

Public Comment on Proposed Rule: Regulation for Federal Financial Assistance

Docket: OMB-2026-0034

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We are writing to express our strongest opposition to OMB's proposed revisions to 2 CFR Part 200, "Regulation for Federal Financial Assistance" published in the Federal Register on May 29, 2026.

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He has also written extensively on the use of scientific evidence in federal regulation. He is the author of *The Triumph of Doubt: Dark Money and the Science of Deception* (Oxford University Press, 2020) which was called "a tour de force" by the reviewer in the journal *Science* and "a brave and important book, raising the alarm about the systemic corruption of science" by the journal *Nature*, and *Doubt is Their Product: How Industry's Assault on Science Threatens Your Health* (Oxford University Press, 2008).

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In this comment, we focus on the application of the concept of "Gold Standard Science" in the funding of federal grants, as referenced in section 200.202, 200.205, and elsewhere in

the proposed rule. This proposal requires that all grants include benchmarks for compliance with “Gold Standard Science,” a term tied to Executive Order 14303 but never defined anywhere in the rule. Agencies would have to prioritize institutions that have “demonstrated success in implementing “Gold Standard Science”.

The proposed rule fails to establish any administrable standards for determining compliance with “Gold Standard Science” and hence invites arbitrary and capricious decision-making. Under the proposed rule, political appointees retain effectively unlimited discretion to favor or disfavor any funding proposal or institution. Most notably, the “Gold Standard Science” standard is never actually defined in the proposed rule or the EO. The EO lists some characteristics or properties of “Gold Standard Science” but does not define it or provide any mechanism to evaluate studies, proposals, institutions, or anything else as to whether they are “Gold Standard Science”, fully, partially, or not at all. Nor does the proposed rule identify what evidence must be considered or what record must be created to permit meaningful review. that discusses the deficiencies of EO 14303.

Despite the serious deficiencies in the EO itself (discussed in the attached editorial we co-authored in the prestigious journal *Science*), the proposed rule effectively transforms "Gold Standard Science" from an aspirational description of scientific quality into a legally operative criterion governing federal funding decisions. Indeed, in the more than one-hundred-page proposed rule, there is no requirement or even suggestion that the officials making the compliance decisions actually justify their decisions, other than offering a conclusory statement that the proposal, or the institution, somehow does not align with an undefined “Gold Standard Science”. This framework for decision-making violates fundamental principles of administrative law. As the Supreme Court made clear over fifty years ago, an agency’s bare assertion of compliance with a standard – such as meeting “Gold Standard Science” -- is not only meaningless but arbitrary. Instead, the agency must supply reasoned decision-making supported by the evidentiary record. *Citizens to Preserve Overton Park, Inc. v. Volpe*, 401 U.S. 402, 419-20 (1971); see also *In Physicians for Social Responsibility v. Wheeler*, 956 F.3d 634, 644-45 (D.C. Cir. 2020) (holding that EPA’s policy barring grant recipients from serving on science panels was arbitrary and capricious because it was justified by an unsupported, *ipse dixit* assertion rather than a reasoned explanation).

Even accepting the Executive Order’s own definition of Gold Standard Science, the proposed rule conflicts with the principles the Executive Order itself identifies. Specifically, under the proposed rule, an appointee serves the ultimate arbiter for ensuring this compliance, yet the appointee is not required to subject their analyses to “unbiased peer review” – a clear violation of the principles laid out in Section 3(a) of the EO. Under the

proposed rule, the appointee also is not expected to provide a disclosure of potential conflicts of interest or other indicia of objectivity to allow the public to assess their objectivity, again a violation of the enumerated Section 3(a) principles. And there is no transparency requirement referenced in the proposed rule governing the decision-making, constituting yet another violation. Other EO principles – for example that the science-intensive decision-making is “communicative of error and uncertainty,” “collaborative and interdisciplinary,” and “skeptical of findings and assumptions” are also ignored in the decision-process established in the proposed rule.

Finally, the Administration’s implementation of Executive Order 14303 demonstrates that these concerns of arbitrary application are not hypothetical. In a number of high-profile policy settings, the White House or a political appointee has arbitrarily reversed or changed a public health regulation or guidance by invoking “Gold Standard Science” but never demonstrated whether they even looked at the scientific evidence, much less followed the guidelines. These past arbitrary invocations of the EO in the name of “science” are documented in the attached editorial published in the *BMJ*, a medical journal.

Beyond these legal deficiencies lies a broader institutional concern. Federal research funding succeeds because scientific judgments are expected to be made through transparent, reasoned, and scientifically accountable processes. If federal agencies may instead invoke an undefined standard without explanation or meaningful review, confidence in both the integrity of the grantmaking process and the scientific enterprise itself will inevitably erode.

We strongly urge OMB to withdraw this proposed rule.

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Fool's gold

David Michaels and Wendy Wagner

Already rocked by decades of political interference, corporate influence, mismanagement, and partisan efforts to undermine its authority, the expert bureaucracy, the “lifeblood” of the US administrative state, is now gasping for air. On 23 May, President Trump issued an executive order (EO)—Restoring Gold Standard Science—promising to fix these issues. Instead, the EO is poised to make them far worse: It officially empowers political appointees to override conclusions and interpretations of government scientists, threaten their professional autonomy, and undermine the scientific capacity of research and regulatory agencies.

Over the past four decades, the White House has exerted increasing political control over the scientific work of federal agencies, while invoking executive privilege to obscure decision-making processes from public view. In some, if not all, agencies, political appointees can control external peer review processes and disband or stack scientific advisory committees. Opportunities for the public to challenge agency decisions based on compromised scientific records are limited, expensive, and often dominated by well-financed stakeholders who benefited from the interventions.

Attempting to remedy this flawed structure, the Biden administration—building on Obama administration initiatives and in response to political interference during the first Trump administration—developed a framework to institutionalize a “culture of scientific integrity” within federal agencies. This provided staff with mechanisms to report and correct “inappropriate influence” that could compromise the “objectivity” or “transparency” of their work. Scientific integrity was defined largely in terms of adherence to “professional practices,” effectively benchmarking government standards to those established by the broader scientific community. The Biden Framework deferred to scientific conventions to resolve disputes about the reliability of technical advice, while insisting that agency scientists provide a “clear explication of underlying assumptions” and “contextualization of uncertainties” to make the policy implications clear.

President Trump’s EO rescinds the Biden-era framework: Political appointees are now charged with determining and enforcing what the EO terms “Gold Standard Science,” defined using open-ended terms like “reproducibility,” “collaborative,” “falsifiab[le],” and “accepting negative results as positive outcomes” without any requirement to consider widely accepted

scientific or medical practices or conventions. The White House’s Office of Science and Technology Policy is directed to issue further guidance within weeks.

But administrations must be judged by their actions, not just their words. Department of Government Efficiency efforts led to the loss of hundreds if not thousands of government scientists and abruptly terminated billions of dollars of ongoing research, gutting the national capacity to produce any science at all, much less “gold standard” science. Secretary of Energy Chris Wright misrepresented studies on the impacts of the climate crisis. Secretary of Health and Human Services Robert F. Kennedy Jr. made egregiously erroneous claims about vaccine safety and then forced the resignation of the top vaccine official at the Food and Drug Administration. A resigning National Institutes of Health official accused

the agency of “censorship.” Kennedy’s Make America Healthy Again report, initially filled with errors of interpretation and references to nonexistent journal articles, cannot be considered “gold standard science.” Yet under the EO, which dovetails conveniently with presidential initiatives to limit civil service protections and make it easier to fire career employees, career government scientists who publicly disagree may be subject to discipline.

By formalizing political control over agency science, the EO institutionalizes a “doubt science” approach to shaping policy. Political apparatchiks are now granted broad license to manufacture uncertainty and confusion, cherry-pick studies that support their policy needs, and discard those that provide inconvenient results. In an unprecedented action, the EO requires agencies to retrospectively review and modify “regulations, guidance documents, policies, and scientific evaluations” produced during the Biden administration if President Trump’s appointees believe the underlying scientific work is not aligned with its new gold standards.

The scientific community must—once again—unite to confront politically motivated manipulation of the scientific enterprise. It must protect the professional autonomy of federal scientists from unfounded allegations of misconduct, infringements of scientific freedom, and arbitrary termination. Congress must be encouraged to enact proposed legislation to curb political interference in agency science. And the concept of scientific integrity itself must be realigned with scientific conventions defined—not by the White House—but by the scientific community. □

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Trump's gold standard science is harming US science and health

"Restoring" standards is, in reality, a means of political control

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On 29 May 2026, the US White House's Office of Management and Budget (OMB) proposed a rule that directs political appointees to require adherence with "gold standard science" in the awarding of federal grants, including research grants funded by the National Institutes of Health (NIH) and the National Science Foundation.¹ This process, if finalised, would permit political appointees - officials placed in senior leadership or policy roles through a political appointment process, such as the senate confirmed NIH director - to override or second guess longstanding merit based review processes that historically determined most grant awards.²

At first glance, requiring agencies to rely on gold standard science sounds as if it would constrain political discretion and tether government decisions more closely to scientific evidence. But over the past year, the Trump administration has generally invoked that phrase not as a neutral standard for scientific rigour but as a rationale for political control over scientific judgment.

The phrase refers to President Trump's executive order 14303, "Restoring gold standard science," signed in May 2025, purportedly to strengthen the quality of government science.³ The order cites values of scientific integrity that are difficult to oppose, such as transparency, unbiased peer review, reproducibility, clear communication of uncertainty and error, and freedom from conflicts of interest. But the order does not simply endorse these scientific values; it gives the White House and political appointees authority to interpret and enforce them, including deciding how they should apply in real disputes over evidence. Under the order, federal scientists who dissent from political judgments may face discipline or removal, a provision that could chill meaningful scientific disagreement.⁴

Other decisions over the past year that have invoked this executive order possess this same concerning centralisation. The common thread is not disagreement with scientific conclusions. It is the relocation of authority over scientific judgments from experts to political officials who are largely unconstrained in how they use the "gold standard science" label.

Political interference

In May 2026, for example, the White House cited "gold standard science" as the driver of new guidance from the Food and Drug Administration (FDA) that eases regulation on sales of flavoured tobacco products.⁵ According to the *New York Times*, shortly before the change in guidance, a subsidiary of tobacco company Reynolds American had given \$5m (£3.75m; €4.3m) to a super political action committee

aligned with President Trump, and tobacco executives and lobbyists had privately met with Trump.⁵ The president then contacted senior Health and Human Services (HHS) officials to complain about the FDA regulation of e-cigarettes, and less than a week later the FDA issued new guidance and the FDA commissioner resigned.⁶ The administration invoked "gold standard science" to support their new guidance, while failing to provide any rigorous scientific justification and sidelining opportunities for expert input and oversight.^{7 8}

The same pattern appears in decisions directly affecting public health. Invoking the executive order, the HHS secretary, Robert F Kennedy, Jr, fired the 17 sitting members of the Advisory Committee for Immunization Practices and replaced them with a less qualified group, including several anti-vaccination activists.⁹ At Kennedy's direction, the Centers for Disease Control and Prevention also drastically altered its public facing webpage on vaccines and autism to suggest possible causal links despite the fact that all the large, respected studies find the opposite.^{10 11}

The Environmental Protection Agency's administrator, Lee Zeldin, similarly relied on elusive "gold standard science" as a basis for delaying or withdrawing water quality regulations that would have reduced exposure to PFAS "forever chemicals."¹² And in the name of "gold standard science," the National Oceanic and Atmospheric Administration's public facing climate science portal was dismantled without documenting how this move supported science, making the underlying science less (not more) transparent.¹³

If agencies invoke "gold standard science" to reject prior scientific conclusions or rely on new evidence to change course, they should at least have to show their work: identify the specific methodological flaw, disclose the evidence considered, explain competing interpretations, account for conflicts of interest, and justify why one conclusion fits the evidence better than another. And, given the risks of political control, this should be reinforced with independent, rigorous review by scientists not handpicked by the administration.

Instead, the Trump administration's implementation of its "gold standard science" standard over the past year signals that it will be using the executive order to do what the scientific community feared: co-opt values that scientists hold dear and turn them into tools of political control.⁴

To reverse this worrisome trend, scientists and scientific institutions should insist that agencies invoking "gold standard science" show their work

and subject those claims to independent review. Science organisations including the American Association for the Advancement of Science and advocacy groups such as the Union of Concerned Scientists and Stand Up for Science are raising alarms about the harms.^{14 15} The OMB proposal is open for public consultation until mid July 2026, providing an opportunity for the public and advocates to oppose such political interference. Scientists must remind the current administration that scientific values are protected not by political declarations but by robust analysis, rigorous criticism, and transparent review.

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