

PRIOR PROVISIONS

A prior section 435 of Pub. L. 90-247 was renumbered section 441, and is classified to section 1232d of this title.

Another prior section 435 of Pub. L. 90-247 was renumbered section 423, and is classified to section 1226a-1 of this title.

Another prior section 435 of Pub. L. 90-247 was renumbered section 445, and is classified to section 1233d of this title prior to repeal by Pub. L. 103-382.

AMENDMENTS

1994—Pub. L. 103-382, § 245, amended section generally. Prior to amendment, section consisted of single par. relating to use of funds withheld for failure to comply with title VI of the Civil Rights Act of 1964.

§ 1231f. Repealed. Pub. L. 103-382, title II, § 212(a)(1), Oct. 20, 1994, 108 Stat. 3913

Section, Pub. L. 90-247, title IV, § 429, formerly § 417, as added Pub. L. 91-230, title IV § 401(a)(10), Apr. 13, 1970, 84 Stat. 168; renumbered § 427, Pub. L. 92-318, title III, § 301(a)(1), June 23, 1972, 86 Stat. 326; renumbered § 429 and amended Pub. L. 93-380, title V, §§ 501(b)(2), 508(a), Aug. 21, 1974, 88 Stat. 558, 565; Pub. L. 96-88, title III, § 301(a)(1), (b)(2), title V, § 507, Oct. 17, 1979, 93 Stat. 677, 678, 692, authorized transfer of information.

PART 2—ADMINISTRATION: REQUIREMENTS AND LIMITATIONS

§ 1231g. Applications

(a) Submission and amendments of applications

Notwithstanding any other provision of law, unless expressly in limitation of the provisions of this section, the Secretary is authorized to provide for the submission of applications for assistance effective for more than one fiscal year under any applicable program with whatever amendments to such applications being required as the Secretary determines essential.

(b) Uniform dates

The Secretary shall, insofar as is practicable, establish uniform dates during the year for the submission of applications under all applicable programs and for the approval of such applications.

(c) Development of common applications

The Secretary shall, insofar as is practicable, develop and require the use of—

(1) a common application for grants to local educational agencies in applicable programs administered by State educational agencies in which the funds are distributed to such local agencies pursuant to some objective formula, and such application shall be used as the single application for as many of these programs as is practicable;

(2) a common application for grants to local educational agencies in applicable programs administered by State educational agencies in which the funds are distributed to such local agencies on a competitive or discretionary basis, and such application shall be used as the single application for as many of such programs as is practicable; and

(3) a common application for grants to local educational agencies in applicable programs which are directly administered by the Secretary, and such application shall be used as the single application for as many of these programs as is practicable.

(Pub. L. 90-247, title IV, § 436, formerly § 430, as added Pub. L. 95-561, title XII, § 1213, Nov. 1, 1978, 92 Stat. 2342; renumbered § 436 and amended Pub. L. 103-382, title II, §§ 212(b)(1), 246, Oct. 20, 1994, 108 Stat. 3913, 3923.)

Editorial Notes

PRIOR PROVISIONS

A prior section 436 of Pub. L. 90-247 was renumbered section 442, and is classified to section 1232e of this title.

Another prior section 436 of Pub. L. 90-247 was classified to section 1232e of this title prior to repeal by Pub. L. 95-561.

Another prior section 436 of Pub. L. 90-247 was renumbered section 446, and was classified to section 1233e of this title prior to repeal by Pub. L. 103-382.

AMENDMENTS

1994—Pub. L. 103-382, § 246(2), substituted “Secretary” for “Commissioner” wherever appearing.

Subsec. (a). Pub. L. 103-382, § 246(1), substituted “for more than one fiscal year” for “for three fiscal years”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1978, see section 1530(a) of Pub. L. 95-561, set out as an Effective Date of 1978 Amendment note under section 1221e-3 of this title.

§ 1232. Regulations

(a) “Regulation” defined

For the purpose of this section, the term “regulation” means any generally applicable rule, regulation, guideline, interpretation, or other requirement that—

(1) is prescribed by the Secretary or the Department; and

(2) has legally binding effect in connection with, or affecting, the provision of financial assistance under any applicable program.

(b) Citation of authority

Regulations shall contain, immediately following each substantive provision of such regulations, citations to the particular section or sections of statutory law or other legal authority on which such provision is based.

(c) Uniform application

All regulations shall be uniformly applied and enforced throughout the 50 States.

(d) Application of exemption

The exemption for public property, loans, grants and benefits in section 553(a)(2) of title 5 shall apply only to regulations—

(1) that govern the first grant competition under a new or substantially revised program authority as determined by the Secretary; or

(2) where the Secretary determines that the requirements of this subsection will cause extreme hardship to the intended beneficiaries of the program affected by such regulations.

(e) Schedule for promulgation of final regulations

Not later than 60 days after the date of enactment of any Act, or any portion of any Act, affecting the administration of any applicable program, the Secretary shall submit to the Com-