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Tuesday  
December 2, 1997

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**Part II**

**Department of  
Education**

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**Federal Perkins Loan, Federal Work-  
Study, and Federal Supplemental  
Educational Opportunity Grant Programs;  
Notice**

**DEPARTMENT OF EDUCATION**

[CFDA No.: 84.038, 84.033, and 84.007]

**Federal Perkins Loan, Federal Work-Study, and Federal Supplemental Educational Opportunity Grant Programs****AGENCY:** Office of Postsecondary Education, 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 1998-99 award year (July 1, 1998 through June 30, 1999) because the institution returned more than 10 percent of its allocation for that program for the 1996-97 award year (July 1, 1996 through June 30, 1997).**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 1996-97 award year to be considered for a waiver of the allocation reduction for its 1998-99 award year allocation, it must mail or hand-deliver its waiver request and any supporting information or documents on or before February 13, 1998. The Department will not accept a waiver request submitted by facsimile transmission. The waiver request must be submitted to the Institutional Financial Management Division at one of the addresses indicated in the following section.**ADDRESSES:** *Waiver Request and any Supporting Information or Documents Delivered by Mail.* The waiver request and any supporting information or documents delivered by mail must be addressed to Ms. Sandra K. Donelson, Institutional Financial Management Division, U.S. Department of Education, P.O. Box 23781, Washington, D.C. 20026-0781. An applicant 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; or (4)

Any other proof of mailing acceptable to the Secretary of Education.

If a waiver request is 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. An institution that submits a waiver request and any supporting information or documents after the closing date will not be considered for a waiver of the allocation reduction being applied to its allocation under any of the campus-based programs for award year 1998-99.

*Waiver Requests and any Supporting Information or Documents Delivered by Hand.* A waiver request and any supporting information or documents delivered by hand must be taken to Ms. Sandra K. Donelson, Campus-Based Financial Operations Branch, Institutional Financial Management Division, Accounting and Financial Management Service, Student Financial Assistance Programs, U.S. Department of Education, Room 4714, Regional Office Building 3, 7th and D Streets, S.W., Washington, D.C. Hand-delivered waiver requests will be accepted between 8:00 a.m. and 4:30 p.m. (Eastern time) daily, except Saturdays, Sundays, and Federal holidays. A waiver request for the 1998-99 award year that is delivered by hand will not be accepted after 4:30 p.m. on the closing date.**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 written waiver request and any supporting information or documents by the established February 13, 1998 closing date. The waiver request must be signed by an appropriate institutional official, and above the signature the official must include the statement: "I certify that the

information the institution provided in this waiver request is true and accurate to the best of my knowledge. I understand that the information is subject to audit and program review by representatives of the Secretary of Education." 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.

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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: November 19, 1997.

**David A. Longanecker,**  
*Assistant Secretary for Postsecondary Education.*

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