

DEPARTMENT OF EDUCATION

(CFDA No.: 84.038, 84.033, and 84.007)

Office of Postsecondary Education; Federal Perkins Loan, Federal Work-Study, and Federal Supplemental Educational Opportunity Grant Programs**AGENCY:** Department of Education.**ACTION:** Notice of the closing date for institutions to submit a request for a waiver of the allocation reduction for the underuse of funds under the Federal Perkins Loan, Federal Work-Study (FWS), or Federal Supplemental Educational Opportunity Grant (FSEOG) programs (known collectively as the campus-based programs).**SUMMARY:** The Secretary gives notice to institutions of higher education of the deadline for an institution to submit a written request for a waiver of the allocation reduction being applied to its Federal Perkins Loan, FWS, or FSEOG allocation for the 1999–2000 award year (July 1, 1999 through June 30, 2000) because the institution returned more than 10 percent of its allocation for that program for the 1997–1998 award year (July 1, 1997 through June 30, 1998).**DATES:** *Closing Date for Submitting a Waiver Request and any Supporting Information or Documents.* For an institution that returned more than 10 percent of its Federal Perkins Loan, FWS, or FSEOG allocation for the 1997–1998 award year to be considered for a waiver of the allocation reduction for its 1999–2000 award year allocation, it must request a waiver of the underuse penalty, provide a written explanation of the circumstances that caused the underuse of its allocation, and submit any additional documentation to support the explanation by October 1, 1998.

An institution may request a waiver of the underuse penalty by selecting the "Yes" box in Part II of Section E of its Fiscal Operation Report for 1997–98 and Application to Participate for 1999–2000 (FISAP), and provide a written explanation of the circumstances that caused the underuse of its allocation on the electronic FISAP "Additional Information Screen." This request and explanation must be transmitted electronically by the established FISAP deadline of October 1, 1998.

In addition, an institution may mail or have hand-delivered any additional documentation that supports its written explanation of the circumstances that caused the underuse of its allocation. The documentation may be included with the FISAP signature page and

certification forms. The documentation must be mailed or delivered by hand to one of the addresses indicated below by the established deadline date of October 1, 1998.

ADDRESSES: *Supporting Documents Delivered by Mail.* If these documents are delivered by mail, they must be addressed to Electronic FISAP Administrator, c/o Universal Automation Labs (UAL), Suite 500, 8300 Colesville Road, Silver Spring, Maryland 20910.

An institution must show proof of mailing these documents by October 1, 1998. Proof of mailing consists of one of the following: (1) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service, (2) a legibly dated U.S. Postal Service postmark, (3) a dated shipping label, invoice, or receipt from a commercial carrier, or (4) any other proof of mailing acceptable to the U.S. Secretary of Education.

If these documents are sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing: (1) A private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service. An institution should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an institution should check with its local post office. An institution is encouraged to use certified or at least first-class mail.

Supporting Documents Delivered by Hand. If these documents are delivered by hand, they must be taken to Universal Automation Labs (UAL), Suite 500, 8300 Colesville Road, Silver Spring, Maryland.

Documents that are hand-delivered will be accepted between 9 a.m. and 5 p.m. daily (Eastern time), except Saturdays, Sundays, and Federal holidays. Documents that are hand-delivered will not be accepted after 5 p.m. on October 1, 1998.

SUPPLEMENTARY INFORMATION: Under sections 413D(e)(2), 442(e)(2), and 462(j)(4) of the Higher Education Act of 1965, as amended, if an institution returns more than 10 percent of its Federal Perkins Loan, FWS, or FSEOG allocation for an award year, the institution will have its allocation for the second succeeding award year for that program reduced by the dollar amount returned. The Secretary may waive this requirement for a specific institution if the Secretary finds that enforcement of the requirement would be contrary to the interest of the affected campus-based program. The institution must provide a waiver request and any

supporting information or documents by the established October 1, 1998 closing date. If the institution submits a waiver request and any supporting information or documents after the closing date, the request will not be considered.

Applicable Regulations

The following regulations apply to the campus-based programs:

- (1) Student Assistance General Provisions, 34 CFR Part 668.
- (2) General Provisions for the Federal Perkins Loan Program, Federal Work-Study Program, and Federal Supplemental Educational Opportunity Grant Program, 34 CFR Part 673.
- (3) Federal Perkins Loan Program, 34 CFR Part 674.
- (4) Federal Work-Study Programs, 34 CFR Part 675.
- (5) Federal Supplemental Educational Opportunity Grant Program, 34 CFR Part 676.
- (6) Institutional Eligibility Under the Higher Education Act of 1965, as amended, 34 CFR Part 600.
- (7) New Restrictions on Lobbying, 34 CFR Part 82.
- (8) Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants), 34 CFR Part 85.
- (9) Drug-Free Schools and Campuses, 34 CFR Part 86.

FOR FURTHER INFORMATION CONTACT: For technical assistance concerning the waiver request or other operational procedures of the campus-based programs, contact: Ms. Sandra K. Donelson, Institutional Financial Management Division, U.S. Department of Education, P.O. Box 23781, Washington, D.C. 20026–0781. Telephone (202) 708–9751.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Individuals with disabilities may obtain this document in an alternate format (e.g., Braille, large print, audiotape, or computer diskette) by contacting the person listed in the preceding paragraph.

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Note: The official version of this document is the document published in the **Federal Register**.

(Authority: 20 U.S.C. 1087aa *et seq.*; 42 U.S.C. 2751 *et seq.*; and 20 U.S.C. 1070b *et seq.*)

Dated: September 14, 1998.

David A. Longanecker,
Assistant Secretary for Postsecondary Education.
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