

The public hearing scheduled for Wednesday, May 7, 1997 is cancelled.

**Cynthia E. Grigsby,**

*Chief, Regulations Unit, Assistant Chief Counsel (Corporate).*

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-209040-88]

RIN 1545-AM41

#### Qualified Electing Fund Elections; Hearing Cancellation

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking.

**SUMMARY:** This document provides notice of cancellation of a public hearing on proposed regulations permitting certain shareholders to make a special election under section 1295, in lieu of the election currently provided for under that section, with respect to certain preferred shares of a passive foreign investment company (PFIC).

**DATES:** The public hearing originally scheduled for May 8, 1997, beginning at 10 a.m. is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Evangelista C. Lee of the Regulations Unit, Assistant Chief Counsel (Corporate), (202) 622-7190 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** The subject of the public hearing is proposed amendments to the Income Tax Regulations under sections 1293 and 1295 of the Internal Revenue Code. A notice of proposed rulemaking and public hearing appearing in the **Federal Register** on Tuesday, December 24, 1996 (61 FR 67752), announced that a public hearing would be held on Thursday, May 8, 1997, beginning at 10 a.m., in room 3313, Internal Revenue Building, 1111 Constitution Avenue, NW, Washington, DC 20224.

The public hearing scheduled for Thursday, May 8, 1997, is cancelled.

**Cynthia E. Grigsby,**

*Chief, Regulations Unit Assistant Chief Counsel (Corporate).*

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## DEPARTMENT OF JUSTICE

### Office of Justice Programs

#### 28 CFR Part 32

[OJP(BJA)-1121]

RIN 1121-AA44

#### Federal Law Enforcement Dependents Assistance Program

**AGENCY:** Office of Justice Programs, Bureau of Justice Assistance, Public Safety Officers' Benefits Office, Justice.  
**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** Regulations are being proposed to comply with the Federal Law Enforcement Dependents Assistance (FLEDA) Act of 1996. The FLEDA Program, to be administered by the Bureau of Justice Assistance through a delegation of authority from the Attorney General, will, subject to the availability of funds, provide financial assistance in the form of awards to the children and spouses of Federal civilian law enforcement officers whose deaths or permanent and total disabilities in the line of duty resulted in the payment of benefits under the Public Safety Officers' Benefits (PSOB) Program. The financial assistance provided through the FLEDA Program is designed to defray costs associated with higher education for these children and spouses.

**DATES:** Comments will be received no later than 5:00 pm on May 27, 1997.

**ADDRESS:** Comments should be sent to: Chief, Public Safety Officers' Benefits Office, Bureau of Justice Assistance, 633 Indiana Avenue, NW, Washington, D.C. 20531.

**FOR FURTHER INFORMATION CONTACT:** Jeff Allison, Chief, Public Safety Officers' Benefits Office, 633 Indiana Avenue, N.W. Washington, D.C. (202) 307-0635.

**SUPPLEMENTARY INFORMATION:** The Federal Law Enforcement Dependents Assistance Act, Public Law 104-238, 110 Stat. 3114, Oct. 3, 1996, established a new subpart 2 in Part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. § 3796 *et seq.* to provide financial assistance to the children and spouses of Federal civilian law enforcement officers killed or permanently and totally disabled in the line of duty. The legislation redesignated the existing Public Safety Officers' Benefit (PSOB) Act as subpart 1 of Part L.

This Act further recognizes the sacrifices and invaluable contributions made to public safety in our Nation by Federal law enforcement officers and their families. The Federal Law

Enforcement Dependents Assistance (FLEDA) program extends to the families of fallen or disabled Federal law enforcement officers the higher education assistance already available to state and local law enforcement officers in many states. As stated in the Act, the purposes of this program are—

(1) to enhance the appeal of service in civilian Federal law enforcement agencies;

(2) to extend the benefits of higher education to qualified and deserving persons who, by virtue of the death or total disability of an eligible officer, may not be able to afford it otherwise; and

(3) to allow the family members of eligible officers to attain the vocational and educational status which they would have attained had a parent or spouse not been killed or disabled in the line of duty.

As an amendment to the existing PSOB program, the FLEDA program offers educational benefits to the spouse or children of federal law enforcement officers with respect to whom a claim has already been approved under the PSOB program. Thus, although the standards for the two programs differ, these regulations are drafted as far as possible to rely on existing determinations made by the Bureau of Justice Assistance under the PSOB program regarding the death or disability of a Federal law enforcement officer in the line of duty.

The FLEDA program authorizes the payment of monthly benefits to eligible dependents for attendance at an approved program of education at institutions of higher learning. The program incorporates by reference established definitions relating to eligible institutions and other standard requirements for federal student aid programs under Title IV of the Higher Education Act of 1965 (20 U.S.C. 1970 *et seq.*).

In general, eligible dependents may receive educational assistance for up to 45 months of full-time education or training, or a proportionately longer period of time for a part-time program. Absent a finding of extraordinary circumstances, a dependent child will not be eligible to receive educational benefits under the FLEDA program after the child's 27th birthday.

Educational benefits under FLEDA are calculated under the standards of 38 U.S.C. 3532, at the time the educational expenses are incurred. Presently, the educational assistance allowance for an eligible person pursuing a program of education consisting of institutional courses is \$404 per month for full-time, \$304 for three-quarter-time, and \$202 for half-time pursuit, and proportional