

March 30, 2026

Acting Director Gregory Barbaccia
General Services Administration
Technology Transformation Services
1800 F Street, NW
Washington, DC 20006

Re: GSA Information Collection Request - System for Award Management Registration Requirements for Financial Assistance Recipients (Docket GSA-GSA-2026-0001)

Submitted online via regulations.gov

The AAMC (Association of American Medical Colleges) submits these comments in response to the proposed information data collection activity from the General Services Administration (GSA) that modifies the registration requirements in the System for Award Management (SAM.gov) for all recipients of federal assistance.

The AAMC is a nonprofit association dedicated to improving the health of people everywhere through medical education, clinical care, biomedical research, and community collaborations. Its members are all 163 U.S. medical schools accredited by the Liaison Committee on Medical Education; 13 Canadian medical schools accredited by the Committee on Accreditation of Canadian Medical Schools; nearly 500 academic health systems and teaching hospitals, including Department of Veterans Affairs medical centers; and more than 70 academic societies. Through these institutions and organizations, the AAMC leads and serves America's medical schools, academic health systems and teaching hospitals, and the millions of individuals across academic medicine, including more than 210,000 full time faculty members, 99,000 medical students, 162,000 resident physicians, and 60,000 graduate students and postdoctoral researchers in the biomedical sciences. Through the Alliance of Academic Health Centers International, AAMC membership reaches more than 60 international academic health centers throughout five regional offices across the globe.

Through an Information Collection Request published January 28, 2026, GSA has proposed revisions to the certifications required for registration in SAM.gov. The revisions include, in relevant part, a certification that the entity will comply with “the U.S. Constitution, all Federal laws, and relevant executive orders prohibiting unlawful discrimination on the basis of race or color in the administration of federally funded programs (See Titles VI and VII of the Civil

Rights Act of 1964, the Equal Protection Clause of the Fourteenth Amendment, and 2 C.F.R. § 200.303 Internal controls).” The proposed certification continues by describing how these laws could apply to certain programs and initiatives, providing five examples of “practices that *may* violate applicable Federal anti-discrimination laws” (emphasis added).

For the reasons described here and in the responses from many other organizations and institutions, we strongly urge the GSA not to move forward with the proposed certification revisions. The AAMC’s members, who collectively receive billions of dollars in federal research grant funding, are fully committed to complying with federal antidiscrimination laws as set forth in statute and regulation and interpreted by the courts and with the responsible stewardship of federal funds. Our concerns with this proposal stem from the proposed language and the use of the certification mechanism. In particular:

1. The proposed certification language is vague, lacks the specificity needed for institutions to understand what is required and to what the institution is certifying, and includes executive actions that are not applicable to research grantees or other recipients of federal financial assistance.
2. Academic institutions already certify their compliance with federal law, making additional certification in SAM.gov redundant and unnecessary.
3. The proposed certification language improperly interprets federal law within the text of the certification itself, using the registration process to create policy changes.

The certification language is vague and refers to executive branch actions that do not directly apply to recipients of federal financial assistance.

The proposed certification would require institutions to certify, under penalty of law, compliance with “*relevant* executive orders,” a term which does not indicate which of the executive orders, past or future, would be included. Further, executive orders are directed at federal agencies and do not, themselves, instruct recipients of federal financial assistance to take specific actions. Accordingly, it is unclear what it means to be compliant with these orders. In addition, the proposed revision describes practices that “*may*” violate the listed laws and orders. Such an assertion does not provide a basis for consistent interpretation of which practices may or may not be considered in violation. Additionally, the examples come from a guidance document from the Department of Justice which is non-binding, adding further ambiguity to the statement.

Academic institutions already certify their compliance with relevant federal law, both through the SAM.gov registration process and in the receipt of federal funds.

Registration in SAM.gov is a precursor to the receipt of federal funds through a grant, contract, or other mechanism, not a guarantee of funding or a final opportunity for the government to

ensure that the recipients of federal financial assistance comply with laws and policies relevant to the appropriate stewardship of those funds. For example, recipients of research awards from the National Institutes of Health (NIH) are subject to the terms and conditions of award set forth in the NIH Grants Policy Statement. Further, institutions already certify, in SAM, that they will comply with federal anti-discrimination statutes. Adding additional, vague, and non-statutory certification requirements introduces legal risk for registrants through ambiguous standards.

Interpretation of the meaning of a statute should not occur through this procedural registration mechanism.

The proposed certification language includes an interpretation of existing federal law and suggests that those laws unambiguously include those programs and initiatives used as examples in the certification text. Through this registration certification, the GSA is simultaneously citing and interpreting federal law, an exercise that belongs in the federal courts. The fact that the cited executive order and DOJ guidance memo are the subject of litigation makes this proposed revision even more problematic. Until the courts have ruled on the application of federal anti-discrimination laws to the types of programs and initiatives referenced in the proposal, it would be premature for the GSA to assert or imply that this is an area of settled law.

If the GSA decides to move forward with including a new certification of compliance with federal anti-discrimination laws, the only language included in the certification should be citations to the specific laws with which the entity registering in SAM.gov is expected to comply. This revision would provide clarity on what the institution is certifying to and would also prevent the inappropriate and non-binding interpretation of federal law from being added to a procedural mechanism.

The AAMC urges the GSA to rescind this proposed revision and either maintain the certification language as it exists today or include a certification that only references specific existing statutes or regulations. As proposed, the certification language would put potential recipients of federal financial assistance in the position of having to make one of two untenable choices, either 1) to certify to a vague requirement that is open to future interpretation and carries the threat of civil and criminal penalties, or 2) to forgo registration and thus the ability to compete for any federal research funding or other financial assistance. If the nation's best scientific ideas are never proposed for federal funding, scientific progress would slow. This is the untenable situation our federal government should seek to avoid.

For any questions about these comments, please contact Heather Pierce, JD, MPH, Senior Director for Science Policy and Regulatory Counsel (hpierce@aamc.org).

Sincerely,

A handwritten signature in cursive script that reads "Elena Fuentes-Afflick, MD, MPH".

Elena Fuentes-Afflick, MD, MPH
Chief Scientific Officer

cc: David J. Skorton, MD, AAMC President and Chief Executive Officer