



NATIONAL HEALTH COUNCIL

March 30, 2026

U.S. General Services Administration
Regulatory Secretariat Division (MVCB)
ATTN: OMB Control No. 3090-0290
1800 F Street NW
Washington, DC 20405

RE: Information Collection; System for Award Management Registration Requirements for Financial Assistance Recipients [OMB Control No. 3090-0290; Docket No. 2026-0001; Sequence No. 2]

Submitted electronically via regulations.gov

The National Health Council (NHC) appreciates the opportunity to comment on the General Services Administration's proposed revision to the information collection for System for Award Management (SAM) registration requirements applicable to federal financial assistance recipients. The proposal would revise the Financial Assistance General Representations and Certifications to reflect recent executive actions and Department of Justice guidance concerning unlawful discrimination, while also adding additional certification language related to immigration and national security compliance.

Created by and for patient organizations more than 100 years ago, the NHC brings diverse organizations together to forge consensus and drive patient-centered health policy. We promote increased access to affordable, high-value, sustainable health care. Our membership includes more than 180 national health-related organizations, including leading patient organizations representing individuals with chronic disease, disability, and rare conditions, as well as provider associations, caregivers, researchers, and health-related businesses.

The NHC supports compliance with federal civil rights laws and recognizes that recipients of federal financial assistance must operate in accordance with applicable statutory and regulatory requirements. At the same time, the NHC is concerned that the proposed SAM certification revisions introduce substantial ambiguity into a government-wide registration system that functions as the gateway for participation in federal funding programs. As drafted, the proposed certifications combine broad attestations, illustrative examples, and evolving policy interpretations in a manner that may create uncertainty for nonprofit recipients attempting to determine what constitutes compliant conduct. In the absence of clearer standards, organizations that depend on federal funding to serve patients may face difficulty determining whether they can make the required certifications in good faith.

The NHC strongly urges GSA to revise the proposal prior to finalizing the information collection to ensure that the resulting certification framework is clear, administrable, and appropriately tailored to federally funded health programs.

Clarity and Scope of the Proposed Certification Language

The clarity and scope of the proposed certification language addressing unlawful discrimination are a central concern. The proposal incorporates examples describing practices that may raise concerns under federal civil rights laws. However, the examples are framed broadly and without sufficient explanation of how they relate to established statutory or regulatory standards. Because SAM registration functions as a government-wide certification requirement under federal grant regulations, ambiguity in certification language can create significant compliance uncertainty. For organizations dependent on federal funding, the practical consequences of uncertainty in certification language are substantial, particularly given the requirement to maintain active SAM registration throughout the life of an award and attest to the accuracy of the representations contained in that registration.

The NHC strongly encourages GSA to revise the proposed certification language so that it clearly reflects established legal standards and avoids incorporating illustrative examples that could be interpreted as creating new or expanded compliance obligations. If GSA elects to retain examples within the certification language, the NHC urges the agency to clarify explicitly that such examples are illustrative and context-dependent rather than categorical determinations of noncompliance.

Implications for Patient Organizations and Federally Funded Health Programs

The NHC is particularly concerned about the implications of the proposal for patient organizations whose federally supported work involves outreach, education, and support activities directed toward populations experiencing elevated disease burden or barriers to care. Many federal health programs intentionally target populations with lower screening rates, lower enrollment in coverage programs, higher prevalence of particular conditions, or reduced participation in clinical research. Patient organizations frequently partner with federal agencies to reach these populations through education, patient navigation, and community engagement initiatives that are authorized by statute and incorporated into grant program design.

Patient organizations also play an important role in supporting federally funded clinical research and public health initiatives. Many organizations assist with patient education, registry development, and recruitment for clinical trials and natural history studies, including outreach to populations that have historically been underrepresented in research participation. These activities are particularly important in the rare disease community, where patient organizations often conduct targeted awareness and diagnostic education campaigns to reduce delays in diagnosis for conditions that are frequently underrecognized. The NHC strongly urges GSA to clarify that lawful patient-focused outreach, research recruitment, and program design activities undertaken in connection with federally authorized health programs are not prohibited by the proposed certification language. Without such clarification, nonprofit organizations may reduce or discontinue legitimate patient-serving activities out of concern that routine programmatic decisions could later be interpreted as inconsistent with the certification, resulting in reduced participation in federally supported programs. Because patient organizations often maintain longstanding relationships of trust with the communities they serve—

particularly individuals living with chronic diseases, rare conditions, or disabilities—any resulting disruption in these activities may also have broader implications for patient engagement, research participation, and community health outreach.

Legal and Compliance Considerations

The NHC is also concerned that the proposal may effectively convert nonbinding executive branch guidance into a binding certification requirement. Executive branch agencies frequently issue guidance describing enforcement priorities or interpretive views regarding existing statutes, and such guidance can serve an important informational role. However, a government-wide certification incorporated into SAM registration carries significantly greater legal and operational consequences for funding recipients. In the current legal environment—where litigation and evolving judicial interpretations have created uncertainty regarding the scope of certain executive actions affecting federally funded programs—recipients must carefully evaluate compliance obligations before making formal certifications to the federal government. The NHC therefore encourages GSA to ensure that SAM certifications remain grounded in established statutory and regulatory requirements and supported by clear definitions that allow recipients to certify compliance with confidence.

In addition, federal agencies frequently rely on partnerships with patient organizations to conduct community engagement, patient education, and patient recruitment activities that federal agencies themselves are not positioned to implement directly. When certification requirements introduce uncertainty regarding the permissibility of these activities, the result may be reduced participation by nonprofit partners and diminished effectiveness of federally supported programs.

Administrative and Implementation Considerations

The NHC also encourages GSA to reassess the estimated paperwork burden associated with the proposed revisions. The proposal estimates that the information collection will require approximately 2.75 hours per response. In practice, nonprofit recipients—particularly smaller patient organizations with limited internal legal capacity—may require substantially more time to review the certification language, consult legal counsel, assess programmatic activities, and determine whether they can certify compliance. These additional review steps are a necessary component of responsible grant administration and merit recognition in the agency's burden analysis.

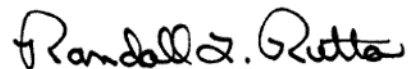
The NHC strongly urges GSA to provide additional clarification and implementation guidance before finalizing the revised certifications, including greater specificity regarding how the certification language will be interpreted and applied across federal programs and agencies. Because SAM registration applies across the entire federal financial assistance ecosystem, revisions to the certification framework affect a broad and diverse range of nonprofit organizations, research institutions, health systems, and community-based entities. Clear and administrable implementation guidance will help ensure that recipients can make certifications with confidence and maintain participation in federally supported programs.

Conclusion

The NHC appreciates GSA's efforts to align SAM registration requirements with applicable federal policy and legal standards. At the same time, the NHC strongly urges GSA to revise the proposed certification language to ensure that it provides clear, administrable standards for nonprofit recipients that depend on federal financial assistance to serve patients. Clearer definitions, more precise scope, and additional implementation guidance would help ensure that the final certification framework supports compliance while preserving the ability of patient organizations to participate fully in federally funded health programs.

Thank you for the opportunity to provide comments on this proposal. Please do not hesitate to contact Kimberly Beer, Senior Vice President, Policy & External Affairs at kbeer@nhcouncil.org or Shion Chang, Assistant Vice President, Policy & Regulatory Affairs at schang@nhcouncil.org, if you or your staff would like to discuss these comments in greater detail. The NHC looks forward to continued engagement on this issue.

Sincerely,

A handwritten signature in black ink that reads "Randall L. Rutta". The signature is written in a cursive style with a stylized "R" and "L".

Randall L. Rutta
Chief Executive Officer