

DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL
OF RIGHTS ACT AMENDMENTS OF 1993

NOVEMBER 18, 1993.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. DINGELL, from the Committee on Energy and Commerce,
submitted the following

R E P O R T

[To accompany H.R. 3505]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 3505) to amend the Developmental Disabilities Assistance and Bill of Rights Act to modify certain provisions relating to **programs** for individuals with developmental disabilities, Federal assistance for priority area activities for individuals with developmental disabilities, protection and advocacy of individual rights, university **affiliated** programs, and projects of national significance, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is **as** follows:

Strike out all **after** the enacting clause and insert in lieu thereof the following:

SECTION 1. **SHORT TITLE.**

This Act may be cited as the "Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1993".

SEC. 2. **TITLE AND PART HEADINGS.**

(a) **TITLE.**—The heading of title I of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.) is amended to read as follows:

"TITLE I—PROGRAMS FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES".

(b) **PART.**—The heading of part A of title I of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.) is amended to read as follows:

"PART A—GENERAL PROVISIONS".

SEC. 1. FINDINGS AND PURPOSES.

Section 101 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000) is amended to read as follows:

"SEC. 101. FINDINGS, PURPOSES, AND POLICY.

"(a) —mas.—The Congress finds that—

"(1) in 1993 there are more than 3,000,000 individuals with developmental disabilities in the United States;

"(2) disability is a natural part of the human experience that does not diminish the right of individuals with developmental disabilities to enjoy the opportunity to live independently, enjoy self-determination, make choices, contribute to society, and experience full and inclusion in the economic, political, social, cultural, and educational mainstream of American life;

"(3) individuals with developmental disabilities typically experience various forms of discrimination in critical areas;

"(4) there is a lack of public awareness of the capabilities and competencies of individuals with developmental disabilities;

"(5) individuals whose disabilities occur during their developmental period frequently have severe disabilities that are likely to continue indefinitely;

"(6) individuals with developmental disabilities often require lifelong specialized services and assistance, provided in a coordinated and culturally competent manner by many agencies, professionals, advocates, community representatives, and others to eliminate barriers and to meet the needs of such individuals and their families;

"(7) a substantial portion of individuals with developmental disabilities and their families do not have access to appropriate support and services from generic and specialized service systems and remain unserved or underserved;

"(8) family members, friends, and members of the community can play an important role in enhancing the lives of individuals with developmental disabilities, especially when the family and community are provided with the necessary services and supports; and

"(9) the goals of the Nation properly include the goal of providing individuals with developmental disabilities with the opportunities and support to—

"(A) make informed choices and decisions;

"(B) live in homes and communities in which such individuals can exercise their full rights and responsibilities as citizens;

"(C) pursue meaningful and productive lives;

"(D) contribute to their family, community, State, and Nation;

"(E) have interdependent friendships and relationships with others; and

"(F) achieve full integration and inclusion in society;

in an individualized manner, consistent with unique strengths, resources, priorities, concerns, abilities and capabilities of each individual.

"(b) **PURPOSE.**—The purpose of this Act is to assure that individuals with developmental disabilities and their families have access to culturally competent services, supports, and other assistance and opportunities that promote independence, productivity, and integration and inclusion into the community, through—

"(1) support to State Developmental Disabilities Councils in each State to promote, through systemic change, capacity building, and advocacy (consistent with section 101(c)(2)), a consumer and family-centered, comprehensive system, and a coordinated array of services, supports, and other assistance for individuals with developmental disabilities and their families;

"(2) support to protection and advocacy systems in each State to protect the legal and human rights of individuals with developmental disabilities;

"(3) support to university affiliated programs to provide interdisciplinary preservice preparation of students and fellows, community service activities, and the dissemination of information and research findings; and

"(4) support to national initiative to collect necessary data, provide technical assistance to State Developmental Disabilities Councils, protection, and advocacy systems and university affiliated programs, and support other nationally significant activities.

"(c) **POLICY.**—It is the policy of the United States that all programs, projects, and activities receiving assistance under this Act shall be carried out in a manner consistent with the principles that—

"(1) individuals with developmental disabilities, including those with the most severe developmental disabilities, are capable of achieving independence, productivity, and integration and inclusion into the community, and the provision of services, supports and other assistance can improve such individuals' ability to achieve r . . . , p . . . ty, and . . . and ii . . . ;

"(2) i . . . with developmental disabilities i . . . their . . . have competencies, capabilities and personal goals that should be recognized, supported, and encouraged and any assistance should be provided in an individualized manner, consistent with the unique strengths, resources, priorities, concerns, abilities, and capabilities of the individual;

"(3) individuals with developmental disabilities and their families are the primary decisionmakers regarding the services and supports such individuals and their families receive and play decisionmaking roles in policies and programs that affect the lives of such individuals and their families;

"(4) services, supports, and other assistance are provided in a manner that demonstrates respect for individual dignity, personal preferences, and cultural differences;

"(5) communities accept and support individuals with developmental disabilities and are enriched by the full and active participation and the contributions by individuals with developmental disabilities and their families; and

"(6) individuals with developmental disabilities have opportunities and the necessary support to be included in community life, have interdependent relationships, live in homes and communities, and make contributions to their families, community, State, and Nation."

SEC. 4. TECHNICAL AMENDMENTS.

(a) **PROTECTION AND ADVOCACY OF THE RIGHTS OF INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.**—The heading of part C of title I of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041 et seq.) is amended to read as follows:

"PART C—PROTECTION AND ADVOCACY OF THE RIGHTS OF INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES".

(b) **SYSTEM REQUIRED.**—Section 142 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6042) is amended by adding at the end the following subsection:

"(i) **PUBLIC NOTICE OF FEDERAL ONSITE REVIEW.**—The Secretary shall provide advance public notice of any Federal programmatic and administrative review and solicit public comment on the system funded under this part through such notice. The findings of the public comment solicitation notice shall be included in the onsite visit report. The results of such reviews shall be distributed to the Governor of the State and to other interested public and private parties."

(c) **DEFINITION REGARDING UNIVERSITY AFFILIATED PROGRAMS.**—The Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.) is amended—

(1) in section 102(I)---

(A) by inserting , except as provided in section 155," before "includes"; and

(B) by inserting "the Commonwealth of" before "Puerto Rico"; and

(2) by adding at the end of part D the following section:

"SEC. 155. DEFINITION.

"For purposes of this part, the term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam."

SEC. 6. AUTHORIZATIONS OF APPROPRIATIONS.

(a) **PLANNING OF PRIORITY AREA ACTIVITIES.**—Section 130 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6030) is amended by strik-

ing "\$77,400,000" and all that follows and inserting the following: "\$70,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

(b) **PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.**—Section 143 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6043) is amended by striking "\$24,200,000" and all that follows and inserting the following: "\$24,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

(c) **UNIVERSITY AFFILIATED PROGRAM.**—Section 154 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6064) is amended to read as follows:

"SEC. 154. AUTHORIZATION OF APPROPRIATIONS.

"For the purpose of making grants under subsections (a) through (e) of section 152, there are authorized to be appropriated \$19,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

(d) **PROJECTS OF NATIONAL SIGNIFICANCE.**—Section 163(a) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6083(a)) is amended by striking "\$3,660,000" and all that follows and inserting the following: "\$4,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

PURPOSE AND SUMMARY

This legislation revises and extends for three years the Developmental Disabilities and Bill of Rights Act. The program has four components: the basic State grant program, the protection and advocacy program, the university affiliated programs, and the projects of national significance.

H.R. 3505 updates the Findings section contained in current law, adds sections on Purposes and Policies, makes technical changes to the Act, and authorizes the programs through fiscal year 1996.

BACKGROUND AND NEED FOR THE LEGISLATION

The Developmental Disabilities Assistance and Bill of Rights Act, P.L. 94-103, was enacted in 1975 and has been extended and revised many times over the years to clarify and strengthen the programs contained therein. This reauthorization gives Congress the opportunity to update the Act to reflect the interests and concerns of a diverse disability community, and to continue its activities for another three years.

HEARINGS

The Committee's Subcommittee on Health and the Environment held one day of hearings on the reauthorization of the Developmental Disabilities Assistance and Bill of Rights Act on April 19, 1993. Testimony was received from two witnesses, Janis Foster, an individual from Maryland, and Paul Marchand, representing the Consortium for Citizens with Disabilities.

COMMITTEE CONSIDERATION

On November 10, 1993 the Subcommittee on Health and the Environment met in open session to consider a subcommittee print and ordered reported a clean bill by a voice vote, a quorum being present. On November 16, 1993, the Committee met in open session and ordered reported the bill H.R. 3505 with one amendment by voice vote, a quorum being present.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 2(1)(3)(A) of rule XI of the Rules of the House of Representatives, no oversight findings or recommendations have been made by the Committee.

COMMITTEE ON GOVERNMENT OPERATIONS

Pursuant to clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, no oversight findings have been submitted to the Committee by the Committee on Government Operations.

COMMITTEE COST ESTIMATE

In compliance with clause 7(a) of rule XIII of the Rules of the House of Representatives, the Committee believes that the bill would not affect direct spending or receipts.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 17, 1993.

Hon. JOHN D. DINGELL,
Chairman, Committee on *Energy* and Commerce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the **enclosed** cost estimate for H.R. 3505, the Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1993, as ordered reported by the House Committee on Energy and Commerce on November 16, 1993. CBO estimates that enactment of H.R. 3505 would not **affect** direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to this bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JAMES L. BLUM,
(For Robert D. Reischauer, Director).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 3505.
2. Bill title: Development Disabilities Assistance and Bill of Rights **Act** Amendments of 1993.
3. Bill status: **As** ordered reported by the House Committee on Energy and Commerce on November 16, 1993.
4. Bill purpose: To amend the Development Disabilities Assistance and Bill of Rights Act to modify certain provisions relating to programs for individuals with developmental disabilities, federal assistance for priority area activities for individuals with developmental disabilities, protection and advocacy of individual rights, university **affiliated** programs, and **projects** of national significance, and for other purposes.
5. Estimated cost to the Federal Government:

(By fiscal year, in millions of dollars)

	1994	1995	1996	1997	1998
ESTIMATED AUTHORIZATION AMOUNTS					
Planning of priority areas activities:					
Authorization	70	72	74		
Less: Appropriation	69				
Net additional authorization	1	72	74		
Estimated outlays	(1) ¹	47	71	26	2
Protection and advocacy of individual rights:					
Authorization	24	25	25		
Less: Appropriation	24				
Net additional authorization	(1) ¹	25	25		
Estimated outlays	(1) ¹	16	24	9	1
University affiliated program:					
Authorization	19	20	20		
Less: Appropriation	18				
Net additional authorization	1	20	20		
Estimated outlays	(1) ¹	3	19	17	1
Projects of national significance:					
Authorization	4	4	4		
Less: Appropriation	4				
Net additional authorization	(1) ¹	4	4		
Estimated outlays	(1) ¹	1	4	4	(1)
Summary:					
Total authorization in Bill	117	120	123		
Less: 1994 appropriations for programs in bill	115				
Net additional authorizations	2	120	123		
Total estimated outlays	1	67	118	55	4

¹ Less than \$500,000

Note: Details may not add to totals because of rounding

The cost of this bill fall within budget function 500.

Basis of estimate: This bill reauthorizes for three years programs to assist people with developmental disabilities.

H.R. 3505 authorizes appropriations of specific amounts for fiscal year 1994 and such sums as may be necessary for fiscal years 1995 and 1996. Earlier this fiscal year, the Congress completed the appropriations bill for the Departments of Labor, Health and Human Services, and Education, and related agencies. For all of the above programs, the amount specifically authorized in H.R. 3505 is larger than the 1994 appropriation, and the estimate reflects the amount of the additional authorization.

Authorizations of such sums as may be necessary for 1995 and 1996 have been estimated by increasing the amount specified for 1994 to reflect projected inflation. All outlay estimates assume appropriation of the additional authorized amounts at the beginning of each fiscal year. Estimated outlays reflect spending patterns of the current programs.

6. Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act of 1985 sets up procedures for legislation affecting direct spending or receipts through 1998. CBO estimates that enactment of H.R. 3505 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to this bill.

7. Estimated cost to State and local governments: H.R. 3505 limits the federal share of aggregate necessary costs to 75 percent in planning of priority area activities or grants for university affiliated programs. In urban or rural poverty areas, the bill limits the

federal share of aggregate necessary costs in these programs to 90 percent. **Non-federal** funds come from state or local governments.

8. Estimate comparison: None.

9. Previous CBO estimate: None.

10. Estimate prepared by: Cory Oltman.

11. Estimate approved by: Paul Van de Water, for C.G. Nuckols, Assistant Director for Budget Analysis.

INFLATION IMPACT STATEMENT

Pursuant to clause 2(1)(4) of rule XI of the Rules of the House of Representatives, the Committee makes the following statement with regard to the inflationary impact of the reported bill:

The **Committee** is unaware of any inflationary impact that H.R. 3505 would have on the economy. The programs authorized under this bill may in fact have an anti-inflationary impact, as they provide for cost-saving coordination of programs to avoid unnecessary duplication.

SECTION-BY-SECTION ANALYSIS

Section 1 of the bill contains the short title, which is "The Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1993."

Section 2 of the bill amends the heading of title I of the Act to reflect the program's focus on individuals with developmental disabilities. Part A is **retitled** "General Provisions."

Section 3 of the bill amends Section 101 of the Act to update the Findings and adds sections on Purposes and Policies of the Act. These changes reflect recent developments in the field and are consistent with other Federal disability policy. The language of Section 101 speaks of goals and priorities for individuals with developmental disabilities, but the entire section should be interpreted in the context of the policy articulated in 101(c)(2), which states that any assistance should be provided in an individualized manner, consistent with the unique strengths, resources, priorities, concerns, abilities, and capabilities of the individual.

For example, the findings state that while individuals with developmental disabilities may encounter discrimination, they have the same rights **to enjoy** full and productive lives as any other member of society. **Individuals** with disabilities often require life long specialized services, but many individuals do not have adequate access to these services. **The goals** of the Act include providing individuals with developmental disabilities the fullest **range** of possibilities to live productive and integrated lives, acknowledging that each individual will have different abilities, priorities, and concerns.

The Committee recognizes that, with the appropriate resources and support, many individuals with developmental disabilities will live lives that are fully integrated into their respective **communities**. **This** potential, however, should not be seen as limiting the choice of individuals and **their** parents to **seek** living arrangements that **are most** suitable to **their needs** and wishes, whether they be in the community or in institutions.

The Committee **has** heard from many parents of individuals with developmental **disabilities who** reside in large institutional **facili-**

But they do →

ties. Among the concerns expressed by these parents is that the goal of independent, community-based living for **some** individuals not be seen as a mandate for all individuals with disabilities. The Committee recognizes and supports the belief that each individual and each respective family have different goals **and** needs. **The** Findings, Purposes, and Policies of this **Act** should in no way be read to support one kind of residential placement over another.

Furthermore, the Committee would caution that **goals** expressed in this Act to promote the greatest possible integration and **independence** for some individuals with developmental disabilities not be **read** as a **Federal** policy supporting the closure of residential institutions. It would be contrary to Federal intent to use the language or resources of this Act to support such actions, whether in the judicial or legislative system.

The section also amends the definition of States for purposes of the Act by clarifying that Guam is eligible to apply **as** a **State** for the University **Affiliated** Programs grants.

Section 4 of the bill makes technical amendments to the Act. The Title of Part C is amended to read "**Protection** and Advocacy of the Rights of Individuals with Developmental Disabilities." Section 142 of the Act is amended to clarify that the Secretary shall provide advance public notice of any reviews and solicit public comment on the **protection** and advocacy system **funded** under the **Act**. The findings of the public comment shall be included in the on-site-visit report, and the results of such reviews shall be distributed to the Governor of the State and other interested parties.

Section 5 of the bill reauthorizes each of the programs in the Act for **fiscal** years **1994-96**. The State planning activities program is authorized at \$70 million for fiscal year **1994** and such sums as may be necessary for **1995** and **1996**; the protection **and** advocacy program is authorized at **\$24** million for fiscal year **1994** and such sums for **1995** and **1996**; the university affiliated programs **are** authorized at **\$19** million for **fiscal** year **1994** and such sums for **1995 and 1996**; **and** the projects of national significance are authorized at \$4 million for fiscal year **1994** and such sums as may be **necessary** for **1995** and **1996**.

AGENCY VIEWS

No agency views were submitted to the Committee on H.R. 3505.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of **rule XIII** of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown **as** follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS
ACT

**[TITLE I—PROGRAMS FOR PERSONS WITH
DEVELOPMENTAL DISABILITIES]**

[PART A—GENERAL PROVISIONS]

***TITLE I—PROGRAMS FOR INDIVIDUALS
WITH DEVELOPMENTAL DISABILITIES***

PART A—GENERAL PROVISIONS

SHORT TITLE

SEC. 100. This title may be cited as the "Developmental Disabilities Assistance and Bill of Rights Act".

[FINDINGS AND PURPOSES]

[SEC. 101. (a) The Congress finds that—

[(1) in 1990 there are more than three million persons with developmental disabilities in the United States;

[(2) persons whose disabilities occur during their developmental period frequently have severe disabilities which are likely to continue indefinitely;

[(3) notwithstanding their severe disabilities, these persons have capabilities, competencies, and personal needs and preferences;

[(4) family and members of the community can play a central role in enhancing the lives of persons with developmental disabilities, especially when the family is provided with necessary support services;

[(5) persons with developmental disabilities and their families often require specialized lifelong assistance to be provided in a coordinated manner by many agencies and others in order to eliminate barriers for such persons and to meet the needs of such persons;

[(6) generic service agencies and agencies providing specialized services to persons with disabilities sometimes overlook, inappropriately address the needs of, or exclude persons with developmental disabilities in their planning and delivery of services;

[(7) a substantial portion of persons with developmental disabilities remain unserved or underserved;

[(8) public and private employers tend to be unaware of the capability of persons with developmental disabilities to be engaged in competitive work in integrated settings; and

[(9) it is in the national interest to offer persons with developmental disabilities the opportunity, to the maximum extent feasible, to make decisions for themselves and to live in typical homes and communities where they can exercise their full rights and responsibilities as citizens.

[(b) The purposes of this title are—

[(1) to provide assistance to States and public and private nonprofit agencies and organizations to assure that **all** persons with developmental disabilities receive the services and other assistance and opportunities necessary to enable such persons to achieve their maximum potential through increased independence, productivity, and integration into the community;

[(2) to enhance the role of the family in assisting persons with developmental disabilities to achieve their maximum potential;

[(3) to provide interdisciplinary training and technical assistance to professionals, paraprofessionals, family members, and individuals with developmental disabilities;

[(4) to advocate for public policy **change** and community acceptance of all people with developmental disabilities and their families so that such persons receive the services, supports and other assistance and opportunities necessary to enable such persons to achieve their maximum potential through increased independence, productivity and integration into the **community**;

[(5) to **promote** the inclusion of all persons with developmental disabilities, including persons with the most severe disabilities, in community life;

[(6) to **promote** the interdependent activity of all persons with developmental disabilities, including persons with the most severe disabilities;

[(7) to recognize the contribution of all persons with developmental disabilities as such persons share their talents at home, school, and work, and in recreation and leisure time; and

[(8) to make grants to support a system in each State to protect the legal and human rights of persons with developmental disabilities.]

SEC. 101. **FINDINGS, PURPOSES, AND POLICY.**

(a) **FINDINGS.**—*The Congress finds that—*

(1) *in 1993 there are more than 3,000,000 individuals with developmental disabilities in the United States;*

(2) *disability is a natural part of the human **experience** that does not diminish the right of **individuals** with **developmental** disabilities to enjoy the opportunity ~~to~~ live independently, enjoy self-determination, make choices, contribute to society, and experience full integration and inclusion in the economic, political, social, cultural, **and** educational mainstream of American society;*

(3) *individuals with developmental disabilities continually encounter various forms of discrimination in critical areas;*

(4) *there **is** a lack of public awareness of the capabilities and competencies of individuals with developmental disabilities;*

(5) *individuals whose disabilities occur during their developmental period frequently **have** severe disabilities that are likely to continue indefinitely;*

(6) *individuals with developmental disabilities often require lifelong **specialized** services and assistance, **provided** in a coordinated **and** culturally competent manner **by** many agencies, **professionals**, advocates, community representatives, and others*

to eliminate **barriers** and to meet the needs of **such** individuals and their families;

(7) a substantial portion of individuals with developmental disabilities and their **families** do not have access to appropriate support and services **from generic and specialized service systems** and remain **unserved or underserved**;

(8) **family** members, friends, and members of the community can **play an** important **role** in **enhancing** the lives of **individuals** with developmental disabilities, especially when the family and community are provided with the necessary services and supports; and

(9) the goals of the Nation properly include the goal of providing individuals with developmental disabilities with the opportunities and support to—

(A) make informed choices and decisions;

(B) live in homes and communities in which such individuals can exercise their full rights and responsibilities as citizens;

(C) pursue **meaningful and productive** lives;

(D) contribute to their **family**, community, **State**, and Nation;

(E) have interdependent friendships and relationships with others; and

(F) achieve full integration and **inclusion** in society; in an individualized manner, consistent with unique strengths, **resources, priorities**, concerns, abilities and capabilities of each **individual**.

(b) **PURPOSE.**—The purpose of this Act is to assure that individuals with developmental disabilities and their families have access to culturally competent services, **supports**, and other assistance and opportunities that promote **independence**, productivity, and **integration and inclusion** into the community, through—

(1) support to State Developmental Disabilities Councils in **each State to promote**, through systemic change, capacity building, and **advocacy** (consistent with section 101(c)(2)), a **consumer and family-centered**, comprehensive system, and a coordinated array of **services, supports**, and other assistance for **individuals with developmental disabilities and their families**;

(2) support to protection and **advocacy systems** in each State to protect the **legal** and human rights of **individuals** with developmental disabilities;

(3) support to university affiliated programs to provide interdisciplinary preservice preparation of students and fellows, community service activities, and the **dissemination** of information and research findings; and

(4) support to national initiatives to collect necessary data, provide technical assistance to State Developmental Disabilities Councils, protection, and advocacy systems and university affiliated programs, and support other nationally significant activities.

(c) **POLICY.**—It is the policy of the United States that all programs, projects, and activities receiving assistance under this Act shall be carried out in a manner consistent with the principles that—

(1) individuals with developmental disabilities, including those with the most severe developmental disabilities, are capable of achieving **independence**, productivity, and integration and inclusion into **the** community, and the provision of services, supports and other assistance can improve such individuals' ability to achieve independence, productivity, and integration and inclusion;

(2) individuals with developmental disabilities and their **families** have competencies, capabilities and personal goals that should be recognized, supported, and encouraged and any assistance should be provided in an individualized manner, consistent with the unique strengths, resources, priorities, concerns, abilities, **and** capabilities of the individual;

(3) individuals with developmental disabilities and their families are the primary decisionmakers regarding the services and supports such individuals and their families receive and play decisionmaking roles in policies and programs that affect the lives of such individuals and their families;

(4) services, supports, and other assistance are provided in a manner that demonstrates respect for individual dignity, personal preferences, and cultural differences;

(5) communities accept and support individuals with developmental disabilities and are enriched by the full and active participation and the contributions by **individuals** with developmental disabilities and their families; and

(6) individuals with **developmental** disabilities have opportunities and the necessary support to be included in community life, have interdependent relationships, live in homes and communities, and make contributions to their families, community, State, and Nation.

DEFINITIONS

SEC. 102. For purposes of this title:

(1) The term "State", except as provided in section 155, includes the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the District of Columbia.

* * * * *

PART B—FEDERAL ASSISTANCE FOR PLANNING PRIORITY AREA ACTIVITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES

* * * * *

AUTHORIZATION OF APPROPRIATIONS

SEC. 130. For allotments under section 125, there are authorized to be appropriated **[\$77,400,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 and 1993.1 \$70,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.**

[PART C—PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS]

**PART C—PROTECTION AND ADVOCACY OF THE
RIGHTS OF INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES**

* * * * *

SEC. 142. (a) * * *

* * * * *

(i) **PUBLIC NOTICE OF FEDERAL ONSITE REVIEW.**—*The Secretary shall provide advance public notice of any Federal programmatic and administrative review and solicit public comment on the system funded under this part through such notice. The findings of the public comment solicitation notice shall be included in the onsite visit report. The results of such reviews shall be distributed to the Governor of the State and to other interested public and private parties.*

AUTHORIZATION OF APPROPRIATIONS

SEC. 143. For allotments under section 142, there are authorized to be appropriated **[\$24,200,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 and 1993.] \$24,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.**

* * * * *

PART D—UNIVERSITY AFFILIATED PROGRAMS

* * * * *

[SEC. 154. AUTHORIZATION OF APPROPRIATIONS.

[(a) For the purpose of **grants** under subsections (a), (d), and (e) of section 152, there are authorized to be appropriated \$11,000,000 for fiscal year 1991, and such sums **as** may be necessary for each of the fiscal years 1992 and 1993.

[(b) For the purpose of **grants** under section 152(b) and 152(c), there are authorized to be appropriated \$5,500,000 for fiscal year 1991, **and** such sums **as** may be necessary for each of the fiscal years 1992 and 1993.

[(c) The **Secretary** may use funds appropriated under subsection (a) for the purposes described in subsection (b). **]**

SEC. 154. AUTHORIZATION OF APPROPRIATIONS.

For the purpose of making grants under subsections (a) through (e) of section 152, there are authorized to be appropriated \$19,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

SEC. 155. DEFINITION.

*For purposes of this part, the term "State" means each of the several States, the District of Columbia, the **Commonwealth** of Puerto Rico, the **Virgin** Islands, and Guam.*

PART E—PROJECTS OF NATIONAL SIGNIFICANCE

* * * * *

SEC. 163. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—To carry out this part, there are authorized to be appropriated [\$3,650,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 and 1993.1 \$4,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

* * * * *

○