Overview of relevant agency updates and guidance from OMB

OMB Memorandum: M-20-17 Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID-19) due to Loss of Operations

Table of Contents

General Purpose: .......................................................................................................................................................... 2

Relevant Information related to pre and post-award administration: ................................................................. 2

2. Flexibility with application deadlines ................................................................................................................. 2

   o Specific Agency Guidance: ............................................................................................................................... 2

4. No-cost extensions (NCEs) on expiring awards ............................................................................................. 3

   o Specific Agency Guidance: ............................................................................................................................... 3

6. Allowability of salaries and other project activities ......................................................................................... 4

   o Specific Agency Guidance: ............................................................................................................................... 4

7. Allowability of Costs not Normally Chargeable to Awards .......................................................................... 5

   o Specific Agency Guidance: ............................................................................................................................... 5

8. Prior approval requirement waivers ............................................................................................................... 7

   o Specific Agency Guidance: ............................................................................................................................... 7

9. Exemption of certain procurement requirements ............................................................................................ 7

   o Specific Agency Guidance: ............................................................................................................................... 7

10. Extension of financial, performance, and other reporting ........................................................................... 7

    o Specific Agency Guidance: ............................................................................................................................ 7

12. Extension of closeout .......................................................................................................................................... 8

    o Specific Agency Guidance: ............................................................................................................................ 8
General Purpose:
This memorandum was issued to Federal awarding agencies and provides authorization to allow flexibilities and relief exceptions to Uniform Guidance requirements as deemed appropriate by the federal awarding agency. These exceptions are time limited and will be reassessed by OMB within 90 days of this Memo (dated 3/19/2020).

Relevant Information related to pre and post-award administration:

2. Flexibility with application deadlines
   - Awarding agencies may provide flexibility with regard to the submission of competing applications in response to specific announcements, as well as unsolicited applications.
   - As appropriate, agencies should list specific guidance on their websites and/or provide a point of contact for an agency program official.
   - Specific Agency Guidance:
     - NIH
       - When delays occur because the applicant or recipient organization is officially closed due to a natural disaster or other emergency or because designated PD/PI(s) or other key staff is/are quarantined or involuntarily unable to come to their work locations, the NIH will consider accepting applications late, on a case-by-case basis, under the following circumstances:
         - Recipients must submit applications or reports as soon as possible after reopening or end-of-quarantine, not to exceed the number of days the institution was officially closed or the key staff including but not limited to the PD/PI was quarantined.
         - Recipients must submit a cover letter with the application, with enough detail about the delay so that NIH staff can make a determination whether circumstances justify accepting the application late.
     - NSF
       - NSF has extended the deadline dates for specific funding opportunities. A listing of these extensions is available on the Foundation’s COVID-19 webpage.
       - Deadline dates for funding opportunities that do not appear on the list remain unchanged. Recipients who are unable to meet stated deadlines should contact the cognizant NSF Program Officer to discuss the issue. NSF will consider extensions on a case by case basis.
     - Department of Energy (DOE)
       - If the lead principal investigator (PI) or the applicant institution are subject to a quarantine or a closure, deadlines for submitting pre-applications, letters of intent, or applications may be extended by no more than fourteen (14) days from the applicable due date.
       - Please contact the Program Manager identified in the FOA or DOE Laboratory Announcement under which the pre-application, letter of intent, or application is being submitted prior to the applicable due date.
     - Department of Defense (DOD)
       - The DOD recommends that program offices provide flexibility with upcoming proposal deadlines to the extent allowable by funding authorities and by the need to have enough time for merit review of submitted proposals.
       - Please contact the program officer and grants manager for the funding opportunity in question to seek an application deadline extension.
       - Proposers are encouraged to monitor grants.gov to see if an extension has been posted.
**Department of Justice (DOJ)**

- Solicitations with application due dates between March 16th and March 31st will have a 2-week extension for submission. OJP program offices are in the process of updating those due dates now. OJP will continue to monitor the situation and determine if additional adjustments to closing dates will be needed. Grants.gov and OJP’s Grants Management System remain open to continue to accept applications.

**USDA – National Institute of Food and Agriculture (NIFA)**

- Due to the disruptions arising from the national response to COVID-19, NIFA is extending the following deadlines. NIFA will continue to monitor the situation and post updates to this guidance on our web site.
  - Higher Education Challenge Grant Program
    Previous deadline: March 23, New deadline: April 2
  - Beginning Farmer and Rancher Development Program
    Previous deadline: March 19, New deadline: April 2

- NIFA’s goal is to provide applicant institutions additional time as they work through any operational challenges within their institutions arising from COVID-19. Even with increased flexibilities for applicants, NIFA still recommends applicants submit their applications as soon as possible.

**Defense Advanced Research Projects Agency (DARPA)**

- DARPA continues to evaluate proposals and conduct competitions to award new procurement contracts, grants, cooperative agreements, and Other Transactions. If you have already submitted a proposal, it will be evaluated. If you have not yet submitted a proposal for an existing opportunity, you may still submit a timely proposal that will be evaluated. Solicitations and notices will continue to be posted on Beta.SAM and/or Grants.gov as they have been in the past.

- In certain circumstances, DARPA may consider delaying receipt of proposals. If you plan to submit a proposal and anticipate you will not be able to make the proposal deadline, follow the solicitation instructions for question submittal. Include within the question a request to the Contracting Officer for an extension citing your rationale and suggested/alternative due date. Any granted delays will be posted on either Grants.gov or Beta.SAM, depending on where the original solicitation was posted.

**4. No-cost extensions (NCEs) on expiring awards**

- Awards active as of 3/31/2020, and set to expire prior or up to 12/31/2020, will be allowed an automatic no-cost extension for a period up to 12 months.

- Project-specific and performance reports will be due 90 days following the end date of the extension.

- **Specific Agency Guidance:**
  
  **NIH**
  
  - Affected recipients that have active non-SNAP grant projects may extend the final budget period of the approved project period on active grants one time for a period of up to 12 months without requesting prior approval, by notifying the assigned grants management specialist.
NSF
o Recipients must follow standard policies and procedures specified in the NSF Proposal and Award Policies and Procedures Guide (PAPPG) Chapter VI.D.3, and applicable award conditions regarding submission of grantee and NSF-approved no-cost extensions.

Department of Defense (DOD)
o It is DOD policy that no-cost extensions must be supported in all possible cases. However, please be aware that funding expiration statutes may prohibit extensions. Please contact the DOD grants manager for award-specific guidance.

Department of Justice (DOJ)
o In accordance with Part 200 Uniform Requirements (2 C.F.R. Part 200, as adopted by DOJ) and consistent with the DOJ Grants Financial Guide, most OJP awards may be eligible for one no-cost extension of up to 12 months.
o If the grant has previously received a no cost extension and an additional extension will be requested due to the extenuating circumstances, refer to the DOJ Grants Financial Guide for additional information and consult with your grant manager as needed.

Defense Advanced Research Projects Agency (DARPA)
o First, document the delay, the impact to your project, what caused it, what you did or have done to mitigate the delay, and any other relevant facts and details. As soon as possible, contact your Contracting Officer, Grants Officer, or Agreements Officer in writing. Explain all facts and details of the situation, provide documentation, and be sure to note that COVID-19 is one of the reasons for your modification request.

6. Allowability of salaries and other project activities
o Awarding agencies may allow recipients to continue to charge salaries and benefits to currently active Federal awards consistent with the recipients’ policy of paying salaries (under unexpected or extraordinary circumstances) from all funding sources, Federal and non-Federal.
o Specific Agency Guidance:
  NIH
  o NIH understands that many researchers may be unable to work as a result of or related to the effects of COVID-19. If a recipient organization’s policy allows for the charging of salaries and benefits during periods when no work is performed due to the effect of COVID-19, regardless of the funding source, including Federal and non-Federal, then such charges to NIH grant awards will be allowable.
o Institutions affected by COVID-19 may continue to provide stipend payments to fellows and trainees who may be unable to work as a result of or related to COVID-19. Recipients should notify the assigned grants management official, and provide documentation demonstrating the effect of COVID-19, and how long the institution will be affected.
NSF
- Recipients are authorized to continue to charge salaries, stipends, and benefits to currently active NSF awards consistent with the recipients’ policy of paying salaries (under unexpected or extraordinary circumstances) from all funding sources, Federal and non-Federal.

Department of Defense (DOD)
- Based on OMB Memorandum M-20-17 and the uniform guidance (2 CFR 200.403, 2 CFR 200.404, 2 CFR 200.405), the DOD will allow recipients to continue to charge salaries and benefits to currently-active awards consistent with the recipients’ policy of paying salaries (under unexpected or extraordinary circumstances) from all funding sources, federal and non-federal.
- DOD components may allow other costs to be charged to federal awards necessary to continue work on a project even if in a period where primary research activities are limited or curtailed.
- To the maximum extent practicable, recipients will be expected to invoke or institute any and all reasonable mitigation actions and practices to lessen the cost to the government during the crisis period. Such actions may be part of an existing program created by the recipient or may be created to respond to this crisis.
- Appropriate records and cost documentation must continue to be updated and maintained as required by 2 CFR 200.302 - Financial management and 2 CFR 200.333 - Retention requirement of records.

7. Allowability of Costs not Normally Chargeable to Awards
- Awarding agencies may allow recipients who incur costs related to the cancellation of events, travel, or other activities necessary and reasonable for the performance of the award, or the pausing and restarting of grant funded activities due to the public health emergency, to charge these costs to their award.
- Awarding agencies may allow recipients to charge full cost of cancellation when the event, travel, or other activities are conducted under the auspices of the grant.
- Recipients should not assume additional funds will be available should the charging of cancellation or other fees result in a shortage of funds to eventually carry out the event or travel.

Specific Agency Guidance:

NIH
- Non-refundable costs associated with grant-related travel that has been cancelled due to COVID-19 may be charged to the NIH award if they would have otherwise been allowable. See NIH GPS 7.9.1 for detailed information on the allowability of travel expenses.
- Non-refundable registration fees for conferences, symposiums or seminars that have been cancelled due to COVID19 may be charged to the NIH award if they would have otherwise been allowable (e.g. necessary to accomplish program objectives).
- Scientific meetings, conferences and workshops supported by NIH funding may be delayed or cancelled due to COVID-19. Non-refundable costs associated with NIH supported meetings and conferences affected by COVID-19 are allowable and may be requested as an administrative supplement to the appropriate funding IC. Recipients should contact their assigned grants management specialist and program official to provide documentation demonstrating the effect of COVID-19. The funding institute or center will work with the recipient to address the impact on the NIH grant.
**NSF**

- Recipients who incur costs related to the cancellation of events, travel, or other activities necessary and reasonable for the performance of the award, or the pausing and restarting of grant funded activities due to the public health emergency, are authorized to charge these costs to their award.
- Recipients may charge the full cost to the award when the event, travel, or other activities is conducted under the auspices of the grant.
- Recipients must not assume that supplemental funding will be available should the charging of cancellation or other fees result in a shortage of funds to eventually carry out the event or travel.

**Department of Energy (DOE)**

- The Office of Science will not consider changes to planned travel caused by the cancellation of meetings, quarantines, closures, or other public health measures to be a change in the scope of an award requiring agency prior approval. Rebudgeting funds that does not create a change in scope does not require agency prior approval.
- If a meeting has been cancelled, awardees must follow their institutional travel policies to determine whether costs may be charged to an award. If institutional policy permits travelers to purchase nonrefundable items (airfare, lodging, or other) and does not require travelers to reimburse the institution for change or cancellation fees, such fees may be charged to an award. If institutional policy prohibits the purchase of nonrefundable travel or travelers are required to reimburse the institution for change or cancellation fees, such fees may not be charged to an award.

**Department of Defense (DOD)**

- The DOD will allow nonrefundable travel expenses incurred for travel canceled due to COVID-19 to be charged to active awards in agreement with OMB Memorandum M-20-17. Grantees must follow applicable institution policy on allowable expenses for travel.

**Department of Justice (DOJ) Office of Justice Programs (OJP)**

- Grantees should contact their OJP grant managers to address issues resulting from postponed or canceled meetings, such as using grant funds to cover hotel or travel related cancellation fees and penalties.
- Grantees should try to have the airline reimburse the canceled ticket(s) in cash. However, if the airline will only refund the cancellation as a credit:
  - The grantee should apply the credit to a future trip for the same OJP grant or project.
  - If that is not possible, the grantee should use the credit for another OJP program or project and reimburse the original OJP grant or project with the equivalent dollar amount.
  - If neither of those options is possible, then the grantee should process the trip as a cancellation, which OJP approves to be charged to the grant due to this mitigating circumstance.
- Grantees should provide similar guidance to subrecipients (that is, subgrantees). Please document these such changes via a Program Office Approval Grant Adjustment Notice (GAN) in OJP’s Grant Management System (GMS) for record keeping purposes.
8. Prior approval requirement waivers
   o Awarding agencies are authorized to waive prior approval requirements as necessary to effectively address the response. All costs charged to Federal awards must be consistent with Federal cost policy guidelines and the terms of the award, except where specified in this memorandum.
   o Specific Agency Guidance:
     NIH
     o As a reminder, recipients have rebudgeting authority available under NIH Grants Policy Statement Sec. 8.1.1.2, which states, "NIH prior approval is not required to rebudget funds for any direct cost item that the applicable cost principles identify as requiring the Federal awarding agency's prior approval, unless the incurrence of costs is associated with or is considered to be a change in scope."
     o Recipients that are not under Streamlined Non-competing Application Process (SNAP) have the discretion to carry forward unobligated balances on their active grants for immediate efforts to support activities related to or affected by COVID-19 as long as the charges are allowable costs and are within the scope of the original award.
     NSF
     o Recipients are required to obtain the prior approvals specified in 2 CFR § 200.308 (c) (i-viii) which must be submitted via Research.gov.
     o All other prior approvals specified in the applicable Prior Approval Matrix are waived.

9. Exemption of certain procurement requirements
   o Awarding agencies may waive the procurement requirements contained in 2 CFR § 200.319(b) regarding geographical preferences and 2 CFR § 200.321 regarding contracting small and minority businesses, women's business enterprises, and labor surplus area firms.
   o Specific Agency Guidance:
     NSF
     o NSF has waived the procurement requirements contained in 2 CFR § 200.319(b) regarding geographical preferences and 2 CFR § 200.321 regarding contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

10. Extension of financial, performance, and other reporting
    o Awarding agencies may allow grantees to delay submission of financial, performance and other reports up to three (3) months beyond the normal due date.
    o If an agency allows such a delay, grantees will continue to draw down Federal funds without the timely submission of these reports.
    o These reports must be submitted at the end of the postponed period.
    o Specific Agency Guidance:
      NSF
      o NSF does not require recipients to submit Federal Financial Reports for each award as financial data is extracted from NSF’s Award Cash Management Service.
o NSF, however, has automatically extended the due date for submission of all annual project reports due between March 1 and April 30, 2020, by 30 days. These project reports must continue to be submitted via Research.gov.

**Department of Energy (DOE)**

o If the lead principal investigator (PI) or the applicant institution are subject to a quarantine or a closure, progress reports for grants, cooperative agreements, and interagency awards may be submitted through the PAMS website at [https://pamspublic.science.energy.gov](https://pamspublic.science.energy.gov) as soon as practicable.

o Note that delays in submitting progress reports may cause unavoidable delays in continuation funding.

o PIs from DOE National Laboratories (SNL, LANL) should contact their program manager if there will be a delay in submitting progress reports.

**Department of Defense (DOD)**

o Consistent with OMB Memorandum M-20-17, the DOD will allow grantees to delay submission of financial, performance and other reports on currently-active award accounts up to three months beyond the normal due date. For any other deliverables related to research awards, please contact the DOD grants manager and/or program manager for award specific guidance.

### 12. Extension of closeout

- Awarding agencies may allow the grantee to delay submission of any pending financial, performance and other reports required by the terms of the award for the closeout of expired projects, provided that proper notice about the reporting delay is given by the grantee to the agency.

- This delay in submitting closeout reports may not exceed one year after the award expires.

- **Specific Agency Guidance:**
  
  **NIH**
  
  o NIH will allow recipients that are affected by COVID-19 to delay submission of any final financial, performance, and other reports required by the terms and conditions of award for the closeout of expired projects, provided that proper notice about the reporting delay is given by the recipient to the agency. This delay may not exceed one year.

  **NSF**
  
  o NSF has automatically extended the due date for submission of all final project reports and Project Outcomes Reports due between March 1 and April 30, 2020, by 30 days.

  o These final reports must continue to be submitted via Research.gov.

  o Recipients are reminded that NSF cannot make any new award or supplement any existing award if the PI or any co-PI(s)s has an overdue final report; therefore, it is vital that final reports be submitted by the revised due date.