families from babes in arms to 80-year-olds4 lined up and slaughtered because of their religion; children slaughtered in Sarajevo playing soccer.

Mr. Speaker, the appeasement of Belgrade by the United Nations, the European Community, and NATO has failed. It has utterly failed.

There is no need to urgently investigate who the bombardiers are. Mr. Perry, Mr. Lake, Mr. Shalikashvili know about the United Nations, the EC, and NATO knows every incident of deliberate bombardment of Sarajevo civilians has been Serbian bombardment.

There is no honor whatsoever in treating the aggressors and the victims as if they were identical. The killing in Bosnia will end when the Serbs realize they will not be allowed to continue it.

Mr. President, it is time to do what is right; stop the genocide in Bosnia.

WAR OF THE WORDS

(Mr. HORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORN. Mr. Speaker, I ask my colleagues to think back to a broadcast which alarmed millions about a crisis that affected the entire Nation's security. Many believed it and were pushed to panic.

If my colleagues think I am talking about Orson Welles' famous radio broadcast, "War of the Worlds"—where America was being destroyed by an alien invasion, then they are right.

If my colleagues thought I was talking about any of President Clinton's speeches on health care, where America's health care system can only be saved by being destroyed, then they are right again.

On one hand we have Orson Welles and on the other we have something Orwellian, not Wellesian. On one hand we have the "War of the Worlds" and on the other we have the "War of the Worlds".

Unlike Orson Welles, who only gave his performance once, President Clinton has given his over and over to the American people.

In the Clinton administration, words mean whatever they want them to mean and they do whatever they want to be done. In the case of health care they want more big government, more big spending, and more of your money.

For a year they did nothing about health care, nothing about crime, nothing about campaign reform, and nothing about welfare.

But not for a second have they ceased to talk about them. Stay tuned tomorrow, America—for another episode of rhetoric without reform.

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Mr. President, it is time to do what is right; stop the genocide in Bosnia.

THE MISSING PRIORITIES IN THE BUDGET

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, when the President outlines the priorities for the country, you would think that his administration might follow them in the budget. Yet that did not happen. When you look at the administration's budget, it somehow missed the President's call for health care reform. In fact, the President's budget does not cover the costs of his Health Care Reform Program.

With the President talking so much about welfare reform, you would think it would be reflected in the budget. The budget does not cover the President's Welfare Reform Program.

With the President endorsing the Crime Program now before the Senate, you would think his budget would have included money to carry out the Crime Program. It does not.

You would think that with the President talking so much about government reorganization and the cutting of 200,000 employees, you would think that that would be reflected in the budget. It was not.

The President's budget does not match what the President has been saying. That will be a problem for us as we deal with these matters before the Congress.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote was ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall vote, if postponed, will be taken later today, following the Journal vote. The votes will not occur earlier than 4 p.m.

PERSONAL EXPLANATION

Ms. SHERIFF, Mr. Speaker, due to the passing of a close personal friend, Lynne Zimmerman, I was unable to vote on Thursday, February 3, 1994. If I had been present I would have voted accordingly: Rollcall vote 1, "yea"; Rollcall vote 2, "yea"; Rollcall vote 8, "yea"; Rollcall vote 9, "yea"; Rollcall vote 10, "nay"; Rollcall vote 11, "nay"; Rollcall vote 12, "yea"; Rollcall vote 13, "yea".

CONCURRING IN SENATE AMENDMENT TO H.R. 2339, TECHNOLOGY-RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES ACT AMENDMENTS OF 1994, WITH AN AMENDMENT

Mr. OWENS, Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 351) to take from the Speaker's table the bill (H.R. 2339) to revise and extend the programs of the Technology-Related Assistance for Individuals With Disabilities Act of 1988, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment with an amendment.

The Clerk read as follows:

H. RES. 351

SECTION 1. SHORT TITLE; TABLE OF CONTENTS

(a) SHORT TITLE.—This Act may be cited as the "Technology-Related Assistance for Individuals With Disabilities Act Amendments of 1994".

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Findings, purposes, and policy.
Sec. 4. Administration.
Sec. 5. Authorization of appropriations.

TITLE I—GRANTS TO STATES

Sec. 101. Program authorized.
Sec. 102. Development grants.
Sec. 103. Extension grants.
Sec. 104. Progress criteria and reports.
Sec. 105. Administrative provisions.
Sec. 106. Authorization of appropriations.

TITLE II—PROGRAMS OF NATIONAL SIGNIFICANCE

Sec. 201. National classification system.
Sec. 202. Training and demonstration projects.

TITLE III—ALTERNATIVE FINANCING MECHANISMS

Sec. 301. Alternative financing mechanisms authorized.
TITLE IV—AMENDMENTS TO OTHER ACTS

Sec. 401. Individuals with Disabilities Education Act.


Sec. 403. Administrative requirements under the Head Start Act.

Sec. 404. Technical and conforming amendments.

TITLE V—EFFECTIVE DATE

Sec. 501. Effective date.

SEC. 2. REFERENCES.

Except as otherwise specifically provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the amendment or repeal shall be considered as made to a section or other provision of the Technology-Related Assistance for Individuals with Disabilities Act of 1988 (29 U.S.C. 2201 et seq.).

SEC. 3. FINDINGS, PURPOSES, AND POLICY.

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

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

"(a) FINDINGS.—The Congress finds as follows:

"(1) Disability is a natural part of the human experience and in no way diminishes the rights of individuals to—

"(A) live independently;
"(B) enjoy self-determination;
"(C) make choices and reach meaningful decisions; and
"(D) pursue meaningful careers.

"(2) During the past decade, there have been major advances in modern technology. Technology is now a powerful force in the lives of all residents of the United States. Technology can provide important tools for the development of assistive technology devices and assistive technology services. In addition, the Federal Government does not access existing telecommunications and information technologies. The failure of Federal and State governments, hardware manufacturers, software designers, information systems managers, and telecommunications service providers to account for the specific needs of individuals with disabilities results in the exclusion of such individuals from the use of telecommunications and information technologies and results in unnecessary costs associated with the retrofitting of devices and product systems.

"(3) To enhance the ability of the Federal Government to provide States with—

"(A) resources to pay for assistive technology devices and assistive technology services;
"(B) trained personnel to assist individuals with disabilities to use such devices and services;
"(C) information among individuals with disabilities and their family members, guardians, advocates, and authorized representatives, individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities, educators and related services personnel, technology experts (including engineers), employers, and other appropriate individuals about the availability and potential of technology for individuals with disabilities;
"(D) aggressive outreach to underrepresented populations and rural populations;
"(E) systems that ensure timely acquisitions and delivery of assistive technology devices and assistive technology services, particularly with respect to children;
"(F) coordination among national human services programs, and between such programs and private entities, particularly with respect to transitions between such programs and entities; and
"(G) capacity in such programs to provide the necessary assistance and information.

"(4) Many individuals with disabilities cannot access existing telecommunications and information technologies, and are at risk of not being able to access developing technologies. The failure of Federal and State governments, hardware manufacturers, software designers, information systems managers, and telecommunications service providers to account for the specific needs of individuals with disabilities results in the exclusion of such individuals from the use of telecommunications and information technologies and results in unnecessary costs associated with the retrofitting of devices and product systems.

"(5) There are insufficient incentives for the commercial pursuit of the application of technology devices to meet the needs of individuals with disabilities, because of the perception that such individuals constitute a limited market for assistive technology devices and assistive technology services.

"(6) At the Federal level, there is a lack of coordination among Federal agencies that provide or pay for the provision of assistive technology devices and assistive technology services. In addition, the Federal Government does not provide adequate assistance and information with respect to the use of assistive technology devices and information technologies to individuals with disabilities and their family members, guardians, advocates, and authorized representatives, individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities, educators and related services personnel, technology experts (including engineers), employers, and other appropriate individuals about the availability and potential of technology for individuals with disabilities.

"(7) Notwithstanding the efforts of such State technology assistance programs, there is still a lack of—

"(A) resources to pay for assistive technology devices and assistive technology services;
"(B) trained personnel to assist individuals with disabilities to use such devices and services;
"(C) information among individuals with disabilities and their family members, guardians, advocates, and authorized representatives, individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities, educators and related services personnel, technology experts (including engineers), employers, and other appropriate individuals about the availability and potential of technology for individuals with disabilities; and
"(D) aggressive outreach to underrepresented populations and rural populations.

"(8) There are insufficient incentives for the commercial pursuit of the application of technology devices to meet the needs of individuals with disabilities, because of the perception that such individuals constitute a limited market for assistive technology devices and assistive technology services.

(b) PURPOSES.—Section 2(b) (29 U.S.C. 2201(b)) is amended to read as follows:

"(b) PURPOSES.—The purposes of this Act are as follows:

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

"(A) increase the availability of, funding for, access to, and provision of, assistive technology devices and assistive technology services;
"(B) increase the active involvement of individuals with disabilities and their family members, guardians, advocates, and authorized representatives, in the planning, development, implementation, and evaluation of such program;
"(C) increase the involvement of individuals with disabilities and, if appropriate, their family members, guardians, advocates, or authorized representatives, in decisions related to the provision of assistive technology devices and assistive technology services;
"(D) increase the provision of outreach to underrepresented populations and rural populations, to enable the two populations to enjoy the benefits of programs carried out to accomplish purposes described in this paragraph to the same extent as other populations;
"(E) increase and promote coordination among State agencies, and between State agencies and private entities, that are involved in one or more aspects of the Act, particularly providing assistive technology devices and assistive technology services; and
"(F) increase the awareness of laws, regulations, policies, practices, and organizational structures, that facilitate the availability or provision of assistive technology devices and assistive technology services.

"(2) To identify Federal policies that facilitate payment for assistive technology devices and services; and
"(3) To enhance the skills and competencies of individuals involved in providing assistive technology devices and assistive technology services.

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

"(4) To increase the probability that individuals with disabilities of all ages will, to the extent appropriate, be able to secure and maintain possession of assistive technology devices and services; and
"(5) To increase awareness and knowledge of the efficacy of assistive technology devices and assistive technology services among—

"(A) individuals with disabilities and their family members, guardians, advocates, and authorized representatives;
"(B) individuals who work for public agencies, or for private entities (including insurers), that have contact with individuals with disabilities, educators and related services personnel, technology experts (including engineers), employers, and other appropriate individuals;
"(C) employers; and
"(D) other appropriate individuals.

"(4) To increase the capacity of public agencies and private entities to provide and pay for assistive technology devices and services on a statewide basis for individuals with disabilities of all ages; and
"(5) To identify Federal policies that facilitate payment for assistive technology devices and services; and
"(6) To identify Federal policies that impede such payment, and to eliminate inappropriate barriers to such payment.

"(6) To enhance the ability of the Federal Government to provide States with—
"(A) charges the need of all individuals with disabilities, including members of underrepresented populations and members of rural populations;

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

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

"(5) CONSUMER-RESPONSIVE.—The term 'consumer-responsive' means, with respect to—

"(i) an entity, provision of assistive technology devices and assistive technology services, the entity, program, or activity—

"(I) is easily accessible to, and usable by, individuals with disabilities, where appropriate, their family members, guardians, advocates, or authorized representatives;

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

"(III) facilitates the full and meaningful participation of individuals with disabilities (including individuals from underrepresented populations and rural populations) and their family members, guardians, advocates, and authorized representatives, in—

"(a) decisions relating to the provision of assistive technology devices and assistive technology services; and

"(b) the planning, development, implementation, and evaluation of the comprehensive statewide program of technology-related assistance.

"(6) DISABILITY.—The term 'disability' means a condition of an individual that is regarded as a disability or handicap for the purposes of any Federal law other than this Act or for the purposes of the law of the State in which that individual resides.

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

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

"(I) who has a disability; and

"(II) who is or would be enabled by an assistive technology device or an assistive technology service to minimize deterioration in functioning, to maintain a level of functioning, or to achieve a greater level of functioning in any major life activity.

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

"(8) DISABILITY.—The term 'disability' means a condition of an individual that is regarded as a disability or handicap for the purposes of any Federal law other than this Act or for the purposes of the law of the State in which that individual resides.

"(9) b) by inserting after such paragraph (11) the following:

"(10) by striking paragraph (7) (as redesignated by paragraph (11)) and inserting the following:

"(11) by amending paragraph (14) (as redesignated by paragraph (11)) to read as follows:

"The term 'underrepresented population' includes a population such as minorities, the elderly, persons with limited-English proficiency.

"TITLE I—GRANTS TO STATES

"SEC. 101. PROGRAM AUTHORIZED.

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

"(1) by striking "provisions of this title" the following: "to support systems change and advocacy activities designed," and (2) by striking "to develop and implement" and inserting "in developing and implementing"

"(b) ACTIVITIES.—Section 101 (29 U.S.C. 2211) is amended by striking subsections (a) and (b) and inserting the following:

"(1) MODEL SYSTEMS AND ALTERNATIVE TECHNOLOGY-FINANCED SYSTEMS.—The States may support activities to increase access to, and funding for, assistive technology, including—

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

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

"(B) DISABILITY.—The term 'disability' means a condition of an individual that is regarded as a disability or handicap for the purposes of any Federal law other than this Act or for the purposes of the law of the State in which that individual resides.

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

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

"(I) who has a disability; and

"(II) who is or would be enabled by an assistive technology device or an assistive technology service to minimize deterioration in functioning, to maintain a level of functioning, or to achieve a greater level of functioning in any major life activity.

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

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

"(3) by striking "to develop and implement" and inserting "in developing and implementing"

"(4) comprehensive statewide program of technology-related assistance—

"(A) that is supported with funds under this title;

"(B) that is supported with funds under this title;

"(C) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(D) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(E) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(F) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(G) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(H) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(I) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(J) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(K) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(L) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(M) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(N) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(O) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(P) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(Q) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities.

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

"(3) by striking "to develop and implement" and inserting "in developing and implementing"

"(4) comprehensive statewide program of technology-related assistance—

"(A) that is supported with funds under this title;

"(B) that is supported with funds under this title;

"(C) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(D) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(E) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(F) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(G) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(H) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

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"(L) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(M) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(N) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(O) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(P) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;

"(Q) the provision of a location or locations for the development, implementation, and operation of systems change and advocacy activities;
can see and touch assistive technology devices, and learn about the devices from personnel familiar with such devices and their applications:

(II) the provision of counseling and assistance to individuals with disabilities and their family members, guardians, advocates, and authorized representatives to determine individual assistive technology devices and assistive technology services; and

(III) the demonstration or short-term loan of assistive technology devices to individuals, employers, public agencies, or public accommodations seeking strategies to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and

(C) the establishment of information systems about, and recycling centers for, the re-distribution of assistive technology devices and equipment that may include device and equipment sales, rentals, or gifts.

(2) INTERAGENCY COORDINATION.—The State may support activities—

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

(B) to implement interagency work groups to enhance public funding options and coordinate access to funding for assistive technology devices and services; and

(C) to document and disseminate information about interagency activities that provide opportunities and programs, in coordination with respect to the State and local special education, vocational rehabilitation, and State medical assistance agencies and departments.

(3) OUTREACH.—The State may carry out outreach to encourage the creation and maintenance of, support, or provide assistance to, statewide and community-based organizations, or systems, that provide assistive technology services to individuals with disabilities of all ages, with special attention to the issues of transition from school to work, and transition from participation in programs under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.), to participation in programs under part H of such Act (34 U.S.C. 141 et seq.) for individuals who work for public agencies, and for individuals with disabilities who received appropriate assistive technology services; and

(D) information resulting from an inquiry about whether a State agency or task force (composed of individuals representing the State and individuals representing the private sector) has determined the applicability of private insurance companies holding licenses within the State that offer health or disability insurance policies under which an individual acquired with assistance made available through a grant made under section 102 or 103 are compatible with other technology devices, including technology devices designed primarily for use by—

(I) individuals who are not individuals with disabilities;

(II) individuals who are elderly; or

(III) individuals with particular disabilities; and

(E) information resulting from an inquiry about the availability and efficacy of assistive technology devices and services for individuals with disabilities; and

(F) information identifying Federal and State laws, regulations, policies, procedures, and organizational structures, that facilitate or interfere with the operation of a consumer-responsive comprehensive statewide program of technology-related assistance;

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

(I) individuals who are not individuals with disabilities;

(II) individuals who are elderly; or

(III) individuals with particular disabilities; and

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

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

(ii) the use of assistive technology services.

(IV) PUBLIC AWARENESS PROGRAM.—

(A) IN GENERAL.—The State may—

(i) support a public awareness program designed to provide information relating to the availability and efficacy of assistive technology devices and services for individuals with disabilities; and

(ii) individuals with disabilities and their family members, guardians, advocates, or authorized representatives;

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

(IV) educators and related services personnel;
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“(III) technology experts (including engineers);
“(IV) employers; and
“(V) other appropriate personnel; and
“(IV) include taking actions to facilitate the development of standards, or, when appropriate, application of such standards, to ensure the availability of qualified personnel.

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

(G) ACCESS TO TECHNOLOGY-RELATED INFORMATION.—

(A) GENERAL.—The State may develop, operate, or expand a system for public access to information concerning an activity carried out under another paragraph of this subsection, including information on: 

1. Assistive technology devices and assistive technology services, funding sources and costs of such assistance, and individuals, organizations, and agencies capable of carrying out such an activity for individuals with disabilities;

2. Access to the system may be provided through community-based entities, including: centers for independent living (as defined in section 702(1) of the Rehabilitation Act of 1973 (29 U.S.C. 726)), state technology assistance programs (as defined in section 7125 of such Act (29 U.S.C. 7325));

3. In developing, operating, or expanding a system described in subparagraph (A), the State may:

a. Develop, compile, and categorize print, large print, braille, audio, and video materials, computer disks, compact disks (including computer disks formatted with read-only memory), information that can be used in telephone-based information systems, and such other media as technological innovation may make appropriate;

b. Identify existing support groups and systems designed to help individuals with disabilities make effective use of an activity carried out under another paragraph of this subsection; and
c. Include a record of the extent to which citizens of the State use or make inquiries of the system established in subparagraph (A), and of the nature of such inquiries.

(D) LINKAGES.—The information system may rely on an infrastructure network or as part of a regional consortium of States in order to facilitate the establishment of compatible, linked information systems.

(10) INTERSTATE ACTIVITIES.—

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

(B) ELECTRONIC COMMUNICATION.—The States may cooperate or participate in a computer system through which the State may electronically communicate with other States to maintain clinical assistance in a timely fashion and to avoid the duplication of efforts already undertaken in other States.

(C) PROGRAMS AND COOPERATIVE INITIATIVES.—The State may support the establishment or continuation of partnerships and cooperative initiatives between the public sector and the private sector to promote greater participation by business and industry in—

(A) the development, demonstration, and dissemination of assistive technology devices; and

(B) the ongoing provision of information about new products to assist individuals with disabilities.

(D) ADVOCACY SERVICES.—The State may provide advocacy services.

(12) OTHER ACTIVITIES.—The State may engage in other activities, including the following:

(A) submitting the application described in paragraph (2) of subsection (c) (as redesignated in paragraph (3));

(B) by striking “(A)” and inserting “(A) STATE”—

(1) DESIGNATION.—The Governor of any State that desires to receive a grant under this section shall designate the office, agency, entity, or individual (referred to in this Act as the ‘‘lead agency’’) responsible for—

(A) submitting the application described in paragraph (2) of subsection (c) (as redesignated in paragraph (3));

(B) ensuring that the provisions of this Act are carried out under another paragraph of this subsection; and

(C) coordinating efforts related to entering into interagency agreements; and

(D) coordinating efforts related to, and supervising, the active, timely, and meaningful participation by individuals with disabilities and their family members, guardians, advocates, or authorized representatives, and other appropriate individuals, with respect to activities carried out under the grant.

(E) ABILITIES OF LEAD AGENCY.—The State shall provide, in accordance with subsection (e)(1), evidence that the lead agency has the ability to—

(A) respond to advocate technology needs across disabilities and ages;

(B) to promote the availability throughout the State of assistive technology devices and assistive technology services;

(C) to promote and implement systems change and advocacy services; and

(D) to promote and develop public-private partnerships;

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

(F) to promote consumer confidence, responsiveness, and advocacy; and

(G) to exercise leadership in implementing effective strategies for capacity building, staff and consumer training, and enhancing access to funding for assistive technology devices and assistive technology services across agencies.

(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the development of the application and the continuing role of each agency in the development and implementation of the consumer-responsive comprehensive statewide program of technology-related assistance, including the identification of the available resources and financial responsibility of each agency for paying for assistive technology devices and assistive technology services.

(3) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the development of the application and the continuing role of each agency in the development and implementation of the consumer-responsive comprehensive statewide program of technology-related assistance, including the identification of the available resources and financial responsibility of each agency for paying for assistive technology devices and assistive technology services.

(3) INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the development of the application and the continuing role of each agency in the development and implementation of the consumer-responsive comprehensive statewide program of technology-related assistance, including the identification of the available resources and financial responsibility of each agency for paying for assistive technology devices and assistive technology services.
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"(II) the active involvement, to the maximum extent appropriate, of individuals with disabilities who use assistive technology devices or assistive technology services, in decision making regarding access to, provision of, and funding for, assistive technology devices and assistive technology services;

(III) coordination of activities among State agencies, in order to facilitate access to, provision of, and funding for, assistive technology devices and assistive technology services;

(IV) the development and implementation of strategies and plans for individual with disabilities and their family members, guardians, advocates, and authorized representatives of individuals with disabilities and their family members, with respect to—

(A) the extent to which the State's goals and objectives for systems change and advocacy activities, as identified in the State plan under paragraph (6), have been achieved; and

(B) the areas of need that require attention in the next year.

(5) DATA COLLECTION.—A description of—

(A) the data collection system used for compiling information on the program, consistent with paragraph (6), and carried out by the State to study the extent to which the State's goals and objectives for systems change and advocacy activities, as identified in the State plan under paragraph (6), have been achieved; and

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

(6) in paragraphs (11)(B)(i) and (12)(B) by striking "individual, with disabilities" and inserting "individual with a disability";

(7) in paragraphs (16)(A), by striking "the individuals or families of individuals with disabilities" and inserting "their family members, guardians, advocates, or authorized representatives"; and

(8) by adding at the end the following:

(19) AUTHORITY TO USE FUNDS.—An assurance that the lead agency will have the authority to use funds made available through the grant made under this section or section 103, subject to an amount calculated in accordance with subsection (h)(2), to enter into a contract with an entity to support protection and advocacy services through the systems established to provide protection and advocacy under the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.), the Protection and Advocacy for Mentally Ill Individuals Act (42 U.S.C. 1581 et seq.), and section 505 of the Rehabilitation Act of 1973 (29 U.S.C. 794); or

(20) PROTECTION AND ADVOCACY SERVICES.—An assurance that the lead agency will have the authority to use funds made available through the grant made under this section or section 103, subject to an amount calculated in accordance with subsection (h)(2), to enter into a contract with an entity to support protection and advocacy services through the systems established to provide protection and advocacy under the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.), the Protection and Advocacy for Mentally Ill Individuals Act (42 U.S.C. 1581 et seq.), and section 505 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and

(21) TRAINING ACTIVITIES.—An assurance that the State will—

(A) develop and implement strategies for including personnel training regarding assistive technology within existing Federal and State-funded training initiatives, in order to enhance assistive technology skills and knowledge; and

(B) will document such training.

(22) LIMIT ON INDIRECT COSTS.—An assurance that the percentages of the grant funds received under the grant that is used for indirect costs shall not exceed 10 percent.

(23) COORDINATION WITH STATE COUNCILS.—An assurance that the lead agency will coordinate the activities funded through a grant made under this section or section 103 with the activities carried out by other councils within the State, including—

(A) any council or commission specified in the assurance provided by the State in accordance with section 101(a)(9) of the Rehabilitation Act of 1973 (29 U.S.C. 1121(a)(9));

(B) the Statewide independent living Council established under section 106 of the Rehabilitation Act of 1973 (29 U.S.C. 1126); and

(C) the Statewide independent living Council established under section 106(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1411(a)(12));

(24) COORDINATION WITH OTHER SYSTEMS CHANGE AND ADVOCACY ACTIVITIES.—An assurance that there will be coordination between the activities funded through the grant and other related systems change and advocacy activities funded by either Federal or State sources;

(25) OTHER INFORMATION AND ASSURANCES.—Such other information and assurances as the Secretary may require, and

(26) a statement of the percentage of funds that will be used for personnel training regarding assistive technology services; and

(27) a statement of the percentage of the grant funds received under the grant that is used for indirect costs.
GRANT.—If a State receives a second extension grant under section 103(a)(2), the Secretary shall specify a minimum amount under subparagraph (A) for the fourth year (if any) of the grant period that shall equal 75 percent of the minimum amount specified for the State under such subparagraph for the third year of the second extension grant of the State.

(D) FIFTH YEAR OF SECOND EXTENSION GRANT.—If the Secretary receives a second extension grant under section 103(a)(2), the Secretary shall specify a minimum amount under subparagraph (A) for the fifth year (if any) of the grant period that shall equal 50 percent of the minimum amount specified for the State under such subparagraph for the third year of the second extension grant of the State.

(E) PROHIBITION.—After the fifth year (if any) of the grant period, no Federal funds may be made available under this title by the Secretary in a State under this section for the State described in subsection (e)(20) or an entity described in paragraph (1).  

SEC. 105. EXTENSION GRANTS.
Section 103 (29 U.S.C. 2213) is amended to read as follows:

SEC. 105. EXTENSION GRANTS.

(a) EXTENSION GRANTS.—

(1) INITIAL EXTENSION GRANT.—The Secretary may make an initial extension grant for a period of 2 years, to any State that meets the standards specified in subsection (b)(1), and for a period of not more than 5 years, to any State that meets the standards specified in subsection (b)(2).

(b) STANDARDS.—

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

(A) provide evidence in support of the designated lead agency; and

(B) demonstrate that the State has made significant progress toward development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance, in accordance with the applicable procedures described in section 106(b)(2), in accordance with the applicable procedures described in subsection (a)(2), and in accordance with the applicable procedures described in section 106(b)(3); and

(2) SECOND EXTENSION GRANT.—

(A) RESPONSIBILITIES OF DESIGNATED LEAD AGENCY.—In order for a State to receive a second extension grant under this section, the designated lead agency shall—

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

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

(B) DETERMINATION OF COMPLIANCE.—In making any award to a State for a second extension grant, the Secretary shall (except as provided in section 106(a)(2)(A)(ii)(II) make such award contingent on a determination, based on the onsite visit required under section 106(a)(2)(A)(i)(III) that the State is making significant progress toward development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance. If the Secretary determines that the State is not making such progress, the Secretary may make an adjustment described in section 106(b)(2), in accordance with the applicable procedures described in subsection (a)(2), and in accordance with the applicable procedures described in section 106(b)(3); and

(c) AMOUNTS OF GRANTS.—

(1) INITIAL EXTENSION GRANTS.—

(i) STATES.—From amounts appropriated under section 109 for any fiscal year, the Secretary shall pay an amount that is not less than $500,000 and not greater than $1,500,000 to each State (other than a State described in paragraph (2) of this subsection) that receives an initial extension grant under subsection (a)(1).

(ii) TERRITORIES.—From amounts appropriated under section 109 for any fiscal year, the Secretary shall pay an amount that is not greater than $150,000 to any of the following:

(I) The Commonwealth of the Northern Mariana Islands.

(II) Guam.

(III) American Samoa.

(IV) The Republic of Palau (until the Compact of Free Association takes effect).

(2) SECOND EXTENSION GRANTS.—

(A) CALCULATION OF AMOUNT.—The Secretary shall calculate the amount described in clause (i) or (ii) of paragraph (1) with respect to a State on the basis of—

(i) amounts available for making grants pursuant to subsection (a)(2) for the State during the most recently completed fiscal year concerned, and

(ii) the types of assistance to be provided.

(B) INCREASES.—In providing any increases in initial extension grants under subsection (a)(1) above the amounts provided to States under this section for fiscal year 1993, the Secretary may give priority to—

(i) the States (other than the States described in paragraph (1)(D)) that have the highest population of individuals with disabilities, based on the most recent census data; and

(ii) the States (other than the States described in paragraph (1)(D)) that are sparsely populated, with a wide geographic spread, where such characteristics have impeded the development of a consumer-responsive, comprehensive statewide program of technology-related assistance.

(C) PRIORITY FOR PREVIOUSLY PARTICIPATING STATES.—Amounts appropriated in any fiscal year for purposes of providing any increase in initial extension grants under subsection (a)(1) shall first be awarded to States that received assistance under this section during the fiscal year preceding the fiscal year concerned.

(D) INCREASES.—In providing any increases in initial extension grants under subsection (a)(1) above the amounts provided to States under this section for fiscal year 1993, the Secretary may give priority to—

(i) the States (other than the States described in paragraph (1)(D)) that have the highest population of individuals with disabilities, based on the most recent census data; and

(ii) the States (other than the States described in paragraph (1)(D)) that are sparsely populated, with a wide geographic spread, where such characteristics have impeded the development of a consumer-responsive, comprehensive statewide program of technology-related assistance.

(E) RETURN GRANTS.—The amounts of, and the priority of applicants for, the second extension grants awarded under subsection (a)(2) above shall be determined by the Secretary, except that—

(i) the amount paid to a State for the fourth year (if any) of the grant period shall be 75 percent of the amount paid to the State for the third year of the grant period;

(ii) the amount paid to a State for the fifth year (if any) of the grant period shall be 50 percent of the amount paid to the State for the fourth year of the grant period; and

(iii) after the fifth year of the grant period, no Federal funds may be made available under this title to any State that has not made significant progress toward development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance.

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

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

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

(A) NEEDS.—A description of needs relating to technology-related assistance of individuals with disabilities (including individuals from underrepresented populations or rural populations) and their family members, guardians, advocates, or other appropriate representatives, and other appropriate individuals within the State.

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

(C) STRATEGIES.—A description of the strategies that the State will pursue during the grant period to remedy the problems or gaps with the development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance in the State.

(D) OUTREACH ACTIVITIES.—A description of any outreach activities undertaken to improve the involvement of individuals with disabilities in the program, including training and technical assistance efforts to improve individual access to assistive technology devices and assistive technology services as mandated under other laws and regulations, such as the application, and including actions undertaken to improve the participation of individuals with disabilities who are underrepresented and rural populations, such as outreach efforts and other methods that states have used to ensure that these populations are included in the activities described in clauses (i) and (ii).

(E) relationship of such systems change and advocacy activities to the development and implementation of a consumer-responsive comprehensive statewide program of technology-related assistance.

"(f) PUBLIC INVOLVEMENT.—

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

(B) OTHER STATE ACTIONS.—A description of State actions, other than such a hearing, developed in the degree of the involvement of individuals with disabilities, and their family members, guardians, advocates, or other appropriate representatives, public and private service providers, and other entities with a consumer-responsive comprehensive statewide program of technology-related assistance, and that documents the following:

"(i) the degree of their ongoing involvement in the development and implementation of the consumer-responsive comprehensive statewide program of technology-related assistance;

(ii) the specific systems change and advocacy activities described in section 101(e)(7) carried out by the State under the development grant or the initial extension grant;

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

(iv) the ability of the lead agency to carry out the activities described in section 101(e)(7).

(G) COMMENTS.—A summary of any comments received concerning the issues described in paragraph (d) and response of the State to such comments, solicited through a public hearing referred to in paragraph (e) or through any other method and that is consistent with the Consumer Protection and Assistance Act of 1993 (13 U.S.C. 3801 et seq.) and procedures for, assistive technology devices and assistive technology services such as agreements that the States shall adopt that provides for, assistive technology devices and assistive technology services and the responsibility of each agency for paying for such devices and services.

"(h) the activities undertaken to collect and disseminate information about the document or activities analyzed or described in paragraphs (f) through (g), including outreach activities to underrepresented populations and rural populations to disseminate information by means of electronic communication.

(i) The involvement of individuals with disabilities who represent a variety of ages and types of disabilities in the planning, development, implementation, and assessment of the consumer-responsive comprehensive statewide program of technology-related assistance, including activities undertaken to improve such involvement, including consumer training and outreach to underrepresented populations and rural populations.

"(j) The degree of consumer satisfaction with the program, including satisfaction by underrepresented populations and rural populations.

"(k) Efforts to train personnel as well as consumers.

"(l) Efforts to reduce the service delivery time for receiving assistive technology devices and assistive technology services.

"(m) Significant progress in the provision of protection and advocacy services, in each of the following ways:

"(ii) a description of any written policies and procedures that the State has developed and implemented regarding access to, provision of, and funding for, assistive technology devices and assistive technology services such as agreements that the States shall adopt that provides for, assistive technology devices and assistive technology services and the responsibility of each agency for paying for such devices and services.

SEC. 104. PROCESS CRITERIA AND REPORTS.

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

"SEC. 104. PROCESS CRITERIA AND REPORTS.

(a) GUIDELINES.—The Secretary shall develop guidelines to be used in assessing the extent to which a State that received a grant under section 102 or 103 is making significant progress in developing and implementing a consumer-responsive comprehensive statewide program of technology-related assistance consistent with section 102(b)(1).

"(b) REPORTS.—Each State that receives a grant under section 102 or 103 to carry out such a program shall submit annually to the Secretary a report that documents significant progress made in developing and implementing a consumer-responsive comprehensive statewide program of technology-related assistance, consistent with sections 102(a), 102(b), and 102(c), and that documents the following:

"(i) The progress the State has made, as determined in the State's annual assessment described in section 102(e)(3)(B) (consistent with the Consumer Protection and Assistance Act of 1993 (13 U.S.C. 3801 et seq.) and procedures for, assistive technology devices and assistive technology services such as agreements that the States shall adopt that provides for, assistive technology devices and assistive technology services and the responsibility of each agency for paying for such devices and services.

"(ii) a description of any written policies and procedures that the State has developed and implemented regarding access to, provision of, and funding for, assistive technology devices and assistive technology services such as agreements that the States shall adopt that provides for, assistive technology devices and assistive technology services and the responsibility of each agency for paying for such devices and services.

"(iii) The involvement of individuals with disabilities who represent a variety of ages and types of disabilities in the planning, development, implementation, and assessment of the consumer-responsive comprehensive statewide program of technology-related assistance, including activities undertaken to improve such involvement, including consumer training and outreach to underrepresented populations and rural populations.

"(iv) The degree of consumer satisfaction with the program, including satisfaction by underrepresented populations and rural populations.

"(v) Efforts to train personnel as well as consumers.

"(vi) Efforts to reduce the service delivery time for receiving assistive technology devices and assistive technology services.

"(vii) Significant progress in the provision of protection and advocacy services, in each of the following ways:

"(2) A review of the following State actions:

(A) Review of the State's annual assessment described in section 102(a)(x)(II).
(i) by striking paragraph (2) and inserting the following:

"(2) ONSITE VISITS.—

(A) REVIEW.—The Secretary shall conduct an on-site visit...full-time employees of the United States...is good cause to enter into a contract with a second entity to provide the protection and advocacy services for the State through a contract with a second entity."

(2) REPORT.—The Secretary shall prepare a report of findings from the on-site visit. The Secretary shall consider the findings in determining whether to continue funding the program either with or without changes. The report shall be available to the public not to exceed the rate of pay for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for individuals in the Government service employed intermittently."

(3) ADVANCE PUBLIC NOTICE.—The Secretary shall provide advance public notice of the on-site visit and solicit public comment through such notice from individuals with disabilities, their family members, guardians, advocates, and authorized representatives, public service providers and providers of protection and advocacy services, appropriate individuals and entities, and the Governor."

(4) DETERMINATION.—The Governor of a State, based on input from individuals with disabilities and their family members, guardians, advocates, or authorized representatives, may determine that an entity providing protection and advocacy services required by section 102(e)(30)(C) (referred to in this subsection as the "first entity") has not met the protection and advocacy service needs of the individuals with disabilities and their family members, guardians, advocates, or authorized representatives, for securing funding for and access to assistive technology devices and assistive technology services through a contract with a second entity."

(ii) lack of consumer-responsive activities; (iii) lack of resource allocation to systems change and advocacy activities; (iv) lack of programmatic assurances in the assurances in section 102(e); or (v) inadequate fiscal management."

(a) CHANGE OF PROTECTION AND ADVOCACY SERVICES PROVIDER.—(I) PANEL.—Based on its findings, a monitoring panel may determine that a lead agency designated by a Governor has not met the protection and advocacy service needs of the individuals with disabilities and their family members, guardians, advocates, or authorized representatives, for securing funding for and access to assistive technology devices and assistive technology services through a contract with a second entity."

(iii) Good cause.—In this paragraph, the term "good cause" includes—

(1) lack of programmatic assurance required by section 102(e); or (2) failure to provide the protection and advocacy services for the State through a contract with a second entity."

(2) NOTICE AND OPPORTUNITY TO BE HEARD.—The Governor shall...for which the Governor may not enter into a contract with a second entity to provide the protection and advocacy services for the State through a contract with a second entity."

(ii) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; (iii) by inserting after paragraph (3) the following:

"(4) ADVANCE PUBLIC NOTICE.—The Secretary shall provide advance public notice of the on-site visit and solicit public comment through such notice from individuals with disabilities, their family members, guardians, advocates, and authorized representatives, public service providers and providers of protection and advocacy services, appropriate individuals and entities, regarding the State's protection and advocacy grant made under..."
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"(B) TIMING.—The Governor shall not issue such request until the first entity has been given notice and an opportunity to respond. In determining the determination to the Secretary in accordance with paragraph (2)(C), the Governor shall issue such request within 30 days after the end of the period during which the first entity has the opportunity to respond, or after the decision of the Secretary, as appropriate.

"(C) PROCEDURE.—Such competition shall be open to entities with the same expertise and ability to provide legal services as a system referred to in section 1402(b). The competition shall ensure public involvement, including a public hearing and adequate opportunity for public comment.

"(D) ANNUAL REPORT.—

"(i) IN GENERAL.—Not later than December 2 of each year, the Secretary shall prepare, and submit to the President and to the Congress, a report on Federal initiatives, including the demonstration projects, carried out through programs funded under this title, to—

"(A) promote access to such funding for assistive technology devices and assistive technology services;

"(B) carry out the Federal initiatives to—

"(I) provide a clearinghouse for activities that provide a demonstration of successful approaches to increasing the availability, accessibility, affordability, and quality of assistive technology devices and assistive technology services; and

"(II) foster the development and replication of effective approaches to increasing the availability, accessibility, affordability, and quality of assistive technology devices and assistive technology services, including the development of the rehabilitation state plan described in section 2(b)(1) with respect to the Federal Government.

"(ii) the recommendations of the National Council on Disability Coordination Council that facilitate the accomplishment of section 2(b)(1) with respect to the Federal Government.

"(ii) the recommendations of the National Council on Disability Coordination Council that facilitate the accomplishment of section 2(b)(1) with respect to the Federal Government.

"(III) promote awareness of the costs and benefits of assistive technology services to individuals with disabilities and their family members, guardians, advocates, or authorized representatives, community-based organizations, and protection and advocacy agencies, on a nationwide basis, to—

"(I) disseminate information about, and foster awareness and understanding of, Federal, State, and local laws, regulations, policies, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for, and access to, assistive technology devices and assistive technology services, to promote fuller independence, productivity, and inclusion for individuals with disabilities of all ages;

"(II) identify, collect, and disseminate information, and provide technical assistance, on effective systems change and advocacy activities;

"(III) improve the understanding and use of assistive technology funding decisions made as a result of public, private, governmental, or voluntary initiatives, procedures, or through regulations, administrative hearings, or legal actions, that enhance access to, funding for, and the availability of, assistive technology devices and assistive technology services for individuals with disabilities;

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

"(V) promote effective approaches to the development of consumer-controlled systems that increase access to, funding for, and awareness of, assistive technology devices and assistive technology services, including the identification and description of mechanisms and policies that successfully support self-help and peer mentoring groups for individuals with disabilities;

"(VI) COORDINATION.—The Secretary shall coordinate the information and technical assistance activities described in paragraphs (I)(i)(II), (II), (III), (IV), and (V), and shall provide such information and technical assistance to States, the Secretary shall consider the input of the directors of consumer-controlled systems, the National Technical Assistance Center, the National Technical Assistance Center, and other appropriate individuals, about technology-related assistance; the recommendations of the National Council on Disability Coordination Council that facilitate the accomplishment of section 2(b)(1) with respect to the Federal Government.

"SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

"(a) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—Not later than December 2 of each year, the Secretary shall reserve at least 2 percent or $1,500,000, whichever is greater, of such funds, for the purpose of providing information and technical assistance as described in subparagraphs (B) and (C) to States, individuals with disabilities and their family members, guardians, advocates, or authorized representatives, community-based organizations, and protection and advocacy agencies.

"(2) TECHNICAL ASSISTANCE TO STATES.—In providing such information and technical assistance to States, the Secretary shall consider the input of the directors of consumer-controlled systems, the National Technical Assistance Center, the National Technical Assistance Center, and other appropriate individuals, about technology-related assistance; the recommendations of the National Council on Disability Coordination Council that facilitate the accomplishment of section 2(b)(1) with respect to the Federal Government.

"SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

"(a) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—The funds appropriated for fiscal year 1994 are as follows:

"(2) RESERVATIONS.—

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

"(I) disseminate information about, and foster awareness and understanding of, Federal, State, and local laws, regulations, policies, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for, and access to, assistive technology devices and assistive technology services, to promote fuller independence, productivity, and inclusion for individuals with disabilities of all ages;

"(II) identify, collect, and disseminate information, and provide technical assistance, on effective systems change and advocacy activities;

"(III) improve the understanding and use of assistive technology funding decisions made as a result of public, private, governmental, or voluntary initiatives, procedures, or through regulations, administrative hearings, or legal actions, that enhance access to, funding for, and the availability of, assistive technology devices and assistive technology services for individuals with disabilities;

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

"(V) promote effective approaches to the development of consumer-controlled systems that increase access to, funding for, and awareness of, assistive technology devices and assistive technology services, including the identification and description of mechanisms and policies that successfully support self-help and peer mentoring groups for individuals with disabilities;
The Secretary shall develop a national classification system that includes a single taxonomy and no redundancy.  

The system development project, the Secretary shall consult with, and coordinate activities with, appropriate Federal and State agencies, including insurers, that have contact with individuals with disabilities.
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share of the cost of the establishment and administration of, or the expansion and administration of, alternative financing mechanisms to allow individuals with disabilities and their families, and authorized representatives to purchase assistive technology devices and assistive technology services;

(b) MECHANISMS.—The alternative financing mechanisms may include—

(1) a revolving loan fund;
(2) a loan insurance program;
(3) a partnership with private entities for the purchase, lease, or other acquisition of assistive technology devices or the provision of assistive technology services; and
(4) other alternative financing mechanisms that meet the requirements of this Act and are approved by the Secretary.

(c) CONSTRUCTION.—Nothing in this section shall be construed as affecting the authority of a State to establish alternative financing mechanisms under title I.

SEC. 305. APPLICATIONS AND PROCEDURES.

(a) ELIGIBILITY.—States that receive or have received grants under section 301 or 303 shall be eligible to compete for grants under section 303.

(b) REQUIREMENTS.—The Secretary shall make grants under section 301 on such conditions as the Secretary shall, by regulations, prescribe, except that—

(1) a State may receive only 1 grant under section 301 and may only receive such a grant for 1 year under this title;

(2) a State that desires to receive a grant under section 301 shall submit an application to the Secretary, at such time and in such manner as the Secretary may require, containing—

(A) a description of the purpose and use of the alternative financing mechanism that is to be established as a result of the grant;

(B) an assurance that the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title; and

(C) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title; and

(3) All funds that support an alternative financing mechanism shall be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title.

(c) CONTENTS.—The application submitted under section 302 shall include—

(A) a description of the purpose and use of the alternative financing mechanism that is to be established as a result of the grant;

(B) an assurance that the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(C) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(D) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(E) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(F) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(G) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(H) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(I) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(J) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(K) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(L) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(M) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(N) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(O) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(P) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(Q) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

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(Y) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;

(Z) a description of the extent to which the alternative financing mechanism will be used to provide assistance to individuals with disabilities, and that assistance will be provided in a manner consistent with the provisions of this title;
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the amount of Federal funds provided for such program;

(4) the type of program to provide alternative financing mechanisms that was adopted by each State and the community-based organization (or consortia of such organizations) with which each State has entered into an agreement; and

(5) the amount of assistance given to consumers who shall be classified by age, type of disability, type of assistive technology device or assistive technology service received, geographic distribution within the State, gender, and whether the consumers are part of an underrepresented population or a rural population.

 SECTION 403. AUTHORIZATION OF APPROPRIATIONS.

(a) In General.—There are authorized to be appropriated to carry out this title $2,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

(b) Availability in Succeeding Fiscal Years.—Amounts appropriated under subsection (a) shall remain available for obligation for the fiscal year immediately following the fiscal year for which such amounts were appropriated.

(c) Reservation.—Of the amounts appropriated under subsection (a), the Secretary shall reserve $250,000 for the purpose of providing for technical and information assistance to States under section 308.

TITLES V—EFFECTIVE DATE

SEC. 501. EFFECTIVE DATE.
(a) ASSISTIVE TECHNOLOGY DEVICE.—Section 7(2) of the Rehabilitation Act of 1973 (29 U.S.C. 706(2)), as added by section 102(n) of Public Law 102-669 (106 Stat. 4350), is amended—

(1) by striking “2202(2)” and inserting “2202(3)”; and

(2) by striking the period at the end of paragraph (a) and inserting a comma.

(b) ASSISTIVE TECHNOLOGY SERVICE.—Section 7(2) of the Rehabilitation Act of 1973 (29 U.S.C. 706(2)), as added by section 102(n) of Public Law 102-669 (106 Stat. 4350), is amended—

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(1) by striking “2202(2)” and inserting “2202(3)”; and

(2) by striking the period at the end of paragraph (a) and inserting a comma.

THE SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. OWENS] will be recognized for 20 minutes, and the gentleman from New York [Mr. BALLenger] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. OWENS].

Mr. OWENS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the Technology-Related Assistance Amendment to the Individuals With Disabilities Act Amendments of 1994. The Subcommittee on Select Education and Civil Rights understands the urgency and importance of this legislation to the disability community and has moved to incorporate many of their recommendations in this reauthorization.

This bill is the culmination of a bipartisan effort. Moreover, the House and Senate have reconciled the differences in their respective bills, resulting in the strong piece of legislation which I present to the House today.

The State programs of technology-related assistance have come a long way since their inception in 1988. At that time, many individuals with disabilities were not aware of the existence of programs or the assistive technology devices and services tailored to their specific needs. Today, however, they can dial a 1-800 number in their State and actually get a voice at the end of the line—a voice of someone who is a specialist in locating funding sources to pay for assistive technology. Additionally, individuals with disabilities can visit the State program at various sites, where they can try out devices and receive training in their use. The development and implementation of these programs have undoubtedly improved the ability of individuals with disabilities to live independently and pursue meaningful careers.

This bill provides a 5-year reauthorization for title I, which will sunset in 10 years after one more reauthorization. Congress never intended for this program to become a permanent Federal grant program. Instead, we envisioned a program which would eventually take on a life of its own with an adequate amount of Federal seed money. When Federal funding is terminated, all 50 States will have had the benefit of 10 years of support. Based on the progress of those States which are 5 years into their 10-year Federal cycle, 10 years should be ample time for the States to line up alternative sources of public and private funding for the future.

Title I includes clearer standards of accountability for the States to ensure that the bill's goals are accomplished within the period of Federal funding. Some of the changes to be made in title I include the following:

First, the requirement that States perform six specific systems change and advocacy activities, including outreach to underrepresented populations and rural populations.

Second, the requirement that States provide a specific amount of title I funds to a protection and advocacy agency, so that individuals with disabilities have access to legal representation when they are denied access to
assistance technology to which they are entitled under law. It is imperative that these grants or contracts be in place no later than 60 days after the enactment of this legislation.

Third, the requirement that State lead agencies and protection and advocacy agencies be redesignated for good cause.

Title II also is reauthorized for 5 years. The new title II requires the Secretary of Education to develop a national classification system for assistive technology devices and services. It also includes grants for personnel training, technology transfer, recycling demonstration projects, business opportunities for individuals with disabilities, and the development of products of universal design.

Title III is a new and vital addition to current law. Across the Nation, there is a lack of capacity to deliver assistive technology devices and services to consumers. The experience of several States in establishing low-interest loan programs has demonstrated the effectiveness of alternative financing mechanisms in enabling individuals with disabilities to secure assistive technology in an expeditious manner.

Therefore, title III introduces a program of one-time, Federal grants to States for establishing alternative financing mechanisms.

I urge my colleagues to pass this legislation to enable individuals with disabilities to continue their drive toward full inclusion and integration in the economic, political, social, cultural, and educational mainstream of our society.

Mr. Speaker, I wish to thank the gentleman from Michigan (Mr. Ford), the gentleman from Pennsylvania (Mr. Goodling), the gentleman from North Carolina (Mr. Ballenger), and other members of my subcommittee in the House, as well as the Senator from Massachusetts (Mr. Kennedy), the Senator from Kansas (Mrs. Kassebaum), the Senator from Iowa (Mr. Harken), and Senator from Minnesota (Mr. Durenberger) for their support in this bipartisan effort.

Mr. Speaker, I submit the following documents for insertion into the Record.


Hon. Major Owens and Hon. Casper Ballenger, Subcommittee on Select Education and Civil Rights, Committee on Education and Labor, Rayburn House Office Building, Washington, DC.

Dear Mr. Owens and Mr. Ballenger: We are in receipt of your February 4, 1994 letter seeking a clarification of congressional intent in H.R. 2339 with regard to the sunset provision for it relates to a five-year reauthorization for the Technology-Related Assistance for Individuals with Disabilities Act.

We fully concur with your understanding of the policy in the bill regarding the above referenced provisions.

Sincerely,

David Durenberger, Chairman, Subcommittee on Disability Policy.

Tom Harkin, Chair, Subcommittee on Disability Policy.


Hon. Tom Harkin, Chairman, Subcommittee on Disability Policy, Senate Labor and Human Resources Committee, Hart Senate Office Building, Washington, DC.

Dear Mr. Chairman: We are writing to clarify Congress' understanding of H.R. 2339 with regard to the sunset provision as it relates to a five-year reauthorization for the Technology-Related Assistance Act for Individuals with Disabilities.

It is our intent that States receiving grants under Title I of the Technology-Related Assistance Act for Individuals with Disabilities will receive grants under this title for more than a total of 10 years. Included in that 10 years are: one three-year development grant, one year extension of that development grant if the State demonstrates to the Secretary of Education that they have made significant progress in developing and implementing a consumer-responsive, comprehensive program of technology-related assistance, and one five-year second extension grant based on the above requirement. In year four and five, a phase-out of the second extension grant will occur with a State receiving 50% of their grant award in year four and 50% of their grant award in year five. After the fifth and final year of the second extension grant, no State will receive any Federal funds under Title I of this Act.

While we understand your concerns that the length of the authorization for this Act should be five years for purposes of oversight, it is our intent that no State should receive Federal assistance under Title I of this Act, the State grant program, for more than 10 years. As you may recall, in 1993 when this program was created, and original Congressional intent was to provide Federal seed money to States to help them develop and implement consumer-responsive, comprehensive programs of technology-related assistance. We do not believe that the Congress intended for this program to become a permanent Federal grant program and it is for that reason that we strongly support this provision.

We hope that this is your understanding of the sunset and five-year reauthorization provisions of H.R. 2339 so that we can ensure this policy is clearly explained during the House and Senate floor debate when this bill is considered. We appreciate your consideration of this issue and look forward to hearing your views.

Sincerely,

Major Owens, Member of Congress.

Casper Ballenger, Member of Congress.

Mr. Speaker, I reserve the balance of my time.

Mr. Ballenger, Mr. Speaker, I yield myself such time as I may consume.

I rise to support H.R. 2339, the Technology Related Assistance for Individuals with Disabilities Act Amendments of 1994. This bill represents a bipartisan agreement worked out between the House and the Senate. I want to commend the gentleman from New York, [Mr. Owens] the gentleman from Iowa, Senator Harkin, the gentleman from Minnesota, Senator Durenberger, and all the staff for all the hard work and consistent efforts they did in order to work out the differences between the two bodies so that we can all support this bill today. The House passed this bill last August and the bill today reflects many of the policies made in the original House bill.

H.R. 2339 makes several changes in the current law to strengthen activities States are doing in order to make assistive technology devices and services available to individuals with disabilities. Assistive technology does make a difference in the lives of individuals with disabilities by providing economic, political, social, cultural, and access to technology devices and services.

I am particularly pleased that this bill has a sunset provision repealing the extension of Federal dollars in years 10 and 12. When Congress enacted this act in 1988, it was intended to provide Federal money to States to develop and implement a statewide system to eliminate barriers and make assistive technology accessible and available. The goal being that once that was accomplished, this Federal program would no longer be needed. While H.R. 2339 does have a 5 year authorization at the request of the other body for purposes of oversight, it is our intent that no State receive Federal assistance under this act for more than 10 years. This policy is defined in a letter to Senator Harkin and Senator Durenberger from Major Owens and myself. I would like to include in the RECORD at the end of this debate both sent, I am glad the policy to end a Federal program once it accomplishes its intended goals was retained in this legislation.

I also support the new provision creating a one-time Federal matching grant to States to develop alternative financing systems so that individuals with disabilities can access financial assistance in order to purchase assistive technology devices. This Federal investment will be no more than $500,000 per State and will be matched dollar-for-dollar by the State. The State will have the authority to decide what type of alternative financing system to develop, such as a low interest loan or a revolving loan program, and will be required to have commercial lending institutions or State financing
Mr. OWENS. Mr. Speaker, I yield such time as she may consume to the gentleman from Utah (Ms. SHERMAN).

Ms. SHEPHERD. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in support of H.R. 2339, and I am pleased that this bill will pass the House today without controversy, as it should. With the Chairman's permission, I would like to highlight an important section of this bill which has a direct impact on my district in Salt Lake City.

In a wise move, Congress recently changed the Federal regulations for the Head Start Program to enable local Head Start centers to use Federal funds to purchase their facilities. In light of the low interest rates and rapidly rising rents in many communities, including Salt Lake City, this was a cost-effective and farsighted change in regulations.

A Head Start center in my district had already saved taxpayers $100,000 by purchasing a building before the law was changed. Instead of being praised for good work, they were being sued by HHS for making the change too soon. Unfortunately, the Head Start Program in Utah has had to suffer through a prolonged and expensive court battle as a result of their inadvertent mistake.

No more. Last year Senator ORIN J. HATCH and I joined forces to solve this problem. The bill before us today will suspend the legal proceedings against the Salt Lake Head Start center and allow them to purchase their facility. It is an example of how Congress can help strengthen our communities and improve the lives of our children, while saving taxpayer dollars at the same time. It is a living example of reinventing Government.

My deepest thanks to Chairman OWENS for his cooperation and vision in this matter, and to Chairman MANTON, whose subcommittee has jurisdiction on this issue. Together, we made Government work.

Mr. OWENS. Mr. Speaker, I rise today in support of House Joint Resolution 46, a resolution I introduced to proclaim the month of March 1994 as "Irish-American Heritage Month." I am pleased that 218 of my colleagues have joined me in supporting this important resolution. I would also like to thank Chairman CLAY for bringing this resolution to the floor.

House Joint Resolution 46 celebrates the heritage of over 40 million Americans of Irish descent. Irish-American Heritage Month is dedicated to honor all Irish-Americans and complement the hundreds of parades and activities sponsored around the United States every March in honor of St. Patrick's Day.

Mr. Speaker, Irish-Americans have played an important role in U.S. history. Four signers of the Declaration of Independence were Irish born. Commodore John Barry of County Wexford, Ireland, served in the Continental Navy and is widely regarded as the Father of the American Navy. President William Jefferson Clinton is the 19th American President of Irish Ancestry. More than 200 Irish-Americans have been awarded the Congressional Medal of Honor. Mary Kennedy O'Sullivan, the first woman organizer of the American Federation of Labor, was of Irish origin. Nine of the generals who served in the Continental Army during the American Revolution were Irish born. Irish-