

§ 2553.102 What performance measurement information must be part of an application for funding under RSVP?

An application to CNCS for funding under RSVP must contain:

- (a) In a year one renewal application:
 - (1) Performance measures.
 - (2) Estimated performance data for the project years covered by the application.
- (b) In a year two or three continuation application:
 - (1) Performance measures.
 - (2) Estimated performance data for the project years covered by the application.
 - (3) Actual performance data, where available, for the preceding completed project year.

[83 FR 64658, Dec. 17, 2018]

§ 2553.103 Who develops the performance measures?

- (a) CNCS may establish performance measures that will apply to RSVP projects, which sponsors will be responsible for meeting.
- (b) An applicant is responsible for choosing its own project specific performance measures.

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§ 2553.104 What performance measures must be submitted to CNCS and how are these submitted?

- (a) An applicant for CNCS funds is required to submit any uniform performance measure CNCS may establish for all applicants. Requirements, including types of performance measures, will be communicated in the notice of funding and other related materials.
- (b) CNCS may specify additional requirements related to performance measures on an annual basis in program guidance and related materials.
- (c) Applicants for CNCS funds will submit performance measures through the grant application. CNCS will provide standard forms.

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§ 2553.105 How are performance measures approved and documented?

- (a) CNCS reviews and approves performance measures for all applicants that apply for funding.

- (b) An applicant must follow CNCS provided guidance and formats when submitting performance measures.

- (c) Final performance measures, as negotiated between the applicant and CNCS, will be documented in the approved grant application.

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§ 2553.106 How does a sponsor report performance measures to CNCS?

CNCS will set specific reporting requirements, including frequency and deadlines, concerning performance measures established in the grant award. A sponsor is required to report on the actual results that occurred when implementing the grant and to regularly measure the project's performance.

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§ 2553.107 What must a sponsor do if it cannot meet its performance measures?

When a sponsor finds it is not on track to meet its performance measures, the sponsor must develop a plan to get back on track or submit a request to CNCS to amend its performance measures. CNCS may limit when amendments to performance measure can be submitted, as well as limit the types of changes a sponsor can make to performance measures. The request must include all of the following:

- (a) Why the project is not on track to meet its performance requirements;
- (b) How the project has been tracking performance measures;
- (c) Evidence of corrective steps taken;
- (d) Any new proposed performance measures; and
- (e) A plan to ensure that the project will meet the new proposed measure(s).

[76 FR 20247, Apr. 12, 2011, as amended at 83 FR 64658, Dec. 17, 2018]

§ 2553.108 What happens if a sponsor fails to meet the target performance measures included in the approved grant application?

If a sponsor fails to meet a target performance measure established in the approved grant application, CNCS may take one or more of the following actions:

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(a) Reduce the amount, suspend, or deny refunding of the grant, in accordance with the provisions of § 2553.31;

(b) Terminate the grant, in accordance with 45 CFR part 1206.

[83 FR 64658, Dec. 17, 2018]

**PART 2554—PROGRAM FRAUD
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OVERVIEW AND DEFINITIONS

§ 2554.1 Overview of regulations.

(a) *Statutory basis.* This part implements the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801–3812 (“the Act”). The Act provides the Corporation and other federal agencies with an administrative remedy to impose civil penalties and assessments against persons making false claims and statements. The Act also provides due process protections to all persons who are subject to administrative proceedings under this part.