

118TH CONGRESS
1ST SESSION

H. R. 5859

To direct the Secretary of Transportation to establish a program to provide grants to protection and advocacy systems to advocate for individuals with disabilities to access transportation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2023

Ms. WILSON of Florida (for herself, Mr. MOLINARO, Mr. JOHNSON of Georgia, Ms. TITUS, Ms. BROWNLEY, Mr. DESAULNIER, Mr. DOGGETT, Ms. ROSS, Mr. MOULTON, Ms. NORTON, Ms. TOKUDA, Ms. LOFGREN, Mr. COHEN, Mr. STANTON, Mr. BLUMENAUER, Mr. BOWMAN, Mr. CARSON, and Mr. SCHIFF) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of Transportation to establish a program to provide grants to protection and advocacy systems to advocate for individuals with disabilities to access transportation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Transportation Assist-
5 ance for Individuals with Disabilities Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) Transportation is significantly more dif-
4 ficult for Americans with disabilities. According to
5 the Bureau of Transportation Statistics, 3.6 million
6 Americans with travel-limiting disabilities do not
7 leave their homes because of a lack of accessible
8 transportation.

9 (2) According to the American Association of
10 People with Disabilities, people with disabilities are
11 twice as likely to struggle with procuring transpor-
12 tation than those who are not disabled, which limits
13 access to medical care, employment, and everyday
14 activities.

15 (3) The Developmental Disabilities Assistance
16 and Bill of Rights Act of 2000 (in this section re-
17 ferred to as the “DD Act”) assures that “individuals
18 with developmental disabilities and their families
19 participate in the design of and have access to need-
20 ed community services, individualized supports, and
21 other forms of assistance that promote self-deter-
22 mination, independence, productivity, and integra-
23 tion and inclusion in all facets of community life”.

24 (4) The DD Act requires States and territories
25 to establish a protection and advocacy system that

1 protects and advocates the rights of individuals with
2 disabilities.

3 (5) Even though the Americans with Disabil-
4 ities Act requires all State and local governments to
5 make public services accessible for people with dis-
6 abilities, protection and advocacy systems continu-
7 ously receive reports of ineffective and inadequate
8 services from county and city paratransit services.
9 These systems work to address these issues by pro-
10 viding legally based advocacy resources for those im-
11 pacted.

12 (6) In 2017, protection and advocacy systems
13 received over 550 individual transportation related
14 cases and in 2020 received over 2000 individual
15 cases.

16 (7) Currently, there are 9 established protection
17 and advocacy programs administered by several Fed-
18 eral agencies, including the Department of Edu-
19 cation, the Department of Health and Human Serv-
20 ices, and the Social Security Administration.

21 (8) There is currently no similar program ad-
22 ministered by the Department of Transportation to
23 ensure that protection and advocacy systems have
24 dedicated funding to serve individuals who face
25 issues related to transportation access.

1 **SEC. 3. ESTABLISHMENT OF GRANT PROGRAM TO IMPROVE**
2 **ACCESS TO TRANSPORTATION.**

3 (a) ESTABLISHMENT.—The Secretary of Transpor-
4 tation shall establish a program to award grants to protec-
5 tion and advocacy systems to advocate for individuals with
6 disabilities to access transportation.

7 (b) GRANTS.—

8 (1) AWARD.—In carrying out subsection (a),
9 the Secretary shall select 10 protection and advocacy
10 systems to receive a grant under this section.

11 (2) GRANT TERM.—The term of a grant award-
12 ed under this section shall be 5 fiscal years.

13 (3) AMOUNT.—During the 5-year term of a
14 grant awarded under this section, the Secretary shall
15 distribute \$110,000 for each fiscal year to the recipi-
16 ent of such grant.

17 (4) CARRYOVER.—Any amount distributed
18 under paragraph (3) to a grant recipient for a fiscal
19 year that remains unobligated at the end of a such
20 fiscal year shall remain available to such recipient
21 for obligation during the subsequent fiscal year.

22 (c) SUNSET; TERMINATION OF GRANTS.—

23 (1) SUNSET.—The authority of the Secretary to
24 award grants under this section shall terminate on
25 the date that is 5 years after the date of enactment
26 of this Act.

1 (2) TERMINATION OF GRANTS.—

2 (A) IN GENERAL.—The Secretary may ter-
3 minate a grant awarded under this section be-
4 fore the end of the grant term under subsection
5 (b)(2) if the Secretary determines there is good
6 cause to terminate such grant, including—

7 (i) misuse of grant funds; and

8 (ii) redesignation of the recipient of
9 such grant pursuant to section 143(a)(4)
10 of the Developmental Disabilities Assist-
11 ance and Bill of Rights Act of 2000.

12 (B) AWARD OF NEW GRANT.—If the Sec-
13 retary terminates a grant under subparagraph
14 (A), the Secretary shall award a new grant
15 under this section to a different protection and
16 advocacy system.

17 (d) AUTHORITY.—A protection and advocacy system
18 that receives a grant awarded under this section shall have
19 the same authorities, including access to records, as such
20 system would have under subtitle C of title I of the Devel-
21 opmental Disabilities Assistance and Bill of Rights Act of
22 2000 (42 U.S.C. 15041 et seq.).

23 (e) SELECTION.—In selecting the protection and ad-
24 vocacy systems to receive grants under this section, the
25 Secretary shall—

1 (1) select at least 3 protection and advocacy
2 systems located in States in which at least 1 per-
3 sistent poverty county (as defined by the Secretary
4 of the Treasury) is located; and

5 (2) select at least 3 protection and advocacy
6 systems that are located in States in which—

7 (A) the percentage of individuals aged 65
8 or older is greater than 18 percent; and

9 (B) the percentage of individuals with a
10 disability is greater than 16 percent.

11 (f) REPORTS.—Each recipient of a grant under this
12 section shall submit to an office designated by the Sec-
13 retary an annual report documenting the work such grant
14 recipient has done to address the barriers to accessing
15 transportation for individuals with disabilities.

16 (g) PROGRAM INCOME.—Any income generated from
17 advocating for individuals with disabilities to access trans-
18 portation with a grant under this section for a fiscal year
19 shall—

20 (1) remain available to the grant recipient until
21 expended and be considered an addition to the
22 grant; and

23 (2) only be used to provide advocacy to enable
24 individuals with disabilities to access transportation.

25 (h) TRAINING GRANT.—

1 (1) IN GENERAL.—During each fiscal year in
2 which a protection and advocacy system advocates
3 for individuals with disabilities to access transpor-
4 tation with a grant under this section, the Secretary
5 shall award a grant to 1 eligible organization to pro-
6 vide training and technical assistance to such protec-
7 tion and advocacy system.

8 (2) GRANT AMOUNT.—Each grant awarded
9 under paragraph (1) shall be in the amount of
10 \$100,000.

11 (3) ELIGIBLE ORGANIZATION DEFINED.—In
12 this subsection, the term “eligible organization”
13 means a national organization with extensive knowl-
14 edge of protection and advocacy systems.

15 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to the Secretary to carry
17 out this Act \$1,200,000 for each of fiscal years 2023
18 through 2028.

19 (j) DEFINITIONS.—In this Act:

20 (1) PROTECTION AND ADVOCACY SYSTEM.—The
21 term “protection and advocacy system” means a
22 protection and advocacy system established under
23 subtitle C of title I of the Developmental Disabilities
24 Assistance and Bill of Rights Act of 2000 (42
25 U.S.C. 15041 et seq.) that has—

1 (A) demonstrated monitoring experience;
2 and

3 (B) demonstrated knowledge of accessi-
4 bility barriers facing individuals with disabilities
5 in accessing transportation.

6 (2) STATE.—The term “State” means the sev-
7 eral States, the District of Columbia, the Common-
8 wealth of Puerto Rico, the United States Virgin Is-
9 lands, Guam, American Samoa, the Commonwealth
10 of the Northern Mariana Islands, and any other ter-
11 ritory or possession of the United States.

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