

Subject: Public Comments on Regulations for Federal Financial Assistance
(OMB-2026-0034 / RIN 0348-AB81)

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Sections: §200.204, §200.340, §200.206, §200.332, §200.205

I write on behalf of myself as a proud citizen and taxpayer of the United States of America. I am a research scientist in planetary science at Yale who receives NASA funding. The entirety of my salary comes from U.S. government grants. I have successfully motivated and won multiple grants to study planets across our solar system, helping to understand our universe and our own planet in particular, directly benefiting the American taxpayer. I write in total and complete opposition to the proposed rule changes for the following reasons.

§200.204: Notices of funding opportunities.

First, the extension of the rule to allow for more non-competed NOFO and grant awards (§200.204—grant competitions can be exempted from public notice), so that agency heads can bypass public postings of funding opportunities, is self-contradictory to the rule's self-described goal of "Transparency, Accountability, and Oversight" (§1 Executive Summary). The public must be made aware of discretionary award opportunities for such opportunities to be transparent. The haphazard and contradictory approach within these rule changes demands withdrawal of the rule changes entirely.

§200.340: Termination and suspension.

Second, changes to §200.340 would allow for grant termination for convenience. By enabling grants to be terminated at will based on non-transparent decisions by political appointees, the already tenuous careers of individuals reliant on grants will be made more precarious. This will stifle the pursuit of novel but not immediately promising investigations, thus harming taxpayers. The increased precariousness of research careers will also impair the ability of the US to attract the most meritorious individuals to perform science that benefits the taxpayer. Instead, the individuals most able to apply for grants will be those in financial circumstances best able to withstand funding precarity, rather than those with the best ideas that most effectively advance the interests of the U.S. taxpayer.

The proposed rules are self-contradictory, as they are opposed to the stated §200.218 goal in reference to Executive Order 14281 on "Restoring Equality of Opportunity and Meritocracy." Allowing termination for convenience reverses rather than "restores" meritocracy by favoring those with independent wealth, regardless of whether a particular grant is directly terminated. Proposed OMB rule §200.340 violates Executive Order 14281.

§200.206: Federal agency review of risk posed by applicants.

Provision §200.206—Federal Agency Review of Risk Posed by Applicants states "that agencies may consider an applicant's history of questionable practices based on publicly available and verifiable information." No guidance is provided on the nature of what constitutes "questionable", other than that the information be publicly available and "verifiable". No statement is made as to what makes information verifiable. By opening such a subjective avenue for determining what a "questionable practice" is, political appointees would have wide discretion to rely on subjective and potentially factually incorrect sources.

Decisions about what is "against national security" would be non-transparent and devoid of oversight, again completely at odds with the stated goals of the proposed rule changes (§1 Executive Summary). There is no guard against a political appointee declaring a university or other benign research institute to be against national security interests based on political or personal whims.

As part of the Executive Branch, OMB is legally bound to execute the funding appropriated by Congress. Congress legislates; executive effectuates. No low-level, individual political appointee can determine, unilaterally, what is "in the national interest." Congress, as representatives of the people of the United States, collectively decides what is in the national interest by directing funding to specific agencies. OMB is obligated to fund those agencies; these rules countervail that public interest and run against the three-branch system of U.S. government.

§200.332: Requirements for pass-through entities.

The potential for First Amendment violations is even more apparent in the language of §200.332, which would require that any recipient not "take actions that could significantly damage the reputation of ... the Federal agency ... or Federal Government." What constitutes "damage" to reputation is wholly undefined and ambiguous. Because political appointees would make the determination of what damages the government's reputation, this becomes a point of political pressure and coercion of free speech. This is ripe for corruption and extortion. The clear implication would be to only do or say what the Administration deems politically acceptable, or receive no grant support.

The capriciousness with which the current administration deems an entity or product related to national security, without specific or published reasons, creates a wide loophole to punish speech that is not relevant to the grant decision-making process and is entirely at odds with the free-speech protections of the First Amendment to the U.S. Constitution. Though this is blatantly unconstitutional, the slowness with which the court system addresses OMB overreach means that if this rule is enacted, even briefly, citizens of the United States would experience immediate and irreparable harm. In combination with §200.340 enabling termination for convenience, there would be little practical recourse for adjudicating or appealing such decisions. The only remedy is for this proposed rule to be withdrawn.

§200.205: Federal agency merit review of proposals.

Decisions made by political appointees on subjective and vague standards will be less transparent than those made by peer reviewers. At present, every scientific proposal is evaluated by a panel of experts gathered from inside and outside the government, selected by civil servants. At the end of the review process, an organized review is provided to proposers, specifically indicating why a particular proposal was denied. By not providing such a transparent process, this altered political review process would obfuscate decision-making and make grant selection arbitrary. That, in turn, would waste taxpayer dollars by forcing proposers to guess how to resubmit proposals that may have been denied for political reasons.

The subjective and factually incorrect political assessments referenced by OMB are present even in the Executive Summary (§1) of the proposed rule. In attempting to cite "woke" policies, the document invokes assessments by known biased political entities that often argue without factual basis (e.g., the Heritage Foundation). The fabricated 27% funding to "far-left" perspectives appears to count any grant that even mentions outreach to underserved communities, even if such outreach is only a fractional component of the effort for one period. In disregarding its stated goal of increasing transparency, the rule fails to define "woke", allowing political appointees to redefine, through individualized and unclear decision-making, whether an award is "woke", and giving broad, unaccountable discretion to terminate and select grants. This definitionally reduces oversight of the grant-making process and results in further self-contradictions within the rule changes themselves.

Conclusion:

Should some or any of these proposed changes come into effect, the concrete harms would be immense. Individually, my ability to study and understand our planet would be harmed because I would be forced to guess what a political appointee wants, rather than what hypotheses and logic indicate. The search for factual knowledge is inherently at odds with political expediency; a choice between them is not a choice at all. Thus, placating politicians would reduce the effectiveness of taxpayer dollars because, instead of asking what most benefits the taxpayer, I must ask what will be easiest to get a political appointee to approve. Those can and WILL be diametrically opposed at times.

The United States will face irreparable harm if these rules are implemented. I demand that OMB withdraw these rule changes in their entirety. Nearly all of what these changes claim to seek is already in place, with numerous safeguards to ensure transparency and fiscal responsibility. Yet the plain text is repeatedly contradictory to its stated goals, making legal challenges almost certain to succeed. However, the interim between this rule's effective date and any injunction would create an era of lawless political corruption. No amount of tinkering with these changes will alleviate their detrimental impacts on scientific grant-making specifically, or on grant-making in all facets.

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