Office of the Secretary, HUD

§ 85.52 Collection of amounts due.

(a) Any funds paid to a grantee in excess of the amount to which the grantee is finally determined to be entitled under the terms of the award constitute a debt to the Federal Government. If not paid within a reasonable period after demand, the Federal agency may reduce the debt by:

(1) Final performance or progress report.
(2) The Federal financial report form, as well as other forms prescribed by the program.
(3) Invention disclosure (if applicable).
(4) Federally-owned property report.

In accordance with §85.32(f), a grantee must submit an inventory of all federally owned property (as distinct from property acquired with grant funds) for which it is accountable and request disposition instructions from the Federal agency of property no longer needed.

(c) Cost adjustment. The Federal agency will, within 90 days after receipt of reports in paragraph (b) of this section, make upward or downward adjustments to the allowable costs.

(d) Cash adjustments. (1) The Federal agency will make prompt payment to the grantee for allowable reimbursable costs.
(2) The grantee must immediately refund to the Federal agency any balance of unobligated (unencumbered) cash advanced that is not authorized to be retained for use on other grants.

§85.51 Later disallowances and adjustments.

The closeout of a grant does not affect:
(a) The Federal agency’s right to disallow costs and recover funds on the basis of a later audit or other review;
(b) The grantee’s obligation to return any funds due as a result of later refunds, corrections, or other transactions;
(c) Records retention as required in §85.42;
(d) Property management requirements in §§85.31 and 85.32; and
(e) Audit requirements in §85.26.

Subpart D—After-the-Grant Requirements

§85.50 Closeout.

(a) General. The Federal agency will close out the award when it determines that all applicable administrative actions and all required work of the grant has been completed.
(b) Reports. Within 90 days after the expiration or termination of the grant, the grantee must submit all financial, performance, and other reports required as a condition of the grant.

The Federal agencies may extend this timeframe.

These may include but are not limited to:
(1) Final performance or progress report.
(2) The Federal financial report form, as well as other forms prescribed by the program.
(3) Invention disclosure (if applicable).
(4) Federally-owned property report.
(1) Making an administrative offset against other requests for reimbursements,
(2) Withholding advance payments otherwise due to the grantee, or
(3) Other action permitted by law.
(b) Except where otherwise provided by statutes or regulations, the Federal agency will charge interest on an overdue debt in accordance with the Federal Claims Collection Standards (4 CFR Ch. II). The date from which interest is computed is not extended by litigation or the filing of any form of appeal.

Subpart E—Entitlement [Reserved]

PART 87—NEW RESTRICTIONS ON LOBBYING

Subpart A—General

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87.100 Conditions on use of funds.
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Subpart B—Activities by Own Employees

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APPENDIX A TO PART 87—CERTIFICATION REGARDING LOBBYING

APPENDIX B TO PART 87—DISCLOSURE FORM TO REPORT LOBBYING

SOURCE: 55 FR 6737, 6750, Feb. 26, 1990, unless otherwise noted.

CROSS REFERENCE: See also OMB notice published at 54 FR 52306, December 20, 1989.