



National Endowment for the Arts

General Terms & Conditions

for

Literature Fellowships

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Office of Grants Management

National Endowment for the Arts

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The following General Terms & Conditions (GTCs, or General Terms) provide the administrative requirements for grants from the National Endowment for the Arts (NEA) to individuals. Unless otherwise stated in the grant award document, these grants are awarded on a nonmatching basis.

Acceptance of an NEA Award

1. Recipient Responsibilities

These **General Terms** apply to all Literature Fellowship grants awarded by the NEA. Grant recipients assume legal, financial, administrative, and programmatic responsibility for administering awards in accordance with this document, including responsibility for complying with any provisions included in the grant award documents. While we may provide you with reminders regarding award requirements, the absence of receiving such notice does not relieve you of your responsibilities. Failure to comply with these requirements may result in suspension or termination of the award and our recovery of funds. In addition, the United States has the right to seek judicial enforcement of these obligations.

2. Compliance with Terms and Conditions

Submission of a Payment Request constitutes your agreement to comply with all the terms and conditions of the award.

3. Income Tax Information

The Internal Revenue Service (IRS) considers NEA grants to individuals as taxable income. The NEA does not withhold Social Security, State, or Federal income taxes from your award and we do not send out 1099s or other tax forms. Specific questions regarding the taxability of your award should be directed to the IRS, appropriate state or local officials, or your tax advisor.

4. Acknowledgment of NEA Support and Disclaimer

Acknowledgement of the National Endowment for the Arts must be prominently displayed in all award materials. Additionally, we encourage the display of our current logo whenever possible. Our logo is available at www.arts.gov/grants/manage-your-award/nea-logo.

- 4.1** For print materials, a basic requirement is a phrase acknowledging support from the National Endowment for the Arts using the following language: "This project is supported in part by an award from the National Endowment for the Arts."
- 4.2** We reserve the right to change the language of the required acknowledgement of National Endowment for the Arts support, as well as the right to disallow the use of our logo and acknowledgement of our support.

5. Labor Assurances

You must certify that you will comply with the labor standards set out in Part 505 of Title 29 of the Code of Federal Regulations (CFR) - Labor Standards on Projects or Productions Assisted by Grants from the National Endowment for the Arts and the National Endowment for the Humanities. You provide this assurance when submitting the Payment Request, which includes the "Assurances as to Labor Standards." A copy of 29 CFR Part 505 may be obtained through the NEA's Web site at www.arts.gov/manageaward/Legals.

6. Lobbying

You are prohibited from conducting general political lobbying, as defined in relevant statutes, within your Federally-supported grant project. In addition, you are prohibited from using Federal funds for lobbying specifically to obtain awards. Note the following regarding lobbying activities:

No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation. (18 USC§ 1913 Lobbying with Appropriated Moneys).

7. Travel

Any airfare charged to the award, whether domestic or foreign, may not exceed the value of the basic least expensive unrestricted accommodations class offered by a commercial carrier

7.1 Fly America Act (41 CFR 301-10.131 through .143)

- 7.1.a** You are required to follow the provision of the Fly America Act. Any air travel paid in whole or in part with National Endowment for the Arts funds must be on a U.S. flag air carrier or a foreign air carrier under an air transport agreement (code share agreement) with the United States when these services are available.
- 7.1.b** For travel under an air transport agreement (code share agreement) the ticket, or documentation for an e-ticket, must identify the U.S. flag carrier's designator code and flight number, e.g. American Airlines (AA) 1606 operated by Air France.
- 7.1.c** There are some exceptions to the Fly America Act, see 41 CFR 301-10.135-138. If you do use a foreign air carrier you must provide us with a certification, including a justification as to why your travel met one of the exceptions. We may request additional information if necessary.

Lower cost, convenience, or traveler preferences are NOT acceptable reasons for using a foreign air carrier.

7.2 Foreign Travel. Foreign travel is defined as any travel outside the United States, its territories and possessions, and Canada and Mexico. The Office of Grants Management must provide written approval for all foreign travel not originally approved in your award before travel is undertaken.

While travel requests to Mexico and Canada that are project related do not require prior written approval from the National Endowment for the Arts before being undertaken, the Fly America Act does apply.

8. Equipment and Products

You are strongly encouraged to purchase American-made equipment in accordance with the "Buy American Act" (41 USC 8301-8305).

How to Obtain Your Award Funds

9. Payment Request Form

Payments are made electronically via the automated clearing house (ACH) network to banks in the United States and abroad. The payment request form and instructions are available at www.arts.gov/manageaward/LitFellows. You will also use this form to submit a required progress report when you request more than two-thirds of the award amount.

E-mail the form to grants@arts.gov or fax to (202) 682-5610 for processing. Keep a copy for your records.

Note: The NEA has partnered with Enterprise Service Center (ESC), a division of the US Department of Transportation's Federal Aviation Administration (FAA), to process payment requests. If there are questions regarding your payment request you may receive an email from ESC. ESC's emails are sent from @faa.gov address.

9.1 Specific Terms

You may be required to submit additional documentation before grant funds can be released (e.g., signed contracts, copyright release, etc.). Refer to your award document for any Specific Terms applicable to your award.

10. Federal Debt

You may not be delinquent in the repayment of any Federal debt. Should you become delinquent during your award period, you must notify us immediately at <mailto:grants@arts.gov>. We will not release award funds until you provide documentation that the debt is resolved.

If You Need to Make Changes

11. Award Amendments

You must notify the Office of Grants Management via email as soon as any changes to your award, such as the ones identified below, are identified. Send all amendment requests to grants@arts.gov. Requests submitted directly to the Literature program will result in a delayed response. After consultation with the appropriate NEA staff, the Office of Grants Management will notify you of our response via email. All requests are considered on a case-by-case basis and approval is not guaranteed. All amendment requests must include:

- your grant number, and
- a detailed description of and justification for the changes

11.1 Changing your award period. You are responsible for ensuring that all fellowship activities and the use of NEA funds take place within the period of performance stated in your award notification or an amendment notice, if applicable.

You must request a time extension if you cannot meet this term of your award. All time extension requests should be submitted via email to the Office of Grants Management at least 30 days before the current end date of your award.

- 11.2 Final Report Filing Extensions.** You must submit your Final Descriptive Report/Financial Report for Literature Fellowships and your final payment request (if applicable) within 90 days after the period of performance end date stated in your award document (or as amended). If you are unable to do so, you must request an extension to file your final report. The Office of Grants Management should receive this request at least 30 days before the report is due.
- 11.3 Translation changes.** Translation fellowship recipients may not change their translation project without prior NEA approval. Therefore, it is imperative that you provide a detailed justification for the changes. You must also have secured any rights necessary to translate the proposed new work(s). If written permission from the copyright holder is in a foreign language, you must provide an English translation.

Reporting & Recordkeeping

12. Reporting Requirements

Your award materials include a Reporting Requirements document detailing the reporting requirements for your award. We reserve the right to request additional information at any time.

- 12.1 Progress Report.** A progress report is required the first time the cumulative amount of award funds requested exceeds two-thirds of the award amount. Specific instructions for submitting your progress report are described in the payment request instructions.
- 12.2 Final Report material.** You are required to submit a **Final Descriptive Report/Financial Report for Literature Fellowships** no later than 90 days after the period of performance end date. The report form is available at www.arts.gov/manageaward/LitFellows. You must submit this report via email to finalreports@arts.gov

12.2.a If you do not submit the **required final report** for any award, you will be ineligible to receive subsequent NEA funding for five years following the final report due date of the grant or until the delinquent final report is submitted, whichever occurs first. Acceptability of your final report may also affect your eligibility.

IMPORTANT: Failure to submit the required final report within 210 days from the period of performance end date will result in the withdrawal of any funds remaining on that award. For awards made after October 1, 2017, the required final report must be submitted within 150 days. Failure to do so will result in the actions as noted above.

13. Record Retention

You are required to maintain a record of all financial and other documents pertinent to your grant for a period of three years from the date you submit your **Final Descriptive Report/Financial Report for Literature Fellowships**.

Copyright and Cataloging Information

14. Copyright

You may copyright any material that is subject to copyright and was developed, or for which ownership was acquired, under the National Endowment for the Arts award during the period of performance. For procedural information, see www.copyright.gov.

We reserve a royalty-free, non-exclusive, and irrevocable right to reproduce, publish, or otherwise use work, as well as data, produced under a Federal award for Federal government purposes. We also have the right to authorize others to do the same.

15. Library of Congress Cataloging in Publication Data

We strongly recommend that any publication that results from this award be cataloged by the Cataloging in Publication (CIP) Program of the Library of Congress before final printing. This method of cataloging enables libraries to acquire and process books quickly. Publishers ineligible for this program may be eligible for the Library's Preassigned Card Number Program. Entering these titles in a national bibliographic database leads to greater dissemination of publications, thereby benefiting the recipient. For procedural information, see <http://www.loc.gov/publish/cip/>.

Questions?

16. NEA Staff

If you have questions regarding administrative or technical requirements of this award, contact the Office of Grants Management at (202) 682-5403 or grants@arts.gov.

For programmatic requirements, contact the NEA's Literature office at (202) 682- 5707.

17. Accessibility Resources

Individuals who are deaf or hard-of-hearing, may email the Office of Grants Management at grants@arts.gov or call (202) 682-5496 TTY.

Individuals who do not use conventional print or electronic media may access the information in this document by contacting the Office for Accessibility at accessibility@arts.gov or call (202) 682-5532 for help acquiring an audio recording of these General Terms or any other National Endowment for the Arts publication.

Individuals with limited English proficiency should contact the Office of General Counsel at (202) 682-5418 or ogc@arts.gov. You can also find information at <http://www.lep.gov/>.