

This document corrects a technical error in the regulations. This document does not contain any substantive changes to the regulations.

DATES: Effective December 31, 2024.

FOR FURTHER INFORMATION CONTACT:

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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 July 10, 2023, the Department published in the **Federal Register** a final rule amending regulations related to income-driven repayment (88 FR 43820). Those final regulations contained a technical error, which we are correcting. Specifically, with respect to 34 CFR 685.209(k)(6)(i), we indicated in the preamble to the final rule in a response to public comment that we were modifying the regulations to exclude periods in which a borrower is in an in-school deferment from counting toward the borrower's time to forgiveness, and we explained our reasons for doing so, see, e.g., 88 FR 43855, but we inadvertently omitted that change in the regulatory text. This notice corrects that inadvertent omission.

Waiver of Proposed Rulemaking, Negotiated Rulemaking, and Delayed Effective Date

In accordance with the Administrative Procedure Act (APA), 5 U.S.C. 553, the Department generally offers interested parties the opportunity to comment on proposed regulations. However, the APA provides that an agency is not required to conduct notice-and-comment rulemaking when the agency, for good cause, finds that notice and public comment thereon are impracticable, unnecessary, or contrary to the public interest (5 U.S.C. 553(b)). There is good cause to waive rulemaking here as unnecessary.

Rulemaking is "unnecessary" in those situations in which "the administrative rule is a routine determination, insignificant in nature and impact, and inconsequential to the industry and to the public." *Utility Solid Waste Activities Group v. EPA*, 236 F.3d 749, 755 (D.C. Cir. 2001), quoting U.S. Department of Justice, *Attorney General's Manual on the Administrative Procedure Act* 31 (1947) and *South Carolina v. Block*, 558 F. Supp. 1004, 1016 (D.S.C. 1983). The regulatory change in this document is necessary to properly and accurately reflect the

outcome of the rulemaking process, by correcting a technical error: regulatory text that was proposed and explained but inadvertently was omitted from the final regulatory text. It reflects the substantive rule stated in the preamble, which was the product of the notice and comment process and does not establish any new substantive rule. Therefore, the Department has determined that publication of a proposed rule is unnecessary under 5 U.S.C. 553(b).

In addition, under section 492 of the Higher Education Act of 1965, as amended (HEA) (20 U.S.C. 1098a), all regulations proposed by the Department for programs authorized under title IV of the HEA are subject to negotiated rulemaking requirements. Section 492(b)(2) of the HEA provides that negotiated rulemaking may be waived for good cause when doing so would be "impracticable, unnecessary, or contrary to the public interest." There is likewise good cause to waive the negotiated rulemaking requirement in this case, since, as explained above, notice and comment rulemaking is unnecessary and has already been conducted.

The APA generally requires that regulations be published at least 30 days before their effective date, unless the agency has good cause to implement its regulations sooner (5 U.S.C. 553(d)(3)). As previously stated, because the regulatory change corrects an error, there is good cause to waive the delayed effective date in the APA and make the correction effective as of the date of publication.

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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Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

List of Subjects in 34 CFR Part 685

Administrative practice and procedure; Colleges and universities; Education; Loan programs—education; Reporting and recordkeeping requirements; Student aid; Vocational education.

Nasser Paydar,

Assistant Secretary, Office of Postsecondary Education.

Accordingly, the Secretary corrects 34 CFR part 685 by making the following correcting amendment:

PART 685—WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM

■ 1. The authority citation for part 685 continues to read as follows:

Authority: 20 U.S.C. 1070g, 1087a, *et seq.*, unless otherwise noted.

■ 2. Section 685.209 is amended by revising paragraph (k)(6)(i) to read as follows:

685.209 Income-driven repayment plans.

* * * * *

(k) * * *

(6) * * *

(i) A borrower may obtain credit toward forgiveness as defined in paragraph (k) of this section for any months in which a borrower was in a deferment or forbearance not listed in paragraph (k)(4)(iv) of this section, other than periods in an in-school deferment, by making an additional payment equal to or greater than their current IDR payment, including a payment of \$0, for a deferment or forbearance that ended within 3 years of the additional repayment date and occurred after July 1, 2024.

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[FR Doc. 2024-31217 Filed 12-30-24; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 38

RIN 2900-AS13

Veterans Legacy Grants Program Improvements

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The Department of Veterans Affairs (VA) amends its Veterans Legacy Grants Program (VLGP) regulations to

align them with regulatory updates to the uniform administrative requirements and other requirements for Federal awards and makes additional revisions to improve the process for administration of the grant program. This rulemaking implements housekeeping amendments to key terms, legal citations, and definitions and extends timelines for grant recipient reporting requirements.

DATES: This rule is effective January 30, 2025.

FOR FURTHER INFORMATION CONTACT: John Williams, Senior Grants Management Specialist, Veterans Legacy Grants Program, National Cemetery Administration, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420. Telephone: (314) 348-4073 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: On August 12, 2024, VA published a proposed rule in the **Federal Register** (89 FR 65572) that would align VLGP regulations with regulatory updates to the uniform requirements for Federal awards in 2 CFR part 200 and make additional revisions to improve the process for administration of the grant program. The public comment period ended on October 11, 2024, and VA received 1 comment in response to the proposed rule.

The commenter expressed support for the VLGP and noted that the updates to the regulations would ensure clarity and compliance, provide grant recipients with additional flexibility to meet reporting requirements, and improve the program's overall effectiveness. VA appreciates the commenter's support and feedback. VA makes no changes to the rulemaking based on this comment.

Executive Orders 12866, 13563 and 14094

Executive Order 12866 (Regulatory Planning and Review) directs agencies to assess the costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, and other advantages; distributive impacts; and equity). Executive Order 13563 (Improving Regulation and Regulatory Review) emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. Executive Order 14094 (Executive Order on Modernizing Regulatory Review) supplements and reaffirms the principles, structures, and definitions governing contemporary

regulatory review established in Executive Order 12866 of September 30, 1993 (Regulatory Planning and Review), and Executive Order 13563 of January 18, 2011 (Improving Regulation and Regulatory Review). The Office of Information and Regulatory Affairs has determined that this rulemaking is not a significant regulatory action under Executive Order 12866, as amended by Executive Order 14094. The Regulatory Impact Analysis associated with this rulemaking can be found as a supporting document at www.regulations.gov.

Regulatory Flexibility Act

The Secretary hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (5 U.S.C. 601-612). Amendments in the final rule will likely not be determinative of whether small entities receive or do not receive a grant because they will have limited impact on small entities complying with grant application and reporting requirements. In addition to some technical revisions to the VLGP regulations, this rule will merely align those regulations to updates to the uniform administrative requirements and other requirements for Federal awards (2 CFR part 200). Therefore, pursuant to 5 U.S.C. 605(b), the initial and final regulatory flexibility analysis requirements of 5 U.S.C. 603 and 604 do not apply.

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before issuing any rule that may result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of \$100 million or more (adjusted annually for inflation) in any one year. This final rule will have no such effect on State, local, and Tribal governments, or on the private sector.

Paperwork Reduction Act

Although this final rule contains collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3521), there are no provisions associated with this rulemaking constituting any new collection of information or any revisions to the existing collection of information. The collections of information for 38 CFR 38.730 are currently approved by the Office of Management and Budget (OMB) and have been assigned OMB control

numbers 4040-0004, 4040-0006, 4040-0007, and 4040-0013.

Assistance Listing

The Assistance Listing number and title for the program affected by this document are 64.204, Veterans Legacy Grants Program.

Congressional Review Act

Pursuant to Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (known as the Congressional Review Act) (5 U.S.C. 801 *et seq.*), the Office of Information and Regulatory Affairs designated this rule as not satisfying the criteria under 5 U.S.C. 804(2).

Signing Authority

Denis McDonough, Secretary of Veterans Affairs, signed and approved this document on December 20, 2024, and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

List of Subjects in 38 CFR Part 38

Administrative practice and procedure, Cemeteries, Claims, Crime, Grants programs—veterans, Veterans.

Michael P. Shores,

Director, Office of Regulation Policy & Management, Office of General Counsel, Department of Veterans Affairs.

For the reasons stated in the preamble, the Department of Veterans Affairs amends 38 CFR part 38 as set forth below:

PART 38—NATIONAL CEMETERIES OF THE DEPARTMENT OF VETERANS AFFAIRS

■ 1. The authority citation for part 38 continues to read as follows:

Authority: 38 U.S.C. 107, 501, 512, 531, 2306, 2400, 2402, 2403, 2404, 2407, 2408, 2411, 7105.

■ 2. Amend § 38.715 by:

■ a., Removing “Notice of Funding Availability (NOFA)” and adding in its place “Notice of Funding Opportunity (NOFO)” in the introductory text;

■ b. Removing “NOFA” and adding in each place “NOFO” in paragraphs (a) and (c)(3) and the paragraph (k) heading; and

■ c. Revising paragraphs (j) and (k) and the authority citation at the end of the section.

The revisions read as follows:

§ 38.715 Definitions.

* * * * *

(j) *Recipient* means an eligible recipient (or entity) that is awarded a

VLGP grant under this part. It does not include a subrecipient or individual that is a beneficiary of the award.

(k) *Notice of Funding Opportunity (NOFO)* means a formal announcement of the availability of a Federal funding opportunity published in the OMB-designated government-wide website *Grants.gov* (<http://www.grants.gov>) in accordance with § 38.725 and 2 CFR 200.1 and 200.204.

(Authority: 38 U.S.C. 501(d), 2400 note, 2 CFR 200.1 and 200.204))

§ 38.720 [Amended]

- 3. Amend § 38.720 by:
- b. Removing “NOFA” and adding in its place “NOFO” in paragraph (b);
- b. Removing “grantee” and adding in its place “recipient” in paragraphs (b), (c), and (e);
- c. Removing “grantee’s” and adding in its place “recipient’s” in paragraph (c); and
- d. Removing “NOFA” and adding in its place “NOFO” in paragraph (e).
- 4. Amend § 38.725 by:
- a. Revising the section heading and introductory text; and
- b. Removing “2 CFR 200.203” and adding in its place “2 CFR 200.204” in the authority citation at the end of the section.

The revisions read as follows:

§ 38.725 Notice of Funding Opportunity (NOFO).

When funds are available for VLGP grants, VA will publish a NOFO at *Grants.gov* (<http://www.grants.gov>). The NOFO will identify:

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- 5. Amend § 38.730 by:
- a. Removing “NOFA” each place it appears and adding in each place “NOFO”;
- b. Removing “2 CFR 200.203” and adding in its place “2 CFR 200.208” in the authority citation at the end of the section; and
- c. Adding a parenthetical OMB reference to the end of the section.

The addition reads as follows:

§ 38.730 Applications.

* * * * *

(The Office of Management and Budget has approved the information collection provisions in this section under control numbers 4040-0004, 4040-0006, 4040-0007, and 4040-0013).

- 6. Amend § 38.735 by:
- a. Revising paragraphs (a) and (b); and
- b. Removing “2 CFR 200.203” and adding in its place “2 CFR 200.206” in the authority citation at the end of the section.

The revisions read as follows:

§ 38.735 Additional factors for deciding applications.

(a) *Applicant’s history of performance.* VA may consider the applicant’s record in managing Federal awards, if a prior recipient of a Federal award, including timeliness of compliance with applicable reporting requirements and conformance to the terms and conditions of any previous Federal award.

(b) *Applicant’s financial stability.* Applicants must meet and have maintained standards of financial stability for participation in Federal grant programs.

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§ 38.740 [Amended]

- 7. Amend § 38.740 by:
- a. Removing “NOFA” each place it appears and adding in each place “NOFO”; and
- b. Removing “2 CFR 200.203” and adding in its place “2 CFR 200.205” in the authority citation at the end of the section.

§ 38.745 [Amended]

- 8. Amend § 38.745 in the authority citation by removing “2 CFR 200.203” and adding in its place “2 CFR 200.211”.

§ 38.750 [Amended]

- 9. Amend § 38.750 in the authority citation by removing “2 CFR 200.203” and adding in its place “2 CFR 200.204”.

§ 38.755 [Amended]

- 10. Amend § 38.755 by:
- a. Removing “grantee” and adding in its place “recipient” in the first sentence of the introductory text; and
- b. Removing “2 CFR 200.203” and adding in its place “2 CFR 200.211” in the authority citation at the end of the section.
- 11. Amend § 38.760 by:
- a. Revising paragraph (a);
- b. Removing “NOFA” and adding in its place “NOFO” in paragraph (b); and
- c. Removing “2 CFR 200.203” and adding in its place “2 CFR 200.305” in the authority citation at the end of the section.

The revision reads as follows:

§ 38.760 Payments under the grant.

(a) *Manner of payment.* Recipients are to be paid in accordance with 2 CFR 200.305.

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- 12. Amend § 38.765 by:
- a. Revising the section heading and paragraph (a); and
- b. Removing “2 CFR 200.203” and adding in its place “2 CFR 200.344” in

the authority citation at the end of the section.

The revisions read as follows:

§ 38.765 Recipient reporting requirements.

(a) *Final report.* The recipient must submit to VA, no later than 120 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the Federal award.

* * * * *

- 13. Amend § 38.770 by:
- a. Removing “grantee” each place it appears and adding in each place “recipient”; and
- b. Revising the authority citation at the end of the section.

The revision reads as follows:

§ 38.770 Recovery of funds by VA.

* * * * *

(Authority: 38 U.S.C. 501(d), 2400 note, 2 CFR 200.339 and 200.410)

§ 38.775 [Amended]

- 14. Amend § 38.775 by:
- a. Removing “grantee” each place it appears and adding in each place “recipient”; and
- b. Removing “2 CFR 200.203” and adding in its place “2 CFR 200.329” in the authority citation at the end of the section.

§ 38.780 [Amended]

- 15. Amend § 38.780 by:
- a. Removing “grantees” and “Grantees” and adding in their places “recipients” and “Recipients”, respectively, in paragraph (b); and
- b. Removing “2 CFR 200.400–200.475” and adding in each place “2 CFR 200.400–200.476”.

- 16. Revise § 38.785 to read as follows:

§ 38.785 Record retention and access.

Recipients must ensure that records are maintained and accessible in accordance with 2 CFR 200.334–200.338. Recipients must produce such records at VA’s request.

(Authority: 38 U.S.C. 501(d), 2400 note, and 2 CFR 200.334–200.338)

[FR Doc. 2024–31230 Filed 12–30–24; 8:45 am]

BILLING CODE 8320-01-P

POSTAL SERVICE

39 CFR Part 111

Labeling List Updates

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: The Postal Service is amending *Mailing Standards of the*