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To: Office of Management and Budget (OMB)

Re: Regulation for Federal Financial Assistance (OMB-2026-0034)

The American Council of Learned Societies (ACLS) submits the following comments on the proposed Regulation for Federal Financial Assistance (docket OMB-20206-0034). Founded in 1919, ACLS is a federation of 85 professional academic societies whose membership includes over 200 colleges, universities, research libraries, research centers, and other national organizations supporting humanistic scholarship and the liberal arts. We distribute over \$21 million in competitive grants and fellowships to hundreds of scholars each year; we work to increase the resilience of academic policy and culture in the humanities and social sciences; and we advocate for the value of humanistic research and teaching. We played a leading role in the establishment of the National Endowment for the Humanities in 1965, because we believe that humanistic scholarship is a key element of the public trust.

On the basis of our longstanding position as a leader in and voice for humanistic scholarship, ACLS strongly opposes key parts of the proposed changes to the Guidance for Federal Financial Assistance. We urge the Office to withdraw the proposal. We believe the proposed alterations to the current Guidance would distort and damage American public knowledge by politicizing the grant process and by weakening international collaboration. They undermine the academic freedom that has made the United States a beacon for scholars and scientists all over the world for generations.

The summary of the proposed changes to the Guidance explains that the OMB is motivated by the desire to improve transparency, accountability, and oversight in federal funding. The evidence suggests the contrary. Should the proposal go forward, the results will be confusion, instability, and above all improper overreach by the heavy hand of government into free scholarly and scientific investigation.

We acknowledge the many concerns that have already been raised by thousands of individuals and organizations in the ACLS community and beyond, including all fields in the research community. While we are deeply concerned about the proposal in its entirety, we concentrate on the sections that most directly affect research and scholarship in the humanities and social sciences.

[200.202(e)] Program Planning and Design

The proposed amendment would require that all federally funded projects demonstrate that they advance the “national interest of the United States” and declares that “international elements may be included only if the Federal agency determines that such elements are justified, consistent with program objectives, and in the national interest of the United States.” The current Uniform Guidance imposes no such requirement.

The United States has proudly funded international scholarly collaborations for decades. The study of trade, commerce, technology, and international relations are a few select examples of areas where a government-mandated “domestic-first” approach would limit scholars’ access to evidence and risk slanting the results. Also, the proposal does not define the “national interest,” which creates an irresolvable compliance problem. Under the proposed rules, the government could conclude that a citizen of a non-US nation be ineligible for inclusion in a federally funded project simply because a government official claimed ideological grounds on which to do so. This recalls the efforts by governments behind the Iron Curtain to crack down on international scholarly exchanges in history, philosophy, political science, and other fields because cross-border conversation among scholars was deemed dangerous to the Communist regime.

Federal funding agencies have long encouraged international engagement with non-US partners, including universities, governments, and multilateral organizations, on the grounds that, according to the NEH’s own website, they foster “global understanding.” We urge the OMB to remove this requirement.

[200.205] Federal Agency Review of Merit of Proposals

The proposed rule would require every federal agency to designate a senior political appointee to conduct a “pre-issuance review” of all discretionary awards to ensure that they are consistent with the “national interest,” that they advance “the President’s policy priorities,” and that they do not “promote anti-American values.” All peer review recommendations must remain advisory to the judgment of the political appointee and cannot be “routinely deferred to, or otherwise treated as de facto binding by senior appointees or their designees.”

We oppose the proposed amendment because it would submit subject-area expertise to a political and ideological litmus test. Peer review by qualified experts provides solid accountability to the American people. Over the past year, the nation saw firsthand the results of handing over peer review to non-experts hired by the Department of Government Efficiency (DOGE). Lacking expertise in scholarly review or in any relevant subject area, two DOGE employees relied on ChatGPT to search descriptions of over 1400 grants awarded by the National Endowment for the Humanities (NEH) for evidence that they supported “DEI.” The resulting recommendations terminated research on major topics in American culture and world history, including the

Holocaust. The ChatGPT debacle exposes the destructive power of ideological tests. (In May 2026, thanks to a lawsuit brought by ACLS and our co-plaintiffs, the American Historical Association and the Modern Language Association, a federal judge ruled that the termination of the NEH grants was unlawful and unconstitutional.)

We are concerned about the growing inclination of government officials to attack the study of certain topics in American history and culture, particularly related to historically marginalized groups. Slavery is one example. The Slave Voyages website offers records about the origins and forced transportation of more than twelve million Africans across the Atlantic and within the Americas. Funded partly by the NEH, it is the collaborative effort of dozens of researchers working in libraries and archives around the world—one of many such initiatives collecting empirical evidence that helps tell the truth about our history. By empowering political appointees to ignore peer review and gag research, the proposed rule will weaken Americans’ ability to understand themselves and the world around them and to participate robustly in the democratic process.

High attendance at museums, library exhibits, and movies about past societies as well as educational choices and book sales are proof that Americans in all walks of life find knowledge about the ancient and recent past valuable and meaningful. The Pleiades is an example of an ambitious citizen humanities reference work funded by the NEH that draws on experts in many countries to gather evidence in archaeology and literary texts that illuminates the global ancient experience. The Perseus Digital Library and the Duke Databank of Documentary Papyri are further examples of outstanding academic scholarship that preserves, annotates, and analyzes texts in order to make them accessible to future generations. We are concerned that the proposed regulation would allow political appointees to apply the requirement that funded research advance the “national interest” and “the President’s policy priorities” very narrowly, potentially placing (among other areas) research into premodern societies and cultures at risk.

We also note that designating a political appointee to review all proposed grants is unworkable in practical terms. In FY 2025, to take one example, the Department of Education awarded more than 1800 competitive grants in the final three months of the fiscal year. The Department’s Office of Postsecondary Education (OPE) estimates that a peer reviewer devotes “three to seven hours” reviewing each application—meaning thousands of hours in total. Were the agency to substitute expert review with a cursory political test lasting fifteen minutes, it would still take many weeks, making it impossible for agencies to disburse funds appropriated by Congress. We urge OMB to withdraw this provision.

[200.300(b)] Statutory and National Policy Requirements

The proposed section would require that federal awards are not used to fund or otherwise promote “diversity, equity, and inclusion (DEI) or diversity, equity, inclusion, and accessibility (DEIA) politics, principles, or practices that violate federal anti-discrimination laws.” Unlawful

discrimination is already banned under the current Guidance. This section is vague and redundant and, thus, should be withdrawn.

[200.339] Remedies for Noncompliance

This proposed change allows a federal agency, at its discretion, to “cooperate with individuals or organizations in pursuing their own private cause of action or remedies” against awardees who are viewed as out of alignment with the terms and conditions of their awards. Federal agencies already have processes and mechanisms to address fraud. We are concerned that this change would encourage politically motivated harassment of scholars and thus would prevent free inquiry. We strongly urge OMB to withdraw this provision.

[200.340] Termination and Suspension

The proposal would permit federal agencies to terminate awards at their discretion if an award does not effectuate “the national interest” at the time of termination. Current Uniform Guidance limits termination to noncompliance, mutual agreement, or statutory authority. The new rule means that awards made in one Administration could be immediately terminated by the next. Most federal grants are awarded for multiple years because much meaningful scholarly work takes time to complete. The uncertainty resulting from this rule change would wreak heavy reputational damage on the American research enterprise and destroy both individual projects and career trajectories. It will shrink the pool of applicants and narrow the breadth of expertise contributing to the public good. It will place scholars, administrators, teachers, and groups under a cloud of uncertainty and worry. The proposed rule will waste taxpayer dollars by making federal funding commitments subject to abrupt termination. We urge OMB to withdraw this provision.

[200.432] Conferences

[200.454] Memberships, Subscriptions, and Professional Activity Costs

[200.461] Publication and Printing Costs

Producing knowledge involves a range of investigative and analytic processes. Circulating knowledge involves a range of other processes. The dissemination of research is crucial to the public good. Funding for conference organizing and attendance, for membership dues, for subscriptions to academic journals and other scholarly material, and for the costs of publication are all core to the knowledge enterprise. The proposed rules would prevent federal funds from being used for these activities, thereby compromising the dissemination of research results—including those funded by the federal government.

In 2024, an estimated over \$1 billion was spent by ARL member libraries on institutional subscriptions, including open access publication fees. The Association of Research Libraries estimates that disallowing these costs would reduce their collection budgets by 20-30%, limiting

access to resources on which federally funded researchers rely. We also object to the claim that publication costs are “not inherently necessary to carry out the core programmatic objects of most Federal awards.” Public access to the results of federally funded research is a critically important return on investment for American taxpayers. We urge OMB to withdraw these provisions.

In conclusion: please contact ACLS if you have questions about these comments at president@acsls.org. My colleagues and I look forward to working with you on advancing research and scholarship that enriches American public knowledge.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joy Connolly", written over a thin horizontal line.

Joy Connolly