

Department of Health and Human Services

§ 92.2

(b) If HHS fails to make a finding within 180 days or issues a finding in favor of the recipient, HHS shall:

(1) Promptly advise the complainant of this fact; and

(2) Advise the complainant of his or her right to bring a civil action for injunctive relief; and

(3) Inform the complainant:

(i) That the complainant may bring a civil action only in a United States district court for the district in which the recipient is found or transacts business;

(ii) That a complainant prevailing in a civil action has the right to be awarded the costs of the action, including reasonable attorney's fees, but that the complainant must demand these costs in the complaint;

(iii) That before commencing the action the complainant shall give 30 days notice by registered mail to the Secretary, the Attorney General of the United States, and the recipient;

(iv) That the notice must state: the alleged violation of the Act; the relief requested; the court in which the complainant is bringing the action; and, whether or not attorney's fees are demanded in the event the complainant prevails; and

(v) That the complainant may not bring an action if the same alleged violation of the Act by the same recipient is the subject of a pending action in any court of the United States.

PART 92—UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE, LOCAL, AND TRIBAL GOVERNMENTS

Subpart A—General

Sec.

- 92.1 Purpose and scope of this part.
- 92.2 Scope of subpart.
- 92.3 Definitions.
- 92.4 Applicability.
- 92.5 Effect on other issuances.
- 92.6 Additions and exceptions.

Subpart B—Pre-Award Requirements

- 92.10 Forms for applying for grants.
- 92.11 State plans.
- 92.12 Special grant or subgrant conditions for "high-risk" grantees.

Subpart C—Post-Award Requirements

FINANCIAL ADMINISTRATION

- 92.20 Standards for financial management systems.
- 92.21 Payment.
- 92.22 Allowable costs.
- 92.23 Period of availability of funds.
- 92.24 Matching or cost sharing.
- 92.25 Program income.
- 92.26 Non-Federal audit.

CHANGES, PROPERTY, AND SUBAWARDS

- 92.30 Changes.
- 92.31 Real property.
- 92.32 Equipment.
- 92.33 Supplies.
- 92.34 Copyrights.
- 92.35 Subawards to debarred and suspended parties.
- 92.36 Procurement.
- 92.37 Subgrants.

REPORTS, RECORDS RETENTION, AND ENFORCEMENT

- 92.40 Monitoring and reporting program performance.
- 92.41 Financial reporting.
- 92.42 Retention and access requirements for records.
- 92.43 Enforcement.
- 92.44 Termination for convenience.

Subpart D—After-the-Grant Requirements

- 92.50 Closeout.
- 92.51 Later disallowances and adjustments.
- 92.52 Collection of amounts due.

AUTHORITY: 5 U.S.C. 301.

SOURCE: 53 FR 8079, 8087, Mar. 11, 1988, unless otherwise noted.

EDITORIAL NOTE: For additional information, see related documents published at 49 FR 24958, June 18, 1984, 52 FR 20178, May 29, 1987, and 53 FR 8028, March 11, 1988.

Subpart A—General

§ 92.1 Purpose and scope of this part.

This part establishes uniform administrative rules for Federal grants and cooperative agreements and subawards to State, local and Indian tribal governments.

§ 92.2 Scope of subpart.

This subpart contains general rules pertaining to this part and procedures for control of exceptions from this part.