

## Attachment 1 – Verification of Eligibility Procedure

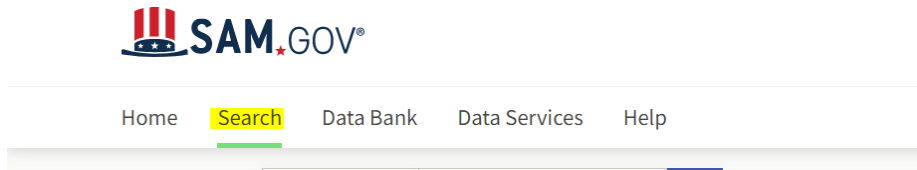
Prior to issuing a lease, approving a transfer of interest or ownership, approving an agreement, approving an agreement successor operator, acceptance of a surety bond, or awarding other nonprocurement transactions<sup>1</sup>, the Bureau of Land Management (BLM) must complete the following steps to ensure the entity and its principal are not federally suspended, debarred, or otherwise ineligible.

### Verification Process

The following process supplies step by step guidance on how to verify that the BLM may award a nonprocurement transaction to an entity and its principal/representative. If the Federal Government suspended, debarred, voluntarily excluded, or disqualified an entity and/or its principal/representative, then the BLM must deny the issuance, assignment or transfer of the lease, agreement, surety bond or other nonprocurement award to that entity.

### Step 1: Check the Federal Government’s Suspension and Debarment List on the System for Award Management (SAM)

- A. Navigate to the SAM website by clicking the [SAM.gov](https://sam.gov) link.
- B. Select the Search tab on the webpage.

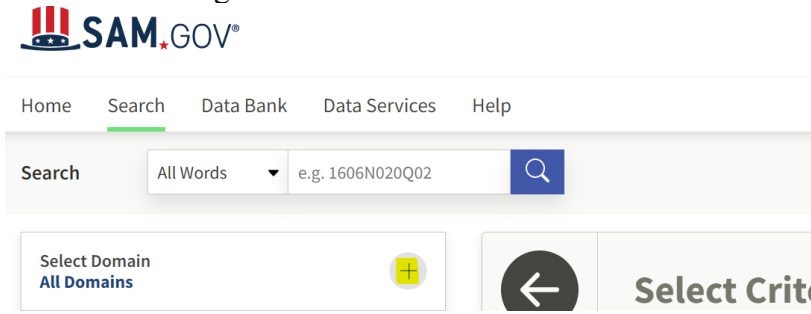


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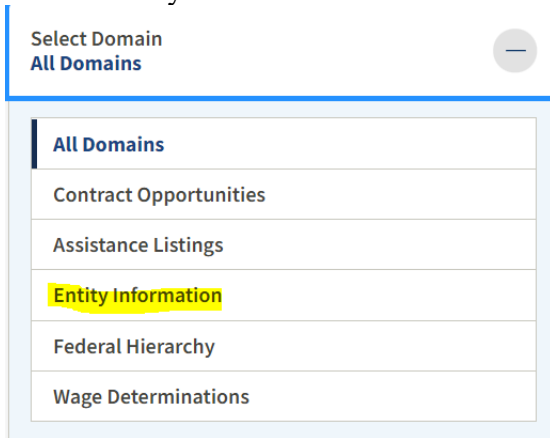
<sup>1</sup> Nonprocurement transactions included by this policy are, but are not limited to, Federal acquisition of a leasehold interest or any other interest in real property; concession contracts, dispositions of Federal real and personal property and natural resources; and any other nonprocurement transaction between the Department and a person under 2 C.F.R. § 1400.970; and grants, cooperative agreements, scholarships, fellowships, contracts of assistance, loans, loan guarantees, subsidies, insurances, payments for specified uses and donation agreements under 2 C.F.R. § 180.970.

Transactions that are not covered are listed at 2 C.F.R. §§1400.215 and 180.215 and include, but are not limited to, transactions entered into pursuant to Public Law 93-638; under natural resource management programs, permits, licenses, exchanges, and other acquisitions of real property, rights-of-way and easements; transactions concerning mineral patent claims entered into pursuant to 30 U.S.C. 22, *et seq.*; water service contracts and repayment entered into pursuant to 43 U.S.C. § 485; a benefit to an individual as a personal entitlement without regard to the individual’s present responsibility (but benefits received in an individual’s business capacity are not excepted); a permit, license, certificate or similar instrument issued as a means to regulate public health, safety or the environment, unless a Federal agency specifically designates it to be a covered transaction; and a direct award to a foreign government, a public international organization; and an entity owned in whole or in part or controlled by a foreign government.

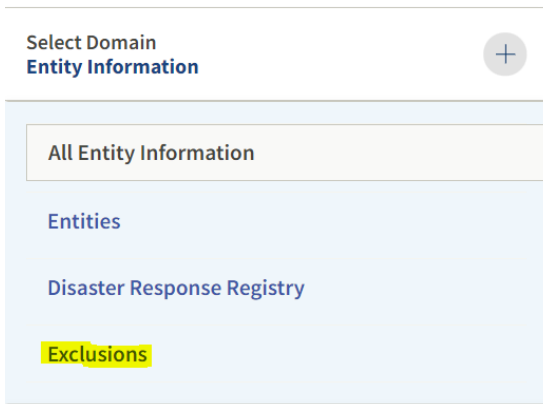
C. Select the “+” sign next to “Select Domain”



D. Select “Entity Information” in the Select Domain field.



E. Select “Exclusions” in the same field after selecting the heading of “Entity Information.”



- F. If searching for the principal/representative, scroll down and select the “Excluded Individual” section and enter the first and last name.

The screenshot shows a 'Keyword Search' section with a light blue header. Below the header, there is a link to a 'help guide'. Three radio buttons are present: 'Any Words', 'All Words' (which is selected), and 'Exact Phrase'. A text input field contains the example text 'e.g. 123456789, Smith Corp'. Below this is a 'Classification' dropdown menu with 'Excluded Individual' selected and highlighted in yellow. Underneath are four text input fields: 'First Name' (with a yellowed-out name), 'Middle Name' (empty), 'Last Name' (with a yellowed-out name), and 'SSN / TIN' (empty). A grey 'Add Individual' button is at the bottom of the form. The entire section is titled 'Excluded Entity' at the bottom.

- G. If searching for a company, scroll down and select the “Excluded Entity” section and enter the company’s name in the Entity Name field.

The screenshot shows a 'Keyword Search' section with a light blue header. Below the header, there is a link to a 'help guide'. Three radio buttons are present: 'Any Words', 'All Words' (which is selected), and 'Exact Phrase'. A text input field contains the example text 'e.g. HTYR9YJHK65L'. Below this is a 'Classification' dropdown menu with 'Excluded Entity' selected and highlighted in yellow. Underneath are three dropdown menus: 'Entity Name' (with a yellowed-out name), 'Unique Entity ID' (with the example text 'e.g. HTYR9YJHK65L'), and 'CAGE / NCAGE' (empty). Below these are two more dropdown menus: 'Federal Organizations' and 'Exclusion Type'. The entire section is titled 'Excluded Entity' at the bottom.

Note: Include only the name as SAM may abbreviate some aspects of the company name

(e.g., Incorporated, LLC, etc.) differently.

- H. SAM will return a list of either individuals or entities that are suspended, debarred, voluntarily excluded, or disqualified from acquiring a lease interest with the Federal Government. Review the list and review the specific information on the exclusion if the entity is on the list with the statement “Exclusion.”

Showing 1 - 22 of 22 results Relevance ▼

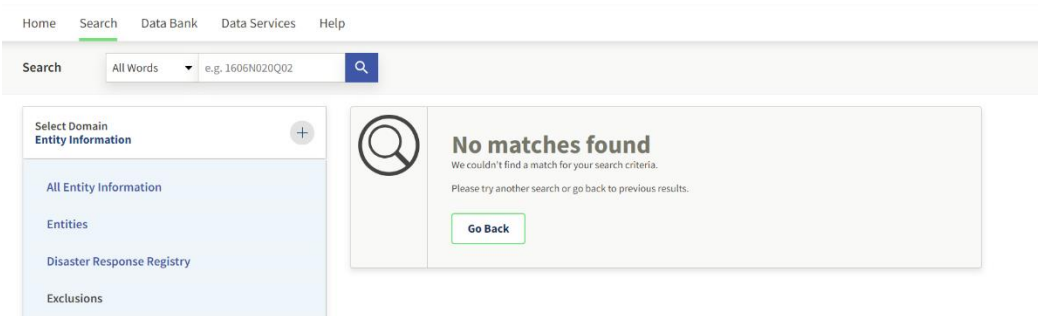
"PRINCIPAL" ● Active				Exclusion
<b>DUNS</b> (blank)	Unique Entity ID	CAGE Code (blank)	Physical Address Tallahassee, FL 32301 USA	Classification Individual
<b>SAM</b> (blank)	Unique Entity ID			Activation Date Aug 31, 2017
				Termination Date Indefinite
"ENTITY" ● Active				Exclusion
<b>DUNS</b> (blank)	Unique Entity ID	CAGE Code (blank)	Physical Address HACIENDA HEIGHTS, CA 91745 USA	Classification Individual
<b>SAM</b> (blank)	Unique Entity ID			Activation Date Mar 15, 2010
				Termination Date Indefinite

- I. Review the Exclusion Details section after selecting the entity or individual’s name. In some instances, the exclusion or disqualification can be specific to an agency or location and would not apply to the action under consideration. Please see the example of a facility specific exclusion below.

Additional Comments

**REVIEW THIS INFORMATION PRIOR TO CONTACTING EPA: Convicted of Clean Water Act Violation: INELIGIBLE FOR AWARDS TO BE PERFORMED AT THIS FACILITY ONLY.** [REDACTED] (Violating Facility). The Clean Water Act (33 U.S.C. 1368) forbids any Federal agency from entering into any contract, loan, or benefit to any person or company who- 1. Has been convicted of an offense under the Clean Water Act (33 U.S.C. 1319(c)); AND 2. Intends to use the place where or from which the offense happened (the violating facility) for the contract, loan or benefit; AND 3. Owns, leases or supervises the facility (where or from which the Clean Water Act offense occurred) at the time when a decision about the contract, loan or benefit is made. ALL THREE CONDITIONS MUST BE PRESENT FOR A PERSON TO BE DENIED A CONTRACT, LOAN OR BENEFIT.

- J. If there is no entity that matches your entity’s name, then SAM should return a statement of “No matches found.”



- H. Follow all Step 1 procedures for the entity and principal(s).

**Step 2: Check the Federal Government’s Suspension and Debarment List on the Federal Awardee Performance and Integrity Information System (FAPIS)**

- A. Navigate to the FAPIS website by clicking the [FAPIS.gov](http://FAPIS.gov) link.
- B. If searching for the principal/representative, enter the first and last name of the individual or the company’s name in the “Entity Name” field.



Note: Include only the name as FAPIS may abbreviate some aspects of the company name (e.g., Incorporated, LLC, etc.) differently.

- C. FAPIS will return a list of all individuals or entities in FAPIS system with a similar name. Review the list by clicking on each entity.



Note: Remember the name on this list does NOT mean the entity is excluded or disqualified. It may reflect that the person or entity has an administrative agreement in lieu of suspension or debarment that can be accessed. It may also provide criminal, civil, or administrative proceedings within the last five years under “Proceedings Information.”

- D. Click on each Name and review the data. Do not approve the nonprocurement action if FAPIIS documented a suspension or debarment for the entity or individual.

Search Results	
<p>"PRINCIPAL" or "ENTITY" <span style="float: right;"><a href="#">View Corporate Relationships</a></span></p> <p>Unique Entity ID (SAM): ABC123456789            CAGE: ABC12            Date FAPIIS search conducted: 05/05/2022</p>	
Records	Count
Proceedings Information is Currently Not Available	
<div style="border: 2px solid orange; padding: 2px;">Exclusions Information (as entered by the Government in SAM.gov)</div>	
No Exclusions Information found in SAM.gov based on your search criteria	

- E. Follow all Step 2 procedures for the entity and principal(s).

### Step 3: Document Review in the File

- A. Complete the checklist outlined in Attachment 2.
- B. Save and upload the checklist to the proper case action or case filing in the Mineral & Land Records System (MLRS)<sup>2</sup>. Note: The BLM must name all documents uploaded to MLRS in the following way: <Date filed>\_<Type of document>. For example: For an eligibility verification completed on February 3, 2022, the BLM will name it 20220203\_EligibilityVerification.
- C. In MLRS, update the checkmark “Reviewed Federal Exclusion Lists” in the case action.

General Information

Case Action Number	CA-103747304	Case Filing	<input type="text" value="Search Case Filings..."/>
Action	<span style="border: 1px solid red; padding: 2px;">Assignment of Record Title</span> <span style="float: right;">✕</span>	BLM Case	C-8176044
Case Action Status	Approved/Accepted	Document Number	<input type="text"/>
Reason	--None--	Defect Type	--None--
Action Remarks	1	Issue Description/Reason Detail	<input type="text"/>
Production Determination Status	--None--	To Entity	<input type="text"/>
Agreement Serial Number	<input type="text"/>	From Entity	<input type="text"/>
Bond	<input type="text" value="Search BLM Cases..."/>		
Reviewed Federal Exclusion Lists <input checked="" type="checkbox"/>			

**Note:** The checkmark should appear every time the BLM reviews the Federal exclusion

<sup>2</sup> Currently, Solid mineral and renewable leases are still in LR2000. Until these leases move to MLRS, these case types do not need to complete the steps associated with MLRS.

lists. Headquarters will use this data to conduct oversight on offices data entry.

D. Print out the completed checklist.

E. File the completed checklist in the official case file.

#### **Step 4: Issue Final Decision on Application**

- A. If the entity is not listed in SAM as an excluded entity for the action being reviewed, then the BLM may process the application and issue a decision based on the merits of the application.
- B. If the entity or the entity's principal/representative is listed in SAM as an excluded or disqualified entity or individual and the exclusion or disqualification includes the action being reviewed, then the BLM must deny the application as the entity or individual is federally debarred, suspended, or otherwise ineligible from receiving contracts or nonprocurement awards (i.e., leases, agreements, surety bonds, etc.) with the Federal Government in accordance with 2 CFR parts 180 and 1400.
- C. If the FAPIIS search<sup>3</sup> indicates (1) a conviction within the last two years or (2) a fully adjudicated tax liability is still outstanding and not settled, contact the DOI Office of Inspector General's Administrative Remedies Division (ARD) at [OIG\\_Debarment@doioig.gov](mailto:OIG_Debarment@doioig.gov). ARD will conduct a review and coordinate with the Suspending and Debarment Official.

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<sup>3</sup> Pursuant to provisions implemented in DOI annual appropriations acts, no funds may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide or loan guarantee to, any corporation that has any unpaid, fully adjudicated Federal tax liability, or a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that further action is not necessary to protect the interests of the Government.