Abstract

This September 21, 2026 Navigator News Update examines the OMB grant rewrite freeze through December 11, the approaching federal funding deadline, new 2026 charitable-deduction rules, and reported plans for heightened scrutiny of nonprofit tax exemptions. It also covers court rulings affecting federal grants, AmeriCorps instability and a new federal funding settlement, major employment developments, IRS guidance and legislation, and state actions affecting nonprofit funding, privacy, taxes, and contracting. The central message is practical: nonprofits have gained time and, in some cases, legal protection, but uncertainty remains. Leaders should use the current window to strengthen cash-flow contingencies, review grant and employment compliance, update fundraising communications, document governance, and monitor fast-moving federal and state developments.

September 21, 2026 Navigator News Update: Including December 11 Federal Funding Deadline, OMB Grant Overhaul Update, New Charitable-Deduction Rules and More!

From Nonprofit Management Navigator, a DBA of PMG46, LLC

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Introduction

Nonprofit leaders enter the final months of 2026 with temporary relief but little certainty. Congress has paused OMB's proposed Uniform Guidance overhaul and funded the government through December 11, while courts have limited several federal grant conditions and termination theories. Those protections may not last, and AmeriCorps partners continue to experience disruption, though a new multistate settlement now provides funding assurances through FY2027.

At the same time, nonprofits face immediate operational decisions. Employers must respond to changes involving disability self-identification, possible H-1B costs, disparate-impact enforcement, workplace speech, teen employment, and independent-contractor classification. Fundraising and finance teams should adjust to new charitable-deduction rules, monitor reported nonprofit-targeting plans, and use expanded IRS digital tools.

State developments add another layer, from privacy protections and prompt-payment reforms to ballot measures, hospital-sale review, and disaster tax relief. This update identifies the developments requiring immediate action, organizational response, or continued monitoring.

Priority Legend

Priority indicators help nonprofit leaders quickly identify which developments require their most immediate attention based on urgency and operational impact.

🔴 **Immediate Action** 🟡 **Requires Organizational Response** 🟢 **Monitor and Prepare**

Nonprofit News and Federal Regulatory Developments

Executive Summary: Congress has paused OMB's proposed Uniform Guidance overhaul and funded the government through December 11, creating temporary relief rather than long-term certainty. Courts have blocked ideological grant conditions, HUD's fair-housing restructuring, and grant terminations based on later policy priorities, while PSLF employer litigation continues on appeal. AmeriCorps partners still report abrupt service disruptions, though a September 2026 multistate settlement now commits the administration to full AmeriCorps funding through FY2027 without further surprise terminations. Nonprofits should treat this period as preparation time, strengthen cash-flow and staffing contingencies, and monitor federal rulemaking, appropriations, and appeals closely through year-end without delaying needed decisions.

Key Actions for This Section: Use the temporary federal reprieve to prepare for renewed funding, grant, and staffing uncertainty:

- Build a cash-flow contingency for a possible federal funding lapse around December 11.
- Assign responsibility for monitoring OMB rulemaking and federal appropriations through year-end.
- Review grant conditions and termination notices with counsel when they rely on organization-wide restrictions or later policy priorities.
- Develop staffing alternatives for programs vulnerable to abrupt AmeriCorps disruptions, while monitoring implementation of the new September 2026 AmeriCorps funding settlement.
- Brief the board and key funders on the temporary nature of current federal protections.

🟡 Fed December 11 Funding Deadline Sets Up Possible Post-Election Shutdown Fight

The continuing resolution that froze OMB's grant overhaul funds the government only through December 11, 2026. With the underlying fight over twelve full-year appropriations bills still unresolved, funding trackers expect another contentious negotiation during the post-election lame-duck session, given the same narrow majorities and competing chamber priorities that produced two shutdowns earlier this year.

Nonprofits that rely on federal grants, contracts, or reimbursements should prepare cash-flow contingencies for a possible lapse in funding around the holidays, since a shutdown would delay payments and new awards independent of how the Uniform Guidance dispute is resolved.

Source: govtschemes.org

🟡 UPDATE: OMB Grant Rewrite Freeze Takes Effect, but Only Buys Time

President Trump signed the Continuing Appropriations and Extensions Act, 2027 (H.R. 6500) on September 2, immediately triggering Section 157's bar on OMB finalizing its proposed Uniform Guidance overhaul, or any “substantially similar” rule, through December 11. The provision also strips legal effect from the rule if OMB had finalized it before enactment, and it leaves the current Uniform Guidance, existing awards, and agency regulations untouched during the pause. OMB received 496,606 comments on the proposal — including formal comments from the American Bar Association urging outright withdrawal — and the freeze does not require the agency to abandon that record or its finalization plans once the deadline passes.

Nonprofits face a hard deadline, not a resolved threat: barring further congressional action, OMB could resume the rulemaking, finalize a revised version, or set a new implementation date as soon as the statutory pause lifts on December 11, so year-end monitoring remains essential.

Source: Cordatis LLP

🟢 Ninth Circuit Upholds Block on Ideological Grant Conditions

The Ninth Circuit largely affirmed an injunction stopping HUD and DOT from attaching conditions to existing grants that bar recipients from “promoting” gender ideology, abortion, or illegal immigration across their entire operations, not just funded programs.

Nonprofits reliant on federal housing and transportation dollars gain a legal shield, but the ruling narrows only some conditions, leaving related fights over HHS grants and appeals unresolved.

Source: Courthouse News Service

Court Blocks HUD's Fair-Housing Funding Overhaul

A federal judge ruled HUD failed to justify redirecting most of a $56 million fair-housing grant program away from more than 100 longtime nonprofit recipients toward a handful of larger awards, calling the agency's explanation “woefully” inadequate.

Fair-housing nonprofits keep funding for now, but the underlying legal fight over HUD's authority to restructure grants continues.

Source: National Mortgage News

Education Department Appeals Loss on PSLF Employer Rule

Two courts vacated a rule letting the Education Department disqualify employers, including nonprofits, from Public Service Loan Forgiveness over a “substantial illegal purpose.” The department has now appealed both rulings to the First and D.C. Circuits.

Nonprofit employers keep unrestricted PSLF eligibility while litigation proceeds, but a reversal on appeal could again threaten staff loan-forgiveness credit tied to their employment.

Source: The College Investor

Massachusetts Federal Court Curbs Agencies' Grant-Termination Authority

In State of New Jersey v. U.S. Office of Management and Budget, U.S. District Judge Indira Talwani granted summary judgment on July 17 to a coalition of 20 states, three governors, and the District of Columbia, ruling that the Uniform Guidance's termination clause, 2 C.F.R. § 200.340(a)(4), does not authorize agencies to cancel grants based on program goals or agency priorities identified only after the award was made. The ruling protects at least $5.4 billion in active grants from termination on that basis.

The decision directly narrows one of the termination authorities OMB's stalled Uniform Guidance rewrite would have expanded, giving nonprofit grantees firmer legal footing to challenge terminations premised on shifting agency priorities; the ruling runs in favor of the plaintiff coalition of states and is likely to inform similar disputes elsewhere.

Source: Mondaq

AmeriCorps Funding Instability Continues to Disrupt Nonprofit Partners

Nonprofits that rely on AmeriCorps members are reporting abrupt service disruptions as federal funding threats persist; a Rural Health Network of South Central New York program manager reported that AmeriCorps VISTA members had to halt service within 24 hours of a funding warning, with no advance notice from the federal program.

A September 10-11, 2026 settlement between a coalition of 23 state attorneys general - led by California's Rob Bonta and Minnesota's Keith Ellison - and the Trump administration bars further AmeriCorps program terminations without warning and commits the administration to obligate all FY2026-2027 AmeriCorps funds by September 30, 2026. The settlement offers meaningful, though not guaranteed, protection for the current service year, and nonprofits should track its implementation alongside the contingency planning described above.

Nonprofits depending on AmeriCorps placements, including health networks, camps, and community-development programs, should build contingency staffing plans and diversify funding sources now, since replacing AmeriCorps members with paid staff is not financially realistic for many organizations

Source: WBNG; California Attorney General (Sept. 10, 2026) and Minnesota Attorney General (Sept. 11, 2026), on the AmeriCorps settlement

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Nonprofit Human Resources Developments

Executive Summary: Nonprofit employers face several changing federal and state employment rules. OFCCP has ended disability self-identification and utilization-goal requirements, while preserving underlying nondiscrimination duties. A proposed H-1B fee could sharply raise sponsorship costs for many nonprofits. Federal disparate-impact enforcement is receding, but state-law risks remain. Courts and agencies are also revisiting dress codes, mandatory political meetings, teen work hours, and independent-contractor classification. HR leaders should update systems where rules have changed and monitor proposals, appeals, and state requirements across their operations.

Key Actions for This Section: Update immediate HR processes while preserving compliance under continuing state and federal duties:

- Update covered Section 503 workflows for the end of Form CC-305 invitations and the 7% utilization goal while maintaining nondiscrimination and affirmative-action duties.
- Determine whether planned H-1B petitions are cap-subject and consider commenting on the proposed fee by September 24.
- Continue collecting and auditing workforce data despite reduced federal disparate-impact enforcement.

- Review dress-code and mandatory-meeting policies for applicable circuit and state requirements, including Maryland’s October 1 effective date.
- Track federal proposals on teen work hours and independent-contractor classification while retaining stricter state-law controls where applicable.

🟡 OFCCP Drops Disability Self-ID and Utilization Goal Requirements

Effective September 21, federal contractors and grant-funded nonprofits covered by Section 503 no longer must invite disability self-identification via Form CC-305 or track a 7% workforce utilization goal. Underlying affirmative-action and nondiscrimination duties remain.

Nonprofit contractors should update HR onboarding systems and AAP templates now, since removed metrics still require replacement outreach-effectiveness measures.

Source: National Law Review

🔴 New H-1B Fee Would Raise Costs for Nonprofit Employers

DHS's proposed $103,265 fee on cap-subject H-1B petitions, with comments due September 24, exempts university-affiliated nonprofits but not most direct-service and advocacy organizations sponsoring skilled staff.

For groups without cap-exempt status, the fee could make sponsoring foreign talent financially unworkable. HR leaders should assess exposure now and consider commenting before the window closes.

Source: USCIS.gov

🟡 EEOC Keeps Retreating From Disparate-Impact Enforcement

The EEOC continues closing charges based solely on disparate-impact theory and has proposed eliminating EEO-1 demographic reporting, following a DOJ opinion questioning the doctrine's constitutionality.

Federal enforcement is receding, but disparate impact remains actionable under state law, and the same workforce data can still support intentional-discrimination claims — so nonprofits should keep collecting and auditing it despite reduced federal scrutiny.

Source: Ogletree Deakins

🟢 Second Circuit Rejects NLRB's Strict Dress-Code Standard

The Second Circuit refused to enforce the Board's 2022 Tesla framework, which presumed employer dress codes restricting union insignia were unlawful, ruling courts must instead balance employer and worker interests directly.

Nonprofit employers in the Second and Fifth Circuits gain more room to enforce neutral appearance policies, though the case returns to the NLRB and other circuits haven't weighed in.

Source: [Felhaber Larson]()

● Ninth Circuit Weighs California's Ban on Mandatory Political Meetings

Judges appeared skeptical of California's law barring mandatory workplace meetings on political or religious topics, in a case brought partly by a 501(c)(3) research nonprofit whose core mission involves policy discussion.

A ruling could determine whether similar “captive audience” laws in more than a dozen states, including one taking effect in Maryland October 1, survive First Amendment challenges affecting mission-driven employers nationwide.

Source: [Liberty Justice Center]()

● DOL Plans Rule Expanding Teen Work Hours

The Labor Department's regulatory agenda includes a September proposal to loosen current limits on how many hours 14- and 15-year-olds may work, alongside a separate tip-credit rulemaking.

Nonprofits relying on part-time teen workers, such as camps, thrift operations, and community programs, should prepare for potential scheduling flexibility paired with continued compliance obligations once a formal proposal is published.

Source: [Bloomberg Law]()

● DOL Rulemaking Would Ease Independent Contractor Classification

DOL's pending proposal would replace the 2024 six-factor test with a more employer-friendly economic-reality standard emphasizing control and profit opportunity, reviving a 2021 approach. The comment period has closed but no final rule has issued.

Nonprofits using contractors for programmatic or fundraising work should watch for finalization, since state-law tests may still impose stricter standards regardless.

Source: [U.S. Department of Labor]()

IRS, Accounting and Finance Developments

Executive Summary: Tax-exempt organizations face consequential developments involving school nondiscrimination standards, political activity, charitable deductions, exemption oversight, disaster relief, and IRS digital services. New 2026 deduction rules create both fundraising opportunities and stewardship challenges. Reports of a federal nonprofit-targeting blueprint have prompted Senate scrutiny and proposed due-process protections - including a Senate Finance Committee-passed amendment and the newly introduced PROOF Act - while legislation would clarify that tax exemption alone is not federal financial assistance. Nonprofits should reinforce governance documentation, update donor communications, maintain election-year compliance, and track proposed rules, legislation, and oversight closely through year-end.

Key Actions for This Section: Coordinate tax, fundraising, governance, and finance responses to the most consequential developments:

- Review scholarship and admissions policies if the proposed private-school nondiscrimination rule could apply, and consider comments by November 3.
- Update donor communications, gift-acceptance policies, and receipting language for the 2026 charitable-deduction rules.
- Continue following existing IRS political-activity guidance, including Revenue Ruling 2007-41.
- Review governance and compliance documentation while monitoring reported targeting plans, congressional oversight, and both the PROOF Act and the Senate Finance Committee's Taxpayer Assistance and Service Act due-process provision.
- Use expanded IRS Business Tax Account features through designated officials and update disaster-relief referral materials where relevant.

IRS Proposes Sweeping Nondiscrimination Test for School Tax Exemption

Treasury and the IRS proposed regulations denying 501(c)(3) status to any private school considering race in any program, including remedial efforts, with comments due November 3 and applicability starting after May 31, 2027.

Affected schools should review scholarship and admissions policies now, since the rule's expansive reach may foreshadow similar doctrine applied to other nonprofit sectors.

Source: [IRS.gov](IRS.gov)

IRS Signals New Rules on Political Activity by Houses of Worship

Treasury and the IRS have placed rules setting clearer standards for houses of worship's political communications on their 2025–2026 Priority Guidance Plan, even as the Johnson Amendment remains fully in force following a Texas federal court's March 31 dismissal of a proposed settlement that would have let churches endorse candidates without risking their tax-exempt status.

Until the promised guidance is issued, all 501(c)(3) organizations, including churches, remain barred from endorsing or opposing candidates for office, so nonprofits planning election-year voter engagement should continue following existing IRS guidance, Revenue Ruling 2007-41, rather than anticipating relaxed enforcement.

Source: [National Law Review]

🔴 New Charitable-Deduction Rules Take Effect for 2026 Tax Year

Under the One Big Beautiful Bill Act, taxpayers who claim the standard deduction can now deduct cash gifts to public charities of up to $1,000 (single filers) or $2,000 (joint filers), effective for the 2026 tax year, while itemizers face a new 0.5% of adjusted-gross-income floor that makes only giving above that threshold deductible, and corporations face a new 1% of taxable-income floor before their gifts qualify for a deduction. The non-itemizer deduction applies only to cash gifts made directly to 501(c)(3) public charities, not to donor-advised funds or private foundations.

Nonprofits should update donor communications, gift-acceptance policies, and receipting language now: a large share of the donor base that previously received no tax benefit for giving may qualify for one for the first time, while some itemizing and corporate donors could see reduced benefits that warrant proactive, mission-centered stewardship conversations.

Source: [Charity Lawyer Blog]

🟢 Senators Demand Records on IRS Nonprofit-Targeting Plan

Senate Finance Committee Democrats Wyden and Warnock sent a September 3 letter to Treasury Secretary Bessent and IRS CEO Bisignano demanding records preservation and answers about reported plans to audit and revoke tax-exempt status for disfavored nonprofits, citing a law barring officials from directing IRS investigations of specific taxpayers.

Nonprofits should watch for oversight developments that could constrain or expose any targeting effort.

Source: [Senator Raphael Warnock]

🟡 Report: Treasury Drafting Blueprint to Revoke Nonprofit Tax Exemptions

Treasury officials are reportedly preparing audits that could strip 501(c)(3) status from organizations including Open Society Foundations and other advocacy groups, relying on a 2025 executive order targeting “substantial illegal purpose.”

IRS leadership had assured Congress such politically motivated action would not occur. Every nonprofit should review governance and compliance documentation now, given the precedent this would set.

Source: [Congressman Lloyd Doggett]

🟢 PROOF Act Would Guarantee Due Process in Exemption Revocations

Legislation from Reps. Doggett and Sewell would require the IRS to provide evidence, written findings, and a hearing before revoking any nonprofit's tax-exempt status, directly responding to reports of a targeting blueprint.

No statutory floor currently guarantees this process. Nonprofits should track the bill's committee prospects, since its failure leaves exemption vulnerable to the informal process reportedly now underway.

A related, and procedurally further along, safeguard already exists in the Senate: on July 30, 2026, the Senate Finance Committee passed the bipartisan Taxpayer Assistance and Service Act (26-1), which includes a Lankford-Warnock amendment adding tax-exempt-status determinations to the list of IRS actions carrying a statutory right to appeal and notice of that right. Nonprofits should track both vehicles, since the Senate committee-passed provision addresses much the same due-process gap and has already cleared committee.

Source: [Congressman Lloyd Doggett]

🟢 Bipartisan Bill Would Shield Tax Exemption From “Federal Assistance” Label

Reps. Steube and DelBene reintroduced legislation clarifying that a nonprofit's 501(c) tax-exempt status is not “federal financial assistance,” responding to court rulings that suggested otherwise.

If enacted, the bill would prevent exemption alone from triggering federal civil-rights and grant-compliance obligations meant for direct funding recipients. Nonprofits should track its progress through Ways and Means.

Source: [Congressman Greg Steube]

🟡 Trump Signs Disaster Tax Relief Extension

The newly enacted Doug LaMalfa Federal Disaster Tax Relief Certainty Act lets disaster victims deduct qualified casualty losses above $500 without itemizing and removes the 10% income threshold, plus extends the wildfire-payment income exclusion.

Nonprofits assisting disaster survivors with tax guidance should update referral materials to reflect the simplified, itemization-free deduction process now available.

Source: [House Ways and Means Committee]

● IRS Expands Digital Self-Service for Tax-Exempt Organizations

The IRS added new Business Tax Account features this summer, including digital notice management and EIN-verification downloads, building on an April expansion that first opened the platform to tax-exempt organizations.

Designated officials, such as an organization's president or treasurer, can now register for secure online access, reducing reliance on phone and paper-based IRS interactions.

Source: [IRS.gov](IRS.gov)

State Nonprofit News Developments

Executive Summary: States are advancing measures that affect nonprofit employees, government partners, funding, transactions, and tax obligations. California expanded address privacy for immigration-service nonprofit workers and may create an Office of Nonprofit Empowerment. Connecticut mandated review of payment delays. Florida's proposed property-tax change could reduce local revenue supporting nonprofits. The District of Columbia is reviewing a nonprofit hospital transaction, while Hawaii offers disaster-related penalty relief. Nonprofits should monitor implementation, assess funding exposure, protect affected staff, and meet time-sensitive filing and advocacy needs.

Key Actions for This Section: Address near-term state deadlines while preparing for longer-term funding and operational effects:

- Prepare California Safe at Home enrollment materials before the October 2027 effective date.
- Track California's nonprofit-office bill through the September 30 signature deadline and Connecticut prompt-payment implementation guidance.
- Assess exposure to reduced Florida local funding before the November vote and conduct permitted nonpartisan voter education where appropriate.
- Follow the District of Columbia charitable-asset review for lessons relevant to comparable nonprofit transactions.
- File Hawaii Form L-115A promptly if the organization qualifies for hurricane-related penalty relief.

● California Expands Address Privacy to Immigration Nonprofit Workers

Governor Newsom signed AB 2624 on August 22, extending the state's 28-year-old Safe at Home confidentiality program to employees of nonprofits serving immigrants, following escalating doxxing and harassment. Enrolled workers can use a substitute address in public records.

California immigration-service nonprofits should begin preparing staff enrollment materials ahead of the October 2027 effective date.

Source: Assemblymember Mia Bonta

🟢 California Nears New State Office Dedicated to Nonprofits

SB 1240, creating an Office of Nonprofit Empowerment to help nonprofits navigate state contracting and grantmaking, cleared the Legislature and awaits Governor Newsom's signature by the September 30 deadline. Backed by nearly 350 nonprofits, the office would function like a CalOSBA-style hub.

California nonprofits struggling with state contracting hurdles should watch for the signature and eventual buildout.

Source: CalNonprofits

🟢 Connecticut Mandates Prompt Payment to Nonprofit Providers

Governor Lamont signed SB 468 on June 4, requiring the state's budget office to review payment timelines and reporting burdens on nonprofit human-services providers and mandating prompter contract payments after years of chronic delays straining nonprofit cash flow.

Connecticut human-services nonprofits should track implementation guidance, since the law creates new leverage against delayed state reimbursements.

Source: Connecticut General Assembly

🟡 Florida Property Tax Measure Could Squeeze Local Nonprofit Funding

Amendment 3, on Florida's November ballot, would raise homestead exemptions to $250,000 by 2028 and cut local government revenue by an estimated $12 billion, potentially reducing grants and contracts nonprofits rely on from cities and counties.

The Florida Nonprofit Alliance is surveying nonprofit leaders and hosting toolkits ahead of the vote; nonprofits dependent on local funding should assess exposure now.

Source: Florida Nonprofit Alliance

🟢 DC Attorney General Reviewing Nonprofit Hospital Group's Sale to For-Profit Buyer

The DC Office of the Attorney General has until at least September 30 to review the proposed transfer of Medical Faculty Associates, a nonprofit tied to George Washington University, to a for-profit entity controlled by Universal Health Services.

Similarly structured nonprofit-to-for-profit health transactions elsewhere should expect comparable scrutiny of charitable-asset protections during review.

Source: [DC Office of the Attorney General]()

● Hawaii Extends Tax Penalty Relief to Hurricane Lala Nonprofits

Governor Green authorized the state Department of Taxation to waive late-filing and late-payment penalties and interest for taxpayers, including nonprofits, affected by Hurricane Lala, covering August 20 through October 20.

Affected organizations must file Form L-115A to request relief and still owe taxes by the deadline; Hawaii nonprofits should file promptly to preserve penalty-free status.

Source: [Office of Governor Josh Green]()

● CalNonprofits Hosts Forum on 2026 Ballot Measures' Sector Impact

CalNonprofits convened a September 15 policy forum examining how California's 14 statewide November ballot propositions, including tax and housing bond measures, could affect nonprofits and philanthropy.

With billions in bond funding and tax policy changes at stake, California nonprofits should engage now in nonpartisan voter education permitted under IRS rules for 501(c)(3)s.

Source: [CalNonprofits]()

Summary

This week's developments give nonprofit leaders breathing room but not resolution. The OMB grant rewrite and federal funding are paused only through December 11, court protections remain subject to continuing litigation, and AmeriCorps partners still face disruption, notwithstanding a September 2026 settlement that commits federal funding through FY2027. Employers must address immediate OFCCP changes while tracking potentially costly H-1B, worker-classification, workplace-speech, and scheduling developments. Tax and fundraising teams should update 2026 donor communications, preserve election-year compliance, use expanded IRS online services, and watch reported exemption-targeting efforts and proposed safeguards, including the PROOF Act and the Senate Finance Committee's due-process amendment. State actions require equally focused attention: California is expanding employee privacy and considering a nonprofit office; Connecticut is addressing payment delays; Florida's ballot measure could affect local funding; DC is scrutinizing a nonprofit hospital transaction; and Hawaii relief requires prompt filing. Across every section, the practical response is the same: identify deadlines, document compliance, quantify financial exposure, brief the board, and prepare for rapid change after the current temporary protections expire.

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