who will use grant funds to provide financial assistance to a third party does not constitute approval of the projects financed by the grantee. The review, approval and disbursement of funds for specific projects financed by grantees will be completed in accordance with applicable sections of this subpart.


§§ 1942.317–1942.320 [Reserved]

§ 1942.321 Subsequent grants.

Subsequent grants will be processed in accordance with this subpart.

§§ 1942.322–1942.347 [Reserved]

§ 1942.348 Exception authority.

The Administrator may, in individual cases, make an exception to any requirement or provision of this subpart which is not inconsistent with the authorizing statute, an applicable law or decision of the Comptroller General, if the Administrator determines that application of the requirement or provision would adversely affect the Government’s interest and show how the adverse impact will be eliminated or minimized if the exception is made.

[55 FR 135, Jan. 3, 1990]

§ 1942.349 Forms, guides, and attachments.

Guides 1 and 2 of this subpart, Attachment 1 and Forms referenced (all available in any Rural Development office) are for use in administering RBE/television demonstration grants.


§ 1942.350 OMB control number.

The collection of information requirements in this regulation have been approved by the Office of Management and Budget and have been assigned OMB control number 0575–0132. Public reporting burden for this collection of information is estimated to vary from one-half to 40 hours per response, with an average of 1.8 hours per response including time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, room 404–W, Washington, DC 20250; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

[57 FR 33101, July 27, 1992]
III. Construction Management

A. The forms and format for the documents shall conform to the requirements in subpart A of part 1942 of this chapter. Generally, the following items shall be included:
1. Contract Documents
2. Specifications
3. Plans

B. FmHA or its successor agency under Public Law 103–354 will approve the plans and specifications.

C. FmHA or its successor agency under Public Law 103–354 will obtain a certification of adequacy from the Federal Environmental Protection Agency (include only when applicable).

D. FmHA or its successor agency under Public Law 103–354 will obtain a non-pollution certificate from the (state) (agency) (include only when applicable).

E. FmHA or its successor agency under Public Law 103–354 will make monthly inspections.

F. Contract change orders will not become effective until approved by FmHA or its successor agency under Public Law 103–354.

G. Final inspection will be conducted by FmHA or its successor agency under Public Law 103–354.

IV. Financial Management

A. Financial management of the project shall be according to subpart A of part 1942 of this chapter.

B. FmHA or its successor agency under Public Law 103–354 will provide the Regional Commission with a copy of the audit report.

C. If actual costs fall below the costs on which the grant was calculated, the Federal and non-Federal shares will be reduced proportionately.

D. FmHA or its successor agency under Public Law 103–354 will conform to the financial reporting requirements for transferred funds as required by the attached copy of “Reporting of Funds Transfer by Participating Agencies.”

V. Compensation

Services rendered by FmHA or its successor agency under Public Law 103–354 for the processing and administration of Commission grants in cases where neither FmHA or its successor agency under Public Law 103–354 loan nor grant funds are involved shall be on a reimbursable basis. Reimbursement will be based on five percent of the amount of the grant up to $50,000, and an additional one percent of any amount over the first $50,000 of the Commission grant. The full amount of the reimbursement will be transferred to FmHA or its successor agency under Public Law 103–354 at the time the grant funds are transferred to FmHA or its successor agency under Public Law 103–354.

VI. No provision in this agreement shall abrogate the legal requirements of administrative responsibilities as set forth in the Consolidated Farm and Rural Development Act or section 509 of the Public Works and Economic Development Act of 1965, as amended.