

Elizabeth F. DelNegro
Associate Chief Information Officer
General Services Administration

cc. David Shive, Chief Information Officer, General Services Administration
Ed Forst, Administrator, General Services Administration
The Honorable Mike Johnson, Speaker of the United States House of Representatives,
U.S. House of Representatives
The Honorable Hakeem Jeffries, Minority Leader, U.S. House of Representatives
The Honorable John Thune, Majority Leader, United States Senate
The Honorable Charles Schumer, Minority Leader, United States Senate

DATE

**RE: Request to Provide Information on the Information Collection; System for
Award Management Registration Requirements for Financial Assistance Recipients;
OMB Control No. 3090-0290; Docket No. 2026-0001; Sequence No. 2.**

Dear Officer DelNegro, or to whom it may concern,

By notice issued on January 28, 2026, the General Services Administration (GSA) has published a notice and request for information and comment on proposals to modify the System for Award Management (SAM) incorporating expanded questions and verification pathways, “Information Collection; System for Award Management Registration Requirements for Financial Assistance Recipients.” **Hispanic Federation (HF)** respectfully submits the following comment in response to GSA request for information and comment on the notice, OMB Control No. 3090-0290; Docket No. 2026-0001; Sequence No. 2.

1. Hispanic Federation Interest in Rule

Hispanic Federation has decades of experience operating our own nonprofit, community-driven programming, and supporting that of our many partners. Indeed, our network spans more than 850 community-based organizations across 43 states and territories. Hispanic Federation and our network’s work spans a gamut of mission-oriented services including immigration, civic engagement, education, economic development, health care, housing, and environmental justice. The depth of experience afforded by this work informs our perspective outlined below, primarily that the proposals outlined by GSA would prove deeply detrimental to community-based work, in excess of the burden anticipated in the Notice. Ultimately, a vibrant, successful nonprofit

sector is the sine qua non for a dynamic American society, and must be enabled to continue its critical work to secure the next American century.

Per GSA's invitation to interested parties to submit relevant written data, views, or arguments on the notice, we address here the proposal's potentially harmful consequences in the administration and provision of nonprofit, community-based programs. If implemented as suggested, the proposals would impose new clerical and bureaucratic burdens on essential organizations while also creating undue confusion about past and future legal compliance requirements. Simultaneously, its terms could feasibly lead to eligible, law-abiding organizations choosing to forgo federal funding opportunities, compromising community-oriented services and undermining the ability of the federal government to execute appropriations. In turn, we urge GSA not to pursue these proposals.

2. Outlining the Role of Nonprofits

Nonprofit, community-based organizations are the sinews of American society. After-school programs train and protect our children. Federally-qualified health clinics keep us healthy and on our feet. Resume workshops and jobs-training programs keep us at the cutting edge of economic innovation. Legal aid work ensures a healthy and robust judicial system, while civic engagement supports the representativeness of our democratic republic. Community kitchens keep our neighbors fed, while shelters protect our most vulnerable. Colleges expand our intellectual horizons, and churches nourish our spirits. This myriad of work is unified in both community-driven mission and support through nonprofit protections.

Nonprofit community-based organizations step in to fill vital service niches in their communities, and grant funds only facilitate that work. For instance, in 2024 alone, Hispanic Federation provided over 300,000 meals, dispersed over \$700,000 in disaster relief grants, and distributed \$35 million in income relief to food- and farmworkers via a USDA grant. Over the past few years, the nonprofit sector has contributed approximately \$2 trillion to the GDP, providing essential services to their communities while mitigating strain on bureaucratic resources and taxpayer dollars.¹ Meanwhile, surveys routinely find that Americans hold greater trust and faith in nonprofit and community-based organizations than they do government across all levels – federal, state, or local.² Nonprofits have earned this trust and reputation via a fierce commitment to their communities, work performed despite typically small operating budgets. Indeed, the vast majority of nonprofits operate on annual budgets of under \$500,000, underscoring their mission-driven focus.³ Nonprofits and their employees pay a price for this mission-driven work, however. On average, nonprofit employees earn less than their peers in similar roles in government and in the business sector.⁴ Likewise, the costs of nonprofits'

¹ <https://www.councilofnonprofits.org/about-americas-nonprofits/economic-impact-nonprofits>

² <https://extension.unh.edu/resource/understanding-public-trust-local-level>

³ <https://www.nonprofitimpactmatters.org/data/downloadable-charts/>

⁴ <https://www.nonprofitpro.com/post/many-nonprofit-employees-dont-make-thriving-wage/> (Accessed 9/16/25.)

flexible and responsive programmatic-community positioning are legal, fiscal limitations and attenuation to difficult market conditions⁵ that lead to delicate budgetary sensitivities.⁶

One need look no further than the example of nonprofit provision of health care to understand just how indispensable, nonprofit organizations are to the communities they serve, particularly in low-income areas that would otherwise face care deserts.⁷ Many health care facilities, ranging from hospitals to federally qualified health clinics are either themselves 501(c)(3)'s or otherwise are nonprofits with health care-focused missions, rendering them qualified employers under the PSLF program.⁸ Nonprofit health care providers not only offer lifesaving care but also irreplaceable culturally competent interlocution between best practice medical standards and the communities they serve. Meanwhile, the U.S. faces a growing postsecondary training cliff, with medical professions facing increasingly perilous shortages.⁹ As such, care gaps in high needs communities will only grow, and with them the demand for the kind of culturally relevant that nonprofit health care providers offer. GSA's imagined intervention therefore comes at a critical juncture in the nonprofit landscape, and is only likely to exacerbate negative pressures on community-based organizations.

3. The Proposals would undermine community-based work through chilling effects and bureaucratic confusion

At core, the imagined additions to the SAM are duplicative of extant regulatory compliance mechanisms and duplicative of statutory obligations. GSA posits adding a robust clarification of legal prohibitions against “unlawful discrimination based on race or color,” citing, among others, Titles VI and VII of the Civil Rights Act of 1964. Status quo ante general certifications for financial assistance, however, already include direct references to these provisions of federal law. Additionally, the same preexisting guidance directs applicants for eligibility to affirm that they “will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and public policies...”¹⁰ In turn, the Executive Branch documents the Notice seeks to emphasize¹¹ are themselves largely elaborations upon Administration priorities for

⁵ <https://libjournals.unca.edu/ncur/wp-content/uploads/2021/08/752-Lamberton.pdf>; https://www.researchgate.net/profile/Felicia-Sullivan/publication/265216534_Nonprofit_Responses_to_Financial_Uncertainty_How_Does_Financial_Vulnerability_Shape_Nonprofit_Collaboration/links/544b03b40cf24b5d6c3ec42c/Nonprofit-Responses-to-Financial-Uncertainty-How-Does-Financial-Vulnerability-Shape-Nonprofit-Collaboration.pdf

⁶ <https://www.councilofnonprofits.org/files/media/documents/2023/2023-nonprofit-workforce-survey-results.pdf>, 11-13.

⁷ <https://www.americanprogress.org/article/nonprofit-hospitals-can-support-communities-advance-public-health/> (Accessed 9/17/25.) <https://www.get-carrot.com/blog/what-are-care-deserts> (Accessed 9/17/25.)

Underinvested communities are particularly vulnerable to maternal care deserts, further amplifying the need for nonprofit health care providers. <https://www.marchofdimes.org/maternity-care-deserts-report> (Accessed 9/17/25.)

⁸ <https://panaceafinancial.com/resources/public-service-loan-forgiveness-for-doctors/> (Accessed 9/17/25.)

⁹ <https://www.highereddive.com/news/us-faces-shortfall-of-53m-college-educated-workers-by-2032/760155/> (Accessed 9/17/25.)

¹⁰ GSA, “System for Award Management Registration Requirements for Financial Assistance Recipients,” OMB Control No: 3090-0290.”

¹¹ Department of Justice “Guidance for Recipients of Federal Funding Regarding Unlawful Discrimination” (July 29, 2025) (<https://www.justice.gov/ag/media/1409486/dl>); Executive Order (E.O.) 14173 of January 21,

enforcement of preexisting statute, including the Civil Rights Act of 1964. Practices that were illegal under relevant legislation were of course illegal from the time they went into effect, prior to the promulgation of these orders, and have similarly remained illegal in their aftermath. Expounding upon these orders is therefore redundant per se; this redundancy is only compounded by the language cited above at (10), clarifying mandatory compliance with “executive orders, regulations, and public policies.” Consequently, the revisions would impose expanded burden upon applicants for and recipients of federal funding for little novel purpose. Indeed, the prospect of imposing this burden is rendered all the more confounding by virtue of the complex, unresolved judicial interpretation of the materials the GSA proposes highlighting.¹²

These same issues arise from the proposed addition of (7), addressing compliance with federal immigration statutes via paraphrasing 8 U.S.C. § 1324 and 2 C.F.R. § 200.303. This addition is superfluous, like that of (6); those submitting certification already commit to compliance with “all applicable requirements of all other Federal laws.” There are no clear administrative gains from this sort of expansive repetition of certification. Indeed, in elevating these particular provisions, GSA would only render certification and compliance more onerous, as these statutes are among the more inconsistently applied and elaborated in case law.¹³ Researchers have determined that application of these statutes, and indeed, even the definition of relevant terms like “harboring” has varied considerably according to local judicial interpretation. It is unreasonable, indeed, even infeasible, for GSA to require specific guarantees of proactive compliance with requirements relevant terminology is subject to wide geographic variance and prone to sudden redefinition according to judicial interpretation. In turn, this certification requirement would doubtless result in widespread confusion, extraneous compliance labor, and an uneven certification landscape stemming from district and circuit level variance in interpretation of the underlying statutes.

Similarly, the proposed addition of language at (8) requiring certification against engaging in terroristic activity is alarmist and redundant. Terroristic activity is, of course, criminalized and penalized through numerous mechanisms. Despite intense scrutiny over the last two decades, investigations have broadly continued to ascertain what communities already know – that mission-driven nonprofits are, as a sector, not terrorists.¹⁴ Furthermore, the specific language to which GSA would refer prospective certifiers has been broadly assessed as “vague.”¹⁵ Consequently, the prospect of including such language seems far more likely to induce

2025, Ending Illegal Discrimination and Restoring Merit-Based Opportunity (<https://www.federalregister.gov/documents/2025/01/31/2025-02097/ending-illegal-discrimination-and-restoring-merit-based-opportunity>)

¹² I.e.: <https://www.jdsupra.com/legalnews/dei-executive-orders-under-fire-two-2479735/> (Accessed 3/26/26); <https://www.brookings.edu/articles/an-executive-order-explainer-why-the-courts-will-have-the-final-say-on-trumps-anti-dei-actions/>. (accessed 3/26/26.)

¹³ See, for instance, Mary L. Dohrmann, “Hemming in ‘Harboring’: The Limits of Liability under 8. U.S.C. § 1324 and State Harboring Statutes,” *Columbia Law Review*, No. 115; Julie Yihong Mao and Jan Collatz, “Understanding the Federal Offenses of Harboring, Transporting, Smuggling, and Encouraging under 8 U.S.C. § 1324(a),” 2017; Annie K. Kreikemeier, “From Sheltering to Sentencing: An Examination of Immigrant Harboring Under 8 U.S.C. § 1324,” *Missouri Law Review*, Vol. 84, Iss. 4, 2025.

¹⁴ <https://www.lawfaremedia.org/article/the-war-on-nonprofits> (Accessed 3/27/26.)

¹⁵ <https://www.forbes.com/sites/kellyphillips/2024/11/21/house-passes-terrorism-bill-targeting-nonprofits-despite-concerns-about-overreach/> (Accessed 3/27/26.)

uncertainty and even fear among those seeking certification than to serve as an effective tool for federal counterterrorism work. Likewise, as in the above cases, the language here is superfluous in consideration of the general certification by interested parties that they will comply with all relevant federal laws, regulatory requirements, etc., a certification which is, naturally, already inclusive of federal restrictions on terroristic activity.

Consequently, it is reasonably anticipated that the imagined additions will not address a clear, outstanding need for certification not currently met by extant requirements. The introduction of these sections will therefore only serve to introduce uncertainty to applicants. This uncertainty will be compounded by the lack of clarity in both the framing certification language and the underlying statutes. In turn, many legally-compliant, eligible organizations may ultimately be led to believe that lawful programs are no longer eligible, or otherwise fear that their programs will face undeserved scrutiny by virtue of the communities they serve. The result will be a deleterious chilling effect on community-based work among organizations who serve marginalized or otherwise vulnerable communities, whether through nutritional, educational, medical, or initiatives. In light of these predictable consequences, in conjunction with the essential role played by nonprofit organizations in American communities, we urge GSA not to proceed with the proposed modifications to the SAM.

4. The proposals would increase the burden on nonprofits far more than the GSA burden estimate is without any justifying underlying change in legal regime, in contravention to the reducing regulation executive order and possibly the paperwork reduction act

Hispanic Federation also notes erroneous assumptions of vague origin within GSA's predicted burden on relevant entities. GSA anticipates an annual reporting burden of 612,590 hours, based on an expected 2.75 hours per response across 220,760 respondents. As noted above, Hispanic Federation has a history of working alongside government partners in fulfillment of grant projects – and compliance directors typically spend an average of 6 to 10 hours assessing compliance in the pre-application phase alone under current certification guidelines. One may reasonably expect that organizations less familiar with pre-application assessment processes may in turn spend considerably longer. Any changes to the SAM would naturally produce delays as organizations assess changes and incorporate new requirements into their programmatic workflows. The proposed changes outlined in the Notice however would certainly prompt a disproportionate time burden, reflecting the imprecise framing of requirements and vague underlying statutes. Many organizations would seek recourse to internal or external legal counsel to help verify eligibility for certification, exacerbating both the temporal and fiscal burden imposed by the changes. GSA's methodology in determining public burden is subsequently not reflective of the experience of Hispanic Federation or fellow partners in the nonprofit sector, and we advise GSA to abandon the outlined proposals for that reason, and to conduct proactive public consultation with established nonprofit community-based organizations with clear records of public work under terms of government grants before any future proposed revisions to SAM and related processes.

5. Hispanic Federation Serving Community-Oriented Initiatives

Hispanic Federation and its network have been supporting local communities through nonprofit, service-based work for decades across fields ranging from workforce development, health care support, and educational attainment programming. As an umbrella organization, Hispanic Federation has a proven track record of designing and launching national, state-wide, and locally focused nonprofit programs of precisely the type that the PSLF Program was intended to facilitate. Examples of Hispanic Federation's community-based work include:

- *Campaign for Digital Equity*: In 2023, HF launched a national campaign to help Latino communities engage with state and national leaders to advance digital equity policies and programs such as Broadband Equity, Access, and Deployment Program; the Digital Equity Act Programs; and the Affordable Connectivity Program. This work includes connecting local nonprofit organizations and communities across the country to state and federal representatives and identifying areas where high-speed internet infrastructure will eventually be built.
- *CREAR Futuros*: While national Hispanic college enrollment and graduation numbers are higher today than ever before, Latino student college enrollment, retention, and graduation rates still lag behind white peers. Hispanic Federation has long considered post-secondary student success as a major focus of its Education Program. That's why we created CREAR (College Readiness, Achievement, and Retention) Futuros. This peer mentor-based initiative creates a community of care by connecting first year, sophomore, and transfer students in colleges across the country with trained upper-classmen who introduce them to important campus resources (such as financial aid, tutoring, and career counseling) while also providing time-management, stress reduction, and networking support.
- *Farm and Food Workers Relief Program*: In 2022, HF kickstarted the FFWR program that provides one-time relief payments of \$600 to 62,900 qualifying farmworkers and meatpacking workers thanks to a two-year, \$44.3 million grant administered by the U.S. Department of Agriculture's Agricultural Marketing Service. Workers who incurred pandemic-related health and safety costs in 19 states, Puerto Rico and the U.S. Virgin Islands are eligible for rewards through the grant.

6. Conclusion

For over thirty years, Hispanic Federation has provided essential, nonprofit services to vulnerable communities. In conjunction with our network of more than 850 community-based organizations, we have a depth of experience in the needs and capacities of America's nonprofit sector, and the ways in which it interacts with federal, state, and local grantmaking. This combined experience informs our firm prediction that the potential changes to the SAM outlined

in the Notice would prove detrimental to nonprofit, community-based organizations at all stages of the grant certification and compliance process, ultimately leading to fewer services provided to communities in need. For these reasons, we strongly advise GSA abandon the proposals outlined in the Notice, and consult with broad representatives of the nonprofit community far in advance of any potential considered changes to the underlying processes.

Sincerely,

Julietta Lopez
Vice President for Federal Advocacy and Network Mobilization
Hispanic Federation