

[FR Doc. 2010-11581 Filed 5-13-10; 8:45 am]

BILLING CODE 5001-06-C

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Notice of Intent To Grant an Exclusive License; FIXMO U.S. INC.

**AGENCY:** National Security Agency, DoD.

**ACTION:** Notice.

**SUMMARY:** The National Security Agency hereby gives notice of its intent to grant FIXMO U.S. INC., a revocable, non-assignable, exclusive, license to practice the following Government-Owned invention as described in U.S. Patent Application Serial No.11/999,050 entitled: "Method of Tamper Detection for Digital Device," which was allowed by the U.S. Patent & Trademark Office on September 4, 2009, in the field of information security.

The above-mentioned invention is assigned to the United States Government as represented by the National Security Agency.

**DATES:** Anyone wishing to object to the grant of this license has fifteen (15) days from the date of this notice to file written objections along with any supporting evidence, if any.

**ADDRESSES:** Written objections are to be filed with the National Security Agency Technology Transfer Program, 9800 Savage Road, Suite 6541, Fort George G. Meade, MD 20755-6541.

**FOR FURTHER INFORMATION CONTACT:** Marian T. Roche, Director, Technology Transfer Program, 9800 Savage Road, Suite 6541, Fort George G. Meade, MD 20755-6541, telephone (443) 479-9569.

Dated: May 11, 2010.

**Mitchell S. Bryman,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2010-11582 Filed 5-13-10; 8:45 am]

BILLING CODE 5001-06-P

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID: DoD-2010-OS-0052]

#### Privacy Act of 1974; System of Records; Correction

**AGENCY:** National Security Agency/ Central Security Service, DoD.

**ACTION:** Notice to amend a system of records; correction.

**SUMMARY:** On April 23, 2010 (75 FR 21250), DoD published a notice announcing its intent to amend an

existing Privacy Act system of records. In one instance an incorrect system ID number was cited. This notice corrects that error.

**DATES:** Effective May 14, 2010.

**FOR FURTHER INFORMATION CONTACT:** Ms. Anne Hill at 301-688-6527.

**SUPPLEMENTARY INFORMATION:** On April 23, 2010, DoD published a notice announcing its intent to amend an existing Privacy Act system of records: The NSA Police Operational Files. Subsequent to the publication of that notice, DoD discovered that the system ID number was missing a zero in one instance (page 21251). This notice corrects that information.

The system ID number on page 21250 is correct.

#### Correction

In the notice (FR Doc. 2010-9393), published on April 23, 2010 (75 FR 21250) make the following correction. On page 21251, in the second column, line 1, correct the system ID number "GNSA 2" to read "GNSA 20".

Dated: May 11, 2010.

**Mitchell S. Bryman,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2010-11580 Filed 5-13-10; 8:45 am]

BILLING CODE 5001-06-P

## DEPARTMENT OF EDUCATION

#### Office of Special Education and Rehabilitative Services; Overview Information; Rehabilitation Capacity Building for Traditionally Underserved Populations—Technical Assistance for American Indian Vocational Rehabilitation Services Projects; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2010

*Catalog of Federal Domestic Assistance (CFDA) Numbers:* 84.406.

*Dates:*

*Applications Available:* May 14, 2010.

*Deadline for Transmittal of*

*Applications:* June 28, 2010.

*Deadline for Intergovernmental Review:* August 27, 2010.

#### I. Funding Opportunity Description

*Purpose of Program:* The Capacity Building Program for Traditionally Underserved Populations under section 21(b)(2)(C) of the Rehabilitation Act of 1973, as amended (the Act), (29 U.S.C. 718(b)(2)(C)) provides outreach and technical assistance to minority entities and American Indian Tribes in order to enhance their capacity to carry out activities funded under the Act and to promote their participation in activities funded under the Act.

*Priority:* This priority is from the notice of final priority for this program, published elsewhere in this issue of the **Federal Register**.

*Absolute Priority:* For FY 2010 and any subsequent year in which we make awards from the list of approved but unfunded applicants from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this priority.

This priority is:

#### Capacity Building Programs for Traditionally Underserved Populations: Technical Assistance for American Indian Vocational Rehabilitation Services (AIVRS) Projects

**Program Authority:** 29 U.S.C. 718(b)(2)(C); American Recovery and Reinvestment Act of 2009, Pub. L. 111-5 (ARRA).

*Applicable Regulations:* (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 86, and 99.

**Note:** The regulations in 34 CFR part 79 apply to all applicants except Federally recognized Indian Tribes.

**Note:** The regulations in 34 CFR part 86 apply to institutions of higher education only.

## II. Award Information

*Type of Award:* Discretionary grant.

*Estimated Available Funds:* \$280,000 per budget year, \$1,400,000 over a five-year period from the American Recovery and Reinvestment Act of 2009, Public Law 111-5 (ARRA).

*Maximum Award:* We will reject any application that proposes a budget exceeding \$280,000 for a single budget period of 12 months. The Assistant Secretary for OSERS may change the maximum amount through a notice published in the **Federal Register**.

*Estimated Number of Awards:* 1.

**Note:** The Department is not bound by any estimates in this notice.

*Project Period:* Up to 60 months.

## III. Eligibility Information

1. *Eligible Applicants:* A State or a public or private nonprofit agency or organization, such as an institution of higher education or an Indian Tribe.

2. *Cost Sharing or Matching:* This program does not require cost sharing or matching.

## IV. Application and Submission Information

1. *Address to Request Application Package:* You can obtain an application package via the Internet or from the

Education Publications Center (ED Pubs). To obtain a copy via the Internet, use the following address: <http://www.ed.gov/fund/grant/apply/grantapps/index.html>. To obtain a copy from ED Pubs, write, fax, or call the following: ED Pubs, U.S. Department of Education, P.O. Box 22207, Alexandria, VA 22304. Telephone, toll free: 1-877-433-7827. FAX: (703) 605-6794. If you use a telecommunications device for the deaf (TDD), call, toll free: 1-877-576-7734.

You can contact ED Pubs at its Web site, also: <http://www.EDPubs.gov> or at its e-mail address: [edpubs@inet.ed.gov](mailto:edpubs@inet.ed.gov).

If you request an application from ED Pubs, be sure to identify this competition as follows: CFDA number 84.406.

Individuals with disabilities can obtain a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or computer diskette) by contacting the person or team listed under *Accessible Format* in section VIII of this notice.

**2. Content and Form of Application Submission:** Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition.

**Page Limit:** The application narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. You must limit the application narrative [Part III] to the equivalent of no more than 45 pages, using the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial. An application submitted in any other font (including Times Roman or Arial Narrow) will not be accepted.

The page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the one-page abstract, the resumes, the bibliography, or the letters of support. However, the page limit does apply to all of the application narrative section [Part III].

We will reject your application if you exceed the page limit; or if you apply other standards and exceed the equivalent of the page limit.

**3. Submission Dates and Times:**  
*Applications Available:* May 14, 2010.  
*Deadline for Transmittal of Applications:* June 28, 2010.

Applications for grants under this competition must be submitted electronically using the Electronic Grant Application System (e-Application) accessible through the Department's e-Grants site. For information (including dates and times) about how to submit your application electronically, or, in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV.7. *Other Submission Requirements* of this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under *For Further Information Contact* in section VII of this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

**Deadline for Intergovernmental Review:** August 27, 2010.

**4. Intergovernmental Review:** This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

**5. Funding Restrictions:** We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

**6. Data Universal Numbering System Number, Taxpayer Identification Number, and Central Contractor Registry:** To do business with the Department of Education, (1) you must have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN); (2) you must register both of those numbers with the Central Contractor Registry (CCR), the Government's primary registrant database; and (3) you must provide those same numbers on your application.

You can obtain a DUNS number from Dun and Bradstreet. A DUNS number can be created within one business day.

If you are a corporate entity, agency, institution, or organization, you can obtain a TIN from the Internal Revenue Service. If you are an individual, you can obtain a TIN from the Internal Revenue Service or the Social Security Administration. If you need a new TIN, please allow 2-5 weeks for your TIN to become active.

The CCR registration process may take five or more business days to complete. If you are currently registered with the CCR, you may not need to make any changes. However, please make certain that the TIN associated with your DUNS number is correct. Also note that you will need to update your CCR registration on an annual basis. This may take three or more business days to complete.

**7. Other Submission Requirements:** Applications for grants under this competition must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

#### *a. Electronic Submission of Applications*

Applications for grants under the Rehabilitation Capacity Building for Traditionally Underserved Populations, CFDA number 84.406, must be submitted electronically using e-Application, accessible through the Department's e-Grants Web site at: <http://e-grants.ed.gov>.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under *Exception to Electronic Submission Requirement*.

While completing your electronic application, you will be entering data online that will be saved into a database. You may not e-mail an electronic copy of a grant application to us.

Please note the following:

- You must complete the electronic submission of your grant application by 4:30:00 p.m., Washington, DC time, on the application deadline date. E-Application will not accept an application for this competition after 4:30:00 p.m., Washington, DC time, on the application deadline date. Therefore, we strongly recommend that

you do not wait until the application deadline date to begin the application process.

- The hours of operation of the e-Grants Web site are 6:00 a.m. Monday until 7:00 p.m. Wednesday; and 6:00 a.m. Thursday until 8:00 p.m. Sunday, Washington, DC time. Please note that, because of maintenance, the system is unavailable between 8:00 p.m. on Sundays and 6:00 a.m. on Mondays, and between 7:00 p.m. on Wednesdays and 6:00 a.m. on Thursdays, Washington, DC time. Any modifications to these hours are posted on the e-Grants Web site.

- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.

- You must submit all documents electronically, including all information you typically provide on the following forms: The Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications. You must attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If you upload a file type other than the three file types specified in this paragraph or submit a password protected file, we will not review that material.

- Your electronic application must comply with any page limit requirements described in this notice.

- Prior to submitting your electronic application, you may wish to print a copy of it for your records.

- After you electronically submit your application, you will receive an automatic acknowledgment that will include a PR/Award number (an identifying number unique to your application).

- Within three working days after submitting your electronic application, fax a signed copy of the SF 424 to the Application Control Center after following these steps:

- (1) Print SF 424 from e-Application.

- (2) The applicant's Authorizing Representative must sign this form.

- (3) Place the PR/Award number in the upper right hand corner of the hard-copy signature page of the SF 424.

- (4) Fax the signed SF 424 to the Application Control Center at (202) 245-6272.

- We may request that you provide us original signatures on other forms at a later date.

**Application Deadline Date Extension in Case of e-Application Unavailability:** If you are prevented from electronically submitting your application on the application deadline date because e-Application is unavailable, we will grant you an extension of one business day to enable you to transmit your application electronically, by mail, or by hand delivery. We will grant this extension if—

- (1) You are a registered user of e-Application and you have initiated an electronic application for this competition; and

- (2)(a) E-Application is unavailable for 60 minutes or more between the hours of 8:30 a.m. and 3:30 p.m., Washington, DC time, on the application deadline date; or

- (b) E-Application is unavailable for any period of time between 3:30 p.m. and 4:30:00 p.m., Washington, DC time, on the application deadline date.

We must acknowledge and confirm these periods of unavailability before granting you an extension. To request this extension or to confirm our acknowledgment of any system unavailability, you may contact either (1) the person listed elsewhere in this notice under *For Further Information Contact* (see VII. Agency Contact) or (2) the e-Grants help desk at 1-888-336-8930. If e-Application is unavailable due to technical problems with the system and, therefore, the application deadline is extended, an e-mail will be sent to all registered users who have initiated an e-Application. Extensions referred to in this section apply only to the unavailability of e-Application.

**Exception to Electronic Submission Requirement:** You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through e-Application because—

- You do not have access to the Internet; or

- You do not have the capacity to upload large documents to e-Application; and

- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevents you from using the Internet to submit your application. If you mail your written statement to the

Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Tom Finch, U.S. Department of Education, 400 Maryland Avenue, SW., room 5147, Potomac Center Plaza (PCP), Washington, DC 20202-2800. FAX: (202) 245-7591.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

#### *b. Submission of Paper Applications by Mail*

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.406), LBJ Basement Level 1, 400 Maryland Avenue, SW., Washington, DC 20202-4260.

You must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark.

- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

- (3) A dated shipping label, invoice, or receipt from a commercial carrier.

- (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

- (1) A private metered postmark.

- (2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

**Note:** The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

#### *c. Submission of Paper Applications by Hand Delivery*

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and

two copies of your application, by hand, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA number 84.406), 550 12th Street, SW., Room 7041, Potomac Center Plaza, Washington, DC 20202–4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

**Note for Mail or Hand Delivery of Paper Applications:** If you mail or hand deliver your application to the Department—

(1) You must indicate on the envelope and—if not provided by the Department—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this grant notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245–6288.

## V. Application Review Information

**Selection Criteria:** The selection criteria for this competition are from 34 CFR 75.210 and are listed in the application package.

## VI. Award Administration Information

**1. Award Notices:** If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

**2. Administrative and National Policy Requirements:** We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

**3. Reporting:** At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by

the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

The funds awarded through this program were appropriated under the American Recovery and Reinvestment Act of 2009, Public Law 111–5 (ARRA), and are subject to additional accountability and transparency reporting requirements, which are described in section 1512(c) of the ARRA. Grantees receiving funds provided by the ARRA must be able to distinguish these funds from any other funds they receive through this program. Recipients of ARRA funds will be required to submit quarterly reports on the expenditure of these funds no later than 10 days after the end of each calendar quarter through a centralized reporting Web site administered by the Office of Management and Budget (OMB): <http://www.federalreporting.gov>. The information reported at this Web site will be available to the Department, the White House, OMB, and the public on <http://www.Recovery.gov>. Further detail on the reporting requirements under ARRA can be found at <http://www.recovery.gov/?q=node/579>.

**4. Performance Measures:** The Government Performance and Results Act (GPRA) of 1993 directs Federal departments and agencies to improve the effectiveness of their programs by engaging in strategic planning, setting outcome-related goals for programs, and measuring program results against those goals. The purpose of the Capacity Building Program for Traditionally Underserved Populations: Technical Assistance Center for American Indian Vocational Rehabilitation Services (AIVRS) Projects is to establish a training and technical assistance center (the AIVRS TA Center) to support projects funded under the AIVRS program authorized under section 121 of the Act in order to improve the provision of VR services to, and the employment outcomes of, American Indians with disabilities.

In order to measure the success of the AIVRS TA Center in helping AIVRS project grantees to meet this goal, the AIVRS TA Center grantee is required to evaluate its activities based upon clear, specific performance and outcome measures and report the results of the evaluation in its annual performance report. In addition to providing comprehensive qualitative and quantitative information regarding the number of AIVRS project grantees served, Tribal affiliation, geographic

distribution and services provided, the annual performance reports must include data on the following performance measures:

**Objective 1:** Reduce the number of AIVRS grantees with excessive balances remaining in their grant accounts by 20 percent by the end of the first year of the AIVRS TA Center's grant and by 10 percent each subsequent year through the provision of targeted technical assistance.

**Measure 1:** Of those AIVRS grantees with excessive balances that received assistance from the AIVRS TA Center, the percent change in the number of AIVRS grantees with excessive balances in their account.

**Objective 2:** Reduce the number of AIVRS grantees that may be considered high risk, as identified by the Department in 34 CFR 80.12(a), by 20 percent by the end of the first year of the AIVRS TA Center's grant and by 10 percent each subsequent year through the provision of targeted technical assistance.

**Measure 2:** Of those AIVRS grantees that are considered high risk, as identified by the Department in 34 CFR 80.12(a), that received assistance from the AIVRS TA Center, the percent change in the number of AIVRS grantees that are considered high risk, by the end of the first year of the grant.

**Objective 3:** Measurably increase the employment outcome rate of the AIVRS projects through the provision of targeted technical assistance.

**Measure 3:** The percentage of AIVRS projects receiving targeted technical assistance from the AIVRS TA Center that demonstrate a measurable increase in their employment outcome rate.

These three measures constitute the Department's indicators of success for this program. Consequently, applicants for a grant under this program are advised to give careful consideration to these three measures in conceptualizing the design, implementation, and evaluation of their proposed project.

Applicants will also be required to provide a description on how they plan to satisfy this requirement. Successful applicants will be required to collect, and report quantitative data used to calculate the results submitted in their annual performance reports and must be able to demonstrate that the data used is valid and verifiable.

## VII. Agency Contact

**For Further Information Contact:** Tom Finch, U.S. Department of Education, 400 Maryland Avenue, SW., room 5147, PCP, Washington, DC 20202–2800. Telephone: (202) 245–7343 or by e-mail: [tom.finch@ed.gov](mailto:tom.finch@ed.gov).

If you use TDD, call the FRS, toll free, at 1-800-877-8339.

### VIII. Other Information

**Accessible Format:** Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or computer diskette) by contacting the Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue, SW., room 5075, PCP, Washington, DC 20202-2550. Telephone: (202) 245-7363. If you use a TDD, call the FRS, toll free, at 1-800-877-8339.

**Electronic Access to this Document:** You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>. To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

**Note:** The official version of this document is the document 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>.

Dated: May 11, 2010.

**Alexa Posny,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. 2010-11607 Filed 5-13-10; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

### Capacity Building Program for Traditionally Underserved Populations—Technical Assistance for American Indian Vocational Rehabilitation Services Projects

*Catalog of Federal Domestic Assistance (CFDA) Number: 84.406.*

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

**ACTION:** Notice of final priority.

**SUMMARY:** The Assistant Secretary for Special Education and Rehabilitative Services announces a priority under the Capacity Building program for Traditionally Underserved Populations to fund a grant that will establish a training and technical assistance center to support the projects funded under the American Indian Vocational Rehabilitation Services (AIVRS) program authorized under section 121 of the Rehabilitation Act of 1973, as

amended (Act). The Assistant Secretary may use this priority for competitions in fiscal year 2010 and later years. We take this action to improve the provision of vocational rehabilitation (VR) services to, and the employment outcomes of, American Indians with disabilities through the provision of training and technical assistance to projects funded under the AIVRS program.

**DATES:** *Effective Dates:* This priority is effective June 14, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Thomas Finch, U.S. Department of Education, 400 Maryland Avenue, SW., Room 5147, Potomac Center Plaza (PCP), Washington, DC 20202-2800. Telephone: (202) 245-7343 or by e-mail: [tom.finch@ed.gov](mailto:tom.finch@ed.gov).

If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:**

**Purpose of Program:** The Capacity Building Program for Traditionally Underserved Populations under section 21(b)(2)(C) of the Act (29 U.S.C. 718(b)(2)(C)) provides outreach and technical assistance to minority entities and American Indian tribes in order to enhance their capacity to carry out activities funded under the Act and to promote their participation in activities funded under the Act.

**Program Authority:** 29 U.S.C. 718(b)(2)(C).

We published a notice of proposed priority for this program in the **Federal Register** on November 12, 2009 (74 FR 58260). That notice contained background information and our reasons for proposing the particular priority.

**Public Comment:** In response to our invitation in the notice of proposed priority, six parties submitted comments on the proposed priority.

Generally we do not address technical and other minor changes, or suggested changes the law does not authorize us to make under the applicable statutory authority. In addition we do not address general comments that raised concerns not directly related to the proposed priority.

**Analysis of Comments and Changes:** An analysis of the comments received follows.

**Comment:** Six commenters expressed concern regarding the adequacy of resources proposed to support the AIVRS technical assistance center (the AIVRS TA Center). Specifically, these commenters noted that the amount of funding proposed for the AIVRS TA Center is significantly less than the funding provided for the Regional Technical Assistance and Continuing

Education (TACE) centers. They also questioned whether it was sufficient to fund a single center to serve 79 AIVRS grantees located in 25 States. In addition to concerns about the adequacy of funding, these commenters emphasized that the AIVRS TA Center will face geographic, cultural, linguistic, and resource challenges.

**Discussion:** In the background discussion of the proposed AIVRS TA Center priority, the Department indicated that it plans to use American Recovery and Reinvestment Act (ARRA) funds in the amount of \$1.4 million for one grantee over a five-year period, approximately \$280,000 per year. We believe that this is a significant investment that will help AIVRS projects improve outcomes for American Indians with disabilities.

We do not believe it is appropriate to compare the funding for the AIVRS TA Center with the funding provided to the TACE centers, because the scope of the services to be provided by the AIVRS TA Center is much narrower than the scope of services provided by the 10 TACE centers. The AIVRS TA Center is designed to focus solely on AIVRS grantees' specialized needs for assistance with program and financial management. Specifically, the AIVRS TA Center will provide training to AIVRS grantees on: (1) The principles, requirements, and practices that serve as the foundation of the VR process and service provision; (2) the application of Federal rules, regulations, and guidance applicable to the AIVRS program; and (3) appropriate financial management practices, including expending grant funds in a timely manner. In contrast, the purpose of the TACE centers is to provide a broad integrated sequence of training activities that focuses on meeting the recurring and common training needs of rehabilitation personnel in a Federal region or other large multi-State geographical area.

For this reason, we believe it is not appropriate to compare the resources used to support the TACE centers with the resources the Department expects to use to support the AIVRS TA Center.

Moreover, it is important to note that the work of the AIVRS TA Center will complement the services provided by the TACE centers, because AIVRS grantees are among the many State VR agency partners eligible to receive services from the TACE centers. Therefore, in addition to the specialized program and financial management assistance AIVRS grantees can receive through the AIVRS TA Center, they may be eligible to request technical assistance and continuing education services from the regional TACE centers.