



DEPARTMENT OF EDUCATION

34 CFR Chapter III

[ED-2026-OSERS-0530]

Final Waivers and Extensions of the Project Periods with Funding for the American Indian Vocational Rehabilitation Services Program and the American Indian Vocational Rehabilitation Training and Technical Assistance Center

AGENCY: Office of Special Education and Rehabilitative Services (OSERS), Department of Education (Department)

ACTION: Final waivers and extensions of project periods with funding.

SUMMARY: The Secretary waives the requirements in the Education Department General Administrative Regulations that generally prohibit project periods exceeding five years and project period extensions involving the obligation of additional Federal funds. The waivers and extensions enable 43 American Indian Vocational Rehabilitation Services (AIVRS) projects under Assistance Listing Number (ALN) 84.250N and one American Indian Vocational Rehabilitation Training and Technical Assistance Center (AIVRTTAC) under ALN 84.250Z to receive funding for an additional period, not beyond September 30, 2027.

DATES: These waivers and extensions of the project periods are effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

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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: On April 2, 2026, the Department published in the *Federal Register* (91 FR 16599) a proposal to waive the requirements in the Education Department General Administrative Regulations that generally prohibit project periods exceeding five years and extend the project periods with funding to enable 43 AIVRS projects under Assistance Listing Number (ALN) 84.250N, and one AIVRTTAC project under 84.250Z currently in their fifth year, to receive funding for an additional period, not beyond September 30, 2027.

There are no differences between the notice of proposed waivers and extensions of the project periods with funding and this notice of final waivers and extensions of the project periods with funding, as discussed in the *Analysis of Comments and Changes* section of this document.

Public Comment

In response to the Department's invitation in the notice of proposed waivers and extensions of the project periods with funding, 25 parties submitted 27 comments with two comments counted as duplicate.

Generally, the Department does not address technical and other minor changes or suggested changes the law does not authorize the Department to make under the applicable statutory

authority. In addition, the Department does not address general comments that raised concerns not directly related to the proposed waivers and extensions of the project periods with funding.

Analysis of Comments and Changes

An analysis of the comments and of any changes since publication of the notice of proposed waiver and extension of the project period with funding follows.

Comment: Sixteen commenters submitted comments in support of the extensions of the project periods with funding, stating the extension is necessary for the continuity of vocational rehabilitation (VR) services to existing VR program participants.

Discussion: We appreciate the commenters' support for the waivers and extensions and agree that funding this extension will continue to provide VR services to existing participants.

Change: None.

Comment: Several commenters submitted comments that were generally supportive of the AIVRS or AIVRTTAC programs but did not provide specific feedback on the proposed waivers and extensions, including a few commenters that shared support for a specific AIVRS project, a few commenters requesting waivers and extensions for specific AIVRS grants, and a few commenters that advocated for continued and consistent funding for the AIVRS and AIVRTTAC programs.

Discussion: The Department appreciates the commenters

feedback on and support for the programs but does not address general comments not directly related to the proposed waivers and extensions with funding.

Change: None.

Comment: One commenter shared support for the proposed waivers and extensions for the 43 projects under the AIVRS program but raised concerns with the proposed waiver and extension for the grant project under the AIVRTTAC program, citing specific experience related to the current grant project. The commenter advocated that the Department address various performance and compliance concerns as a condition of any extension of the current grantee's project period.

Discussion: The Department appreciates the commenter's feedback on the AIVRTTAC program. The Department reiterates that, following the finalization of these waivers and extensions, all impacted grantees would be able to request continuation funding for an additional year. In that request, all grantees would need to certify that they have the capacity to continue activities. Additionally, in making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: whether a grantee has made substantial progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, whether the grantee has made substantial progress in achieving the

performance targets in the grantee's approved application, or whether the continuation of the project is in the best interest of the Federal Government. The Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23). In making any continuation award determination, the Secretary may consider all relevant information.

We also note that the Department conducts routine risk evaluations of grantees over the course of the grant period, as well as ongoing monitoring of and communication with grantees regarding risk, compliance, and performance, aligned with the Guidance for Federal Financial Assistance in 2 CFR part 200, as adopted and amended as regulations of ED in 2 CFR part 3474, and the Education Department General Administrative Regulations in 34 CFR part 75.

Changes: None.

Final Waivers and Extensions

The Department believes that it is in the public interest to extend the AIVRS program and the AIVRTTAC in lieu of running a new competition in FY 2026.

Extending the project end dates of the 43 AIVRS and one AIVRTTAC grants for one year allows for efficient continuity of VR services for American Indians with disabilities. Pending FY

2027 appropriations, there may be new competitions for all eligible applicants.

For these reasons, the Department waives the requirements in 34 CFR 75.250, which prohibit project periods exceeding five years, as well as the requirements in 34 CFR 75.261(a) and (c)(2), which allow the extension of a project period only if the extension does not involve the obligation of additional Federal funds. These waivers allow the Department to consider FY 2026 continuation awards to the 43 AIVRS projects (ALN 84.250N) and one AIVRTTAC project (ALN 84.250Z) based on their Year 5 planned amount. It is estimated that each grantee's continuation award will be at the amounts listed within the Proposed Waivers and Extensions as published in the *Federal Register* (91 FR 16599), pending review and discussion of carryover.

Any activities to be carried out during the year of these continuation awards have to be consistent with, or a logical extension of, the scope, goals, and objectives of the grantees' applications as approved in the FY 2021 AIVRS and AIVRTTAC competitions. The FY 2021 AIVRS and AIVRTTAC Notices Inviting Applications continue to govern each grantee's project during the extension. The requirements for continuation determinations and awards are set forth in 34 CFR 75.253.

Regulatory Flexibility Act Certification

The Secretary certifies that the waivers and extensions of the project periods with funding would not have a significant economic impact on a substantial number of small entities. The

extension of existing project periods imposes minimal compliance costs, and the activities required to support the additional year of funding would not impose additional regulatory burdens or require unnecessary Federal supervision. The only entities that are affected by the waivers and extensions of the project periods are the 43 ALN 84.250N and the ALN 84.250Z grantees.

Paperwork Reduction Act of 1995

The final waivers and extensions of the project periods with funding do not contain any information collection requirements.

Intergovernmental Review

These programs are not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

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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