 how each device benefitted the individual  
7 who received such device;

8 “(iv) the number, type, estimated  
9 value, and scope of assistive technology de-  
10 vices exchanged, repaired, recycled, or re-  
11 utilized (including redistributed through  
12 device sales, loans, rentals, or donations)  
13 through the device reutilization program  
14 described in subsection (e)(2)(B), and an  
15 analysis of the individuals with disabilities  
16 who have benefited from the device reutili-  
17 zation program;

18 “(v) the number and type of device  
19 demonstrations and referrals provided  
20 under subsection (e)(2)(D), and an anal-  
21 ysis of individuals with disabilities who  
22 have benefited from the demonstrations  
23 and referrals;

24 “(vi)(I) the number and general char-  
25 acteristics of individuals who participated

1 in educational activities under subsection  
2 (e)(3)(A) (such as individuals with disabili-  
3 ties, parents, educators, employers, pro-  
4 viders of employment services, health care  
5 workers, counselors, other service pro-  
6 viders, or venders) and the topics of such  
7 educational activities; and

8 “(II) to the extent practicable, the ge-  
9 ographic distribution of individuals who  
10 participated in the educational activities;

11 “(vii) the frequency of provision and  
12 nature of technical assistance provided to  
13 State and local agencies and other entities;

14 “(viii) the number of individuals as-  
15 sisted through the statewide information  
16 and referral system described in subsection  
17 (e)(3)(B)(ii) and descriptions of the public  
18 awareness activities under subsection  
19 (e)(3)(B);

20 “(ix) the outcomes of any improve-  
21 ment initiatives carried out by the State as  
22 a result of activities funded under this sec-  
23 tion, including a description of any written  
24 policies, practices, and procedures that the  
25 State has developed and implemented re-

1           garding access to, provision of, and fund-  
2           ing for, assistive technology devices, and  
3           assistive technology services, in the con-  
4           texts of education, health care, employ-  
5           ment, community living, and accessible in-  
6           formation and communication technology,  
7           including e-government;

8           “(x) the source of leveraged funding  
9           or other contributed resources, including  
10          resources provided through subcontracts or  
11          other collaborative resource-sharing agree-  
12          ments, from and with public and private  
13          entities to carry out State activities de-  
14          scribed in subsection (e)(3)(C), the number  
15          of individuals served with the contributed  
16          resources for which information is not re-  
17          ported under clauses (i) through (ix) or  
18          clause (xi), and other outcomes accom-  
19          plished as a result of such activities carried  
20          out with the contributed resources; and

21          “(xi) the level of customer satisfaction  
22          with the services provided.

23 **“SEC. 5. GRANTS FOR PROTECTION AND ADVOCACY SERV-**  
24 **ICES RELATED TO ASSISTIVE TECHNOLOGY.**

25          “(a) GRANTS.—

1           “(1) IN GENERAL.—The Secretary shall make  
2 grants under subsection (b) to protection and advoca-  
3 cacy systems in each State for the purpose of ena-  
4 bling such systems to assist in the acquisition, utili-  
5 zation, or maintenance of assistive technology de-  
6 vices or assistive technology services for individuals  
7 with disabilities.

8           “(2) GENERAL AUTHORITIES.—In providing the  
9 assistance described under paragraph (1), protection  
10 and advocacy systems shall have the same general  
11 authorities as the systems are afforded under sub-  
12 title C of title I of the Developmental Disabilities  
13 Assistance and Bill of Rights Act of 2000 (42  
14 U.S.C. 15041 et seq.).

15           “(b) RESERVATION; DISTRIBUTION.—

16           “(1) RESERVATION.—For each fiscal year, the  
17 Secretary shall reserve, from the amounts made  
18 available to carry out this section under section  
19 9(b)(2)(B), such sums as may be necessary to carry  
20 out paragraph (4).

21           “(2) POPULATION BASIS.—From the amounts  
22 appropriated to carry out this section for a fiscal  
23 year that remain after the reservation required  
24 under paragraph (1) has been made, the Secretary  
25 shall make a grant to a protection and advocacy sys-

1       tem within each State in an amount bearing the  
2       same ratio to the remaining amounts as the popu-  
3       lation of the State bears to the population of all  
4       States.

5           “(3) MINIMUMS.—Subject to the availability of  
6       appropriations and paragraph (5), the amount of a  
7       grant to a protection and advocacy system under  
8       paragraph (2) for a fiscal year shall—

9           “(A) in the case of a protection and advo-  
10       cacy system located in American Samoa, Guam,  
11       the United States Virgin Islands, or the Com-  
12       monwealth of the Northern Mariana Islands,  
13       not be less than \$30,000; and

14          “(B) in the case of a protection and advo-  
15       cacy system located in a State not described in  
16       subparagraph (A), not be less than \$50,000.

17          “(4) PAYMENT TO THE SYSTEM SERVING THE  
18       AMERICAN INDIAN CONSORTIUM.—

19          “(A) IN GENERAL.—The Secretary shall  
20       make grants to the protection and advocacy  
21       system serving the American Indian consortium  
22       to provide services in accordance with this sec-  
23       tion.

24          “(B) AMOUNT OF GRANTS.—The amount  
25       of a grant under subparagraph (A) shall be the

1 same as the amount provided under paragraph  
2 (3)(A).

3 “(5) ADJUSTMENTS.—For each fiscal year for  
4 which the total amount appropriated under section  
5 9(b)(2)(B) to carry out this section is \$8,000,000 or  
6 more and such appropriated amount exceeds the  
7 total amount appropriated to carry out this section  
8 for the preceding fiscal year, the Secretary shall in-  
9 crease each of the minimum grant amounts de-  
10 scribed in subparagraphs (A) and (B) of paragraph  
11 (3) and paragraph (4)(B) by a percentage equal to  
12 the percentage increase in the total amount appro-  
13 priated under section 9 to carry out this section for  
14 the preceding fiscal year and such total amount for  
15 the fiscal year for which the determination is being  
16 made.

17 “(c) DIRECT PAYMENT.—Notwithstanding any other  
18 provision of law, the Secretary shall pay directly to any  
19 protection and advocacy system that complies with this  
20 section, the total amount of the grant made for such sys-  
21 tem under this section, unless the system provides other-  
22 wise for payment of the grant amount.

23 “(d) CARRYOVER; PROGRAM INCOME.—

24 “(1) CARRYOVER.—Any amount paid to a pro-  
25 tection and advocacy system for a fiscal year under

1       this section that remains unobligated at the end of  
2       such fiscal year shall remain available to such sys-  
3       tem for obligation during the subsequent fiscal year.

4               “(2) PROGRAM INCOME.—Program income gen-  
5       erated from any amount paid to a protection and ad-  
6       vocacy system for a fiscal year shall—

7                       “(A) remain available to the protection and  
8       advocacy system for 5 additional fiscal years  
9       after the year in which such amount was paid  
10      to the protection and advocacy system and be  
11      considered an addition to the grant; and

12                      “(B) only be used to improve the aware-  
13      ness of individuals with disabilities about the  
14      accessibility of assistive technology and assist  
15      such individuals in the acquisition, utilization,  
16      or maintenance of assistive technology devices  
17      or assistive technology services.

18               “(e) REPORT TO SECRETARY.—A protection and ad-  
19      vocacy system that receives a grant under this section  
20      shall annually prepare and submit to the Secretary a re-  
21      port that contains documentation of the progress of the  
22      protection and advocacy system in—

23                      “(1) conducting consumer-responsive activities,  
24      including activities that will lead to increased access  
25      for individuals with disabilities to funding for assist-

1       ive technology devices and assistive technology serv-  
2       ices;

3               “(2) engaging in informal advocacy to assist in  
4       securing assistive technology devices and assistive  
5       technology services for individuals with disabilities;

6               “(3) engaging in formal representation for indi-  
7       viduals with disabilities to secure systems change,  
8       and in advocacy activities to secure assistive tech-  
9       nology devices and assistive technology services for  
10      individuals with disabilities;

11              “(4) developing and implementing strategies to  
12      enhance the long-term abilities of individuals with  
13      disabilities and their family members, guardians, ad-  
14      vocates, and authorized representatives to advocate  
15      the provision of assistive technology devices and as-  
16      sistive technology services to which the individuals  
17      with disabilities are entitled under law other than  
18      this Act;

19              “(5) coordinating activities with protection and  
20      advocacy services funded through sources other than  
21      this Act, and coordinating activities with the capac-  
22      ity building and advocacy activities carried out by  
23      the lead agency; and

24              “(6) effectively allocating funds made available  
25      under this section to improve the awareness of indi-

1 individuals with disabilities about the accessibility of as-  
2 sistive technology and assist such individuals in the  
3 acquisition, utilization, or maintenance of assistive  
4 technology devices or assistive technology services.

5 “(f) REPORTS AND UPDATES TO STATE AGENCIES.—

6 A protection and advocacy system that receives a grant  
7 under this section shall prepare and submit to the lead  
8 agency of the State designated under section 4(e)(1) the  
9 report described in subsection (e) and quarterly updates  
10 concerning the activities described in such subsection.

11 “(g) COORDINATION.—On making a grant under this

12 section to a protection and advocacy system in a State,  
13 the Secretary shall solicit and consider the opinions of the  
14 lead agency of the State with respect to efforts at coordi-  
15 nation of activities, collaboration, and promoting outcomes  
16 between the lead agency and the protection and advocacy  
17 system that receives the grant under this section.

18 **“SEC. 6. TECHNICAL ASSISTANCE AND DATA COLLECTION**

19 **SUPPORT.**

20 “(a) DEFINITIONS.—In this section:

21 “(1) QUALIFIED DATA COLLECTION AND RE-  
22 PORTING ENTITY.—The term ‘qualified data collec-  
23 tion and reporting entity’ means an entity with dem-  
24 onstrated expertise in data collection and reporting  
25 as described in section 4(f)(2)(B), in order to—

1           “(A) provide recipients of grants under  
2           this Act with instruction and technical assist-  
3           ance; and

4           “(B) assist such recipients with data col-  
5           lection and data requirements.

6           “(2) QUALIFIED PROTECTION AND ADVOCACY  
7           SYSTEM TECHNICAL ASSISTANCE PROVIDER.—The  
8           term ‘qualified protection and advocacy system tech-  
9           nical assistance provider’ means an entity that has  
10          experience in—

11           “(A) working with protection and advocacy  
12          systems established in accordance with section  
13          143 of the Developmental Disabilities Assist-  
14          ance and Bill of Rights Act of 2000 (42 U.S.C.  
15          15043); and

16           “(B) providing technical assistance to pro-  
17          tection and advocacy agencies.

18           “(3) QUALIFIED TECHNICAL ASSISTANCE PRO-  
19          VIDER.—The term ‘qualified technical assistance  
20          provider’ means an entity with demonstrated exper-  
21          tise in assistive technology and that has (directly or  
22          through grant or contract)—

23           “(A) experience and expertise in admin-  
24          istering programs, including developing, imple-

1           menting, and administering all of the activities  
2           described in section 4(e); and

3                   “(B) documented experience in and knowl-  
4           edge about—

5                           “(i) assistive technology device loan  
6                           and demonstration;

7                           “(ii) assistive technology device reuse;

8                           “(iii) financial loans and micro-  
9                           lending, including the activities of alter-  
10                           native financing programs for assistive  
11                           technology; and

12                           “(iv) State leadership activities.

13           “(b) TECHNICAL ASSISTANCE AND DATA COLLEC-  
14   TION SUPPORT AUTHORIZED.—

15                   “(1) SUPPORT FOR ASSISTIVE TECHNOLOGY  
16                   EDUCATIONAL ACTIVITIES AND TECHNICAL ASSIST-  
17                   ANCE.—From amounts made available under section  
18                   9(b)(1), the Secretary shall award, on a competitive  
19                   basis, grants, contracts, or cooperative agreements—

20                           “(A) to qualified technical assistance pro-  
21                           viders to support activities described in sub-  
22                           section (d)(1) for States receiving grants under  
23                           section 4; and

24                           “(B) to qualified protection and advocacy  
25                           system technical assistance providers to support

1 activities described in subsection (d)(1) for pro-  
2 tection and advocacy systems receiving grants  
3 under section 5.

4 “(2) SUPPORT FOR DATA COLLECTION AND RE-  
5 PORTING ASSISTANCE.—From amounts made avail-  
6 able under section 9(b)(1), the Secretary shall  
7 award, on a competitive basis, grants, contracts, or  
8 cooperative agreements—

9 “(A) to qualified data collection and re-  
10 porting entities, to enable the qualified data col-  
11 lection and reporting entities to carry out the  
12 activities described in subsection (d)(2) for  
13 States receiving grants under section 4; and

14 “(B) to qualified protection and advocacy  
15 system technical assistance providers, to enable  
16 the providers to carry out the activities de-  
17 scribed in subsection (d)(2) for protection and  
18 advocacy systems receiving grants under section  
19 5.

20 “(c) APPLICATION.—

21 “(1) IN GENERAL.—To be eligible to receive a  
22 grant, contract, or cooperative agreement under this  
23 section, an entity shall submit an application to the  
24 Secretary at such time, in such manner, and con-  
25 taining the following information:

1           “(A) A description of the activities such  
2           entity will carry out with the grant, contract, or  
3           cooperative agreement under subsection (d).

4           “(B) A description of the expertise such  
5           entity has to carry out such activities.

6           “(C) In the case of an entity applying to  
7           receive a grant, contract, or cooperative agree-  
8           ment under subsection (b)(1), a description of  
9           such entity’s plan for complying with the re-  
10          quirements described in subsection (d)(1)(B).

11          “(D) A description of such entity’s plan to  
12          comply with all relevant State and Federal  
13          laws, regulations, and policies with respect to  
14          data privacy and security.

15          “(E) Such other information as the Sec-  
16          retary may require.

17          “(2) INPUT.—In developing grants, contracts,  
18          or cooperative agreements under this section, the  
19          Secretary shall consider the input of the recipients  
20          of grants under sections 4 and 5 and other individ-  
21          uals the Secretary determines to be appropriate, es-  
22          pecially—

23                 “(A) individuals with disabilities who use  
24                 assistive technology and understand the bar-

1 riers to the acquisition of such technology and  
2 assistive technology services;

3 “(B) family members, guardians, advo-  
4 cates, and authorized representatives of such  
5 individuals;

6 “(C) relevant employees from Federal de-  
7 partments and agencies, other than the Depart-  
8 ment of Health and Human Services;

9 “(D) representatives of businesses; and

10 “(E) venders and public and private re-  
11 searchers and developers.

12 “(d) AUTHORIZED ACTIVITIES.—

13 “(1) USE OF FUNDS FOR ASSISTIVE TECH-  
14 NOLOGY TECHNICAL ASSISTANCE.—

15 “(A) TECHNICAL ASSISTANCE EFFORTS.—

16 A qualified technical assistance provider or  
17 qualified protection and advocacy system tech-  
18 nical assistance provider receiving a grant, con-  
19 tract, or cooperative agreement under sub-  
20 section (b)(1) shall support a technical assist-  
21 ance program for States or protection and ad-  
22 vocacy systems receiving a grant under section  
23 4 or 5, respectively, that—

24 “(i) addresses State-specific informa-  
25 tion requests concerning assistive tech-

1 nology from entities funded under this Act  
2 and public entities not funded under this  
3 Act, including—

4 “(I) effective approaches to Fed-  
5 eral-State coordination of programs  
6 for individuals with disabilities related  
7 to improving funding for or access to  
8 assistive technology devices and assist-  
9 ive technology services for individuals  
10 with disabilities;

11 “(II) model State and local laws,  
12 regulations, policies, practices, proce-  
13 dures, and organizational structures,  
14 that facilitate, and overcome barriers  
15 to, funding for, and access to, assist-  
16 ive technology devices and assistive  
17 technology services;

18 “(III) effective approaches to de-  
19 veloping, implementing, evaluating,  
20 and sustaining activities described in  
21 section 4 or 5, as the case may be,  
22 and related to improving acquisition  
23 and access to assistive technology de-  
24 vices and assistive technology services  
25 for individuals with disabilities, and

1 requests for assistance in developing  
2 corrective action plans;

3 “(IV) policies, practices, proce-  
4 dures, regulations, or judicial deci-  
5 sions related to access to and acquisi-  
6 tion of assistive technology devices  
7 and assistive technology services for  
8 individuals with disabilities;

9 “(V) effective approaches to the  
10 development of consumer-controlled  
11 systems that increase access to, fund-  
12 ing for, and awareness of, assistive  
13 technology devices and assistive tech-  
14 nology services; and

15 “(VI) other requests for informa-  
16 tion and technical assistance from en-  
17 tities funded under this Act; and

18 “(ii) in the case of a program that  
19 will serve States receiving grants under  
20 section 4—

21 “(I) assists targeted individuals  
22 and entities by disseminating informa-  
23 tion and responding to requests relat-  
24 ing to assistive technology by pro-  
25 viding referrals to recipients of grants

1 under section 4 or other public or pri-  
2 vate resources; and

3 “(II) provides State-specific, re-  
4 gional, and national technical assist-  
5 ance concerning assistive technology  
6 to entities funded under this Act, and  
7 public and private entities not funded  
8 under this Act, including—

9 “(aa) annually providing a  
10 forum for exchanging information  
11 concerning, and promoting pro-  
12 gram and policy improvements  
13 in, required activities of the State  
14 assistive technology programs;

15 “(bb) facilitating onsite and  
16 electronic information sharing  
17 using state-of-the-art internet  
18 technologies such as real-time on-  
19 line discussions, multipoint video  
20 conferencing, and web-based  
21 audio or video broadcasts, on  
22 emerging topics that affect State  
23 assistive technology programs;

24 “(cc) convening experts from  
25 State assistive technology pro-

1           grams to discuss and make rec-  
2           ommendations with regard to na-  
3           tional emerging issues of impor-  
4           tance to individuals with assistive  
5           technology needs;

6                   “(dd) sharing best practice  
7           and evidence-based practices  
8           among State assistive technology  
9           programs;

10                   “(ee) developing or main-  
11           taining an accessible, national,  
12           and public website that includes  
13           information, tools, and resources  
14           on assistive technology devices  
15           and assistive technology services  
16           and links to State assistive tech-  
17           nology programs, appropriate  
18           Federal departments and agen-  
19           cies, and private resources;

20                   “(ff) developing a resource  
21           that connects individuals from a  
22           State with the State assistive  
23           technology program in their  
24           State;

1                   “(gg) providing access to ex-  
2                   perts in the State-level activities  
3                   described in section 4(e)(2)  
4                   through site visits, telecon-  
5                   ferences, and other means, to en-  
6                   sure access to information for en-  
7                   tities that are carrying out new  
8                   programs or programs that are  
9                   not making progress in achieving  
10                  the objectives of the programs;  
11                  and

12                  “(hh) supporting and coordi-  
13                  nating activities designed to re-  
14                  duce the financial costs of pur-  
15                  chasing assistive technology for  
16                  the activities described in section  
17                  4(e), and reducing duplication of  
18                  activities among State assistive  
19                  technology programs.

20                  “(B) COLLABORATION.—In developing and  
21                  providing technical assistance under this para-  
22                  graph, a qualified technical assistance provider  
23                  or qualified protection and advocacy system  
24                  technical assistance provider receiving a grant,

1 contract, or cooperative agreement under sub-  
2 section (b)(1) shall—

3 “(i) collaborate with—

4 “(I) organizations representing  
5 individuals with disabilities;

6 “(II) national organizations rep-  
7 resenting State assistive technology  
8 programs;

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

12 “(IV) other qualified protection  
13 and advocacy system technical assist-  
14 ance providers and qualified technical  
15 assistance providers;

16 “(V) providers of State financing  
17 activities, including alternative financ-  
18 ing programs for assistive technology;

19 “(VI) providers of device loans,  
20 device demonstrations, and device re-  
21 utilization; and

22 “(VII) any other organizations  
23 determined appropriate by the pro-  
24 vider or the Secretary; and



1                   “(i) measure the outcomes of all ac-  
2                   tivities described in section 4(e) and the  
3                   progress of the States toward achieving the  
4                   measurable goals described in section  
5                   4(d)(3)(C); and

6                   “(ii) provide States with the necessary  
7                   information required under this Act or by  
8                   the Secretary for reports described in sec-  
9                   tion 4(f)(2); and

10                  “(D) are in full compliance with all rel-  
11                  evant State and Federal laws, regulations, and  
12                  policies with respect to data privacy and secu-  
13                  rity.

14   **“SEC. 7. PROJECTS OF NATIONAL SIGNIFICANCE.**

15                  “(a) DEFINITION OF PROJECT OF NATIONAL SIG-  
16   NIFICANCE.—In this section, the term ‘project of national  
17   significance’—

18                  “(1) means a project that—

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

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

1 “(2) may—

2 “(A) develop and expand partnerships be-  
3 tween State Medicaid agencies and recipients of  
4 grants under section 4 to reutilize durable med-  
5 ical equipment;

6 “(B) increase collaboration between the re-  
7 cipients of grants under section 4 and States  
8 receiving grants under the Money Follows the  
9 Person Rebalancing Demonstration under sec-  
10 tion 6071 of the Deficit Reduction Act of 2005  
11 (42 U.S.C. 1396a note);

12 “(C) increase collaboration between recipi-  
13 ents of grants under section 4 and area agen-  
14 cies on aging, as such term is defined in section  
15 102 of the Older Americans Act of 1965 (42  
16 U.S.C. 3002), which may include collaboration  
17 on emergency preparedness, safety equipment,  
18 or assistive technology toolkits;

19 “(D) provide aid to assist youth with dis-  
20 abilities to transition from school to adult life,  
21 especially in—

22 “(i) finding employment and postsec-  
23 ondary education opportunities; and

1                   “(ii) upgrading and changing any as-  
2                   sistive technology devices that may be  
3                   needed as a youth matures;

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

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

12                  “(G) increase awareness of and access to  
13                  the Disability Funds-Financial Assistance fund-  
14                  ing provided by the Community Development  
15                  Financial Institutions Fund that supports ac-  
16                  quisition of assistive technology; and

17                  “(H) increase awareness of and access to  
18                  assistive technology, such as through models de-  
19                  scribed in subclauses (I) through (IV) of section  
20                  4(e)(2)(A)(iii) and other Federally funded dis-  
21                  ability programs.

22                  “(b) PROJECTS AUTHORIZED.—If funds are available  
23                  pursuant to section 9(c) to carry out this section for a  
24                  fiscal year, the Secretary may award, on a competitive  
25                  basis, grants, contracts, and cooperative agreements to

1 public or private nonprofit entities to enable the entities  
2 to carry out projects of national significance.

3 “(c) APPLICATION.—A public or private nonprofit en-  
4 tity desiring a grant under this section shall submit an  
5 application to the Secretary at such time, in such manner,  
6 and containing a description of the project of national sig-  
7 nificance the entity proposes to carry out under this sec-  
8 tion.

9 “(d) AWARD PREFERENCE.—For each grant award  
10 period, the Secretary may give preference for 1 or more  
11 categories of projects of national significance described in  
12 subparagraphs (A) through (H) of subsection (a)(2).

13 “(e) MINIMUM FUNDING LEVEL REQUIRED.—The  
14 Secretary may only award grants, contracts, or coopera-  
15 tive agreements under this section if the amount made  
16 available under section 9 to carry out sections 4, 5, and  
17 6 is equal to or greater than \$49,000,000.

18 **“SEC. 8. ADMINISTRATIVE PROVISIONS.**

19 “(a) GENERAL ADMINISTRATION.—

20 “(1) IN GENERAL.—Notwithstanding any other  
21 provision of law, the Administrator of the Adminis-  
22 tration for Community Living of the Department of  
23 Health and Human Services (referred to in this sec-  
24 tion as the ‘Administrator’) shall be responsible for  
25 the administration of this Act.

1           “(2) COLLABORATION.—The Administrator  
2 shall consult with the Office of Special Education  
3 Programs of the Department of Education, the Re-  
4 habilitation Services Administration of the Depart-  
5 ment of Education, the Office of Disability Employ-  
6 ment Policy of the Department of Labor, and other  
7 appropriate Federal entities in the administration of  
8 this Act.

9           “(3) ADMINISTRATION.—

10           “(A) IN GENERAL.—In administering this  
11 Act, the Administrator shall ensure that pro-  
12 grams funded under this Act will address—

13                   “(i) the needs of individuals with all  
14 types of disabilities and across the lifespan;  
15 and

16                   “(ii) the use of assistive technology in  
17 all potential environments, including em-  
18 ployment, education, and community liv-  
19 ing.

20           “(B) FUNDING LIMITATIONS.—For each  
21 fiscal year, not more than  $\frac{1}{2}$  of 1 percent of  
22 the total funding appropriated for this Act shall  
23 be used by the Administrator to support the ad-  
24 ministration of this Act.

25           “(b) REVIEW OF PARTICIPATING ENTITIES.—

1           “(1) IN GENERAL.—The Secretary shall assess  
2           the extent to which entities that receive grants under  
3           this Act are complying with the applicable require-  
4           ments of this Act and achieving measurable goals  
5           that are consistent with the requirements of the  
6           grant programs under which the entities received the  
7           grants.

8           “(2) PROVISION OF INFORMATION.—To assist  
9           the Secretary in carrying out the responsibilities of  
10          the Secretary under this section, the Secretary may  
11          require States to provide relevant information, in-  
12          cluding the information required under subsection  
13          (d).

14          “(c) CORRECTIVE ACTION AND SANCTIONS.—

15                 “(1) CORRECTIVE ACTION.—If the Secretary  
16                 determines that an entity that receives a grant  
17                 under this Act fails to substantially comply with the  
18                 applicable requirements of this Act, or to make sub-  
19                 stantial progress toward achieving the measurable  
20                 goals described in subsection (b)(1) with respect to  
21                 the grant program, the Secretary shall assist the en-  
22                 tity, through technical assistance funded under sec-  
23                 tion 6 or other means, within 90 days after such de-  
24                 termination, to develop a corrective action plan.

1           “(2) SANCTIONS.—If the entity fails to develop  
2           and comply with a corrective action plan described  
3           in paragraph (1) during a fiscal year, the entity  
4           shall be subject to 1 of the following corrective ac-  
5           tions selected by the Secretary:

6                   “(A) Partial or complete termination of  
7                   funding under the grant program, until the en-  
8                   tity develops and complies with such a plan.

9                   “(B) Ineligibility to participate in the  
10                  grant program in the following fiscal year.

11                  “(C) Reduction in the amount of funding  
12                  that may be used for indirect costs under sec-  
13                  tion 4 for the following fiscal year.

14                  “(D) Required redesignation of the lead  
15                  agency designated under section 4(c)(1) or an  
16                  entity responsible for administering the grant  
17                  program.

18           “(3) APPEALS PROCEDURES.—The Secretary  
19           shall establish appeals procedures for entities that  
20           are determined to be in noncompliance with the ap-  
21           plicable requirements of this Act, or have not made  
22           substantial progress toward achieving the measur-  
23           able goals described in subsection (b)(1).

24           “(4) SECRETARIAL ACTION.—As part of the an-  
25           nual report required under subsection (d), the Sec-

1       retary shall describe each such action taken under  
2       paragraph (1) or (2) and the outcomes of each such  
3       action.

4               “(5) PUBLIC NOTIFICATION.—Not later than  
5       30 days after taking an action under paragraph (1)  
6       or (2), the Secretary shall notify the public, by post-  
7       ing on an easily accessible portion of the internet  
8       website of the Department of Health and Human  
9       Services, notification of each action taken by the  
10      Secretary under paragraph (1) or (2). As a part of  
11      such notification, the Secretary shall describe each  
12      such action taken under paragraph (1) or (2) and  
13      the outcomes of each such action.

14              “(d) ANNUAL REPORT TO CONGRESS.—

15               “(1) IN GENERAL.—Not later than December  
16      31 of each year, the Secretary shall prepare and  
17      submit to the President, the Committee on Health,  
18      Education, Labor, and Pensions of the Senate, and  
19      the Committee on Education and Labor of the  
20      House of Representatives a report on the activities  
21      funded under this Act to improve the access of as-  
22      sistive technology devices and assistive technology  
23      services to individuals with disabilities.

24               “(2) CONTENTS.—Each report described in  
25      paragraph (1) shall include—

1           “(A) a compilation and summary of the in-  
2           formation provided by the States in annual  
3           progress reports submitted under section 4(f);  
4           and

5           “(B) a summary of the State applications  
6           described in section 4(d) and an analysis of the  
7           progress of the States in meeting the measur-  
8           able goals established in State applications  
9           under section 4(d)(3)(C).

10          “(e) CONSTRUCTION.—Nothing in this section shall  
11         be construed to affect the enforcement authority of the  
12         Secretary, another Federal officer, or a court under any  
13         other applicable law.

14          “(f) EFFECT ON OTHER ASSISTANCE.—This Act may  
15         not be construed as authorizing a Federal or State agency  
16         to reduce medical or other assistance available, or to alter  
17         eligibility for a benefit or service, under any other Federal  
18         law.

19         **“SEC. 9. AUTHORIZATION OF APPROPRIATIONS; RESERVA-**  
20                                 **TIONS AND DISTRIBUTION OF FUNDS.**

21          “(a) IN GENERAL.—There are authorized to be ap-  
22         propriated to carry out this Act—

23                 “(1) \$44,000,000 for fiscal year 2023;

24                 “(2) \$45,980,000 for fiscal year 2024;

25                 “(3) \$48,049,100 for fiscal year 2025;

1           “(4) \$50,211,310 for fiscal year 2026; and

2           “(5) \$52,470,819 for fiscal year 2027.

3           “(b) RESERVATIONS AND DISTRIBUTION OF  
4 FUNDS.—Subject to subsection (c), for each fiscal year  
5 for which funds are made available under subsection (a)  
6 to carry out this Act, the Secretary shall—

7           “(1) reserve an amount equal to 3 percent of  
8 the funds made available for each such fiscal year to  
9 carry out paragraphs (1) and (2) of section 6(b);  
10 and

11           “(2) from the amounts remaining after making  
12 the reservation under paragraph (1)—

13           “(A) use 85.5 percent of such amounts to  
14 carry out section 4; and

15           “(B) use 14.5 percent of such amounts to  
16 carry out section 5.

17           “(c) LIMIT FOR PROJECTS OF NATIONAL SIGNIFI-  
18 CANCE.—For any fiscal year for which the amount made  
19 available under subsection (a) exceeds \$49,000,000 the  
20 Secretary may—

21           “(1) reserve for section 7, an amount of such  
22 available funds that does not exceed the lesser of—

23           “(A) the excess amount made available; or

24           “(B) \$2,000,000; and

1           “(2) make the reservation under paragraph (1)  
2           before carrying out subsection (b).”.

3 **SEC. [ \_ 03]. EFFECTIVE DATE.**

4           This title, and the amendments made by this title,  
5 shall take effect on the day that is 6 months after the  
6 date of enactment of this Act.