

July 13, 2026

Russell T. Vought
Director
The Office of Management and Budget
725 17th Street NW
Washington, D.C. 20503

Re: Comments on the Proposed Rule, Regulations for Federal Financial Assistance
Docket No. OMB-2026-0034; RIN 0348-AB81

Dear Director Vought:

Thank you for the opportunity to comment on the proposed revisions to the Guidance for Federal Financial Assistance, 2 CFR Part 200 (OMB-2026-0034; 91 FR 32198).

The American Society for Parenteral and Enteral Nutrition (ASPEN) is an interprofessional association of more than 6,000 dietitians, physicians, pharmacists, nurses, advanced practice providers, and research professionals who care for people who require clinical nutrition support. Nutrition support can be in the form of parenteral (IV), enteral (via tubes in the GI tract), and/or specialized oral nutrition. ASPEN is dedicated to identifying and treating malnutrition, especially in hospitalized patients.

ASPEN is the global authority in advancing the science and practice of clinical nutrition and comprehensive nutrition support. We improve patient outcomes across the continuum of care—from the most vulnerable premature infants to older adults—in hospitals, outpatient settings, and beyond. Supported by federal research funding, ASPEN members drive groundbreaking research and develop evidence-based clinical guidance to transform the treatment of complex medical conditions through nutrition.

As a highly specialized subspecialty organization, ASPEN has strategically leveraged targeted federal funding to advance essential clinical dialogue through education at our annual Nutrition Science and Practice conference. Many of our members are leading researchers working in a vital, rapidly evolving medical subspecialty who rely on federal awards to advance the science of clinical nutrition and nutrition support, directly impacting malnourished patients and those with complex medical and surgical conditions.

The federal award system is the backbone of U.S. scientific research, providing the vital connection between funding, institutional capacity, and innovation. As currently written, these proposed regulatory changes would impose significant new administrative burdens on researchers, diverting time and resources away from discovery. While many aspects of the proposal warrant concern, several specific provisions pose immediate and substantial risks that could impede critical nutrition research and slow the development of evidence-based interventions focused on improving patient care.

- **[§ 200.202(d)]** OMB proposes to add a paragraph explaining that Federal Agencies may, to the extent permitted by law, restrict eligibility among different types of nonprofit organizations.

- As written, the proposed restriction lacks both clarity and justification by failing to specify eligibility criteria or provide a reasoned basis for their exclusion. The proposed restriction leaves nonprofit organizations in an indeterminate state. This provision requires clarification and specificity before implementation.
- **[§ 200.202(e); § 200.220]** OMB proposes to add a paragraph governing eligibility and the use of international elements in Federal research and development awards. Federal funds could not support collaborations with covered foreign countries or entities. Awards to foreign entities would require statutory authorization or a senior appointee determination of compelling agency and national priorities.
 - ASPEN has worked with the FDA to cosponsor international speakers to address nutrition issues and share expertise that we did not have here in the US. Example 2013 ASPEN FDA conference: Teitelbaum DH, Guenter P, Griebel D, Abrams SA, Bark S, Baker M, et al. Proceedings from FDA/A.S.P.E.N. public workshop: clinical trial design for intravenous fat emulsion products, October 29, 2013. *JPEN J Parenter Enteral Nutr.* 2015; 39(7):768-786. This type of collaboration will not be possible if eligibility and international collaboration are not permitted.
- **[§ 200.205]:** OMB's proposed change: Senior political appointees would review every discretionary award against criteria including whether it "demonstrably advance[s] the President's policy priorities" and avoids "anti-American values". Discretionary awards advance the President's policy priorities, and applicants are required to demonstrate adherence to "Gold Standard Science" as defined in [Executive Order 14303](#). Peer review would become advisory and would not replace agency discretion.
 - ASPEN members research and treat malnutrition, "the fastest-growing cause of death in America," as noted in a January 5, 2026, Washington Post article. Based on an analysis of death certificate data from the Centers for Disease Control and Prevention, deaths from malnutrition are "rising so fast that it's now in the same league as arterial disease, mental disorders, and deaths from assault." Additionally, it notes that "Americans 85 or older die of malnutrition at around 60 times the rate of the rest of the population, and such deaths are rising about twice as fast among that group." Yet malnutrition is not a policy priority, nor will it be under senior political appointees who will review every discretionary award against undefined criteria.
 - The use of senior political appointees instead of a scientific peer-review process in the name of 'policy priorities' jeopardizes the integrity of the process and the guarantee that the rigors of good science are what is weighed and funded. It is important that the established system for funding scientific research incorporates scientists' knowledge and expertise in a specific area. It is also important that funding be awarded to science directed toward improving health at the population level, which is best critiqued by peer researchers. It is imperative that peer review not become advisory but remain an integral component of the process.
- **[§ 200.219]** OMB's proposed change: Recipients, including private organizations, for federally funded activities, could not "discriminate" by viewpoint in providing event services, with liability for policies having the "purpose or effect" of suppressing expression and for "unreasonable" fees or security costs.
 - As the sole organizer of the annual Nutrition Science and Practice conference, ASPEN manages everything from speaker selection to event security. Enforcing vague federal speech-regulation standards strips away our operational control, forcing us to navigate shifting compliance rules that jeopardize the quality and execution of our flagship event, which focuses on disseminating evidence-based knowledge derived from research funding.

- **[§ 200.340 – §200.343]** OMB's proposed change: Every discretionary award would have to permit termination whenever the agency deems it in the government's interest (including by class of awards), with only brief explanations, no hearing rights, 90-day stop-work authority, and wind-down cost recovery left to agency discretion.
 - Sudden grant termination without due process or financial safeguards injects destabilizing uncertainty into the research community. Because meaningful scientific progress requires meticulous, multi-year planning, the threat of immediate cancellation due to fluid agency goals paralyzes long-term innovation and jeopardizes the development of new knowledge, thereby impacting patient care and safety for those enrolled in ongoing clinical trials. Abrupt termination of research activities can result in significant loss of valuable findings and federal investment. Without cost protections or an appeal mechanism, researchers and participants are left exposed, stifling the very progress these programs are designed to foster.
- **[§ 200.432]** OMB's proposed change: Add a requirement that costs for attending conferences are allowable only if participation in the conference is expressly approved by the agency and included in the terms and conditions of the award.
 - This proposed requirement introduces a severe logistical bottleneck. Because awards, including their terms and conditions, are finalized before researchers can select the optimal conference to present their findings, the system is fundamentally misaligned with scientific meeting processes and timelines. The proposed change will inhibit the sharing of research findings and limit training opportunities for young investigators at conferences. Without a change, agencies will face a compounding backlog of continuous award amendments to keep pace with conference schedules. Rather than micro-managing event-by-event approvals, a far more efficient alternative is to approve a dedicated conference budget category at the time of the initial award. This maintains financial oversight while eliminating unnecessary administrative burden.
- **[§ 200.454]:** OMB proposed change: Clarifies that the only allowable costs under this section are those necessary to fulfill the award requirements.
 - Restricting journal subscriptions cuts researchers off from current scientific discovery. Even more damaging is the ban on professional membership dues. These dues aren't just line items; they are investments in young investigators aiming to launch their careers through collaboration and interaction with senior investigators and clinicians who are experts in their chosen field of study. For societies like ASPEN, memberships are the major mechanism we use to unite the research community, stress-test data through peer review, and spark the interprofessional, multidisciplinary collaborations that cure diseases. Forcing scientists to navigate an agency approval process stalls progress.
- **[§ 200.461 (with § 200.421 and § 200.461)]** OMB's proposed change: Publication expenses would generally be unallowable except when specifically authorized or required by statute. Page charges, article processing charges, and open-access fees would become unallowable unless required by statute or approved on a case-by-case basis.
 - Science cannot advance in a vacuum. True progress relies on a continuous loop of transparent dissemination and rigorous peer review. This change also appears to conflict with the 2022 White House Office of Science & Technology Policy (OSTP) mandate that all federally funded research publications be freely and publicly available to everyone upon publication, as referenced for this section. ASPEN respectfully requests that OMB resolve this conflict prior to finalizing the proposed rule.

- As a global leader in clinical nutrition and nutrition support, ASPEN drives scientific exchange through our flagship journals, the *Journal of Parenteral and Enteral Nutrition (JPEN)* and *Nutrition in Clinical Practice (NCP)*. We deliver critical, evidence-based insights that empower clinicians and directly optimize patient outcomes, while also providing a foundation for developing new research inquiries to advance the science and our knowledge. Restricting publication expenses will impede progress and thwart the support needed to ensure dissemination.

The proposed regulations do more than revise administrative policy—they risk undermining the foundational principles that have made the United States the global leader in scientific discovery, medical innovation, and advancements that promote the high standards, quality, and outstanding patient care we are known for.

Moreover, Congress appropriates federal research funding with carefully defined statutory requirements and expectations. The proposed revisions appear to impose additional conditions through rulemaking, creating uncertainty about how these new requirements will interact with congressional intent and existing funding obligations. Such uncertainty threatens the predictability and stability that researchers and institutions require to conduct high-quality, federally funded scientific inquiry.

To safeguard patient health, scientific integrity, and America's continued leadership in biomedical research, ASPEN respectfully urges OMB to withdraw these provisions as currently drafted. We encourage the development of revisions that strengthen accountability while preserving the established, evidence-based research framework that has driven decades of groundbreaking discoveries, improved patient outcomes, and advanced nutrition science for the benefit of all United States citizens.

On behalf of the ASPEN membership, thank you for considering these comments.

Sincerely,

Sharon Y. Irving

Sharon Y. Irving, PhD, RN, CRNP, FCCM, FNAP, FAAN, FASPEN
President
American Society for Parenteral and Enteral Nutrition (ASPEN)