



March 30, 2026

U.S. General Services Agency

Re: System for Award Management Registration Requirements for Financial Assistance Recipients (OMB Control No. 3090-0290)

To Whom It May Concern:

Spring Institute for Intercultural Learning submits this comment opposing the GSA Guidance, “System for Award Management Registration Requirements for Financial Assistance Recipients (OMB Control No. 3090-0290)” on the basis that the proposed guidance is confusing, unnecessary, and will have a detrimental impact on the millions of nonprofit organizations that provide critical programs and services throughout the United States.

Spring Institute for Intercultural Learning is a nonprofit organization founded in 1979 with a mission of building a thriving intercultural community through learning, language access, and advocacy. It provides programs and services to support the integration of newcomers to Colorado, including English language classes, career pathway support, resource navigation, early childhood education, and youth development.

The proposed guidance is confusing: The guidance directs nonprofit organizations to certify that they abide by Department of Justice “Guidance for Recipients of Federal Funding Regarding Unlawful Discrimination” (July 29, 2025) (<https://www.justice.gov/ag/media/1409486/dl>) and Executive Order (E.O.) 14173 of January 21, 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>). The language found in the referenced Guidance Documents and Executive Orders is itself vague and would require nonprofit organizations to spend significant resources to ascertain compliance and be able to compete for federal funding. As just one example, because nonprofit organizations often serve specific populations (e.g., low-income individuals, women, people with disabilities, etc.) it is unclear whether the language contained in the guidance and executive orders that the proposed GSA guidance references would limit nonprofit organizations from serving specific populations. For instance, by providing English language classes only to individuals who are limited English proficient, would those activities be deemed to be discriminatory to groups who are not English language proficient, particularly if the majority of individuals served are considered minority populations in the U.S.? As another example, the guidance language prohibits support for undocumented individuals, but it is unclear whether organizations that provide legal immigration services to individuals

attempting to adjust their status would then be prohibited based on completely legal activity, regardless of what the specific federal funding requested is intended to support.

The proposed guidance is unnecessary: The guidance and executive orders (Guidance for Recipients of Federal Funding Regarding Unlawful Discrimination” (July 29, 2025) (<https://www.justice.gov/ag/media/1409486/dl>) and Executive Order (E.O.) 14173 of January 21, 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>) that the proposed GSA guidance references already requires government agencies to reflect these requirements in their own policies and in grant and contract language. The agencies have vastly greater resources than nonprofit organizations do in determining how to ensure their grant and contract competitions reflect the legal requirements created through executive guidance and executive orders. Nonprofit organizations can assess whether they are in compliance with specific requests for funding applications and will already be required to sign legal contracts and grant agreements certifying this.

The proposed guidelines will have negative impact on the nonprofit sector and diminish federal program effectiveness: While the existing annual registration process is time-consuming and onerous, the current certification requirements (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) have clear criteria that nonprofits can evaluate for compliance. The lack of clarity in the new guidance with the threat of civil and criminal penalties will discourage many nonprofit organizations from registering and from accessing federal funding that is intended for purposes these organizations can best serve. The purpose behind the current system of allowing nonprofit organizations to competitively apply for federal funding is that nonprofit organizations can often provide programs and services more effectively and responsively than government agencies. Nonprofit organizations are more rooted in communities and have the trust of specific service populations. They also lack the large bureaucratic structures that slow provision of services by government agencies, making nonprofits the most effective implementers of many federally funded programs and services. The new guidance will greatly limit the willingness of many nonprofit organizations to access federal funding, hurting not only the nonprofit sector overall, but also making federal funding less effective overall.

For the above stated reasons, Spring Institute opposes the proposed GSA guidance.