

Congressional and Federal Agency Responses and Opportunities Regarding the COVID-19 Outbreak

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Table of Contents

| ntroduction2 |
|--|
| Administration Updates2 |
| White House Calls on Tech Community to Create New Machine Readable COVID-19 Dataset2 |
| National Academies Stands up New Committee on Emerging Infectious Diseases and Public Health Threats3 |
| Congressional Updates4 |
| House of Representatives Introduces and Passes Second Coronavirus Emergency Supplemental Package4 |
| Senate Passes GI Bill Legislation |
| Federal Guidance Related to Research and Higher Education5 |
| Department of Education5 |
| National Institutes of Health6 |
| Centers for Medicare and Medicaid Services (CMS)6 |
| Centers for Disease Control and Prevention (CDC)6 |
| National Science Foundation (NSF)7 |
| Department of Energy (DOE)7 |
| Office of Management and Budget (OMB)8 |
| Department of Homeland Security (DHS)/ICE/SEVP8 |
| Department of Defense (DOD)8 |
| Department of Labor (DOL) |
| Department of Veterans Affairs (VA)9 |
| National Endowment for the Humanities (NEH)9 |
| National Endowment for the Arts (NEA)9 |



| Department of State | 9 |
|---|----|
| Department of Justice (DOJ) | 9 |
| US Census Bureau | 10 |
| National Institute of Food and Agriculture (NIFA) | 10 |
| Research and Funding Opportunities | 10 |
| National Institutes of Health (NIH) | 10 |
| Centers for Disease Control (CDC) | 11 |
| National Science Foundation (NSF) | 11 |
| Department of Health and Human Services (HHS)/ Biomedical Advanced Research and Development Authority (BARDA) | 11 |

Introduction

In response to the novel coronavirus COVID-19, Lewis-Burke Associates has compiled this list of updates regarding the federal response to the pandemic and its impact on higher education institutions and relevant funding opportunities. This list will be updated frequently as long as new guidance and opportunities are being issued from Congress, the federal agencies, and the Administration. Please contact Lewis-Burke Associates at 202-289-7475 with any questions.

Administration Updates

White House Calls on Tech Community to Create New Machine Readable COVID-19 Dataset

On March 16, the Allen Institute for AI, Chan Zuckerberg Initiative (CZI), Georgetown University's Center for Security and Emerging Technology (CSET), Microsoft, and the National Library of Medicine (NLM) at the National Institutes of Health released the *COVID-19 Open Research Dataset (CORD-19)* of scholarly literature about COVID-19, SARS-CoV-2, and the Coronavirus group. Requested by The White House Office of Science and Technology Policy, the dataset represents the most extensive machine-readable Coronavirus literature collection available for data and text mining to date. The COVID-19 resources is available on the Allen Institute's website: https://pages.semanticscholar.org/coronavirus-research.

The White House Office of Science and Technology Policy also issued a call to action to artificial intelligence experts to develop new text and data mining techniques that can help the science community answer high-priority scientific questions related to COVID-19. Researchers should submit the text and data mining tools and insights they develop in response to this call to action via the <u>Kaggle</u> <u>platform</u>. Through Kaggle, a machine learning and data science community owned by Google Cloud, these tools will be openly available for researchers. The OSTP call to action is available at



https://www.whitehouse.gov/briefings-statements/call-action-tech-community-new-machine-readablecovid-19-dataset/.

National Academies Stands up New Committee on Emerging Infectious Diseases and Public Health Threats

In response to COVID-19, and in order to address future threats to public health, the National Academies of Sciences, Engineering and Medicine (NASEM) <u>announced</u> the formation of the Standing Committee on Emerging Infectious Diseases and 21st Century Health Threats. The Committee was formed upon request from the White House Office of Science and Technology Policy (OSTP) and the Department of Health and Human Services (HHS) Assistant Secretary for Preparedness and Response (ASPR). The standing committee will inform OSTP on issues related to emerging infectious diseases and other threats.

The standing committee is expected to discuss the following issues, and may provide brief reports on recommendations to meet OSTP and ASPR's needs:

- Technical assistance and/or assessment of response to emerging infectious diseases;
- Availability of and access to information, samples, and other materials to determine the origin and evolution of emerging infectious diseases;
- International coordination and engagement;
- Technical assessment of ecological and evolutionary drivers of disease emergence;
- Approaches to proactive public messaging and strategies to address misinformation; and
- Other science and policy issues relevant to emerging infectious diseases and 21st century health threats.

The standing committee currently features 15 members with backgrounds in a variety of topics such as emerging infectious diseases, public health, preparedness and response, biological sciences, risk communication, and regulatory issues, among others. NASEM notes that it may make additional appointments and will allow 20 days for formal public comment on these appointments. Organizations and members of the public may provide other feedback at https://www8.nationalacademies.org/pa/feedback.aspx?type=committee&key=HMD-HSP-20-03.



Congressional Updates

House of Representatives Introduces and Passes Second Coronavirus Emergency Supplemental Package

A larger (perhaps \$1 trillion package) is under development to address impacted industries and tax policy, which may pull from the House package. More details on what is known about the current House version is below.

On Saturday, March 14, the U.S. House of Representatives passed a **second emergency supplemental appropriations package** aimed at strengthening the federal response to the ongoing COVID-19 crisis. This package includes at least \$3.5 billion in new funding to cover COVID-19 diagnostic testing and nutritional and unemployment benefits. Beyond this new funding, the bill includes several provisions related to paid sick leave. The bill includes emergency paid leave for 14 days for those who have been diagnosed (or otherwise quarantined) and enhanced unemployment insurance for furloughed workers. The bill also requires that employers with fewer than 500 employees and government employers offer two weeks of paid sick leave, as well as provide up to three months of paid family and medical leave for people forced to quarantine due to the virus or care for children or family members because of the outbreak.

New funding in this supplemental package includes:

- \$1.2 billion for **coverage of COVID-19 diagnostic testing**, including:
 - \$82 million for the Department of Defense to cover the costs of testing for beneficiaries receiving care through the Defense Health Program.
 - \circ \$64 million for testing through the Indian Health Service or through an Urban Indian Health Organization.
 - \$1 billion for the National Disaster Medical System to reimburse the costs of testing and services provided to individuals without health insurance.
 - \$60 million for the Department of Veterans Affairs to cover the costs of testing for
 - veterans receiving care through Medical Services or through Medical Community Care.
 - The bill also requires all health plans, including Medicare, Medicaid, and private plans, to cover COVID-19 testing at no cost.
- \$1.25 billion for emergency nutritional assistance, including:
 - \$500 million for the Special Supplemental Nutrition Program for Women, Infants, and Children.
 - \$400 million for the Emergency Food Assistance Program.
 - \circ \$100 million for food assistance block grants for Puerto Rico, American Samoa, and the Northern Mariana Islands.
- \$1 billion for emergency state grants for unemployment benefits, including:
 - \$500 million for staffing and logistical costs to provide immediate additional funding to all states for staffing, technology, systems, and other administrative costs.
 - \$500 million reserved for emergency grants to states which experience at least a 10 percent increase in unemployment.



• \$15 million for the Internal Revenue Service to implement tax credits for paid sick and paid family and medical leave.

Late last night, the House passed, by unanimous consent, a revised version of the supplemental package. Speaker of the House Nancy Pelosi, House Minority Leader Kevin McCarthy, and Secretary of the Treasury Steve Mnuchin spent much of Monday negotiating "technical corrections" to the bill, which centered around its provisions related to mandatory paid sick leave and their implications for small businesses. The bill now goes to the Senate, where Senate Minority Leader Chuck Schumer has called for its immediate passage, while Senate Republicans remain mixed in their support for the package. The exact timing of when the Senate will take up and vote on this supplemental package is yet to be finalized.

Senate Passes GI Bill Legislation

For veterans using GI Bill benefits moving to online/distance learning because of the COVID-19 outbreak, the Senate passed legislation creating flexibility for GI Bill benefit use to allow for switching to online/distance education programming. The House may consider the legislation when they return to session. The Senate Committee on Veterans' Affairs press release on the legislation is available at https://www.veterans.senate.gov/newsroom/minority-news/-senate-passes-bipartisan-tester-moran-fix-to-protect-gi-bill-benefits-as-universities-close-due-to-coronavirus-.

Federal Guidance Related to Research and Higher Education

Department of Education

- ED has a COVID-19 website of resources at <u>https://www.ed.gov/coronavirus</u>.
- ED's Office of Federal Student Aid's website with information for students, borrowers, and parents is available at https://studentaid.gov/announcements-events/coronavirus.
- On March 5, ED posted guidance for institutions of higher education related to interruptions of study, outlining increased flexibility for Title IV aid programs. This includes offering broad approval to move students into distance learning without regular approval and waiving accreditor review requirements. There are some limitations on clock-hour required licensure programs. Guidance is viewable at <u>https://ifap.ed.gov/electronic-</u> announcements/030520Guidance4interruptionsrelated2CoronavirusCOVID19.
- On March 12, ED released a FAQ document to assist schools navigating Family Educational Rights and Privacy Act (FERPA) and student data privacy requirements as it relates to COVID-19 and possible disclosure of information. Details are available at <u>https://studentprivacy.ed.gov/sites/default/files/resource_document/file/FERPA%20and%20Co</u> <u>ronavirus%20Frequently%20Asked%20Questions_0.pdf.</u>
- On March 17, the U.S. Department of Education released a webinar and a fact sheet for protecting students' civil rights during COVID-19 response. They are both available at



https://www.ed.gov/news/press-releases/us-department-education-releases-webinar-fact-sheet-protecting-students-civil-rights-during-covid-19-response.

• The Department of Education Office of Civil Rights (OCR) has released a video on ensuring web accessibility for students with disabilities for schools using online learning. It is available at https://www.youtube.com/watch?v=DCMLk4cES6A&feature=youtu.be.

National Institutes of Health

- NIH has released a General FAQ on Proposal Submission and Award Management Related to COVID-19 which is available at <a href="https://urldefense.proofpoint.com/v2/url?u=https-34_beta.sam.gov_opp_6d5f514d69c94f60ae277f4ec33ca68d_view&d=DwMFaQ&c=eRAMFD4_5gAfqt84VtBcfhQ&r=eUlbGuCHfGAE0yRHBOl0sdTaLZDa6n7IY5-OO6TtvFQ&m=Q3NSKS_TEKbhpS8cy9WIz2maePlfvDFV3Oel1g1oGd8&s=Ysep97AZIVboAp2AFA5_Lvg8rCupnbaWm9p0bWTykX4Y&e=.
 - This is a resource for anyone concerned about COVID-19 impacts on research, travel, field work, and more. It provides answers to any questions a grant recipient may have regarding travel, conferences, and continuity of research.
- NIH has created a central site for its current guidance including newly updated guidance on late applications, flexibilities for applicants and recipients, and clinical trials - which can be found at <u>https://grants.nih.gov/grants/natural_disasters/corona-virus.htm</u>. NIH leadership is emphasizing flexibility at this point and has indicated they will be sending regular updates to the research community through the NIH Extramural Nexus newsletter.
- For researchers interested in managing animal care during the COVID-19 crisis, the NIH Office of Laboratory Animal Welfare is holding a webinar on March 19 on "Pandemic Contingency Planning and Its Impact on Animal Care." More information is available at <u>https://olaw.nih.gov/news/special-olaw-webinar-march-19-pandemic-contingency-planningand-its-impact-animal-care.html</u>.

Centers for Medicare and Medicaid Services (CMS)

 CMS released guidance regarding blanket waivers for hospitals and healthcare facilities and COVID-19. This includes that "CMS will temporarily waive or modify certain Medicare, Medicaid, and CHIP requirements. CMS will also issue several blanket waivers, listed on the website below, and the CMS Regional Offices will review other provider-specific requests." More information on the CMS waivers is available at <u>http://www.cms.gov/emergency</u>.

Centers for Disease Control and Prevention (CDC)

- CDC has posted interim guidance for administrators of US Institutions of Higher Education at https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-ihe-response.html.
- CDC has posted resources for institutions of higher education at <u>https://www.cdc.gov/coronavirus/2019-ncov/community/colleges-universities/index.html</u>.



- CDC has posted interim guidance for mass gatherings and large community events at https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/mass-gatherings-ready-for-covid-19.html.
 - The CDC recommends organizers cancel or postpone in-person events that consist of 50 people or more for the next 8 weeks.
- CDC has posted guidance related to international travel and study abroad at <u>https://www.cdc.gov/coronavirus/2019-ncov/community/student-foreign-travel.html</u>.
- CDC has posted Interim Infection Prevention and Control Recommendations for Patients with Suspected or Confirmed Coronavirus Disease in Healthcare Settings at <u>https://www.cdc.gov/coronavirus/2019-ncov/infection-control/control-recommendations.html</u>.
- CDC has posted guidance on mental health and coping during COVID-19 at <u>https://www.cdc.gov/coronavirus/2019-ncov/about/coping.html</u>.
- CDC has posted interim guidance for community-and faith-based organizations at https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/guidance-community-faith-organizations.html.

National Science Foundation (NSF)

• NSF's interim guidance on travel, panel reviews, meetings related to COVID-19 is available at https://www.nsf.gov/news/special_reports/coronavirus/External_info_w.pdf.

Department of Energy (DOE)

- DOE's guidance for grantees and grant applicants is available at <u>https://www.energy.gov/sites/prod/files/2020/03/f72/doe-sc-accommodating-interruptions-to-applicants-awardees-due-to-covid-19.pdf</u>.
- DOE's COVID-19 website is at https://www.energy.gov/coronavirus-hub.
- Regarding DOE grants and deadlines for funding opportunity announcements, DOE has started to extend deadlines for funding opportunities open to research universities. Extensions are still on a case by case basis, and we recommend that researchers contact the lead program manager assigned to the funding opportunity for up to date information on due dates.
 - The DOE Early Career Research Program call, which was due on March 16, has been extended to March 30.
 - The High-Energy-Density Laboratory Plasma Science funding call, which was due on March 16, was extended until April 6.
- A podcast interview with Office of Science Director Chris Fall on the national lab's response to COVID-19 is available at https://www.energy.gov/podcasts/direct-current-energygov-podcasts/direct-current-energygov-podcast/national-labs-respond-covid-19#podcast-item-transcript.
- Information on DOE's resources supporting coronavirus research is available at https://science.osti.gov/DOE-Resources-Supporting-Coronavirus-Research.



Office of Management and Budget (OMB)

 On March 9, OMB issued guidance to all Executive branch agencies to grant new flexibilities related to such things as notices of funding opportunities, no cost-extensions, expenditure of award funds, etc. The use of new flexibilities will be determined by the awarding agencies. The OMB memo is at <u>https://www.whitehouse.gov/wp-content/uploads/2020/03/M-20-11.pdf.</u>

Department of Homeland Security (DHS)/ICE/SEVP

- International students on F or M visas technically have restrictions on the number of courses they can take remotely/via distance education. DHS, through Student and Exchange Visitor Program (SEVP), issued flexibility guidance on March 9 for how to handle procedural adaptations for F and M nonimmigrant students. Schools must provide SEVP notice of the operational and procedural changes within 10 business days of the date of the decision. The guidance note is at <u>https://www.ice.gov/doclib/sevis/pdf/bcm2003-01.pdf</u>.
- Also, in the international arena, on March 11, the President announced a proclamation of suspension of immigration that broadens this policy to the European Schengen Area, comprised of 26 European states. The proclamation is viewable at <u>https://www.whitehouse.gov/presidential-actions/proclamation-suspension-entry-immigrantsnonimmigrants-certain-additional-persons-pose-risk-transmitting-2019-novel-coronavirus/</u>.
- Previously, the White House announced travel restrictions for those traveling from China at https://www.federalregister.gov/documents/2020/02/05/2020-02424/suspension-of-entry-as-immigrants-and-nonimmigrants-of-persons-who-pose-a-risk-of-transmitting-2019 and from Iran at https://www.federalregister.gov/documents/2020/03/04/2020-04595/suspension-of-entry-as-immigrants-and-nonimmigrants-of-certain-additional-persons-who-pose-a-risk-of.

Department of Defense (DOD)

- The DOD coronavirus response website is available at <u>https://www.defense.gov/Explore/Spotlight/Coronavirus/</u>.
- At the time of writing, the Office of Naval Research (ONR) has not issued any guidance and grantees are expected to continue business-as-usual within the guidance of their respective institutions.

Department of Labor (DOL)

On March 12, DOL announced flexibility for states to allow unemployment insurance (UI) benefits to be used in cases "where: (1) An employer temporarily ceases operations due to COVID-19, preventing employees from coming to work; (2) An individual is quarantined with the expectation of returning to work after the quarantine is over; and (3) An individual leaves employment due to a risk of exposure or infection or to care for a family member. In addition, federal law does not require an employee to quit in order to receive benefits due to the impact of COVID-19." Details are available at

https://www.dol.gov/newsroom/releases/eta/eta20200312-0.



• DOL's Wage and Hour division has released Q&A documents for employers related to COVID-19 and Fair Labor Standards Act and job-protected leave under the Family and Medical Leave Act at https://www.dol.gov/agencies/whd/pandemic.

Department of Veterans Affairs (VA)

- The VA is convening stakeholders on COVID-19 education benefit responses and has posted a notice on Facebook in regards to housing allowance questions at https://www.facebook.com/gibillEducation/posts/10156878366516615? tn __=-R.
- The VA guidance for School Clarifying Officers (SCO) is available at <u>https://wcet.wiche.edu/sites/default/files/COVID-19-SCO-FAQs-03-12-20.pdf</u>.
- The WICHE Cooperative for Educational Technologies (WCET), a subgroup of the Western Interstate Commission for Higher Education (WICHE), released a note today outlining their interpretation of use of GI Bill benefits under COVID at <u>https://wcetfrontiers.org/2020/03/17/gibill-guidance-provides-some-relief-real-challenges-vetstudents/</u>.

National Endowment for the Humanities (NEH)

• NEH's guidance in response to COVID-19 is at <u>https://www.neh.gov/news/information-neh-and-covid-19</u>.

National Endowment for the Arts (NEA)

• NEA's FAQ's in response to COVID-19 is at <u>https://www.arts.gov/sites/default/files/FAQs-for-applicants-and-awardees-in-response-to%20COVID19-3.12.20.pdf</u>.

Department of State

- On March 15, the Department of State issued a "Global Level 3 Health Advisory" and advised U.S. citizens to reconsider travel abroad due to the global impact of COVID-19. More details are available at <u>https://travel.state.gov/content/travel/en/traveladvisories/ea/travel-advisory-alert-global-level-3-health-advisory-issue.html</u>.
 - All travelers should visit <u>travel.state.gov</u> for information on the latest travel advisories and should enroll in the Smart Traveler Enrollment Program (STEP) to receive alerts and enable Department personnel to locate U.S. citizens in an emergency.
- The State Department's Bureau of Educational and Cultural Affairs (ECA) announced it will temporarily pause all ECA-funded programs. Details at https://www.state.gov/temporary-pause-of-international-exchange-programs-due-to-covid-19/.

Department of Justice (DOJ)

• The Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP) has announced a 2-week closing date extension on solicitation applications originally scheduled to close between March 16 and March 31, 2020. The Office of Justice Programs (OJP) is actively assessing the potential impacts that COVID-19 may have on the FY 2020 grant application



process. OJP will continue to monitor the situation to determine if additional adjustments to closing dates are needed. Additional information is available at https://ojidp.ojp.gov/funding/current and the OJP Twitter page https://twitter.com/ojpqov?lang=en

US Census Bureau

• US Census Bureau guidance on counting college students is available at https://www.census.gov/newsroom/press-releases/2020/modifying-2020-operations-for-counting-college-students.html.

National Institute of Food and Agriculture (NIFA)

 NIFA released guidance for individuals who may experience delays in the distribution of funds. The guidance is available at <u>https://nifa.usda.gov/grants?utm_content=&utm_medium=email&utm_name=&utm_source=g_ovdelivery&utm_term=</u>.

Research and Funding Opportunities

National Institutes of Health (NIH)

 The emergency funding package included \$826 million for the National Institute of Allergy and Infectious Disease (NIAID) at the National Institutes of Health (NIH), intended to be used primarily for vaccine research and development. NIAID is currently using two mechanisms to award funding to investigators for work within this scope: non-competitive administrative supplements and, for the first time, competitive Urgent Awards. More information about these two opportunities, as well as a list of NIAID's research priorities related to COVID-19, can be found at https://urldefense.proofpoint.com/v2/url?u=https-3A www.niaid.nih.gov grants-2Dcontracts_response-2Dcovid-2D2019-

2Doutbreak&d=DwMFaQ&c=eRAMFD45gAfqt84VtBcfhQ&r=eUlbGuCHfGAE0yRHBOl0sdTaLZDa6 n7IY5-

<u>OO6TtvFQ&m=Q3NSKS_TEKbhpS8cy9WIz2maePIfvDFV3Oel1g1oGd8&s=CRL8VdEJ1pV_uBrKopv</u> <u>P1ahd7i_JSDFCjaP0gzuxVrQ&e=</u>.

• Elsewhere at NIH, the National Institute of Environmental Health Sciences (NIEHS) received \$10 million in funding in the emergency supplemental package, but no details are available yet on how this funding will be awarded. We also anticipate that, in the coming weeks and months, additional Institutes and Centers will be issuing opportunities for administrative supplements for research on COVID-19 that is related to their underlying programmatic priorities. We will share such at information as we get it.



Centers for Disease Control (CDC)

• The Centers for Disease Control and Prevention (CDC) Infectious Diseases Rapid Response Fund received \$300 million in the COVID-19 emergency supplemental package. This fund was created in FY 2019 and had roughly \$100 million in reserve funding prior to the emergency supplemental. This funding can be used to prevent, prepare for, and respond to an infectious disease emergencies, domestic or international. Money from this fund has previously been used to respond to an Ebola outbreak in the Congo.

National Science Foundation (NSF)

While the emergency supplemental did not provide any new funding for projects related to COVID-19, the National Science Foundation (NSF) released a Dear Colleague Letter on March 4 for proposals "to conduct non-medical, non-clinical-care research that can be used immediately to explore how to model and understand the spread of COVID-19, to inform and educate about the science of virus transmission and prevention, and to encourage the development of processes and actions to address this global challenge." The solicitation invites researchers to submit proposals through the Rapid Response Research (RAPID) funding mechanism. The Dear Colleague Letter is available at https://urldefense.proofpoint.com/v2/url?u=https-3A www.nsf.gov_pubs_2020_nsf20052_nsf20052.jsp&d=DwMFaQ&c=eRAMFD45gAfqt84VtBc fhQ&r=eUlbGuCHfGAE0yRHBOl0sdTaLZDa6n7IY5- OO6TtvFQ&m=Q3NSKS_TEKbhpS8cy9WIz2maePlfvDFV3Oel1g1oGd8&s=PAc8l5KsG-dZ1Py1g-g3li4UDchNGpDvoGMQAN07xzM&e=.

Department of Health and Human Services (HHS)/ Biomedical Advanced Research and Development Authority (BARDA)

 The Biomedical Advanced Research and Development Authority (BARDA) within the U.S. Department of Health and Human Services released an Easy Broad Agency Announcement (EZ-BAA) on February 5 seeking proposals for the development of novel COVID-19 diagnostics. The solicitation notes that "the diagnostics must utilize platforms already cleared by the U.S. Food and Drug Administration, with a viable plan to meet requirements for the FDA to consider Emergency Use Authorization (EUA) within 12 weeks of an award." The solicitation is available at https://urldefense.proofpoint.com/v2/url?u=https-

<u>3A beta.sam.gov_opp_6d5f514d69c94f60ae277f4ec33ca68d_view&d=DwMFaQ&c=eRAMFD4</u> <u>5gAfqt84VtBcfhQ&r=eUlbGuCHfGAE0yRHBOl0sdTaLZDa6n7IY5-</u>

<u>OO6TtvFQ&m=Q3NSKS_TEKbhpS8cy9WIz2maePIfvDFV3Oel1g1oGd8&s=Ysep97AZIVboAp2AFA5</u> <u>Lvg8rCupnbaWm9p0bWTykX4Y&e=</u> and the most recent version of the BAA, updated on March 9, is available at <u>https://beta.sam.gov/opp/1b46a4169fcb4902b9c4fcbb5bf981f7/view</u>.

Department of Energy (DOE)

• DOE is taking steps to address COVID-19 and is soliciting ideas about how the Department and the National Laboratories might contribute resources for science and technology efforts and collaborations. The Department is encouraging the scientific community and others to consider



research questions that underpin COVID-19 response and is requesting input on strategic, priority research directions that may be undertaken using DOE user facilities, computational resources, and enabling infrastructure. More information is available in a Dear Colleague Letter on the DOE website at https://science.osti.gov/-/media/sc-1/pdf/COVID-19-letter.pdf?la=en&hash=2A142317F56F185FC3E2CEF0AEAD6CACB3E70C7F.