



Edward C. Forst
Administrator
U.S. General Services Administration
1800 F Street NW
Washington, DC 20405

Re: 3090-0290, System for Award Management Registration Requirements for Financial Assistance Recipients

Dear Administrator Forst:

Thank you for the opportunity to provide comments on the revisions to the existing information collection requirement regarding the pre-award registration requirements for Prime Financial Assistance Recipients (OMB Control No. 3090-0290; Docket No. 2026-0001; Sequence No. 2, System for Award Management Registration Requirements for Financial Assistance Recipients).

I am writing on behalf of the Students' Civil Rights Project at Public Justice. Public Justice is a nonprofit legal advocacy organization dedicated to pursuing high impact lawsuits to combat social and economic injustice, protect the Earth's sustainability, and challenge predatory corporate conduct and government abuses. Our Students' Civil Rights Project uses litigation to secure justice for students who have been denied educational opportunities on the basis of their race, national origin, ethnicity, or sex, including gender identity, gender expression, and sexual orientation. We represent students at all stages of litigation, including pre-suit negotiations, litigation in trial courts, appeals, and oppositions to cert petitions. Our work aims not only to support individual students, but also to create systemic change so that all students can learn and thrive in safe, inclusive environments.

Public Justice **strongly opposes** the proposed changes to the pre-award registration requirements for Prime Financial Assistance Recipients and the impact these changes will have on our clients. The vast majority of the students we represent attend schools that receive federal financial assistance, and these changes will cause real and lasting harm to students nationwide by requiring schools to align with the administration's anti-diversity, equity, and inclusion policies or risk losing their federal funding. For the reasons outlined below, **we urge the agency to withdraw or substantially revise the proposed certification.**

For starters, the proposed changes to the System for Award Management would significantly burden schools—and therefore hurt students—by causing them to spend considerable time and resources determining whether they can comply with the revised certification. Because the proposed changes are so vague and complex, it would be exceedingly difficult for schools to determine compliance. For example, the revised certification does not define “diversity, equity, and inclusion” or explain which executive orders are “relevant” and must be followed. It simply provides a non-exhaustive list of

examples. Similarly, the proposed certification focused on undocumented immigration is unclear, including the terms “harbor” and “shield.” As a result, schools across the country would be required to devote substantial time and resources to interpreting the confusing requirements, with no assurance of compliance. This would needlessly divert attention and resources away from the critically important work of improving student learning, and students will ultimately bear the consequences as schools have less capacity to support their academic success.

Even more importantly, the proposed changes would hurt students by forcing their schools to choose between receiving necessary financial assistance and maintaining supportive, inclusive environments. Many schools hold core values around championing diversity, equity, and inclusion and have policies and practices designed to protect students of color, LGBTQ+ students, and immigrant students. If a school’s policies are ultimately deemed inconsistent with the proposed certification, the school would face the impossible choice of forgoing funding that is critical to its operations or abandoning policies that protect and uplift all students.

Either option would directly harm the students these schools serve. Students like our clients benefit from schools’ efforts to build diverse, inclusive environments. If schools abandon those policies and practices, students will suffer. If schools instead stand by their principles and lose federal funding, students will receive worse educations. Most schools rely on federal assistance to deliver high-quality education to their students. This funding is essential to pay teachers, ensure safe facilities, and provide effective curricula—and it is especially vital for students and communities with the greatest needs.

In conclusion, Public Justice urges the agency to withdraw or substantially revise the proposed certification to ensure that schools can continue to access federal funding without sacrificing student learning or safety. Schools should not be punished for striving to protect and support their students, particularly when it is those students who will ultimately pay the cost. Thank you for considering this input.

Sincerely,

Sophie Lenihan
Students’ Civil Rights Project
Public Justice
slenihan@publicjustice.net