



OFFICE OF THE PRESIDENT
California Digital Library

1111 Franklin Street
Oakland, California 94607

July 6, 2026

Russell Vought, Director
Office of Management and Budget
725 17th Street NW
Washington, DC 20503

RE: University of California Curation Center, California Digital Library Comments on Proposed Rule,
Regulation for Federal Financial Assistance, 91 Fed. Reg. 32198 (May 29, 2026) (Docket ID No. OMB-
2026-0034)

Dear Director,

The University of California Curation Center (UC3) at the California Digital Library (CDL) submits these comments on the proposed revisions to 2 CFR Part 200. UC3 is a program of the California Digital Library, a unit of the University of California Office of the President. We build and operate shared research data infrastructure, including persistent identifier systems, data repositories, and data management planning tools used not only across the UC system but also by US federal agencies and hundreds of international research organizations. This is infrastructure that institutions depend on to meet the public access and data-sharing requirements that federal agencies have put in place. We write to oppose several specific provisions that would directly undermine federally funded research infrastructure and public-access mandates.

(§§ 200.101, 200.106, 200.110) Structural Changes to the Rule

We are concerned by the proposal to fundamentally alter how Uniform Guidance is implemented by converting 2 CFR Part 200 from guidance into a binding OMB regulation effective government-wide on a single date. This shift would also eliminate agencies' ability to interpret and adapt Uniform Guidance to the needs of their own award portfolios. Agencies like NSF and IMLS rely on that flexibility to administer programs such as the data infrastructure awards that UC3 depends on, which don't fit a one-size-fits-all administrative model. Converting guidance into a single binding regulation removes that adaptive capacity. This change would also eliminate the implementation process that has historically given institutions time to prepare and provided opportunities for sector-specific input. Each of the concerns below is made more serious by that change. We urge OMB not to move forward with the proposed change to reclassify 2 CFR Part 200 from guidance to regulation and instead retain the existing framework that requires agency-specific adoption of OMB guidance.

We address specific provisions by section number below.

1. Removing funding for publication costs (§200.461) conflicts with existing federal public access requirements. The proposed rule would make publication costs, including article processing charges and open access fees, unallowable. This provision undermines the 2022 OSTP memorandum "Ensuring Free, Immediate, and Equitable Access to Federally Funded Research" and the public access plans that federal agencies have adopted in response to it.

Under the federal open access policies, recipients are expected to make peer-reviewed publications resulting from federally funded research freely and immediately available to the public. Yet the proposed rule would make unallowable the publication costs that are frequently necessary to meet those requirements. Cost principles should facilitate compliance with federal requirements, not prohibit recipients from charging the ordinary costs of compliance to their awards. By treating publication costs as presumptively unallowable, the proposal creates a disconnect between the government's public access policy and the rules governing the allowability of research costs. The proposed rule does provide for exceptions, either through a specific mandate or case-by-case agency pre-approval. But this is not workable. Open access publication is not an occasional edge case requiring individual exception; it is a routine compliance obligation for every federally funded researcher who publishes. Building an exception-request process around a universal requirement has it backward: the presumption should be that publication and open access costs are allowable rather than requiring recipients to justify them on an exception basis.

We urge OMB to withdraw the proposed revisions to § 200.461 and preserve the allowability of publication and open access costs.

2. Discretionary termination (§200.340) would undermine long-term infrastructure investment.

The proposed rule codifies and expands the authority to terminate active awards when a project is deemed inconsistent with program goals or agency priorities, without requiring a finding of noncompliance.

Researchers and institutions hire staff, make commitments to participants, and design multi-year programs around the trust that a funded award will run its course. A funder who can walk away at will due to shifting priorities is not a partner that infrastructure builders can responsibly plan around. We urge OMB to establish clear constraints on mid-award termination and, at a minimum, require a specific finding tied to noncompliance, material change in circumstances, or mutual agreement, rather than the open-ended policy proposed here.

3. The foreign collaboration prohibition (§200.220) and domestic-first framework (§200.202(e)) would sever U.S. infrastructure from the global systems it must interoperate with.

Infrastructure supporting research data is inherently international. The DOI system, the persistent identifier graph, and the registration agencies that UC3 participates in were built to operate globally; that's what makes them useful to U.S. researchers in the first place. The standards bodies that define how these systems work draw participation from around the world, and UC3's seat at those tables is a core part of how we do our job. Presumptively disfavoring any international element would cut U.S. infrastructure providers off from the very systems that make our services function and that U.S. research depends on for national and international interoperability. The effect would not be to protect U.S. research; it would be to isolate it.

We urge OMB to strike the revisions to §200.220 and §200.202(e), or at the very least, narrow them to identified national security concerns.

4. Journal subscriptions and conference attendance (§200.454, §200.432) are core to developing and maintaining research infrastructure. The proposed rule makes journal subscriptions unallowable and requires that conference attendance be expressly approved by the federal agency and written into award terms at the time of issuance. This means that conferences not anticipated when the award was made (which would include the majority of conferences) cannot easily be added later.

For infrastructure teams, these are not optional resources. The technical literature is how we track evolving standards. Community convenings are where fundamental technical decisions are made, and findings shared to the broader scientific community. Cutting U.S. research data infrastructure experts off from these resources does not reduce waste; it results in a U.S. infrastructure landscape that falls behind the standards it is supposed to implement, and limits the impact of U.S. science across the world.

We urge OMB not to move forward with the proposed revisions to §§ 200.454 and 200.432, and to restore the existing framework under which subscriptions and conference attendance are allowable when reasonable and allocable to the award, and to remove the pre-approval requirement for conferences.

5. Political pre-issuance review (§200.205) substitutes ideology for expertise in award decisions.

Requiring senior political appointees to personally review every discretionary award before it is granted and confirm that funded awards affirmatively advance the President's policy priorities departs from the merit-based system that Congress has funded and relied upon for decades. Federal research awards exist because Congress determined that expert evaluation yields better outcomes than political judgment, and that this structure has helped keep scientific research nonpartisan.

The proposal's real departure is not that peer review is advisory; agencies have long retained ultimate discretion over award decisions, and program officers have always made judgment calls peer reviewers don't. What's new is the requirement that a senior political appointee review and sign off on every discretionary award, displacing the program officers and expert reviewers. That moves day-to-day funding decisions away from the people who understand the science and the field, and toward appointees who answer to shifting political priorities, with no indication of how agencies are expected to staff or resource a personal, per-award review at this scale.

We urge OMB to withdraw the mandatory political review requirement and to preserve agency discretion where it has traditionally resided rather than centralizing that judgment in political appointees.

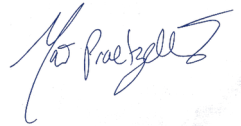
For an organization like UC3, whose mission depends on internationally connected infrastructure, the cumulative effect of this proposed rule would be devastating not only to our operations but also to the federal public access mandates our infrastructure was built to serve.

The University of California Curation Center urges OMB not to finalize the rule as proposed and, at a minimum, to strike or substantially narrow §§200.461, 200.340, 200.220, 200.202(e), 200.454, 200.432, and 200.205. We would welcome the opportunity to discuss the infrastructure dependencies we have described with OMB staff and can provide technical details on any of the points raised here.

Sincerely,

John J. Chodacki

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