



August 24, 2026

Suzanne H. Plimpton
Reports Clearance Officer
National Science Foundation
Randolph Building
401 Delaney Street
Alexandria, VA 22314

RE: Agency Information Collection Activities: Comment Request; National Science Foundation Proposal/Award Information-NSF Guidance on Financial Assistance; information collection 3145-0058, docket no. NSF-2026-OTR-0001

Dear Ms. Plimpton:

On behalf of the American Council on Education (ACE) and the undersigned higher education associations, we write with deep concerns regarding the proposed revisions to the National Science Foundation (NSF) Guidance on Financial Assistance (GFA). The revisions would incorporate many of the problematic provisions included in the Office of Management and Budget's (OMB) proposed rule, which would make historic and harmful changes to the Uniform Guidance (UG) across federal agencies.¹

NSF is a key federal funder of fundamental research, supporting the development of the U.S. science, technology, engineering, and mathematics (STEM) workforce. It also advances national scientific priorities that strengthen the U.S. economy, including artificial intelligence and quantum computing. NSF awards grants to institutions across the postsecondary ecosystem, including research universities, community colleges, and historically Black colleges and universities (HBCUs).

While updating the GFA is ordinarily a routine regulatory exercise, we are concerned that this draft incorporates many provisions from OMB's proposed changes to the Uniform Guidance. ACE, along with 60 other higher education associations, strongly opposed those changes and urged OMB to withdraw the proposed rule.² Because the OMB rulemaking remains ongoing, we call on NSF to pause any GFA revisions that would incorporate provisions from the proposed rule.

In its "Summary of Changes, Overall Document Changes," NSF states that the draft seeks to align "with the proposed revisions to the Office of Management and Budget's (OMB) Uniform Guidance at 2 CFR 200 through the proposed rule published on May 29, 2026 (see 91 Fed. Reg. 32, 198, May 29, 2026)."³ Even

¹ May 29 2026 Federal Register: proposed rule on "Regulation for Federal Assistance":

<https://www.federalregister.gov/documents/2026/05/29/2026-10817/regulation-for-federal-financial-assistance>

² July 8 2026 ACE and 60 higher education associations comments to "Regulation for Federal Assistance" submitted to OMB:

<https://www.acenet.edu/Documents/Comments-OMB-Uniform-Guidance-070826.pdf>

³ NSF Guidance on Financial Assistance-Draft-For-Public Comment, Page 6, <https://www.regulations.gov/docket/NSF-2026-OTR-0001/document>

with the short turnaround time for stakeholder comments, OMB received tens of thousands of submissions. An initial analysis found that the vast majority of the comments opposed the proposed rule, expressing deep concerns about the historic changes they would make.⁴ Despite this significant stakeholder opposition, OMB indicated that the final rule will be implemented on October 1.

The NSF GFA incorporates many of the problematic provisions proposed in the OMB Uniform Guidance changes. These concerns include:

- Within the draft GFA under “Suspensions, Terminations, and Research Misconduct” the proposal seeks to align NSF policies with the termination provisions within “the proposed revisions to 2 CFR 200” which would allow for the termination of federal grants for political reasons. We reiterate our opposition to these proposed changes [§ 200.340, § 200.341, § 200.342, and § 200.343]. The OMB proposal would introduce instability into longstanding foundations of federal financial assistance, expanding agency authority to arbitrarily suspend or terminate awards based on shifting priorities, program goals, or political determinations. It would also remove the appeals process for such terminations, trampling basic due process considerations.
- The draft GFA expands restrictions on foreign collaboration through a new, expanded “malign foreign talent recruitment program” definition that is similar to the draft OMB proposal, which would greatly expand restrictions on many international partnerships that go beyond research [§ 200.220].⁵ The draft GFA broadens the term to include “programs sponsored by foreign countries of concern, certain designated foreign institutions, or organizations identified by the U.S. government as problematic foreign talent recruitment programs.” This expanded definition, which reflects the expansion being sought in the OMB draft proposal, seems to extend beyond the definition included by Congress in the CHIPS and Science Act.⁶
- The draft GFA would also restrict the use of direct and indirect cost funding for regular activities previously funded to support the scientific enterprise, including restrictions on the use of federal funding for publication costs. The GFA states that the NSF draft policy will “disallow(s) publication costs consistent with proposed revisions to 2 CFR 200.”⁷ Publication is a critical component of advancing research and scholarship and communicating findings to the scientific community and the American people. We oppose the change, but it is also inappropriate to include it as the OMB UG rule has not yet been finalized.

⁴ FYI “Proposed Grantmaking Reforms Prompt Huge, Negative Response”: <https://www.aip.org/fyi/proposed-grantmaking-reforms-prompt-huge-negative-response>

⁵ Federal Register: Regulation for Federal Financial Assistance, Section 200.220—Prohibition of Using Federal Funds for Covered Foreign Collaborations, <https://www.govinfo.gov/content/pkg/FR-2026-05-29/pdf/2026-10817.pdf>

⁶ P.L. 117-167 “CHIPS and Science Act” Sec. 10638 Definitions

⁷ NSF Guidance on Financial Assistance Draft For Public Comment, Page 7, <https://www.regulations.gov/docket/NSF-2026-OTR-0001/document>

For these reasons, we remain concerned that the draft GFA incorporates provisions from a Uniform Guidance rulemaking that has not yet been completed. We urge NSF not to finalize the GFA as drafted and to remove provisions that rely upon or implement elements of OMB's proposed rule before that rule has been finalized.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Mitchell", is shown within a rectangular box.

Ted Mitchell
President

On behalf of:

American Association of Colleges for Teacher Education
American Association of Colleges of Nursing
American Association of Collegiate Registrars and Admissions Officers
American Association of University Professors (AAUP)
American Association of Veterinary Medical Colleges
ACPA-College Student Educators International
American Council on Education
Association of Community College Trustees
Association of Governing Boards
Association of Independent California Colleges and Universities
Association of Jesuit Colleges and Universities
Association of Research Libraries
Council for Higher Education Accreditation
Council of Graduate Schools
Council of Independent Colleges
EDUCAUSE
Higher Learning Commission
Hispanic Association of Colleges and Universities
Michigan Independent Colleges & Universities
Middle States Commission on Higher Education
NAFSA: Association of International Educators
National Association of College and University Business Officers
National Association of Independent Colleges and Universities
National Council for Community and Education Partnerships
Phi Beta Kappa Society