

INDIAN AFFAIRS MANUAL

- 1.1 Purpose.** This policy identifies the transaction types and supporting documentation, and outlines the procedures, required for processing Miscellaneous Obligations (MOs).
- 1.2 Scope.** This policy applies to all Indian Affairs (IA) programs and offices under the authority of the Assistant Secretary-Indian Affairs (AS-IA), including the Bureau of Indian Affairs (BIA) and the Bureau of Indian Education (BIE).
- 1.3 Policy.** It is the policy of IA to acquire supplies and services through the formal acquisition process to the maximum extent practicable. In the event that a procurement does not fall within the routine acquisition process, an MO may be used consistent with this policy.

1.4 Authority.

A. Statutes and Regulations.

- 1) 25 U.S.C. 2010(a)(3), Limitations on expenditures for Bureau-operated schools
- 2) 23 U.S.C. 201 *et seq.*, Federal Lands and Tribal Transportation Programs
- 3) 31 U.S.C. § 501 *et seq.*, The Chief Financial Officers' Act of 1990
- 4) 48 CFR Subpart 17.5, Interagency Acquisitions (Federal Acquisition Regulation (FAR) System)
- 5) 48 CFR Subpart 41.2, Acquiring Utility Services (FAR System)

B. Guidance.

- 1) 212 Department Manual (DM) 24, Chief Information Officer
- 2) DOI Acquisition, Assistance, and Asset Policy (DOI-AAAP)-0047, Adjusted Micro-Purchase Threshold, October 2015 (available through the DOI-AAAP-Portal: <https://www.doi.gov/pam/programs/acquisition/pamareg>)
- 3) OMB Circular A-123, Management's Responsibility for Enterprise Risk Management and Internal Control, July 15, 2016 (available: <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2016/m-16-17.pdf>)
- 4) Department of Interior, Policy on the Appropriate Uses of Miscellaneous Obligations, May 1, 2013 (available through the Financial Management Policy (FMP) Portal: <https://www.doi.gov/pfm/fmm>)

C. Handbooks.

- 1) DOI Inter-Intra Agency Agreement Handbook, September 21, 2015 (available through the FMP Portal: <https://www.doi.gov/pfm/fmm>)

1.5 Responsibilities.

- A. Deputy Assistant Secretary – Indian Affairs (Management) (DASM)** is responsible for general oversight of all IA financial management functions.
- B. Chief Financial Officer (CFO)** is the head of contracting activity and the senior IA acquisition official. The CFO is responsible for the management, administration, and oversight of IA acquisition policies and procedures, and fulfilling the statutory requirements of the CFO Act. The CFO is the final Approver of MOs for Central Office. The CFO is also responsible for implementing internal controls, managing oversight of miscellaneous obligations and complying with the Department's reviews and annual certification requirements of MO via the Undelivered Orders (UDO) Certification process (in accordance with 27 IAM 6).
- C. Deputy Chief Financial Officer (DCFO)** is an alternative final approver of MOs for Central Office.
- D. Chief of Accounting Operations (CAO)** is responsible for assisting the CFO in ensuring this policy is adhered to, implementing internal controls, managing oversight of MOs and complying with the Department's quarterly reviews and annual certification requirements on obligations.
- E. Bureau Procurement Chief (BPC)** is responsible for establishing acquisition policy, guidance and oversight through the Division of Acquisition Management, under the OCFO, and is responsible for providing IA policy and guidance to acquisition personnel. The BPC is responsible for the approving the Electronic Purchase Request (EPR) forms.
- F. Office of Budget and Performance Management** is responsible for budget planning, formulation, and execution; and serves as an alternate certifier when the Certifying Funds Official is unavailable or unable to certify.
- G. Division of Acquisition Management** is responsible for assisting program offices in determining the validity of MOs.
- H. Directors, BIA and BIE** are responsible for ensuring that IA processes and resources are in place to facilitate cooperation and responsiveness to acquisition management

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requirements; communicating with and managing senior management, and ensuring staff participation in acquisition management, as needed.

- I. **Regional Directors and Deputy Regional Directors** are the final approvers of MOs for BIA regional offices.
- J. **Central Office Programs** are responsible for preparing justifications and other appropriate supporting documentation for the use of MOs for Central Office.
- K. **Regional Program Offices** are responsible for preparing justifications and other appropriate supporting documentation for MOs for their respective regional office.
- L. **FBMS Requisitioners** are responsible for initiating and/or changes to a Purchase Request (PR) in the Financial and Business Management System (FBMS).

1.6 Definitions.

- A. **Adopted Purchase Request** is a PR that is entered by the requisitioner in FBMS and adopted by the creator of the MO by unchecking Goods Receipt to generate a 4500 Miscellaneous Obligation document number.
- B. **Certifying Funds Official** is the individual in the respective program office who has the authority to certify that funds are available for an MO. The Budget Office may certify funds when the Certifying Funds Official is unavailable or unable to certify.
- C. **Document Creator** has the role necessary to create an MO document in FBMS. Users who create MOs are responsible for obtaining the appropriate level of approval.
- D. **Formal Acquisition Process** is an acquisition that is processed through PRISM, the automated contract writing system within FBMS. The contract is signed by a Contracting Officer (CO).
- E. **Initial Approver** is a program office individual with the appropriate level of authority to approve purchases.
- F. **Inter-Agency Agreement (IAA)** is a written agreement between or among two or more Federal agencies (outside of DOI).
- G. **Intra-Agency Agreement** is a written agreement between or among two or more DOI components (within DOI).

- H. Miscellaneous Obligation** is a type of document that is not processed through acquisition or financial assistance in PRISM in FBMS.
- I. Reimbursable Support Agreement (RSA)** is a type of intra-agency agreement.
- J. ZMOB** represents the Standard Miscellaneous Obligation document created in FBMS.
- K. Intra-Agency Agreement Role and Approval Process (AP_IMO)** Intra-Agency Agreements may only be processed as a MO in FBMS.
- L. Inter-Agency Agreements Role and Approval Process (ACQ_CO)** When IA is the buyer of services, only the CO has the authority to sign Inter-Agency Agreements.

1.7 Standards and Requirements.

A. Information Technology (IT)

IT supplies and services must be processed under the formal acquisition process. IT purchases cannot be processed with a MO. All IT purchases require an IT coversheet.

B. Micro-Purchase Threshold

Acquisitions under the micro-purchase threshold must be processed using a government charge card. In the event that the vendor does not accept the government charge card, a purchase order should be created using the formal acquisition process. If the service or supply item cannot be processed through the formal acquisition process or the Government Charge card, then a waiver must be obtained to use an MO.

C. Property Controls

No property items should be processed as an MO. This includes IT purchases and all other property items that the Division of Property Management is required to track, except for any property items noted in the MO Checklist (see Attachment).

D. Waivers

The CFO and the DCFO have the authority to waive the requirements outlined in this policy. If DOI and Bureau policies/guidance do not identify a type of transaction that the user believes is an appropriate use of an MO, then the user may seek a waiver allowing an exception to this policy.

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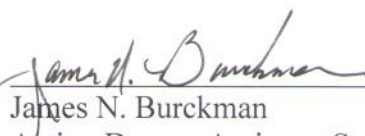
The waiver request must include the document type, justification for the use of an MO, and supporting documentation. If the request is approved, the details of the waiver will be communicated to the designated official in the Department's Office of Financial Management (PFM) by the CFO or DCFO.

- 1) A Purchase Request (PR) is generally required in order to create an MO except when a Standard Form (SF)-182, IAA, or SF-1034 is attached in support of an MO as these forms have all the required information, including a line of accounting. The PR must provide the following:
 - a) Justification (why does the item need to be processed as an MO) and an explanation of why the formal acquisition process cannot be used;
 - b) Budget Object Class;
 - c) Period of Performance;
 - d) Name of the Vendor providing the service and DUNS number;
 - e) Description of the service or supplies;
 - f) Authorized approving signatures;
 - g) Certification of funding signature; and
 - h) All required vendor information.
- 2) The creator determines the validity of an MO (see Attachment). If the creator cannot determine the validity of an MO, then the creator can consult with their supervisor and the Division of Acquisitions for final determination. The creators of MOs are responsible for attaching the necessary supporting documentation in FBMS.
- 3) The CFO, or in the absence of the CFO, the Deputy CFO has the final authority to determine a valid MO.

E. Forms

Inter/Intra-Agency Form, located in Appendix 1 of the Revised Department of Interior, Inter/Intra-Agency Handbook (September 21, 2015) must be used for all Reimbursable Support Agreements (RSA's). **No other format will be accepted.**

1.8 Approval


James N. Burckman
Acting Deputy Assistant Secretary – Indian Affairs (Management)

10/19/17
Date

Attachment 1**Miscellaneous Obligation Checklist**

For the use of Miscellaneous Obligations Creators

A. Process as a Miscellaneous Obligation:

1. **Intra**-Agency Agreements that are not processed through PRISM (i.e., processed through FBMS only). Supporting documentation: Intra-Agency Agreement Form.
2. Training Standard Form (SF)-182.
3. Government Publishing Office (GPO). Examples of supporting documentation: GPO Standard Form – 1 and GPO Form 2511.
4. GSA Reimbursable Work Authorization (RWA). Supporting documentation: SF-2957
5. Legal Authority or Settlement Payments. Supporting documentation: Completed SF-1034 and legal documentation.
6. Tort Claims. Supporting documentation: Completed SF-1034 and legal documentation to support the claim.
7. EEO Settlements. Supporting documentation: Completed SF-1034 and legal documentation.
8. Emergency Situations. Supporting documentation: Statement declaring the situation as an emergency from the U.S. President or the Secretary of the Interior. Supporting documentation: Completed SF-1034 and legal documents.
9. Land Acquisitions. Supporting documentation: a valid real estate contract.
10. Point of Obligation. Supporting documentation: full packet of the plan, specifications and estimate (PS&E) along with approval of funding from the Transportation program.

B. Do NOT Process as a Miscellaneous Obligation:

1. Acquisitions for Information Technology.
2. All contract types that are processed through PRISM, including purchase orders, delivery orders, task orders, firm fixed contracts, and cost reimbursement contracts.
3. Grants and Cooperative Agreements that are processed through PRISM in FBMS.
4. Inter/Intra-Agency Agreements that are processed through PRISM in FBMS.
5. Property purchases, except for certain land purchases with a valid real estate contract.