



Arlington Cultural Affairs

AIR@2700

## Call for Artists

Arlington Cultural Affairs Division,  
Arts Grants Office 3700 South Four Mile Run Drive  
Arlington, VA 22206  
[sraphael@arlingtonva.us](mailto:sraphael@arlingtonva.us)

## FOREWORD

In June 2019, the Arlington County Board unanimously adopted [Enriching Lives: Arlington Arts and Culture Strategy](#), the culmination of a lengthy process that involved representatives of Arlington Arts organizations, the Arlington County Cultural Affairs Division, the Commission for the Arts, and several community civic, educational, and business leaders.

*Enriching Lives* sets forth a vision for arts and culture in Arlington, a set of key values, and five aspirational goals (with related strategies) that provide a guiding framework for a thriving artistic and cultural community that supports Arlington’s sense of place and civic identity.

The strategy’s second goal, “Invest in a vibrant, equitable, sustainable and evolving arts and culture ecosystem,” emphasizes the importance of a strong arts infrastructure, including “venues, organizations, programs, [and] funding, as well as the networks and relationships that underpin the sector.” It notes the importance of supporting and celebrating “creative excellence among artists, arts organizations, businesses, community and education institutions, and County staff.”

*Enriching Lives* also aligns with the following goals set forth in the [Policy for the Support of Arts Organizations and Artists](#):

1. To create a climate within the County that is conducive to the growth and development of Arlington’s artists and arts organizations through public and private support.
2. To foster the development of excellence and diversity in the arts, ensuring that a varied program of cultural activities is available to satisfy the interests of Arlington’s citizens.
3. To guarantee to all Arlington artists and arts organizations an open and fair policy which assures equal access to County arts resources.
4. To encourage development of public/private partnerships in support of the arts.

**TABLE OF CONTENTS**

I. GRANT PROGRAM DESCRIPTION.....1  
II. GRANT ELIGIBILITY.....2  
III. GRANT EVALUATION.....3  
IV. HOW TO APPLY FOR A GRANT .....4  
V. GRANT REVIEW AND NOTIFICATION PROCESS .....5  
VI. REQUIREMENTS OF AND CONDITIONS FOR GRANTEES.....6  
VII. REPORTING PROCEDURES AND REQUIREMENTS.....7

**APPENDICES**

A. Responsibilities of Parties .....A1  
B. Definitions.....A2  
C. Grants Schedule.....A4  
D. Federal Policies.....A9

## I. PROGRAM DESCRIPTION

### About the program

#### Purpose

It is our goal to invest in a thriving and equitable arts community in Arlington County for the benefit of residents, visitors, and workers by supporting District of Columbia, Maryland and Virginia (DMV) based artists and organizations from communities that face barriers to access. The purpose of this program is to activate our new outdoor performance space located at 2700 South Nelson Street (“2700”) and the Arlington Cultural Affairs building located at 3700 South Four Mile Run Drive (“3700”) with artists that represent the rich diversity of our community.

There is no limitation of artistic form or type and artists working in all mediums are encouraged to apply. Stronger applications will incorporate at least one of the County’s arts and cultural themes from the [Public Art Master Plan](#) (Pages 124-132) into their project. The themes - “Federal Arlington,” “Historic Arlington” and “Global Arlington” offer unique lenses on how Arlington’s history and culture have shaped its landscape. “Innovative Arlington” and “Sustainable Arlington” reflect current County priorities and initiatives.

Each of these themes provides a rich subtext about patterns of development, public space and daily life in Arlington. Applicants should consider these themes as a starting point in their project.

#### Award Details

A cohort of four grantees (either individual artist, collaborations, or organizations) will be selected to participate in the Grant Program. The Grant includes the following:

- A \$20,000 cash grant for the commissioning of a new artwork based on one of the themes listed in the purpose above.
- Free access to all Arts Enterprise classes and workshops for the duration of the grant period
- One-on-one consultation with an experienced arts and culture administrator.
- One-on-one consultation with an arts marketing expert to evaluate your online presence.
- Use of video recording equipment with technical support for the duration for the grant period.
- A feature on the Arlington Arts website promoting your program.
- Social media promotion on the Arlington Arts social media channels.
- For visual artists, a gallery showing at Gallery 3700 – including the services of a professional installer.
- For performing artists or performing arts organizations, you will receive access to rehearsal space, technical support and use of Theatre on the Run black box located at 3700 South Four Mile Run Drive.
- Performance space at 2700 outdoor facility to be scheduled with our Director of Program Development, should you be selected.
- Space in 3700 to meet with collaborators.

## II. GRANT ELIGIBILITY

**ORGANIZATIONS:** To be eligible to receive a grant and organization must:

1. Be certified as a 501(c)3 nonprofit by the IRS.
2. Arts organizations must be located within 100 miles of Arlington, VA.
3. Have filed an IRS Form 990 or 990 EZ with the IRS for its most recent fiscal year. IRS 990 e-postcards are not accepted.
4. Be seeking funds for a specific project that results in the provision of an artistic product or service that benefits the public (residents, visitors, and workers of Arlington County).
5. Produce a regular program of cultural and artistic activities that are consistent with the mission of the organization.
6. Comply with all Federal Policies as outlined in Appendix D.

**INDIVIDUAL ARTISTS and COLLABORATIVES:** To be eligible an individual(s) must:

1. Be a practicing artist(s), artist collaborative, or ensemble.
2. Be a legal resident of the United States and live within 100 miles of Arlington, VA.
3. Be seeking funds for a specific project that results in the provision of an artistic product or service that benefits the public (residents, visitors, and workers of Arlington County); and,
4. Be at least 18 years of age.
5. Comply with all applicable Federal policies as outlined in Appendix D.

An applicant may not:

1. Have violated any requirements or conditions imposed by the Commission in any previous grant period.
2. Apply for support of a project that is being done as part of a degree requirement for an educational program.
3. Be an employee of Arlington County.

### III. GRANT EVALUATION

Applications for a grant will be evaluated based upon the following questions/criteria:

#### **APPLICATION REQUIREMENTS**

The following will be reviewed by a panel of Cultural Affairs Division staff and outside experts:

- Purpose and Background
- Proposed Project
- Project Expense Budget

**Application Tip:** You will type your application into the text boxes online. Character counts include letters, numbers, spaces, and paragraph breaks. You may find that you do not need all the characters allotted.

#### **Application information for ORGANIZATIONS AND INDIVIDUALS**

##### **Application Narrative:**

The narrative portion of your application is designed to help you outline your (group's) purpose and background.

##### **Purpose and Background for Organizations:**

In general, what kind of arts programming has it produced, and/or does it plan to produce? Please be detailed as it helps introduce your group to panelists who may not be familiar with what you do or your group's artistic output. (You will be able to upload media and share links)

##### **Purpose and Background for Individual Artists and Collaboratives:**

Summarize your artistic history. What kind of art have you produced, and/or plan to produce? Please be detailed as it helps introduce you to panelists who may not be familiar with what you do or your artistic output. (You will be able to upload media and share links)

##### **Proposed Project:**

Please provide enough information to help the review panel evaluate your project in relation to each criterion. Assume the panel is not familiar with you, your group, your arts discipline, or the community you intend to serve; use the narrative to provide this information.

1. Please describe the project that you are proposing.
2. Please include any technical support needed.
2. Who will be involved in the project?
3. How will the project impact you (Individual Artist) or your organization or group?
4. How will the project engage the public and encourage viewers to experience it in such a way that Arlington's history, people, environment, or other facet(s) of community are revealed?

##### **Stronger proposals will...**

Clearly describe project activities that are appropriately scaled to the \$20,000 grant available, and how these activities are a timely opportunity to support your or your organization's ability to provide access to the arts in a changing environment. Be sure to answer all applicable questions.

## 2. Total Project Budget Expenses

List the major expenses of your proposal with dollar amounts. If your project budget is larger than the amount given in this grant program, please share the additional funding sources.

Examples of eligible expense items:

- Contracted Artists
- Administrative & other personnel
- Professional fees/consultants
- Supplies
- Equipment rental
- Facilities expenses

## IV. HOW TO APPLY FOR A GRANT

Applicants must submit complete and accurate materials and meet all deadlines as specified in these Guidelines and Appendix C. **The application will be open from April 3, 2023, to May 31, 2023.**

The application process is electronic. To complete this process, you will need to utilize a computer or other electronic device with internet access.

Direct any questions to the Grants Office at [sraphael@arlingtonva.us](mailto:sraphael@arlingtonva.us) All applications are public record. You may download a copy of your completed application in Slideroom; keep a complete copy for your file. Below are the steps that all applicants must take to apply.

### How to Apply

1. Create an account on Slideroom following the directions provided on the website. [APPLY HERE](#)
2. Complete the Grant Application via Slideroom by Wednesday, May 31, 2023.

## V. GRANT REVIEW AND NOTIFICATION PROCESS

1. The Grants Office reviews all applications for accuracy and completeness and may make reasonable attempts to contact the applicant with questions.
2. Eligible and complete applications are competitively evaluated by a review panel of Cultural Affairs Division (CAD) Staff and outside experts.
3. The Grants Office sends a notification letter and a letter of agreement to the applicant after CAD Staff has rendered a decision.
4. Letters will be sent by July 15, 2023.

## VI. REQUIREMENTS OF AND CONDITIONS FOR GRANTEES

### AMERICAN RESCUE PLAN: SUBGRANTING PROGRAM Specific Terms and Conditions

The Arlington Cultural Affairs Division (CAD) is serving as a pass-through entity for American Rescue Plan (ARP) federal funding from the National Endowment for the Arts. When using ARP funds that are subawarded, local nonprofit arts organizations **must** comply with mandates outlined below.

#### 1. COST SHARE

ARP funds are non-matching. There is no cost share.

#### 2. ALLOWABLE COSTS

- ARP funds support salaries and administration costs to the nonprofit arts sector in respond to the COVID-19 pandemic. All costs must be allocable and allowable.
- You must maintain records that accurately reflect the work performed by any employee whose salary is charged, in whole or in part, to the ARP funds.
- Personnel expenses must be documented using personnel activity reports, time and effort reports, or other records that comply with your organization's internal controls and established accounting policies.
- Written and signed contracts must also be maintained if the subgrant supports contracts with artists or contractual personnel.

Allowable costs for subgranted ARP funds are limited to:

- Salary support, full or partial, for one or more staff positions.
- Fees/stipends for artists and/or contractual personnel to support the services they provide for specific activities in support of the subgrantee organization's day to day operations.
- Facilities costs such as rent and utilities.
- Costs associated with health and safety supplies for staff and/or visitors/audiences (e.g. personal protective equipment, cleaning supplies, hand sanitizer, etc.).
- Marketing and promotional costs.



---

### 3. UNALLOWABLE COSTS (Guidelines, 2CFR 200, NEA Establishing Legislation)

ARP funds cannot be used for:

- “Artist relief” programs where the funding is intended to alleviate financial hardship (i.e., rent or food assistance to individuals) and does not require the artist to undertake work.
- Alcoholic beverages.
- Commercial (for-profit) enterprises or activities, including concessions, food, clothing, artwork, or other items for resale. This included online or virtual sales/shops.
- Construction, purchase, or renovation of facilities.
- General fundraising.
- General miscellaneous or contingency costs.
- Land purchase costs.
- Lobbying, including activities intended to influence the outcome of elections or influence government officials regarding pending legislation, either direction or through specific lobbying appeals to the public.
- Mortgage interest, fines and penalties, bad debt costs, or deficit reduction.
- Rental costs for home office workspace owned by individuals or entities affiliated with the applicant organization.
- Social activities such as receptions, parties, or galas.
- Subawards to replace lost revenue.
- Travel costs.
- Vehicle purchases.
- Visa costs paid to the U.S. government.
- Voter registration drives and related activities.
- Costs supported by any other federal funding. This includes federal funding received either directly from a federal agency or indirectly from a pass-through organization such as a state arts agency, regional arts organization, or a grant made by another entity.
- Expenditures related to compensation to foreign nationals when those expenditures are not in compliance with regulations issued by the U.S. Treasury Department Office of Foreign Assets Control. For further information, see <https://www.treasury.gov/about/organizational-structure/offices/pages/office-of-foreign-assets-control.aspx>.

Failure to comply with any of the following requirements and conditions may result in a grant being delayed or revoked and the applicant may be made ineligible for a future grant.

#### **Acknowledgments**

A grantee awarded County support must agree to include the following credit in season brochures, programs, web pages, and other appropriate printed and digital material: “This program is supported in part by Arlington County through Arlington Cultural Affairs, a division of Arlington Economic Development via the National Endowment for the Arts (NEA).”

A link to <https://arts.arlingtonva.us> must also be placed on the organization’s or individual’s website.

**Adherence to Federal and County Laws, Codes, Regulations, and Policies**

See Appendix D.

All grantees must abide by applicable County laws, codes (e.g. zoning, health, safety, etc.), regulations, and policies. The grantee is responsible for identifying all laws, codes, regulations, and policies applicable to its project or activity, and for assuring compliance with those requirements.

**Lobbying**

No part of any Arlington County Arts Grant may be used for any activity intended to influence a member of the County Board, a member of the Commission, or Arlington Cultural Affairs Division staff.

**Record Keeping**

Grantees are required to maintain accurate and complete financial records and provide the appropriate County staff access to those records.

**VII. REPORTING PROCEDURES AND REQUIREMENTS**

Failure to comply with any of the reporting procedures and requirements below may result in a grant being delayed and/or revoked and the applicant may be made ineligible for a future grant.

**Changes**

Any material changes to the scope of activities, timeline, or budget of a program for which a grant was awarded must be approved by CAD prior to undertaking the changes. Contact the Grants Office at [sraphael@arlingtonva.us](mailto:sraphael@arlingtonva.us) for assistance in this matter.

**Final Report**

The Commission requires that grantees submit a Final Report within 30 days of the end of the funded program.

**Dates of Program Presentation**

Performance dates must be coordinated with Cultural Affairs Division (CAD) staff. You will be assigned a point of contact in CAD after a grant is awarded.

---

## Appendix A. Responsibilities of Parties

Responsibilities of all parties involved in the ARPA Grant process are summarized below. Please contact the Cultural Affairs Division (CAD) Grants Office for additional information at [sraphael@arlingtonva.us](mailto:sraphael@arlingtonva.us).

1. Responsibilities of the Arlington County Board:
  - 1.1. Appropriating funds and County-owned or managed resources
2. Responsibilities of the CAD Grants Office:
  - 2.1. Development of Grant program
  - 2.2. Managing and providing information about the grant-making process
  - 2.3. Conducting grants preparation workshops
  - 2.4. Development of the grant guidelines, grant application and evaluation process
  - 2.5. Reviewing application materials for timeliness, accuracy, completeness, and eligibility
  - 2.6. Facilitating the grant award process
3. Responsibilities of Applicants:
  - 3.1. Reading the Grant Guidelines.
  - 3.2. Understanding all requirements of the grant application and award process. Not understanding the requirements of the application and awards process is not grounds for appeal.
  - 3.3. Meeting all deadlines in the application and awards process. If deadlines are missed, the application will not be considered for an award and/or the award may be revoked. See Appendix C. for more information.
  - 3.4. Providing accurate information on grant applications. Inaccurate or false information is grounds for immediate rejection of an application, revocation of an award, and loss of eligibility to apply for a grant in the future.
  - 3.5. Immediately notifying the Grants Office at [sraphael@arlingtonva.us](mailto:sraphael@arlingtonva.us) of any changes to contact information. The Grants Office is not responsible for missed or lost communications sent to applicants and/or grantees if the applicant or grantee submitted incorrect information or failed to immediately update their contact information.

## Appendix B. Definitions

If there are any terms in these Guidelines or application forms that are not listed below or that need clarification, please contact the Cultural Affairs Grants Office at [sraphael@arlingtonva.us](mailto:sraphael@arlingtonva.us).

**Applicant:** An individual or organization that has filed an application with CAD for this grant.

**Application:** An Arlington Arts Grants application from an eligible organization or individual artist in the form specified by these Guidelines.

**Arts Grants:** Grants for direct funding.

**Authorizing Official:** Name of person with authority to legally obligate the applicant.

**CAD:** Cultural Affairs Division

**County:** Arlington County, Virginia.

**County Board:** The Arlington County Board of Arlington County, Virginia.

**County Support:** Support from Arlington County in the form of direct funding, delivery of technical services and/ or allocation of County-owned or managed facilities.

**Cultural Equity:** embodies the values, policies, and practices that ensure that all people— including but not limited to those who have been historically underrepresented based on race/ethnicity, age, disability, sexual orientation, gender, gender identity, socioeconomic status, geography, citizenship status, or religion.

**Direct Costs, Other Expenses:** Expenses directly related to the production of a program other than personnel, fringe benefits, and travel costs. May include contract fees.

**Direct Costs, Travel Expenses:** Travel expenses directly related to the production of a program, such as lodging, meals, per diem, and transportation costs. Costs must be estimated using the per diem and travel rates of the United States Federal Government's General Services Administration, which may be found at: <http://www.gsa.gov/portal/content/104877>.

**Direct Expense:** An expense directly related to a program other than salaries, wage, and fringe benefits.

**Expenses:** Amount of money or monetary value of in-kind donations needed to produce a program.

**501(c)(3):** The section of the U.S. tax code that defines nonprofit, charitable (as broadly defined), tax exempt organizations.

**Fiscal Year:** The 12-month period used for calculating the organization's annual financial statements.

**General Operating Expenses:** An expense incurred in carrying out your organization's day-to-day business operations. EXAMPLES: Payroll, travel, rental, insurance office supplies etc.

**Grant:** County support to an applicant in the form of funding for program expenses or in-kind grants of facilities, and/or technical services for rehearsals, production preparation, and/or performances.

**Grantee:** An applicant who has received a grant.

**Guidelines:** Procedural details for the Arts Grants Program created to fulfill the objectives of The Arlington County Policy for the Support of Arts Organizations and Artists.

**Income:** Amount of money or monetary value of in-kind donations that fund the production of a program.

**Insurance:** Payments for general liability, directors, officers, and other organizational insurance policies. Does not include medical insurance paid as an employee benefit.

**Marketing/Advertising:** All expenses for marketing, publicity, or promotion such as media, brochures, flyers, posters, etc. Does not include payments to contracted individuals or marketing firms.

**Mission Statement:** Two sentences describing what the organization does, not how it fulfills its mission or why.

**Other Income:** Income other than that specified in the grant application. May include grants and cash.

**Personnel, Administrative:** Payments for salaries, wages, fees, and benefits for administrative employees, including administrative staff, program directors, managing directors, business managers, clerical staff, and administrative support personnel.

**Personnel, Artistic:** Payments for salaries, wages, fees, and benefits for artistic employees, including artistic directors, conductors, curators, composers, choreographers, and other artists.

**Personnel, Technical/Production:** Payments for salaries, wages, fees, and benefits for technical/production employees, including technical directors, wardrobe, lighting, sound designers, crew, stagehands, video and film technicians, exhibition curators, and installers.

**Policy, or Policy for Support:** The Arlington County Policy for the Support of Arts Organizations and Artists, as approved by the County Board, December 8, 1990.

**Program:** Artistic work, activity, or other qualified program under the Guidelines for which an applicant requests County support in the form of funding.

**Program Expenses:** Expenses or costs related to the production of a program.

**Program Income:** Income made in-kind or given as cash for a program to pay for production costs.

**Salaries and Wages:** Money paid to administrative and artistic staff of an organization.

**[Slideroom](#):** The application portal used for the grant program.

**Total Program Income:** Total income from all sources.

## Appendix C. Grant Schedule

KEY STEPS	DATES (S)
Step 1: Optional Consultation with Grant Administrator	
Applicants may schedule an Optional Pre-submittal Consultation with the Grants Administrator, Sharon Raphael <a href="mailto:sraphael@arlingtonva.us">sraphael@arlingtonva.us</a>	No later than May 22, 2023.
Step 2: Grant Application Process	
Applicants submit Grant Application via <a href="#">Slideroom</a>	Before Wednesday, May 31, 2023, 11:59 P.M.
Grant Application review period	June 1-30, 2023
Awards Process:	
Staff sends Award Notification Letters	By Friday, July 14, 2023
Staff processes Grant paperwork	Mid-July 2023 through August 2023

\*\*\*Dates are subject to change\*\*\*

## **Appendix D. National Policy and Other Legal Requirements, Statutes, and Regulations that Govern Your Award**

You must ensure that the funded project is implemented in full accordance with the U.S. Constitution, federal Law, and public policy requirements: including, but not limited to, those protecting free speech, religious liberty, public welfare, the environment, and prohibiting discrimination (2 CFR 200.300).

As a registrant with SAM.gov, in most cases, you have already self-certified to the “Financial Assistance General Certifications and Representations,” including attesting to the accuracy of the certification and acknowledging that you may be subjected to criminal prosecution under Section 1001, Title 18 USC, or civil liability under the False Claims Act if you have misrepresented the information. A copy of this Financial Assistance Certifications Report is available in your SAM.gov entity registration record.

### **1. Nondiscrimination Policies**

As a condition of receipt of Federal financial assistance, you acknowledge and agree to execute your project, and require any contractors, successors, transferees, and assignees to comply with applicable provisions of national laws and policies prohibiting discrimination, including but not limited to:

- 1.a Title VI of the Civil Rights Act of 1964, as amended, and implemented by the National Endowment for the Arts at 45 USC 1110, provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance. Title VI also extends protection to persons with limited English proficiency (42 USC 2000d et seq.)
- 1.b As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. You are encouraged to consider the need for language services for LEP persons in conducting your programs and activities. For assistance and information go to [www.arts.gov/foia/reading-room/nea-limited-english-proficiency-policy-guidance](http://www.arts.gov/foia/reading-room/nea-limited-english-proficiency-policy-guidance).
- 1.c Title IX of the Education Amendments of 1972, as amended, provides that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance (20 USC 1681 et seq.)
- 1.d The Age Discrimination Act of 1975, as amended, provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance (42 USC 6101 et seq.)

1.e The Americans with Disabilities Act of 1990 (ADA), as amended, prohibits discrimination on the basis of disability in employment (Title I); State and local government services (Title II); and places of public accommodation and commercial facilities (Title III) (42 USC 12101-12213).

1.f Section 504 of the Rehabilitation Act of 1973, as amended, provides that no otherwise qualified individual with a disability in the United States shall, solely by reason of his/her disability, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance (29 USC 794).

Access should be integrated into all facets and activities of an organization, from day to day operations to long range goals and objectives. Access accommodations and services should be given a high priority and funds should be available for these services. All organizations are legally required to provide reasonable and necessary accommodations for staff and visitors with disabilities.

#### Section 504 - Self-Evaluation and Additional Resources

- i. A Section 504 self-evaluation *must* be on file at your organization. To help your organization evaluate its programs, activities, and facilities with regard to Section 504 accessibility requirements, the Civil Rights Office has a *Section 504 Self Evaluation Workbook* available on our website.
- ii. You should designate a staff member to serve as a 504 Coordinator. The completed workbook or similar compliance and supporting documentation should be kept on file for a period of three (3) years from the date the Federal Financial Report (FFR) is filed, and made available to the public and the National Endowment for the Arts upon request. The National Endowment for the Arts may request the 504 Workbook or your compliance documents for various potential scenarios including an Inspector General audit and/or civil rights investigation.
- iii. *Design for Accessibility: A Cultural Administrator's Handbook* provides guidance on making access an integral part of an organization's staffing, mission, budget, and programs. This Handbook and other resources may be downloaded from the National Endowment for the Arts website. If you have questions, contact the Office of Accessibility at [accessibility@arts.gov](mailto:accessibility@arts.gov); (202) 682-5532; fax (202) 682-5715; or TTY (202) 682-5496.

## 2. Environmental and Preservation Policies

2.a The National Environmental Policy Act of 1969, as amended, applies to any Federal funds that would support an activity that may have environmental implications. We may ask you to respond to specific questions or provide additional information in accordance with the Act. If there are environmental implications, we will determine whether a categorical exclusion may apply; to undertake an environmental assessment; or to issue a "finding of no significant impact," pursuant to applicable regulations and 42 USC Sec. 4332.



2.b The National Historic Preservation Act of 1966, as amended, applies to any Federal funds that support activities that have the potential to impact any structure eligible for or on the National Register of Historic Places, adjacent to a structure that is eligible for or on the National Register of Historic Places, or located in a historic district, in accordance with Section 106. This also applies to planning activities that may affect historic properties or districts. We will conduct a review of your project activities, as appropriate, to determine the impact of your project activities on the structure or any affected properties. Agency review must be completed prior to any agency funds being released. You may be asked to provide additional information on your project to ensure compliance with the Act at any time during your award period (16 USC 470).

## **Other National Policies**

---

3. Debarment and Suspension. You must comply with requirements regarding debarment and suspension in Subpart C of 2 CFR Part 180, as adopted by the National Endowment for the Arts in 2 CFR 3254.10.

There are circumstances under which we may receive information concerning your fitness to carry out a project and administer Federal funds, such as:

- i. Conviction of, or a civil judgment for, the commission of fraud, embezzlement, theft, forgery, or making false statements;
- ii. Any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;
- iii. Any other cause of so serious or compelling a nature that it affects an organization's present responsibility.

In these circumstances, we may need to act quickly to protect the interest of the government by suspending your funding while we undertake an investigation of the specific facts. We may coordinate our suspension actions with other Federal agencies that have an interest in our findings. A suspension may result in your debarment from receiving Federal funding government-wide for up to three (3) years.

4. The Drug Free Workplace Act requires you to publish a statement about your drug-free workplace program. You must give a copy of this statement to each employee (including consultants and temporary personnel) who will be involved in award-supported activities at any site where these activities will be carried out.

You must maintain on file the place(s) where work is being performed under this award (i.e., street address, city, state, and zip code). You must notify the National Endowment for the Arts Office of Grants Management of any employee convicted of a violation of a criminal drug statute that occurs in the workplace (41 USC 701 et seq. and 2 CFR Part 3256).

5. Lobbying. You may not conduct political lobbying, as defined in the statutes and regulations listed below, within your Federally-supported project. In addition, you may not use Federal funds for lobbying specifically to obtain awards. For definitions and other information on these restrictions, refer to the following:

- 5.1 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 (18 USC 1913).

5.2 Lobbying (2 CFR 200.450) describes the cost of certain influencing activities associated with obtaining grants, contracts, cooperative agreements, or loans as an unallowable project cost. The regulation generally defines lobbying as conduct intended to influence the outcome of elections or to influence elected officials regarding pending legislation, either directly or through specific lobbying appeals to the public.

5.3 Certification Regarding Lobbying to Obtain Awards. Section 319 of Public Law 101-121, codified at 31 USC 1352, prohibits the use of Federal funds in lobbying members and employees of Congress, as well as employees of Federal agencies, with respect to the award or amendment of any Federal grant, cooperative agreement, contract, or loan. While non-Federal funds may be used for such activities, they may not be included in your project budget, and their use must be disclosed to the awarding Federal agency. Disclosure of lobbying activities by long-term employees (employed or expected to be employed for more than 130 days) is, however, not required. In addition, the law exempts from definition of lobbying certain professional and technical services by applicants and awardees.

6. Davis-Bacon and Related Acts (DBRA), as amended, requires that each contract over \$2,000 to which the United States is a party for the construction, alteration, or repair of public buildings or public works (these activities include, but are not limited to, painting, decorating, altering, remodeling, installing pieces fabricated off-site, and furnishing supplies or equipment for a work-site) must contain a clause setting forth the minimum wages to be paid to laborers and mechanics employed under the contract. Under the provisions of DBRA, contractors or their subcontractors must pay workers who qualify under DBRA no less than the locally prevailing wages and fringe benefits paid on projects of a similar character.

Information about the laborers and projects that fall under DBRA can be found in the U.S. Department of Labor's Compliance Guide at <https://www.dol.gov/agencies/whd/government-contracts/construction>. DBRA wage determinations are to be used in accordance with the provisions of Regulations, 29 CFR Part 1, Part 3, and Part 5, and with DOL's Compliance Guide. The provisions of DBRA apply within the 50 states, territories, protectorates, and Native American nations (if the labor is completed by non-tribal laborers).

7. The Native American Graves Protection and Repatriation Act of 1990 applies to any organization that controls or possesses Native American human remains and associated funerary objects and receives Federal funding, even for a purpose unrelated to the Act (25 USC 3001 et seq.).

8. U.S. Constitution Education Program. Educational institutions (including but not limited to "local educational agencies" and "institutions of higher education") receiving Federal funds from any agency are required to provide an educational program on the U.S. Constitution on September 17 (P.L. 108-447, Division J, Sec. 111(b)). For more information on how to implement this requirement and suggested resources, see [www2.ed.gov/policy/fund/guid/constitutionday](http://www2.ed.gov/policy/fund/guid/constitutionday) and <https://www.loc.gov/extranet/cld/constitution.html>.

Prohibition on use of funds to ACORN or its subsidiaries. None of the federal or matching funds expended for your awarded project may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries (P.L. 111-88 Sec. 427).