



July 13, 2026

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

**Re: Office of Management and Budget Proposed Rule Revising the Uniform Guidance for Federal Financial Assistance (RIN 0348-AB88)**

Dear Director Vought,

The American Association of People with Disabilities (AAPD) and the 39 undersigned organizations submit the following comments in response to the Office of Management and Budget's (OMB) proposed revisions to the Uniform Guidance governing federal financial assistance.

Federal financial assistance is central to the nation's disability infrastructure, supporting direct services, independent living, civil rights enforcement, systems advocacy, research, technical assistance, and community-based services.

We support effective stewardship of federal funds. However, we are concerned that the proposed rule:

1. Expands agency discretion in ways that may blur statutory limits on federal grant programs;
2. Uses broadly defined concepts such as "authorized public purpose" without sufficient clarity;
3. Creates uncertainty regarding permissible activities under federal awards;
4. Risks chilling lawful and Congressionally authorized activities, including advocacy, systems analysis, and research;
5. Expands enforcement authority without corresponding procedural safeguards; and
6. May adversely affect nonprofit and disability-led organizations that rely on stable and predictable federal funding.

## **Risk of Chilling Effects on Lawful and Congressionally Authorized Activities**

Many disability programs are required to engage in systems advocacy, independent evaluation, public education, and technical assistance. These activities include but are not limited to:

- Identifying barriers to accessibility;
- Evaluating public program implementation;
- Conducting independent research and evaluation;
- Recommending system improvements;
- Supporting transitions to community-based services;
- Engaging stakeholders and beneficiaries; and
- Providing technical assistance to public agencies;
- Providing technical assistance to employers, educators, private citizens, and more on reasonable accommodations, compliance, and implementation of best practices and programs.

These functions are integral to statutory program design and should not be placed at risk through ambiguous grant administration standards.

We are concerned that broadly defined or shifting interpretations of grant purposes could discourage recipients from engaging in activities that are central to program effectiveness.

## **Statutory Limits and Congressional Authority**

Congress, not the executive branch, defines the scope and purpose of federal grant programs. Agencies administer those programs consistent with statutory authority. AAPD and the undersigned organizations are concerned that the proposed rule could be interpreted as allowing agencies to effectively expand or redefine grant purposes through administrative discretion. The final rule should clearly reaffirm that the Uniform Guidance does not create independent authority to impose substantive grant conditions beyond those authorized by Congress.

## **Spending Clause Notice Requirements**

Under Spending Clause principles, federal grant conditions must be clear and unambiguous so recipients may knowingly accept funding obligations. Broad or undefined terms such as “authorized public purpose” may fail to provide sufficient notice if not clearly defined. OMB should ensure that all grant conditions are defined with sufficient specificity to provide clear notice to recipients at the time of award.

## **Administrative Procedure Act Requirements**

The Administrative Procedure Act requires reasoned, non-arbitrary agency decision-making. The proposed expansion of discretion over award interpretation, compliance determinations, and termination or suspension decisions raises concerns regarding inconsistent application across agencies and programs. OMB should ensure that enforcement decisions are governed by objective standards and supported by clear reasoning tied to statutory or regulatory authority.

## **Due Process Protections**

Grant terminations, suspensions, or recoveries can have immediate and severe impacts on service delivery and program continuity. To minimize negative impacts on individuals receiving services, we recommend that the final rule ensure grant recipients receive:

- Timely and specific notice of alleged deficiencies;
- Opportunity to respond and cure where appropriate;
- Access to meaningful administrative review; and
- Clear standards governing enforcement actions.

## **Preservation of Federal Disability Civil Rights Laws**

Federal financial assistance is a mechanism for implementing disability rights laws, including:

- The Americans with Disabilities Act (ADA);
- Section 504 of the Rehabilitation Act;
- The Individuals with Disabilities Education Act (IDEA);
- The Assistive Technology Act; and
- The Developmental Disabilities Assistance and Bill of Rights Act.

Recipients routinely engage in activities necessary to comply with these statutes, including accessibility planning, reasonable accommodations, disability data collection, and inclusion initiatives. OMB should explicitly state that nothing in the final rule authorizes agencies to restrict, penalize, or disfavor activities undertaken in good faith compliance with federal civil rights obligations.

## **Impacts on Nonprofit Independence**

Federal grants sustain a broader civil society infrastructure that includes nonprofit organizations, research institutions, and community-based service providers. These

organizations deliver Congressionally funded services while simultaneously providing independent expertise, evaluation, and feedback that help improve federal programs.

We are concerned that expanded discretionary authority, combined with ambiguity in grant purposes, may discourage candid program evaluation, reduce willingness to identify systemic deficiencies, and reduce innovation in service delivery and systems change. These effects could be particularly significant for disability-led organizations and nonprofit entities serving people with disabilities.

## **Recommendations**

We, the undersigned, respectfully recommend that OMB:

1. Clarify that the Uniform Guidance does not create independent authority to impose substantive grant conditions beyond those authorized by Congress.
2. Define key terms, including “authorized public purpose,” with objective and measurable criteria.
3. Require agencies to identify specific statutory or regulatory authority for enforcement actions.
4. Strengthen procedural protections prior to suspension, termination, or recovery of funds.
5. Explicitly preserve activities undertaken to comply with ADA, Section 504, IDEA, and related civil rights statutes.
6. Clarify that lawful advocacy, stakeholder engagement, research, technical assistance, and public education consistent with statutory purposes remain permissible grant-funded activities.
7. Promote consistency across agencies in interpreting and enforcing grant requirements.
8. Require transparency and documentation for significant enforcement actions.

The disability community strongly supports efforts to strengthen accountability and transparency in federal financial assistance. However, such efforts must remain consistent with statutory limits, Congressional intent, and the need for clear and stable grant conditions.

The disability infrastructure supported by federal financial assistance depends on a stable partnership between government agencies and nonprofit organizations that can provide both services and independent expertise. That partnership is essential to ensure that federal programs effectively serve people with disabilities.

We respectfully urge OMB to revise the proposed rule to address the concerns outlined above and to ensure that federal grantmaking continues to promote clarity, accountability, and the advancement of disability rights.

Sincerely,

American Association of People with Disabilities  
Ability360  
Able South Carolina  
Access Living  
Access to Independence  
AdLib Inc.  
Allies for Independence  
American Association on Health and Disability  
Association of Assistive Technology Act Programs  
Association of People Supporting Employment First (APSE)  
Boston Center for Independent Living  
Center for Public Representation  
Clearinghouse on Women's Issues  
Council of Parent Attorneys and Advocates (COPAA)  
Disability Policy Consortium  
disAbility Resource Center (dba) AccessA  
Disability Resource Center, Inc.  
Disability Rights Education and Defense Fund  
Easterseals, Inc.  
Equality California  
Feminist Majority Foundation  
Lakeshore Foundation  
MetroWest Center for Independent Living  
National Alliance for Caregiving  
National Association for Partnerships in Equity  
National Association of Councils on Developmental Disabilities  
National Council on Independent Living  
National Disability Rights Network (NDRN)  
National PLACE  
OCR Alumni Collective  
Paralyzed Veterans of America  
REACH, Inc.  
Stavros Center for Independent  
The Arc of South Carolina

The Partnership for Inclusive Disaster Strategies

Together SC

United Spinal Association

Women's Rights and Empowerment Network

World Institute on Disability

Your Access Advocates