DEPARTMENT OF EDUCATION

34 CFR Chapter II

[ED–2026–OESE–0826]

Final Waiver and Extension of the Project Period With Funding—Title I, Part C Consortium Incentive Grant Program

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education.

ACTION: Final waiver and extension of the project period with funding.

SUMMARY: The Secretary waives the requirements in the Education Department General Administrative Regulations (EDGAR) that generally prohibit project period extensions involving the obligation of additional Federal funds. The final waiver and extension would enable 39 projects under Assistance Listing Number (ALN) 84.144F to receive funding for up to one additional 12-month period, not to exceed September 30, 2027.

DATES: This waiver and extension is effective July 10, 2026.

FOR FURTHER INFORMATION CONTACT: Michael Meltzer, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202–5076. Telephone: (202) 987–1657. Email: *Michael.Meltzer@ed.gov*.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

SUPPLEMENTARY INFORMATION:

Background

Title I, Part C, authorized under sections 1301–1309 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended, is a State-operated and State administered formula grant program for the education of migratory children—*i.e.,* children of migratory agricultural workers and migratory fishers. One component of the Title I, Part C program is the Consortium Incentive Grant (CIG) program, authorized in section 1308(d) of the ESEA (20 U.S.C. 6398(d)). Through the CIG program, the Department of Education (Department) may set aside up to $3,000,000 from the annual Title I, Part C appropriation to award grants on a competitive basis to State educational agencies (SEAs) to participate in consortia with another State or appropriate entity that will improve the delivery of services to migratory children whose education is interrupted.

The Department published a notice of final requirements for the CIG program in the **Federal Register** on March 3, 2004 (69 FR 10110) (2004 Notice), a notice of final priority on March 12, 2008 (73 FR 13217), and a notice of final requirement on December 31, 2013 (78 FR 79613), in which we increased the maximum project period for the CIG program to three years. On February 23, 2023, the Department published in the **Federal Register** (88 FR 11422) a notice inviting applications for the CIG program.

On April 17, 2026, the Department published a notice in the **Federal Register** (91 FR 20607) proposing a waiver and extension of the project period with funding (proposed waiver and extension) that would allow 39 Fiscal Year 2023 grantees under ALN 84.144F to receive funding for up to two additional 12-month periods, not to exceed September 30, 2028. The proposed waiver and extension contained background information and our reasons for the proposal.

There is one substantive difference between the notice of proposed waiver and extension of the project period with funding and this notice of final waiver and extension of the project period with funding (final waiver and extension): the final waiver and extension is for one additional 12-month period, not up to two additional 12-month periods as proposed. The rationale for this change is discussed in the *Analysis of Comments and Changes* section of this document.

Public Comment: In response to our invitation in the proposed waiver and extension, the Department received 28 comments.

Generally, we do not address technical and other minor changes. In addition, we do not address general comments not directly related to the proposed waiver and extension.

Analysis of Comments and Changes

An analysis of the comments and any changes in the final waiver and extension since publication of the proposed waiver and extension follows.

Of the 28 comments received, most were in support of the waiver, one was opposed to the inclusion of all current grantees in the waiver, and one was opposed to the waiver.

Comment: Several commenters expressed support for the CIG program and the proposed waiver and extension noting continued funding would allow grantees to continue coordinating with one another to address the needs of migratory children and achieve the goals and objectives of the consortia. Commenters noted that the waiver and extension would provide the opportunity to create additional high-quality materials to address the needs identified in their State, refine and enhance existing consortia materials, and work to ensure that consortia materials are widely disseminated and used by Title I, Part C programs across the Nation. Commenters also noted that the waiver and extension would support professional learning, identification and recruitment of migratory students, strengthen family engagement, and promote student success and achievement in a manner that would reduce duplication of effort and resources across States as well as maximize the use of funding.

Discussion: We appreciate the commenters' support for the CIG program and this waiver. We agree with commenters that an abrupt interruption in the program's services and support should be avoided. However, in response to a commenter that raised concerns about fiscal responsibility, we are limiting the final waiver and extension to one 12-month period. The Department will continue to consider ongoing needs for the CIG program during this extension period.

Changes: The proposed waiver and extension of up to two additional 12-month periods has been reduced to one additional 12-month period.

Comment: One commenter recommended that six States be ''exempted'' under the proposed waiver and extension, but did not provide additional context for consideration.

Discussion: We acknowledge the commenter's recommendation to exempt six States from the waiver and extension. However, it would not be appropriate to limit the waiver and extension in this manner, as the States proposed to receive the waiver and extension were previously determined eligible through the original 2023 grant competition.

Changes: None.

Comment: One commenter opposed the waiver on the basis that it would increase spending. The commenter argued that the Department should prioritize cost reductions rather than taking on more projects and spending more money.

Discussion: We appreciate the commenters' concerns related to spending. We clarify that Congress appropriated FY 2026 funds for the Title I, Part C program, which includes the CIG program. A waiver and extension for CIG grantees does not amount to an increase in FY 2026 spending because the Department would otherwise obligate the same total amount of funds to the Title I, Part C program, as directed by Congress. We believe extending these projects for one additional year, rather than authorizing a new grant competition is the most efficient use of FY 2026 funds. However, we agree with the commenter's general concern regarding fiscal responsibility. Therefore, we are limiting the final waiver and extension to one additional 12-month period, in alignment with the Administration's FY 2027 budget request which eliminates the program.

Changes: The proposed waiver and extension of up to two additional 12-month periods has been reduced to one additional 12-month period.

Final Waiver and Extension of the Project Period With Funding

In the proposed waiver and extension, we discussed the background and purposes of the CIG program and our reasons for proposing the waiver and extension. As outlined in that document, providing up to two additional years of funding would permit grantees to continue coordinating with one another and continue achieving the goals and objectives of their consortium applications as the Secretary considers changes to the priorities and structure of the CIG program. After considering the public comments in response to our proposal, we have determined that one additional year of funding is likely to achieve the aforementioned benefits.

For these reasons, we have concluded that it would be contrary to the public interest to have a lapse in the work of current CIG program grantees while the Secretary considers changes to the implementation of the CIG program.

Therefore, the Secretary waives the requirements in 34 CFR 75.261(b)(2), which limits the extension of a project period if the extension involves the obligation of additional Federal funds and the requirements in the 2013 Notice, which establishes a 3-year project period.

Under this waiver—

(1) Current grantees are authorized to receive continuation determinations and awards for one additional 12-month period, not to exceed September 30, 2027, using the CIG funding formula currently in existence.

(2) The Department is not announcing a new competition in FY 2026.

(3) During the extension period, any activities carried out must be consistent with, or be a logical extension of, the scope, goals, and objectives of the grantees' approved application from the FY 2023 CIG program competition.

(4) Each grantee that receives a continuation determination and award must also continue to comply with the requirements established in the program regulations, the 2004 and 2013 Notices, and the 2023 notice inviting applications for the CIG program (88 FR 11422).

The waiver of 34 CFR 75.261(b)(2) will not affect the applicability of the requirements in 34 CFR 75.253 (continuation of a multi-year project after the first budget period) to any current CIG program grantee that receives a continuation award as a result of the waiver.

Intergovernmental Review

This action is subject to Executive Order 12372 and the regulations in 34 CFR part 79.

Regulatory Flexibility Act Certification

The Secretary certifies that this final waiver and extension of the project period would not have a significant economic impact on a substantial number of small entities.

The entities that would be affected by this final waiver and extension are:

(a) The FY 2023 SEA grantees currently receiving Title I, Part C funds; and

(b) SEAs that otherwise would have been eligible to apply for an award in FY 2026 under the CIG program if the Department had held that competition.

The Secretary certifies that the final waiver and extension would not have a significant economic impact on these entities because the extension of an existing project period imposes minimal compliance costs, and the activities required to support the additional year(s) of funding would not impose additional regulatory burdens or require unnecessary Federal supervision.

Paperwork Reduction Act of 1995

This notice of final waiver and extension of the project period does not contain any information collection requirements.

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

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Kirsten Baesler,

Assistant Secretary, Office of Elementary and Secondary Education.

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DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 17

[Docket No. VA–2025–VHA–0007]

RIN 2900–AS29

Expansion of VA Process for 72-Hour Notification of Emergency Treatment

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The Department of Veterans Affairs (VA) adopts as final, with minor changes, a proposed rule amending its medical regulations to add a new method for veterans, their representatives, and eligible entities or providers to notify VA for the determination of whether emergency treatment can be authorized under the Veterans Community Care Program (VCCP). This will streamline the notification process and make it easier for veterans to have their care authorized under VCCP.

DATES: This rule is effective August 10, 2026.

FOR FURTHER INFORMATION CONTACT: Joseph Duran, Director, Policy, Office of Integrated Veteran Care, Veterans Health Administration, (303) 370–1637.

SUPPLEMENTARY INFORMATION: On July 22, 2025, VA published a rulemaking in the **Federal Register** that proposed to allow veterans, their representatives, and eligible entities or providers to notify VA through a centralized web-based process for determination of whether the emergency treatment can be authorized under the VCCP. 90 FR 34407. VA authorizes payment of emergency treatment furnished to covered veterans by eligible entities or providers under the VCCP if the veteran notifies the appropriate official at the nearest VA medical facility within 72 hours of such care being furnished and VA approves such care. 38 CFR 17.4020(c)(2) and (c)(4); other requirements under § 17.4020(c) also apply. VA specifically proposed to revise § 17.4020(c)(4)(i) to add the option of notification through a centralized notification process instead of only allowing notice to be provided to the appropriate VA official at the