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| **Assistive Technology Act****29 U.S. Code, Chapter 31 — Assistive Technology for Individuals with Disabilities**  |
| **Summary**The Assistive Technology Act of 2004 (Pub. L. 108-364) reauthorized the assistive technology programs in all states and territories as a formula-based program. First pased in 1988, the Technology-Related Assistance for Individuals with Disabilities Act (P.L. 100-407) was reauthorized in 1994 (Pub. L. 103-218) and again in 1998 (Pub. L. 105-394). It was designated as a systems change grant and is often called the "Tech Act" for short and is to increase access to, availability of, and funding for assistive technology through state efforts and national initiatives. The 1994 law required state grantees to contract with the Protection and Advocacy (P&A) agency and the 1998 law added a separate authorization for grants directly to the P&A agencies to assist in the acquisition, utilization or maintenance of assistive technology devices or services for individual with disabilities. The Workforce Innovation and Opportunity Act (WIOA) of 2014 transferred the Asstive Technology Act programs from the U.S. Department of Education to the Administration for Community Living. |
| **Primary Federal AgencIes**U.S. Department of Health and Human Services’ (HHS) Administration for Community Living (ACL). |
| **Primary State Agency**The Nebraska VR, Assistive Technology Partnership. |
| **Other Collaborating State Agencies and Partners**Disability Rights Nebraska; ATP Advisory Council. |
| **How Do the Federal Statutes Apply to People with Brain Injury**The program provides funding to the state which can assist individuals with brain injury to compensate for deficits through technology, |
| **Pertinent Sections**§ 3002 defines terms, including assistive technology, assistive technology devices. |
| **Web Page Link:**https://atp.nebraska.gov/ |

**29 U.S. Code CHAPTER 31 -- Assistive Technology Act**

**§ 3001. Findings and purposes**

**(a) FindingsCongress finds the following:**

(1) Over 54,000,000 individuals in the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1621453604-911350959&term_occur=999&term_src=title:29:chapter:31:section:3001) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001).

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001).

(4) As technology has come to play an increasingly important role in the lives of all persons in the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001), 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) in the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) has been comparable to its impact upon the remainder of the citizens of the United [States.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) Any development in mainstream technology will have profound implications for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) in the United [States.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001)

(5) Substantial progress has been made in the development of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3001), including adaptations to existing devices that facilitate activities of daily living that significantly benefit [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001). 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-9797458-1812891536&term_occur=999&term_src=title:29:chapter:31:section:3001), which have proven effective in assisting [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) in accessing [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3001) and [assistive technology services.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3001) This partnership between the Federal Government and the [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) provided an important service to [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) by strengthening the capacity of each [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) to assist [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) of all ages meet their [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3001) needs.

(7) Despite the success of the Federal-[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) partnership in providing access to [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3001) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3001), there is a continued need to provide information about the availability of [assistive technology,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3001) advances in improving accessibility and functionality of [assistive technology,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3001) and appropriate methods to secure and utilize [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3001) in order to maximize the independence and participation of [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) in society.

(8) The combination of significant recent changes in Federal policy (including changes to [section 794d of this title](https://www.law.cornell.edu/uscode/text/29/794d), accessibility provisions of the [Help America Vote Act of 2002](https://www.law.cornell.edu/topn/help_america_vote_act_of_2002) ([42 U.S.C. 15301](https://www.law.cornell.edu/uscode/text/42/15301) et seq.) [now [52 U.S.C. 20901](https://www.law.cornell.edu/uscode/text/52/20901) et seq.], and the amendments made to the [Elementary and Secondary Education Act of 1965](https://www.law.cornell.edu/topn/elementary_and_secondary_education_act_of_1965) ([20 U.S.C. 6301](https://www.law.cornell.edu/uscode/text/20/6301) et seq.) by the [No Child Left Behind Act of 2001](https://www.law.cornell.edu/topn/no_child_left_behind_act_of_2001)) and the rapid and unending evolution of technology require a Federal[-State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) investment in State [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3001) systems to continue to ensure that [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) efforts to improve the provision of [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3001) to [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) through comprehensive statewide programs of [technology-related assistance](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-9797458-1812891536&term_occur=999&term_src=title:29:chapter:31:section:3001), for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) of all ages, that are designed to—

(A) increase the availability of, funding for, access to, provision of, and training about [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3001) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3001);

(B) increase the ability of [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) of all ages to secure and maintain possession of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3001) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3001) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3001) on a statewide basis for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) of all ages;

(D) increase the involvement of [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) and, if appropriate, their family members, guardians, advocates, and authorized representatives, in decisions related to the provision of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3001) and [assistive technology services;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3001)

(E) increase and promote coordination among [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) agencies, between [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) and local agencies, among local agencies, and between [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3001) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3001); and

(G) increase awareness and knowledge of the benefits of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3001) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3001) among [targeted individuals and entities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3001) and the general population; and

(2) to provide [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3001) with financial assistance that supports programs designed to maximize the ability of [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3001) and their family members, guardians, advocates, and authorized representatives to obtain [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3001) and [assistive technology services.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3001)

([Pub. L. 105–394, § 2](https://www.law.cornell.edu/rio/citation/Pub._L._105-394), Nov. 13, 1998, [112 Stat. 3628](https://www.law.cornell.edu/rio/citation/112_Stat._3628); [Pub. L. 108–364, § 2](https://www.law.cornell.edu/rio/citation/Pub._L._108-364), Oct. 25, 2004, [118 Stat. 1707](https://www.law.cornell.edu/rio/citation/118_Stat._1707).)

**§ 3002. Definitions**

In this chapter:

**(1)** **Adult service program**

The term “[adult service program](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-469771699-911350951&term_occur=999&term_src=title:29:chapter:31:section:3002)” means a program that provides services to, or is otherwise substantially involved with the major life functions of, [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002). Such term includes—

(A) a program providing residential, supportive, or employment services, or employment-related services, to [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002);

(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](https://www.law.cornell.edu/topn/rehabilitation_act_of_1973) ([29 U.S.C. 796f](https://www.law.cornell.edu/uscode/text/29/796f) 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 3102 of this title](https://www.law.cornell.edu/uscode/text/29/3102); and

(D) a program carried out by another organization or vender licensed or registered by the designated [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002) agency, as defined in section 7 of the [Rehabilitation Act of 1973](https://www.law.cornell.edu/topn/rehabilitation_act_of_1973) ([29 U.S.C. 705](https://www.law.cornell.edu/uscode/text/29/705)).

**(2)** **American Indian consortium**

The term “[American Indian consortium](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-625299382-911350952&term_occur=999&term_src=title:29:chapter:31:section:3002)” means an entity that is an [American Indian Consortium](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-625299382-911350952&term_occur=999&term_src=title:29:chapter:31:section:3002) (as defined in section 102 of [Developmental Disabilities Assistance and Bill of Rights Act](https://www.law.cornell.edu/topn/developmental_disabilities_assistance_and_bill_of_rights_act) of 2000 ([42 U.S.C. 15002](https://www.law.cornell.edu/uscode/text/42/15002))), and that is established to provide [protection and advocacy services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1685737726-1812891541&term_occur=999&term_src=title:29:chapter:31:section:3002) for purposes of receiving funding under subtitle C of title I of such Act ([42 U.S.C. 15041](https://www.law.cornell.edu/uscode/text/42/15041) et seq.).

**(3) Assistive technology**

The term “[assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3002)” means technology designed to be utilized in an [assistive technology device](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002) or [assistive technology service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3002).

**(4)** **Assistive technology device**

The term “[assistive technology device](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002)” 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002).

**(5)** **Assistive technology service**

The term “[assistive technology service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3002)” means any service that directly assists an [individual with a disability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-891586226-1567951216&term_occur=999&term_src=title:29:chapter:31:section:3002) in the selection, acquisition, or use of an [assistive technology device.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002) Such term includes—

(A) the evaluation of the [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3002) needs of an [individual with a disability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-891586226-1567951216&term_occur=999&term_src=title:29:chapter:31:section:3002), including a functional evaluation of the impact of the provision of appropriate [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3002) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002) by [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002);

(C) a service consisting of selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, replacing, or donating [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002);

(D) coordination and use of necessary therapies, interventions, or services with [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002), 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-891586226-1567951216&term_occur=999&term_src=title:29:chapter:31:section:3002) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002)), 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002); and

(G) a service consisting of expanding the availability of access to technology, including electronic and information technology, to [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002).

**(6)** **Capacity building and advocacy activities**

The term “[capacity building and advocacy activities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-220195314-911350956&term_occur=999&term_src=title:29:chapter:31:section:3002)” means efforts that—

(A) result in laws, regulations, policies, practices, procedures, or organizational structures that promote [consumer-responsive](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1952245781-911350958&term_occur=999&term_src=title:29:chapter:31:section:3002) programs or entities; and

(B) facilitate and increase access to, provision of, and funding for, [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3002), in order to empower [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-682953033-911350957&term_occur=999&term_src=title:29:chapter:31:section:3002)” means a [consumer-responsive](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1952245781-911350958&term_occur=999&term_src=title:29:chapter:31:section:3002) program of [technology-related assistance](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-9797458-1812891536&term_occur=999&term_src=title:29:chapter:31:section:3002) for [individuals with disabilities,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002) implemented by a [State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002) and equally available to all [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002) residing in the [State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002) regardless of their type of [disability,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1621453604-911350959&term_occur=999&term_src=title:29:chapter:31:section:3002) age, income level, or location of residence in the [State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002) or the type of [assistive technology device](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002) or [assistive technology service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3002) required.

**(8) Consumer-responsive**

The term “[consumer-responsive](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1952245781-911350958&term_occur=999&term_src=title:29:chapter:31:section:3002)”—

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002);

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-891586226-1567951216&term_occur=999&term_src=title:29:chapter:31:section:3002) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002) and, when appropriate, their family members, guardians, advocates, or authorized representatives;

(ii) responds to the needs of [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002) in a timely and appropriate manner; and

(iii) facilitates the full and meaningful participation of [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002) (including individuals from [underrepresented populations](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-539800546-1812891535&term_occur=999&term_src=title:29:chapter:31:section:3002) and rural populations) and their family members, guardians, advocates, and authorized representatives, in—

(I) decisions relating to the provision of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3002) to such individuals; and

(II) decisions related to the maintenance, improvement, and evaluation of the [comprehensive statewide program of technology-related assistance](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-682953033-911350957&term_occur=999&term_src=title:29:chapter:31:section:3002), including decisions that affect [capacity building and advocacy activities.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-220195314-911350956&term_occur=999&term_src=title:29:chapter:31:section:3002)

**(9) Disability**

The term “[disability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1621453604-911350959&term_occur=999&term_src=title:29:chapter:31:section:3002)” means a condition of an individual that is considered to be a [disability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1621453604-911350959&term_occur=999&term_src=title:29:chapter:31:section:3002) or handicap for the purposes of any Federal law other than this chapter or for the purposes of the law of the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002) in which the individual resides.

**(10) Individual with a disability; individuals with disabilities**

(A) Individual with a disabilityThe term “[individual with a disability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-891586226-1567951216&term_occur=999&term_src=title:29:chapter:31:section:3002)” means any individual of any age, race, or ethnicity—

(i) who has a [disability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1621453604-911350959&term_occur=999&term_src=title:29:chapter:31:section:3002); and

(ii) who is or would be enabled by an [assistive technology device](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002) or an [assistive technology service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3002) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002)” means more than 1 [individual with a disability.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-891586226-1567951216&term_occur=999&term_src=title:29:chapter:31:section:3002)

**(11)** **Institution of higher education**

The term “[institution of higher education](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1170964312-1812891542&term_occur=999&term_src=title:29:chapter:31:section:3002)” has the meaning given such term in [section 1001(a) of title 20](https://www.law.cornell.edu/uscode/text/20/1001#a), and includes a community college receiving funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 ([25 U.S.C. 1801](https://www.law.cornell.edu/uscode/text/25/1801) et seq.).

**(12) Protection and advocacy services**

The term “[protection and advocacy services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1685737726-1812891541&term_occur=999&term_src=title:29:chapter:31:section:3002)” means services that—

(A) are described in subtitle C of title I of the [Developmental Disabilities Assistance and Bill of Rights Act](https://www.law.cornell.edu/topn/developmental_disabilities_assistance_and_bill_of_rights_act) of 2000 ([42 U.S.C. 15041](https://www.law.cornell.edu/uscode/text/42/15041) et seq.), the [Protection and Advocacy for Individuals with Mental Illness Act](https://www.law.cornell.edu/topn/protection_and_advocacy_for_individuals_with_mental_illness_act) ([42 U.S.C. 10801](https://www.law.cornell.edu/uscode/text/42/10801) et seq.), or section 509 of the [Rehabilitation Act of 1973](https://www.law.cornell.edu/topn/rehabilitation_act_of_1973) ([29 U.S.C. 794e](https://www.law.cornell.edu/uscode/text/29/794e)); and

(B) assist [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002) with respect to [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002) and [assistive technology services.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3002)

**(13) Secretary**

The term “[Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3002)” means the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3002) of Health and Human Services.

**(14)** **State**

(A) In general

Except as provided in subparagraph (B), the term “[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002)” means each of the 50 [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002) of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002), the District of Columbia, the Commonwealth of Puerto [Rico](https://www.law.cornell.edu/topn/racketeer_influenced_and_corrupt_organizations_act_rico), the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002) Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(B) Outlying areasIn [section 3003(b) of this title](https://www.law.cornell.edu/uscode/text/29/3003#b):

(i) Outlying area

The term “[outlying area](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1846387610-1567955061&term_occur=999&term_src=title:29:chapter:31:section:3002)” means the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002) Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(ii) State

The term “[State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002)” does not include the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002) Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

**(15)** **State assistive technology program**

The term “[State assistive technology program](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3002)” means a program authorized under [section 3003 of this title](https://www.law.cornell.edu/uscode/text/29/3003).

**(16)** **Targeted individuals and entities**

The term “[targeted individuals and entities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3002)” means—

(A) [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002) of all ages and their family members, guardians, advocates, and authorized representatives;

(B) [underrepresented populations](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-539800546-1812891535&term_occur=999&term_src=title:29:chapter:31:section:3002), 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](https://www.law.cornell.edu/topn/rehabilitation_act_of_1973) ([29 U.S.C. 796f](https://www.law.cornell.edu/uscode/text/29/796f) et seq.), insurers, or managed care providers) that have contact, or provide services to, with [individuals with disabilities;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3002)

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3002);

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002) by the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3002).

**(17) Technology-related assistance**

The term “[technology-related assistance](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-9797458-1812891536&term_occur=999&term_src=title:29:chapter:31:section:3002)” means assistance provided through [capacity building and advocacy activities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-220195314-911350956&term_occur=999&term_src=title:29:chapter:31:section:3002) that accomplish the purposes described in [section 3001(b) of this title](https://www.law.cornell.edu/uscode/text/29/3001#b).

**(18) Underrepresented population**

The term “[underrepresented population](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-539800546-1812891535&term_occur=999&term_src=title:29:chapter:31:section:3002)” 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1437036237-1812891534&term_occur=999&term_src=title:29:chapter:31:section:3002)” 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.

([Pub. L. 105–394, § 3](https://www.law.cornell.edu/rio/citation/Pub._L._105-394), Nov. 13, 1998, [112 Stat. 3631](https://www.law.cornell.edu/rio/citation/112_Stat._3631); [Pub. L. 106–402, title IV, § 401(b)(4)(A)](https://www.law.cornell.edu/rio/citation/Pub._L._106-402), Oct. 30, 2000, [114 Stat. 1738](https://www.law.cornell.edu/rio/citation/114_Stat._1738); [Pub. L. 108–364, § 2](https://www.law.cornell.edu/rio/citation/Pub._L._108-364), Oct. 25, 2004, [118 Stat. 1709](https://www.law.cornell.edu/rio/citation/118_Stat._1709); [Pub. L. 110–315, title IX, § 941(k)(2)(K)](https://www.law.cornell.edu/rio/citation/Pub._L._110-315), Aug. 14, 2008, [122 Stat. 3467](https://www.law.cornell.edu/rio/citation/122_Stat._3467); [Pub. L. 113–128, title IV, § 491](https://www.law.cornell.edu/rio/citation/Pub._L._113-128)(o)(1), title V, § 512(b)(1), July 22, 2014, [128 Stat. 1698](https://www.law.cornell.edu/rio/citation/128_Stat._1698), 1705.)

**§ 3003. State grants for assistive technology**

**(a) Grants to States**

The [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) shall award grants under subsection (b) to [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) to maintain comprehensive statewide programs of [technology-related assistance](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-9797458-1812891536&term_occur=999&term_src=title:29:chapter:31:section:3003) to support programs that are designed to maximize the ability of [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003) across the human lifespan and across the wide array of disabilities, and their family members, guardians, advocates, and authorized representatives, to obtain [assistive technology,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003) and that are designed to increase access to [assistive technology.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003)

(b) Amount of financial assistance

**(1) In general**

From funds made available to carry out this section, the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) shall award a grant to each eligible [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) and eligible [outlying area](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1846387610-1567955061&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) shall allot to each [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) and [outlying area](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1846387610-1567955061&term_occur=999&term_src=title:29:chapter:31:section:3003) for a fiscal year an amount that is not less than the amount the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) or [outlying area](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1846387610-1567955061&term_occur=999&term_src=title:29:chapter:31:section:3003) received under the grants provided under [section 3011 of this title](https://www.law.cornell.edu/uscode/text/29/3011) (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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) and [outlying area](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1846387610-1567955061&term_occur=999&term_src=title:29:chapter:31:section:3003) under subparagraph (A) for such fiscal year, the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) shall ratably reduce the allotments for such fiscal year.

(ii) Additional funds

If, after the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) makes the reductions described in clause (i), additional funds become available to carry out this section for the fiscal year, the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) shall ratably increase the allotments, until the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) has allotted the entire [base year amount](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1716118220-364092015&term_occur=999&term_src=title:29:chapter:31:section:3003).

(C) Higher appropriation yearsExcept 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1716118220-364092015&term_occur=999&term_src=title:29:chapter:31:section:3003), the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) shall—

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

(ii) from a portion of the remainder of the funds after the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) makes the allotments described in clause (i), the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) shall—

(I) from 50 percent of the portion, allot to each [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) or [outlying area](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1846387610-1567955061&term_occur=999&term_src=title:29:chapter:31:section:3003) an equal amount; and

(II) from 50 percent of the portion, allot to each [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) or [outlying area](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1846387610-1567955061&term_occur=999&term_src=title:29:chapter:31:section:3003) an amount that bears the same relationship to such 50 percent as the population of the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) or [outlying area](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1846387610-1567955061&term_occur=999&term_src=title:29:chapter:31:section:3003) bears to the population of all [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) and [outlying areas](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1846387610-1567955061&term_occur=999&term_src=title:29:chapter:31:section:3003), until each [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) has received an allotment of not less than $410,000 and each [outlying area](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1846387610-1567955061&term_occur=999&term_src=title:29:chapter:31:section:3003) has received an allotment of $125,000 under clause (i) and this clause;

(iii) from the remainder of the funds after the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) makes the allotments described in clause (ii), the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) shall—

(I) from 80 percent of the remainder allot to each [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) an amount that bears the same relationship to such 80 percent as the population of the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) bears to the population of all [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003); and

(II) from 20 percent of the remainder, allot to each [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1716118220-364092015&term_occur=999&term_src=title:29:chapter:31:section:3003), the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) may award grants on a competitive basis for periods of 1 year to [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) or [outlying areas](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1846387610-1567955061&term_occur=999&term_src=title:29:chapter:31:section:3003) in accordance with the requirements of subchapter III of this chapter [[1]](https://www.law.cornell.edu/uscode/text/29/3003#fn002161) (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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1716118220-364092015&term_occur=999&term_src=title:29:chapter:31:section:3003)” means the total amount received by all [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) and [outlying areas](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1846387610-1567955061&term_occur=999&term_src=title:29:chapter:31:section:3003) 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 generalThe Governor of a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) under this section; and

(II) to submit the application described in subsection (d) on behalf of the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003), to ensure conformance with Federal and [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) accounting requirements.

(ii) DutiesThe duties of the lead agency shall include—

(I) preparing the application described in subsection (d) and carrying out [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) activities described in that application, including making programmatic and resource allocation decisions necessary to implement the [comprehensive statewide program of technology-related assistance](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-682953033-911350957&term_occur=999&term_src=title:29:chapter:31:section:3003);

(II) coordinating the activities of the [comprehensive statewide program of technology-related assistance](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-682953033-911350957&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003), the Governor may redesignate the lead agency, or the implementing entity, if the Governor shows to the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) to change the lead agency or implementing entity of the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) to an agency other than the lead agency or implementing entity of such [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) as of October 25, 2004.

**(2) Advisory council**

(A) In general

There shall be established an advisory council to provide [consumer-responsive](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1952245781-911350958&term_occur=999&term_src=title:29:chapter:31:section:3003), consumer-driven advice to the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) 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) CompositionThe advisory council shall be composed of—

(I) [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003) that use [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003) or the family members or guardians of the individuals;

(II) a representative of the designated [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) agency, as defined in section 7 of the [Rehabilitation Act of 1973](https://www.law.cornell.edu/topn/rehabilitation_act_of_1973) ([29 U.S.C. 705](https://www.law.cornell.edu/uscode/text/29/705)) and the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) agency for individuals who are blind (within the meaning of section 101 of that Act ([29 U.S.C. 721](https://www.law.cornell.edu/uscode/text/29/721))), if such agency is separate;

(III) a representative of a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) center for independent living described in part C of title VII of the [Rehabilitation Act of 1973](https://www.law.cornell.edu/topn/rehabilitation_act_of_1973) ([29 U.S.C. 796f](https://www.law.cornell.edu/uscode/text/29/796f) et seq.);

(IV) a representative of the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) workforce development board established under section 101 of the Workforce Innovation and Opportunity Act [[29 U.S.C. 3111](https://www.law.cornell.edu/uscode/text/29/3111)];

(V) a representative of the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) educational agency, as defined in [section 7801 of title 20](https://www.law.cornell.edu/uscode/text/20/7801); and

(VI) representatives of other [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) agencies, public agencies, or private organizations, as determined by the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003).

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) and reflect the diversity of the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) with respect to race, ethnicity, types of disabilities across the age span, and users of types of services that an [individual with a disability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-891586226-1567951216&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) statutes, rules, or official policies relating to advisory bodies for [State assistive technology programs](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3003) or require changes to governing bodies of incorporated agencies who carry out [State assistive technology programs](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3003).

(d) Application

(1) In general

Any [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) that desires to receive a grant under this section shall submit an application to the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003), at such time, in such manner, and containing such information as the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) designates such an entity.

**(3) Measurable goals**

The application shall include—

(A) measurable goals, and a timeline for meeting the goals, that the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) has set for addressing the [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003) needs of [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003) in the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) related to—

(i) education, including goals involving the provision of [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003) to [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003) who receive services under the [Individuals with Disabilities Education Act](https://www.law.cornell.edu/topn/education_of_the_handicapped_act) ([20 U.S.C. 1400](https://www.law.cornell.edu/uscode/text/20/1400) et seq.);

(ii) employment, including goals involving the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) vocational rehabilitation program carried out under title I of the [Rehabilitation Act of 1973](https://www.law.cornell.edu/topn/rehabilitation_act_of_1973) ([29 U.S.C. 720](https://www.law.cornell.edu/uscode/text/29/720) et seq.);

(iii) telecommunication and information technology; and

(iv) community living; and

(B) information describing how the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) will quantifiably measure the goals to determine whether the goals have been achieved.

(4) Involvement of public and private entitiesThe 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003), 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003).

(5) ImplementationThe application shall include a description of—

(A) how the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) will implement each of the required activities described in subsection (e), except as provided in subsection (e)(6)(A); and

(B) how the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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) AssurancesThe application shall include assurances that—

(A) the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) will annually collect data related to the required activities implemented by the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-9797458-1812891536&term_occur=999&term_src=title:29:chapter:31:section:3003), including the provision of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) and [assistive technology services;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003)

(C) the lead agency will control and administer the funds received through the grant;

(D) the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/topn/americans_with_disabilities_act_of_1990) ([42 U.S.C. 12101](https://www.law.cornell.edu/uscode/text/42/12101) et seq.) regarding accessibility for [individuals with disabilities;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003)

(F) a public agency or an [individual with a disability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-891586226-1567951216&term_occur=999&term_src=title:29:chapter:31:section:3003) holds title to any property purchased with funds received under the grant and administers that property;

(G) activities carried out in the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/topn/rehabilitation_act_of_1973) (20 [[2]](https://www.law.cornell.edu/uscode/text/29/3003#fn002162) U.S.C. 794d); and

(H) the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) will—

(i) prepare reports to the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) in such form and containing such information as the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) may require to carry out the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003)’s functions under this chapter; and

(ii) keep such records and allow access to such records as the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) may require to ensure the correctness and verification of information provided to the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) will support with [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) funds.

**(e) Use of funds**

**(1) In general**

(A) Required activities

Except as provided in subparagraph (B) and paragraph (6), any [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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 supportA [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003)—

(i) financial support is provided from [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) would have expended for that category of activities, in the absence of this subparagraph.

**(2) State-level activities**

(A) State financing activitiesThe [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) shall support [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) financing activities to increase access to, and funding for, [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003) (which shall not include direct payment for such a device or service for an [individual with a disability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-891586226-1567951216&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3003) described in [section 3002(16)(A) of this title](https://www.law.cornell.edu/uscode/text/29/3002#16_A), including—

(i) support for the development of systems for the purchase, lease, or other acquisition of, or payment for, [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003); or

(ii) support for the development of [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003)-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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003), 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) or [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003); or

(VI) another mechanism that is approved by the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003).

**(B) Device reutilization programs**

The [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) shall directly, or in collaboration with public or private entities, carry out [assistive technology device](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) reutilization programs that provide for the exchange, repair, recycling, or other reutilization of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003), which may include redistribution through device sales, loans, rentals, or donations.

**(C) Device loan programs**

The [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) shall directly, or in collaboration with public or private entities, carry out device loan programs that provide short-term loans of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) to individuals, employers, public agencies, or others seeking to meet the needs of [targeted individuals and entities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3003), including others seeking to comply with the [Individuals with Disabilities Education Act](https://www.law.cornell.edu/topn/education_of_the_handicapped_act) ([20 U.S.C. 1400](https://www.law.cornell.edu/uscode/text/20/1400) et seq.), the [Americans with Disabilities Act of 1990](https://www.law.cornell.edu/topn/americans_with_disabilities_act_of_1990) ([42 U.S.C. 12101](https://www.law.cornell.edu/uscode/text/42/12101) et seq.), and section 504 of the [Rehabilitation Act of 1973](https://www.law.cornell.edu/topn/rehabilitation_act_of_1973) ([29 U.S.C. 794](https://www.law.cornell.edu/uscode/text/29/794)).

**(D) Device demonstration**s

(i) In general

The [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) shall directly, or in collaboration with public and private entities, such as one-stop partners, as defined in section 3 of the Workforce Innovation and Opportunity Act [[29 U.S.C. 3102](https://www.law.cornell.edu/uscode/text/29/3102)], demonstrate a variety of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003) (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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) shall directly, or through referrals, provide to individuals, to the extent practicable, comprehensive information about [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) and local [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003) venders, providers, and repair services.

(3) State leadership activities

**(A) In general**

A [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003), to develop and disseminate training materials, conduct training, and provide technical assistance, for individuals from local settings statewide, including representatives of [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) and local educational agencies, other [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) and local agencies, early intervention programs, [adult service programs,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-469771699-911350951&term_occur=999&term_src=title:29:chapter:31:section:3003) hospitals and other health care facilities, institutions of higher education, and businesses.

**(II) Authorized activities**

In carrying out activities under subclause (I), the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003) and the Federal, [State,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) and private funding sources available to assist [targeted individuals and entities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3003) in acquiring [assistive technology;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003)

(bb) skills-development training in assessing the need for [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003);

(cc) training to ensure the appropriate application and use of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003), [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003), 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003); and

(ee) technical training on integrating [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003) into the development and implementation of service plans, including any education, health, discharge, Olmstead, employment, or other plan required under Federal or [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) law.

**(III) Transition assistance to individuals with disabilities**

The [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) shall directly, or provide support to public or private entities to, develop and disseminate training materials, conduct training, facilitate access to [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003), and provide technical assistance, to assist—

(aa) students with disabilities, within the meaning of the [Individuals with Disabilities Education Act](https://www.law.cornell.edu/topn/education_of_the_handicapped_act) ([20 U.S.C. 1400](https://www.law.cornell.edu/uscode/text/20/1400) et seq.), that receive transition services; and

(bb) adults who are [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003) maintaining or transitioning to community living.

(**ii) Public-awareness activities**

(I) In general

The [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) shall conduct public-awareness activities designed to provide information to [targeted individuals and entities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3003) relating to the availability, benefits, appropriateness, and costs of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) and [assistive technology services,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003) including—

(aa) the development of procedures for providing direct communication between providers of [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003) and [targeted individuals and entities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3003), which may include partnerships with entities in the statewide and local workforce development systems established under the Workforce Innovation and Opportunity Act [[29 U.S.C. 3101](https://www.law.cornell.edu/uscode/text/29/3101) et seq.], [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) vocational rehabilitation centers, public and private employers, or elementary and secondary public schools;

(bb) the development and dissemination, to [targeted individuals and entities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3003), of information about [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) efforts related to [assistive technology;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003).

**(II) Collaboration**

The [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) shall collaborate with entities that receive awards under paragraphs (1) and (3) of [section 3005(b) of this title](https://www.law.cornell.edu/uscode/text/29/3005#b) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3003).

(bb) Content

The system shall deliver information on [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003), [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003) (with specific data regarding provider availability within the [State)](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003), and the availability of resources, including funding through public and private sources, to obtain [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003). The system shall also deliver information on the benefits of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003) with respect to enhancing the capacity of [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003) of all ages to perform activities of daily living.

**(iii) Coordination and collaboration**

The [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003) to [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003), service providers, and others to improve access to [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003) for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003) of all ages in the [State.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003)

(4) Indirect costs

Not more than 10 percent of the funds made available through a grant to a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) under this section may be used for indirect costs.

(5) Prohibition

Funds made available through a grant to a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) under this section shall not be used for direct payment for an [assistive technology device](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) for an [individual with a disability](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-891586226-1567951216&term_occur=999&term_src=title:29:chapter:31:section:3003).

(6) State flexibility

(A) In general

Notwithstanding paragraph (1)(A) and subject to subparagraph (B), a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) may use funds that the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) receives under a grant awarded under this section to carry out any 2 or more of the activities described in paragraph (2).

(B) Special ruleNotwithstanding paragraph (3)(A), any [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) shall prepare and submit to the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) an annual progress report on the activities funded under this chapter, at such time, and in such manner, as the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3003) may require.

(B) ContentsThe 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003)—

(i) the type of [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) financing activities described in subsection (e)(2)(A) used by the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003);

(ii) the amount and type of assistance given to consumers of the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) financing activities described in subsection (e)(2)(A) (who shall be classified by type of [assistive technology device](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) or [assistive technology service](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003) financed through the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=) financing activities, and geographic distribution within the [State)](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003), 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3003) financed;

(iii) the number, type, and length of time of loans of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) provided to [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003), 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003) who have benefited from the device loan program;

(iv) the number, type, estimated value, and scope of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3003), 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) as a result of activities funded under this section, including a description of any written policies, practices, and procedures that the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) has developed and implemented regarding access to, provision of, and funding for, [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3003), and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3003), 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3003) 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.

([Pub. L. 105–394, § 4](https://www.law.cornell.edu/rio/citation/Pub._L._105-394), as added [Pub. L. 108–364, § 2](https://www.law.cornell.edu/rio/citation/Pub._L._108-364), Oct. 25, 2004, [118 Stat. 1714](https://www.law.cornell.edu/rio/citation/118_Stat._1714); amended [Pub. L. 113–128, title V, § 512(b)(2)](https://www.law.cornell.edu/rio/citation/Pub._L._113-128), July 22, 2014, [128 Stat. 1705](https://www.law.cornell.edu/rio/citation/128_Stat._1705); [Pub. L. 114–95, title IX, § 9215(m)](https://www.law.cornell.edu/rio/citation/Pub._L._114-95), Dec. 10, 2015, [129 Stat. 2168](https://www.law.cornell.edu/rio/citation/129_Stat._2168).)

**§ 3004. State grants for protection and advocacy services related to assistive technology**

**a) Grants**

(1) In general

The [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3004) shall make grants under subsection (b) to protection and advocacy systems in each [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004) for the purpose of enabling such systems to assist in the acquisition, utilization, or maintenance of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3004) or [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3004) for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3004).

**(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](https://www.law.cornell.edu/topn/developmental_disabilities_assistance_and_bill_of_rights_act) of 2000 ([42 U.S.C. 15041](https://www.law.cornell.edu/uscode/text/42/15041) et seq.), as determined by the [Secretary.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3004)

**(b) Grants**

(1) Reservation

For each fiscal year, the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3004) 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](https://www.law.cornell.edu/uscode/text/29/3007#b) for a fiscal year and remaining after the reservation required by paragraph (1) has been made, the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3004) shall make a grant to a protection and advocacy system within each [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004) in an amount bearing the same ratio to the remaining funds as the population of the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004) bears to the population of all [States.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004)

(3) MinimumsSubject 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3004) shall make grants to the protection and advocacy system serving the [American Indian Consortium](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-625299382-911350952&term_occur=999&term_src=title:29:chapter:31:section:3004) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3004) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004) that, on November 12, 1998, was described in section 2212(f)(1) [[1]](https://www.law.cornell.edu/uscode/text/29/3004#fn002163) of this title, the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3004) 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](https://www.law.cornell.edu/uscode/text/29/3003#c_1) for the [State.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004)

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1685737726-1812891541&term_occur=999&term_src=title:29:chapter:31:section:3004) in that [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004) that supports [protection and advocacy services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1685737726-1812891541&term_occur=999&term_src=title:29:chapter:31:section:3004) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3004) about the accessibility of [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3004) and assist such individuals in the acquisition, utilization, or maintenance of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3004) or [assistive technology services.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3004)

(f) Report to SecretaryAn entity that receives a grant under this section shall annually prepare and submit to the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3004) a report that contains such information as the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3004) may require, including documentation of the progress of the entity in—

(1) conducting [consumer-responsive](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1952245781-911350958&term_occur=999&term_src=title:29:chapter:31:section:3004) activities, including activities that will lead to increased access, for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3004), to funding for [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3004) and [assistive technology services;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3004)

(2) engaging in informal advocacy to assist in securing [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3004) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3004) for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3004);

(3) engaging in formal representation for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3004) to secure systems change, and in advocacy activities to secure [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3004) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3004) for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3004);

(4) developing and implementing strategies to enhance the long-term abilities of [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3004) and their family members, guardians, advocates, and authorized representatives to advocate the provision of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3004) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3004) to which the [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3004) are entitled under law other than this chapter;

(5) coordinating activities with [protection and advocacy services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1685737726-1812891541&term_occur=999&term_src=title:29:chapter:31:section:3004) funded through sources other than this chapter, and coordinating activities with the [capacity building and advocacy activities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-220195314-911350956&term_occur=999&term_src=title:29:chapter:31:section:3004) carried out by the lead agency; and

(6) effectively allocating funds made available under this section to improve the awareness of [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3004) about the accessibility of [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3004) and assist such individuals in the acquisition, utilization, or maintenance of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3004) or [assistive technology services.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3004)

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004) designated under [section 3003(c)(1) of this title](https://www.law.cornell.edu/uscode/text/29/3003#c_1) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004), the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3004) shall solicit and consider the opinions of the lead agency of the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3004) 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.

([Pub. L. 105–394, § 5](https://www.law.cornell.edu/rio/citation/Pub._L._105-394), as added [Pub. L. 108–364, § 2](https://www.law.cornell.edu/rio/citation/Pub._L._108-364), Oct. 25, 2004, [118 Stat. 1725](https://www.law.cornell.edu/rio/citation/118_Stat._1725).)

**§ 3005. National activitie**s

(a) In general

In order to support activities designed to improve the administration of this chapter, the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005), 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 toolkitThe [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3005);

(ii) contains appropriate accessible multimedia materials to reach [targeted individuals and entities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3005), for dissemination to [State assistive technology programs](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005); and

(iii) in coordination with [State assistive technology programs](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005), provides meaningful and up-to-date information to [targeted individuals and entities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3005) about the availability of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005) and [assistive technology services.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3005)

(B) Eligible entityTo 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005) or an organization or association that represents implementing entities for [State assistive technology programs](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005);

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

(III) a private entity from the [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) industry; and

(IV) a private employer or an organization or association that represents private employers;

(ii) may include other entities determined by the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005) may award grants, contracts, or cooperative agreements to eligible entities to carry out research and development of [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) that consists of—

(i) developing standards for reliability and accessibility of [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005), and standards for interoperability (including open standards) of [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) with information technology, telecommunications products, and other [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005); or

(ii) developing [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) that benefits [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3005) or developing technologies or practices that result in the adaptation, maintenance, servicing, or improvement of [assistive technology devices.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005)

(B) Eligible entitiesEntities eligible to receive a grant, contract, or cooperative agreement under this paragraph shall include—

(i) providers of [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3005) and [assistive technology devices;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005)

(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](https://www.law.cornell.edu/topn/developmental_disabilities_assistance_and_bill_of_rights_act) of 2000 ([42 U.S.C. 15061](https://www.law.cornell.edu/uscode/text/42/15061) et seq.), or such institutions offering rehabilitation engineering programs, computer science programs, or information technology programs;

(iii) manufacturers of [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005); and

(iv) professionals, individuals, organizations, and agencies providing services or employment to [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3005).

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005) (or a national organization that represents such programs) and the [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005) advisory council described in [section 3003(c)(2) of this title](https://www.law.cornell.edu/uscode/text/29/3003#c_2) (or a national organization that represents such councils).

**(3) State training and technical assistance**

(**A) Training and technical assistance efforts**

The [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005) shall award a grant, contract, or cooperative agreement to an entity to support a training and technical assistance program that—

(i) addresses [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005)-specific information requests concerning [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005) coordination of programs for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3005), related to improving funding for or access to [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3005) for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3005) of all ages;

(II) requests for [state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005)-of-the-art, or model, Federal, [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005), and local laws, regulations, policies, practices, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for, and access to, [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3005);

(III) requests for information on effective approaches to developing, implementing, evaluating, and sustaining activities described in sections [3003](https://www.law.cornell.edu/uscode/text/29/3003) and [3004](https://www.law.cornell.edu/uscode/text/29/3004) of this title and related to improving funding for or access to [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3005) for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3005) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3005) for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3005);

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3005); 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1001891200-1812891537&term_occur=999&term_src=title:29:chapter:31:section:3005) by disseminating information about—

(I) Federal, [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005), and local laws, regulations, policies, practices, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for, and access to, [assistive technology devices](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3005), to promote fuller independence, productivity, and inclusion in society for [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3005) of all ages; and

(II) technical assistance activities undertaken under clause (i);

(iii) provides [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005)-specific, regional, and national training and technical assistance concerning [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005);

(II) facilitating onsite and electronic information sharing using [state](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005)-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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005);

(III) convening experts from [State assistive technology programs](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005) to discuss and make recommendations with regard to national emerging issues of importance to individuals with [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) needs;

(IV) sharing best practice and evidence-based practices among [State assistive technology programs](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005);

(V) maintaining an accessible website that includes a link to [State assistive technology programs](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005), appropriate Federal departments and agencies, and private associations and developing a national toll-free number that links callers from a [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005) with the [State assistive technology program](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005) in their [State;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005)

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) for required and discretionary activities identified in [section 3003 of this title](https://www.law.cornell.edu/uscode/text/29/3003), and reducing duplication of activities among [State assistive technology programs;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005) 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](https://www.law.cornell.edu/uscode/text/29/3003) and [3004](https://www.law.cornell.edu/uscode/text/29/3004) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3005);

(ii) national organizations representing [State assistive technology programs](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005);

(iii) organizations representing [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005) officials and agencies engaged in the delivery of [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005);

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005) 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 siteThe 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005) and [assistive technology services](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3005) resources.

(iii) Resources

(I) Library on assistive technology

The site shall include access to a comprehensive working library on [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) can be used to accommodate [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3005) 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 componentsAt a minimum, the site shall maintain updated information on—

(I) [State assistive technology program](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005) demonstration sites where individuals may try out [assistive technology devices;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005)

(II) [State assistive technology program](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005) device loan program sites where individuals may borrow [assistive technology devices;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005)

(III) [State assistive technology program](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005) device reutilization program sites;

(IV)

alternative financing programs or [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005) financing systems operated through, or independently of, [State assistive technology programs](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005), and other sources of funding for [assistive technology devices;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-475915303-911350954&term_occur=999&term_src=title:29:chapter:31:section:3005) and

(V) various programs, including programs with tax credits, available to employers for hiring or accommodating employees who are [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3005).

(C) Eligible entityTo 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1170964312-1812891542&term_occur=999&term_src=title:29:chapter:31:section:3005), that—

(i) emphasizes research and engineering;

(ii) has a multidisciplinary research center; and

(iii) has demonstrated expertise in—

(I) working with [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) and intelligent agent interactive information dissemination systems;

(II) managing libraries of [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) and [disability-](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1621453604-911350959&term_occur=999&term_src=title:29:chapter:31:section:3005)related resources;

(III) delivering to [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3005) 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 generalThe [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005) shall award grants, contracts, and cooperative agreements to entities to assist the entities in carrying out [State assistive technology programs](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005) 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](https://www.law.cornell.edu/uscode/text/29/3003) that are implemented by the [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005) and the progress of the [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005) toward achieving the measurable goals described in [section 3003(d)(3) of this title](https://www.law.cornell.edu/uscode/text/29/3003#d_3);

(iii) provide [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005) with the necessary information required under this chapter or by the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005) for reports described in [section 3003(f)(2) of this title](https://www.law.cornell.edu/uscode/text/29/3003#f_2); and

(iv) help measure the accrued benefits of the activities to individuals who need [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005).

(B) Eligible entitiesTo 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-2049232560-1812891538&term_occur=999&term_src=title:29:chapter:31:section:3005);

(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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005) activities and outcomes; and

(iv) experience in utilizing data to provide annual reports to [State](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-80204913-1567955060&term_occur=999&term_src=title:29:chapter:31:section:3005) 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005) at such time, in such manner, and containing such information as the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005) may require.

(d) InputWith 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](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005) shall consider, and in providing the activities providers shall include, input of the directors of comprehensive statewide programs of [technology-related assistance,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-9797458-1812891536&term_occur=999&term_src=title:29:chapter:31:section:3005) directors of alternative financing programs, and other individuals the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1264422296-1812891540&term_occur=999&term_src=title:29:chapter:31:section:3005) determines to be appropriate, especially—

(1) [individuals with disabilities](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1199839726-1567951217&term_occur=999&term_src=title:29:chapter:31:section:3005) who use [assistive technology](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1827955709-911350953&term_occur=999&term_src=title:29:chapter:31:section:3005) and understand the barriers to the acquisition of such technology and [assistive technology services;](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1444120174-911350955&term_occur=999&term_src=title:29:chapter:31:section:3005)

(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](https://www.law.cornell.edu/uscode/text/29/3004);

(4) relevant employees from Federal departments and agencies, other than the Department of Health and Human Services;

(5) representatives of businesses; and

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

([Pub. L. 105–394, § 6](https://www.law.cornell.edu/rio/citation/Pub._L._105-394), as added [Pub. L. 108–364, § 2](https://www.law.cornell.edu/rio/citation/Pub._L._108-364), Oct. 25, 2004, [118 Stat. 1727](https://www.law.cornell.edu/rio/citation/118_Stat._1727); amended [Pub. L. 110–69, title III, § 3002(c)(7)](https://www.law.cornell.edu/rio/citation/Pub._L._110-69), Aug. 9, 2007, [121 Stat. 587](https://www.law.cornell.edu/rio/citation/121_Stat._587); [Pub. L. 113–128, title IV, § 491](https://www.law.cornell.edu/rio/citation/Pub._L._113-128)(o)(2), July 22, 2014, [128 Stat. 1698](https://www.law.cornell.edu/rio/citation/128_Stat._1698).)

**§ 3006. Administrative provisions**

(a) General administration

(1) In general

Notwithstanding any other provision of law, the Administrator of the Administration for Community Living shall be responsible for the administration of this chapter.

(2) Collaboration

The Administrator of the Administration for Community Living shall consult with the Office of Special Education Programs of the Department of Education, the Rehabilitation Services Administration of the Department of Education, the Office of Disability Employment Policy of the Department of Labor, the National Institute on Disability, Independent Living, and Rehabilitation Research, and other appropriate Federal entities in the administration of this chapter.

(3) Administration

In administering this chapter, the Administrator of the Administration for Community Living 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 Health and Human Services, 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.

(Pub. L. 105–394, § 7, as added Pub. L. 108–364, § 2, Oct. 25, 2004, 118 Stat. 1734; amended Pub. L. 113–128, title IV, § 491(o)(3), July 22, 2014, 128 Stat. 1698.)

**§ 3007. Authorization of appropriations**

**(a) State grants for assistive technology and national activities**

**(1) In general**

There are authorized to be appropriated to carry out sections [3003](https://www.law.cornell.edu/uscode/text/29/3003) and [3005](https://www.law.cornell.edu/uscode/text/29/3005) of this title such sums as may be necessary for each of fiscal years 2005 through 2010.

**(2) Reservation**

(A) DefinitionIn this paragraph, the term “[higher appropriation year](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1401151742-360398892&term_occur=999&term_src=title:29:chapter:31:section:3007)” means a fiscal year for which the amount appropriated under paragraph (1) and made available to carry out [section 3003 of this title](https://www.law.cornell.edu/uscode/text/29/3003) is at least $665,000 greater than the amount that—

(i) was appropriated under [section 3015 of this title](https://www.law.cornell.edu/uscode/text/29/3015) (as in effect on October 1, 2003) for fiscal year 2004; and

(ii) was not reserved for grants under section [3012](https://www.law.cornell.edu/uscode/text/29/3012) or [3014](https://www.law.cornell.edu/uscode/text/29/3014) of this title (as in effect on such date) for fiscal year 2004.

(B) Amount reserved for national activitiesOf 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](https://www.law.cornell.edu/uscode/text/29/3005), except as provided in clause (ii); and

(ii) for a [higher appropriation year](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=29-USC-1401151742-360398892&term_occur=999&term_src=title:29:chapter:31:section:3007)—

(I) not more than $1,900,000 may be reserved to carry out [section 3005 of this title](https://www.law.cornell.edu/uscode/text/29/3005); 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](https://www.law.cornell.edu/uscode/text/29/3005#b).

**(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](https://www.law.cornell.edu/uscode/text/29/3004) $4,419,000 for fiscal year 2005 and such sums as may be necessary for each of fiscal years 2006 through 2010.

([Pub. L. 105–394, § 8](https://www.law.cornell.edu/rio/citation/Pub._L._105-394), as added [Pub. L. 108–364, § 2](https://www.law.cornell.edu/rio/citation/Pub._L._108-364), Oct. 25, 2004, [118 Stat. 1736](https://www.law.cornell.edu/rio/citation/118_Stat._1736).)