

# General Terms and Conditions for Awards to Individuals

(For awards with start dates January 1, 2025, or later)

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## Introduction

The General Terms and Conditions for Awards to Individuals (referred to as General Terms and Conditions throughout this document) apply to awards issued directly by the National Endowment for the Humanities (NEH) to individuals. Terms and conditions for other NEH award types are as follows:

- State and jurisdictional humanities councils: refer to the General Terms and Conditions for General Operating Support Grants to State and Jurisdictional Humanities Councils.
- Organizations: refer to the General Terms and Conditions for Awards to Organizations.

These *General Terms and Conditions* apply to all individuals unless specified otherwise in regulations or the terms and conditions of the specific NEH award.

NEH makes awards to individuals through several programs, including: Fellowships, Fellowships for Advanced Social Science Research on Japan, Awards for Faculty, Public Scholars, Summer Stipends, and Dynamic Language Infrastructure. These *General Terms and Conditions* apply to all types of awards to individuals. If a term involves a program-specific requirement, this is indicated with *italicized text* and this symbol \*.

The *General Terms and Conditions* are organized into eight sections and cover topics such as roles and responsibilities of NEH and individuals, payment procedures, cost considerations, project changes, reporting requirements, and statutes and regulations that apply to your award.

In addition to adhering to these terms and conditions, individuals are responsible for abiding by NEH's general policies available in the "General Policies" section of the <u>Grants Management Policy and Guidance for Awards to Individuals</u> webpage.

## Accepting your award

Before issuing an award to an individual, NEH provides an offer letter. To accept the offer, you must complete and submit the NEH Individual Programs Acceptance Form through <u>eGMS Reach</u>, NEH's online grant management system, by the deadline indicated in your offer letter. Please follow the instructions provided to:

- access eGMS Reach
- complete your acceptance form.

After you accept your offer, NEH will issue the award via a Notice of Action. The dates and time commitment you specify on your acceptance form are subject to NEH approval.

If you have an academic institutional affiliation, NEH requires you to notify your department chair and chief academic officer that NEH has offered you an award.

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# I. Basic Responsibilities

## A. NEH roles and responsibilities

As a federal agency that issues financial assistance, NEH is responsible to Congress and the U.S. taxpayer for carrying out its mission cost-effectively and in compliance with applicable requirements set forth in legislation, regulations, and policies. NEH seeks to ensure integrity and accountability in award issuance and administration by relying on a system of checks and balances and separation of responsibilities within its staff. The NEH roles and responsibilities are as follows.

## 1. Office of Grant Management

NEH's Office of Grant Management (OGM) is responsible for overseeing recipients' compliance with the administrative requirements, cost principles, and other non-programmatic aspects of the award. Responsibilities include:

- evaluating applications for administrative content and compliance with statutes, regulations, and the
   Notice of Funding Opportunity (NOFO);
- negotiating awards;
- providing technical assistance to applicants and recipients, including interpreting agency policies and federal statutes and regulations;
- monitoring post-award compliance, including reviewing financial reports and conducting site visits;
   and
- closing out awards.

OGM is the only office authorized to:

- issue Notices of Action, which obligates federal funds;
- review and respond to requests for prior approval;
- amend funding levels, periods of performance, terms and conditions of award; and
- issue revised Notices of Action.

## 2. Program Office

NEH's program offices are responsible for the programmatic aspects of applications and awards. Responsibilities include:

- developing programs to meet NEH's mission;
- preparing funding opportunity announcements;
- facilitating the review and recommendation of applications;
- providing programmatic technical assistance, including guidance on changes to work plans and project scope; and
- monitoring project performance and reviewing progress reports.

## 3. Office of Accounting

NEH's Office of Accounting responsibilities include:

- collecting and confirming information submitted via the SF-3881 Automated Clearing House (ACH) form; and
- reviewing payment requests and issuing payments to recipients.

For more information, see Payment Requests and Financial Reporting Requirements.

#### 4. Office of the Inspector General

NEH's Office of Inspector General (OIG) responsibilities include:

- conducting audits and investigations;
- reviewing legislation;
- recommending policies to promote efficiency and effectiveness; and
- preventing and detecting fraud, waste, and abuse in the operations of the agency.

You can help NEH eliminate fraud and improve management by providing information about allegations or suspicions of waste, fraud, abuse, mismanagement, research misconduct (fabrication, falsification, plagiarism), or unnecessary government expenditures during the period of performance to the OIG. For information on how to report such allegations and suspicions, see the OIG webpage.

### B. Recipient responsibilities

Your responsibilities include:

- conducting project activities under the NEH award;
- adhering to the terms and conditions of the award and all applicable statutes and regulations; and
- informing NEH of significant programmatic, administrative, or financial problems.

Individuals with H-1B visas should consult with their employer to determine whether an NEH award and any required deliverables would constitute a material change to the terms and conditions of their employment such that a new or amended petition must be filed with the appropriate authorities. It is the responsibility of the H-1B visa holder, not of NEH, to determine whether acceptance of NEH funds complies with the terms of their visa.

#### C. eGMS Reach

<u>eGMS Reach</u> is the online grant management system recipients use to conduct all award management activities, including making prior approval and extension requests, submitting reports, and communicating with NEH staff. For more information on how to access eGMS Reach, see Accessing NEH eGMS Reach.

When NEH issues an offer letter, you will receive an eGMS Reach account. Access eGMS Reach and follow the on-screen instructions to create a Login.gov account, or input credentials for an existing account.

NEH sends official notifications via eGMS Reach to the email address associated with the account. Protections against spoofing and phishing are provided by Domain-based Message Authentication, Reporting, and Conformance (<u>DMARC</u>). Do not forward messages to other addresses, as this may cause eGMS Reach messages to be flagged as illegitimate and rejected. Forwarding messages may result in missing important official NEH communications.

The NEH program staff member and Grant Management Specialist assigned to your award are indicated in the "Agency Contacts" section of the "Information" tab within your award page in eGMS Reach. To send a message to either, click the "Messages" tab, click "New Message," select the appropriate "Agency Staff to Receive Message," compose your message, and click "Send New Message." If you do not know to whom your specific inquiry should be addressed, select both names.

#### D. Time commitment

You must complete the time commitment specified in the approved award. If the time commitment is expected to change, you must notify NEH for prior approval (see Section IV).

#### \* Fellowships

The period of performance must be six to twelve months and must be continuous. You are required to work full-time on your project during the period of performance, and you must forego teaching, administrative assignments, and other major activities. However, you may attend conferences related to your fellowship work and give presentations on it. If you are considering any other activity during your period of performance, you must first consult NEH program staff to determine whether the proposed activity is permissible.

#### \* Awards for Faculty

The minimum period of performance is the equivalent of two months of full-time work; the maximum is the equivalent of twelve months of full-time work. You may hold your award full-time, part-time, or a combination of the two. Part-time is defined as any amount of time between half-time and full-time. You must work at least half-time on your project during the entire period of performance. Accordingly, you must complete your award term within two years of the start date you choose and your work must be continuous. You must not have course overloads or work overtime during the NEH period of performance.

During your period of performance, you may also attend conferences related to your Awards for Faculty work and give presentations on it. If you are considering any other activity during your period of performance, you must first consult NEH program staff to determine whether the proposed activity is permissible.

#### \* Public Scholars

The period of performance must be six to twelve months and must be continuous. You may hold your award full-time, part-time, or a combination of the two. Part-time is defined as any amount of time between half-time and full-time. You must work at least half-time on your project during the entire period of performance.

Individuals who teach while working part-time on a project must reduce their teaching load proportionately (i.e., if you are working half-time on your project, you may carry no more than a half-time teaching load as defined by your institution). Recipients who work full-time on their projects must forgo other major activities, including teaching.

#### \* Summer Stipends

You are required to devote two consecutive months of full-time work to the project described in your Summer Stipends application. You may not accept a teaching assignment or undertake any activities that divert you from your Summer Stipends project during the period of performance. Summer Stipends normally support work carried out during the summer months, but arrangements can be made for holding tenure at other times of the year.

If you desire an award period of performance that falls outside the period from May 1 to September 30, send a request explaining the circumstances to NEH program staff.

## Dynamic Language Infrastructure—Documenting Endangered Languages (DLI-DEL)

The period of performance must be six to twelve months of full-time work, or the equivalent in part-time. You may hold your award full-time, part-time, or a combination of the two. Part-time is defined as any amount of time between half-time and full-time. If a continuous term is not feasible for you, you may split your term into two separate active periods, each of which must be at least three months in duration. Regardless, you must complete your award term within two years of the start date you choose.

Individuals who teach while working part-time on a project must reduce their teaching load proportionately (i.e., if you are working half-time on your project, you may carry no more than a half-time teaching load as defined by your institution). Recipients who work full-time on their projects must forgo other major activities, including teaching.

#### ★ Fellowships for Advanced Social Science Research on Japan

The period of performance must be six to twelve months and must be continuous. You are required to work full-time on your project during the period of performance, and you must forego teaching, administrative assignments, and other major activities. However, you may attend conferences related to your fellowship work and give presentations on it. If you are considering any other activity during your period of performance, you must first consult NEH program staff to determine whether the proposed activity is permissible.

## E. Concurrent or prior funding

You may concurrently hold **non-NEH** funding support (e.g., sabbaticals, fellowships, advance from a publisher) for the same project during the period of performance for your NEH individual award.

You may not work on a project supported by an NEH institutional award while holding an NEH individual award on a full-time basis. If your program allows part-time work on your project (see <u>Time</u> <u>Commitment</u>), and you also work on a project supported by an NEH institutional award as either a Project Director or staff, your activities must not exceed your regular, full-time load across all projects and activities (including non-NEH-related activities).

If you have previously held a long-term individual award (Fellowships, Fellowships for Advanced Social Science Research on Japan, DLI-DEL, Public Scholars, or Awards for Faculty), you may not hold another NEH long-term

individual award for the same project. Only individuals who previously held a Summer Stipends award may hold an additional individual award for the same project. However, you may not hold two individual awards in support of the same activities or with overlapping periods of performance.

## F. Work leading toward degrees

You may audit courses and seminars pertinent to your award, but you may not be enrolled or enroll in a degree program or engage in work you intend to apply toward a degree either now or later.

## G. Acknowledgment of NEH

All materials resulting from activities accomplished under an award (e.g., books or articles) must contain an acknowledgment of NEH support. The acknowledgment must also include the following statement: "Any views, findings, conclusions, or recommendations expressed in this (publication) (program) (website) do not necessarily reflect those of the National Endowment for the Humanities." For additional information, see Publicizing Your Project.

#### ★ Fellowships for Advanced Social Science Research on Japan

Individuals who receive an award under the Fellowships for Advanced Social Science Research on Japan program, a joint activity of the Japan-U.S. Friendship Commission (JUSFC) and NEH, must acknowledge both JUSFC and NEH in all materials publicizing or resulting from activities accomplished under their award. The acknowledgement must include the following statement: "Any views, findings, conclusions, or recommendations expressed in this (publication) (program) (website) do not necessarily reflect those of the Japan-U.S. Friendship Commission or the National Endowment for the Humanities."

#### \* DLI-DEL

Individuals who receive an award under the DLI-DEL Fellowships program, offered in partnership with the National Science Foundation (NSF), must acknowledge both NSF and NEH in all materials publicizing or resulting from activities accomplished under their award. The acknowledgement must include the following statement, "Any views, findings, conclusions, or recommendation expressed in this (publication) (program) (website) do not necessarily reflect those of the National Endowment for the Humanities and the National Science Foundation."

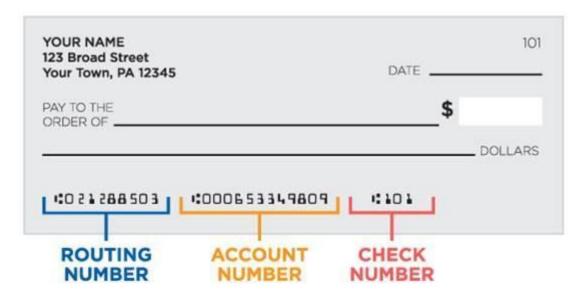
## II. Payment

# H. Payment procedures for individual awards

You will find an ACH Vendor/Miscellaneous Payment Enrollment Form SF-3881 (ACH form) in the "Forms and Reports" tab in eGMS Reach. The ACH form allows NEH to transfer funds to your personal account. Follow these instructions for accessing the ACH form in eGMS Reach. NEH cannot pay you until you submit this form.

You need to submit the form only once, unless your banking information changes. Do not attach payment requests to eGMS Reach messages or to emails to NEH.

A sample check graphic is provided to assist you in identifying your routing and account numbers. DO NOT USE DEPOSIT SLIPS TO OBTAIN THIS INFORMATION. The routing and account numbers may appear in slightly different locations on your check. Please contact your financial institution to verify the correct routing and account numbers.



A bank's Routing Transit Number (also known as an RTN or ABA Routing Number) is a nine-digit code assigned to all banks in the United States by the American Bankers Association (ABA) since 1911. Routing Numbers are used to identify your bank whenever you make a financial transaction like writing a check, setting up direct deposit, or using your bank's Bill Pay feature. **Tip**: If the first two digits of the routing number are not 01 through 12, 21 through 32, or 61 through 72, the direct deposit will be rejected.

Your check may state that it is payable through a bank different from the financial institution at which you have your checking account. If so, do not use the routing number on that check. Instead, contact your financial institution for the correct routing number to enter on this line.

The checking account number can be up to 17 digits (no letters). Include hyphens but omit spaces and special symbols. Do not include the check number.

**Tip**: Funds must be transferred directly to a checking or savings account. Funds cannot be transferred to a trust.

#### I. Federal debt

You may not be delinquent in the repayment of any federal debt. Should you become delinquent during your period of performance, you must notify your Grant Management Specialist immediately. NEH will not release award funds until you provide evidence that you have entered into a repayment agreement with the Internal Revenue Service and that you are current on all payments due. Examples of relevant debt include student loans, delinquent federal taxes, delinquent child support payments, and delinquent payroll taxes for household or other employees. See OMB Circular A-129.

### III. Cost Considerations

# J. Equipment and supplies

The purchase of equipment requires NEH prior approval. Equipment is defined per <u>2 CFR § 200.1</u> as tangible personal property having a useful life of more than one year and an acquisition cost of \$10,000 or more per unit. Individuals are permitted to purchase supplies, or tangible personal property with a per unit acquisition cost of less than \$10,000, without prior approval.

To request prior approval for an equipment purchase, send a message via eGMS Reach to your assigned NEH program staff and Grant Management Specialist.

## K. Medical insurance and other fringe benefits:

NEH provides neither medical insurance nor any other fringe benefits for recipients. NEH therefore recommends that you consider continuing any benefit programs in which you are already participating. Awards to individuals do not cover unemployment compensation and Social Security insurance because recipients are not employees of the U.S. Government.

#### L. Income tax

NEH does not and cannot provide tax advice. NEH does not withhold Social Security, State, or federal income taxes from your award. NEH does not send 1099s or other tax forms. You should direct specific questions regarding the taxability of your award to the IRS, appropriate state or local officials, or your tax advisor. The IRS's online interactive tax assistant addresses whether one should include a scholarship, fellowship, or education grant as income on a tax return.

For more information, see the IRS webpage.

#### M.Travel

Individuals must follow <u>2 CFR § 200.475</u> when making travel arrangements to ensure that costs are reasonable.

#### N. Activities outside the United States

It is your responsibility to secure the necessary passports, visas, licenses, permits, and approvals or other required documents prior to undertaking activities outside the United States. You must notify NEH if a permit is denied or revoked after an award has been issued, or if an unforeseen circumstance, such as a natural disaster or political turmoil, threatens or prevents you from carrying out project activities.

NEH does not assume responsibility for your compliance with the laws and regulations of the country (or countries) in which you conduct your work.

NEH encourages recipients to register with the <u>State Department's Smart Traveler Enrollment Program (STEP)</u>. Individuals who register with STEP receive the most current information and travel alerts from the U.S. embassy in the country in which they are traveling, and registration makes it easier for the embassy to know how to contact travelers in an emergency. For questions regarding American citizens involved in an

emergency overseas, the State Department provides these telephone numbers: 888-407-4747 from within the U.S. or Canada or +1 202-501-4444 from other countries. For travel advisories and warnings, visit the State Department's website.

In accordance with the Fly America Act (49 U.S.C. § 40118), all air transportation of persons or property that is paid in whole or in part with NEH funds must be performed on a U.S. flag air carrier. Regulations regarding the Fly America Act are available at 41 CFR §§ 301-10.131-.143.

The use of a foreign air carrier would be permissible in the following circumstances:

- when a U.S. air carrier is not available;
- when using a U.S. carrier service would extend the travel time by 24 hours or more;
- when a U.S. carrier does not offer a nonstop or direct flight between origin and destination, and using a U.S. carrier:
  - increases the number of aircraft changes outside the United States by two or more;
  - extends travel time by six hours or more; or
  - requires a connecting time of four hours or more at an overseas interchange point.
- when the flight time from origin to destination is less than three hours and using a U.S. flag carrier doubles the flight time; or
- when there is an applicable <u>Open Skies Agreement</u> in effect that meets the requirements of the Fly America Act. A foreign flag carrier may be used if an air transportation agreement exists between the U.S. and a foreign government. Recipients must check with the foreign flag carrier to ensure it is covered by the Open Skies Agreement.

Lower cost, convenience, or traveler preferences are NOT acceptable reasons for using a foreign air carrier. Crossing the U.S. border to use a foreign airline to avoid being subject to Fly America Act is not permitted.

## O. Political and social advocacy

NEH funds may not be used for

- promotion of a particular political, religious, or ideological point of view;
- advocacy for a particular program of social or political action; or
- support of specific public policies or legislation.

See also Prohibition on the use of funds for lobbying activities.

# IV. Project Changes: Prior Approval Requirements

You may not change your project scope, work plan, period of performance, or the due date of your reports without prior NEH approval. All requests for changes must be submitted through eGMS Reach as follows:

• Changes in project scope or work plan: Your project must be consistent with the scope of the proposal that NEH has approved for funding. Project scope encompasses the purpose for which the award is undertaken, the subject matter, the treatment of the subject matter, the plans for travel, and the products that are expected to result. You must also adhere to the work plan you specify when

you accept the award, including the award's period of performance and/or your time commitment to the project during that period.

To request a change to your project scope or work plan (e.g., you want to change your Awards for Faculty award from full-time to part-time), or to request prior approval for an equipment purchase, go to the "Change Requests" tab in eGMS Reach, select "Scope and/or Work Plan Amendment Request," and follow the directions provided to justify your proposed changes.

- Changes in the period of performance: To request a change to the period of performance, go the "Change Requests" tab in eGMS Reach, select "Period of Performance Extension Request," and follow the directions provided to justify your proposed changes. Approval of such requests may impact your payment schedule.
- Changes in the performance report due date: To request a report due date extension, go to the "Change Requests" tab in eGMS Reach, select "Report Due Date Extension," and follow the directions provided to justify your proposed changes. You must submit the request at least 30 calendar days before the report is due.

NEH considers amendment requests on a case-by-case basis and does not guarantee approval.

# V. Reporting and Recordkeeping

### P. Final report

You must submit a final performance report that summarizes activities accomplished with your NEH award. This report is due within 120 days after the conclusion of the period of performance. A final financial report is not required.

You must submit the final performance report electronically via eGMS Reach. See instructions here.

## Q. Submission of products to NEH

NEH encourages you to send a copy of any books resulting from research supported by NEH awards to the Division of Research via mail:

Division of Research Programs

National Endowment for the Humanities

400 Seventh St SW

Washington, DC 20506

In addition, you should update the "Products and Prizes" tab in eGMS Reach to inform NEH of any publications or prizes resulting from NEH support.

NEH strives to make the products of its awards available to the broadest possible audience by providing ready and easy access to scholars, educators, students, and the American public. If you produce a peer-reviewed journal article, you must make the product publicly accessible in accordance with NEH's <u>Public Access Policy</u>. This policy does not require that books be deposited in a public repository.

Some award programs that produce applied or scientific research datasets as a result of NEH funding must also deposit data in a publicly accessible repository, in accordance with their Data Management and Sharing Plan (DMSP). Please see the <u>Public Access Policy</u> for a list of programs to which this requirement applies.

#### ★ Fellowships for Advanced Social Science Research on Japan

NEH encourages you to send two copies of books resulting from research supported by NEH awards to the Division of Research. NEH will forward one copy to JUSFC.

#### \* DLI-DEL

NEH encourages you to send two copies of books resulting from research supported by NEH awards to the Division of Research. NEH will forward one copy to the NSF.

#### R. Record Retention

You are required to maintain a record of all documents pertinent to your award for a period of three years from the date you submit your final performance report to NEH.

# VI. Rights and Cataloging

## S. Copyright

You may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under your NEH award. NEH reserves a royalty-free, non-exclusive, and irrevocable right to reproduce, publish, or otherwise use your NEH-supported work for federal purposes and to authorize others to do so. This includes the right to make such works available through agency-designated public access repositories as described by NEH's <u>Public Access Policy</u>. In the case of books (as opposed to scholarly journal articles), NEH typically exercises this right in consultation with individual award recipients to publish an excerpt in *Humanities* magazine or on the NEH website.

If NEH requests it, you agree to participate, on terms mutually acceptable to you and NEH, in NEH-sponsored public events (e.g., lectures, webcasts, interviews) intended to further the mission of the agency and to provide NEH, insofar as possible, with advance notice of other public appearances (e.g., lectures, book signings, radio or television appearances) you may make for the purpose of promoting product(s) resulting from your NEH award so that NEH may publicize them through social media or other means should it choose to do so.

In accordance with the Freedom of Information Act (FOIA), NEH may make available to the public materials that you submitted with your application in the form of samples of successful applications published on NEH's website or at workshops that program staff periodically conduct for prospective applicants.

#### \* DLI-DEL

Like NEH, NSF also reserves a royalty-free, non-exclusive, and irrevocable right to reproduce, publish, or otherwise use your NEH-supported work for federal purposes and to authorize others to do so.

### T. Library of Congress Cataloging in Publication Program

We strongly recommend that you catalog any publication that results from this award under 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. For more information, see the CIP webpage.

# VII. NEH-Specific and Government-Wide Requirements

## U. State or jurisdictional humanities council notification

You must notify your state or jurisdictional humanities council of your award and, wherever possible, give advance notice of any related public events occurring in the state. For a list of state humanities councils, see NEH's State and Jurisdictional Humanities Councils webpage.

#### V. Research misconduct

In accordance with NEH's <u>Research Misconduct Policy</u>, NEH will take appropriate action against individuals and organizations upon making a determination that misconduct has occurred in proposing, performing, reviewing research, or reporting results from NEH-funded research activities.

## W. Prohibition on the use of funds for lobbying activities

The Byrd Anti-Lobbying Amendment (31 U.S.C. § 1352) prohibits recipients from using appropriated funds to pay any person for influencing or attempting to influence any officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant, or any other award. While non-federal funds may be used for such activities, they may not be included in the project budget and must be disclosed to NEH. NEH implemented these requirements in 45 CFR Part 1168—New Restrictions on Lobbying. See 2 CFR § 200.450 for additional information regarding the lobbying prohibitions and types of activities, such as legislative liaison activities and professional and technical services, that are not subject to this prohibition.

18 U.S.C. § 1913 states: "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, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate

the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities. Violations of this section shall constitute violations of section 1352(a) of title 31."

## X. Compliance with drug-free workplace act

The recipient must maintain a drug-free workplace in accordance with the Drug-Free Workplace Act of 1988, 41 U.S.C. § 701. The recipient must comply with the drug-free workplace requirements contained at 2 CFR Part 182—Government-Wide Requirements for Drug-Free Workplace (Financial Assistance) and the NEH regulations at 2 CFR Part 3373—Requirements for Drug-Free Workplace (Financial Assistance).

Per these requirements, recipients may not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance (alcohol excluded) in conducting any grant activity. If convicted of a criminal drug offense that is the result of a violation occurring during the conduct of any grant activity, you must report the conviction to OGM (grantmanagement@neh.gov), in writing, within ten calendar days of the conviction. This notice must include the federal award identification number of each affected fellowship, grant, and/or cooperative agreement.

# VIII. Termination, Debarment, and Suspension

#### Y. Termination

NEH may terminate your award if, for any reason, you choose to discontinue the proposed project before the end of the period of performance or fail to observe the award's terms and conditions. If you discontinue the proposed project before the end of your period of performance, you must return any funds pro-rated to the amount of effort spent on the project.

If you are unable to meet the terms and conditions of the award during the period of performance, you must inform NEH immediately. Because stipend payments are made in advance, you may be required to return a portion of the stipend to NEH; if this is the case, NEH will inform you of the amount that you must repay, the basis for the calculation, and the date by which you must repay.

If NEH becomes aware that an H-1B visa holder has violated the terms of their employment by accepting an NEH award, the award will be terminated, remaining balance deobligated, and the recipient may be subject to repayment of disbursed funds.

NEH may also terminate your award, in whole or in part, if it longer effectuates the program goals or agency priorities, in which case, the associated balance will be deobligated, and the recipient may be subject to repayment of disbursed advanced funds.

# Z. Debarment and suspension

To receive NEH funds, you must not be debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any federal department or agency. Within the three years preceding the submission of your application, you must not have been convicted of or had a civil judgment rendered against you 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;
- violation of federal or state antitrust statutes;
- commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- having any public transactions terminated for cause or default; or
- being presently indicted for or otherwise criminally or civilly charged by a governmental entity with any of the preceding offenses.

For more information, see <u>2 CFR Parts 180</u>—OMB Guidelines to Agencies on Government-Wide Debarment and Suspension (Nonprocurement) and <u>3369</u>—Nonprocurement Debarment and Suspension. Debarment will result in immediate termination of the award.

# **Contacting NEH**

If you have questions about your award, please contact the NEH program staff member and/or Grant Management Specialist identified in eGMS Reach.