



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

## Memorandum

DEC 6 2016

**Date:** December 06, 2016

**To:** Aaron Baldwin, Director, National Interagency Fire Center, Indian Affairs  
Robert Roberts, Deputy Director, National Interagency Fire Center, Indian Affairs  
All Regional Directors  
All Deputy Regional Directors  
All Fleet/Property Officers/AOPCs  
All Superintendents

**From:** James Schock, Office of the Chief Financial Officer (OCFO), Indian Affairs

**Subject:** Notification of Unauthorized use of the Indian Affairs (IA) Federal Fleet Cards for BIA Owned Vehicles Used by Non-Federal Employees

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This memorandum clarifies and reiterates the Indian Affairs (IA)<sup>1</sup> charge card policy on the use of fleet charge cards associated with vehicles, including fire vehicles, purchased by IA.

### Background

In 2015, the Bureau of Indian Affairs (BIA) Fleet Card Manager learned that non-Federal employees (in this case, Tribes) were in possession of and using IA fleet charge cards to fuel regional fire vehicles purchased by the Branch of Wildland Fire Management (BWFM). The BWFM, through cooperative agreements, permitted Tribes to use the fire vehicles to perform fire suppression activities. The fire vehicles were not donated to the Tribes and title remained with the Federal government. However, in some cases, the IA fleet charge card associated with the fire vehicle was provided to the Tribe.

After learning of the situation, the fleet charge cards were temporarily suspended pending further inquiry into whether the cards could be retained and used by the Tribes. The suspension, however, hindered the Tribes' ability to engage in fire suppression activities. As a result, the cards were re-activated pending guidance from this office. This memorandum serves as that guidance.

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<sup>1</sup> Indian Affairs includes the Office of Assistant Secretary – Indian Affairs, the Bureau of Indian Affairs, and the Bureau of Indian Education.

### Government-Issued Charge Cards

Federal Acquisition Regulations (FAR) sections 13.301 and 1.603-3; 41 C.F.R. Part 102-34; and OMB Circular A-123, Appendix B governs the issuance and use of government-issued charge cards, including fleet charge cards. Generally, government-issued charge cards may only be issued to federal contracting officers and certain designed federal employees. FAR sections 13.301 and 1.603-3. Contractors, including Tribes, which lease vehicles directly from the General Services Administration (GSA), must apply with GSA for fleet charge cards. Federal agencies may lease or purchase vehicles from GSA. If a Federal agency leases a vehicle from GSA and that vehicle has a fleet charge card, the Federal agency must adhere to GSA's fleet charge card policy. If a Federal agency purchases a vehicle from GSA and obtains a fleet charge card, the Federal agency must adhere to its own policy on fleet charge cards. IA's policy for fleet charge cards can be found in chapter 8 of the IA Charge Card Policy Manual (June 2010).

Here, BWFM, under statutory authority,<sup>2</sup> has authorized Tribes to use fire vehicles to engage in fire suppression activities. BWFM, however, cannot give the fire vehicles' associated fleet charge cards to Tribes using the vehicles. BWFM is the authorized user of the cards and therefore, remains responsible for the cards. Our office understands the importance of ensuring that fire vehicles are properly fueled to ensure that Tribes and the Federal Government can safely and effectively respond to fires. However, giving an unauthorized user a Federal charge card violates Federal regulations, IA policies and increases the risk of internal control failures.

### Next Steps

My office has identified approximately 20 fleet charge cards that, we believe, are not in the possession of BWFM or BIA. *Effective immediately, these cards must be returned to the authorized users.* If the cards are not returned before December 19, 2016, they will be closed. To prevent closure of the cards, we ask for your support in recovering the cards where they will be suspended and held until the truck is returned to IA.

To ensure all fire vehicles are properly fueled, we recommend the following options for those who will no longer have the fleet card for fueling:

1. BWFM fuel the fire vehicles before and after engaging in fire suppression activities and to the extent possible, monitor fuel levels during fire engagement.
2. Reimburse Tribes for fuel expenses through the cooperative agreements that authorize Tribes to use the fire vehicles to engage in fire suppression activities.
3. For Tribes operating under a P.L. 93-638 contract or self-governance funding agreement, apply for fleet charge cards with GSA directly which will allow the Tribes to fuel the trucks and request reimbursement from those purchases.
4. Tribes may also contract directly with a charge card company that provides fuel card services with the same services that Citibank WEX provides GSA which will allow the Tribes to fuel the trucks and request reimbursement from those purchases.

If you have questions or would like to discuss options for purchasing fuel for fire vehicles, please contact our office at 703.390.6480.

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<sup>2</sup> 25 U.S.C. § 3115.