29 U.S.C. § 794d

-CITE-

 29 USC CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS

 WITH DISABILITIES 01/07/2011

-EXPCITE-

 TITLE 29 - LABOR

 CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

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 CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

-MISC1-

 Sec.

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-EXPCITE-

 TITLE 29 - LABOR

 CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

-HEAD-

 Sec. 3001. Findings and purposes

-STATUTE-

 (a) Findings

 Congress finds the following:

 (1) Over 54,000,000 individuals in the United States have

 disabilities, with almost half experiencing severe disabilities

 that affect their ability to see, hear, communicate, reason,

 walk, or perform other basic life functions.

 (2) Disability is a natural part of the human experience and in

 no way diminishes the right of individuals to -

 (A) live independently;

 (B) enjoy self-determination and make choices;

 (C) benefit from an education;

 (D) pursue meaningful careers; and

 (E) enjoy full inclusion and integration in the economic,

 political, social, cultural, and educational mainstream of

 society in the United States.

 (3) Technology is one of the primary engines for economic

 activity, education, and innovation in the Nation, and throughout

 the world. The commitment of the United States to the development

 and utilization of technology is one of the main factors

 underlying the strength and vibrancy of the economy of the United

 States.

 (4) As technology has come to play an increasingly important

 role in the lives of all persons in the United States, in the

 conduct of business, in the functioning of government, in the

 fostering of communication, in the conduct of commerce, and in

 the provision of education, its impact upon the lives of

 individuals with disabilities in the United States has been

 comparable to its impact upon the remainder of the citizens of

 the United States. Any development in mainstream technology will

 have profound implications for individuals with disabilities in

 the United States.

 (5) Substantial progress has been made in the development of

 assistive technology devices, including adaptations to existing

 devices that facilitate activities of daily living that

 significantly benefit individuals with disabilities of all ages.

 These devices, including adaptations, increase involvement in,

 and reduce expenditures associated with, programs and activities

 that facilitate communication, ensure independent functioning,

 enable early childhood development, support educational

 achievement, provide and enhance employment options, and enable

 full participation in community living for individuals with

 disabilities. Access to such devices can also reduce expenditures

 associated with early childhood intervention, education,

 rehabilitation and training, health care, employment, residential

 living, independent living, recreation opportunities, and other

 aspects of daily living.

 (6) Over the last 15 years, the Federal Government has invested

 in the development of comprehensive statewide programs of

 technology-related assistance, which have proven effective in

 assisting individuals with disabilities in accessing assistive

 technology devices and assistive technology services. This

 partnership between the Federal Government and the States

 provided an important service to individuals with disabilities by

 strengthening the capacity of each State to assist individuals

 with disabilities of all ages meet their assistive technology

 needs.

 (7) Despite the success of the Federal-State partnership in

 providing access to assistive technology devices and assistive

 technology services, there is a continued need to provide

 information about the availability of assistive technology,

 advances in improving accessibility and functionality of

 assistive technology, and appropriate methods to secure and

 utilize assistive technology in order to maximize the

 independence and participation of individuals with disabilities

 in society.

 (8) The combination of significant recent changes in Federal

 policy (including changes to section 794d of this title,

 accessibility provisions of the Help America Vote Act of 2002 (42

 U.S.C. 15301 et seq.), and the amendments made to the Elementary

 and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) by

 the No Child Left Behind Act of 2001) and the rapid and unending

 evolution of technology require a Federal-State investment in

 State assistive technology systems to continue to ensure that

 individuals with disabilities reap the benefits of the

 technological revolution and participate fully in life in their

 communities.

 (b) Purposes

 The purposes of this chapter are -

 (1) to support State efforts to improve the provision of

 assistive technology to individuals with disabilities through

 comprehensive statewide programs of technology-related

 assistance, for individuals with disabilities of all ages, that

 are designed to -

 (A) increase the availability of, funding for, access to,

 provision of, and training about assistive technology devices

 and assistive technology services;

 (B) increase the ability of individuals with disabilities of

 all ages to secure and maintain possession of assistive

 technology devices as such individuals make the transition

 between services offered by educational or human service

 agencies or between settings of daily living (for example,

 between home and work);

 (C) increase the capacity of public agencies and private

 entities to provide and pay for assistive technology devices

 and assistive technology services on a statewide basis for

 individuals with disabilities of all ages;

 (D) increase the involvement of individuals with disabilities

 and, if appropriate, their family members, guardians,

 advocates, and authorized representatives, in decisions related

 to the provision of assistive technology devices and assistive

 technology services;

 (E) increase and promote coordination among State agencies,

 between State and local agencies, among local agencies, and

 between State and local agencies and private entities (such as

 managed care providers), that are involved or are eligible to

 be involved in carrying out activities under this chapter;

 (F) increase the awareness and facilitate the change of laws,

 regulations, policies, practices, procedures, and

 organizational structures, that facilitate the availability or

 provision of assistive technology devices and assistive

 technology services; and

 (G) increase awareness and knowledge of the benefits of

 assistive technology devices and assistive technology services

 among targeted individuals and entities and the general

 population; and

 (2) to provide States with financial assistance that supports

 programs designed to maximize the ability of individuals with

 disabilities and their family members, guardians, advocates, and

 authorized representatives to obtain assistive technology devices

 and assistive technology services.

-SOURCE-

 (Pub. L. 105-394, Sec. 2, Nov. 13, 1998, 112 Stat. 3628; Pub. L.

 108-364, Sec. 2, Oct. 25, 2004, 118 Stat. 1707.)

-REFTEXT-

 REFERENCES IN TEXT

 The Help America Vote Act of 2002, referred to in subsec. (a)(8),

 is Pub. L. 107-252, Oct. 29, 2002, 116 Stat. 1666, which is

 classified principally to chapter 146 (Sec. 15301 et seq.) of Title

 42, The Public Health and Welfare. For complete classification of

 this Act to the Code, see Short Title note set out under section

 15301 of Title 42 and Tables.

 The Elementary and Secondary Education Act of 1965, referred to

 in subsec. (a)(8), is Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, as

 amended, which is classified generally to chapter 70 (Sec. 6301 et

 seq.) of Title 20, Education. For complete classification of this

 Act to the Code, see Short Title note set out under section 6301 of

 Title 20 and Tables.

 The No Child Left Behind Act of 2001, referred to in subsec.

 (a)(8), is Pub. L. 107-110, Jan. 8, 2002, 115 Stat. 1425, as

 amended. For complete classification of this Act to the Code, see

 Short Title of 2002 Amendment note set out under section 6301 of

 Title 20, Education, and Tables.

-MISC1-

 AMENDMENTS

 2004 - Pub. L. 108-364 amended section catchline and text

 generally. Prior to amendment, text consisted of subsecs. (a) and

 (b) relating to findings and purposes.

 SHORT TITLE OF 2004 AMENDMENT

 Pub. L. 108-364, Sec. 1, Oct. 25, 2004, 118 Stat. 1707, provided

 that: "This Act [enacting sections 3003 to 3007 of this title,

 amending this section, sections 763, 781, 792, and 3002 of this

 title, and sections 15024, 15025, 15043, and 15064 of Title 42, The

 Public Health and Welfare, omitting sections 3011 to 3015, 3031 to

 3037, and 3051 to 3058 of this title, and amending provisions set

 out as a note under this section] may be cited as the 'Assistive

 Technology Act of 2004'."

 SHORT TITLE

 Pub. L. 105-394, Sec. 1(a), Nov. 13, 1998, 112 Stat. 3627, as

 amended by Pub. L. 108-364, Sec. 2, Oct. 25, 2004, 118 Stat. 1707,

 provided that: "This Act [enacting this chapter] may be cited as

 the 'Assistive Technology Act of 1998'."

-End-

-CITE-

 29 USC Sec. 3002 01/07/2011

-EXPCITE-

 TITLE 29 - LABOR

 CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

-HEAD-

 Sec. 3002. Definitions

-STATUTE-

 In this chapter:

 (1) Adult service program

 The term "adult service program" means a program that provides

 services to, or is otherwise substantially involved with the

 major life functions of, individuals with disabilities. Such term

 includes -

 (A) a program providing residential, supportive, or

 employment services, or employment-related services, to

 individuals with disabilities;

 (B) a program carried out by a center for independent living,

 such as a center described in part C of title VII of the

 Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.);

 (C) a program carried out by an employment support agency

 connected to adult vocational rehabilitation, such as a one-

 stop partner, as defined in section 2801 of this title; and

 (D) a program carried out by another organization or vender

 licensed or registered by the designated State agency, as

 defined in section 7 of the Rehabilitation Act of 1973 (29

 U.S.C. 705).

 (2) American Indian consortium

 The term "American Indian consortium" means an entity that is

 an American Indian Consortium (as defined in section 102 of

 Developmental Disabilities Assistance and Bill of Rights Act of

 2000 (42 U.S.C. 15002)), and that is established to provide

 protection and advocacy services for purposes of receiving

 funding under subtitle C of title I of such Act (42 U.S.C. 15041

 et seq.).

 (3) Assistive technology

 The term "assistive technology" means technology designed to be

 utilized in an assistive technology device or assistive

 technology service.

 (4) Assistive technology device

 The term "assistive technology device" means any item, piece of

 equipment, or product system, whether acquired commercially,

 modified, or customized, that is used to increase, maintain, or

 improve functional capabilities of individuals with disabilities.

 (5) Assistive technology service

 The term "assistive technology service" means any service that

 directly assists an individual with a disability in the

 selection, acquisition, or use of an assistive technology device.

 Such term includes -

 (A) the evaluation of the assistive technology needs of an

 individual with a disability, including a functional evaluation

 of the impact of the provision of appropriate assistive

 technology and appropriate services to the individual in the

 customary environment of the individual;

 (B) a service consisting of purchasing, leasing, or otherwise

 providing for the acquisition of assistive technology devices

 by individuals with disabilities;

 (C) a service consisting of selecting, designing, fitting,

 customizing, adapting, applying, maintaining, repairing,

 replacing, or donating assistive technology devices;

 (D) coordination and use of necessary therapies,

 interventions, or services with assistive technology devices,

 such as therapies, interventions, or services associated with

 education and rehabilitation plans and programs;

 (E) training or technical assistance for an individual with a

 disability or, where appropriate, the family members,

 guardians, advocates, or authorized representatives of such an

 individual;

 (F) training or technical assistance for professionals

 (including individuals providing education and rehabilitation

 services and entities that manufacture or sell assistive

 technology devices), employers, providers of employment and

 training services, or other individuals who provide services

 to, employ, or are otherwise substantially involved in the

 major life functions of individuals with disabilities; and

 (G) a service consisting of expanding the availability of

 access to technology, including electronic and information

 technology, to individuals with disabilities.

 (6) Capacity building and advocacy activities

 The term "capacity building and advocacy activities" means

 efforts that -

 (A) result in laws, regulations, policies, practices,

 procedures, or organizational structures that promote consumer-

 responsive programs or entities; and

 (B) facilitate and increase access to, provision of, and

 funding for, assistive technology devices and assistive

 technology services, in order to empower individuals with

 disabilities to achieve greater independence, productivity, and

 integration and inclusion within the community and the

 workforce.

 (7) Comprehensive statewide program of technology-related

 assistance

 The term "comprehensive statewide program of technology-related

 assistance" means a consumer-responsive program of technology-

 related assistance for individuals with disabilities,

 implemented by a State, and equally available to all individuals

 with disabilities residing in the State, regardless of their type

 of disability, age, income level, or location of residence in the

 State, or the type of assistive technology device or assistive

 technology service required.

 (8) Consumer-responsive

 The term "consumer-responsive" -

 (A) with regard to policies, means that the policies are

 consistent with the principles of -

 (i) respect for individual dignity, personal

 responsibility, self-determination, and pursuit of meaningful

 careers, based on informed choice, of individuals with

 disabilities;

 (ii) respect for the privacy, rights, and equal access

 (including the use of accessible formats) of such

 individuals;

 (iii) inclusion, integration, and full participation of

 such individuals in society;

 (iv) support for the involvement in decisions of a family

 member, a guardian, an advocate, or an authorized

 representative, if an individual with a disability requests,

 desires, or needs such involvement; and

 (v) support for individual and systems advocacy and

 community involvement; and

 (B) with respect to an entity, program, or activity, means

 that the entity, program, or activity -

 (i) is easily accessible to, and usable by, individuals

 with disabilities and, when 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 -

 (I) decisions relating to the provision of assistive

 technology devices and assistive technology services to

 such individuals; and

 (II) decisions related to the maintenance, improvement,

 and evaluation of the comprehensive statewide program of

 technology-related assistance, including decisions that

 affect capacity building and advocacy activities.

 (9) Disability

 The term "disability" means a condition of an individual that

 is considered to be a disability or handicap for the purposes of

 any Federal law other than this chapter or for the purposes of

 the law of the State in which the individual resides.

 (10) Individual with a disability; individuals with disabilities

 (A) Individual with a disability

 The term "individual with a disability" means any individual

 of any age, race, or ethnicity -

 (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 1

 individual with a disability.

 (11) Institution of higher education

 The term "institution of higher education" has the meaning

 given such term in section 1001(a) of title 20, and includes a

 community college receiving funding under the Tribally Controlled

 Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801

 et seq.).

 (12) Protection and advocacy services

 The term "protection and advocacy services" means services that

 -

 (A) are described in subtitle C of title I of the

 Developmental Disabilities Assistance and Bill of Rights Act of

 2000 (42 U.S.C. 15041 et seq.), the Protection and Advocacy for

 Individuals with Mental Illness Act (42 U.S.C. 10801 et seq.),

 or section 509 of the Rehabilitation Act of 1973 (29 U.S.C.

 794e); and

 (B) assist individuals with disabilities with respect to

 assistive technology devices and assistive technology services.

 (13) Secretary

 The term "Secretary" means the Secretary of Education.

 (14) State

 (A) In general

 Except as provided in subparagraph (B), the term "State"

 means each of the 50 States of the United States, the District

 of Columbia, the Commonwealth of Puerto Rico, the United States

 Virgin Islands, Guam, American Samoa, and the Commonwealth of

 the Northern Mariana Islands.

 (B) Outlying areas

 In section 3003(b) of this title:

 (i) Outlying area

 The term "outlying area" means the United States Virgin

 Islands, Guam, American Samoa, and the Commonwealth of the

 Northern Mariana Islands.

 (ii) State

 The term "State" does not include the United States Virgin

 Islands, Guam, American Samoa, and the Commonwealth of the

 Northern Mariana Islands.

 (15) State assistive technology program

 The term "State assistive technology program" means a program

 authorized under section 3003 of this title.

 (16) Targeted individuals and entities

 The term "targeted individuals and entities" means -

 (A) individuals with disabilities of all ages and their

 family members, guardians, advocates, and authorized

 representatives;

 (B) underrepresented populations, including the aging

 workforce;

 (C) individuals who work for public or private entities

 (including centers for independent living described in part C

 of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f

 et seq.), insurers, or managed care providers) that have

 contact, or provide services to, with individuals with

 disabilities;

 (D) educators at all levels (including providers of early

 intervention services, elementary schools, secondary schools,

 community colleges, and vocational and other institutions of

 higher education) and related services personnel;

 (E) technology experts (including web designers and

 procurement officials);

 (F) health, allied health, and rehabilitation professionals

 and hospital employees (including discharge planners);

 (G) employers, especially small business employers, and

 providers of employment and training services;

 (H) entities that manufacture or sell assistive technology

 devices;

 (I) entities that carry out community programs designed to

 develop essential community services in rural and urban areas;

 and

 (J) other appropriate individuals and entities, as determined

 for a State by the State.

 (17) Technology-related assistance

 The term "technology-related assistance" means assistance

 provided through capacity building and advocacy activities that

 accomplish the purposes described in section 3001(b) of this

 title.

 (18) Underrepresented population

 The term "underrepresented population" means a population that

 is typically underrepresented in service provision, and includes

 populations such as persons who have low-incidence disabilities,

 persons who are minorities, poor persons, persons with limited

 English proficiency, older individuals, or persons from rural

 areas.

 (19) Universal design

 The term "universal design" means a concept or philosophy for

 designing and delivering products and services that are usable by

 people with the widest possible range of functional capabilities,

 which include products and services that are directly accessible

 (without requiring assistive technologies) and products and

 services that are interoperable with assistive technologies.

-SOURCE-

 (Pub. L. 105-394, Sec. 3, Nov. 13, 1998, 112 Stat. 3631; Pub. L.

 106-402, title IV, Sec. 401(b)(4)(A), Oct. 30, 2000, 114 Stat.

 1738; Pub. L. 108-364, Sec. 2, Oct. 25, 2004, 118 Stat. 1709; Pub.

 L. 110-315, title IX, Sec. 941(k)(2)(K), Aug. 14, 2008, 122 Stat.

 3467.)

-REFTEXT-

 REFERENCES IN TEXT

 The Rehabilitation Act of 1973, referred to in pars. (1)(B) and

 (16)(C), is Pub. L. 93-112, Sept. 26, 1973, 87 Stat. 355. Part C of

 title VII of the Act is classified generally to subpart 3 (Sec.

 796f et seq.) of part A of subchapter VII of chapter 16 of this

 title. For complete classification of this Act to the Code, see

 Short Title note set out under section 701 of this title and

 Tables.

 The Developmental Disabilities Assistance and Bill of Rights Act

 of 2000, referred to in pars. (2) and (12)(A), is Pub. L. 106-402,

 Oct. 30, 2000, 114 Stat. 1677. Subtitle C of title I of the Act is

 classified generally to part C (Sec. 15041 et seq.) of subchapter I

 of chapter 144 of Title 42, The Public Health and Welfare. For

 complete classification of this Act to the Code, see Short Title

 note set out under section 15001 of Title 42 and Tables.

 The Tribally Controlled Colleges and Universities Assistance Act

 of 1978, referred to in par. (11), is Pub. L. 95-471, Oct. 17,

 1978, 92 Stat. 1325, which is classified principally to chapter 20

 (Sec. 1801 et seq.) of Title 25, Indians. For complete

 classification of this Act to the Code, see Short Title note set

 out under section 1801 of Title 25 and Tables.

 The Protection and Advocacy for Individuals with Mental Illness

 Act, referred to in par. (12)(A), is Pub. L. 99-319, May 23, 1986,

 100 Stat. 478, which is classified generally to chapter 114 (Sec.

 10801 et seq.) of Title 42, The Public Health and Welfare. For

 complete classification of this Act to the Code, see Short Title

 note set out under section 10801 of Title 42 and Tables.

-MISC1-

 AMENDMENTS

 2008 - Par. (11). Pub. L. 110-315 substituted "the Tribally

 Controlled Colleges and Universities Assistance Act of 1978" for

 "the Tribally Controlled College or University Assistance Act of

 1978".

 2004 - Pub. L. 108-364 amended section catchline and text

 generally. Prior to amendment, text consisted of subsecs. (a) and

 (b) relating to definitions and references.

 2000 - Subsec. (a)(11)(A). Pub. L. 106-402 substituted "subtitle

 C of the Developmental Disabilities Assistance and Bill of Rights

 Act of 2000" for "part C of the Developmental Disabilities

 Assistance and Bill of Rights Act (42 U.S.C. 6041 et seq.)".

-End-

-CITE-

 29 USC Sec. 3003 01/07/2011

-EXPCITE-

 TITLE 29 - LABOR

 CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

-HEAD-

 Sec. 3003. State grants for assistive technology

-STATUTE-

 (a) Grants to States

 The Secretary shall award grants under subsection (b) to States

 to maintain comprehensive statewide programs of technology-related

 assistance to support programs that are designed to maximize the

 ability of individuals with disabilities across the human lifespan

 and across the wide array of disabilities, and their family

 members, guardians, advocates, and authorized representatives, to

 obtain assistive technology, and that are designed to increase

 access to assistive technology.

 (b) Amount of financial assistance

 (1) In general

 From funds made available to carry out this section, the

 Secretary shall award a grant to each eligible State and eligible

 outlying area from an allotment determined in accordance with

 paragraph (2).

 (2) Calculation of State grants

 (A) Base year

 Except as provided in subparagraphs (B) and (C), the

 Secretary shall allot to each State and outlying area for a

 fiscal year an amount that is not less than the amount the

 State or outlying area received under the grants provided under

 section 3011 of this title (as in effect on the day before

 October 25, 2004) for fiscal year 2004.

 (B) Ratable reduction

 (i) In general

 If funds made available to carry out this section for any

 fiscal year are insufficient to make the allotments required

 for each State and outlying area under subparagraph (A) for

 such fiscal year, the Secretary shall ratably reduce the

 allotments for such fiscal year.

 (ii) Additional funds

 If, after the Secretary makes the reductions described in

 clause (i), additional funds become available to carry out

 this section for the fiscal year, the Secretary shall ratably

 increase the allotments, until the Secretary has allotted the

 entire base year amount.

 (C) Higher appropriation years

 Except as provided in subparagraph (D), for a fiscal year for

 which the amount of funds made available to carry out this

 section is greater than the base year amount, the Secretary

 shall -

 (i) make the allotments described in subparagraph (A);

 (ii) from a portion of the remainder of the funds after the

 Secretary makes the allotments described in clause (i), the

 Secretary shall -

 (I) from 50 percent of the portion, allot to each State

 or outlying area an equal amount; and

 (II) from 50 percent of the portion, allot to each State

 or outlying area an amount that bears the same relationship

 to such 50 percent as the population of the State or

 outlying area bears to the population of all States and

 outlying areas,

 until each State has received an allotment of not less than

 $410,000 and each outlying area has received an allotment of

 $125,000 under clause (i) and this clause;

 (iii) from the remainder of the funds after the Secretary

 makes the allotments described in clause (ii), the Secretary

 shall -

 (I) from 80 percent of the remainder allot to each State

 an amount that bears the same relationship to such 80

 percent as the population of the State bears to the

 population of all States; and

 (II) from 20 percent of the remainder, allot to each

 State an equal amount.

 (D) Special rule for fiscal year 2005

 Notwithstanding subparagraph (C), if the amount of funds made

 available to carry out this section for fiscal year 2005 is

 greater than the base year amount, the Secretary may award

 grants on a competitive basis for periods of 1 year to States

 or outlying areas in accordance with the requirements of

 subchapter III of this chapter )1(! (as in effect on the day

 before October 25, 2004) to develop, support, expand, or

 administer an alternative financing program.

 (E) Base year amount

 In this paragraph, the term "base year amount" means the

 total amount received by all States and outlying areas under

 the grants described in subparagraph (A) for fiscal year 2004.

 (c) Lead agency, implementing entity, and advisory council

 (1) Lead agency and implementing entity

 (A) Lead agency

 (i) In general

 The Governor of a State shall designate a public agency as

 a lead agency -

 (I) to control and administer the funds made available

 through the grant awarded to the State under this section;

 and

 (II) to submit the application described in subsection

 (d) on behalf of the State, to ensure conformance with

 Federal and State accounting requirements.

 (ii) Duties

 The duties of the lead agency shall include -

 (I) preparing the application described in subsection (d)

 and carrying out State activities described in that

 application, including making programmatic and resource

 allocation decisions necessary to implement the

 comprehensive statewide program of technology-related

 assistance;

 (II) coordinating the activities of the comprehensive

 statewide program of technology-related assistance among

 public and private entities, including coordinating efforts

 related to entering into interagency agreements, and

 maintaining and evaluating the program; and

 (III) coordinating efforts related to 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 through the grant.

 (B) Implementing entity

 The Governor may designate an agency, office, or other entity

 to carry out State activities under this section (referred to

 in this section as the "implementing entity"), if such

 implementing entity is different from the lead agency. The

 implementing agency shall carry out responsibilities under this

 chapter through a subcontract or another administrative

 agreement with the lead agency.

 (C) Change in agency or entity

 (i) In general

 On obtaining the approval of the Secretary, the Governor

 may redesignate the lead agency, or the implementing entity,

 if the Governor shows to the Secretary good cause why the

 entity designated as the lead agency, or the implementing

 entity, respectively, should not serve as that agency or

 entity, respectively. The Governor shall make the showing in

 the application described in subsection (d).

 (ii) Construction

 Nothing in this paragraph shall be construed to require the

 Governor of a State to change the lead agency or implementing

 entity of the State to an agency other than the lead agency

 or implementing entity of such State as of October 25, 2004.

 (2) Advisory council

 (A) In general

 There shall be established an advisory council to provide

 consumer-responsive, consumer-driven advice to the State for,

 planning of, implementation of, and evaluation of the

 activities carried out through the grant, including setting the

 measurable goals described in subsection (d)(3).

 (B) Composition and representation

 (i) Composition

 The advisory council shall be composed of -

 (I) individuals with disabilities that use assistive

 technology or the family members or guardians of the

 individuals;

 (II) a representative of the designated State agency, as

 defined in section 7 of the Rehabilitation Act of 1973 (29

 U.S.C. 705) and the State agency for individuals who are

 blind (within the meaning of section 101 of that Act (29

 U.S.C. 721)), if such agency is separate;

 (III) a representative of a State center for independent

 living described in part C of title VII of the

 Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.);

 (IV) a representative of the State workforce investment

 board established under section 111 of the Workforce

 Investment Act of 1998 (29 U.S.C. 2821);

 (V) a representative of the State educational agency, as

 defined in section 7801 of title 20; and

 (VI) representatives of other State agencies, public

 agencies, or private organizations, as determined by the

 State.

 (ii) Majority

 (I) In general

 A majority, not less than 51 percent, of the members of

 the advisory council, shall be members appointed under

 clause (i)(I).

 (II) Representatives of agencies

 Members appointed under subclauses (II) through (VI) of

 clause (i) shall not count toward the majority membership

 requirement established in subclause (I).

 (iii) Representation

 The advisory council shall be geographically representative

 of the State and reflect the diversity of the State with

 respect to race, ethnicity, types of disabilities across the

 age span, and users of types of services that an individual

 with a disability may receive.

 (C) Expenses

 The members of the advisory council shall receive no

 compensation for their service on the advisory council, but

 shall be reimbursed for reasonable and necessary expenses

 actually incurred in the performance of official duties for the

 advisory council.

 (D) Period

 The members of the State advisory council shall be appointed

 not later than 120 days after October 25, 2004.

 (E) Impact on existing statutes, rules, or policies

 Nothing in this paragraph shall be construed to affect State

 statutes, rules, or official policies relating to advisory

 bodies for State assistive technology programs or require

 changes to governing bodies of incorporated agencies who carry

 out State assistive technology programs.

 (d) Application

 (1) In general

 Any State that desires to receive a grant under this section

 shall submit an application to the Secretary, at such time, in

 such manner, and containing such information as the Secretary may

 require.

 (2) Lead agency and implementing entity

 The application shall contain information identifying and

 describing the lead agency referred to in subsection (c)(1)(A).

 The application shall contain information identifying and

 describing the implementing entity referred to in subsection

 (c)(1)(B), if the Governor of the State designates such an

 entity.

 (3) Measurable goals

 The application shall include -

 (A) measurable goals, and a timeline for meeting the goals,

 that the State has set for addressing the assistive technology

 needs of individuals with disabilities in the State related to -

 (i) education, including goals involving the provision of

 assistive technology to individuals with disabilities who

 receive services under the Individuals with Disabilities

 Education Act (20 U.S.C. 1400 et seq.);

 (ii) employment, including goals involving the State

 vocational rehabilitation program carried out under title I

 of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);

 (iii) telecommunication and information technology; and

 (iv) community living; and

 (B) information describing how the State will quantifiably

 measure the goals to determine whether the goals have been

 achieved.

 (4) Involvement of public and private entities

 The application shall describe how various public and private

 entities were involved in the development of the application and

 will be involved in the implementation of the activities to be

 carried out through the grant, including -

 (A) in cases determined to be appropriate by the State, a

 description of the nature and extent of resources that will be

 committed by public and private collaborators to assist in

 accomplishing identified goals; and

 (B) a description of the mechanisms established to ensure

 coordination of activities and collaboration between the

 implementing entity, if any, and the State.

 (5) Implementation

 The application shall include a description of -

 (A) how the State will implement each of the required

 activities described in subsection (e), except as provided in

 subsection (e)(6)(A); and

 (B) how the State will allocate and utilize grant funds to

 implement the activities, including describing proposed budget

 allocations and planned procedures for tracking expenditures

 for activities described in paragraphs (2) and (3) of

 subsection (e).

 (6) Assurances

 The application shall include assurances that -

 (A) the State will annually collect data related to the

 required activities implemented by the State under this section

 in order to prepare the progress reports required under

 subsection (f);

 (B) funds received through the grant -

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

 (ii) will be used to supplement, and not supplant, funds

 available from other sources for technology-related

 assistance, including the provision of assistive technology

 devices and assistive technology services;

 (C) the lead agency will control and administer the funds

 received through the grant;

 (D) the State will adopt such fiscal control and accounting

 procedures as may be necessary to ensure proper disbursement of

 and accounting for the funds received through the grant;

 (E) the physical facility of the lead agency and implementing

 entity, if any, meets the requirements of the Americans with

 Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding

 accessibility for individuals with disabilities;

 (F) a public agency or an individual with a disability holds

 title to any property purchased with funds received under the

 grant and administers that property;

 (G) activities carried out in the State that are authorized

 under this chapter, and supported by Federal funds received

 under this chapter, will comply with the standards established

 by the Architectural and Transportation Barriers Compliance

 Board under section 508 of the Rehabilitation Act of 1973 (20

 )2(! U.S.C. 794d); and

 (H) the State will -

 (i) prepare reports to the Secretary in such form and

 containing such information as the Secretary may require to

 carry out the Secretary's functions under this chapter; and

 (ii) keep such records and allow access to such records as

 the Secretary may require to ensure the correctness and

 verification of information provided to the Secretary under

 this subparagraph.

 (7) State support

 The application shall include a description of the activities

 described in paragraphs (2) and (3) of subsection (e) that the

 State will support with State funds.

 (e) Use of funds

 (1) In general

 (A) Required activities

 Except as provided in subparagraph (B) and paragraph (6), any

 State that receives a grant under this section shall use a

 portion of the funds made available through the grant to carry

 out activities described in paragraphs (2) and (3).

 (B) State or non-Federal financial support

 A State shall not be required to use a portion of the funds

 made available through the grant to carry out the category of

 activities described in subparagraph (A), (B), (C), or (D) of

 paragraph (2) if, in that State -

 (i) financial support is provided from State or other non-

 Federal resources or entities for that category of

 activities; and

 (ii) the amount of the financial support is comparable to,

 or greater than, the amount of the portion of the funds made

 available through the grant that the State would have

 expended for that category of activities, in the absence of

 this subparagraph.

 (2) State-level activities

 (A) State financing activities

 The State shall support State financing activities to

 increase access to, and funding for, assistive technology

 devices and assistive technology services (which shall not

 include direct payment for such a device or service for an

 individual with a disability but may include support and

 administration of a program to provide such payment), including

 development of systems to provide and pay for such devices and

 services, for targeted individuals and entities described in

 section 3002(16)(A) of this title, including -

 (i) support for the development of systems for the

 purchase, lease, or other acquisition of, or payment for,

 assistive technology devices and assistive technology

 services; or

 (ii) support for the development of State-financed or

 privately financed alternative financing systems of subsidies

 (which may include conducting an initial 1-year feasibility

 study of, improving, administering, operating, providing

 capital for, or collaborating with an entity with respect to,

 such a system) for the provision of assistive technology

 devices, such as -

 (I) a low-interest loan fund;

 (II) an interest buy-down program;

 (III) a revolving loan fund;

 (IV) a loan guarantee or insurance program;

 (V) a program providing for the purchase, lease, or other

 acquisition of assistive technology devices or assistive

 technology services; or

 (VI) another mechanism that is approved by the Secretary.

 (B) Device reutilization programs

 The State shall directly, or in collaboration with public or

 private entities, carry out assistive technology device

 reutilization programs that provide for the exchange, repair,

 recycling, or other reutilization of assistive technology

 devices, which may include redistribution through device sales,

 loans, rentals, or donations.

 (C) Device loan programs

 The State shall directly, or in collaboration with public or

 private entities, carry out device loan programs that provide

 short-term loans of assistive technology devices to

 individuals, employers, public agencies, or others seeking to

 meet the needs of targeted individuals and entities, including

 others seeking to comply with the Individuals with Disabilities

 Education Act (20 U.S.C. 1400 et seq.), the Americans with

 Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and section

 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

 (D) Device demonstrations

 (i) In general

 The State shall directly, or in collaboration with public

 and private entities, such as one-stop partners, as defined

 in section 101 of the Workforce Investment Act of 1998 (29

 U.S.C. 2801), demonstrate a variety of assistive technology

 devices and assistive technology services (including

 assisting individuals in making informed choices regarding,

 and providing experiences with, the devices and services),

 using personnel who are familiar with such devices and

 services and their applications.

 (ii) Comprehensive information

 The State shall directly, or through referrals, provide to

 individuals, to the extent practicable, comprehensive

 information about State and local assistive technology

 venders, providers, and repair services.

 (3) State leadership activities

 (A) In general

 A State that receives a grant under this section shall use a

 portion of not more than 40 percent of the funds made available

 through the grant to carry out the activities described in

 subparagraph (B). From that portion, the State shall use at

 least 5 percent of the portion for activities described in

 subparagraph (B)(i)(III).

 (B) Required activities

 (i) Training and technical assistance

 (I) In general

 The State shall directly, or provide support to public or

 private entities with demonstrated expertise in

 collaborating with public or private agencies that serve

 individuals with disabilities, to develop and disseminate

 training materials, conduct training, and provide technical

 assistance, for individuals from local settings statewide,

 including representatives of State and local educational

 agencies, other State and local agencies, early

 intervention programs, adult service programs, hospitals

 and other health care facilities, institutions of higher

 education, and businesses.

 (II) Authorized activities

 In carrying out activities under subclause (I), the State

 shall carry out activities that enhance the knowledge,

 skills, and competencies of individuals from local settings

 described in subclause (I), which may include -

 (aa) general awareness training on the benefits of

 assistive technology and the Federal, State, and private

 funding sources available to assist targeted individuals

 and entities in acquiring assistive technology;

 (bb) skills-development training in assessing the need

 for assistive technology devices and assistive technology

 services;

 (cc) training to ensure the appropriate application and

 use of assistive technology devices, assistive technology

 services, and accessible technology for e-government

 functions;

 (dd) training in the importance of multiple approaches

 to assessment and implementation necessary to meet the

 individualized needs of individuals with disabilities;

 and

 (ee) technical training on integrating assistive

 technology into the development and implementation of

 service plans, including any education, health,

 discharge, Olmstead, employment, or other plan required

 under Federal or State law.

 (III) Transition assistance to individuals with

 disabilities

 The State shall directly, or provide support to public or

 private entities to, develop and disseminate training

 materials, conduct training, facilitate access to assistive

 technology, and provide technical assistance, to assist -

 (aa) students with disabilities, within the meaning of

 the Individuals with Disabilities Education Act (20

 U.S.C. 1400 et seq.), that receive transition services;

 and

 (bb) adults who are individuals with disabilities

 maintaining or transitioning to community living.

 (ii) Public-awareness activities

 (I) In general

 The State shall conduct public-awareness activities

 designed to provide information to targeted individuals and

 entities relating to the availability, benefits,

 appropriateness, and costs of assistive technology devices

 and assistive technology services, including -

 (aa) the development of procedures for providing direct

 communication between providers of assistive technology

 and targeted individuals and entities, which may include

 partnerships with entities in the statewide and local

 workforce investment systems established under the

 Workforce Investment Act of 1998 (29 U.S.C. 2801 et

 seq.), State vocational rehabilitation centers, public

 and private employers, or elementary and secondary public

 schools;

 (bb) the development and dissemination, to targeted

 individuals and entities, of information about State

 efforts related to assistive technology; and

 (cc) the distribution of materials to appropriate

 public and private agencies that provide social, medical,

 educational, employment, and transportation services to

 individuals with disabilities.

 (II) Collaboration

 The State shall collaborate with entities that receive

 awards under paragraphs (1) and (3) of section 3005(b) of

 this title to carry out public-awareness activities

 focusing on infants, toddlers, children, transition-age

 youth, employment-age adults, seniors, and employers.

 (III) Statewide information and referral system

 (aa) In general

 The State shall directly, or in collaboration with

 public or private (such as nonprofit) entities, provide

 for the continuation and enhancement of a statewide

 information and referral system designed to meet the

 needs of targeted individuals and entities.

 (bb) Content

 The system shall deliver information on assistive

 technology devices, assistive technology services (with

 specific data regarding provider availability within the

 State), and the availability of resources, including

 funding through public and private sources, to obtain

 assistive technology devices and assistive technology

 services. The system shall also deliver information on

 the benefits of assistive technology devices and

 assistive technology services with respect to enhancing

 the capacity of individuals with disabilities of all ages

 to perform activities of daily living.

 (iii) Coordination and collaboration

 The State shall coordinate activities described in

 paragraph (2) and this paragraph, among public and private

 entities that are responsible for policies, procedures, or

 funding for the provision of assistive technology devices and

 assistive technology services to individuals with

 disabilities, service providers, and others to improve access

 to assistive technology devices and assistive technology

 services for individuals with disabilities of all ages in the

 State.

 (4) Indirect costs

 Not more than 10 percent of the funds made available through a

 grant to a State under this section may be used for indirect

 costs.

 (5) Prohibition

 Funds made available through a grant to a State under this

 section shall not be used for direct payment for an assistive

 technology device for an individual with a disability.

 (6) State flexibility

 (A) In general

 Notwithstanding paragraph (1)(A) and subject to subparagraph

 (B), a State may use funds that the State receives under a

 grant awarded under this section to carry out any 2 or more of

 the activities described in paragraph (2).

 (B) Special rule

 Notwithstanding paragraph (3)(A), any State that exercises

 its authority under subparagraph (A) -

 (i) shall carry out each of the required activities

 described in paragraph (3)(B); and

 (ii) shall use not more than 30 percent of the funds made

 available through the grant to carry out the activities

 described in paragraph (3)(B).

 (f) Annual progress reports

 (1) Data collection

 States shall participate in data collection as required by law,

 including data collection required for preparation of the reports

 described in paragraph (2).

 (2) Reports

 (A) In general

 Each State shall prepare and submit to the Secretary an

 annual progress report on the activities funded under this

 chapter, at such time, and in such manner, as the Secretary may

 require.

 (B) Contents

 The report shall include data collected pursuant to this

 section. The report shall document, with respect to activities

 carried out under this section in the State -

 (i) the type of State financing activities described in

 subsection (e)(2)(A) used by the State;

 (ii) the amount and type of assistance given to consumers

 of the State financing activities described in subsection

 (e)(2)(A) (who shall be classified by type of assistive

 technology device or assistive technology service financed

 through the State financing activities, and geographic

 distribution within the State), including -

 (I) the number of applications for assistance received;

 (II) the number of applications approved and rejected;

 (III) the default rate for the financing activities;

 (IV) the range and average interest rate for the

 financing activities;

 (V) the range and average income of approved applicants

 for the financing activities; and

 (VI) the types and dollar amounts of assistive technology

 financed;

 (iii) the number, type, and length of time of loans of

 assistive technology devices provided to individuals with

 disabilities, employers, public agencies, or public

 accommodations through the device loan program described in

 subsection (e)(2)(C), and an analysis of the individuals with

 disabilities who have benefited from the device loan program;

 (iv) the number, type, estimated value, and scope of

 assistive technology devices exchanged, repaired, recycled,

 or reutilized (including redistributed through device sales,

 loans, rentals, or donations) through the device

 reutilization program described in subsection (e)(2)(B), and

 an analysis of the individuals with disabilities that have

 benefited from the device reutilization program;

 (v) the number and type of device demonstrations and

 referrals provided under subsection (e)(2)(D), and an

 analysis of individuals with disabilities who have benefited

 from the demonstrations and referrals;

 (vi)(I) the number and general characteristics of

 individuals who participated in training under subsection

 (e)(3)(B)(i) (such as individuals with disabilities, parents,

 educators, employers, providers of employment services,

 health care workers, counselors, other service providers, or

 vendors) and the topics of such training; and

 (II) to the extent practicable, the geographic distribution

 of individuals who participated in the training;

 (vii) the frequency of provision and nature of technical

 assistance provided to State and local agencies and other

 entities;

 (viii) the number of individuals assisted through the

 public-awareness activities and statewide information and

 referral system described in subsection (e)(3)(B)(ii);

 (ix) the outcomes of any improvement initiatives carried

 out by the State as a result of activities funded under this

 section, including a description of any written policies,

 practices, and procedures that the State has developed and

 implemented regarding access to, provision of, and funding

 for, assistive technology devices, and assistive technology

 services, in the contexts of education, health care,

 employment, community living, and information technology and

 telecommunications, including e-government;

 (x) the source of leveraged funding or other contributed

 resources, including resources provided through subcontracts

 or other collaborative resource-sharing agreements, from and

 with public and private entities to carry out State

 activities described in subsection (e)(3)(B)(iii), the number

 of individuals served with the contributed resources for

 which information is not reported under clauses (i) through

 (ix) or clause (xi) or (xii), and other outcomes accomplished

 as a result of such activities carried out with the

 contributed resources; and

 (xi) the level of customer satisfaction with the services

 provided.

-SOURCE-

 (Pub. L. 105-394, Sec. 4, as added Pub. L. 108-364, Sec. 2, Oct.

 25, 2004, 118 Stat. 1714.)

-REFTEXT-

 REFERENCES IN TEXT

 Section 3011 of this title, referred to in subsec. (b)(2)(A), was

 omitted in the general amendment of this chapter by Pub. L. 108-

 364, Sec. 2, Oct. 25, 2004, 118 Stat. 1707.

 Subchapter III of this chapter, referred to in subsec. (b)(2)(D),

 which consisted of sections 3051 to 3058 of this title, was omitted

 in the general amendment of this chapter by Pub. L. 108-364, Sec.

 2, Oct. 25, 2004, 118 Stat. 1707.

 The Rehabilitation Act of 1973, referred to in subsecs.

 (c)(2)(B)(i)(III) and (d)(3)(A)(ii), is Pub. L. 93-112, Sept. 26,

 1973, 87 Stat. 355, as amended. Title I of the Act is classified

 generally to subchapter I (Sec. 720 et seq.) of chapter 16 of this

 title. Part C of title VII of the Act is classified generally to

 subpart 3 (Sec. 796f et seq.) of part A of subchapter VII of

 chapter 16 of this title. For complete classification of this Act

 to the Code, see Short Title note set out under section 701 of this

 title and Tables.

 The Individuals with Disabilities Education Act, referred to in

 subsecs. (d)(3)(A)(i) and (e)(2)(C), (3)(B)(i)(III)(aa), is title

 VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, as amended,

 which is classified generally to chapter 33 (Sec. 1400 et seq.) of

 Title 20, Education. For complete classification of this Act to the

 Code, see section 1400 of Title 20 and Tables.

 The Americans with Disabilities Act of 1990, referred to in

 subsecs. (d)(6)(E) and (e)(2)(C), is Pub. L. 101-336, July 26,

 1990, 104 Stat. 327, as amended, which is classified principally to

 chapter 126 (Sec. 12101 et seq.) of Title 42, The Public Health and

 Welfare. For complete classification of this Act to the Code, see

 Short Title note set out under section 12101 of Title 42 and

 Tables.

 The Workforce Investment Act of 1998, referred to in subsec.

 (e)(3)(B)(ii)(I)(aa), is Pub. L. 105-220, Aug. 7, 1998, 112 Stat.

 936, as amended. For complete classification of this Act to the

 Code, see Short Title note set out under section 9201 of Title 20,

 Education, and Tables.

-FOOTNOTE-

 )1(! See References in Text note below.

 )2(! So in original. Probably should be "(29".

-End-

-CITE-

 29 USC Sec. 3004 01/07/2011

-EXPCITE-

 TITLE 29 - LABOR

 CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

-HEAD-

 Sec. 3004. State grants for protection and advocacy services

 related to assistive technology

-STATUTE-

 (a) Grants

 (1) In general

 The Secretary shall make grants under subsection (b) to

 protection and advocacy systems in each State for the purpose of

 enabling such systems to assist in the acquisition, utilization,

 or maintenance of assistive technology devices or assistive

 technology services for individuals with disabilities.

 (2) General authorities

 In providing such assistance, protection and advocacy systems

 shall have the same general authorities as the systems are

 afforded under subtitle C of title I of the Developmental

 Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C.

 15041 et seq.), as determined by the Secretary.

 (b) Grants

 (1) Reservation

 For each fiscal year, the Secretary shall reserve such sums as

 may be necessary to carry out paragraph (4).

 (2) Population basis

 From the funds appropriated under section 3007(b) of this title

 for a fiscal year and remaining after the reservation required by

 paragraph (1) has been made, the Secretary shall make a grant to

 a protection and advocacy system within each State in an amount

 bearing the same ratio to the remaining funds as the population

 of the State bears to the population of all States.

 (3) Minimums

 Subject to the availability of appropriations, the amount of a

 grant to a protection and advocacy system under paragraph (2) for

 a fiscal year shall -

 (A) in the case of a protection and advocacy system located

 in American Samoa, Guam, the United States Virgin Islands, or

 the Commonwealth of the Northern Mariana Islands, not be less

 than $30,000; and

 (B) in the case of a protection and advocacy system located

 in a State not described in subparagraph (A), not be less than

 $50,000.

 (4) Payment to the system serving the American Indian Consortium

 (A) In general

 The Secretary shall make grants to the protection and

 advocacy system serving the American Indian Consortium to

 provide services in accordance with this section.

 (B) Amount of grants

 The amount of such grants shall be the same as the amount

 provided under paragraph (3)(A).

 (c) Direct payment

 Notwithstanding any other provision of law, the Secretary shall

 pay directly to any protection and advocacy system that complies

 with this section, the total amount of the grant made for such

 system under this section, unless the system provides otherwise for

 payment of the grant amount.

 (d) Certain States

 (1) Grant to lead agency

 Notwithstanding any other provision of this section, with

 respect to a State that, on November 12, 1998, was described in

 section 2212(f)(1) )1(! of this title, the Secretary shall pay

 the amount of the grant described in subsection (a), and made

 under subsection (b), to the lead agency designated under section

 3003(c)(1) of this title for the State.

 (2) Distribution of funds

 A lead agency to which a grant amount is paid under paragraph

 (1) shall determine the manner in which funds made available

 through the grant will be allocated among the entities that were

 providing protection and advocacy services in that State on the

 date described in such paragraph, and shall distribute funds to

 such entities. In distributing such funds, the lead agency shall

 not establish any additional eligibility or procedural

 requirements for an entity in the State that supports protection

 and advocacy services through a protection and advocacy system.

 Such an entity shall comply with the same requirements (including

 reporting and enforcement requirements) as any other entity that

 receives funding under this section.

 (3) Application of provisions

 Except as provided in this subsection, the provisions of this

 section shall apply to the grant in the same manner, and to the

 same extent, as the provisions apply to a grant to a system.

 (e) Carryover

 Any amount paid to an eligible system for a fiscal year under

 this section that remains unobligated at the end of such fiscal

 year shall remain available to such system for obligation during

 the subsequent fiscal year. Program income generated from such

 amount shall remain available for 2 additional fiscal years after

 the year in which such amount was paid to an eligible system and

 may only be used to improve the awareness of individuals with

 disabilities about the accessibility of assistive technology and

 assist such individuals in the acquisition, utilization, or

 maintenance of assistive technology devices or assistive technology

 services.

 (f) Report to Secretary

 An entity that receives a grant under this section shall annually

 prepare and submit to the Secretary a report that contains such

 information as the Secretary may require, including documentation

 of the progress of the entity in -

 (1) conducting consumer-responsive activities, including

 activities that will lead to increased access, for individuals

 with disabilities, to funding for assistive technology devices

 and assistive technology services;

 (2) engaging in informal advocacy to assist in securing

 assistive technology devices and assistive technology services

 for individuals with disabilities;

 (3) engaging in formal representation for individuals with

 disabilities to secure systems change, and in advocacy activities

 to secure assistive technology devices and assistive technology

 services for individuals with disabilities;

 (4) developing and implementing strategies to enhance the long-

 term abilities of individuals with disabilities and their family

 members, guardians, advocates, and authorized representatives to

 advocate the provision of assistive technology devices and

 assistive technology services to which the individuals with

 disabilities are entitled under law other than this chapter;

 (5) coordinating activities with protection and advocacy

 services funded through sources other than this chapter, and

 coordinating activities with the capacity building and advocacy

 activities carried out by the lead agency; and

 (6) effectively allocating funds made available under this

 section to improve the awareness of individuals with disabilities

 about the accessibility of assistive technology and assist such

 individuals in the acquisition, utilization, or maintenance of

 assistive technology devices or assistive technology services.

 (g) Reports and updates to State agencies

 An entity that receives a grant under this section shall prepare

 and submit to the lead agency of the State designated under section

 3003(c)(1) of this title the report described in subsection (f) and

 quarterly updates concerning the activities described in subsection

 (f).

 (h) Coordination

 On making a grant under this section to an entity in a State, the

 Secretary shall solicit and consider the opinions of the lead

 agency of the State with respect to efforts at coordination of

 activities, collaboration, and promoting outcomes between the lead

 agency and the entity that receives the grant under this section.

-SOURCE-

 (Pub. L. 105-394, Sec. 5, as added Pub. L. 108-364, Sec. 2, Oct.

 25, 2004, 118 Stat. 1725.)

-REFTEXT-

 REFERENCES IN TEXT

 The Developmental Disabilities Assistance and Bill of Rights Act

 of 2000, referred to in subsec. (a)(2), is Pub. L. 106-402, Oct.

 30, 2000, 114 Stat. 1677, as amended. Subtitle C of title I of the

 Act is classified generally to part C (Sec. 15041 et seq.) of

 subchapter I of chapter 144 of Title 42, The Public Health and

 Welfare. For complete classification of this Act to the Code, see

 Short Title note set out under section 15001 of Title 42 and

 Tables.

 Section 2212 of this title, referred to in subsec. (d)(1), was

 repealed by Pub. L. 105-394, title IV, Sec. 401, Nov. 13, 1998, 112

 Stat. 3661.

-FOOTNOTE-

 )1(! See References in Text note below.

-End-

-CITE-

 29 USC Sec. 3005 01/07/2011

-EXPCITE-

 TITLE 29 - LABOR

 CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

-HEAD-

 Sec. 3005. National activities

-STATUTE-

 (a) In general

 In order to support activities designed to improve the

 administration of this chapter, the Secretary, under subsection (b)

 -

 (1) may award, on a competitive basis, grants, contracts, and

 cooperative agreements to entities to support activities

 described in paragraphs (1) and (2) of subsection (b); and

 (2) shall award, on a competitive basis, grants, contracts, and

 cooperative agreements to entities to support activities

 described in paragraphs (3), (4), and (5) of subsection (b).

 (b) Authorized activities

 (1) National public-awareness toolkit

 (A) National public-awareness toolkit

 The Secretary may award a 1-time grant, contract, or

 cooperative agreement to an eligible entity to support a

 training and technical assistance program that -

 (i) expands public-awareness efforts to reach targeted

 individuals and entities;

 (ii) contains appropriate accessible multimedia materials

 to reach targeted individuals and entities, for dissemination

 to State assistive technology programs; and

 (iii) in coordination with State assistive technology

 programs, provides meaningful and up-to-date information to

 targeted individuals and entities about the availability of

 assistive technology devices and assistive technology

 services.

 (B) Eligible entity

 To be eligible to receive the grant, contract, or cooperative

 agreement, an entity shall develop a partnership that -

 (i) shall consist of -

 (I) a lead agency or implementing entity for a State

 assistive technology program or an organization or

 association that represents implementing entities for State

 assistive technology programs;

 (II) a private or public entity from the media industry;

 (III) a private entity from the assistive technology

 industry; and

 (IV) a private employer or an organization or association

 that represents private employers;

 (ii) may include other entities determined by the Secretary

 to be necessary; and

 (iii) may include other entities determined by the

 applicant to be appropriate.

 (2) Research and development

 (A) In general

 The Secretary may award grants, contracts, or cooperative

 agreements to eligible entities to carry out research and

 development of assistive technology that consists of -

 (i) developing standards for reliability and accessibility

 of assistive technology, and standards for interoperability

 (including open standards) of assistive technology with

 information technology, telecommunications products, and

 other assistive technology; or

 (ii) developing assistive technology that benefits

 individuals with disabilities or developing technologies or

 practices that result in the adaptation, maintenance,

 servicing, or improvement of assistive technology devices.

 (B) Eligible entities

 Entities eligible to receive a grant, contract, or

 cooperative agreement under this paragraph shall include -

 (i) providers of assistive technology services and

 assistive technology devices;

 (ii) institutions of higher education, including University

 Centers for Excellence in Developmental Disabilities

 Education, Research, and Service authorized under subtitle D

 of title I of the Developmental Disabilities Assistance and

 Bill of Rights Act of 2000 (42 U.S.C. 15061 et seq.), or such

 institutions offering rehabilitation engineering programs,

 computer science programs, or information technology

 programs;

 (iii) manufacturers of assistive technology devices; and

 (iv) professionals, individuals, organizations, and

 agencies providing services or employment to individuals with

 disabilities.

 (C) Collaboration

 An entity that receives a grant, contract, or cooperative

 agreement under this paragraph shall, in developing and

 implementing the project carried out through the grant,

 contract, or cooperative agreement coordinate activities with

 the lead agency for the State assistive technology program (or

 a national organization that represents such programs) and the

 State advisory council described in section 3003(c)(2) of this

 title (or a national organization that represents such

 councils).

 (3) State training and technical assistance

 (A) Training and technical assistance efforts

 The Secretary shall award a grant, contract, or cooperative

 agreement to an entity to support a training and technical

 assistance program that -

 (i) addresses State-specific information requests

 concerning assistive technology from entities funded under

 this chapter and public entities not funded under this

 chapter, including -

 (I) requests for information on effective approaches to

 Federal-State coordination of programs for individuals with

 disabilities, related to improving funding for or access to

 assistive technology devices and assistive technology

 services for individuals with disabilities of all ages;

 (II) requests for state-of-the-art, or model, Federal,

 State, and local laws, regulations, policies, practices,

 procedures, and organizational structures, that facilitate,

 and overcome barriers to, funding for, and access to,

 assistive technology devices and assistive technology

 services;

 (III) requests for information on effective approaches to

 developing, implementing, evaluating, and sustaining

 activities described in sections 3003 and 3004 of this

 title and related to improving funding for or access to

 assistive technology devices and assistive technology

 services for individuals with disabilities of all ages, and

 requests for assistance in developing corrective action

 plans;

 (IV) requests for examples of policies, practices,

 procedures, regulations, or judicial decisions that have

 enhanced or may enhance access to funding for assistive

 technology devices and assistive technology services for

 individuals with disabilities;

 (V) requests for information on 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; and

 (VI) other requests for training and technical assistance

 from entities funded under this chapter and public and

 private entities not funded under this chapter;

 (ii) assists targeted individuals and entities by

 disseminating information about -

 (I) Federal, State, and local laws, regulations,

 policies, practices, 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 in society for

 individuals with disabilities of all ages; and

 (II) technical assistance activities undertaken under

 clause (i);

 (iii) provides State-specific, regional, and national

 training and technical assistance concerning assistive

 technology to entities funded under this chapter, other

 entities funded under this chapter, and public and private

 entities not funded under this chapter, including -

 (I) annually providing a forum for exchanging information

 concerning, and promoting program and policy improvements

 in, required activities of the State assistive technology

 programs;

 (II) facilitating onsite and electronic information

 sharing using state-of-the-art Internet technologies such

 as real-time online discussions, multipoint video

 conferencing, and web-based audio/video broadcasts, on

 emerging topics that affect State assistive technology

 programs;

 (III) convening experts from State assistive technology

 programs to discuss and make recommendations with regard to

 national emerging issues of importance to individuals with

 assistive technology needs;

 (IV) sharing best practice and evidence-based practices

 among State assistive technology programs;

 (V) maintaining an accessible website that includes a

 link to State assistive technology programs, appropriate

 Federal departments and agencies, and private associations

 and developing a national toll-free number that links

 callers from a State with the State assistive technology

 program in their State;

 (VI) developing or utilizing existing (as of the date of

 the award involved) model cooperative volume-purchasing

 mechanisms designed to reduce the financial costs of

 purchasing assistive technology for required and

 discretionary activities identified in section 3003 of this

 title, and reducing duplication of activities among State

 assistive technology programs; and

 (VII) providing access to experts in the areas of

 banking, microlending, and finance, for entities funded

 under this chapter, through site visits, teleconferences,

 and other means, to ensure access to information for

 entities that are carrying out new programs or programs

 that are not making progress in achieving the objectives of

 the programs; and

 (iv) includes such other activities as the Secretary may

 require.

 (B) Eligible entities

 To be eligible to receive a grant, contract, or cooperative

 agreement under this paragraph, an entity shall have (directly

 or through grant or contract) -

 (i) experience and expertise in administering programs,

 including developing, implementing, and administering the

 required and discretionary activities described in sections

 3003 and 3004 of this title, and providing technical

 assistance; and

 (ii) documented experience in and knowledge about banking,

 finance, and microlending.

 (C) Collaboration

 In developing and providing training and technical assistance

 under this paragraph, including activities identified as

 priorities, a recipient of a grant, contract, or cooperative

 agreement under this paragraph shall collaborate with other

 organizations, in particular -

 (i) organizations representing individuals with

 disabilities;

 (ii) national organizations representing State assistive

 technology programs;

 (iii) organizations representing State officials and

 agencies engaged in the delivery of assistive technology;

 (iv) the data-collection and reporting providers described

 in paragraph (5); and

 (v) other providers of national programs or programs of

 national significance funded under this chapter.

 (4) National information Internet system

 (A) In general

 The Secretary shall award a grant, contract, or cooperative

 agreement to an entity to renovate, update, and maintain the

 National Public Internet Site established under this chapter

 (as in effect on the day before October 25, 2004).

 (B) Features of Internet site

 The National Public Internet Site shall contain the following

 features:

 (i) Availability of information at any time

 The site shall be designed so that any member of the public

 may obtain information posted on the site at any time.

 (ii) Innovative automated intelligent agent

 The site shall be constructed with an innovative automated

 intelligent agent that is a diagnostic tool for assisting

 users in problem definition and the selection of appropriate

 assistive technology devices and assistive technology

 services resources.

 (iii) Resources

 (I) Library on assistive technology

 The site shall include access to a comprehensive working

 library on assistive technology for all environments,

 including home, workplace, transportation, and other

 environments.

 (II) Information on accommodating individuals with

 disabilities

 The site shall include access to evidence-based research

 and best practices concerning how assistive technology can

 be used to accommodate individuals with disabilities in the

 areas of education, employment, health care, community

 living, and telecommunications and information technology.

 (III) Resources for a number of disabilities

 The site shall include resources relating to the largest

 possible number of disabilities, including resources

 relating to low-level reading skills.

 (iv) Links to private-sector resources and information

 To the extent feasible, the site shall be linked to

 relevant private-sector resources and information, under

 agreements developed between the recipient of the grant,

 contract, or cooperative agreement and cooperating private-

 sector entities.

 (v) Links to public-sector resources and information

 To the extent feasible, the site shall be linked to

 relevant public-sector resources and information, such as the

 Internet sites of the Office of Special Education and

 Rehabilitation Services of the Department of Education, the

 Office of Disability Employment Policy of the Department of

 Labor, the Small Business Administration, the Architectural

 and Transportation Barriers Compliance Board, the National

 Institute of Standards and Technology, the Jobs Accommodation

 Network funded by the Office of Disability Employment Policy

 of the Department of Labor, and other relevant sites.

 (vi) Minimum library components

 At a minimum, the site shall maintain updated information

 on -

 (I) State assistive technology program demonstration

 sites where individuals may try out assistive technology

 devices;

 (II) State assistive technology program device loan

 program sites where individuals may borrow assistive

 technology devices;

 (III) State assistive technology program device

 reutilization program sites;

 (IV) alternative financing programs or State financing

 systems operated through, or independently of, State

 assistive technology programs, and other sources of funding

 for assistive technology devices; and

 (V) various programs, including programs with tax

 credits, available to employers for hiring or accommodating

 employees who are individuals with disabilities.

 (C) Eligible entity

 To be eligible to receive a grant, contract, or cooperative

 agreement under this paragraph, an entity shall be a nonprofit

 organization, for-profit organization, or institution of higher

 education, that -

 (i) emphasizes research and engineering;

 (ii) has a multidisciplinary research center; and

 (iii) has demonstrated expertise in -

 (I) working with assistive technology and intelligent

 agent interactive information dissemination systems;

 (II) managing libraries of assistive technology and

 disability-related resources;

 (III) delivering to individuals with disabilities

 education, information, and referral services, including

 technology-based curriculum-development services for adults

 with low-level reading skills;

 (IV) developing cooperative partnerships with the private

 sector, particularly with private-sector computer software,

 hardware, and Internet services entities; and

 (V) developing and designing advanced Internet sites.

 (5) Data-collection and reporting assistance

 (A) In general

 The Secretary shall award grants, contracts, and cooperative

 agreements to entities to assist the entities in carrying out

 State assistive technology programs in developing and

 implementing effective data-collection and reporting systems

 that -

 (i) focus on quantitative and qualitative data elements;

 (ii) measure the outcomes of the required activities

 described in section 3003 of this title that are implemented

 by the States and the progress of the States toward achieving

 the measurable goals described in section 3003(d)(3) of this

 title;

 (iii) provide States with the necessary information

 required under this chapter or by the Secretary for reports

 described in section 3003(f)(2) of this title; and

 (iv) help measure the accrued benefits of the activities to

 individuals who need assistive technology.

 (B) Eligible entities

 To be eligible to receive a grant, contract, or cooperative

 agreement under this paragraph, an entity shall have personnel

 with -

 (i) documented experience and expertise in administering

 State assistive technology programs;

 (ii) experience in collecting and analyzing data associated

 with implementing required and discretionary activities;

 (iii) expertise necessary to identify additional data

 elements needed to provide comprehensive reporting of State

 activities and outcomes; and

 (iv) experience in utilizing data to provide annual reports

 to State policymakers.

 (c) Application

 To be eligible to receive a grant, contract, or cooperative

 agreement under this section, an entity shall submit an application

 to the Secretary at such time, in such manner, and containing such

 information as the Secretary may require.

 (d) Input

 With respect to the activities described in subsection (b) to be

 funded under this section, including the national and regionally

 based training and technical assistance efforts carried out through

 the activities, in designing the activities the Secretary shall

 consider, and in providing the activities providers shall include,

 input of the directors of comprehensive statewide programs of

 technology-related assistance, directors of alternative financing

 programs, and other individuals the Secretary determines to be

 appropriate, especially -

 (1) individuals with disabilities who use assistive technology

 and understand the barriers to the acquisition of such technology

 and assistive technology services;

 (2) family members, guardians, advocates, and authorized

 representatives of such individuals;

 (3) individuals employed by protection and advocacy systems

 funded under section 3004 of this title;

 (4) relevant employees from Federal departments and agencies,

 other than the Department of Education;

 (5) representatives of businesses; and

 (6) venders and public and private researchers and developers.

-SOURCE-

 (Pub. L. 105-394, Sec. 6, as added Pub. L. 108-364, Sec. 2, Oct.

 25, 2004, 118 Stat. 1727; amended Pub. L. 110-69, title III, Sec.

 3002(c)(7), Aug. 9, 2007, 121 Stat. 587.)

-REFTEXT-

 REFERENCES IN TEXT

 The Developmental Disabilities Assistance and Bill of Rights Act

 of 2000, referred to in subsec. (b)(2)(B)(ii), is Pub. L. 106-402,

 Oct. 30, 2000, 114 Stat. 1677, as amended. Subtitle D of title I of

 the Act is classified generally to part D (Sec. 15061 et seq.) of

 subchapter I of chapter 144 of Title 42, The Public Health and

 Welfare. For complete classification of this Act to the Code, see

 Short Title note set out under section 15001 of Title 42 and

 Tables.

-MISC1-

 AMENDMENTS

 2007 - Subsec. (b)(4)(B)(v). Pub. L. 110-69 substituted "the

 National Institute of Standards and Technology," for "the

 Technology Administration of the Department of Commerce,".

-End-

-CITE-

 29 USC Sec. 3006 01/07/2011

-EXPCITE-

 TITLE 29 - LABOR

 CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

-HEAD-

 Sec. 3006. Administrative provisions

-STATUTE-

 (a) General administration

 (1) In general

 Notwithstanding any other provision of law, the Assistant

 Secretary for Special Education and Rehabilitative Services of

 the Department of Education, acting through the Rehabilitation

 Services Administration, shall be responsible for the

 administration of this chapter.

 (2) Collaboration

 The Assistant Secretary for Special Education and

 Rehabilitative Services shall consult with the Office of Special

 Education Programs, the Rehabilitation Services Administration,

 and the National Institute on Disability and Rehabilitation

 Research in the Office of Special Education and Rehabilitative

 Services, and appropriate Federal entities in the administration

 of this chapter.

 (3) Administration

 In administering this chapter, the Rehabilitation Services

 Administration shall ensure that programs funded under this

 chapter will address the needs of individuals with disabilities

 of all ages, whether the individuals will use the assistive

 technology to obtain or maintain employment, to obtain education,

 or for other reasons.

 (4) Orderly transition

 (A) In general

 The Secretary shall take such steps as the Secretary

 determines to be appropriate to provide for the orderly

 transition to, and implementation of, programs authorized by

 this chapter, from programs authorized by this chapter, as in

 effect on the day before October 25, 2004.

 (B) Cessation of effectiveness

 Subparagraph (A) ceases to be effective on the date that is 6

 months after October 25, 2004.

 (b) Review of participating entities

 (1) In general

 The Secretary shall assess the extent to which entities that

 receive grants under this chapter are complying with the

 applicable requirements of this chapter and achieving measurable

 goals that are consistent with the requirements of the grant

 programs under which the entities received the grants.

 (2) Provision of information

 To assist the Secretary in carrying out the responsibilities of

 the Secretary under this section, the Secretary may require

 States to provide relevant information, including the information

 required under subsection (d).

 (c) Corrective action and sanctions

 (1) Corrective action

 If the Secretary determines that an entity that receives a

 grant under this chapter fails to substantially comply with the

 applicable requirements of this chapter, or to make substantial

 progress toward achieving the measurable goals described in

 subsection (b)(1) with respect to the grant program, the

 Secretary shall assist the entity, through technical assistance

 funded under section 3005 of this title or other means, within 90

 days after such determination, to develop a corrective action

 plan.

 (2) Sanctions

 If the entity fails to develop and comply with a corrective

 action plan described in paragraph (1) during a fiscal year, the

 entity shall be subject to 1 of the following corrective actions

 selected by the Secretary:

 (A) Partial or complete termination of funding under the

 grant program, until the entity develops and complies with such

 a plan.

 (B) Ineligibility to participate in the grant program in the

 following year.

 (C) Reduction in the amount of funding that may be used for

 indirect costs under section 3003 of this title for the

 following year.

 (D) Required redesignation of the lead agency designated

 under section 3003(c)(1) of this title or an entity responsible

 for administering the grant program.

 (3) Appeals procedures

 The Secretary shall establish appeals procedures for entities

 that are determined to be in noncompliance with the applicable

 requirements of this chapter, or have not made substantial

 progress toward achieving the measurable goals described in

 subsection (b)(1).

 (4) Secretarial action

 As part of the annual report required under subsection (d), the

 Secretary shall describe each such action taken under paragraph

 (1) or (2) and the outcomes of each such action.

 (5) Public notification

 The Secretary shall notify the public, by posting on the

 Internet website of the Department of Education, of each action

 taken by the Secretary under paragraph (1) or (2). As a part of

 such notification, the Secretary shall describe each such action

 taken under paragraph (1) or (2) and the outcomes of each such

 action.

 (d) Annual report to Congress

 (1) In general

 Not later than December 31 of each year, the Secretary shall

 prepare, and submit to the President and to the Committee on

 Education and the Workforce of the House of Representatives and

 the Committee on Health, Education, Labor, and Pensions of the

 Senate, a report on the activities funded under this chapter to

 improve the access of individuals with disabilities to assistive

 technology devices and assistive technology services.

 (2) Contents

 Such report shall include -

 (A) a compilation and summary of the information provided by

 the States in annual progress reports submitted under section

 3003(f) of this title; and

 (B) a summary of the State applications described in section

 3003(d) of this title and an analysis of the progress of the

 States in meeting the measurable goals established in State

 applications under section 3003(d)(3) of this title.

 (e) Construction

 Nothing in this section shall be construed to affect the

 enforcement authority of the Secretary, another Federal officer, or

 a court under part D of the General Education Provisions Act (20

 U.S.C. 1234 et seq.) or other applicable law.

 (f) Effect on other assistance

 This chapter may not be construed as authorizing a Federal or

 State agency to reduce medical or other assistance available, or to

 alter eligibility for a benefit or service, under any other Federal

 law.

 (g) Rule

 This chapter (as in effect on the day before October 25, 2004)

 shall apply to funds appropriated under this chapter for fiscal

 year 2004.

-SOURCE-

 (Pub. L. 105-394, Sec. 7, as added Pub. L. 108-364, Sec. 2, Oct.

 25, 2004, 118 Stat. 1734.)

-REFTEXT-

 REFERENCES IN TEXT

 The General Education Provisions Act, referred to in subsec. (e),

 is title IV of Pub. L. 90-247, Jan. 2, 1968, 81 Stat. 814, as

 amended. Part D of the Act is classified generally to subchapter IV

 (Sec. 1234 et seq.) of chapter 31 of Title 20, Education. For

 complete classification of this Act to the Code, see section 1221

 of Title 20 and Tables.

-CHANGE-

 CHANGE OF NAME

 Committee on Education and the Workforce of House of

 Representatives changed to Committee on Education and Labor of

 House of Representatives by House Resolution No. 6, One Hundred

 Tenth Congress, Jan. 5, 2007.

-End-

-CITE-

 29 USC Sec. 3007 01/07/2011

-EXPCITE-

 TITLE 29 - LABOR

 CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

-HEAD-

 Sec. 3007. Authorization of appropriations

-STATUTE-

 (a) State grants for assistive technology and national activities

 (1) In general

 There are authorized to be appropriated to carry out sections

 3003 and 3005 of this title such sums as may be necessary for

 each of fiscal years 2005 through 2010.

 (2) Reservation

 (A) Definition

 In this paragraph, the term "higher appropriation year" means

 a fiscal year for which the amount appropriated under paragraph

 (1) and made available to carry out section 3003 of this title

 is at least $665,000 greater than the amount that -

 (i) was appropriated under section 3015 of this title (as

 in effect on October 1, 2003) for fiscal year 2004; and

 (ii) was not reserved for grants under section 3012 or 3014

 of this title (as in effect on such date) for fiscal year

 2004.

 (B) Amount reserved for national activities

 Of the amount appropriated under paragraph (1) for a fiscal

 year -

 (i) not more than $1,235,000 may be reserved to carry out

 section 3005 of this title, except as provided in clause

 (ii); and

 (ii) for a higher appropriation year -

 (I) not more than $1,900,000 may be reserved to carry out

 section 3005 of this title; and

 (II) of the amount so reserved, the portion exceeding

 $1,235,000 shall be used to carry out paragraphs (1) and

 (2) of section 3005(b) of this title.

 (b) State grants for protection and advocacy services related to

 assistive technology

 There are authorized to be appropriated to carry out section 3004

 of this title $4,419,000 for fiscal year 2005 and such sums as may

 be necessary for each of fiscal years 2006 through 2010.

-SOURCE-

 (Pub. L. 105-394, Sec. 8, as added Pub. L. 108-364, Sec. 2, Oct.

 25, 2004, 118 Stat. 1736.)

-REFTEXT-

 REFERENCES IN TEXT

 Sections 3012, 3014, and 3015 of this title, referred to in

 subsec. (a)(2)(A), were omitted in the general amendment of this

 chapter by Pub. L. 108-364, Sec. 2, Oct. 25, 2004, 118 Stat. 1707.

-End-

-CITE-

 29 USC Secs. 3011 to 3015 01/07/2011

-EXPCITE-

 TITLE 29 - LABOR

 CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

-HEAD-

 Secs. 3011 to 3015. Omitted

-MISC1-

 Sections, comprising subchapter I of this chapter "State Grant

 Programs", were omitted in the general amendment of this chapter by

 Pub. L. 108-364, Sec. 2, Oct. 25, 2004, 118 Stat. 1707.

 Section 3011, Pub. L. 105-394, title I, Sec. 101, Nov. 13, 1998,

 112 Stat. 3635, provided for continuity grants for States that

 received funding for a limited period for technology-related

 assistance.

 Section 3012, Pub. L. 105-394, title I, Sec. 102, Nov. 13, 1998,

 112 Stat. 3644; Pub. L. 106-402, title IV, Sec. 401(b)(4)(B), Oct.

 30, 2000, 114 Stat. 1738, provided for State grants for protection

 and advocacy related to assistive technology.

 Section 3013, Pub. L. 105-394, title I, Sec. 103, Nov. 13, 1998,

 112 Stat. 3646, related to administrative provisions.

 Section 3014, Pub. L. 105-394, title I, Sec. 104, Nov. 13, 1998,

 112 Stat. 3648, related to a technical assistance program.

 Section 3015, Pub. L. 105-394, title I, Sec. 105, Nov. 13, 1998,

 112 Stat. 3651, authorized appropriations.

-End-

-CITE-

 29 USC Secs. 3031 to 3037 01/07/2011

-EXPCITE-

 TITLE 29 - LABOR

 CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

-HEAD-

 Secs. 3031 to 3037. Omitted

-MISC1-

 Sections, comprising subchapter II of this chapter, "National

 Activities", were omitted in the general amendment of this chapter

 by Pub. L. 108-364, Sec. 2, Oct. 25, 2004, 118 Stat. 1707.

 Section 3031, Pub. L. 105-394, title II, Sec. 211, Nov. 13, 1998,

 112 Stat. 3654, related to small business incentives.

 Section 3032, Pub. L. 105-394, title II, Sec. 212, Nov. 13, 1998,

 112 Stat. 3654, related to technology transfer and universal

 design.

 Section 3033, Pub. L. 105-394, title II, Sec. 213, Nov. 13, 1998,

 112 Stat. 3655, related to universal design in products and the

 built environment.

 Section 3034, Pub. L. 105-394, title II, Sec. 214, Nov. 13, 1998,

 112 Stat. 3655, related to assistive technology outreach programs.

 Section 3035, Pub. L. 105-394, title II, Sec. 215, Nov. 13, 1998,

 112 Stat. 3656, related to training pertaining to rehabilitation

 engineers and technicians.

 Section 3036, Pub. L. 105-394, title II, Sec. 216, Nov. 13, 1998,

 112 Stat. 3656, related to the President's Committee on Employment

 of People With Disabilities.

 Section 3037, Pub. L. 105-394, title II, Sec. 217, Nov. 13, 1998,

 112 Stat. 3657, authorized appropriations.

-End-

-CITE-

 29 USC Secs. 3051 to 3058 01/07/2011

-EXPCITE-

 TITLE 29 - LABOR

 CHAPTER 31 - ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

-HEAD-

 Secs. 3051 to 3058. Omitted

-MISC1-

 Sections, comprising subchapter III of this chapter, "Alternative

 Financing Mechanisms", were omitted in the general amendment of

 this chapter by Pub. L. 108-364, Sec. 2, Oct. 25, 2004, 118 Stat.

 1707.

 Section 3051, Pub. L. 105-394, title III, Sec. 301, Nov. 13,

 1998, 112 Stat. 3657, related to the general authority of the

 Secretary.

 Section 3052, Pub. L. 105-394, title III, Sec. 302, Nov. 13,

 1998, 112 Stat. 3657, related to the amount of grants.

 Section 3053, Pub. L. 105-394, title III, Sec. 303, Nov. 13,

 1998, 112 Stat. 3658, related to grant applications and procedures.

 Section 3054, Pub. L. 105-394, title III, Sec. 304, Nov. 13,

 1998, 112 Stat. 3659, related to contracts with community-based

 organizations.

 Section 3055, Pub. L. 105-394, title III, Sec. 305, Nov. 13,

 1998, 112 Stat. 3660, related to grant administration requirements.

 Section 3056, Pub. L. 105-394, title III, Sec. 306, Nov. 13,

 1998, 112 Stat. 3660, related to grant information and technical

 assistance.

 Section 3057, Pub. L. 105-394, title III, Sec. 307, Nov. 13,

 1998, 112 Stat. 3660, related to annual reports.

 Section 3058, Pub. L. 105-394, title III, Sec. 308, Nov. 13,

 1998, 112 Stat. 3661, authorized appropriations.

-End-