

ACTION ALERT BRIEFING MATERIALS: **OPPOSE POLITICAL INTERFERENCE IN FEDERAL RESEARCH FUNDING**



These briefing materials provide a deeper dive into the proposed rule to assist you in preparing your comments. Where applicable, we have identified corresponding sections of the proposed rule, as requested in the *Federal Register* notice.

[The Office of Management and Budget \(OMB\) is proposing a rule](#) to establish new requirements for all grants made by departments and agencies in the federal government whereby OMB itself, rather than each federal department and agency, would establish and control grant requirements.

Under the proposed rule, the White House would control federal grants for science, mathematics, and engineering research not based on merit, but instead based on partisan political concerns. Political appointees would control which researchers and research institutions receive funding and how the funding could be spent. Researchers and research institutions could be favored or disfavored based on their political views, rather than the peer-reviewed merits of their work.

Political interference in federal funding for science, mathematics, and engineering would undermine a key democratic norm: the ability to rely on merit-based and factual research.

WAYS YOU CAN ACT NOW:

- **[Submit comments](#) by midnight, July 13, 2026, opposing the proposed rule and the risks it poses to the rule of law and our democracy.** Make clear that federal funding of science, mathematics, and engineering research must not be politicized. **Use the accompanying Action Alert as a guide.** For more specific information on the comment process, please see our [Tips for Commenting Effectively on Proposed Rules](#).
- **Speak out against the proposed rule on multiple platforms.** Write articles and letters to the editor and post on social media to help the public understand what is at stake. Reach out to local podcasters and radio shows to share why this proposed rule must be withdrawn. For additional help, see our [Tips for Writing and Placing Letters to the Editor and Opinion Pieces](#).

OVERVIEW OF THE PROPOSED RULE

OMB is proposing a rule that would empower OMB itself, rather than each federal agency, to establish and control federal grant requirements. The proposed rule would provide for White House control of federal grants for science, mathematics, and engineering research not based on merit, but instead based on partisan political concerns.

KEY LEGAL ARGUMENTS AGAINST THE RULE

The proposed rule would violate [the Administrative Procedure Act \(APA\), 5 U.S.C. § 706\(2\)\(A\)](#), because it is arbitrary and capricious, an abuse of discretion, and not authorized by law. **Agency actions must be grounded in statutory authority and consistent with constitutional limits on federal power.**

- **The proposed rule would violate the First Amendment rights of research institutions and researchers.**

The proposed rule would violate the freedom of speech of research institutions and researchers. It would condition federal funding on the expression of favored political speech and prohibit expression of disfavored speech, effectively politicizing and chilling the types of research they conduct by:

- Requiring all federal grant programs to align with the administration's policies and priorities. [Reference proposed 2 C.F.R. § 200.202 in your response.]
- Requiring senior political appointees, rather than career scientists, mathematicians, and engineers, to conduct a “pre-issuance review” of every discretionary grant before it is awarded. These political appointees would be expressly forbidden from deferring to peer reviewers or from routinely ratifying their recommendations. [Reference proposed 2 C.F.R. § 200.205(b) in your response.]
- Prohibiting the use of federal grant funds for any messaging that promotes or opposes a “particular social, political, or public policy position unrelated to the statutory objectives” of the award, which could include climate science, public health research, and equity research. These factors, under the administration's current policies, qualify as “divisive ideologies” that agencies would be prohibited from funding. In effect, grants would have to “demonstrably advance the President's policy priorities,” which would allow political appointees to veto any science that conflicts with the current administration's ideology. [Reference proposed 2 C.F.R. § 200.450 in your response.]

- ▶ Prohibiting federal grant funds from being used for specific research topics, including voter registration; diversity, equity, inclusion, and accessibility; gender ideology, defined as any theory that “denies the biological reality of sex or the sex binary”; gender transition for individuals under the age of 19; and attempting to influence state executive branch agencies on matters outside the precise scope of the award. [Reference proposed 2 C.F.R. §§ 200.300(b)(1)-(b)(3), 200.450(c)(1)(iii) and (c)(1)(v) in your response.]
- ▶ Allowing agencies to restrict eligibility to certain types of nonprofit organizations, such as 501(c)(3) nonprofit organizations, which are purely nonpartisan, but not 501(c)(4) nonprofit organizations, which may engage in some political activity. [Reference proposed 2 C.F.R. § 200.202(d) in your response.]
- ▶ Severely restricting public communications and outreach on research. [Reference proposed 2 C.F.R. § 200.421 in your response.]

The proposed rule would violate the freedom of assembly of research institutions and researchers by:

- ▶ Allowing agencies to deny federal funding if an applicant is a member of or affiliated with an organization that “advocate[s] for the overthrow of the United States Government” or “undermine[s] public safety or national security”. [Reference proposed 2 C.F.R. § 200.206(b)(2)(viii)], which could be interpreted to include organizations that are disfavored by the administration in your response.]
- ▶ Controlling the attendance of researchers at professional conferences and membership in professional organizations. [Reference proposed 2 C.F.R. §§ 200.432(b), 200.454 in your response.]
- ▶ Severely restricting international scientific collaboration. [Reference proposed 2 C.F.R. §§ 200.220, 200.202(e) in your response.]

The proposed rule would generally prohibit federal grants from being used to cover publication costs. Publication of research is critical for advancement and collaboration in the field. Precluding federal funding from being used for publication costs would suppress research ideas in violation of the First Amendment. [Reference proposed 2 C.F.R. § 200.461 in your response.]

- **OMB lacks the authority to promulgate the proposed rule.**

OMB is an office in the Executive Office of the President established by an act of Congress. OMB’s statutory authority prescribes the financial management functions of the Deputy Director for Management in OMB, including establishing general

management policies for executive agencies and performing financial management functions for grants. The Office of Federal Financial Management, headed by the Controller, carries out specified financial management functions, including financial management of grants, and must have experience in accounting, financial management, and financial systems.

OMB is thus authorized to establish general management policies and functions pertaining to financial processes and procedures for grants, including how grants are awarded and administered for financial accountability, but not the specific substantive aspects of grants, such as who is eligible to receive grants under a particular agency's funding authority or how grants may be spent under that authority.

None of the other statutory authorities cited by OPM in the proposed rule authorizes OPM to impose substantive requirements on award of grants, nor do they have anything to do with the proposed rule.

Further, OPM lacks the authority to promulgate the proposed rule on behalf of all federal departments and agencies. Each federal department and agency listed in the proposed rule has its own regulations governing federal grants that are issued under the governing statute of that department or agency. Listing all the federal departments and agencies and citing their grant regulations in the Federal Register notice does not remove this legal deficiency. Each federal department and agency must promulgate its own regulations under its own statutory authority. OMB lacks the authority to implement those statutes.

- **The proposed rule conflicts with the governing statutes of federal departments and agencies.**

As noted above, each of the federal departments and agencies listed in the proposed rule has its own statutory authority for issuing grants, which prescribes the scope of grants that may be issued by that federal department or agency. The proposed rule conflicts with the statutory authorities of the listed federal departments and agencies to the extent they expressly provide for funding science, mathematics, or engineering research without any political constraint or political litmus test.

For example, the National Science Foundation (NSF), not OMB, has the authority and the obligation under its statutory authority to make research grants, and the grants must support basic scientific research and programs to strengthen scientific research potential and science education. In addition, NSF, not OMB, has the authority and the obligation under its governing statute to appraise the impact of research on the general welfare. OMB lacks the authority to put a political veneer on NSF's and other federal

departments' and agencies' purely scientific, mathematical, or engineering mission.

- **The standard for making grants in the proposed rule is vague and undefined.**

The proposed rule repeatedly uses the term “Gold Standard Science” as a key criterion for awarding federal grants without defining it in any concrete or measurable way. See, e.g.:

- “In performing activities under Federal awards, applicants should commit to complying with administration policies, procedures, and guidance respecting Gold Standard Science.” [Reference Proposed 2 C.F.R. § 200.205(b)(5).]
- Discretionary awards for scientific research should include “a commitment to achieving Gold Standard Science.” [Reference proposed 2 C.F.R. § 200.205(b)(6).]
- “For science grants, agencies should prioritize institutions that have demonstrated success in implementing Gold Standard Science.” [Reference proposed 2 C.F.R. § 200.205(7).]

Because the term “Gold Standard Science” is vague and undefined, the administration would have broad, unfettered discretion to favor or disfavor researchers and institutions based on their political alignment, rather than based on the merits of their research.

The term “Gold Standard Science” is senseless because no single standard for scientific merit exists. Rather, scientific merit depends on the specific scientific field, subject matter, and research topic at issue, and it must be determined by peers, who are likewise scholars in their fields, not by political appointees who lack the requisite education, knowledge, and training to make that assessment.

Because the proposed rule relies on a term that is undefined and makes no sense, the proposed rule is arbitrary and capricious and an abuse of discretion in violation of the APA.

- **Active research grants could be terminated without any legal or factual basis.**

Legal reasons for terminating a grant include noncompliance with the grant contract or fraud. **The proposed rule would allow the federal government to terminate a grant for no legal basis and at its sole discretion, simply because termination “is in the interest of the Federal agency,” including if an award “does not effectuate program goals, Federal agency priorities, or the national interest as they exist at the time of the termination.”** This broad, vague language could be interpreted in many different and changing ways that would allow the federal government to terminate research grants

or researchers the federal government dislikes. [Reference proposed 2 C.F.R. § 200.340(a)(2) in your response.]

- **The proposed rule violates the Paperwork Reduction Act.**

[The Paperwork Reduction Act \(PRA\)](#) imposes specified procedural requirements, including public notice and comment, for a new or revised information collection by a federal agency from ten or more individuals. By establishing new or revised information collections subject to the PRA, the proposed rule fails to meet the law's procedural requirements. [For additional information on this point, see [this comment submitted by New York University's Institute for Policy Integrity](#).]

See our Action Alert for talking points to speak out against this proposed political interference in federal research funding and more details on actions YOU can take NOW.