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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29 USC Sec. 3001 01/07/2011

-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-