

DEPARTMENT OF EDUCATION

Impact Aid and Grants; Special Application, Amendment Filing Date Extension

AGENCY: Department of Education.

ACTION: Extension of notice announcing a special application and amendment filing date for certain Impact Aid fiscal years (FYs) 1995 and 1996 section 8002 grants and FY 1997 section 8003 grants.

SUMMARY: On Friday, December 13, 1996, the Secretary announced in the Federal Register (61 FR 65924) a special filing date of January 31, 1997, for the submission of applications or amendments for certain Impact Aid FYs 1995 and 1996 section 8002 grants and FY 1997 section 8003 grants. As a result of several legislative amendments to the Impact Aid statute (Title VIII of the

Elementary and Secondary Education Act), it was necessary to provide additional time to certain local educational agencies (LEAs) described below, which are affected by the amendments, to file new or amended applications for certain fiscal years for which the general annual filing dates have passed. Due to unavoidable delays in the production and distribution of those past year application packages, the Secretary extends that special filing date.

EFFECTIVE DATE: This notice announcing an extension of a special filing date until February 28, 1997, for the specified Impact Aid FYs 1995 and 1996 section 8002 grants and FY 1997 section 8003 grants is effective February 4, 1997. The deadline date for the transmittal of comments on those

applications by State Educational Agencies is March 17, 1997.

SUPPLEMENTARY INFORMATION: The categories of Impact Aid applicants and the basis and fiscal years for which new or amended applications for past years may be filed, were specified in detail in the December 13 notice, and are summarized again at the end of this section. In all three cases, the specified section 8002 or 8003 applications or amendments for past fiscal years must be filed by February 28, 1997. The 60-day extended deadline provision (with a 10 percent payment reduction penalty) in section 8005(d) of the Impact Aid statute is not applicable to applications or amendments that are submitted under this extension as a result of the congressional amendments for the otherwise closed fiscal years specified in the following table.

NEW IMPACT AID APPLICATION AND AMENDMENT FILING DATES

Type of applicant	Basis for extension	Affected fiscal year	New filing date
Section 8002	Eligibility based on former districts for consolidated districts previously eligible under section 2(c) of P.L. 81-874.	FY 1995 or 1996, or both.	Feb. 28, 1997.
Section 8003(f)	Eligibility and payments for heavily impacted LEAs based on second preceding year student, revenue or tax data.	FY 1997	Feb. 28, 1997.
Section 8003	Eligibility and payment for children under section 8003(a)(1)(F) or (G) based on such children numbering at least 1,000 in average daily attendance or equal to at least 10 percent of total average daily attendance.	FY 1997	Feb. 28, 1997.

FOR APPLICATIONS OR INFORMATION

CONTACT: Impact Aid Program, U.S. Department of Education, 600 Independence Avenue SW, 4200 Portals, Washington, DC 20202-6244. Telephone: (202) 260-3858. 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.

(Catalog of Federal Domestic Assistance Number 84.041)

Program Authority: 20 U.S.C. 7705.

Dated: January 29, 1997.

Gerald N. Tirozzi,

Assistant Secretary for Elementary and Secondary Education.

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Aid fiscal year 1997 section 8002 grants and fiscal year 1998 section 8003 grants.

SUMMARY: The Secretary extends the deadline date for the submission of applications for Impact Aid fiscal year 1997 section 8002 grants and fiscal year 1998 section 8003 grants to February 28, 1997. Impact Aid regulations at 34 CFR 222.3 specify that the annual application deadline is January 31. Due to unavoidable delays in the production and the distribution of the application packages, the Secretary extends the deadline for the potential applicants under sections 8002 and 8003 for Impact Aid assistance for the respective years specified. Section 8003 applicants should use a survey date for their student counts that is at least three days after the start of the 1996-97 school year and before the extended deadline of February 28, 1997.

EFFECTIVE DATE: This notice extending the application deadline date to February 28, 1997, for Impact Aid fiscal year 1997 section 8002 grants and fiscal year 1998 section 8003 grants is effective February 4, 1997. The deadline date for the transmittal of comments on those applications by State Educational Agencies is March 17, 1997. The

Secretary will also accept and approve for payment any otherwise approvable application that is received on or before the 60th calendar day after February 28, 1997, which is April 29, 1997. However, any applicant meeting the conditions of the preceding sentence will have its payment reduced by 10 percent of the amount it would have received had its application been filed by February 28, 1997.

FOR APPLICATIONS OR INFORMATION

CONTACT: Impact Aid Program, U.S. Department of Education, 600 Independence Avenue SW, Room 4200 Portals, Washington, DC 20202-6244. Telephone: (202) 260-3858. 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.

Waiver of Rulemaking

Section 222.3, which establishes the annual January 31 Impact Aid application deadline, is currently in effect. However, due to unavoidable delays in the production and distribution of the application packages, applicants may not have sufficient time

DEPARTMENT OF EDUCATION

Impact Aid; Grant Application Deadline Extension

AGENCY: Department of Education.

ACTION: Notice extending the application deadline date for Impact

to comply with that annual deadline. Because this amendment makes a procedural change for this year only as a result of unique circumstances, proposed rulemaking is not required under 5 U.S.C. 553(b)(A). In addition, the Secretary has determined under 5

U.S.C. 553(b)(B) that proposed rulemaking on this one-time suspension of the regulatory deadline date is impracticable, unnecessary, and contrary to the public interest.
(Catalog of Federal Domestic Assistance Number 84.041)

Program Authority: 20 U.S.C. 7705.
Dated: January 29, 1997.
Gerald N. Tirozzi,
Assistant Secretary for Elementary and Secondary Education.
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