

Appendix
Comparison of Key Provisions of 2 C.F.R. Part 200
Current Uniform Guidance vs. Proposed Uniform Grants Regulation

Topic/Provision	Current Rule ¹	Proposed Change ²	Practical Impact for Recipients
<i>Regulatory Status</i> <i>§§ 200.101(d), 106, 110(a)</i>	2 C.F.R. Part 200 classified as guidance. Federal agencies must implement Part 200 through their own regulations at Part 300 before operational.	Reclassified as OMB regulation (“Uniform Grants Regulation”). Future OMB amendments take effect government-wide without individual agency rulemakings. Agencies retain authority for supplemental requirements.	Changes may take effect more quickly. Monitor OMB rulemaking activity.
<i>English Language Requirements</i> <i>§ 200.111</i>	Announcements, applications, and awards “should” be in English. Agencies may translate; applications/reports may be submitted in other languages if specified in Notice of Funding Opportunity (NOFO).	All materials “must” be in English. Translation provisions and non-English submission options deleted.	Institutions must submit award materials in English. Given silence, unclear whether may also submit certain award materials in other languages, in addition to English version, to the extent applicable to an award.
<i>Conflicts of Interest Disclosures</i> <i>§ 200.112</i>	Recipients must disclose potential conflicts of interest.	In addition, recipients must disclose employees who worked on application or will work on award and were employed by awarding agency in preceding two years. Informational only.	Implement processes to identify and disclose to federal funding agencies those employees with prior agency employment at application stage.
<i>Mandatory Disclosures</i> <i>§ 200.113</i>	Requires disclosure of fraud/misconduct to agency Office of Inspector General (OIG).	OIG must transmit disclosures to U.S. Attorney’s Office for the District of Columbia within 10 days of receipt.	Accelerates prosecutorial referrals. Ensure robust compliance reporting.

¹ 2 C.F.R. Part 200.

² The proposed rule published in the Federal Register on May 29, 2026 as 91 Fed. Reg. 32,198, available at <https://www.federalregister.gov/documents/2026/05/29/2026-10817/regulation-for-federal-financial-assistance>.

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Fixed Amount Awards <i>§ 200.201(b)</i>	Agencies may use fixed amount awards for certain grants.	Eliminates fixed amount awards unless otherwise authorized by statute.	All awards will require cost-reimbursement structure with full financial reporting.
Domestic-First R&D Framework <i>§ 200.202(e)</i>	No comparable provision.	R&D awards must go to U.S. entities. Foreign awards only where statutorily authorized or agency head finds compelling interest. International elements require justification: scientific necessity, unique resources unavailable domestically, U.S. benefit, and foreign site capacity. Foreign subrecipients/contractors remain permissible under U.S. prime awards.	International collaborations require documented justification. Foreign subrecipients/contractors permissible but expect heightened scrutiny.
Notices of Funding Opportunities <i>§ 200.204</i>	Agencies must announce “openly competed” opportunities. Pre-application materials optional. Executive summary “should” not exceed 500 words. 60-day availability recommended, 30-day minimum.	Federal agencies must post on Grants.gov. May allow open, limited, or non-competitive selection. New Statement of Interest (SOI) screening encouraged. Executive summary “must” not exceed 500 words. 30-day availability minimum now mandatory. “Underserved communities” references removed.	Use Grants.gov. SOI may add preliminary screening. Non-competitive awards now expressly permitted.
Pre-Issuance Review <i>§ 200.205</i>	Merit review process required for all discretionary awards to select recipients most likely to deliver results based on program objectives (e.g., peer review process). Review must follow written agency standards identifying required participants and providing opportunities for diverse participation, including underserved communities. No political appointee review layer.	Federal agency heads must designate senior appointees to conduct pre-issuance review of all discretionary awards to ensure consistency with applicable law, agency priorities, and national interest. Review principles include: awards must advance presidential policy priorities; must not fund racial preferences, denial of sex binary, illegal immigration, or initiatives compromising public safety; preference for lower indirect cost rates; broad range of recipients; Gold Standard Science commitments; and success benchmarks. Peer review is advisory only and must not be ministerially ratified or	Institutions should anticipate senior appointee review of discretionary award proposals against enumerated policy criteria. Award applications should address alignment with presidential priorities, Gold Standard Science commitments, and success benchmarks. Institutions with lower indirect cost rates may receive preference; institutions with higher negotiated indirect cost rates may face a competitive disadvantage. Agencies may decline to issue awards from a

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		routinely deferred to by senior appointees.	NOFO if proposals are inconsistent with these principles.
<i>Applicant Risk Assessment</i> § 200.206	Agencies consider financial stability, management systems, performance history, audit reports, and ability to implement requirements. No timing requirement specified for risk assessment.	Risk assessment must be conducted no earlier than 30 days before award decision. Adds new factors: financial capacity for high-dollar awards; prior performance evaluated solely on outcomes (positive and negative weighted equally); history of questionable practices (plagiarism, discredited/non-replicable studies, activities inconsistent with civil rights or religious liberty laws); memberships/affiliations with organizations violating law or undermining national security; and institution of higher education compliance with Section 117 of the Higher Education Act of 1965.	Review and document financial capacity for managing high-dollar awards. Ensure Section 117 foreign gift/contract compliance, as applicable. Review for any history of plagiarism, discredited studies, or activities inconsistent with civil rights or religious liberty laws. Assess organizational memberships and affiliations for potential risk factors.
<i>Specific Conditions</i> § 200.208	Agencies may impose specific conditions based on risk. Conditions must be promptly removed when satisfied.	15-day timeline for adding/removing conditions. Removal no longer mandatory—now discretionary. New “program-level specific conditions” for elevated programmatic risk. May require subrecipient/contractor payment reporting and financial integrity site visits.	Agencies have broader authority to impose specific conditions. Condition removal discretionary even when issues resolved. Expect more detailed reporting and site visits.
<i>Prohibited Equipment, Services, and Systems</i> § 200.216	Prohibits “covered telecommunications” from specified Chinese entities (Huawei, ZTE, Hytera, Hikvision, Dahua).	Adds prohibition on Federal Acquisition Security Council (FASC)-prohibited drones effective December 22, 2025. Limited exemptions for DHS, DOD, State, DOJ, DOT, NOAA. Case-by-case waivers available.	Ensure drone compliance by December 22, 2025. Review inventory for FASC-prohibited systems.
<i>Disparate-Impact Prohibition</i> § 200.218	No comparable provision.	Prohibits use of federal awards for disparate-impact liability, studies, or litigation. Exception for internal analysis	Do not adopt or enforce disparate-impact standards in federally funded

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		if such analysis not supported by federal funds.	programs. Review programs and policies.
<i>Viewpoint-Neutral Event Services</i> § 200.219	No comparable provision.	Public entities must provide viewpoint-neutral event services (e.g., security, facilities, fees) regardless of speech content. Applies to non-public entities for federally funded activities.	Review event/facility-use policies for viewpoint neutrality. Do not impose inconsistent fees or security costs based on speech content.
<i>Foreign Collaboration</i> § 200.220	No government-wide prohibition; agency-specific restrictions only (e.g., Wolf Amendment).	Government-wide prohibition on collaborations with “covered foreign countries” (adversaries, sanctioned countries) or “covered foreign entities” (entities on concern lists, foreign military/intelligence affiliates). Applies to direct costs, indirect costs, research, and travel. Exceptions require statutory authorization or agency head determination of no national security risk.	Review and inventory all international collaborations, partnerships, and agreements—including those partially supported by indirect costs—for connections to covered foreign countries or entities. Implement due diligence procedures for vetting foreign partners and establish processes for seeking agency exceptions where activities are in the national interest.
<i>Nondiscrimination/DEI</i> § 200.300(b)	General nondiscrimination provision; included commentary from <i>Bostock v. Clayton County</i> , 590 U.S. 644 (2020) on sexual orientation/gender.	Prohibits funding DEI/DEIA practices violating anti-discrimination laws, “gender ideology,” and pediatric gender transition. Adds faith-based organization protections. Removes <i>Bostock</i> commentary.	Review all DEI-related programs and policies, particularly those connected to federal funding. Violations constitute material breach of award terms.
<i>E-Verify</i> § 200.303(f)	No comparable requirement.	E-Verify required for all employees/contractors on federal awards. Must report Final Nonconfirmation (FNC) notices; failure may result in termination. States must use Treasury Do Not Pay system.	Enroll in E-Verify if not already. Establish FNC reporting processes. States: implement Do Not Pay verification.
<i>Payment Justification</i> § 200.305	No written justification required for payment requests.	Non-State recipients must provide written justification for each payment request describing activities/milestones. Treasury Do Not Pay verification required.	Prepare justifications for each drawdown. Additional administrative burden; may affect cash flow timing.

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<p><i>Procurement Employment Practices and Diverse Business Contracting</i></p> <p><i>§§ 200.318(l), -.321</i></p>	<p>Permitted hiring preferences for high-poverty areas, “Justice40”/disadvantaged communities, underserved populations. Community benefit agreements and Project Labor Agreements (PLAs) permitted. Specific affirmative steps required for small, minority, women-owned, veteran-owned businesses.</p>	<p>Deletes hiring preferences for disadvantaged/underserved communities, “Justice40,” community benefit agreements, and all affirmative steps for minority/women/veteran-owned businesses. PLAs require federal interest/cost-effectiveness showing. Adds merit-based employment principles. May communicate U.S. work authorization requirements.</p>	<p>Remove hiring preferences and detailed diverse business procedures. PLA use requires cost-effectiveness justification. Evaluate supplier diversity programs for alignment. Merit-based principles now apply. Recipients may now expressly communicate U.S. work authorization requirements.</p>
<p><i>Cost-Reimbursement Contracts</i></p> <p><i>§ 200.320</i></p>	<p>Cost-reimbursement contracts permitted without special requirements.</p>	<p>Strongly discouraged. When used, must notify agency and maintain written justification. Agencies may require prior approval.</p>	<p>Document justification and notify agency for cost-reimbursement contracts.</p>
<p><i>Domestic Preferences for Procurements</i></p> <p><i>§ 200.322</i></p>	<p>Recipients “should” prefer U.S.-produced goods (iron, steel, aluminum, cement). Definitions provided.</p>	<p>Shifts to agency obligation. Recipient obligation contingent on inclusion in federal award (“If included in a Federal award”). Definitions of “Produced in the United States” and “Manufactured products” deleted. Buy America requirements for infrastructure projects (2 CFR part 184) unchanged.</p>	<p>Requirements now agency-dependent. Review award terms for domestic sourcing obligations.</p>
<p><i>Subaward Tracking, Oversight, and Related Entities</i></p> <p><i>§§ 200.329(b), -.331-.332</i></p>	<p>Pass-through entities monitor subrecipient performance and compliance. Subaward/contractor determination based on substance. No provision on related entity transfers.</p>	<p>Must report subawards on SAM.gov by end of the month following the month in which the subaward was issued. Must classify affiliates/subsidiaries as subawards or contracts—cannot treat as internal transfers. Must monitor subrecipient conduct for reputational risk—consult agency on potential termination. Fixed amount subawards no longer permitted.</p>	<p>Implement SAM.gov reporting. Classify and report all affiliate/subsidiary payments; internal allocation no longer permitted.</p>

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<i>Electronic Records Storage</i> § 200.336	Agencies must accept paper submissions.	Agencies no longer required to accept paper submissions. Recipients “strongly encouraged” to use domestic storage for electronic records.	Ensure electronic submission capability. Consider U.S.-based record storage.
<i>Remedies for Noncompliance/Private Causes of Action</i> § 200.339	Remedies include withholding payments, disallowing costs, suspending/terminating, debarment.	Agencies may cooperate with third parties pursuing private litigation against recipients for noncompliance. Procurement disputes generally excluded.	Federal agencies may now assist third parties (individuals, organizations) in pursuing private litigation against recipients for noncompliance. Potential for increased legal exposure beyond direct federal enforcement. Procurement disputes generally excluded from this cooperation authority.
<i>Termination and Suspension</i> §§ 200.340-343	Termination for noncompliance, mutual agreement, recipient notice, or if award doesn’t effectuate program goals or agency priorities. No suspension authority.	Modifies discretionary termination “in the interest of the Federal agency or pass-through entity,” including if award does not support the “national interest” (in addition to not supporting “program goals” or “agency priorities”) “as they exist at the time of termination.” New 90-day discretionary suspension. SAM.gov reporting failures are noncompliance grounds. Exceptions to discretionary termination by agency or pass-through entity: entitlement programs, block grants, formula awards, disaster recovery, CHIPS/infrastructure.	Increased mid-performance termination risk/suspension risk. Develop contingency plans. SAM.gov failures are termination grounds. Review statutory exceptions.
<i>Termination Process, Appeals, and Cost Recovery</i> §§ 200.341-343	For noncompliance terminations, notice must inform recipient that termination will be reported in SAM.gov, available for five years and considered in future award decisions. Objection, hearing, and appeal procedures for noncompliance remedies. Post-termination costs	Adds detailed notification requirements for noncompliance terminations: must instruct recipient to stop work, make no additional financial obligations, and terminate subawards/contracts; and must provide opportunity to object and challenge the action. Creates new notification requirements for “discretionary terminations”	New procedural protections for termination challenges—recipients must be given opportunity to object. For discretionary terminations, recipients have formal process to submit documented termination costs with certification. Agencies need not provide detailed justification for discretionary terminations; brief

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	allowable if from pre-termination obligations.	(terminations in the interest of the Federal agency): requires only brief summary of reasons (no detailed analysis required); reasons may apply to individual awards or class of awards; must instruct stop-work and termination of subawards/contracts; must provide opportunity for recipient or subrecipient to submit written statement of termination costs with certified documentation of all costs, financial obligations, commitments, cancellation terms, and mitigation steps. Agencies may, but are not required to, authorize additional costs resulting from financial obligations incurred after discretionary terminations.	summary sufficient. Reasons provided in brief summary may apply to an individual award or to a class of awards.
<i>Cost Principles Exemptions for Nonprofits</i> <i>§ 200.401(c); Appendix VIII</i>	Certain nonprofits (Appendix VIII list) exempt from 2 C.F.R. 200 cost principles; operate under FAR.	Appendix VIII deleted. Exemption now only for nonprofits with 90%+ contract funding or Federally Funded Research and Development Centers (FFRDCs). Exceptions require OMB coordination and “extraordinary circumstances.”	Confirm continued exemption under new criteria. Higher bar for exceptions.
<i>Advertising and Public Relations Costs</i> <i>§ 200.421</i>	Advertising allowable for recruitment, procurement, disposal, and program outreach. Public relations allowable for award-required activities, communicating accomplishments, and media liaison.	Advertising and PR now unallowable by default. Exceptions: (1) statutory requirements; (2) procurement ads; (3) surplus disposal ads; (4) program outreach required by award. Recruitment advertising deleted as allowable.	Recruitment ads and general PR no longer allowable. Review HR and communications cost allocations.
<i>Conference Costs</i> <i>§ 200.432</i>	Conference costs allowable if award-related.	Attendance costs require prior agency approval in award terms. Hosting costs remain allowable (minimize costs).	Obtain agency approval before incurring conference costs.
<i>Investment Management Costs</i> <i>§ 200.442</i>	Investment counsel costs unallowable except for pension/self-insurance funds with federal participation.	Investment costs for pension/self-insurance funds now require prior written agency approval.	Obtain prior agency approval before charging investment management costs to awards.

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<p>General Costs of Government/Tribal Executive Costs § 200.444</p>	<p>General costs of government unallowable. Tribes/Councils of Governments (COGs) may include 50% of chief executive costs in indirect without documentation.</p>	<p>Deletes 50% automatic inclusion for Tribes/COGs. Must now document and justify through standard process.</p>	<p>Tribes/COGs: document chief executive costs through standard indirect cost proposal. May reduce recovery.</p>
<p>Lobbying Restrictions for Nonprofits and IHEs § 200.450</p>	<p>Lobbying, influencing elections, and legislative liaison activities unallowable. Some exceptions for technical presentations and statutory authorizations.</p>	<p>Expanded unallowable activities: PACs and political organizations; voter registration; “issue advocacy” or public messaging unrelated to award objectives; influencing state executive branch on non-award matters.</p>	<p>Issue advocacy and voter registration now expressly prohibited. Review institutional communications and advocacy activities.</p>
<p>Memberships, Subscriptions, and Professional Activity Costs § 200.454</p>	<p>Professional/business organization memberships and journal subscriptions allowable. Country club and lobbying organization memberships unallowable.</p>	<p>Memberships allowable only if necessary for award and with prior written agency approval. Journal/periodical subscriptions now unallowable. “Issue advocacy” organizations added to prohibited list.</p>	<p>Subscriptions no longer chargeable. Obtain prior approval for professional memberships.</p>
<p>Publication Costs § 200.461</p>	<p>Publication costs (page charges, open-access fees) generally allowable.</p>	<p>Publication costs (page charges, article processing charges, open-access fees) now unallowable. Printing/distribution costs remain allowable. Exceptions only if required by statute or approved in advance.</p>	<p>Open-access fees no longer chargeable. Seek advance agency approval for publication costs.</p>
<p>Elective Abortion Costs § 200.477</p>	<p>No comparable provision.</p>	<p>Elective abortion costs unallowable except as authorized by federal law.</p>	<p>Codifies existing Hyde Amendment restrictions.</p>