

# Frequently Asked Questions on Recovery Act Implementation

## Funding Options and Clearance Requirements

### **1. Is Building 1 clearance required for non-RPG and R&D contract uses of ARRA funds?**

The NIH OD must approve the IC's approach to paying non-RPG activity codes. These general plans should be submitted to the [ARRARFAS@mail.nih.gov](mailto:ARRARFAS@mail.nih.gov) mailbox. (Approval is by activity code, not project by project.)

Guidance on using R&D contracts will be issued soon by the Office of Logistics and Acquisition Operations (OLAO).

#### **a) How can ICs use ARRA funds for research training and career development?**

Recovery Act funds may be used to support additional competing two-year fellowship and career development awards. ARRA funds can also be used to restore training slots that have been programmatically cut below council approved levels without prior approval; but those slots will be limited to two years.

If it makes sense under the spirit of the law, ICs may use Recovery Act funds to make competing training grant awards and support them during their first two years. ICs should be prepared to support the out-years of any new training grant awards they initiate.

Recovery Act funds must not be used to increase stipends, trainee related expenses, or any other training/fellowship budget costs categories on training grants or fellowships, nor may they be used to increase the overall number of slots in excess of Council approved levels.

As noted above, NIH OD approval of the IC's approach to funding non-RPG activity codes is needed.

#### **b) Can an IC fund administrative supplements to U's (cooperative agreements)?**

Yes, ICs may utilize Recovery Act funds to supplement U projects if this is within the spirit of the law. As noted above, NIH OD approval of the IC's approach to funding non-RPG activity codes is needed.

**c) Can an IC fund administrative supplements to Centers? If so, does this need the Building 1 special review noted below for all "non-RPG" uses?**

Yes, ICs may supplement Centers with ARRA funds if it is within the spirit of the law. As noted above, NIH OD approval of the IC's approach to funding non-RPG activity codes is needed.

**2. Can FY2010 Hurricane IKE supplements be funded with ARRA money?**

It is possible to use Recovery Act funds for Hurricane Ike, but supplements of this kind will generally not be consistent with the goal of accelerating the scientific tempo on ongoing projects. Therefore ICs should consider using base funds for these supplements unless clearly appropriate for ARRA support.

**3. My IC has selected a 4-year R01 for ARRA funding. Can we renegotiate the aims and budget to make it a 2-yr only R01?**

Yes, provided the negotiated and awarded budgets are consistent with approved and funded aims and objectives within the 2 year project period of ARRA support. In addition, the amount funded must be consistent with the budget recommendations of peer review and Council for the approved project period. However, ICs must also ensure that the funded and approved budget is appropriate for a 2-year period and not simply compressing 4 years of activity and budget into a 2 year award without adjustment to reflect what can be achieved within the 2 year project period. This is consistent with the bona fide need rule--meaning awarded budgets must be based on anticipated need and activity for the period of support.

**4. Can we supplement a closed or terminated award?**

No. Projects must be active to be considered for supplements or revisions.

**5. Where do we send narratives on R&D contracts?**

Guidance on using R&D contracts will be issued soon by the OD Office of Administration.

**6. Can we use ARRA funds to provide supplements to RPGs for:**  
**High School Students**  
**Undergraduates**  
**Summer interns**  
**Postdocs/grad students**

## **Equipment of less than \$100,000 in cost**

Yes.

### **7. Can we fund small business programs with stimulus funds?**

Yes, you can fund new small business grant awards (R41/R42 or R34/R44). ICs can also fund all for-profits, including small businesses, if they are eligible for other grant programs as well.

### **8. Can we use ARRA funds for Loan Repayment?**

Yes. Recovery Act funds can be used for Loan Repayment. IC's are encouraged to use their base or Recovery Act funds to increase the IC specific pool of money available to pay selected loan payment recipients.

### **9. Can ICs use ARRA funds to restore programmatic cuts to an award?**

Yes, provided an IC can document that a supplement meets the goals of accelerating the tempo of research. Actions solely to restore administrative cuts are not appropriate. ARRA funding is only available for FY2009 & FY2010, however, so you can not include a commitment from ARRA funding beyond FY2010.

### **10. What kind of documentation is needed to fund administrative supplements?**

ICs need to establish procedures for funding administrative supplements and follow those procedures consistently. The supplement must be within scope of the peer reviewed and awarded project and you must retain documentation of determination of this fact.

## **Funding Opportunity Announcements**

### **11. Is there a specific procedure or format to request a waiver from the requirement for concept clearance for an RFA?**

ICs should continue to follow their procedures for obtaining concept clearance in a public venue before publication. Only in extraordinary circumstances should clearance be waived. If you need a waiver, send statement of what you are waiving, and why concept clearance is not possible, and send to the [ARRARFAS@mail.nih.gov](mailto:ARRARFAS@mail.nih.gov) mailbox.

## **Making Awards**

**12. When can we start contacting institutions about detailed budgets?**

Clearances are still pending. OER will give the go ahead as soon as we are given permission to do so by the NIH OD, HHS, and OMB.

**13. Can I contact Institutions for the "normal" non-ARRA Just-In-Time Information?**

Yes, as long as the communication makes no reference to ARRA at this time.

**14. Does the 72-hour hold by the HHS Congressional Liaison Office on competing awards still apply?**

Yes. No waiver of this requirement has been given by HHS.

**15. Does the HHS \$500K report requirement still apply?**

Yes. No waiver of this requirement has been given by HHS. While these will need to be on the report, you do not need to wait for 2 weeks to fund. The current language indicates "will be funded in the next 2 weeks".

**16. Can we mark ARRA selections with the To-Be-Paid code in IMPAC II?**

Yes. The wording in Commons Status has been changed to just say "Pending" when an IC changes the status of a competing grant to To-Be-Paid.

**17. To ease potential workload on grants management specialists, can P01s be given automatic carryover authority?**

This would be at the discretion of the IC.

**Post Award Management**

**18. Do institutions need to actually expend ARRA funds by 9/30/2010?**

No. September 30, 2010 is the deadline for NIH to obligate all ARRA funds. Institutions can use standard expenditure rules in line with the grant budget period for actual expenditures.