



July 13, 2026

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

Re: Opposition to Proposed Rule: OMB-2026-0034-0001, Office of Management and Budget (OMB) Regulation for Federal Financial Assistance

Dear Director Vought,

The Center for HIV Law and Policy (CHLP) is a national legal and policy organization fighting to end the stigma, discrimination, and violence towards our communities experiencing racial oppression, patriarchal violence, and/or economic divestment. Our work focuses on and centers people living with and deeply affected by HIV and other stigmatized health conditions, especially people who are Black, brown, LGBTQ+, disabled, women, working class, and unhoused. We utilize legal advocacy, high-impact policy and research initiatives, and multi-issue partnerships, networks, and resources as concrete ways to support our communities working to decriminalize HIV and other stigmatized health conditions.

CHLP envisions and fights for a world where people living with HIV and other stigmatized health conditions are met with compassion and the resources and tools to thrive, and our communities experience support and investment. We envision a world free from state violence, where people are not dehumanized and punished for their real or perceived health status and/or identities, and where health conditions are not met with criminalization, surveillance, and other punitive responses.

We write to strongly oppose the proposed rule OMB-2026-0034-0001, which would severely undermine science and threaten the health and well-being of people living with and deeply impacted by HIV. Federal grants and cooperative agreements, including awards related to health research and programming, are vital resources for our communities. The changes would concentrate decision-making power in political appointees in ways that raise serious statutory and constitutional concerns and cut off funding for programs providing solutions to systemic challenges facing our people. Moreover, these modifications would undermine efforts to end HIV

criminalization by restricting investments in the research and community-based organizations that advance evidence-based HIV policy change.

First, through the pre-issuance review process and award conditions provisions, the proposed rule would prioritize the whims of political appointees, while deprioritizing Black, brown, migrant, and LGBTQ+ lives [§§200.205 and 200.300]. The focus on “the national interest” and “policy priorities” within these changes would allow political appointees broad discretion to override the review process based on political priorities rather than scientific merit. Using language describing “public safety” and “anti-American values,” these excerpts would also preclude awards focused on reducing racial disparities and addressing issues affecting immigrants and transgender and gender diverse (TGD) people. Similarly, they could be used to bar awards exploring evidence-based practices rooted in harm reduction, which this administration has targeted using broad and undefined “public safety” criteria. With HIV remaining a disproportionate concern for people who are Black, brown, women, and LGBTQ+,¹ the intended changes would translate into fewer awards focused on addressing the needs of our communities, which are disproportionately impacted by HIV. We squarely reject these attempts to rework the review process and impose categorical bans on award content.

Second, the proposed applicant risk assessment process would target organizations committed to racial, gender, and LGBTQ+ justice [§200.206]. Despite this administration’s attempts to make it illegal, efforts to address systemic injustices remain consistent with statutory and constitutional law. However, if implemented with the distorted understanding of “equal rights” propagated by this administration, the rule could exclude and isolate organizations working to remedy these issues. Moreover, in permitting the consideration of recipients’ association with organizations that “undermine public safety or national security,” the proposed rule would allow for additional, broad discretion to deny awards to applicants serving transgender people, migrants, and other communities that have been attacked as “dangerous” by this federal administration. The suggested modifications would result in fewer awardees working to end HIV-related and other disparities affecting people who are Black, brown, women, and LGBTQ+. They would discourage awardees from the research, education, and advocacy efforts necessary to combat HIV criminalization and other forms of health-based discrimination. We urge that these provisions be removed from the proposal.

Third, other aspects of the proposed rule would dramatically erode the empirical process by concentrating power in the hands of unqualified appointees and threaten the well-being of all:

- Because the proposal does not define, “Gold Standard Science,” it gives political officials expansive control over which grants and grantees qualify for funding [§200.205].

¹ <https://www.cdc.gov/hiv/data-research/facts-stats/race-ethnicity.html>;
<https://www.cdc.gov/hiv/data-research/facts-stats/transgender-people.html>;
<https://www.cdc.gov/hiv/data-research/facts-stats/women.html>;
<https://www.cdc.gov/hiv/data-research/facts-stats/gay-bisexual-men.html>.

- The discouragement and deprioritization of international collaboration would exacerbate global challenges, such as the HIV epidemic [§§200.202 and 200.220].
- Restrictions and prohibitions on the activities of awardees would drastically undermine the scope and impact of grants and cooperative agreements [§§200.421, 200.432, 200.450, and 200.454]. These changes would needlessly limit recipients' ability to investigate issues, share discoveries, and implement vital conclusions.

We demand that OMB strike these proposed modifications and instead ensure the integrity of science, support international collaboration, and allow awardees to access resources and freely disseminate their findings.

Overall, these problems warrant the complete rejection of OMB-2026-0034-0001 as a danger to the health and well-being of people living with and deeply affected by HIV. Our communities deserve more empirically sound programs to address the HIV epidemic – not a federal funding system that prioritizes white, Christian hegemony over scientific expertise and community need.

In reducing or eliminating opportunities to meaningfully and equitably address the HIV epidemic, these changes would restrict access to services for people living with and disparately impacted by HIV. Furthermore, these changes would accelerate the continued disinvestment in Black, brown, and LGBTQ+ communities who remain disproportionately vulnerable to HIV. In turn, more communities, especially Black, brown, and LGBTQ+ people, would be made vulnerable to carceral tactics used to police and prosecute, such as HIV criminalization schemes. These changes would allow stigma and structural inequities that fuel HIV criminalization to flourish, making it more difficult to replace punitive responses with evidence-based public health approaches.

We urge the full withdrawal of OMB-2026-0034-0001, OMB Regulation for Federal Financial Assistance. We welcome the opportunity to answer any questions or concerns you may have.

Submitted,

The Center for HIV Law and Policy