

**Jeanmarie Simpson**  
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Re: OMB Control No. 3090-0290

System for Award Management Registration Requirements for Financial Assistance Recipients

To Whom It May Concern,

Thank you for the opportunity to provide comments on the proposed revisions to the information collection requirements associated with the System for Award Management (SAM) registration process for recipients of federal financial assistance.

My name is Jeanmarie Simpson and I am Founding Artistic Director of Arizona Theatre Matters, a nonprofit arts organization based in Arizona. Our organization creates accessible theatre and digital performance work featuring Deaf sign language performers and Blind voice actors. Our productions are distributed online and reach audiences throughout the United States and internationally. Our work is specifically designed to ensure that people who are Blind, Deaf, or otherwise excluded from traditional theatre venues can participate fully in cultural life.

Federal and regional grant programs play a significant role in making this work possible. Programs supported by federal funding allow organizations such as ours to create accessible programming, provide employment opportunities for artists who are Deaf or Blind, and bring cultural programming to audiences who often have little or no access to the performing arts. Federal financial assistance supports not only artistic production but also the broader public interest in cultural participation, education, and community engagement.

For these reasons, the proposed changes to the SAM certification requirements raise serious concerns for nonprofit organizations such as ours.

The proposed certifications relating to diversity, equity, and inclusion, immigration, and national security are written in terms that are broad, undefined, and difficult to interpret. Nonprofit organizations would be required to certify compliance with these provisions under penalty of civil and criminal law, including potential liability under the False Claims Act. However, the proposal does not clearly define key terms, identify the full scope of activities that might fall within the certification requirements, or provide guidance that would allow nonprofit organizations to determine whether their lawful programs and activities are compliant.

This lack of clarity creates significant legal and administrative risk. Nonprofit organizations often operate with small staffs and limited financial resources. Most do not have in-house legal counsel and cannot reasonably be expected to retain outside legal advisors simply to interpret uncertain certification requirements in order to apply for federal funding. The administrative burden and legal risk associated with vague certification standards may discourage otherwise qualified nonprofit organizations from applying for federal grants or participating in federal programs.

In the arts sector, these concerns are particularly acute. Many nonprofit arts organizations design programming that intentionally expands participation in cultural life among historically excluded communities, including people with disabilities. Accessibility initiatives, community engagement strategies, and inclusive artistic practices are widely recognized as essential tools for ensuring that public cultural resources serve the entire population.

Arizona Theatre Matters is built around accessibility as a central artistic principle. Our productions feature Deaf sign language performers and Blind voice actors. These collaborations are not accommodations added after the fact. They are core elements of the artistic work itself. The purpose of our organization is to ensure that individuals who are Blind or Deaf can participate as artists and audiences in meaningful cultural experiences.

Policies that introduce uncertainty around the legality of inclusion and accessibility initiatives risk undermining this work. If nonprofit organizations cannot determine whether their lawful programming might be interpreted as inconsistent with federal certification requirements, many may conclude that participation in federal grant programs is not worth the potential legal exposure. This outcome would reduce the number of qualified organizations willing to participate in federally supported programs and would ultimately limit the reach and effectiveness of those programs.

The proposed certifications related to immigration present similar concerns. Nonprofit organizations frequently provide lawful humanitarian assistance, educational programming, and community services that may involve individuals from a wide range of backgrounds, including immigrants and asylum seekers. The proposed language referencing activities such as "harboring" or "shielding" undocumented individuals is not clearly defined in the context of nonprofit service delivery. Without clear definitions and guidance, organizations may be uncertain whether ordinary and lawful community support activities could be interpreted as violating certification requirements.

The proposed certification related to terrorism and national security also lacks clear parameters. Nonprofit organizations universally support public safety and compliance with the law. However, requiring certification against undefined activities that might be interpreted as threats to public safety or national security creates unnecessary ambiguity. Nonprofits that engage in lawful advocacy, public education, or community programming should not face uncertainty about whether those activities could be mischaracterized as inconsistent with federal certification requirements.

Federal grant certifications have traditionally served an important purpose. They help ensure that recipients of federal funds comply with existing laws and maintain appropriate standards of financial accountability and program integrity. When certification requirements are clearly defined and directly related to the responsible stewardship of public funds, they serve both the government and the nonprofit sector well.

However, when certification requirements expand into areas that are not clearly defined or that extend beyond established statutory requirements, they create uncertainty that undermines the effectiveness of federal programs. If organizations withdraw from federal funding opportunities due to legal ambiguity or fear of liability, communities will ultimately experience the consequences through reduced services, fewer cultural opportunities, and diminished public programming.

Accessible arts programming provides important benefits to individuals and communities. Cultural participation supports education, community cohesion, civic engagement, and economic development. For individuals with disabilities, participation in cultural life is also a matter of equal opportunity and dignity. Federal support for arts and cultural programming has long recognized the importance of making these opportunities available to all Americans.

Policies that create uncertainty around lawful accessibility and inclusion efforts risk discouraging the very organizations that are most committed to expanding access to cultural life. This outcome would be inconsistent with longstanding federal policy goals that promote broad public participation in the arts and cultural sector.

For these reasons, I respectfully urge the General Services Administration to reconsider the proposed revisions to the SAM certification requirements. Any changes to certification requirements associated with federal financial assistance should be clearly defined, grounded in existing statutory authority, and focused on ensuring accountability in the use of federal funds. Certification requirements should not introduce vague or ambiguous provisions that create legal uncertainty for nonprofit organizations seeking to serve their communities.

Nonprofit organizations play a vital role in delivering services, cultural programming, and community engagement throughout the United States. Federal grant programs depend on the participation of qualified nonprofit partners in order to achieve their intended public benefits. Maintaining a regulatory framework that is clear, predictable, and fair is essential to ensuring that these partnerships remain effective.

Thank you for considering these comments and for providing the public an opportunity to participate in the rulemaking process.

Sincerely,

Jeanmarie Simpson  
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