May 7, 2020

Accessing New Research Funding Opportunities During and After COVID-19

Attorneys
Mark Barnes
Valerie H. Bonham
Elana Bengualid Harary
David Peloquin
Christina A. Ravelo

As the COVID-19 pandemic continues to strain research operations, the federal government is responding with flexibilities for funding applicants and awardees as well as with significant new funding opportunities. Recognizing and accessing these opportunities can help universities, academic medical centers, and other institutions secure new funding, expand research programs, and contribute to the national effort to redress pandemic harms. This Alert highlights some of the new funding appropriated under the supplemental spending laws passed within the last six weeks – including over three-and-a-half billion dollars for the National Institutes of Health (NIH) – and describes current efforts to secure additional funding of up to ten times that amount. The Alert also describes specific methods, with a focus on the NIH, available now to obtain these resources.

Congress has appropriated supplemental funding of more than four billion dollars spread across seven NIH components as well as the National Science Foundation (NSF) and other civilian agencies supporting research. Some of this money may be transferred through to other government components and same may move directly to extramural research recipients. This funding is in addition to the existing annual appropriations these agencies receive for research, much of which may be directed to COVID activities as a matter of agency discretion. Often, this money is available only to institutions with active funding who may seek additional support through either an "administrative supplement" or a "competitive supplement," also known as a "competitive revision." Essentially, these mechanisms operate as follows:

- Administrative Supplement: Expands funding for an existing award to meet increased costs that are within the scope of the approved project, but that were unforeseen when the new or competing renewal application was awarded; these awards are non-competing and generally handled entirely by NIH funding institute staff and without competitive peer review.

- Competitive Revision: Expands scope of an existing award for something not previously peer reviewed; these awards are competitive and must go through peer review before award. [For COVID-19 activities, NIH has announced that it is planning a simplified version of peer review, e.g., with funding institute staff, within sixty (60) days if possible.]

For example, the NIH Common Fund, which is housed in the NIH Director's Office, received $30 million to prevent, prepare for, and respond to coronavirus, domestically and internationally. NIH has announced that it is using these funds for innovative research on COVID-19 and its underlying virus, Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2). Because the last quarter of the federal government's fiscal year is fast approaching, and because of the need to expedite funds distribution, the majority of funding awarded this year will be to researchers already receiving funding and who may seek administrative supplements or competitive revisions. NIH has announced that funding opportunities for wholly new research projects under the Common Fund are expected to begin in Fiscal Year 2021.

The National Science Foundation (NSF) also is using existing funding opportunities to enable distribution of new COVID-19 funding, and it has announced that its Rapid Response Research (RAPID) funding mechanism will be used for new proposals with severe urgency and those for quick-response research. Generally, requests for RAPID proposals are for support of up to $200K and up to one year in duration, but NSF has announced flexibility – "Well-justified proposals that exceed these limits may be entertained."

For funding opportunities, agencies like NSF and NIH are posting funding opportunity announcements on a rolling basis through their standard processes, such as the *NIH Guide*. For funding already awarded, the public may access NIH information through its database of research grants and contracts, *NIH Reporter*, which includes information about research awards made with supplemental funding, and through the U.S. Department of Health and Human Services (HHS) public database of information about awards made with the COVID-19 supplemental funding.

Many view the new funding as insufficient. The leaders of the House committee with oversight for the NIH and the primary drafters of the 21st Century Cures Act spearheaded a bipartisan letter to Speaker Pelosi and Minority Leader McCarthy on April 29 seeking an additional $26 billion for research, to address, among other concerns, lost productivity as stay-at-home orders and other constraints restrict research progress. Shortly before this, on April 27, the *Ad Hoc Group for Medical Research*, an advocacy group representing a broad base of academic, research, and patient organizations, wrote a detailed request to House and Senate leaders seeking an additional thirty-one billion dollars in supplemental funding for NIH specifically. While House and Senate appropriators have not released specific language with additional funding, these requests, combined with public demands for research into treatment and prevention of COVID-19, suggest that a supplemental package will include additional research funding. If so, it is expected that much of this will be money that can be carried over to future fiscal years and be made available for research activities this fall and in later years.

Resources:

NIH Office of Extramural Research COVID-19 page

Examples of NIH Funding Opportunities for existing awardees:

- NIH/OD, *Notice of Special Interest (NOSI): Availability of Emergency Competitive Revisions for Research on Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2) and Coronavirus Disease 2019 (COVID-19)*
- NIH/Multiple Components, *Emergency Competitive Revision to Existing NIH Awards (Emergency Supplement - Clinical Trial Optional)*
- NIH/NIGMS, *Notice of Special Interest (NOSI) regarding the Availability of Urgent Competitive Revisions for Research on Coronavirus Disease 2019 (COVID-19) and the Causative Virus SARS-CoV-2*

Examples of NIH Funding Opportunities for new applications:

- NIH/NIAID, *Emergency Awards: Rapid Investigation of Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2) and Coronavirus Disease 2019 (COVID-19) (R21 Clinical Trial Not Allowed)*
- NIH/NIBIB, *Fast-Track Program for COVID-19 Test Development and Distribution*

ROPES & GRAY

CORONAVIRUS
INFORMATION & UPDATES

[NIH Reporter]

[HHS Funding tracker]

[NSF Dear Colleague Letter on the Coronavirus Disease 2019 (COVID-19)]

[April 29 Letter from Rep. DeGette and Rep. Upton]

[April 27 Letter from *Ad Hoc Group for Medical Research*]

[Supplemental Funding for Research – Key Civilian Agencies as of May 5, 2020]

May 7, 2020

Supplemental Funding for Research – Key Civilian Agencies as of May 5, 2020

Agency	Coronavirus Preparedness and Response Supplemental Appropriations Act PL 116-123	Coronavirus Aid, Relief, and Economic Security Act (CARES Act) PL 116-136	Coronavirus Paycheck Protection and Health Care Enhancement Act PL 116-139	Total
HHS/NIH	$836 million available to the National Institute of Allergy and Infection Disease (NIAID) at NIH. The funds are for preparedness and response to COVID-19. NIAID supports scientific research on COVID-19 and other coronaviruses, as well as product development for medical countermeasures (e.g., vaccines) that could be used to curb the spread of the virus and/or to lessen its health impact. The bill specifies that of the total provided to NIAID, not less than $10 million is to be transferred to the National Institute of Environmental Health Sciences (NIEHS) for worker-based training to prevent and reduce exposure of hospital employees, emergency first responders, and other workers who are at risk of exposure to coronavirus through their work duties. NIEHS is the primary NIH	$945.5 million in total, distributed as follows: – $706 million to the NIH-NIAID, provided that: o $156 million is used for the study of, construction of, demolition of, renovation of, and acquisition of equipment for vaccine and infectious disease research facilities of or used by the NIH (including the acquisition of real property). – $103.4 million to the NIH- National Heart, Lung, and Blood Institute (NHLBI). – $60 million to the National Institute of Biomedical Imaging and Bioengineering (NIBIB). – $36 million for the National Center for Advancing Translational Sciences (NCATS).	… to remain available until expended as follows: – $306 million shall be transferred to the NIH – National Cancer Institute (NCI) to develop, validate, improve, and implement serological testing and associated technologies. – $500 million shall be transferred to the NIH – National Institute of Biomedical Imaging and Bioengineering (NIBIB) to accelerate research, development, and implementation of point of care and other rapid	**Est. $3.6 billion**

	institute for environmental health research.	– $30 million for the NIH Office of the Director (Common Fund). – $10 million for the National Library of Medicine (NLM).	testing related to coronavirus. $1 billion shall be transferred to the NIH – Office of the Director – to develop, validate, improve, and implement testing and associated technologies; to accelerate research, development, and implementation of point of care and other rapid testing; and for partnerships with governmental and non-governmental entities to research, develop, and implement the activities outlined in the Act.	
HHS/ASPR, including Biomedical Advanced Research and Development Authority (BARDA)	$3.1 billion for domestic and international coronavirus and preparedness response, including: – Product development and manufacturing for medical countermeasures (vaccines, diagnostics, and therapeutics)	$27 billion for developing countermeasures, vaccines, and other preparedness and response measures. This amount is divided, in relevant part, as follows: – $3.5 billion is allocated to BARDA for the production and manufacture of vaccines and small molecules active ingredients, including to support	$1 billion to BARDA for necessary expenses of advanced research, development, manufacturing, production, and purchase of diagnostic, serologic, or other COVID-19 tests or related supplies, and other activities related to COVID-19 testing at the discretion of the Secretary.	**~1+ billion [allocation for research goods, and services not yet clear]**

	prioritizing platform-based technologies with U.S.-based manufacturing capabilities; and – The development of manufacturing platforms for such products;	early scaling-up of manufacturing capacity, at risk prior to new drug approval, or label expansion of existing medications addressing COVID-19.		
National Science Foundation (NSF)	N/A	$75 million to the NSF for research to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to fund research grants and other necessary expenses" (Rapid Response Research (RAPID) funding mechanism).	N/A	**$75 million**