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Should Changes be Made to the Requirement to Use DUNS and SAMs Numbers?

BACKGROUND

The Natural Resources Conservation Service (NRCS) operates a number of voluntary conservation programs. The programs provide financial incentives for landowners to implement practices that promote clean air and water, healthy soil, and wildlife habitat. The Federal Funding Accountability and Transparency Act requires entities who do business with the Federal government to obtain a Data Universal Numbering System (DUNS) number and register with the federal government's System for Award Management (SAM). Registration requirements apply to businesses rather than individuals and are identified by the Internal Revenue Service with an Employer Identification Number (EIN).

ISSUE

DUNS and SAM requirements act as a barrier to participating in NRCS programs and have resulted in farmers losing their current funding or being denied access to entry into the programs.

Current law provides an exemption for "individuals," but farms organized as a business entity are not eligible for the exemption. While the intent of the law was to create a means of holding the federal government accountable for spending on large government contracts, it has created an added layer of regulation for farmers and landowners who wish to participate in conservation programs.

Furthermore, a farmer who obtains a DUNS number and registers on SAM to enter into a NRCS contract must register on SAM again each year in order to receive NRCS assistance. Since the system is electronic and requires internet access, some farmers and ranchers are put at a disadvantage. Notably, the Farm Service Agency has not adopted, nor been directed to adopt, the DUNS and SAM requirements.

OPTION #1

Support legislation exempting farmers and ranchers from the registration and reporting requirements associated with the SAM.

OPTION #2

Support legislation titled "Improving Access to Farm Conservation Act" (H.R. 5441) that was introduced by Congresswoman Ann McLane Kuster (D-NH) and Congressman Rick Crawford (R-AR). The legislation exempts any NRCS cost share recipient from complying with the reporting requirements. (Senator Amy Klobuchar (D-MN) and Senator John Boozman (R-AR) have drafted a companion bill that will be introduced in the Senate at a later date.