



National Endowment for the Arts

General Terms & Conditions

for

LITERATURE FELLOWSHIPS

(October 2011)

Grants & Contracts Office

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

General information about your grant can be found at www.arts.gov/mygrant

Acceptance of an Arts Endowment Award

1. Recipient Responsibilities

These **General Terms** apply to all Literature Fellowship grants awarded by the Arts Endowment. 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 letter. While the Arts Endowment may periodically provide recipients with reminder notices regarding grant requirements such as final reports, failure to receive such notice does not relieve you from your responsibility to comply with all applicable grant requirements. Failure to comply with these requirements may result in suspension or termination of the award and recovery of grant funds.

2. Compliance with Terms and Conditions

Submission of the Payment Request Form for Literature Fellowships constitutes agreement to comply with and expend funds consistent with all the terms and conditions of the grant.

3. Income Tax

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

4. Acknowledgment of Arts Endowment Support and Disclaimer

You must acknowledge the Arts Endowment's support in all materials regarding this grant. We encourage the display, in a prominent manner, of our current logo in association with the acknowledgment. Copies of our logo are available at www.arts.gov/manageaward/index.

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 by signing and returning to the Grants & Contracts Office the Payment Request Form for Grants to Individuals (available online), which includes the "Assurances as to Labor Standards" on page 2. A copy of 29 CFR Part 505 may be obtained through the Arts Endowment'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 a Federally-supported grant project. In addition, you are prohibited from using Federal funds for lobbying specifically to obtain grants. 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. Foreign Travel Requests

- a) **Foreign travel** is defined in the OMB Circulars as any travel outside Canada, Mexico, the United States (U.S.), and its territories and possessions. The Grants & Contracts Office must give written approval for all foreign travel before travel is undertaken.

Please note: While travel requests to Mexico and Canada that are project related, allocable, and allowable do not require prior written approval from the Art Endowment before being undertaken, the Fly America Act does apply. Please see b) for more information.

- b) Per the **Fly America Act**, any air travel (inclusive of persons or property) paid in whole or in part with Arts Endowment funds must be on a U.S. air carrier or a foreign air carrier under an air transport agreement with the United States when these services are available. For the Fly America Act, the United States means the 50 states, the District of Columbia, and the territories and possessions of the United States. U.S. air carrier service is considered available even when a foreign air carrier can provide a comparable or different kind of service at less cost and/or foreign air carrier service is preferred by, or is more convenient for, the traveler.

U.S. air carrier service is considered to be unavailable only under the following conditions:

- the traveler's origin or destination airport is a gateway airport abroad (i.e., the airport from which the traveler last embarks en route to the United States or at which the individual first arrives when traveling from the United States), and the use of a U.S. air carrier would increase travel time by at least 24 hours over travel by a foreign air carrier;
- when a traveler while en route must transfer to another flight, and the use of a U.S. air carrier would extend travel time at least six hours over travel by a foreign air carrier;
- when travel time on a scheduled flight by a foreign air carrier is three hours or less, and service by a U.S. air carrier would involve twice as much travel time; or
- when travel is between two points outside the U.S. and the use of a foreign air carrier would eliminate two or more aircraft changes en route.

If you discover that service on a U.S. air carrier or a foreign air carrier under an air transport agreement with the United States is unavailable, you must request an exception in writing from the Grants & Contracts Office before travel is undertaken.

8. Equipment and Products

Consistent with 41 U.S.C. 10a-10c, "Buy American Act," if you purchase equipment and products under this grant, you are encouraged, whenever possible, to purchase American-made equipment and products.

How to Obtain Your Award Funds

9. Payment Request Form for Literature Fellowships

Payments are made electronically to banks, here and abroad, that are on the automated clearing house system.

The payment request form and instructions for completing it are available at www.arts.gov/manageaward/LitFellows. Use this form to,

- request payment, and
- submit the progress report, as appropriate.

By signing this form you indicate agreement to comply with and expend funds consistent with all the terms and conditions of the grant.

FAX the form to (202) 682-5610 or 5609. Remember to keep a copy for your records.

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. We will not release award funds until you can provide documentation showing a repayment plan has been accepted by the Internal Revenue Service (IRS) and payments have been made.

If You Need to Make Changes

11. Award Amendments

You should notify the Grants & Contracts Office in writing as soon as any changes, such as the ones identified below, are believed necessary. Requests submitted to other Arts Endowment offices may result in a delayed response. After consultation with the appropriate Arts Endowment staff, the Grants & Contracts Office will notify you in writing of our response. Requests are considered on a case-by-case basis. Approval is not guaranteed.

All requests must include:

- your 10-digit grant number,
- detailed justification, and
- your signature.

- a) **Changing the time period of your award:** You are responsible for ensuring that all grant activities and the use of Arts Endowment funds take place within the period of support stated in the award (or an amendment letter, if applicable).

You must request a time amendment if you cannot meet this term of your award. This request should be submitted, in writing, to the Grants & Contracts Office at least 30 days before the period of support end date of your award.

- b) **Final Report Filing Extensions:** You must submit all final reporting requirements within 90 days after the period of support end date stated in your award (or as amended). If you are unable to do so, you must request an extension for the final reports due date. The Grants & Contracts Office should receive this request at least 30 days before the reports are due.

- c) **Translation changes:** Translation fellowship recipients may not change their translation project without Arts Endowment approval. Therefore, it is imperative that you provide a detailed justification.

Reporting & Recordkeeping

12. Reporting Requirements

Your grant award package includes a blue "Reporting Requirements" document that provides guidance on the reporting requirements relevant to your grant. We reserve the right to request additional information at any time.

- a) **Progress Report.** A progress report is required from NEA grant recipients the first time the cumulative amount requested exceeds two-thirds of the award amount. Specific instructions for submitting your progress report are described in the "Reporting Requirements" document and payment request instructions.
- b) **Special Reporting Requirements.** Additional information may be required before grant funds can be released (e.g., signed contracts, copyright release, etc.). Specific instructions is included in your grant award package, as applicable.
- c) **Final Report material.** You are required to submit a **Final Descriptive Report for Literature Fellowships** (FDR) not later than 90 days after the period of support end date. Before completing your final report, carefully review your "Reporting Requirements" document.

The FDR for Literature Fellowships form is available at www.arts.gov/manageaward/LitFellows. You can submit this report online, by FAX, or mail. Do NOT do more than one.

- d) **Failure to submit the required final reports** for any grant(s) will make you ineligible to receive subsequent funding for five years following the final report due date of the grant(s) or until the delinquent final reports are submitted, whichever occurs first. Acceptability of final reports may also affect your eligibility. In addition, failure to submit required final reports within 210 days from the project period end date will result in the withdrawal of any funds remaining on that award.

If you decide to use mail, please consider using an alternative delivery service. Delivery of first-class mail to the NEA is delayed due to security screening process. Tip: keep a copy of anything you send to us for your records.

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 FDR for Literature Fellowships.

Copyright and Cataloging Information

14. Copyright

You may arrange to copyright any materials you develop from the work undertaken during the period of support without prior approval from us. For procedural information, contact: U.S. Copyright Office, Library of Congress www.copyright.gov/.

Unless otherwise specified in the award, we are not entitled to receive royalties from work supported or made possible by a grant; however, we retain a royalty-free right to use all or a portion of your final report material for Federal purposes. This includes the use of final report products to document the results of our grant programs, including placement on our Web site.

15. Library of Congress Cataloging in Publication Data

We strongly recommend that any publication that might result from this award be cataloged by the Cataloging in Publication Program of the Library of Congress before it is prepared for final printing. This method of cataloging, which is available only to publishers of titles likely to be widely acquired by U.S. libraries, 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, contact: Library of Congress, <http://www.loc.gov/publish/cip/>.

Questions?

16. Arts Endowment Staff

If you have any questions about your grant regarding administrative or technical requirements, please contact the Grants & Contracts Office at (202) 682-5403 or grants@arts.gov.

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

17. Accessibility Resources.

For individuals who are deaf or hard-of-hearing, call (202) 682-5496 Voice/TTY (Text-Telephone). Individuals who do not use conventional print may contact the Arts Endowment's Office for Accessibility at (202) 682-5733 for help in acquiring an audio recording of these **General Terms**.

Individuals with limited English proficiency or recipients serving such individuals 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/>.