Dated: January 30, 1995.

Gloria Parker,

Director, Information Resource Group.

Office of Postsecondary Education

Type of Review: Expedited
Title: William D. Ford Federal Direct
Loan Program Participation
Application

Frequency: Annually

Affected Public: Business or other forprofit; Not-for-profit institutions

Reporting Burden:
Responses: 3,000
Burden Hours: 600
Recordkeeping Burden:
Recordkeepers: 0
Burden Hours: 0

Abstract: This form will be the means by which a school applies to participate in the William D. Ford Federal Direct Loan Program. The Department will use this information to select schools to participate in the Direct Loan Program during the 1996–1997 school year.

Additional Information: Clerance for this information collection is requested for February 6, 1995. An expedited review is requested due to the publication of a draft of the form soliciting applications. To comment on this form, please refer to the "Notice of Solicitation of Applications" In the December 29, 1994 Federal Register issue, volume 59, pages 67579–67582.

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Office of Postsecondary Education; Federal Work-Study Programs

AGENCY: Department of Education. **ACTION:** Notice of the closing date for institutions to submit a request for a waiver of the requirement that an institution shall use at least 5 percent of the total amount of its Federal Work-Study (FWS) Federal funds granted for the 1994–95 award year to compensate students employed in community service jobs.

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 requirement that an institution shall use at least 5 percent of its total FWS Federal funds granted for the 1994–95 award year (July 1, 1994 through June 30, 1995) to compensate students employed in community service jobs. DATES: Closing Date for Submitting a Waiver Request and any Supporting Information or Documents. An institution that would like to request a

waiver of the requirement that an institution use at least 5 percent of the total amount of its FWS Federal funds granted for the 1994–95 award year to compensate students employed in community service jobs, must mail or hand-deliver its waiver request and any supporting information or documents on or before March 6, 1995. The Department will not accept a waiver request submitted by facsimile transmission. The waiver request must be submitted to the Campus-Based **Programs Financial Management** Division at one of the addresses indicated below.

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 Carolyn Short, Financial Management Specialist, Fund Control Branch, Campus-Based Programs Financial Management Division, Accounting and Financial Management Service, Student Financial Assistance Programs, U.S. Department of Education, Room 4621, Regional Office Building 3, 600 Independence Avenue, S.W., Washington, D.C. 20202-5452. 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. Institutions that submit waiver requests and any supporting information or documents after the closing date will not be considered for a waiver.

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 Carolyn Short, Financial Management Specialist, Fund Control Branch, Campus-Based Programs Financial Management Division, Student Financial Assistance Programs, U.S.

Department of Education, Room 4621, Regional Office Building 3, 7th and D Streets SW., Washington, D.C. Handdelivered 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 1994–95 award year that is delivered by hand will not be accepted after 4:30 p.m. on the closing date.

SUPPLEMENTARY INFORMATION: Under section 443 (b)(2)(A) of the Higher Education Act of 1965, as amended (HEA), an institution must use at least 5 percent of the total amount of its FWS Federal funds granted for an award year to compensate students employed in community service, except that the Secretary may waive this requirement if the Secretary determines that enforcing it would cause hardship for students at the institution. The institution must provide a written waiver request and any supporting information or documents by the established March 6, 1995 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.

To receive a waiver, an institution must demonstrate that the 5 percent requirement would cause hardship for students at the institution. To allow flexibility to consider factors that may be valid reasons for a waiver, the Secretary is not specifying specific circumstances that would support granting a waiver. However, the Secretary does not foresee many instances in which a waiver will be granted. The fact that it may be difficult for the institution to comply with this provision of the HEA is not a basis for granting a waiver.

Applicable Regulations

The following regulations apply to the Federal Work-Study program:

- (1) Student Assistance General Provisions, 34 CFR part 668.
- (2) Federal Work-Study Programs, 34 CFR part 675.
- (3) Institutional Eligibility Under the Higher Education Act of 1965, as amended, 34 CFR part 600.
- (4) New Restrictions on Lobbying, 34 CFR part 82.