§ 59.207 Payments.

The Secretary shall from time to time make payments to a grantee of all or a portion of any grant award, either in advance or by way of reimbursement for expenses incurred or to be incurred in the performance of the project to the extent he determines such payments necessary to promote prompt initiation and advancement of the approved project.

§ 59.208 Use of project funds.

(a) Any funds granted pursuant to this subpart as well as other funds to be used in performance of the approved project shall be expended solely for carrying out the approved project in accordance with the statute, the regulations of this subpart, the terms and conditions of the award, and, except as may otherwise be provided in this subpart, the applicable cost principles prescribed by subpart Q of 45 CFR part 74.

(b) Prior approval by the Secretary of revision of the budget and project plan is required whenever there is to be a significant change in the scope or nature of project activities.

(c) The Secretary may approve the payment of grant funds to trainees for:

(1) Return travel to the trainee's point of origin.

(2) Per diem during the training program, and during travel to and from the program, at the prevailing institutional or governmental rate, whichever is lower.

§ 59.209 Civil rights.

Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d et seq.) and in particular section 601 of such Act which provides that no person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in,
be denied the benefits of, or be sub-
jected to discrimination under any pro-
gram or activity receiving Federal fi-
nancial assistance. A regulation imple-
menting such title VI, which ap-
pplies to grants made under this part, 
has been issued by the Secretary of 
Health and Human Services with the 
approval of the President (45 CFR part 
80).

§ 59.210 Inventions or discoveries.

Any grant award pursuant to § 59.206 
is subject to the regulations of the De-
partment of Health and Human Serv-
ices as set forth in 45 CFR parts 6 and 
8, as amended. Such regulations shall 
apply to any activity for which grant 
funds are in fact used whether within 
the scope of the project as approved or 
otherwise. Appropriate measures shall 
be taken by the grantee and by the 
Secretary to assure that no contracts, 
assignments or other arrangements in-
consistent with the grant obligation 
are continued or entered into and that 
all personnel involved in the supported 
activity are aware of and comply with 
such obligations. Laboratory notes, re-
lated technical data, and information 
pertaining to inventions and discov-
eries shall be maintained for such peri-
ods, and filed with or otherwise made 
available to the Secretary, or those he 
may designate at such times and in 
such manner, as he may determine nec-
essary to carry out such Department 
regulations.

§ 59.211 Publications and copyright.

Except as may otherwise be provided 
under the terms and conditions of the 
award, the grantee may copyright 
without prior approval any publica-
tions, films or similar materials devel-
oped or resulting from a project sup-
ported by a grant under this part, sub-
ject, however, to a royalty-free, non-
exclusive, and irrevocable license or 
right in the Government to reproduce, 
translate, publish, use, disseminate, 
and dispose of such materials and to 
authorize others to do so.

§ 59.212 Grantee accountability.

(a) Accounting for grant award pay-
ments. All payments made by the Sec-
retary shall be recorded by the grantee 
in accounting records separate from 
the records of all other grant funds, in-
cluding funds derived from other grant 
awards. With respect to each approved 
project the grantee shall account for 
the sum total of all amounts paid by 
presenting or otherwise making avail-
able evidence satisfactory to the Sec-
retary of expenditures for direct and 
indirect costs meeting the require-
ments of this part: Provided, however, 
That when the amount awarded for in-
direct costs was based on a predeter-
mined fixed-percentage of estimated di-
rect costs, the amount allowed for indi-
rect costs shall be computed on the 
basis of such predetermined fixed-per-
centage rates applied to the total, or a 
selected element thereof, of the reim-
bursable direct costs incurred.

(b) [Reserved]

(c) Accounting for grant-related in-
come—(1) Interest. Pursuant to section 
203 of the Intergovernmental Coopera-
tion Act of 1968 (42 U.S.C. 4213), a State 
will not be held accountable for inter-
est earned on grant funds, pending 
their disbursement for grant purposes. 
A State, as defined in section 102 of the 
Intergovernmental Cooperation Act, 
means any one of the several States, 
the District of Columbia, Puerto Rico, 
any territory or possession of the 
United States, or any agency or instru-
mentality of a State, but does not in-
clude the governments of the political 
subdivisions of the State. All grantees 
other than a State, as defined in this 
subsection, must return all interest 
earned on grant funds to the Federal 
Government.

(d) Grant closeout—(1) Date of final ac-
counting. A grantee shall render, with 
respect to each approved project, a full 
account, as provided herein, as of the 
date of the termination of grant sup-
port. The Secretary may require other 
special and periodic accounting.

(2) Final settlement. There shall be 
payable to the Federal Government as 
final settlement with respect to each 
approved project the total sum of:

(i) Any amount not accounted for 
pursuant to paragraph (a) of this sec-
tion;

(ii) Any credits for earned interest 
pursuant to paragraph (c)(1) of this sec-
tion;