

all interim uses of lands acquired with these funds must be consistent with the ultimate use of the property in a congressionally authorized federal project for Everglades restoration. The SFWMD will be required to obtain a land use approval from the DOI prior to construction.

4. *Scoping Meeting.* Public scoping meetings will be held on the Proposed Action on July 25, 2007, at 6 p.m. at the B1-Auditorium, SFWMD, 3301 Gun Club Road, West Palm Beach and on July 26, 2007, at 5 p.m. at the Institute of Food and Agricultural Sciences, 3200 E. Palm Beach Road, Belle Glade, Florida. The meetings will give agencies and the public an opportunity to receive more information on the Proposed Action and to provide comments and suggestions on the scope of the EIS.

5. *Availability of the Draft EIS.* The Corps currently expects the Draft EIS to be made available to the public in April 2008. A public meeting will be held during the public comment period for the Draft EIS. Written comments will be accepted at the meeting.

Dated: July 3, 2007.

David S. Hobbie,

Chief, Regulatory Division, Jacksonville District.

[FR Doc. E7-13401 Filed 7-10-07; 8:45 am]

BILLING CODE 3710-AJ-P

DEPARTMENT OF EDUCATION

Office of Postsecondary Education; Overview Information; Developing Hispanic-Serving Institutions (HSI) Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2007

Catalog of Federal Domestic Assistance (CFDA) Number: 84.031S.

Dates:

Applications Available: July 11, 2007.

Deadline for Transmittal of

Applications: August 10, 2007.

Eligible Applicants: Institutions of higher education (IHEs) that qualify as eligible HSIs are eligible to apply for new Individual Development Grants and Cooperative Arrangement Development Grants under the HSI Program. To be an eligible HSI, an IHE must—

(1) Be accredited or preaccredited by a nationally recognized accrediting agency or association that the Secretary has determined to be a reliable authority as to the quality of education or training offered;

(2) Be legally authorized by the State in which it is located to be a junior college or to provide an educational

program for which it awards a bachelor's degree;

(3) Be designated as an "eligible institution" by demonstrating that it: (A) Has an enrollment of needy students as described in 34 CFR 606.3; and (B) has low average educational and general expenditures per full-time equivalent (FTE) undergraduate student as described in 34 CFR 606.4;

(4) Have an enrollment of undergraduate FTE students that is at least 25 percent Hispanic students at the end of the award year immediately preceding the date of application.

Effective September 30, 2006, the Third Higher Education Extension Act of 2006 (Pub. L. 109-292) amended section 502(a) of the Higher Education Act of 1965, as amended (HEA), by requiring that institutions report their undergraduate Hispanic FTE percentage at the end of the award year immediately preceding the date of application. Funds for the Developing HSI Program are awarded each fiscal year, thus, for this program, the end of the award year refers to the end of the fiscal year prior to the application due date. The end of the fiscal year occurs on September 30. Therefore, for purposes of making the determination described in paragraph (4) IHEs must report their undergraduate Hispanic FTE percentage based on the student enrollment count closest to, but not after, September 30, 2006.

The Third Higher Education Extension Act of 2006 also amended section 502(a) of the HEA by eliminating the requirement in the HSI Program that an institution applying for a grant provide an assurance that not less than 50 percent of the institution's Hispanic students are low-income individuals.

The Notice Inviting Applications for Designation as Eligible Institutions for FY 2007 was published in the **Federal Register** on January 8, 2007 (72 FR 670). The HSI eligibility requirements are in 34 CFR 606.2 through 606.5 and can be accessed from the following Web site: http://www.access.gpo.gov/nara/cfr/waisidx_01/34cfr606_01.html.

The regulations in 34 CFR part 606 do not reflect the changes made by the Third Higher Education Extension Act of 2006 that are mentioned above.

Relationship Between HSI and Title III, Part A Programs

Note 1: A grantee under the HSI Program, which is authorized by Title V of the HEA, may not receive a grant under any HEA, Title III, Part A Program. The Title III, Part A Programs include: The Strengthening Institutions Program, the American Indian Tribally Controlled Colleges and Universities Program; and the Alaska Native and Native

Hawaiian-Serving Institutions Programs. Further, a current HSI Program grantee may not give up its HSI grant in order to receive a grant under any Title III, Part A Program.

Note 2: An HSI that does not fall within the limitation described in Note 1 may apply for a FY 2007 grant under all Title III, Part A Programs for which it is eligible, as well as under the HSI Program. However, a successful applicant may receive only one grant.

Note 3: An eligible HSI that submits more than one application may only be awarded one Individual Development Grant or one Cooperative Arrangement Development Grant in a fiscal year. Furthermore, we will not award a second Cooperative Arrangement Development Grant to an otherwise eligible HSI for the same award year as the HSI's existing Cooperative Arrangement Development Grant.

Note 4: The Department will cross-reference for verification, data reported to the Integrated Postsecondary Education Data System (IPEDS), the IHE's State-reported enrollment data, and the institutional annual report. If there are any differences in the percentages reported in IPEDS and the percentages reported in the grant application, the IHE should justify the differences as a part of its eligibility documentation.

Estimated Available Funds:

\$17,181,510.

Estimated Range of Awards:

\$550,000–\$713,000.

Estimated Average Size of Awards:

Individual Development Grant:

\$575,000. Cooperative Arrangement Development Grant: \$713,000.

Maximum Awards: Individual

Development Grant: \$575,000; Cooperative Arrangement Development Grant: \$713,000. We will not fund any application at an amount exceeding these maximum amounts for a single budget period of 12 months. We may choose not to further consider or review applications with budgets that exceed the maximum amounts specified, if we conclude, during our initial review of the application, that the proposed goals and objectives cannot be obtained with the specified maximum amount.

Estimated Number of Awards:

Individual Development Grant: 15.

Cooperative Arrangement Development Grant: 12.

Note: The Department is not bound by any estimates in this notice. Applicants should periodically check the HSI Program Web site for further information. The address is: <http://www.ed.gov/programs/ideshs/index.html>.

Project Period: Up to 60 months.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The HSI Program provides grants to assist HSIs to expand

educational opportunities for, and improve the academic attainment of, Hispanic students. The HSI Program grants also enable HSIIs to expand and enhance their academic offerings, program quality, and institutional stability.

Priorities: This notice contains one competitive preference priority and five invitational priorities. We are establishing the competitive preference priority for the FY 2007 grant competition only, in accordance with section 437(d)(1) of the General Education Provisions Act.

Competitive Preference Priority: For FY 2007, this priority is a competitive preference priority. Under 34 CFR 75.105(c)(2)(i) we will award an additional 25 points to an Individual Development Grant application that meets this priority.

This priority is:

We will give priority to applicants for Individual Development Grants that will not receive a non-competing continuation grant under the HSI Program in FY 2007. Applicants submitting multiple applications for Individual Development Grants who do not have non-competing continuations in FY 2007 may submit only one Individual Development Grant application under this competitive preference priority and must indicate which one of its Individual Development Grant applications is to be considered under this competitive preference priority.

Background: We are establishing this competitive preference priority to ensure that eligible IHEs have a full opportunity to apply for and receive Individual Development Grants and that IHEs that already have a five-year Individual Development Grant do not receive additional funding until their current grant has ended.

The Department believes that this approach is consistent with Congress' intent in enacting recent changes to the HSI program as part of the Third Higher Education Extension Act of 2006. As part of that law, Congress eliminated the provision in section 504(a) of the HEA that required grantees that received a five-year Individual Development Grant to wait for two years after completion of that grant before receiving a new grant. We believe that Congress intended to permit grantees to receive a new Individual Development Grant immediately after completing the old grant but did not necessarily intend this change to allow grantees to receive more than one Individual Development Grant at a time.

Invitational Priorities: Under 34 CFR 75.105(c)(1), we do not give an

application that meets these invitational priorities a competitive or absolute preference over other applications.

These priorities are:

Invitational Priority 1

Individual Development or Cooperative Arrangement Development Grants that aim to expand and enhance the academic offerings and program quality of colleges and universities with significant numbers of Hispanic students and other low-income individuals by strengthening academic offerings and program quality in the following National Science and Mathematics Access to Retain Talent (National SMART Grant) Program fields of study as delineated in 34 CFR 691.17: Computer science, engineering, technology, life sciences, mathematics, physical sciences and foreign languages, and in particular, for majors and critical foreign languages designated in Dear Colleague Letter (DCL) GEN-06-15. The Web site for DCL GEN-06-15 is: <http://www.ifap.ed.gov/dpcletters/Gen0615.html>.

Invitational Priority 2

Individual Development or Cooperative Arrangement Development Grants that aim to expand educational opportunities for and improve the academic attainment of Hispanic students and other low-income individuals by establishing or strengthening community outreach programs to middle school and high school students to provide information on rigorous secondary school program of study requirements as defined in 34 CFR 691.16 for the Academic Competitiveness Grant (ACG) Program. The Web site listing the recognized secondary school programs of study for each State for students graduating in 2005 or 2006 is <http://www.ed.gov/admins/finaid/about/ac-smart/state-programs06.html>. The Web site listing the recognized rigorous secondary school programs of study for each State for students graduating in 2007 is <http://www.ed.gov/admins/finaid/about/ac-smart/2007/state-programs-07.html>.

Invitational Priority 3

Individual Development or Cooperative Arrangement Development Grants that aim to improve the academic attainment of Hispanic students and other low-income individuals by establishing or improving tutoring, counseling, and student service programs designed to improve student academic success in the following National SMART Grant fields of study as delineated in 34 CFR 691.17:

computer science, engineering, technology, life sciences, mathematics, physical sciences and foreign languages, and in particular, for majors and critical foreign languages designated in Dear Colleague Letter GEN-06-15. The Web site for DCL GEN-06-15 is: <http://www.ifap.ed.gov/dpcletters/Gen0615.html>.

Invitational Priority 4

Individual Development or Cooperative Arrangement Development Grants that aim to expand educational opportunities of Hispanic students and other low-income individuals by improving or strengthening institutional capacity to evaluate student eligibility for the ACG and National SMART Grant Programs.

Invitational Priority 5

Applications that include an external evaluator to assess the project's plan for a rigorous experimental design and evaluation to determine linkages between proposed project interventions and successful outcomes.

Waiver of Proposed Rulemaking: Under the Administrative Procedure Act (5 U.S.C. 553) the Department generally offers interested parties the opportunity to comment on a competitive preference priority. Section 437(d)(1) of General Education Provisions Act, however, allows the Secretary to exempt from rulemaking requirements, regulations governing the first grant competition under a new or substantially revised program authority. This is the first grant competition for this program since the enactment of the amendments made by the Third Higher Education Extension Act of 2006 and therefore qualifies for this exemption. To make timely grant awards in FY 2007, the Secretary has decided to issue this application notice without first publishing this competitive preference priority for public comment. This competitive preference priority will apply to the FY 2007 grant competition only.

Program Authority: 20 U.S.C. 1101-1101d, 1103-1103g.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 81, 82, 84, 85, 86, 97, 98, and 99. (b) The regulations for this program in 34 CFR part 606.

II. Award Information

Type of Award: Discretionary grant. Five-year Individual Development Grants and Five-year Cooperative Arrangement Development Grants will be awarded in FY 2007. Planning grants will not be awarded in FY 2007.

Estimated Available Funds:
\$17,181,510.

Estimated Range of Awards:
\$550,000–\$713,000.

Estimate Average Size of Awards:
Individual Development Grant: \$575,000. Cooperative Arrangement Development Grant: \$713,000.
Maximum Awards: Individual Development Grant: \$575,000. Cooperative Arrangement Development Grant: \$713,000. We will not fund any application at an amount exceeding these maximum amounts for a single budget period of 12 months. We may choose not to further consider or review applications with budgets that exceed the maximum amounts specified, if we conclude, during our initial review of the application, that the proposed goals and objectives cannot be obtained with the specified maximum amount.

Estimated Number of Awards:
Individual Development Grant: 15. Cooperative Arrangement Development Grant: 12.

Note: The Department is not bound by any estimates in this notice. Applicants should periodically check the HSI Program Web site, for further information. The address is: <http://www.ed.gov/programs/idadeshsi/index.html>.

Project Period: Up to 60 months.

III. Eligibility Information

Eligible Applicants: IHEs that qualify as eligible HSIs are eligible to apply for new Individual Development Grants and Cooperative Arrangement Development Grants under the HSI Program. To be an eligible HSI, an IHE must—

(1) Be accredited or preaccredited by a nationally recognized accrediting agency or association that the Secretary has determined to be a reliable authority as to the quality of education or training offered;

(2) Be legally authorized by the State in which it is located to be a junior college or to provide an educational program for which it awards a bachelor's degree;

(3) Be designated as an "eligible institution" by demonstrating that it: (A) Has an enrollment of needy students as described in 34 CFR 606.3; and (B) has low average educational and general expenditures per FTE undergraduate student as described in 34 CFR 606.4;

(4) Have an enrollment of undergraduate FTE students that is at least 25 percent Hispanic students at the end of the award year immediately preceding the date of application.

Effective September 30, 2006, the Third Higher Education Extension Act of 2006, amended section 502(a) of the HEA by requiring that institutions

report their undergraduate Hispanic FTE percentage at the end of the award year immediately preceding the date of application. Funds for the HSI Program are awarded each fiscal year, thus, for this program, the end of the award year refers to the end of the fiscal year prior to the application due date. The end of the fiscal year occurs on September 30 for any given year. Therefore, for purposes of making the determination described in paragraph (4), IHEs must report their undergraduate Hispanic FTE percent based on the student enrollment count closest to, but not after, September 30, 2006.

The Third Higher Education Extension Act of 2006 also amended section 502(a) of the HEA by eliminating the requirement in the HSI Program that an IHE applying for a grant provide an assurance that not less than 50 percent of the institution's Hispanic students are low-income individuals.

The Notice Inviting Applications for Designation as Eligible Institutions for FY 2007 was published in the **Federal Register** on January 8, 2007 (72 FR 760). The HSI eligibility requirements are in 34 CFR 606.2 through 606.5 and can be accessed from the following Web site: http://www.access.gpo.gov/nara/cfr/waisidx_01/34cfr606_01.html. These regulations do not reflect the changes made to the HSI program requirements by the Third Higher Education Extension Act of 2006.

Relationship Between HSI and Title III, Part A Programs

Note 1: A grantee under the HSI Program, which is authorized by Title V of the HEA, may not receive a grant under any HEA, Title III, Part A Program. The Title III, Part A Programs include: The Strengthening Institutions Program; the American Indian Tribally Controlled Colleges and Universities Program; and the Alaska Native and Native Hawaiian-Serving Institutions Programs. Further, a current HSI Program grantee may not give up its HSI grant in order to receive a grant under any Title III, Part A Program.

Note 2: An HSI that does not fall within the limitation described in Note 1 may apply for a FY 2007 grant under all Title III, Part A Programs for which it is eligible, as well as under the HSI Program. However, a successful applicant may receive only one grant.

Note 3: An eligible HSI that submits more than one application may only be awarded one Individual Development Grant or one Cooperative Arrangement Development Grant in a fiscal year. Furthermore, we will not award a second Cooperative Arrangement Development Grant to an otherwise eligible HSI for the same award year as the HSI's existing Cooperative Arrangement Development Grant.

Note 4: The Department will cross-reference for verification, data reported to the IPEDS, the IHE's State-reported enrollment data, and the institutional annual report. If there are any differences in the percentages reported in the IPEDS and the percentages reported in the grant application, the IHE should justify the differences as a part of its eligibility documentation.

2. *Cost Sharing or Matching:* There are no cost sharing or matching requirements unless the grantee uses a portion of its grant for establishing or improving an endowment fund. If a grantee uses a portion of its grant for endowment fund purposes, it must match those grant funds with non-Federal funds. (20 U.S.C. 1101b(c)(2)).

IV. Application and Submission Information

1. *Address to Request Application Package:* J. Alexander Hamilton, U.S. Department of Education, 1990 K Street, NW., 6th Floor, Washington, DC 20006–8513. Telephone: (202) 502–7583 or by e-mail: Josephine.Hamilton@ed.gov.

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

Individuals with disabilities may obtain a copy of the application package in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) by contacting the program contact person listed in this section.

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 program. Page Limits: The application narrative (Part III) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We have established mandatory page limits for both the Individual Development Grant and the Cooperative Arrangement Development Grant applications. You must limit the section of the narrative that addresses the selection criteria to no more than 50 pages for the Individual Development Grant application and 70 pages for the Cooperative Arrangement Development Grant application, using the following standards:

- A page is 8.5" x 11", on one side only, with 1 inch margins at the top, bottom, and both sides.

- Double space (no more than three lines per vertical inch) all text in the application narrative, except titles, headings, footnotes, quotations, references, captions and all text in charts, tables, and graphs.

- Use one of the following fonts: Times New Roman, Courier, Courier

New or Arial. Applications submitted in any other font (including Times Roman and Arial Narrow) will not be accepted.

- Use font size 12.

The page limit does not apply to Part I, the application for federal assistance face sheet (SF 424); the supplemental information form required by the Department of Education; Part II, the budget information summary form (ED Form 524); Part III, the Project Abstract and the Five-year Plan; and Part IV, the assurances and certifications. The page limit also does not apply to a table of contents. If you include any attachments or appendices, these items will be counted as part of the Program Narrative (Part III) for purposes of the page limit requirement. You must include your complete response to the selection criteria in the program narrative.

We will reject your application if—

- You apply these standards and exceed the page limit; or
- You apply other standards and exceed the equivalent of the page limit.

3. *Submission Dates and Times:*

Applications Available: June 11, 2007.

Deadline for Transmittal of

Applications: August 10, 2007.

Applications for grants under this program must be submitted electronically using the Grants.gov Apply site (Grants.gov). For information (including dates and times) about how to submit your application electronically, or by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV.

6. *Other Submission Requirements* in 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**.

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 program.

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

Applicability of Executive Order 13202

Applicants that apply for construction funds under the HSI Program must comply with Executive Order 13202 signed by President Bush on February

17, 2001, and amended on April 6, 2001. This Executive order provides that recipients of Federal construction funds may not “require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations, on the same or other construction project(s)” or “otherwise discriminate against bidders, offerors, contractors, or subcontractors for becoming or refusing to become or remain signatories or otherwise adhere to agreements with one or more labor organizations, on the same or other construction project(s).” However, the Executive order does not prohibit contractors or subcontractors from voluntarily entering into these agreements. Projects funded under this program that include construction activity will be provided a copy of this Executive order and will be asked to certify that they will adhere to it.

6. *Other Submission Requirements:* Applications for grants under this program 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 HSI Program (CFDA Number 84.031S) must be submitted electronically using the Government wide Grants.gov Apply site at <http://www.Grants.gov>. Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not e-mail an electronic copy of a grant application to us.

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*.

You may access the electronic grant application for the HSI Program at: <http://www.Grants.gov>. You must search for the downloadable application package for this program by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g. search for 84.031, not 84.031S).

Please note the following:

- When you enter the Grants.gov site, you will find information about

submitting an application electronically through the site, as well as the hours of operation.

- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted, and must be date and time stamped by the Grants.gov system no later than 4:30 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not consider your application if it is date and time stamped by the Grants.gov system later than 4:30 p.m., Washington, DC time, on the application deadline date. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30 p.m., Washington, DC time, on the application deadline date.

- The amount of time it can take to upload an application will vary depending on a variety of factors including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.

- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this program competition to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov at <http://e-Grants.ed.gov/help/GrantsgovSubmissionProcedures.pdf>.

- To submit your application via Grants.gov, you must complete all of the steps in the Grants.gov registration process (see http://www.grants.gov/applicants/get_registered.jsp). These steps include (1) registering your organization, a multi-part process that includes registration with the Central Contractor Registry (CCR); (2) registering yourself as an Authorized Organization Representative (AOR), and (3) getting authorized as an AOR by your organization. Details on these steps are outlined in the Grants.gov 3-Step Registration Guide (see <http://www.grants.gov/section910/Grants.govRegistrationBrochure.pdf>). You also must provide on your application the same D-U-N-S Number used with this registration. Please note that the registration process may take five or more business days to complete, and you must have completed all registration steps to allow you to submit successfully an application via

Grants.gov. In addition, you will need to update for CCR registration on an annual basis. This may take three or more business days to complete.

- 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: Application for Federal Education 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. Please note that two of these forms—the SF 424 and the Department of Education Supplemental Information for SF 424—have replaced the ED 424 (Application for Federal Education Assistance).

- 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 above 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.

- After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. (This notification indicates receipt by Grants.gov only, not receipt by the Department.) The Department then will retrieve your application from Grants.gov and send a second notification to you by e-mail. This second notification indicates that the Department has received your application and has assigned your application a PR/Award number (an ED-specified identifying number unique to your application).

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

Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System: If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk at 1-800-518-4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline

date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30 p.m., Washington, DC time, on the application deadline date, please contact the person listed elsewhere in this notice under **FOR FURTHER INFORMATION CONTACT** and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that that problem affected your ability to submit your application by 4:30 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

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 the Grants.gov system because—

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the Grants.gov system; 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 prevent 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: J. Alexander Hamilton, U.S. Department of Education, 1990 K Street, NW., 6th Floor, Washington, DC 20006-8513 FAX: (202) 502-7861.

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 applicable following address:

By mail through the U.S. Postal Service: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.031S), 400 Maryland Avenue, SW., Washington, DC 20202-4260 or

By mail through a commercial carrier: U.S. Department of Education, Application Control Center—Stop 4260, Attention: (CFDA Number 84.031S), 7100 Old Landover Road, Landover, MD 20785-1506.

Regardless of which address you use, 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; or
- (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; or
- (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 84.031S), 550 12th Street, SW., Room 7041, Potomac Center Plaza, Washington, DC 20202-4260.

The Application Control Center accepts hand deliveries daily between 8 a.m. and 4:30 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.

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this 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

1. *Selection Criteria:* The selection criteria for this program are in 34 CFR 606.22. In addition to these selection criteria, we evaluate an applicant's performance under a previous Development Grant under 34 CFR 606.24.

2. Review and Selection Process:

(A) Applicants must provide, as an attachment to the application, the documentation the institution relied upon in determining that at least 25 percent of the institution's undergraduate FTE students are Hispanic.

Note: The 25 percent requirement applies only to undergraduate Hispanic students and is calculated based upon FTE students. Instructions for formatting and submitting the verification documentation to Grants.gov are in the application package for this competition.

(B) Tiebreaker for Development Grants. In tie-breaking situations for development grants described in 34 CFR 606.23(b), the HSI Program regulations require that we award one additional point to an application from an IHE that has an endowment fund for which the market value per FTE student is less than the comparable average per FTE student at a similar type IHE. We also award one additional point to an application from an IHE that had expenditures for library materials per FTE student that are less than the

comparable average per FTE student at a similar type IHE.

For the purpose of these funding considerations, we use 2004–2005 data.

If a tie remains after applying the tiebreaker mechanism above, priority will be given (a) for Individual Development Grants, to applicants that addressed the statutory priority found in section 511(d) of the HEA; and (b) for Cooperative Arrangement Development Grants, to applicants in accordance with section 514(b) of the HEA, where the Secretary determines that the cooperative arrangement is geographically and economically sound or will benefit the applicant HSI.

If a tie still remains after applying the additional point(s), and the relevant statutory priority, we will determine the ranking of applicants based on the lowest endowment values per FTE student.

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 also notify you informally.

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 specified by the Secretary in 34 CFR 75.118, 34 CFR 75.720 and in 34 CFR 606.31.

4. *Performance Measures:* The Secretary has established the following key performance measures for assessing the effectiveness of the HSI Program: (1) The number of full-time degree-seeking undergraduates enrolled at HSIs. (2) The percentage of first-time, full-time degree-seeking undergraduate students who were in their first year of postsecondary enrollment in the

previous year and are enrolled in the current year at the same institution. (3) The percentage of first-time, full-time degree-seeking undergraduate students enrolled at four-year HSIs graduating within six years of enrollment. (4) The percentage of first-time, full-time degree-seeking undergraduate students enrolled at two-year HSIs graduating within three years of enrollment. (5) Federal cost for undergraduate and graduate degrees at institutions in the Developing HSIs program.

VII. Agency Contacts

FOR FURTHER INFORMATION CONTACT: J. Alexander Hamilton, U.S. Department of Education, 1990 K Street, NW., 6th Floor, Washington, DC 20006-8513. Telephone: (202) 502-7583 or by e-mail: Josephine.Hamilton@ed.gov or Carnisia Proctor, Telephone: (202) 502-7606 or by e-mail: Carnisia.Proctor@ed.gov.

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

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) on request to the program contact person listed in this section.

VIII. Other Information

Electronic Access to This Document: You may 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. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

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: July 6, 2007.

James F. Manning,

Acting Assistant Secretary for Postsecondary Education.

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