

DEPARTMENT OF EDUCATION**RIN 1820 ZA30****National Institute on Disability and Rehabilitation Research**

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Notice of proposed priorities and change to the application process.

SUMMARY: The Assistant Secretary for Special Education and Rehabilitative Services is providing notice of a proposed priority for the Alternative Financing Mechanisms Program (AFP) under title III of the Assistive Technology Act of 1998 (AT Act) that is administered by the National Institute on Disability and Rehabilitation Research (NIDRR). The Assistant Secretary is also providing notice of a proposed priority for the Access to Telework Fund Program (Telework) under section 303(b) of the Rehabilitation Act of 1973, as amended (Rehab Act), that is administered by the Rehabilitation Services Administration (RSA). In addition, the notice contains changes to the application process that NIDRR and RSA will use for these competitions.

DATES: We must receive your written comments on or before September 4, 2003.

ADDRESSES: Address all comments about this priority to Carol Cohen, U.S. Department of Education, 400 Maryland Avenue, SW., room 3420, Switzer Building, Washington, DC 20202-2645. Fax: (202) 205-8515. If you prefer to send your comments through the Internet, use the following address: carol.cohen@ed.gov.

FOR FURTHER INFORMATION CONTACT: Carol Cohen. Telephone: (202) 205-5666.

If you use a telecommunications device for the deaf (TDD), you may call the TDD number at (202) 205-4475 or via the Internet: carol.cohen@ed.gov.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

SUPPLEMENTARY INFORMATION: During and after the comment period, you may inspect all public comments about these priorities in room 3420, Switzer Building, 330 C Street, SW., Washington, DC, between the hours of 8:30 a.m. and 4 p.m., Eastern time, Monday through Friday of each week except Federal holidays.

Invitation to Comment

We invite you to submit comments regarding these proposed priorities. To ensure that your comments have maximum effect in developing the notice of final absolute priorities, we urge you to be specific about any recommended changes.

Assistance to Individuals With Disabilities in Reviewing the Comments

On request, we will supply an appropriate aid, such as a reader or print magnifier, to an individual with a disability who needs assistance to review the comments. If you want to schedule an appointment for this type of aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

We will announce the final priorities in a notice in the **Federal Register**. We will determine the final priorities after considering responses to this notice and other information available to the Department. This notice does not preclude us from proposing or funding additional priorities, subject to meeting applicable rulemaking requirements.

Note: This notice does not solicit applications. In any year in which we choose to use these proposed absolute priorities, we invite applications through a notice in the **Federal Register**.

SUPPLEMENTARY INFORMATION: The Assistant Secretary may use these priorities for competitions in fiscal year (FY) 2003 and later years.

Eligibility for an AFP Grant

States that receive or have received grants under section 101 of the AT Act are eligible for an AFP grant. Under section 3(a)(13)(A) of the AT Act, State means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Eligibility for a Telework Grant

States as defined in the AT Act and governing bodies of American Indian tribes located on Federal and State reservations consistent with section 7(19)(B) of the Rehab Act are eligible for a Telework grant. Consortia of States and American Indian tribes are also eligible for a Telework grant.

Joint Administration of Grants

States may jointly apply for and administer an AFP grant and a Telework grant. States that submit one application for the two priorities must meet the

requirements for each priority and will compete separately under each priority.

Proposed Priority 1: Alternative Financing Mechanism Program

Note: Public comment is limited to those portions of the proposed AFP priority not specifically addressed by the AT Act. We have provided citations to the AT Act where appropriate.

Background

The purpose of title III of the AT Act is to maximize independence and participation in society by individuals with disabilities through the establishment of the AFP. Title III authorizes a Federal program to pay a share of the cost of establishment or expansion, and administration of programs that fund alternatives to the traditional payment options of public assistance and self-financing so that individuals with disabilities can acquire assistive technology devices and services (hereinafter referred to as AT).

Most individuals with disabilities do not have the private financial resources to purchase the AT they need. Currently, major service programs such as Medicaid, Medicare, and vocational rehabilitation cannot meet the growing demand for AT. The AFP offers individuals with disabilities attractive options that significantly enhance their access to AT in a way that underscores independence and inclusion.

The Assistant Secretary may award one-year grants or cooperative agreements to States to establish or maintain an AFP to increase access to AT for individuals with disabilities. NIDRR made AFP grants to six States in FY 2000 and to 14 States in FY 2001. In addition, NIDRR funded one AFP Technical Assistance project to assist States to apply for AFP grants and to assist recipients to develop and implement the AFP program in their States.

On August 13, 2002, NIDRR published a notice in the **Federal Register** inviting comments on the AFP (67 FR 52838). NIDRR received 17 comments by the deadline. The proposed AFP priority contains provisions suggested by the commenters. In addition, in response to the comments, NIDRR is planning on making changes to its application process for AFP awards.

An AFP grantee may implement one or more types of alternative financing mechanisms to allow individuals with disabilities and their family members, guardians, advocates, and authorized representatives to purchase AT devices and services. The statute requires