

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

3 **SEC. [__01]. SHORT TITLE.**

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

6 **SEC. [__02]. REAUTHORIZATION.**

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

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

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

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

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

“Sec. 2. Purposes.

“Sec. 3. Definitions.

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

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

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

“Sec. 7. Projects of national significance.

“Sec. 8. Administrative provisions.

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

14 **“SEC. 2. PURPOSES.**

15 “The purposes of this Act are to—

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

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

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

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

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

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

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

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

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

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

24 **“SEC. 3. DEFINITIONS.**

25 “‘In this Act:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 “(A) is implemented by a State;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 “(14) STATE.—

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

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

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

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

1 Commonwealth of the Northern Mariana
2 Islands.

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

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

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

12 “(B) underrepresented populations;

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

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

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

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

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

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

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

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

17 “(17) UNDERREPRESENTED POPULATION.—

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

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

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

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

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

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

25 “(2) increase access to assistive technology.

1 “(b) AMOUNT OF FINANCIAL ASSISTANCE.—

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

7 “(2) CALCULATION OF STATE GRANTS.—

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

17 “(B) RATABLE REDUCTION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 “(A) LEAD AGENCY.—

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

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

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

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

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

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

1 and maintaining and evaluating the
2 program; and

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

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

24 “(C) CHANGE IN AGENCY OR ENTITY.—

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

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

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

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

23 “(2) ADVISORY COUNCIL.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “(ii) MAJORITY.—

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

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

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

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

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

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

25 “(d) APPLICATION.—

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

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

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

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

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

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

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

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

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

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

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

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

1 planned procedures for tracking expenditures
2 for the activities;

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

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

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

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

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

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

3 “(v) community living;

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

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

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

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

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

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

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

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

14 “(B) funds received through the grant—

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

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

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

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

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

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

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

22 “(H) the State will—

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

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

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

8 “(e) USE OF FUNDS.—

9 “(1) REQUIRED ACTIVITIES.—

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

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

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

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

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

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

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

14 “(2) STATE-LEVEL ACTIVITIES.—

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

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

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

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

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

15 “(I) a low-interest loan fund;

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

18 “(III) a revolving loan fund; or

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

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

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

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

18 “(D) DEVICE DEMONSTRATIONS.—

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

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

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

14 “(3) STATE LEADERSHIP ACTIVITIES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

12 “(B) PUBLIC-AWARENESS ACTIVITIES.—

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

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

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

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

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

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

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

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

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

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

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

13 “(4) FUNDING RULES.—

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

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

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

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

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

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

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

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

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

1 “(5) STATE FLEXIBILITY.—

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

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

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

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

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

25 “(f) ANNUAL PROGRESS REPORTS.—

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

6 “(2) REPORTS.—

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

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

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

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

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

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

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

9 “(aa) approved;

10 “(bb) denied; or

11 “(cc) withdrawn;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 “(a) GRANTS.—

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

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

15 “(b) RESERVATION; DISTRIBUTION.—

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

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

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

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

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

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

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

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

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

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

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

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

23 “(d) CARRYOVER; PROGRAM INCOME.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 **SUPPORT.**

20 “(a) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

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

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

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

7 “(ii) assistive technology device reuse;

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

12 “(iv) State leadership activities.

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

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

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

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

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

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

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

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

20 “(c) APPLICATION.—

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

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

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

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

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

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

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

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

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

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

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

9 “(D) representatives of businesses; and

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

12 “(d) AUTHORIZED ACTIVITIES.—

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

15 “(A) TECHNICAL ASSISTANCE EFFORTS.—

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

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

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

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

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

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

1 requests for assistance in developing
2 corrective action plans;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 “(i) collaborate with—

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

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

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

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

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

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

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

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

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

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

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

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

18 “(1) means a project that—

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

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

1 “(2) may—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 “(a) GENERAL ADMINISTRATION.—

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

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

9 “(3) ADMINISTRATION.—

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

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

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

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

25 “(b) REVIEW OF PARTICIPATING ENTITIES.—

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

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

14 “(c) CORRECTIVE ACTION AND SANCTIONS.—

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

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

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

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

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

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

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

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

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

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

14 “(d) ANNUAL REPORT TO CONGRESS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(B) \$2,000,000; and

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

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

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