



# GENERAL TERMS AND CONDITIONS

## and

# eGMS REACH HANDBOOK

# for Literature Fellowships

For awards issued *after* October 1, 2020

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### Office of Grants Management

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

**The National Endowment for the Arts Office of Grants Management is the only office authorized on behalf of the Chairman to make awards, approve changes, and review and approve payments and reports.** While you may have worked with discipline staff on application issues, once an award is made, all formal award-related communication and documentation must come directly to the Office of Grants Management, in most cases using the Agency's online awards management system **eGMS REACH (REACH)**. Sending material to any other Arts Endowment office will delay the review and processing of your request.

## **WORKING WITH THE OFFICE OF GRANTS MANAGEMENT AND eGMS REACH**

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### **1. eGMS REACH**

You will use the Arts Endowment's online awards management system **eGMS REACH (REACH)** to request funds and submit the final report for your award. REACH access instructions were provided when you received an offer for your fellowship and again when you received the official award notification.

Through REACH, you can:

- View official award documents including the offer, the award letter, the reporting requirements, and other important information.
- Submit payment requests, change/amendment requests, and Final Report documents, and see their various statuses (e.g., under review, approved).

You can log into REACH with your User Name and password in two ways:

- directly via <https://grants.arts.gov/eGMS-Reach/Login.aspx> or
- through the **Manage Your Award** section of the Arts Endowment website.

If you have a specific question about your award, the best way to contact the Office of Grants Management is via the REACH Message Tab within the appropriate award. For more general questions, please contact us by email at [grants@arts.gov](mailto:grants@arts.gov). Provide your award number so we can access your award information quickly.

Unless otherwise directed, do not call or email a specific Office of Grants Management staff member. Inquiries and payment requests are routed to the first available staff member, and using REACH or [grants@arts.gov](mailto:grants@arts.gov) helps us ensure that your questions are answered as quickly as possible.

You may also go to <https://www.arts.gov/grants/manage-your-award> for access to instructions, forms, and templates.

### **2. Your Award Notification**

Recipients are notified of an award via an email with the subject line:

**National Endowment for the Arts: Award Notice XXXXXXX-XX-XX to Your Name**

The email will direct you to REACH to view the official award documents.

**READ YOUR AWARD DOCUMENTS CAREFULLY.** You are responsible for understanding and complying with all of the legal, financial, and administrative policies and requirements pertaining to your award.

Your award documents include,

**(1) Chairman’s Award Letter**

This is the official award letter from the Chairman of the National Endowment for the Arts or delegate. It may include specific terms regarding your award.

**(2) Award Reporting Requirements**

This document details your award’s required final report and its due date.

**ACCEPTANCE OF A NATIONAL ENDOWMENT FOR THE ARTS AWARD**

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**3. 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 or specific terms 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.

**4. Compliance with Terms and Conditions**

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

**5. Income Tax Information**

The Internal Revenue Service (IRS) considers National Endowment for the Arts grants to individuals as taxable income.

**IMPORTANT:** The Arts Endowment 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.

**6. Acknowledgment of National Endowment for the Arts 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](http://www.arts.gov/grants/manage-your-award/nea-logo). As the agency's logo has changed over the years, please check the link above to make sure you are using the correct logo.

- 6.1** 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."
- 6.2** 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.

## **7. 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."

## **8. Drug-Free Workplace**

You must certify with each payment request that,

- (a) You will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any grant activity. (For the purposes of this Act, alcohol is not considered a controlled substance.)
- (b) If convicted of a criminal drug offense that is the result of a violation occurring during the conduct of any grant activity, you will report the conviction to the Grants Officer (Director), in writing, within ten calendar days of the conviction.

See 2 CFR 3256 and 2 CFR 182.300.

## **9. 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).

## **10. Debarment and Suspension**

You may not be debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any federal department or agency, nor has, within the three years preceding the submission of your application, been convicted of or had a civil judgment rendered against him or her for commission of fraud or a criminal offense in connection with a public (federal, state, or local) transaction or a contract under a public transaction; for violation of federal or state antitrust statutes; for commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; had any public transactions terminated for cause or default; or is presently indicted for or otherwise criminally or civilly charged by a governmental entity with any of the preceding offenses. See 2 CFR 3254.

Debarment will result in immediate termination of your award.

## **11. 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.

### **11.1 Fly America Act (41 CFR 301-10.131 through .143)**

You are required to follow the provisions of the Fly America Act (49 USC 40118). The regulations regarding the Fly America Act are available at 41 CFR 301-10.131-143. 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.

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.

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.

### **11.2 Foreign Travel.** Foreign travel is defined as any travel outside the United States, its territories and possessions.

For foreign travel that was not originally approved in your award, you must request written approval from the Office of Grants Management before travel is undertaken.

## **12. Equipment and Products**

You are strongly encouraged to purchase American-made equipment in accordance with the "Buy American Act" (41 USC 8301-8305). Equipment is defined as tangible, nonexpendable personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.

The Office of Grants Management must provide written approval for all equipment purchases not originally approved in your award before any purchase is made.

## REQUESTING YOUR AWARD FUNDS

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### 13. Payment Request

You will use REACH to submit your payment request for National Endowment for the Arts funds. Funds are issued via Automated Clearing House (ACH) transfer. Award funds are NOT automatically disbursed, nor do we issue checks.

Carefully read the instructions *INDIVIDUALS (Literature Fellowships) Instructions for Requesting Payment FY19 and Later Awards* for completing and submitting your request.

The National Endowment for the Arts 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](mailto:@faa.gov) address.

**HAS YOUR BANK INFORMATION CHANGED SINCE YOU RECEIVED THE AWARD?** If so, you must:

- (1) Call the Office of Grants Management and provide the new bank information; **and**
- (2) Add a note in the Progress Report field on the Payment Request Form in REACH that your bank account has changed.

#### 13.1 Submitting Payment Requests in REACH

Log into your REACH account and select your award. Go to the award's Payment tab and click the Add Payment Request button to complete the online payment request.

Instructions for completing the form are available by clicking the button "View Payment Request Instructions" at the top of the form. Read these before completing the form – they include *specific* instructions for individuals.

#### 13.2 Progress Report

One progress report is required when you request more than two-thirds (2/3) of the grant amount. The progress report must include:

- (1) A description of all activities supported by the grant that have been undertaken since the grant's period of performance start date, **and**
- (2) Any grant supported activities planned for the remainder of the grant period (e.g., research, travel, or other related activities).

#### 13.3 How Often Can I Request Funds?

Some recipients request funds in one installment, while others request funds on a monthly, quarterly, or as-needed basis. You may choose the option that is best for you.

#### 13.4 How Long Does It Take to Get My Funds?

Initial review of your payment request generally occurs within 30 days of receipt. After approval, the payment request is routed for processing and submission to ESC and then to the U.S. Treasury to complete the ACH transfer to your account.

To check on the status of your payment, log into your REACH account and select the correct award. Click on the Payments tab. Scroll down to view the Payment Request, then check the Status/Date field. Approved payments will have “Approved XX/XX/XXXX” in the Status/Date field. Funds will generally be in your account within two weeks after that date.

If it has been more than two weeks since the “Approved XX/XX/XXXX” in the Status/Date field in REACH and you believe the payment has not been received, contact your bank. Ask your bank for confirmation of an incoming ACH credit from the U.S. Treasury (not a wire transfer). If your bank has no record of the ACH transfer, email [grants@arts.gov](mailto:grants@arts.gov) and we will investigate further.

### **13.5 Is There A Deadline for Requesting Funds?**

All National Endowment for the Arts funds must be requested within 120 days of the end date of the period of performance. You may submit a final payment request along with your final reports.

### **13.6 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 via REACH. We will not release award funds until you provide documentation that the debt is resolved. Examples of relevant debt include delinquent student loans, delinquent federal taxes, delinquent child support payments, and delinquent payroll taxes for household or other employees.

## **IF YOU NEED TO MAKE CHANGES**

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### **14. Award Amendments**

You must notify the Office of Grants Management of any project changes as soon as you become aware of them and before they are implemented. Many changes require prior written approval from the Office of Grants Management. Failure to seek prior approval for changes may result in the need to return funds to the Arts Endowment. Requests for changes are considered on a case-by-case basis; approval is not guaranteed.

You must submit change requests through REACH as outlined below. Do not send your change request to any other National Endowment for the Arts office. **You can discuss potential changes with Literary Arts staff, but only the Office of Grants Management has the authority to formally approve changes.** The Office of Grants Management will confer with the Literature Fellowships program as necessary during the review process.

#### **14.1 Submitting Change Requests**

For all Change Requests, log into your REACH account and select your award. Go to the Change Requests tab and click the Submit a New Request button.



Select “We need to Request Changes to this Award,” then follow the special instructions provided in REACH. Be sure to enter a detailed explanation and justification for your request. Attach additional documentation if necessary.

**14.1.a Change Your Award’s Period of Performance.** You are responsible for ensuring that all fellowship activities and the use of Arts Endowment 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 at least 30 days before the current end date of your award.

**14.1.b Final Report Filing Extensions.** You must submit your *Final Descriptive Report/Financial Report for Literature Fellowships* and your final payment request (if applicable) within 120 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.

**14.1.c For Translation Fellows.** Translation fellowship recipients may not change their translation project without prior Arts Endowment 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

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### 15. 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.

**15.1 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.

**15.2 Final Report material.** You are required to submit a *Final Descriptive Report/Financial Report for Literature Fellowships* no later than 120 days after the period of performance end date.

Submit the final report through REACH by logging into your account and selecting the correct award. Go to the Reports tab to submit your report. Click on the black pen next to the report’s name to open up the report’s window. Follow the instructions for completing and uploading the report.

**15.2.a** If you do not submit the required final report for any award, you will be ineligible to receive subsequent National Endowment for the Arts 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 150 days from the period of performance end date will result in the withdrawal of any funds remaining on that award. The funds will no longer be available to you.

#### **16. 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*.

#### **17. Access to Federal Award Information**

Restrictions on public access to Federal award-related information are generally limited to protected personally identifiable information (PII) and FOIA and other applicable exemptions (§200.338).

Disclosure Notice: The NEA may share a copy of awarded grant applications and/or related materials submitted to the NEA by the applicants, with the public or other third parties, where required or permitted by law.

### **COPYRIGHT AND CATALOGING INFORMATION**

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#### **18. 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](http://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.

#### **19. 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 [www.loc.gov/publish/cip](http://www.loc.gov/publish/cip).

### **QUESTIONS?**

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#### **20. National Endowment for the Arts Staff**

If you have questions regarding administrative or technical requirements of this award, go to REACH and use the Message Tab within My Award or contact the Office of Grants Management at [grants@arts.gov](mailto:grants@arts.gov).

For programmatic requirements, use the Message Tab within My Award or contact the National Endowment for the Art's Literary Arts office at (202) 682- 5707.

#### **21. Accessibility Resources**

Individuals who are deaf or hard-of-hearing may email the Office of Grants Management at [grants@arts.gov](mailto: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](mailto: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](mailto:ogc@arts.gov). You can also find information at [www.lep.gov](http://www.lep.gov).