

Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**Note:** The official version of this document is published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

(Catalog of Federal Domestic Assistance Number 84.224B, Assistive Technology Act Technical Assistance Program)

**Program Authority:** 29 U.S.C. 3014.

Dated: September 25, 2003.

**Robert H. Pasternack,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. 03-24703 Filed 9-29-03; 8:45 am]

**BILLING CODE 4000-01-P**

## 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 final priorities.

**SUMMARY:** The Assistant Secretary for Special Education and Rehabilitative Services announces final priorities 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) and 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). The Assistant Secretary may use these priorities for competitions in fiscal year (FY) 2003 and later years.

### Waiver of Delayed Effective Date

The Administrative Procedure Act requires that a proposed rule be published at least 30 days before its effective date, except as otherwise provided for good cause (20 U.S.C. 553(d)(3)). In order to make timely grant awards, the Secretary has determined that a delayed effective date is impracticable.

**FOR FURTHER INFORMATION CONTACT:** Carol Cohen, U.S. Department of Education, 400 Maryland Avenue, SW., room 3420, Switzer Building, Washington, DC 20202-2645. Telephone: (202) 205-5666 or via the Internet: [carol.cohen@ed.gov](mailto:carol.cohen@ed.gov).

If you use a telecommunications device for the deaf (TDD), you may call the TDD number at (202) 205-4475.

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:** We published a notice of proposed priorities and change to the application process for the Alternative Financing Mechanisms Program (AFP) and the Access to Telework Fund Program (Telework) in the **Federal Register** on August 5, 2003 (68 FR 46411). There are no significant differences between the notice of proposed priorities and this notice of final priorities.

### Public Comment

In the notice of proposed priorities, we invited comments on the proposed priorities. The only substantive comments we received suggested changes the law does not authorize us to make under the applicable statutory authority.

**Note:** This notice does not solicit applications. In any year in which we choose to use one or more of these priorities, we invite applications through a notice in the **Federal Register**. A notice inviting applications for FY 2003 awards was published in the **Federal Register** on August 5, 2003 (68 FR 46418).

When inviting applications we designate each priority as absolute, competitive preference, or invitational. The effect of each type of priority follows:

**Absolute priority:** Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

**Competitive preference priority:** Under a competitive preference priority, we give competitive preference to an application by either (1) awarding additional points, depending on how well or the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the competitive priority over an application of comparable merit that does not meet the competitive priority (34 CFR 75.105(c)(2)(ii)).

**Invitational priority:** Under an invitational priority, we are particularly interested in applications that meet the invitational priority. However, we do not give an application that meets the priority a competitive or absolute preference over other applications (34 CFR 75.105(c)(1)).

## Priorities

### 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.

## Background

The background statements for the following priorities were published in the notice of proposed priorities on August 5, 2003 (68 FR 46411).

### Priority 1: Alternative Financing Mechanism Program

The purpose of these requirements is to increase the funding for and provision of AT (Sec. 2(b)(1)(A)). The AFP will: (1) achieve the program's short-term goal of purchasing AT through alternative financing mechanisms for individuals with disabilities, and other eligible parties; and (2) achieve the program's long-term goals of establishing a nationwide network of permanent State AFPs that promote independence and choice.

States that receive or have received grants under section 101 of the AT Act are eligible to compete for an AFP (Sec. 303(a)). In its application, a State must identify and describe one or more of the following types of AFP programs that the State will implement:

- (1) a low-interest loan fund;
- (2) an interest buy-down program;
- (3) a revolving loan fund;
- (4) a loan guarantee or insurance program;
- (5) a program operated by a partnership among private entities for the purchase, lease, or other acquisition of AT devices or AT services; or