

### § 1629.3

#### § 1629.3 Who must be bonded?

(a) A recipient must supply fidelity bond coverage for all employees, officers, directors, agents, and volunteers.

(b) If a recipient uses a third party for payroll, billing, or collection services, the recipient must either supply coverage covering the third party or ensure that the third party has a fidelity bond or similar insurance coverage.

(c) For recipients with subgrants:

(1) The recipient must extend its fidelity bond coverage to supply identical coverage to the subrecipient and the subrecipient's directors, officers, employees, agents, and volunteers to the extent required to comply with this Part; or

(2) The subrecipient must supply proof of its own fidelity bond coverage that meets the requirements of this Part for the subrecipient's directors, officers, employees, agents, and volunteers.

#### § 1629.4 What forms of bonds can recipients use?

(a) A recipient may use any form of bond, such as individual, name schedule, position schedule, blanket, or any combination of such forms of bonds, as long as the type or combination of bonds secured adequately protects LSC funds.

(b) A recipient may use similar forms of insurance that essentially fulfill the same purpose as a fidelity bond.

#### § 1629.5 What losses must the bond cover?

The bond must provide recovery for loss caused by such acts as fraud, dishonesty, larceny, theft, embezzlement, forgery, misappropriation, wrongful abstraction, wrongful conversion, willful misapplication, or any other fraudulent or dishonest act committed by an employee, officer, director, agent, or volunteer.

#### § 1629.6 What is the required minimum level of coverage?

(a) A recipient must carry fidelity bond coverage or similar coverage at a minimum level of at least ten percent of its annualized funding level for the previous fiscal year.

(b) If a recipient is a new recipient, the coverage must be at a minimum

### 45 CFR Ch. XVI (10–1–23 Edition)

level of at least ten percent of the initial grant.

(c) Notwithstanding paragraphs (a) and (b) of this section, recipients must not carry coverage under this part at a level less than \$100,000.

#### § 1629.7 Can LSC funds be used to cover bonding costs?

Costs of bonding required by this part are allowable if expended consistent with 45 CFR part 1630. Costs of bonding such as rates, deductibles, single loss retention, and premiums, are allowable as an indirect cost if such bonding is in accordance with sound business practice and is reasonable.

## PART 1630—COST STANDARDS AND PROCEDURES

### Subpart A—General Provisions

Sec.

1630.1 Purpose.

1630.2 Definitions.

1630.3 Time.

1630.4 Burden of proof.

### Subpart B—Cost Standards and Prior Approval

1630.5 Standards governing allowability of costs under LSC grants or contracts.

1630.6 Prior approval.

1630.7 Membership fees or dues.

1630.8 Contributions.

1630.9 Tax-sheltered annuities, retirement accounts, and penalties.

1630.10 Recipient policies, procedures, and recordkeeping.

### Subpart C—Questioned Cost Proceedings

1630.11 Review of questioned costs.

1630.12 Appeals to the president.

1630.13 Recovery of disallowed costs and other corrective action.

1630.14 Other remedies; effect on other parts.

1630.15 Applicability to subgrants.

1630.16 Applicability to non-LSC funds.

1630.17 Applicability to derivative income.

### Subpart D—Closeout Procedures

1630.18 Applicability.

1630.19 Closeout plan; timing.

1630.20 Closeout costs.

1630.21 Returning funds to LSC.

AUTHORITY: 42 U.S.C. 2996g(e).

SOURCE: 82 FR 37337, Aug. 10, 2017, unless otherwise noted.