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**Academy Advocacy Report**

UPDATED: September 28, 2020

**Updates on all NIH Institutes and Centers will be forthcoming and shared.**

**<https://www.acadrad.org/legislative-updates/>**

**CURRENT ACADEMY ADVOCACY PRIORITIES:**

**Swift Passage of all FY21 Appropriations Bills:** Although the Academy is supportive of [Congress' CR](#) that keeps essential government research institutions, like NIH, open through December 11, 2020, it is critical that Congress pass the annual appropriations bills and include additional emergency funds for public health programs in the next stimulus bill. [JOIN THE ACADEMY](#) in urging Congress to pass the fiscal year 2021 funding bills as soon as possible.

**Continued Support for the [NIBIB's RADx Initiative](#):** NIBIB has received \$560 million to fund Covid-19 related research, and all updated opportunities are being regularly disseminated to all Academy membership. The Academy is creating additional opportunities to ensure our membership and imaging investigators are well prepared for these funding opportunities.

- Dr. Bruce Tromberg, NIBIB Director, and NIBIB Program Staff spent two hours on an informational WebEx with thirty-seven Academy Early Career Investigators (CECI) discussing this initiative, a summary of the May 4th call is [available here](#).

**A collective advocacy community effort to secure \$31 billion in additional emergency supplemental investments in the NIH:** These funds would be SEPARATE from the current Covid-19 funds and SEPARATE from the annual appropriation.

- Opportunities to fund additional Covid-19 research related activities
- Near-term response to support ramping up of NIH-supported research activities and preserve the momentum of the nation's investment in biomedical research
- Long-term investments to rebuild the biomedical research enterprise, and
- Continuation of robust and necessary investments through regular appropriations.

## **PENDING CORONAVIRUS LEGISLATION:**

### **Health, Economic Assistance, Liability protection, Schools Act ([HEALS S. 1](#))**

#### **ACTION: Senate Released Bill Text (July 27, 2020)**

This bill is Senate's "skinny" response to the House's [HEROES Act](#), which passed in May. As part of this \$1 trillion Coronavirus Response Additional Supplemental Appropriations Act, Senate Appropriations Chairman Richard Shelby **unveiled the following funding for NIH. Among many other things this the bill provides \$15.5 billion for the NIH that includes specific funding for the following institutes and centers:**

- \$290 million for NHLBI
- \$200 million for NIDDK
- \$481 million for NIAID
- \$173 million for NICHD
- \$200 million for NIMH
- \$64 million for NIMHD
- \$1.2 billion for NCATS
- \$12.9 billion for the Office of the Director
  - To remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally. This sum includes \$10.1 billion for offsetting the costs related to reductions in lab productivity resulting from the coronavirus pandemic, \$1.3 billion to support additional scientific research, \$1.2 billion to accelerate the research and development of therapeutic interventions and vaccines in partnership, and \$240 million for supplements to existing research training awards for extensions and other costs.

### **Research Investment to Spark the Economy Act (RISE Act - [S. 4286](#))**

#### **ACTION: Voted out of Senate Committee (September 16, 2020)**

The RISE Act authorizes approximately **\$26 billion in emergency relief appropriations** for federal science agencies, including **NIH**, during FY20 and FY21 to ameliorate the tremendous disruption by the pandemic to federally funded research. The bill further provides temporary regulatory relief to allow federal science agencies to continue to provide salary support while research has been halted until universities or nonprofit research institutes can safely reopen research laboratories funded by federal agencies.

The Academy is advocating strongly in support of the RISE Act and has been seeking relief funding for NIH to address shutdown and restart costs in both the House and the Senate, providing congressional offices detailed information on how the impact has been impacting imaging research departments.

The House version of RISE ([H.R. 7308](#)) was introduced on June 24, 2020 by Congresswoman Dianne DeGette (D-CO), with support from 131 co-sponsors, and has been in committee since mid-July. [Congresswoman DeGette's RISE Act Release](#).

### **Health and Economic Recovery Omnibus Emergency Solutions Act (The Heroes Act):**

#### **ACTION: New revised text introduced (September 28, 2020)**

House Democrats have released an [updated \\$2.2 trillion version](#) of the House's Heroes Act. As you may recall, the House approved an earlier version of the Heroes Act (H.R. 6800) on May 15, but negotiations with the White House and the Senate on another covid relief package have stalled up to this point.

Like the original bill, the slimmed-down version of The Heroes Act provides **\$4.721 billion for the National Institutes of Health**. Within this total, the bill would provide \$4.021 billion to the Office of the Director, **specifying at least \$3 billion** of that funding for research relief **to resume pre-pandemic research**; \$500 million to the National Institute of Allergy and Infectious Diseases (NIAID); and \$200 million to the National Institute of Mental Health (NIMH). (For your reference, a table outlining by institute and center emergency supplemental funding enacted and proposed for NIH up to now is available at: <https://www.aamc.org/research/adhocgp/Summary-of-NIH-Emergency-Supplemental-Funds-Proposals-FY21-July%202020.pdf>.)

Speaker Pelosi (D-Calif.) and Treasury Secretary Mnuchin reportedly spoke by phone this evening and are expected to speak again today.

**PAST ACTION: Passed in the House (May 15, 2020)**

**(H.R. 6800)**”, a **[\\$3 trillion package](#)** to respond to the **Coronavirus crisis**. The vote was 208 to 199, mostly but not entirely along party lines. While the White House is considering policy options for the next relief package, the Senate is not expected to take action before August recess.

In the Act, NIH is provided **\$4.745 billion to expand COVID-19-related research on the NIH campus and at academic institutions across the country and to support the shutdown and startup costs of biomedical research laboratories nationwide**. Amounts are allocated as follows:

- ***NIAID: \$500 million through September 2024 to “prevent, prepare for, and respond to Coronavirus.”***
- ***NIMH: \$200 million through September 2024 to “prevent, prepare for, and respond to Coronavirus.”***
- ***Office of the Director: \$4.021 billion through September 2024 to prevent, prepare for, and respond to Coronavirus, domestically or internationally, provided that not less than \$3 billion of the amount provided under this heading in this Act shall be for offsetting the costs related to reductions in lab productivity resulting from the Coronavirus pandemic or public health measures related to the Coronavirus pandemic.***

**ACTIVE CORONAVIRUS LEGISLATION (relevant to Academy funding priorities):**

**Paycheck Protection Program Health Care Enhancement Act (H.R. 266, Phase 3.5):**

**ACTION: Became Public Law (April 24, 2020)**

The bill provides \$484 billion in emergency aid to small businesses and hospitals, including:

- **\$25 billion to research, develop, validate, manufacture, purchase, administer, and expand capacity for COVID-19 testing, and includes \$1.8 billion for NIH:**
  - **\$500 million for the National Institute of Biomedical Imaging and Bioengineering (NIBIB)**
  - \$306 million for the National Cancer Institute (NCI), and
  - \$1 billion to the Office of the Director, including support for public/private partnerships.

**Coronavirus, Aid, Relief, and Economic Security (CARES H.R. 748) Act (the 3rd Package):**

**ACTION: Became Public Law (March 27, 2020)**

Provided the National Institutes of Health with special emergency funding to specifically address prevent, prepare for and respond to the Covid-19 pandemic. The funding was specified as follows and remains available until September 30, 2024, in an unusual multiyear provision:

- National Institute of Allergy and Infectious Diseases (NIAID) – \$706,000,000
  - \*156,000,000 of this total is designated for facility needs for vaccine research
- National Heart Lung Blood Institute (NHLBI) – \$103,400,000
- **National Institute of Biomedical Imaging and Bioengineering (NIBIB) –\$60,000,000**
- National Center for Translational Sciences (NCATS) - \$36,000,000
- National Library of Medicine (NLM) – \$10,000,000
- Office of the Director/Common Fund – \$30,000,000

## **FY21 APPROPRIATIONS:**

### **Current State of Congressional Appropriations (Updated 9.23.2020)**

- **Tuesday September 22, 2020 – House lawmakers approve CR to extend the fiscal deadline through December, 11, 2020.** The Senate is expected to begin floor consideration of the Continuing Appropriations Act, 2021 and Other Extensions Act ([H.R. 8337](#), section by section is [here](#)) today. The CR as passed by the House does not include additional funds for NIH but does include language allowing NIH to provide no cost extensions to specific grants available for obligation through FY 2015 and set to expire on September 30, 2020 (Sec. 152).
- **Monday September 21, 2020 –** The House released the [text of their draft continuing resolution \(CR\) to fund the government through December 11, 2020](#). According to the [bill summary](#) the CR would appropriate funding at levels provided in FY 2020. The CR would also extend the availability of funding for certain multiyear research grants that were interrupted by COVID-19 and are set to expire on September 30. The House Rules Committee is still scheduled to review the CR today in preparation for floor consideration.
  - While the Academy is supportive of any plan that keeps the government running, it is important to note the limitations of a CR and its impacts on critical research institutions, including the NIH. COVID-19 has delayed potentially lifesaving biomedical research funded by the National Institutes of Health. As the country moves towards reopening, laboratories and institutions need to restart their research and are incurring significant costs to do so, which may not be covered by current grant funding. Researchers are already reporting that the costs of personal protective equipment, reagents used for experiments, and drugs used in clinical research have increased, eroding the buying power of existing grants. A long-term CR would not just affect existing grants; decisions on new grant funding would be delayed and monies for new initiatives would have to wait.
  - It is critical that Congress pass the annual appropriations bills and include additional emergency funds for public health programs in the next stimulus bill. [JOIN THE ACADEMY](#) in urging Congress to pass the fiscal year 2021 funding bills as soon as possible.
- The Academy has had over 80 meetings, calls, emails with House and Senate offices to advocate for increased funding to NIH (\$3bil) and to NIBIB (\$25mil) in FY21. Each contact with an office has provided us an opportunity to explain the importance of imaging research to detect, diagnosis and treat illnesses and diseases and the critical role imaging has in our health care system. In these meetings, we connect the offices to the research being conducted in their district and state and urge them to support imaging research and provide robust sustainable funding to the NIH. They appreciate and value hearing from us and making the connection to the district and its needs.

- We continue to reach out to these offices to keep them abreast of news related to imaging research, such as the impact of the COVID-19 shutdown and new research funding opportunities, [including the RADx initiative at NIBIB.](#)
- The Academy submitted Academy written testimony to the House and Senate appropriations committee outlining our advocacy priorities and needs while providing our FY21 funding asks for NIH and NIBIB and the Academy approached over 70 House and Senate offices for submission of our committee report language on NIBIB data repository efforts for the FY21 LHHS appropriations bill.

### **FY21 Appropriations Historical Timeline (includes Academy funding priorities):**

**September 21, 2020** – The House released the [text of their draft continuing resolution \(CR\) to fund the government through December 11, 2020.](#) According to the [bill summary](#) the CR would appropriate funding at levels provided in FY 2020. The CR would also extend the availability of funding for certain multiyear research grants that were interrupted by COVID-19 and set to expire on September 30.

**July 31, 2020** - The House of Representatives passed (217-197) a [second minibus spending package of FY21 spending bills \(H.R. 7617\).](#) This minibus includes the FY21 Labor-HHS-Education spending bill, **which includes \$47 billion in funding for the National Institutes of Health**, including \$5 billion in emergency supplemental spending.

No Senate activity has been scheduled for any of the FY21 spending bills.

**July 21, 2020** - The House Appropriations Committee released details on the second minibus, which will be considered next week and will contain seven of the remaining FY 2021 spending bills, **including Labor-HHS-Education, which includes figures for the National Institutes of Health.**

For FY21, the draft bill includes **\$196.5 billion in overall funding, an increase of \$2.4 billion above the FY 2020 enacted level and \$20.8 billion above the President’s 2021 budget request** after accounting for offsets and adjustments. In summary, the bill provides **a total of \$47 billion for NIH, an increase of \$5.5 billion above the FY 2020 enacted level.** The bill provides \$42 billion in annual appropriations, an increase of \$500 million above the 2020 enacted level and \$8.6 billion above the President’s budget request, and \$5 billion in emergency appropriations.

The bill increases funding for each Institute and Center by no less than 7% to support a wide range of critical research on diseases and conditions that affect individuals and families all over the world. **Additionally, it provides the following targeted investments:**

- \$5 billion in emergency funding to improve capacity at research institutions;
- \$240 million for Universal Flu Vaccine Research, an increase of \$40 million above the FY 2020 enacted level;
- \$3.1 billion for HIV/AIDS research, an increase of \$37 million above the FY 2020 enacted level;
- \$2.9 billion for Alzheimer’s disease and related dementia research, an increase of \$35 million above the FY 2020 enacted level;
- \$65 million for the Down syndrome research initiative, an increase of \$5 million above the FY 2020 enacted level;
- \$25 million for firearm injury and mortality prevention research, an increase of \$12.5 million above the FY 2020 enacted level;
- \$80 million for Research Centers in Minority Institutions, an increase of \$5 million above the FY 2020 enacted level;

- \$397 million for Institutional Development Awards, an increase of \$10 million above the FY 2020 enacted level; and
- Continued robust investments in initiatives such as the Cancer Moonshot, All of Us Precision Medicine Initiative, BRAIN Initiative, Opioids research, combating antibiotic-resistant bacteria, and Clinical and Translational Science Awards.

**July 13, 2020** - The House Appropriations Committee approved the [Fiscal Year \(FY\) 2021 Labor HHS appropriations bill](#) by a vote of 30-22. The bill will now move to the House floor at a date to be determined. The bill fully recognizes the National Institutes of Health (NIH) as a key national priority, and provides a total of \$47 billion for NIH, an increase of \$5.5 billion above the FY 2020 enacted level as well as a 7% increase in funding for each Institute and Center, despite pre-pandemic discretionary spending caps. The bill provides \$42 billion in annual appropriations (including the full \$404 million provided in FY 2021 through the Innovation Account established in the 21<sup>st</sup> Century Cures Act for specific initiatives), an increase of \$500 million above the 2020 enacted level (1.2%), as well as \$5 billion in emergency appropriations available through FY 2025. The \$5 billion in emergency funding may be used “to offset costs related to reductions in laboratory productivity resulting from interruptions or shutdowns of research activity” in FY 2020, and would be provided to the Office of the Director, with the requirement that at least \$2.5 billion be distributed across NIH proportionate to each institute and center’s FY 2020 funding level.

**July 7, 2020** – The House Labor, Health and Human Services, Education, and Related Agencies (Labor-HHS) Subcommittee approved their **Fiscal Year (FY) 2021 appropriations bill by a vote of 9-6**

The bill provides a total of \$47 billion for NIH, an increase of \$5.5 billion above the FY2020 enacted level as well as a 7% increase in funding for each Institute and Center. The bill provides \$42 billion in annual appropriations (including the full \$404 million provided in FY 2021 through the Innovation Account established in the 21<sup>st</sup> Century Cures Act for specific initiatives), an increase of \$500 million above the 2020 enacted level (1.2%), as well as \$5 billion in emergency appropriations available through FY 2025. The \$5 billion in emergency funding may be used “to offset costs related to reductions in laboratory productivity resulting from interruptions or shutdowns of research activity” in FY 2020, and would be provided to the Office of the Director, with the requirement that at least \$2.5 billion be distributed across NIH proportionate to each institute and center’s FY 2020 funding level. These pivotal increases in funding will continue to bolster support for a wide range of critical research on diseases and conditions that affect individuals and families all over the world.

**May 4, 2020:** NIBIB has received \$560 million to fund Covid-19 related research, and all updated opportunities are being regularly disseminated to all Academy membership. On May 4th, NIBIB Director, Dr. Bruce Tromberg and NIBIB Program Staff spent two hours on a WebEx with 37 Academy Early Career Investigators (CECI) to answer questions about NIBIB initiatives, grant applications and in preparation of their pursuit of new funding opportunities, a summary of this call is [available here](#). The Academy is creating additional opportunities to ensure our imaging investigators are well prepared for these funding opportunities.