■ a. Removing paragraphs (a)(2)(xxi) and (a)(2)(xxii);
■ b. Renumbering paragraphs (a)(2)(xxiii) through (xliv) as (a)(2)(xxi) through (xlii);
■ c. Removing paragraph (a)(3)(iii),
■ d. Renumbering paragraphs (a)(3)(iv) through (viii) as (a)(3)(iii) through (vii);
■ e. Revising paragraphs (a)(2), (a)(3), (f)(1)(iii), (g)(4), (h)(5) and (l)(4) to read as follows:

§ 250.1202 Liquid hydrocarbon measurement.

(a) * * *
(2) * * *
(i) API MPMS Chapter 2.2A (incorporated by reference, see § 250.198)
* * * * *
(iv) API MPMS Chapter 3.1B (incorporated by reference, see § 250.198)
* * * * *
(ix) API MPMS Chapter 4.6 (incorporated by reference, see § 250.198)
* * * * *
(xviii) API MPMS Chapter 5.6 (incorporated by reference, see § 250.198)
* * * * *
(xix) API MPMS Chapter 6.3A (incorporated by reference, see § 250.198)
(xx) API MPMS Chapter 6.4A (incorporated by reference, see § 250.198)
* * * * *
(xxix) API MPMS Chapter 10.1 (incorporated by reference, see § 250.198)
* * * * *
(xxxv) API MPMS Chapter 12.2 (incorporated by reference, see § 250.198). You may temporarily continue to use API MPMS Chapter 12, Section 2, Part 1, API MPMS Chapter 12, Section 2, Part 2, and API MPMS Chapter 12, Section 2, Part 3 (incorporated by reference, see § 250.198) for flow computer systems at MMA designated facility measurement points (FMP) in existence as of August 10, 2026. However, you must comply with API MPMS Chapter 12.2 at these FMPs commencing 5 years after this same date unless otherwise approved by the Regional Supervisor;
(xxxvi) API MPMS Chapter 12.4.1 (incorporated by reference, see § 250.198)
(3) * * *
(ii) API MPMS Chapter 5.6 (incorporated by reference, see § 250.198)
* * * * *
(v) API MPMS Chapter 11.2.5 (incorporated by reference, see § 250.198)
(vi) API MPMS Chapter 12.4.1 (incorporated by reference, see § 250.198)
* * * * *
(f) * * *
(1) * * *
(iii) API MPMS Chapter 12.4.1 (incorporated by reference, see § 250.198)
* * * * *
(g) * * *
(4) API MPMS Chapter 12.4.1 (incorporated by reference, see § 250.198)
* * * * *
(h) * * *
(5) Proving systems that employ the dual chronometry method of pulse interpolation must be compliant with API MPMS Chapter 4.6 (incorporated by reference, see § 250.198) unless otherwise approved by the Regional Supervisor.
* * * * *
(l) * * *
(4) * * *
(i) API MPMS Chapter 2.2A;
* * * * *
(iv) API MPMS Chapter 3.1B; and
* * * * *
■ 19. Amend § 250.1203 by:
■ a. Removing paragraph (b)(2)(v),
■ b. Redesignating paragraphs (b)(2)(vi) through (xviii) as (b)(2)(v) through (xvii); and
■ c. Revising paragraph (b)(2) and (b)(4) to read as follows:

§ 250.1203 Gas measurement.

* * * * *
(b) * * *
(2) * * *
(xiv) API MPMS Chapter 14, Section 7 (incorporated by reference, see § 250.198)
* * * * *
(xvii) ANSI/API MPMS Chapter 21.1 (incorporated by reference, see § 250.198)
* * * * *
(4) Equip the meter with a chart or electronic data recorder. If an electronic data recorder is used, you must follow the recommendations in ANSI/API MPMS Chapter 21.1 (incorporated by reference, see § 250.198).
* * * * *

§ 250.1703 [Amended]

■ 20. Amend § 250.1703, by removing the text ''ANSI/API'' wherever it appears, and adding in its place, the text ''API''.

[FR Doc. 2026–23859 Filed 11–23–26; 8:45 am]
BILLING CODE 4310–VH–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 77

[Docket No. VA–2026–VHA–0496]

RIN 2900–AS64

Streamlining the Application Process for Grants for Adaptive Sports Programs for Disabled Veterans and Disabled Members of the Armed Forces

AGENCY: Department of Veterans Affairs.

ACTION: Proposed rule.

SUMMARY: This proposed rule would amend the Department of Veterans Affairs (VA) regulations that govern grants for adaptive sports programs for disabled veterans and disabled members of the armed forces to allow for a more efficient review and selection of applicants for the grant. This rule would ensure that the grant aligns with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards by requiring applicants to submit an application within the VA established deadline for submission; requiring that all adaptive sports grants be openly competed; and adding a new section on appropriate actions VA may take to enforce this part. The changes proposed by this rulemaking will improve program administration without negatively impacting the veteran athletes supported by these grants.

DATES: Comments must be received on or before January 25, 2027.

ADDRESSES: You may submit comments through *www.regulations.gov* under RIN 2900–AS64. That website includes a plain-language summary of this rulemaking. Comments will be posted for viewing by the public on *www.regulations.gov,* including any personally identifiable information (*e.g.,* a social security number or address) within a comment and its supporting materials. However, VA retains discretion to redact personal or sensitive information, including but not limited to personal or sensitive information pertaining to third parties. Additionally, VA will not post public comments that make threats to individuals or institutions or suggest that the commenter will take actions to harm an individual. Instructions for accessing agency documents, submitting comments, and viewing the rulemaking docket, are available on *www.regulations.gov* under ''FAQ.'' Any public comment received after the comment period's closing date is

considered late and will not be considered in the final rulemaking.

FOR FURTHER INFORMATION CONTACT: Rachel McArdle, Deputy Executive Director, VHA Rehabilitation Prosthetics Service, (727) 219–6296. (This is not a toll-free telephone number.)

SUPPLEMENTARY INFORMATION:

I. Background

Section 521A of title 38, United States Code (U.S.C.) provides that the Secretary may carry out a program under which the Secretary may make grants to eligible entities for planning, developing, managing, and implementing programs to provide adaptive sports opportunities for disabled veterans and disabled members of the Armed Forces (adaptive sports grants). On July 1, 2014, VA established regulations in part 77 of title 38, Code of Federal Regulations (CFR) to establish the adaptive sports grant program. See 79 **Federal Register** (FR) 37211. As described in detail below, VA proposes to amend these regulations by making both substantive changes and technical corrections to part 77. These changes would align this part with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR part 200 and with other VA and Federal grant programs.

II. Substantive Changes to 38 CFR Part 77

A. Proposed Removal of § 77.6 Amendments to Grant Applications

In this rulemaking VA proposes to remove § 77.6, which establishes that an applicant may seek an amendment to its grant application after the deadline for submission and establishes the requirements for amending an application before or after the submission deadline. This change is necessary to comply with the Office of Management and Budget's (OMB) Memorandum M–04–01, Memorandum for Heads of Executive Departments and Agencies, dated October 15, 2003, which directs all Federal grant-making agencies to publish funding opportunity announcements—called ''synopses''—on *Grants.gov*. This website views each application as a separate entry and does not allow an applicant to use the process described in current § 77.6 to amend an application package after the package has been submitted. If an applicant wants to amend an application, the applicant must resubmit a complete application package prior to the submission deadline (and not an amendment limited to the individual documents currently listed in § 77.6). A resubmission is needed because the electronic application portal does not allow the applicant to access their prior application package once the application is submitted. VA will continue to allow applicants to resubmit complete grant applications with updated documents prior to the deadline, even after this proposed rule becomes final. However, VA will not accept resubmitted complete applications after the submission deadline because the application portal closes at the submission deadline.

In addition to the technical limitations, with the growth of the grant program, allowing submission of revised applications after the application deadline and during the review process creates an administrative burden that prevents VA from being able to fully review all grant applications within a reasonable time period. In turn, this results in potential delay in the award and distribution of grants.

Further, removing current § 77.6 would be consistent with other grant programs, such as VA Homeless Grant and Per Diem and Supportive Services for Veteran Families Program (see part 62 of chapter I of Title 38 of the Code of Federal Regulations), which do not allow for amendment of applications after the deadline for their submission.

For these reasons, VA proposes to remove current § 77.6. VA would not replace the current language with revised language.

B. Proposed Removal of Noncompetitive Adaptive Sports Grants

The current adaptive sports grants regulations allow for noncompetitive grants. Current § 77.13 provides that when VA identifies that an eligible entity is the only entity capable of providing an adaptive sports activity and VA determines that the award of a grant to this entity is warranted to enable adaptive sports activities, VA may request that entity to submit a grant application. Current § 77.4(c) establishes the application process for these noncompetitive grants. Further, §§ 77.9 and 77.10(a) address the use of pre-applications for noncompetitive grant applications and VA's use of a peer review process when reviewing noncompetitive grant applications, respectively.

In this rulemaking, VA proposes to remove all regulation text that authorizes or governs noncompetitive grants to ensure that VA complies with 2 CFR 200.204, by establishing that adaptive sports grant awards are openly competed and there is an equal opportunity for funding under this grant mechanism to all applicants. Section 200.204 provides that a Federal agency must announce specific funding opportunities for Federal financial assistance that will be openly competed. The term ''openly competed'' means opportunities that are not directed to one or more specifically identified applicants.

Therefore, VA proposes to remove § 77.13 in its entirety, § 77.4(c), and the references to noncompetitive grants in § 77.9 and § 77.10(a).

C. Proposed Amendment of Current § 77.21

Current § 77.21 is titled ''Application of other regulations'' and states that for purposes of this part, the requirements in 38 CFR parts 43 and 49 are superseded by those in 2 CFR part 200. In this rulemaking, VA proposes to remove the current title and regulation text because 38 CFR parts 43 and 49 have been removed, thereby making the language unnecessary. VA will then use § 77.21 to establish remedies for noncompliance when a grantee fails to comply with the grant agreement or this part.

Parts 43 and 49 codified various OMB guidance on cost principals and awards to non-Federal entities in the form of Circulars.[1] As previously stated in this rulemaking, 2 CFR part 200 establishes the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal awards to non-Federal entities (Uniform Guidance). On December 19, 2014, OMB published an interim final rule jointly with VA and other Federal Agencies in the **Federal Register**, making corrections to the Uniform Guidance. See 79 FR 75871. Notably, it added 2 CFR 802.101, which provided that ''The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards set forth in 2 CFR part 200 shall apply to the Department of Veterans Affairs,'' and removed part 43 from 38 CFR. See id. at 76024. For the

[1] Part 43 codified OMB Circulars A–21, Cost Principles for Educational Institutions, A–87, Cost Principles for State, Local and Indian Tribal Governments, A–122 Cost Principles for Non-Profit Organizations, A–89, Catalog of Federal Domestic Assistance, A–102, Grants and Cooperative Agreements With State and Local Governments, A–133, Audits of States, Local Governments and Non-Profit Organizations, and the guidance in Circular A–50 on Single Audit Act follow-up. Part 49 codified OMB Circular A–110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations. Part 200 of 2 CFR establishes uniform administrative requirements, cost principles, and audit requirements for Federal awards to non-Federal entities, to include awards by VA (Uniform Guidance).

same reasons, VA removed part 49 from 38 CFR in a separate rulemaking. See 80 FR 43320 (Jul. 22, 2015).

VA no longer needs to clarify that the requirements in such parts are superseded by those in 2 CFR part 200 because 38 CFR parts 43 or 49 no longer exist. Therefore, the current provisions of § 77.21 are unnecessary.

Instead of reserving § 77.21 for future use, VA proposes to amend § 77.21 to establish VA's enforcement authority when a grantee fails to comply with the terms of the grant agreement or this part. VA proposes to change the title of § 77.21 to ''Remedies for noncompliance''. This authority would be consistent with 2 CFR part 200, specifically, 2 CFR 200.208 (specific conditions), 200.305 (Federal payment), 200.339 through 200.343 (remedies for noncompliance), and 200.346 (collections of amounts due).

Proposed paragraph (a) would state that if a grantee fails to comply with the terms of the grant agreement, VA will enforce this part through actions consistent with 2 CFR part 200 that may include, but are not limited to, withholding, suspension, disallowing costs for all or part of the activity associated with the noncompliance of the grantee, and termination.

VA would explicitly reference 2 CFR part 200 to ensure that grantees know where to locate the remedies VA can use when the grantee is noncompliant. VA refers to 2 CFR part 200 rather than the specific sections, as described above, so that future changes to those sections can be implemented immediately without VA needing to conduct further rulemakings. VA would use withholding, suspension, disallowing costs for all or part of the activity associated with the noncompliance of the grantee, and termination as examples because those are the most common actions VA would take. However, the list is not exhaustive.

VA acknowledges that when certain actions (such as suspension and termination) are taken against grantees pursuant to this section and 2 CFR part 200, a disruption in services to participants may occur. VA is not proposing to regulate responsibilities for grantees to continue to provide services in circumstances where VA suspends or terminates a grant for adaptive sports programs. Instead, VA will include these requirements in the grant agreement pursuant to part 77. This would ensure that the disruption and impact upon participants is minimized as much as possible.

Proposed paragraph (b) would address recovery of funds by VA. This language is currently in § 77.17; however, VA proposes to move the language to proposed § 77.21(b) because recovery of funds results from a grantee's noncompliance. These recovery provisions would be included in proposed § 77.21, with no revisions to the regulation text. VA would only revise the numbering of the sections in current § 77.17 to conform with the numbering convention in proposed § 77.21. As such, VA would remove § 77.17.

Proposed § 77.21(b) would state that (1) VA may recover from the grantee any funds that are not used in accordance with a grant agreement. If VA decides to recover funds, VA will issue to the grantee a notice of intent to recover grant funds, and grantee will then have 30 days to submit documentation demonstrating why the grant funds should not be recovered. After review of all submitted documentation, VA will determine whether action will be taken to recover the grant funds. (2) When VA makes a final decision that action will be taken to recover grant funds from the grantee, VA must stop further payments of grant funds under this part until the grant funds are recovered and the condition that led to the decision to recover grant funds has been resolved.

D. Proposed Addition of Suspension and Withholding to Definitions in § 77.2

In this rulemaking, VA proposes to add definitions of suspension and withholding to § 77.2 in alphabetical order.

VA proposes to define suspension to mean an action by VA that temporarily withdraws VA funding under an adaptive sports grant, pending corrective action by the grantee or pending a decision to terminate the grant by VA. Suspension of a grant is a separate action from suspension under VA regulations or guidance implementing Executive Orders 12549 and 12689, ''Debarment and Suspension.'' This definition is consistent with the definition for this term used in other VA grant programs, such as the Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program and the Legal Services for Homeless Veterans and Veterans At-Risk for Homelessness Grant Program. See §§ 78.5 and 79.5.

VA proposes to define withholding to mean that an adaptive sports grant will not be paid until VA determines that the grantee has provided sufficient documentation, and/or actions to correct a deficiency, to pay the grant. This definition provides a general description of how this term is used in 2 CFR part 200. This definition is also generally consistent, with only minor clarifying edits, with how this term is defined in other VA grant programs, such as the Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program and the Legal Services for Homeless Veterans and Veterans At-Risk for Homelessness Grant Program. See §§ 78.5 and 79.5.

III. Technical Edits to 38 CFR Part 77

A. Proposed Changes to Terminology Related to Notice of Funding Availability

VA proposes to change the term Notice of Funding Availability (NOFA) to Notice of Funding Opportunity (NOFO) throughout part 77. The Federal government, including VA, used these terms at the time VA established the regulations for part 77. However, since that time, 2 CFR 200.204, which governs discretionary grants and cooperative agreements, including the instant grant program, uses the terminology Notice of Funding Opportunity or NOFO. VA also uses Notice of Funding Opportunity or NOFO in its other grant programs, such as the Staff Sergeant Parker Gordon Fox Suicide Prevention Grant Program (see 38 CFR 78.110) and the Legal Services for Homeless Veterans and Veterans At-Risk for Homeless Grant Program (see § 79.65).

To be consistent with § 200.204 and the use of Notice of Funding Opportunity and NOFO in other grant programs VA administers, VA proposes to replace all references in part 77 to ''Notice of Funding Availability'' with ''Notice of Funding Opportunity'' and all references to ''NOFA'' with ''NOFO''. Specifically, VA proposes to make these changes to the definition of Notice of Funding Availability in 38 CFR 77.2, 77.12 Notice of Funding Availability section, and all mentions of NOFA found in 77.3(b), 77.4(a) through (c), 77.5(b), 77.8(a) and (h), 77.9, 77.10(a) and (b), the title and introductory paragraph of § 77.12, and 77.15(a).

These technical edits would not change the meaning of the term and would have no substantive impact.

B. Proposed Changes to Cross References

1. Definition of Adaptive Sports Grant Agreement in § 77.2

VA defines the term adaptive sports grant agreement to mean the agreement executed between VA and a grantee as specified under § 77.17. VA made a technical error in citing to § 77.17, which authorizes VA to recover funds from the grantee if they are not used in accordance with an adaptive sports grant agreement. Section 77.14 describes grant agreements for this program. Thus,

VA proposes to make a technical revision to the definition of adaptive sports grant agreement in § 77.2 by removing the reference to § 77.17 and adding, in its place, § 77.14. This revision has no substantive impact on the definition of adaptive sports grant agreement.

2. Definition of Notice of Funding Opportunity (NOFO)

VA currently defines the term Notice of Funding Availability to mean a Notice of Funding Availability published in the OMB-designated government-wide website in accordance with § 77.13 and 2 CFR part 200. As previously stated in this rulemaking, VA proposes to revise the term Notice of Funding Availability (NOFA) to Notice of Funding Opportunity (NOFO) throughout part 77. In addition to making this revision, VA would also make a technical revision to the definition of NOFO. VA made a technical error in citing to § 77.13 because this section addresses applications for noncompetitive adaptive sports grants, not NOFOs; section 77.12 addresses NOFOs. Thus, VA proposes to make a technical revision to the definition of NOFO in § 77.2 by removing the reference to § 77.13 and adding, in its place, § 77.12. This revision would have no substantive impact on the definition of NOFO.

3. Definition of Peer Review

VA currently defines the term peer review to mean ''the technical and programmatic evaluation by a group of experts qualified by training and experience to give expert advice, based on selection criteria established under § 77.13 or in a program announcement, on the technical and programmatic merit of adaptive sports grant applications.'' 38 CFR 77.2. VA made a technical error in citing to § 77.13, which addresses applications for noncompetitive adaptive sports grants, not selection criteria. Section 77.12 is the appropriate citation because it addresses NOFOs and the NOFO provides for the selection criteria. Thus, VA proposes to make a technical revision to the definition of peer review in § 77.2 by removing the reference to § 77.13 and adding, in its place, § 77.12. This revision would have no substantive impact on the definition of peer review.

3. Definition of Veteran in § 77.2

VA proposes to revise the definition of veteran in § 77.2 by citing to 38 U.S.C. 101(2) instead of 38 CFR 3.1. Current § 77.2 defines the term ''veteran'' by adopting the regulatory definition in 38 CFR 3.1, which, in turn, adopts the statutory definition of veteran in 38 U.S.C. 101(2). Referencing the statute ensures that the regulation fully aligns with its statutory authority as well as any future amendments to that statutory authority.

4. Definition of Veterans Service Organization in § 77.2

VA proposes to revise the definition of Veterans Service Organization. VA will technically amend the reference to ''section 5902 of title 38, United States Code'' in the current definition of Veterans Service Organization to simply read ''38 U.S.C. 5902.'' This change is consistent with other statutory references in 38 CFR.

5. Sections 77.4, Applications, and 77.9, Use of Pre-Applications

VA proposes to revise the parenthetical at the end of current § 77.4 that explains that OMB has approved the information collection requirements in this section under control numbers 2900–0820, 4040–0004 for Standard Form 424, and 4040–0008 for Standard Form 424C. VA further proposes to amend the parenthetical at the end of current § 77.9, which describes VA's authority to request pre-application for grant applications and similarly refers to 4040–0008 for Standard Form 424C.

The form associated with the OMB approved number 4040–0008 is Standard Form 424C, which relates to Budget Information for Construction Programs. However, this grant program does not have any provisions for the construction of any type of building. Instead, it should reference Standard Form number 424A, which is Budget Information for Non-Construction Programs and is currently approved by OMB under 4040–0006. Thus, VA proposes to revise the parenthetical of §§ 77.4 and 77.9 to correctly refer to 4040–0006 for Standard Form 424A instead of 4040–0008 for Standard Form 424C. This has no substantive impact on the administration or implementation of §§ 77.4 and 77.9.

6. Section 77.10 Peer Review Methods

Section 77.10 describes VA's use of its internal peer review process when reviewing pre-applications (initial threshold review to determine if the application meets the minimum eligibility criteria) and formal applications for selection of grantees. Both paragraphs (a) and (b) explain that the peer reviewer use the selection criteria in § 77.5. However, § 77.8 also includes requirements that the peer reviewer must take into consideration. Therefore, VA proposes to also include a reference to § 77.8. This would ensure that § 77.10 provides all pertinent references used during the peer review process. This addition has no substantive impact on the administration or implementation of § 77.10.

Executive Orders 12866 and 13563, and 14192

VA examined the impact of this rulemaking as required by Executive Orders 12866 (Sept. 30, 1993) and 13563 (Jan. 18, 2011), which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. The Office of Information and Regulatory Affairs has determined that this rulemaking is not a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563. Additionally, VA examined this proposed final rule and has determined that it is consistent with the policies and directives outlined in Executive Order 14192, Unleashing Prosperity Through Deregulation (90 FR 2065, Feb. 6, 2025), and is considered an Executive Order 14192 deregulatory action.

Economic Impact: VA believes this proposed rule is deregulatory because it removes outdated and unused provisions that no longer align with current technology or Federal grants management requirements. By eliminating inefficiencies, the rule streamlines administrative processes and reduces confusion for applicants while improving consistency with other VA grant programs. VA does not anticipate any costs or transfers to be associated with this rule. These changes provide qualitative benefits through improved clarity and efficiency in the adaptive sports grant program.

Regulatory Flexibility Act

The Secretary hereby certifies that this proposed rule would 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). The basis for this certification relies on the grant program providing Federal awards (*e.g.,* grant money) to small entities. Although the small entities must apply for Federal awards, there are no out-of-pocket expenses (*e.g.,* no filing fees) created by this rulemaking. 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

This proposed rule would not 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.

Paperwork Reduction Act (PRA)

Although this proposed 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 part 77 are found in §§ 77.4, 77.8, 77.9, 77.16, and 77.19. These collections are currently approved by the Office of Management and Budget (OMB) and have been assigned OMB control numbers 2900–0820, 4040–0004, and 4040–0006. Collections of information are also found in § 77.6. However, that section is proposed to be removed by this rulemaking, and as a result, the reference to collections of information in § 77.6 would also be removed. Additionally, those collections of information in § 77.6 are not currently approved. Thus, the current collections would not be affected by the removal of § 77.6.

Assistance Listing

The Assistance Listing number and title for the program affected by this document is 64.034, Grants for Adaptive Sports Programs for Disabled Veterans and Disabled Members of the Armed Forces.

List of Subjects in 38 CFR Part 77

Administrative practice and procedure, Grant programs—health, Grant programs—veterans, Health care, Health facilities, Reporting and recordkeeping requirements, Travel and transportation expenses, Veterans.

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved this document on November 17, 2026, 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.

Gabriela DeCuir,

Alternate Federal Register Liaison Officer, Department of Veterans Affairs.

For the reasons stated in the preamble, the Department of Veterans Affairs proposes to amend 38 CFR part 77 as set forth below:

PART 77—GRANTS FOR ADAPTIVE SPORTS PROGRAMS FOR DISABLED VETERANS AND DISABLED MEMBERS OF THE ARMED FORCES

■ 1. The authority citation for part 77 continues to read as follows:

Authority: 38 U.S.C. 501, 521A, unless otherwise noted.

§§ 77.2, 77.3, 77.4, 77.5, 77.6, 77.8, 77.10, 77.12, 77.13, 77.15 [Amended]

■ 2. In the table below, for each section indicated in the left column, remove the words indicated in the middle column from wherever they appear in the title or section, and add the words indicated in the right column:

Section	Remove	Add
77.2	Notice of Funding Availability	Notice of Funding Opportunity.
77.2	Notice of funding availability	Notice of funding opportunity.
77.2	NOFA	NOFO.
77.2	section 5902 of title 38, United States Code	38 U.S.C. 5902.
77.2	77.17	77.14.
77.2	77.13	77.12.
77.3	NOFA	NOFO.
77.4	NOFA	NOFO.
77.4	4040–0008 for Standard Form 424C	4040–0006 Standard Form for 424A.
77.5	NOFA	NOFO.
77.8	NOFA	NOFO.
77.10	NOFA	NOFO.
77.10	§ 77.5	§§ 77.5, 77.8.
77.12	Availability	Opportunity.
77.12	NOFA	NOFO.
77.15	NOFA	NOFO.

§ 77.2 [Amended]

■ 3. Amend § 77.2 by:

■ (a) Adding a definition of suspension in alphabetical order.

■ (b) Revising the definition of veteran.

■ (c) Adding a definition of withholding in alphabetical order.

The revision and additions read as follows:

§ 77.2 Definitions.

* * * * *

Suspension means an action by VA that temporarily withdraws VA funding under an adaptive sports grant, pending corrective action by the grantee or pending a decision to terminate the grant by VA. Suspension of a grant is a separate action from suspension under VA regulations or guidance implementing Executive Orders 12549 and 12689, ''Debarment and Suspension.''

* * * * *

Veteran means an individual as defined in 38 U.S.C 101(2).

* * * * *

Withholding means that an adaptive sports grant will not be paid until VA determines that the grantee has provided sufficient documentation, and/or actions to correct a deficiency, to pay the grant.

§ 77.4 [Amended]

■ 4. Amend § 77.4 by removing paragraph (c).

§ 77.6 [Removed]

■ 5. Remove § 77.6 and mark as reserved for future use.

§ 77.9 [Amended]

■ 6. Revise and republish § 77.9 to read as follows.

§ 77.9 Use of pre-applications.

VA may request pre-applications for competitive grant applications. Such request would be made in a NOFO.

(OMB has approved the information collection requirements in this section under control numbers 2900–0820, 4040–0004 for Standard Form 424, and 4040–0006 Standard Form for 424A.)

§ 77.10 [Amended]

■ 7. Amend § 77.10 by revising paragraph (a) to read as follows.

§ 77.10 Peer review methods.

(a) VA may subject both pre-applications and formal applications to a peer review process. For competitive applications, peer review will normally consist of written comments based on the selection criteria established in §§ 77.5, 77.8, and any weighting factors identified in the NOFO, together with the assignment of numerical values. Peer review may occur at meetings of peer reviewers that are held under VA oversight, through mail reviews, or a combination of both. When advisable, site visits may also be employed. The method of peer review anticipated for each announced competitive program, including the weighting factors to be used by peer reviewers, will be specified in each NOFO.

* * * * *

§ 77.13 [Removed]

■ 8. Remove § 77.13 and mark as reserved for future use.

§ 77.17 [Removed]

■ 9. Remove § 77.17 and mark as reserved for future use.

§ 77.21 [Amended]

10. Revise and republish § 77.21 to read as follows.

§ 77.21 Remedies for noncompliance.

(a) *Noncompliance.* If a grantee fails to comply with the terms of the grant agreement, VA will enforce this part through actions in accordance with 2 CFR part 200 that may include, but are not limited to, withholding, suspension, disallowing costs for all or part of the activity associated with the noncompliance of the grantee, and termination.

(b) *Recovery of funds by VA.* (1) *General.* VA may recover from the grantee any funds that are not used in accordance with a grant agreement. If VA decides to recover funds, VA will issue to the grantee a notice of intent to recover grant funds, and grantee will then have 30 days to submit documentation demonstrating why the grant funds should not be recovered. After review of all submitted documentation, VA will determine whether action will be taken to recover the grant funds.

(2) *Prohibition of additional adaptive sports grant payments.* When VA makes a final decision that action will be taken to recover grant funds from the grantee, VA must stop further payments of grant funds under this part until the grant funds are recovered and the condition that led to the decision to recover grant funds has been resolved.

[FR Doc. 2026–23886 Filed 11–23–26; 8:45 am]

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