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Other Agency Directives Which Apply

Federal Property Management Regulations
Federal Procurement Regulations
General Accounting Office Policy and Procedures
Manual for Guidance of Federal Agencies

PROPERTY MANAGEMENT REGULATIONS
GENERAL

1. GENERAL

1.1 Purpose - This supplement sets forth the real and personal property and supply management directives of the Bureau in the prescribed numbering and format system of the Federal Property Management Regulations (FPMR), and Interior Property Management Regulations (IPMR), in order to comply with those regulations and to provide for ease of cross-reference between the Bureau manual issuances implementing, supplementing, or deviating from the FPMR and IPMR, thereby eliminating the need for duplicating or paraphrasing those regulations.

1.2 Policy - This supplement to the Bureau manual will be known as the Bureau of Indian Affairs Property Management Regulations (BIAPMR), and will be so referenced when sections or portions of material contained therein are cited in correspondence or other records or actions. The Federal and Interior Property Management Regulations (Title 41 CFR, Chapter 101 and 114), are hereby incorporated by reference as a part of this supplement and will be used in conjunction herewith. The BIAPMR will be published as Bureau internal directives as this supplement to the Bureau manual only and not in the Code of Federal Regulations in order to avoid unnecessary printing and publication costs.

1.3 Authority. Authority and prescribed format for the BIAPMR are provided in the Departmental Manual at 400 DM and in the FPMR and IPMR at Subparts 101-1.1 and 114-1.1 respectively.

1.4 BIAPMR Format. The remaining material contained in this supplement is numbered and formatted to comply with the Federal Property Management Regulations System. The system and numbering are explained in Subpart 114H-1.1 "Regulation System" on page 3 following.

PROPERTY MANAGEMENT REGULATIONS
Introduction

PART 114H-1 - INTRODUCTION

114H-1.000 Scope of Chapter.

(a) This Chapter establishes a system for the codification and publication of policies and procedures of the Bureau of Indian Affairs Property Management Regulations which implement or supplement, the Federal Property Management Regulations and/or Interior Property Management Regulations.

(b) The Federal Property Management Regulations (FPMR) are published as Chapter 101 in Title 41 of the Code of Federal Regulations. The Interior Property Management Regulations (IPMR), are published as Chapter 114 in Title 41 of the Code of Federal Regulations. The Bureau of Indian Affairs Property Management Regulations (BIAPMR), are published internally as Supplement 2 of Part 43 of the Bureau of Indian Affairs Manual.

(c) The FPMR, IPMR, and BIAPMR establish policies and procedures covering the acquisition, utilization, management and disposition of real and personal property for the Bureau of Indian Affairs. The BIAPMR is an extension of, and is to be utilized in concert with the FPMR and the IPMR. Therefore, substantive guidance for a more complete understanding of relevant requirements governing property management matters will be found in the application of a collective reference to the FPMR, IPMR, and BIAPMR in order. The current FPMR and IPMR are required to be maintained and utilized in conjunction with the BIAPMR in order to have a complete reference of Property Management Regulations for the Bureau of Indian Affairs.

114H-1.000-75 Procedure.

Organization and preparation of the BIAPMR is in adherence to the following precepts.

(a) The FPMR, IPMR, and BIAPMR are to provide policies, procedures, and authority clarification pertaining to the management of property for the BIA. The IPMR (or the FPMR) should not be repeated, paraphrased, or otherwise restated in the BIAPMR.

(b) The BIAPMR's purpose is to (1) implement and supplement the FPMR and IPMR and (2) implement certain other regulations applicable to the BIA such as special authorities.

PROPERTY MANAGEMENT REGULATIONS
Regulations System

Subpart 114H-1.1 - Regulations System

114H-1.100 Scope of Subpart.

This subpart describes the Bureau of Indian Affairs Property Management Regulations System which establishes uniform property management policies, regulations, and procedures for use throughout the Bureau of Indian Affairs.

114H-1.101-75 Federal/Interior Property Management Regulations System.

The Bureau of Indian Affairs Property Management Regulations System is based upon the Federal Property Management Regulations System and the Interior Property Management Regulations System.

114H-1.102-75 Bureau of Indian Affairs Property Management Regulations.

Bureau of Indian Affairs Property Management Regulations (BIAPMR), are issued as necessary to (a) supplement the Federal Property Management Regulations (FPMR), and the Interior Property Management Regulations (IPMR), and (b) to implement other property management policies and regulations to be promulgated as a result of Acts of Congress, Executive Orders, and decisions of the General Accounting Office (GAO), Office of Management and Budget (OMB), and General Services Administration (GSA).

All BIAPMR issuances shall be distributed as issued to all field offices of the Bureau of Indian Affairs. Areas shall provide to and maintain with the Division of Property Management, current listings of all field activities in their Area that are to receive BIAPMR issuances.

114H-1.106-75 Applicability of BIAPMR System.

The Bureau of Indian Affairs' Property Management Regulations (BIAPMR) system, as well as the FPMR and IPMR Systems, applies to all offices and organizations of the Bureau of Indian Affairs unless otherwise indicated in the FPMR, IPMR, or BIAPMR, or specifically excluded by law.

114H-1.108-75 BIA Implementation and Supplementation of FPMR/IPMR.

As provided in 400 DM 1 and BIAPMR 114H-1.102, the BIA shall issue BIAPMR material to supplement or expand upon material already covered in the FPMR and IPMR. In the absence of any BIAPMR issuance, the FPMR and/or IPMR shall apply.

The BIAPMR System shall also be used to incorporate property management policies and procedures related to subject matter not covered in the FPMR or IPMR.

PROPERTY MANAGEMENT REGULATIONS
Regulations System

The BIAPMR is developed to be an extension of, and consistent with, the policies and procedures contained in the FPMR and IPMR and does not attempt to duplicate FPMR/IPMR material. However, some material appearing in the FPMR/IPMR that has been derived from other sources of authority may be included, in part, in whole, or by reference, to provide greater clarification of applicability to the BIA.

114H-1.109-75 Numbering in the BIAPMR System.

(a) The BIAPMR are issued in the same numerical sequence as the FPMR and IPMR, except that the agency identification number "114" for Department of the Interior, is followed by an "H", the alphabetical designation for the Bureau of Indian Affairs (i.e., 114H).

(b) BIAPMR shall be numbered "75" or higher to identify any part, subpart, or section that does not have a corresponding FPMR or IPMR number.

(c) Any reference to the BIAPMR shall clearly identify the chapter, part, section and paragraph. The correct reference for this paragraph is BIAPMR 114H-1.109-75 (c).

114H-1.110-75 Deviation.

(a) Insofar as practicable the deviation procedures contained in FPR 1-1.009, FPMR 101-1.110, and IPMR 114-1.110 shall be applied with respect to BIAPMR.

(b) Any deviation from the mandatory provisions of the FPMR, IPMR, or the BIAPMR requires written approval of the Commissioner of Indian Affairs. Area Directors may request such approval by submitting a detailed justification to:

Director, Office of Administration
Attention: Division of Property Management

(c) Requests involving deviation from provisions established by the FPMR and/or IPMR will be further handled pursuant to FPMR 101-1.110, and IPMR 114-1.110.

PROPERTY MANAGEMENT REGULATIONS
Annual Real Property Inventories

PART 114H-3 ANNUAL REAL PROPERTY INVENTORIES

Subpart 114H-3.2 Annual Report - Real Property Owned by the United States114H-3.201-75 Bureau Reporting Offices.

An annual report shall be prepared by the Area Property Accountable Officer for real property under the Area's jurisdiction other than trust property. Such reports shall be submitted to BIA, Washington, D.C., Division of Property Management.

114H-3.202 Coverage.

(a) Real property covered in FPMR 101-3.202 also is intended to include:

(1) Land withdrawn or reserved from the Public Domain for the administration of Indian affairs and such land that is administered by the Bureau for the use and benefit of Indians and which is not held in trust. Improvements thereon are likewise subject to reporting.

(2) Land held for irrigation or power projects under the administration of the Bureau of Indian Affairs.

(3) Bureau-owned buildings and other structures and facilities which are located on Indian-owned land.

(b) Use of the term "real property" used in the IPMR Sections 114-3.200 and .201 is also intended to include:

(1) Bureau-owned real property provided to Indian tribes under contract or grant.

(2) Real property held for irrigation or power projects under the administration of the Bureau of Indian Affairs.

(3) Real property permitted to the Indian Health Service by the Bureau of Indian Affairs.

114H-3.203 Exclusion.

Real property held by the Secretary in trust for Indians or Indian tribes is not included in the Area's Annual Report of Real Property Owned by the United States.

114H-3.204 Reports to be Submitted.

(a) The Area Property Accountable Officer shall prepare a separate GSA Form 1166 for each installation. The term "installation" usually corresponds

PROPERTY MANAGEMENT REGULATIONS
Annual Real Property Inventories

to Agencies under Area jurisdiction, however, the term also applies to any isolated real property owned by the United States under the immediate control of the Area. Groups of property used for one specific purpose and physically located apart from Agency locations, such as Indian schools, shall be reported as separate installations.

(b) To assist the Division of Property Management in preparing consolidated GSA Forms 1166 and 1209 for Bureau-wide holdings, the Area Property Accountable Officer shall submit to the Division of Property Management a consolidated GSA Form 1166 and 1209 covering all holdings in the Area. A copy of the consolidated report is to be retained by the Area for ready reference.

114H-3.206 Preparation and Due Dates.

(a) The Area Office shall prepare the components of the annual report (GSA Forms 1166, 1209, and Area Consolidated Report) as of the last day of each Fiscal Year. One original and one copy of these various portions shall be sent to the Division of Property Management and are to be received no later than 45 days after the end of each Fiscal Year.

(b) The Division of Property Management shall transmit the components of the annual report to the Office of Acquisition and Property Management no later than 60 days after the end of each Fiscal Year.

PROPERTY MANAGEMENT REGULATIONS
Annual Report - Real Property Leased to the United States

Subpart 114H-3.3 Annual Report - Real Property Leased to the United States

114H-3.301 Reporting Agency - Annual Report of Real Property Leased to the United States.

The annual report shall be prepared by the Area Property Accountable Officer for leased real property under the Area's jurisdiction.

114H-3.302 Coverage.

In addition to those kinds of property listed in FPMR 101-47.3, real property leased from Indians or Indian tribes is to be included in the Annual Report of Real Property Leased to the United States.

114H-3.304 Reports to be Submitted.

The Area Property Accountable Officer shall prepare a separate GSA Form 1166A for each lease in existence during the reported year as entered into by the Area for its purposes or for Agencies. Also, a GSA Form 1209A is to be prepared summarizing leases reported.

114H-3.306 Preparation and Due Dates - Annual Report of Real Property Leased by the United States.

(a) The report shall be prepared as of the last day of each Fiscal Year with the following number of copies:

(1) An original and one copy of each GSA Form 1166A.

(2) An original and one copy of the GSA Form 1209A.

(3) One copy of each of the above forms for retention by the Area Office. Items (1) and (2) above shall be sent to the BIA Division of Property Management, Washington, D.C., and are to be received no later than 45 days after the end of each Fiscal Year.

(b) The Division of Property Management shall transmit the components of the annual report (Forms 1166A and 1209A) to the Office of Acquisition and Property Management no later than 60 days after the end of each Fiscal Year.

PROPERTY MANAGEMENT REGULATIONS
Accommodations for the Physically Handicapped

Subpart 114H-19.6 Accommodations for the Physically Handicapped

114H-19.607 Reporting.

Each Area Property Accountable Officer shall complete and submit the required annual report on GSA Form 2974 for receipt by the BIA Division of Property Management, Washington, D.C., by September 5 of each year.

PROPERTY MANAGEMENT REGULATIONS
Supply and Procurement

PART 114H-25 SUPPLY AND PROCUREMENT

114H-25.0075 Requirements Determination.

The cognizant Area or field level Property Management Staff shall provide assistance and guidance to activities within their organization in determining requirements for supplies and equipment and in completion of necessary requisition forms and item descriptions.

114H-25.0076 Requisitioning Supplies and Equipment.

(a) Bureau offices and activities requiring supplies or equipment shall complete a requisition Form BIA-4314 (See Part 114H-80) of this BIAPMR for a form illustration and completion instructions). All requisitions for supplies or equipment shall be submitted to the cognizant Property Accountable Officer for determination as to the allowability for acquisition of the requested item(s) and the proper source and method of supply. (See FPMR 101-26.107 and BIAPMR 114H-26.107).

(b) Requisitions shall include the accounting data of the requisitioning activity and shall be signed by a program official with authority to obligate the account designated. Prior to completion of the acquisition process, the Property Accountable Officer shall assume that funds designated are adequate or shall obtain additional written obligation authority from the requisitioner.

PROPERTY MANAGEMENT REGULATIONS
General Policies

PART 114H-25.1 GENERAL.

Subpart 114H-25.1 General Policies114H-25.100 Use of Government Personal Property and Nonpersonal Services.

(a) Government-owned personal property may be furnished for use by an Indian tribe only when specific authority exists to do so, and then only within the scope, purpose, and limitations as stated in the authority. Such authority may exist when the use of Government-owned property has been authorized within the terms and conditions of a legally executed contract, grant, or cooperative agreement. The Contracting/Grants Officer for that legal instrument is the only official of the BIA who can authorize the provision, acquisition, utilization, or disposal of any Government-owned property so involved.

(b) Policies and procedures governing the acquisition, utilization, management, and disposal of property involved in contracts with the BIA are defined in the 19 BIAM Supplement entitled Standards and Procedures for Acquisition and Management of Property Under Contracts.

PROPERTY MANAGEMENT REGULATIONS
Use Standards

Subpart 114H-25.3 Use Standards

114H-25.304 Additional Systems and Equipment for Passenger
Vehicles and Light Trucks.

(a) The guidelines required to be met by IPMR 114-25.304 and FPMR 101-25.304 shall also apply to light trucks (under 8,500 GVWR).

(b) Approval for the procurement of additional systems and equipment shall be pursuant to the requirements of FPMR 101-24.304, IPMR 114-25.304, and this BIAPMR 114H-25.304, and require written approval by the Area Director.

(c) Authority for approval pursuant to 114H-25.304(b) shall not be redelegated below the Area level.

PROPERTY MANAGEMENT REGULATIONS
Property Management Reporting Requirements

Subpart 114H-25.75 Property Management Reporting Requirements

114H-25.7500 Scope of Subpart.

(a) This subpart prescribes general requirements pertaining to the preparation and submission of property management reports to the BIA Central Office.

(a)(1) Specific instructions and authorities pertaining to the preparation and submission of each property management report listed in BIAPMR 114H-25.7501, 114H-25.7502, 114H-25.7503, and 114H-25.7504 will be addressed in the FPMR, IPMR or BIAPMR, referenced under "Authority and Instructions" for that report.

(b) Property management reports which require input from BIA field offices or from Central Office organizations exercising property and supply operations responsibilities are listed in:

- (1) BIAPMR 114H-25.7501 for Personal Property Reports.
- (2) BIAPMR 114H-25.7502 for Real Property Reports.
- (3) BIAPMR 114H-25.7503 for Space Reports, and
- (4) BIAPMR 114H-25.7504 for Joint Committee on Printing Reports.

(c) Accomplishment of these reporting requirements is an important property management function for which the Area Director is responsible. Area Directors should impress upon their field locations the importance of these reporting requirements, and the necessity for accurate and complete data to be provided in a timely manner. Reporting data will be collected from all BIA field activities including Indian Education. Every effort shall be made by all concerned to maintain the highest degree of integrity in the collection, evaluation, and presentation of BIA Property Management reports.

(d) For each property management report, Area Offices will collect necessary reporting data from their field locations within 30 days before the date that the report is due in the Central Office, Division of Property Management.

(1) Area Offices are to collect and review the required reporting data from their field locations, collate that information into the proper form/format, and then submit one (1) original, and two (2) copies of a consolidated report to the Division of Property Management.

(2) Each report is required to be received in the Central Office, Division of Property Management, on or before the due date established for that report. Reports will not be acceptable if (1) presented on an outdated or incorrect form, or in an outdated or incorrect memorandum format or (2) contain missing, incomplete, erroneous or illegible data.

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PROPERTY MANAGEMENT REGULATIONS
Property Management Reporting Requirements

(3) All reports must be transmitted by memorandum signed by the Area Director. Area Offices will maintain proper backup documentation of how each report was prepared for verification and audit purposes. All reports require proper documentation, therefore, negative reports must be submitted as required and telephone reports will not be acceptable.

PROPERTY MANAGEMENT REGULATIONS
Procurement Sources and Programs

PART 114H-26 PROCUREMENT SOURCES AND PROGRAMS

Subpart 114H-26.1 General114H-26.100-2 Request for Waivers.

Requests to waive the requirement for use of GSA sources shall be submitted to the Division of Property Management, for review and consideration by the Director, Office of Administration, for possible forwarding through the Department to GSA. This waiver requirement is not necessary when items are to be procured from Indian firms under the Buy Indian Act (See 114H-26.107).

114H-26.107 Priorities for Use of Supply Sources.

(a) Pursuant to authority of the "Buy Indian Act" (25 U.S.C. 47), warranted BIA Contracting Officers may procure required supplies and services from certified Indian-owned businesses, if prices are considered reasonable, prior to obtaining such items through GSA and other Federal agencies' stock programs, Federal Supply schedule contractors or other commercial sources as listed in FPMR 101-26.107 (a) (1) (v) (vi) (vii) and (viii).

PROPERTY MANAGEMENT REGULATIONS
Federal Requisitioning System

Subpart 114H-26.2 Federal Requisitioning System

114H-26.201-75 BIA Ordering Procedures.

Area Offices shall make arrangements with their servicing GSA Regional Federal Supply Service Office to submit requisitions directly to GSA.

114H-26.203 Activity Address Codes.

The Chief, Branch of Property and Inventory Management, Division of Property Management is the Bureau contact/liaison point with the GSA for obtaining activity address codes.

PROPERTY MANAGEMENT REGULATIONS
Purchase of Items From Federal Supply Schedule Contractors

Subpart 114H-26.4. Purchase of Items From Federal Supply Schedule Contractors

114H-26.406 U.S. Government National Credit Card for Use in Obtaining Service Station Deliveries and Services.

114H-26.406.1 General.

(a) U.S. Government National Credit Card, Standard Form 149, is the only credit card authorized for use by offices of the BIA for obtaining fuel and motor vehicle repairs and maintenance services.

(b) No more than one credit card (SF-149) shall be obtained, used, or assigned to any one vehicle or piece of equipment.

(b)(1) Smaller items of motorized equipment may be assigned one credit card per commodity group per project, office, or agency (i.e., all chainsaws for a project, or all lawnmowers for an Agency, etc.).

PROPERTY MANAGEMENT REGULATIONS
GSA Procurement Programs

Subpart 114H-26.5 GSA Procurement Programs

114H-26.500 Scope and Applicability of Subpart.

(a) This subpart prescribes policies and procedures relating to the BIA's participation in GSA's procurement programs as defined in FPMR 101-26.5, and IPMR 114-26.5.

(b) Participation in GSA's consolidated procurement programs by all BIA activities is required. Participation will be in accordance with provisions of FPMR 101-26.5, IPMR 114-26.5, and this BIAPMR 114H-26-5. Procedures and forms used in billing for supplies and services furnished by GSA and subsequent payments and adjustment procedures are explained in FPMR 101-2.

114H-26.500-75 Definitions.

As used in this subpart 114H-26.5, the following terms shall have the meanings as stated:

(a) "Motor vehicle requirement" means the identification of a necessity for a motor vehicle. The vehicle so identified must be:

(1) Required as a replacement or addition directly necessary to the conduct and performance of a Government program, funding for which is currently appropriated by Congress.

(2) The minimum capacity/performance and fuel efficient vehicle which will satisfy the requirement in consideration of overall safety and economy, and the determination of the essentiality of any additional systems and equipment specified shall be based upon consideration of the impact on fuel consumption and operational necessity.

(b) The term "new motor vehicles" as used in the BIAPMR means the new acquisition of motor vehicles. A new acquisition is an addition to the DOI fleet of Agency-held motor vehicles regardless of age, source, or means of acquisition.

(c) The term "light trucks" shall mean those trucks under 8,500 GVWR.

(d) The terms "acquisition" and "acquired" are synonymous, and are used in property management to refer to the coming into possession of, or accountability for property by any of several established "means" of Government acquisition. Acquisition may be either from (1) Federal Government sources, or (2) non-Federal Government sources.

(e) "Procurement" is the acquisition (and directly related matters) from non-Federal sources of personal property (and non-personal services) by such

PROPERTY MANAGEMENT REGULATIONS
GSA Procurement Programs

means as purchasing, renting, leasing (including real property), contracting or bartering, but not by seizure, condemnation, donation, or requisition. (Reference: FPR 1-1.209).

(f) The term "new acquisition" is used in this subpart to refer to the acquisition of any type of motor vehicle from any source that would result in an addition to the Bureau of Indian Affairs's motor vehicle fleet. This applies to both addition and replacement acquisition actions.

114H-26.501 Purchase of New Motor Vehicles.

114H-26.501-1 General.

(a) The Director, Office of Administration exercises the authority of the Secretary of the Interior in the certification and approval of motor vehicle requisitions for the Bureau of Indian Affairs. This delegation of authority is limited in that:

(1) This authority may not be exercised below the Director, Office of Administration.

(2) All other actions relating to motor vehicle acquisition, such as requests for leases exceeding 60 days, procurement waivers, the use of full size sedans, forecasts, annual operating reports, or justifications for exceptions to the miles per gallon standards, will be processed for approval of the Office of Acquisition and Property Management, DOI, through the Division of Property Management and the Director, Office of Administration.

(b) To insure BIA's continuing compliance with all motor vehicle management requirements, the new acquisition of all motor vehicles must be approved by the Director, Office of Administration.

(c) The purchase or leasing of all motor vehicles will be from GSA's directed sources, and only through the Division of Property Management for the approval of the Director, Office of Administration. Areas and their field locations do not have the authority to approve the new acquisition of motor vehicles. Areas and their field locations do not have authority to deal directly with the GSA Automotive Commodity Center in the submission of motor vehicle requisitions, or deletions, additions, or changes thereto.

(d) The new acquisition of used vehicles will not be allowed except in limited instances of special design motor vehicles (as defined in 41 CFR 101-38.001-2) or when available as excess from other agencies of the Federal Government.

PROPERTY MANAGEMENT REGULATIONS
GSA Procurement Programs

114H-26.501-2 Consolidated Purchase Program.

114H-26.501-3 Submission of Orders.

(a) Area activities shall submit through their Superintendent or Officer in Charge, all motor vehicle requirements to the Area Motor Vehicles Manager for review and processing.

(b) Requisitions for motor vehicles shall be submitted to: "Director, Office of Administration - Attention: Division of Property Management.

(c) Submission of orders are to be based upon current Federal standards and specifications. Orders must be expressed in accordance with the provisions of the applicable standard or specification. Orders are to be submitted on a properly completed GSA Form 1781 - Motor Vehicle Requisition - Delivery Order - Invoice, and shall contain all required FEDSTRIP data.

(d) Each requisition shall indicate the appropriation/fund code to be charged and shall bear the original signature of an appropriate Area level official (Contracting Officer or Purchasing Agent) authorized to obligate cited funds.

(e) Full justification in support of the vehicle requirement shall be attached. A statement from the Regional GSA Motor Pool Director verifying that they cannot meet the specified motor vehicle requirements are to be included with the justification for the vehicle's requisition.

(f) Each requisition shall contain a certification by the Area Director that (1) the acquisition will not result in the ratio of employees per each vehicle under 8,500 GVWR exceeding the 3 to 1 limitation for the Area; (2) that the vehicle is the minimum capacity/performance vehicle that satisfies requirements; (3) the requirement was forecast and approved in the Area's "Plan for Acquisition of Motor Vehicles" for the current Fiscal Year; and (4) whether or not the vehicle is to be used for law enforcement purposes.

(g) Each motor vehicle acquisition shall be appropriately identified as follows:

(1) Replacement Acquisition: The acquisition of a vehicle that replaces a like existing vehicle on the BIA inventory listing.

(1) The motor vehicle to be replaced shall be identified in the acquisition request by: year, make, type, BIA property tag number and property management serial number, GVWR (trucks only), condition and ending mileage. The vehicle being replaced (old) shall meet the replacement standards prescribed in FPMR 101-38.9 and IPMR 114-38.9.

PROPERTY MANAGEMENT REGULATIONS
GSA Procurement Programs

(ii) The motor vehicle designated for replacement shall be reported for disposal to GSA within 30 days after receipt of the replacement vehicle. Motor vehicles that are being replaced are to be disposed of by sale as set forth in FPMR 101-46.

114H-26.501-51 Limitation on the Acquisition of Passenger-Carrying Motor Vehicles.

(a) The acquisition of passenger-carrying vehicles for the BIA shall be limited to those vehicles and numbers authorized in the Appropriations Act for the year in which the vehicles are ordered.

114H-26.501-52 Limitation on the Acquisition of Law Enforcement Passenger Automobiles.

(a) Law enforcement passenger automobiles may only be acquired for use in official law enforcement work, and only for operation by law enforcement officers in the performance of their duties.

(b) For the number of law enforcement passenger vehicles appropriated each Fiscal Year, the Division of Law Enforcement Services shall assign to each Area a share of the appropriation that they may order against, in order to meet their requirements.

114H-26.501-75. Limitation of the Acquisition of All Motor Vehicles.

(a) To ensure BIA's continuing compliance with applicable motor vehicle management requirements, the acquisition of all motor vehicles shall require the written approval of the Director, Office of Administration. The requirements of this 114H-26.501-75(a) shall not apply to vehicles obtained as defined in BIAPMR 114H-26.501-76(d).

(b) The acquisition and/or obtaining of all motor vehicles from any source by any means is subject to any limitations that may be established from time to time by the Director, Office of Administration.

114H-26.501-76 Requirements and Limitations Applicable to the Acquisition of All Motor Vehicles.

(a) Area Directors shall be responsible for the identification and certification of all motor vehicle requirements for all activities located within their Area, including Indian Education activities.

(1) The Area Property Accountable Officer shall be responsible for acting in the Area Director's behalf to assure that all motor vehicle management requirements are met.

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GSA Procurement Programs

(2) All Area activities having motor vehicle requirements shall submit to the Area Motor Vehicles Manager for review and consideration all requests involving the acquisition of motor vehicles. The requirements of this BIAPMR 114H-26.501-76 shall apply to all acquisition requests from any source for any reason, including requests involved with contracts, grants, or cooperative agreements.

(b) It shall be the responsibility of the Area Property Accountable Officer to review all requests for the acquisition of motor vehicles from all activities located within the Area. The purposes of this review are to assure compliance with all motor vehicle management requirements as published in (1) the FPMR, IPMR, BIAPMR, and (2) subsequent requirements established by Executive Orders, OMB, GAO, GSA, Department of the Interior and/or the Director, Office of Administration.

(c) Requirements for the provision or acquisition of Government-owned motor vehicles that are to be involved in contracts, grants, or cooperative agreements either as Government provided property, or as recipient acquired Government property, shall be coordinated between the Contracting Officer and the Area Property Accountable Officer. The Area Property Accountable Officer shall provide technical assistance to the Contracting Officer relevant to such motor vehicle acquisition requests in order to assure compliance with all motor vehicle management requirements.

(d) Prior to the submission of a motor vehicle acquisition request to the Division of Property Management, the Area Property Accountable Officer shall seek to satisfy the motor vehicle requirements from the following sources:

(1) Available or underutilized BIA vehicles within the Area, including vehicles returned from involvement in a legal instrument by the Contracting Officer as being available for general reassignment.

(2) Vehicles reported as excess by other Bureaus and offices of the Department of the Interior and by other Federal agencies that are in (a) good usable condition, (b) located within an economically feasible distance, and (c) available without transfer of funds. Acquisition of all vehicles from these sources shall be in conformance with IPMR 114-38.5104(e).

(3) Vehicles available for assignment from the GSA Interagency Motor Pool System.

(e) Motor vehicle requirements that can be satisfied by the preceding categories (1, 2, & 3) of this BIAPMR 114H-26.501-76(d) shall require the approval of the Area Director or the Area Property Accountable Officer when acting in the Area Director's behalf. Authority to approve such requests shall not be redelegated. The acquisition of any motor vehicles by any other means shall require written approval by the Director, Office of Administration.

PROPERTY MANAGEMENT REGULATIONS
Storage and Distribution

PART 114H 28 STORAGE AND DISTRIBUTION

Subpart 114H-28.50 Cross-Servicing Arrangements for Motor
Vehicle Fuel and Oil114H-28.5002 Semi-Annual Report.

The following supplemental instructions shall be followed in the preparation and submission of the semi-annual reports on cross-servicing arrangements for motor vehicle fuel and oil.

(a) Each Area Office dispensing motor fuel and oil to other Bureaus of DOI, or to other Federal agencies shall submit a semi-annual report on such activities to reach the Division of Property Management no later than January 20, and July 20, of each year.

(b) The report shall be made pursuant to the requirements of IPMR 114-28.50, and this BIAPMR 114H-28.5002.

PROPERTY MANAGEMENT REGULATIONS
Motor Equipment Management

PART 114H-38 MOTOR EQUIPMENT MANAGEMENT

114H-38.000 Scope of Part.

This part implements and supplements policies and procedures for the accomplishment of effective and efficient management and control of motor equipment as prescribed by FPMR 101-38, IPMR 114-38, and other applicable requirements established by OMB, GAO, GSA and the Office of the Secretary of the Interior.

PROPERTY MANAGEMENT REGULATIONS
Definition of Terms

Subpart 114H-38.0 Definition of Terms

114H-38.001 Definitions.

The following terms shall have the meanings stated.

114H-38.001-75 Motor Vehicle.

"Motor vehicle" means any equipment, self-propelled or drawn by mechanical power, designed to be operated on or off road in the transportation of property and/or passengers. This includes motorcycles, motor scooters, snowmobiles, and electric cars or carts.

114H-38.001-76 Motor Vehicles Manager.

(a) "Motor Vehicles Manager" - The Area Property Accountable Officer shall act as the "Motor Vehicles Manager" for the Area, and shall in the Area Director's behalf, establish and operate an Area-wide system for the management and oversight of motor equipment operations and related activities.

(b) The Motor Vehicles Manager shall be responsible for the management and control of the acquisition, utilization, and disposal of all types of motor equipment in conformance with all regulatory requirements. The Motor Vehicles Manager shall develop, identify, collect, analyze, and report to the Washington, D.C., Division of Property Management, on all required management data relevant to forecasting, acquisition, utilization, and disposal of motor equipment. Motor vehicle management responsibilities shall include compliance with fleet average fuel economy requirements in forecasting and reporting; assimilation and reporting of all direct and indirect costs relevant to operation and maintenance; and maintenance of current motor vehicle inventory information. Further, the Motor Vehicles Manager shall be responsible for accomplishment of motor vehicle management requirements established by the Director, Office of Administration, the Department, or GSA.

114H-38.001.77 Trips.

The term "trip" is used to define the basis by which motor vehicles are to be used, and utilization data shall be recorded. A trip is defined as beginning when a motor vehicle leaves its designated storage space and ends when the vehicle is returned to its designated storage space. Insofar as is practicable, motor vehicles are to be pooled and then utilized on a trip basis rather than being assigned to individual programs or operators.

114H-38.001-78 Responsible Reporting Activity.

"Responsible Reporting Activity" is the activity or program by which a motor vehicle is utilized, and therefore is responsible for initially

PROPERTY MANAGEMENT REGULATIONS
Definition of Terms

reporting information in accordance with 114H-38.101 and relevant to the vehicle's use in an accurate and timely manner to the Property and Supply Officer servicing the activity.

114H-38.001-79 BIA-Owned Motor Vehicles.

"BIA-owned motor vehicles" are Bureau-held motor vehicles for which the BIA has management responsibility, including: accountability, reporting responsibility, authority to take possession of, and authority to assign and reassign. This does not include GSA Interagency Motor Pool Vehicles.

PROPERTY MANAGEMENT REGULATIONS
Reporting Motor Vehicle Data

Subpart 114H-38.1 Reporting Motor Vehicle Data

114H-38.100 Scope of Subpart.

This subpart sets forth supplemental and implementing procedures for reporting inventory, cost, and utilization data for BIA motor vehicles.

114H-38.101 Records.

(a) Utilization data prescribed in IPMR 114-38.101 and this BIAPMR 114H-38.101 shall be recorded for all BIA motor vehicles initially on Form DI-120, Operator's Record. Form DI-120, Operator's Record, shall be maintained for each BIA motor vehicle to reflect all direct and indirect costs involved in the operation of that vehicle for management purposes and for reporting requirements.

(1) It shall be the responsibility of the motor vehicle operator to record all service station supplies and services acquired, the cost of such supplies and services, total miles driven and hours of operation for each trip made.

(b) Motor vehicle operators shall be responsible for submitting at least on a monthly basis, their completed Form DI-120, Operator's Record, to their immediate supervisor. Supervisors shall be responsible for assuring that all required operational data is provided on a monthly basis for every vehicle operated by his/her employees to the immediate Property and Supply Office servicing their activity.

(c) Agency Superintendents shall be responsible for reporting all motor vehicle utilization data to the Area's Motor Vehicles Manager on a monthly basis.

(d) The Area's Motor Vehicles Manager shall assure that all utilization data is submitted to him/her for every vehicle in the Area, and that the information is submitted in a timely manner.

(e) If any required utilization information for a motor vehicle is not submitted to the Motor Vehicles Manager on time, or if information that is submitted is determined by the Motor Vehicles Manager to contain false, misleading, erroneous, or missing data, the following actions shall be taken immediately by the Area Director.

(1) The activity responsible will be given written notice explaining any deficiencies, and will be allowed 30 days to achieve the corrective action(s) defined in the notice.

PROPERTY MANAGEMENT REGULATIONS
Reporting Motor Vehicle Data

(2) If the activity fails to accomplish the corrective actions within this 30 day period, then the responsible activity will be disallowed the use of the vehicle(s) until such time as the reporting requirements can be met. Full utilization of the affected vehicle should continue to be made by other activities that are complying with their responsibilities in the reporting of utilization data.

114H-38.102 Preparation of Standard Form 82, Agency Report of Motor Vehicle Data.

(a) The following supplemental instructions shall apply to the preparation and submission of the annual Agency Report of Motor Vehicle Data - SF-82.

(b) Each Area Office shall submit this Annual Report to include all BIA owned and commercially leased (for 60 days or more) motor vehicles in the area. Information pertaining to motor vehicles obtained from GSA motor pools shall not be reported. Each Area Office shall submit this report to reach the Division of Property Management no later than forty days after the end of each fiscal year.

(c) This report shall be made pursuant to the requirements of FPMR 101-38.102, IPMR 114-38.102, and this BIAPMR 114H-38.102. Detailed instructions for the preparation of this report are provided on the back of the Standard Form 82.

PROPERTY MANAGEMENT REGULATIONS
Official U.S. Government Tags

Subpart 114H-38.3 Official U.S. Government Tags

114H-38.301 General Requirements.

(a) Official U.S. Government tags for the Department of the Interior shall be displayed in accordance with FPMR 101-38.3, IPMR 114-38.3, and this BIAPMR 114H-38.3 on every motor vehicle managed by the Bureau. Also included are BIA-owned motor vehicles (Government-owned), involved in contracts, grants, and cooperative agreements as contractor-acquired Government property, or as Government-furnished property.

(b) Assignment and control of U.S. Government tags for motor vehicles in the Area shall be maintained at the Area level.

(c) Area Offices shall consolidate all requirements for tags for their field locations and submit a completed Requisition Form BIA-4314 to the Division of Property Management.

(d) The Division of Property Management will request assignment of a block of numbers from the Director of Administrative Services, DOI. Upon receipt of this assignment of tag numbers, the Division of Property Management, will submit an SF-147 for the order through its Branch of Property and Supply Operations, to Federal Prison Industries, Inc., pursuant to FPMR 101-38.303-2.

(e) Assignment of official U.S. Government tags are for purposes pursuant to FPMR 101-38.3, IPMR 114-38.3, and this BIAPMR 114H-38.3, and are not to be used in lieu of BIA Property Inventory Identification Numbers.

114H-38.302 Records.

(a) The Division of Property Management will, upon request, assign "blocks" of U.S. Government license tag numbers to Area Offices, and will maintain a current record of such assignments.

(b) Each Area Motor Vehicles Manager shall maintain a current record of individual assignments of tags to the motor vehicles under the Area's jurisdiction. Tags shall be treated as accountable forms, with assignment, reassignment, disposition, or loss accounted for. This record shall contain the following information for each vehicle.

1. Tag numbers. -
2. Date of assignment.
3. Make, model, type and year of vehicle to which assigned.

PROPERTY MANAGEMENT REGULATIONS
Official U.S. Government Tags

4. Manufacturer's vehicle identification number of assigned vehicles.
5. BIA Office or Agency to which assigned.

PROPERTY MANAGEMENT REGULATIONS
Official Legend and Agency Identification

Subpart 114H-38.4 - Official Legend and Agency Identification

114H-38.401 General Requirements.

(a) All BIA-held motor vehicles including BIA-owned vehicles involved in contracts, grants, or cooperative agreements shall be clearly identified in conformance with the requirements of FPMR 101-38.4, IPMR 114-38.4, and this BIAPMR 114H-38.4.

(b) The operation of any Government-owned motor vehicle that does not display official U.S. Government tags or other identification pursuant to this BIAPMR 114H-38.4, except those vehicles exempted under provision of BIAPMR 114H-38.6, shall not be authorized.

114H-38.403 Display of Legend and Agency Identification.

(a) Except as provided in FPMR 101-38.401(c), FPMR 101-38.6, IPMR 114-38.6, and BIAPMR 114H-38.6, official legend and Agency/Bureau identification shall be displayed as follows.

LEGEND AND IDENTIFICATION	Letter Height (inches)	
	Minimum	Maximum
For Official Use Only	1/2	3/4
U.S. Government	3/4	1
Department of the Interior	1	1 & 1/2
Bureau of Indian Affairs	1/2	3/4

(b) In addition to the above, law enforcement vehicles shall display the following:

(1) The legend "POLICE" in 6" letters to be positioned directly below "Bureau of Indian Affairs" on each front door.

(2) The official BIA Law Enforcement "shield" in a size not to exceed 14" by 14" to be positioned directly below "POLICE" on each front door.

(3) the legend "POLICE" in 6" letters to be positioned on the rear trunk lid, right above the trunk lid opening on sedans, and in an appropriate location on the rear of other type vehicles.

PROPERTY MANAGEMENT REGULATIONS
Official Legend and Agency Identification

114H-38.404 Procurement of Decalcomania.

(a) Area Offices will procure and stock all required decalcomania (elastomeric pigmented film type) on a consolidated basis, for all activities within their Area.

(b) Decalcomania required for official legend and identification shall be readily available for application upon delivery of all acquired vehicles.

PROPERTY MANAGEMENT REGULATIONSExemptions from Use of Official U.S. Government Tags and Other IdentificationSubpart 114H-38.6 Exemptions From Use of Official U.S Government Tags and Other Identification114H-38.600 General Requirements.

(a) Requests made pursuant to FPMR 101-38.603, or FPMR 101-38.605 and this BIAPMR 114H-38.6 for exemption from the requirement for displaying U.S. Government tags and other identification shall be submitted to the Division of Property Management for processing.

(b) Each request shall be on a typed Form BIA-4330, Request for Exemption from Displaying Official U.S. Government Tags and Other Identification on a BIA Government-Owned Motor Vehicle (See BIAPMR Part 114H-80 for form illustration).

(c) Requests shall require the review and written recommendation for approval of the Area Special Officer and the Area Director, prior to submission to the Division of Property Management. The Division of Property Management will review all requests to assure conformance with applicable property management requirements, and submit such requests through the Chief, Division of Law Enforcement Services, BIA, to the Office of Acquisition and Property Management, Attention: Chief, Division of Personal Property Management, for review and consideration for approval.

114H-38.601 Report of Exempted Motor Vehicles.

(a) In order to establish and maintain administrative control, and to insure that current records are maintained, each Area shall submit annually a "Report of Motor Vehicles Exempted from the Requirements for Display of Official U.S. Government Tags and Other Identification" to the Division of Property Management.

(b) The following instructions shall apply to the preparation and submission of this report.

(1) Each Area shall submit this report to include all motor vehicles exempted from the requirements for display of official U.S. Government tags and other identification. The Area's consolidated report shall be submitted to reach the Division of Property Management no later than December 1, of each year.

(2) This report shall be made pursuant to the requirements of FPMR 101-38.6, IPMR 114-38.6, and BIAPMR 114H-38.6.

PROPERTY MANAGEMENT REGULATIONSExemptions from Use of Official U.S Government Tags and Other Identification

(3) Each report shall provide current information for each vehicle operated without tags or identification as follows:

1. Year, make, model.
2. Manufacturer's vehicle identification number.
3. BIA property inventory identification number.
4. State issuing license tags for temporary substitution.
5. Date of Departmental approval for temporary removal of official U.S. Government tags and other identification.

PROPERTY MANAGEMENT REGULATIONS
Transfer of Title to Government-Owned Motor Vehicles

Subpart 114H-38.7 Transfer of Title to Government-Owned Motor Vehicles

114H-38.775 Control of Forms.

Standard Form 97, the U.S. Government Certificate of Release of a Motor Vehicle, and Standard Form 97-A, Agency Record Copy of the U.S. Government Certificate of Release of a Motor Vehicle, shall be numbered consecutively for each Area Office and shall be maintained and controlled by the Area Motor Vehicles Manager as accountable forms. The Area Motor Vehicles Managers shall be accountable for the receipt and issuance of all Standard Forms 97, and Standard Forms 97-A for their Areas.

PROPERTY MANAGEMENT REGULATIONS
Motor Vehicle Replacement Standards

Subpart 114H-38.9 Motor Vehicle Replacement Standards

114H-38.908 Exception.

(a) Certification in instances contemplated by FPMR 101-38.908 and IPMR 114-38.908 shall be executed by the Area Director.

(b) Authority for such certification shall not be redelegated.

(c) Certification(s) must be provided to the Division of Property Management in support of requisition(s) for replacement motor vehicles.

(d) Certification(s) shall be independent of any Boards of Survey actions required.

PROPERTY MANAGEMENT REGULATIONS
Preventive Maintenance of Motor Vehicles

Subpart 114H-38.10 Preventive Maintenance of Motor Vehicles

114H-38.1002 Agency Requirements.

(a) Area Directors are responsible for insuring the establishment of a preventive maintenance program for motor vehicles in their Areas in compliance with FPMR 101-38.10, IPMR 114-38.10, and this BIAPMR 114H-38.10.

(b) A plan detailing how preventive maintenance requirements for all motor vehicles in the Areas are to be met shall be developed and maintained by the Area Motor Vehicles Managers.

(c) A record of all maintenance costs for each vehicle shall be maintained pursuant to BIAPMR 114H-38.101.

PROPERTY MANAGEMENT REGULATIONS
Storage of Government Motor Vehicles

Subpart 114H-38.11 Storage of Government Motor Vehicles

114H-38.1175 General.

(a) All BIA-operated motor vehicles are to be assigned to designated storage areas consistent with the requirements of FPMR 101-38.11, and this BIAPMR 114H-38.11.

(b) Storage of motor vehicles at employee's domiciles shall be limited to instances of a written certification by the Area Director that such storage is essential to the protection of life or property. Storage of motor vehicles at employee's domicile shall be temporary in duration, and shall only be reluctantly allowed when there is little or no alternative, and it is in the best interest of the Government to do so.

PROPERTY MANAGEMENT REGULATIONS

Preparation and Control of Standard Form 149, U.S. Government Credit Card

Subpart 114H-38.12 Preparation and Control of Standard Form 149, U.S. Government Credit Card**114H-38.1200 General.**

Supplemental instructions shall be provided from time to time by the Division of Property Management detailing current procedures and requirements relevant to the preparation and ordering of U.S. Government Credit Cards, SF-149. This is necessary because of varying computer system requirements that may be established between the contractors, GSA, the Department, and the BIA.

114H-38.1201 Billing Codes.

Billing code assignments will be established by the Division of Property Management and provided with the supplemental instructions prescribed by BIAPMR 114H-38.1200.

114H-38.1202 Administrative Control of Credit Cards.

The preparation, ordering, and assignment of credit cards shall be for an Area-wide basis with management and administrative control to be maintained at the Area level by the Motor Vehicles Manager.

PROPERTY MANAGEMENT REGULATIONS
Energy Conservation in Motor Vehicle Equipment

Subpart 114H-38.13 Energy Conservation in Motor Vehicle Management

114H-38.1375 Mandatory Provisions Affecting the Acquisition and Use of All Law Enforcement Vehicles.

(a) The acquisition and use of the following motor vehicles shall be limited to official law enforcement purposes:

1. Law enforcement passenger carrying automobiles.
2. Light trucks under 8,500 GVWR that have been certified as being acquired for use as law enforcement vehicles.

(b) Law enforcement sedans and light trucks shall be used only in law enforcement work and only by law enforcement officers in the performance of their official duties.

(c) Use of law enforcement vehicles for purposes other than law enforcement work and/or by persons other than law enforcement personnel in the performance of their official duties in other than emergency situations shall constitute "unauthorized use" and shall be subject to the provisions of IPMR 114-38.5006.

(d) The incidental use, or authorization for use by the Area Motor Vehicles Manager or his/her representatives for purposes of maintenance or other motor vehicle management requirements will be necessary from time to time, and shall not be considered as being in conflict with this BIAPMR 114H-38.1375.

114H-38.1376 - Bureau Forecasts of Planned Acquisitions.

(a) Areas shall submit a consolidated forecast of planned acquisitions of motor vehicles annually, to be received in the Division of Property Management no later than November 1, of each year. The purpose of this forecast is to assure that the BIA and the Department achieve the fleet average fuel economy objectives prescribed by Executive Order 11912, Executive Order 12003, FPMR 101-38.1306, and FPMR 101-38.1307. General instructions and requirements are provided in FPMR 101-38.13.

(b) Additional information, instructions, and requirements relating to each Fiscal Year's forecasting and acquisition requirements shall be provided

PROPERTY MANAGEMENT REGULATIONS
Energy Conservation in Motor Vehicle Equipment

each year by the Division of Property Management. The additional information, instructions, and requirements will be based in part upon Departmental requirements and instructions established for that year for the acquisition of fuel efficient motor vehicles. Work sheets that reflect the types of vehicles (item numbers) which will be available during the model year will be provided along with current EPA MPG ratings. If published at that time, current Federal standards and specifications for motor vehicles will be included.

PROPERTY MANAGEMENT REGULATIONS
Official Use of Motor Vehicles

Subpart 114H-38.5 Official Use of Motor Vehicles

114H-38.5005 Authorizing the Use of a Government Motor Vehicle Between an Employee's Residence and Place of Employment.

(a) Requests pursuant to IPMR 114-38.5005 and this BIAPMR 114H-38.5005 shall be submitted to the Director, Office of Administration, Attention: Division of Property Management on a typed Form BIA-4326, Request for Use of Government Vehicle Between Employee's Domicile and Place of Official Duty. (See BIAPMR Part 114H-80 for forms illustration).

(b) Each request shall require the original signature of:

- (1) The employee for which authorization to use the vehicle is sought.
- (2) The Superintendent or equal Officer in Charge that is making the request.
- (3) The Area Director recommending approval.
- (4) The Director, Office of Administration granting approval.

By signing this form, each signator assumes responsibility for assuring that the motor vehicle's usage between home and domicile shall be limited to that which is necessary for the reasons cited in the request. Signatories making the request may be subject to the provisions of 31 U.S.C. Sec. 638a(c)(2) if the vehicle is used in an unauthorized manner.

114H-38.5075 Care of Vehicles.

Officials and employees shall be responsible for exercising diligence in the operation and care of Government vehicles at all times. Failure to properly utilize or take care of a vehicle shall be considered as justification for refusal of further vehicle issuance to such official or employee upon determination by the Area Motor Vehicles Manager and concurrence by the Area Director.

114H-38.5075-1 Traffic Violations.

(a) Operators of Government vehicles are subject to all traffic laws and regulations promulgated by any level of Government or any authorized public entity.

(b) Response to citations and payment of fines and penalties are the personal responsibility of the Government motor vehicle operator. (Ref. 31 Comp. Gen. 246 (1952), and 46 Comp. Gen. 624 (1967)).

(c) Each Area Director has an obligation to ensure that employees satisfy fines leveled against them within the time limit prescribed by the jurisdiction issuing the citation.

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PROPERTY MANAGEMENT REGULATIONS
Official Use of Motor Vehicles

(d) Area Directors may bar "repeat offenders" from driving a Government vehicle, and take any other appropriate disciplinary action deemed appropriate depending upon the nature of the offense.

(e) Instances of Government motor vehicle operators incurring traffic citations or parking tickets shall be reported to the employee's immediate supervisor. Supervisors shall report by memorandum through appropriate channels to the Area Motor Vehicles Manager all such occurrences.

114H-38.5075-2 Grounds for Withdrawal of Vehicle.

The Director, Office of Administration, or the Area Director may reassign, or withdraw vehicles from further use in instances where it is determined that the using activity, officials, or employees are not complying with the motor vehicle management provisions established by FPMR 101-38, IPMR 114-38, and BIAPMR 114H-38, or that the vehicle has been used improperly. Improper use includes, but is not limited to, credit card abuse and misuse, violation of traffic ordinances, at-fault accidents, vehicle abuse, and reckless driving. In addition, Area Directors may recommend to the Division of Safety Management, the withdrawal of SF-46, Operator's Identification Card.

114H-38.5104 Limitations.

(a) Insofar as practicable, law enforcement vehicles shall be pooled within the Area's Law Enforcement Programs for maximum possible utilization rather than assigned to individual operators. Motor vehicles may be reassigned to other Areas when directed to do so by the Director, Office of Administration and with concurrence by the Chief, Division of Law Enforcement.

(b) The addition of rear passenger seat(s) to sedan delivery motor vehicles (Federal Standard 307, Type/Class XI/B) shall be prohibited.

114H-38.5105 Allocation and Utilization Criteria.

(a) Areas shall limit the number of motor vehicles under 8,500 GVWR to a ratio not to exceed one motor vehicle per three employees on an Area-wide basis.

(b) The Area Motor Vehicles Manager shall submit, upon request, a report of all motor vehicles under 8,500 GVWR being used within their Area, and the current number of employees. Vehicles to be counted shall include all (1) BIA-owned or leased motor vehicles, and (2) all GSA Interagency Motor Pool vehicles being utilized in BIA programs but not provided under a contract or grant.

PROPERTY MANAGEMENT REGULATIONS
Transportation and Traffic Management

PART 114H-40 TRANSPORTATION AND TRAFFIC MANAGEMENT

Subpart 114H-40.3 Freight Rates, Routes and Services114H-40.307 Tonnage Reports.

Tonnage reports are to be submitted to the Division of Property Management for months in which shipments are made. Reports are to be made pursuant to FPMR 101-40.307, IPMR 114-40.307, and this BIAPMR 114H-40.307.

PROPERTY MANAGEMENT REGULATIONS
Property Rehabilitation Services and Facilities

PART 114H-42 PROPERTY REHABILITATION SERVICES AND FACILITIES

Subpart 114H-42.3 Recovery of Precious Metals and Critical Materials114H-42.301-1 Guidelines for Conducting Agency Surveys and Reporting to GSA.

(a) Each Area shall submit consolidated reports for their Area on a semi-annual basis to be received by the Division of Property Management no later than April 15, and October 15, of each year.

(b) Reports are to be prepared pursuant to FPMR 101-42.3, IPMR 114-42.3, and this BIAPMR 114H-42.3, and shall be submitted on Standard Form 291, Report of Activities Generating Precious Metals.

PROPERTY MANAGEMENT REGULATIONS
Utilization of Personal Property

PART 114H-43 UTILIZATION OF PERSONAL PROPERTY

114H-43.301.75 Policy.

(a) It shall be the policy of the Bureau of Indian Affairs to consider available and/or excess property as the first source of supply. In no case, however, will excess property be acquired unless its use is required for the accomplishment of approved program requirements, and in a program for which funding is currently appropriated by Congress.

(1) The object of this policy is achievement of the BIA's program objectives at the least possible cost by the responsible, effective, and economical utilization of property already owned by the Federal Government.

(b) The acquisition of excess shall be limited to those instances determined to be advantageous to the Government in terms of need, usefulness, availability of expertise required for proper utilization, and care and economic feasibility relevant to all acquisition, utilization, maintenance, and future disposal costs.

(c) In considering the acquisition of excess property, the requirements of FPMR 101-25, IPMR 114-25, and BIAPMR 114H-25, and FPMR 101-26, IPMR 114-26, and BIAPMR 114H-26 shall also apply.

114H-43.321 Certification of Non-Federal Agency Screeners.

(a) Sponsorship of non-Federal agency screeners shall be limited to instances where the terms and conditions of a property executed BIA contract, grant, or cooperative agreement will require such for the performance of that legal instrument.

(b) Sponsorship of non-Federal agency screeners shall require the approval of the Area Contracting Officer.

(c) The acquisition of any excess property by contractors, grantees, or cooperators shall be pursuant to the provisions of applicable supplements to 19 BIAM and 20 BIAM.

(d) Contracting Officers shall maintain a current record of certified non-Federal agency screeners operating under their authority, and shall immediately notify the appropriate GSA regional office of any changes in screening arrangements.

(1) This record shall provide the name of each certified non-Federal screener, the contract or grant number under which it is based, and the period for which authority is extended.

PROPERTY MANAGEMENT REGULATIONS
Utilization of Personal Property

(e) All acquisitions/transfers of excess property requested by non-Federal screeners shall be approved by the cognizant Contracting Officer and the Area Property Accountable Officer.

PROPERTY MANAGEMENT REGULATIONS
Reports

Subpart 114H-43.47 Reports

114H-43.4701 Performance Reports.

(a) A consolidated annual report for each Area of the utilization of domestic excess personal property shall be submitted to be received by the Division of Property Management no later than 30 days after the end of each Fiscal Year. This report shall be submitted on Standard Form 121, Annual Report of Utilization and Disposal of Excess and Surplus Personal Property.

(1) This report shall be prepared in accordance with FPMR 101-43.47, IPMR 114-43.47, and this BIAPMR 114H-43.47.

(b) A consolidated annual report for each Area of the utilization of foreign excess property shall be submitted to be received by the Division of Property Management no later than 30 days after the end of each Fiscal Year. This report shall be submitted on Standard Form 365, Annual Report of Disposal of Foreign Excess Property. Negative reports are required and may be submitted in memorandum form in lieu of Standard Form 365.

(1) This report shall be prepared in accordance with IPMR 114-43.4701, and this BIAPMR 114H-43.47.

(c) A consolidated annual report for each Area of property furnished to a recipient other than a Federal agency shall be submitted to be received by the Division of Property Management no later than 30 days after the end of each Fiscal Year.

(1) This "Report of Personal Property Furnished to a Recipient Other Than a Federal Agency" shall be submitted in the format and according to instructions provided by the Division of Property Management each year for this purpose. A separate format shall be required for each legal instrument property was provided under.

(2) This report shall be prepared in accordance with instructions provided each year by the Division of Property Management, FPMR 101-43.47, IPMR 114-43-47, and this BIAPMR 114H-43.47.

PROPERTY MANAGEMENT REGULATIONS
Sale, Abandonment, or Destruction of Personal Property

PART 114H-45 SALE, ABANDONMENT, OR DESTRUCTION OF PERSONAL PROPERTY

Subpart 114H-45.3 Sale of Personal Property114H-45.309 Special Classes of Property.114H-45.309-4 Firearms.

(a) The destruction of firearms pursuant to FPMR 101-45.309-4 shall be witnessed by a designated member of the Board of Survey recommending such destruction.

(b) Each Report of Survey, DI-103, recommending destruction of firearms shall be completed and signed by members of the Board of Survey and shall be forwarded to the Area Property and Supply Officer, together with a written statement by the designated witness attesting to the final destruction of such weapons.

(c) A copy of the Board of Survey Report confirming the destruction of firearms shall also be forwarded immediately to the Area's Chief Law Enforcement Officer.

114H-45.316 Report of Identical Bids.114H-45.316-2 Reporting Requirements and Procedures.

Reports on identical bids required by FPMR 101-45-316-2 and IPMR 114-45.316-2 shall be submitted to the Division of Property Management for processing.

114H-45.317-75 Compliance Review.

Compliance reporting requirements and procedures contemplated by FPMR 101-45.3 and IPMR 114-45.3 shall be submitted in the appropriate format to the Division of Property Management.

PROPERTY MANAGEMENT REGULATIONS
Utilization and Disposal of Real Property

PART 114H-47 UTILIZATION AND DISPOSAL OF REAL PROPERTY

Subpart 114H-47.2 Utilization of Excess Real Property114H-47.201-4 Transfer Under Other Laws.

The provisions of FPMR Part 101-47 shall not apply to the transfer or disposal of Bureau real property pursuant to the following codified statutes wherein disposal authority is placed with the Secretary of the Interior.

- (1) 25 U.S.C. 15
- (2) 25 U.S.C. 293a
- (3) 25 U.S.C. 443a

114H-47.202 Reporting of Excess Real Property.114H-47.202-1 Reporting Requirements - Excess Real Property.

When applicable, excess reports called for in the provisions set forth in FPMR Subpart 101-47.202 shall be submitted by the Area Director to the regional office of the General Services Administration (GSA).

114H-47.202-2 Report Forms.

Although submission of Standard Form 118 and accompanying forms are not necessary for some of the excepted disposal processes noted in BIAMPMR 114H-47.201-4, it is recommended that the forms be used in all transactions to provide a complete Bureau record of the real property conveyed.

114H-47.203 Utilization.114H-47.203-1 Reassignment of Real Property.

A. Real property to be transferred between the Indian Health Service (IHS) and the Bureau of Indian Affairs shall be transferred in accordance with the provisions set forth in FPMR 101-47.604. Such property transfers shall only be accepted by the Bureau of Indian Affairs for a bonafide need for BIA program usage and not for purposes of retransfer to Indian tribes. If such real property is located within an Indian reservation, and transfer to the Indian Tribe is contemplated, such transfer shall be processed only under the authority and procedures of 40 U.S.C. 483(a)(2).

PROPERTY MANAGEMENT REGULATIONS
Utilization and Disposal of Real Property

B. BIA field offices shall not accept the transfer of any buildings from IHS or other agencies for the purpose of retransfer to an Indian tribe under the authority of 25 U.S.C. 443(a). If such buildings/improvements are located on an Indian reservation, the responsible field personnel shall notify the holding agency that the proper method to effect a transfer is by the authority of 40 U.S.C. 483(a).

114H-47.203-7 Transfers.

"Chief Administrative Officer" of the Bureau shall mean the Director, Office of Administration.

114H-47.204 Determination of Surplus.

114H-47.204-2 Property Excepted from Reporting.

- A. The exceptions noted in 114H-47.201-4 are applicable to this subsection.
- B. For the purpose of this subsection "holding agency" shall mean the Area Office.

PROPERTY MANAGEMENT REGULATION
Surplus Real Property Disposal

Subpart 114H-47.3 Surplus Real Property Disposal

114H-47.300 Scope of Subpart.

Real property not subject to the provisions of FPMR Subpart 101-47.3 are those holdings excluded by the application of 114H-47.301-3 (a) (1) through (4).

114H-47.301 General Provisions of Subpart.

114H-47.301-2 Applicability of Anti-Trust Laws.

For the purposes of this subsection, the term "private interest" does not include Indian tribes within its scope, and therefore the subsection is not applicable to the disposal of real or related personal property to Indian tribes.

114H-47.301-3 Disposals Under Other Laws.

(a) Special statutes implemented by the Bureau include:

- (1) 25 U.S.C. Section 15
- (2) 25 U.S.C. Section 293
- (3) 25 U.S.C. Section 293a
- (4) 25 U.S.C. Section 443a
- (5) 40 U.S.C. Section 483a (P.L. 93-599)

(b) Procedures to be followed pursuant to these authorities are set forth in BIAPMR Subpart 114H-47.75.

114H-47.301-5 Records and Reports.

(a) The Area Director shall execute GSA Form 1100, itemizing all real property disposals completed during and prior to the close of the reported Fiscal Year.

(b) The report shall be received by the Division of Property Management no later than 30 days after the end of each Fiscal Year.

(c) The Division of Property Management shall consolidate a listing on GSA Form 1100 of all property reported by the Areas and prepare a transmittal memorandum for the Director, Office of Administration, to the Director, Office of Acquisition and Property Management by no later than 60 days after the end of each Fiscal Year.

PROPERTY MANAGEMENT REGULATIONS
Surplus Real Property Disposal

114H-47.302 Designation of Disposal Agencies.

The cognizant Area Office is the disposal agency for all real and related personal property under its jurisdiction. The Area Director is the Disposal Officer.

114H-47.304 Advertised and Negotiated Disposals

114H-47.304-12 Explanatory Statements.

Statements required to be prepared pursuant to IPMR 114-47.304-12 shall be initiated by the Area Director and submitted to the Chief, Division of Property Management, for subsequent transmittal to the Department.

114H-47.304-51 Noncollusive Bids and Proposals.

(a) For the purposes of this subsection, "Head of Bureau" shall mean the Commissioner of Indian Affairs. In accordance with IPMR 47.304-51(b), this authority may not be redelegated below the Commissioner level.

(b) Issues involving suspected anti-trust violations shall be raised by memorandum from the Area Director to the Director, Office of Administration, who shall take action to advise the Solicitor when necessary.

114H-47.304-52 Compliance Review.

(a) For purposes of this subsection, the term "headquarters office level" means the Office of Administration.

114H-47.305 Acceptance of Offers.

114H-47.305-1 General.

For purposes of this subsection, the "head of the disposal agency's designee" shall mean the Area Director, except as reserved to the Central Office in BIAPMR Subpart 114H-47.75.

114H-47.306 Absence of Acceptable Offers.

114H-47.306.1 Negotiations.

For the purposes of this subsection, the "head of the disposal agency's designee" shall mean the Area Director.

PROPERTY MANAGEMENT REGULATIONS
Surplus Real Property Disposal

114H-47.307 Conveyances.114H-47.307-1 Format of Deed or Instrument of Conveyance.

Conveyance of excess Bureau real property shall be executed by quitclaim deed and in accordance with the provisions set forth in 114H-47.75.

114H-47.307-2 Conditions in Disposal Instruments. Refer to Subpart 114H-47.75 for required conditions to be made in disposal instruments for disposals under 114H-47.301-3.

PROPERTY MANAGEMENT REGULATIONS
Management of Excess and Surplus Property

Subpart 114H-47.4 Management of Excess and Surplus Property

114H-47.401 General Provisions of Subpart.

114H-47.401-75 Additional Definitions.

(a) The term "holding agency and agencies" for the purposes of this subpart means the Area Office.

(b) The term "GSA" for the purposes of this subpart means the regional office of GSA under whose jurisdiction the Area's property is administered.

114H-47.402 Care and Handling.

114H-47.402-2 Expense of Care and Handling.

Time limitations for disposal may also be imposed by Congress, especially in appropriation bills. Therefore, Area Directors must pay strict attention to such limitations and determine cost effective means for security of real and related personal property in such circumstances.

PROPERTY MANAGEMENT REGULATIONS
Abandonment, Destruction, or Donation to Public Bodies

Subpart 114H-47.5 Abandonment, Destruction, or Donation to Public Bodies

114H-47.501 General Provisions of Subpart.

114H-47.501-4 Findings.

For the purpose of this subsection, "duly authorized official" means the Area Director, who shall make the written findings.

114H-47.502 Donation to Public Bodies.

The conveyance of real and related personal property under the special authorities discussed in BIAPMR Subpart 114H-47.75, are not considered donations for which a GSA concurrence is required. However, GSA's participation is required in several instances noted in BIAPMR Subpart 114H-47.75.

114H-47.503 Abandonment and Destruction.

114H-47.503-1 General.

(a) Findings made in accordance with the provisions in FPMR 101-47.503-1 shall be made by the Area Director in the form of a Report of Survey described in IPMR Subpart 114-60.8.

(b) Recommendations for destruction of buildings shall be submitted to the Bureau's Division of Facilities Engineering for review and coordination for Departmental approval.

114H-47.503-2 Notice of Proposed Abandonment or Destruction.

In addition to the requirement in FPMR 101-47.503-2, the Area Director is to provide notice to interested Indian Tribes of the proposed abandonment or destruction of Bureau property in furtherance of the Bureau's policy to consult with tribes who may be affected by such action.

PROPERTY MANAGEMENT REGULATIONS

Abandonment, Destruction, or Donation to Public Bodies

114H-47.503-75 Disposition of Excess Bureau-owned Buildings and Facilities That Have Been Condemned Due to Safety or Health Hazards and Are Scheduled for Demolition or Destruction.

This section provides guidance, by clarifying existing policies and laws, for disposing excess Bureau-owned facilities that have been condemned and are scheduled for destruction or demolition due to safety or health hazards. It supersedes any existing Bureau directives or policy memoranda that conflict with the policies and procedures set forth herein. However, nothing in this section shall be so construed as to interfere with the applicability of any existing law, Executive Order, or regulation issued under proper authority by another Federal agency.

114H-47.503-7501 Unsafe Facilities.

(a) Unsafe Facilities to be Destroyed. Subject to the provisions in paragraphs (1) and (2) below, any Bureau-owned facility, building, or improvement, whether located on Federally owned land, administrative reserve, or land held in trust, and that (a) has been condemned for safety or health reasons, and (b) is excess to the Bureau's program needs, shall be destroyed or otherwise rendered harmless. (40 U.S.C. 483(a)(2) and 40 U.S.C. 472(h)).

(b) Transfer of Unsafe Facilities to Tribes. Some condemned buildings, structures, or improvements are eligible for transfer to Indian tribes under the provisions of 25 U.S.C. 443(a) which pertain to transfer of property located on tribally-owned land or land reserved for the administration of tribal affairs, or under provisions of 40 U.S.C. 483(a)(2) which pertain to trust transfers. If condemned property is eligible for transfer under the above provisions, the appropriate Area Director shall notify, in writing, the Indian tribe to which the property could be transferred, that the property has been condemned (attaching the condemnation findings thereto) and that the Bureau intends to proceed with demolition or destruction or other appropriate action to render the condemned property harmless 120 calendar days after the tribe receives the Area Director's notification. However, such notification shall offer the tribe the following options:

(1) Transfer of Condemned Property to a Tribe for Repair or Restoration.

Prior to demolition or destruction or other disposal action, a tribe may request the condemned property be transferred from the Bureau to the tribe for repair or restoration. Such a request shall include the following information:

- (i) a statement of the intended use of the condemned property.

PROPERTY MANAGEMENT REGULATIONSAbandonment, Destruction, or Donation to Public Bodies

(ii) evidence of the tribe's capability to repair or restore the condemned property to a safe, non-hazardous condition that is sufficient for the use intended.

(iii) a scheduled date when repairs or restoration will be completed.

(iv) a plan, along with evidence of capability, for safeguarding the condemned property from access and use once it has been transferred from the Bureau to the tribe until it has been repaired or restored.

(v) assurances that repairs or restoration will be completed prior to any occupation or use of the property.

(2) Transfer of Condemned Property for Salvage. Prior to demolition or destruction or other disposal action, a tribe may request transfer of the condemned property for salvage. Such a request shall include the following information:

(i) a plan for dismantling the condemned property for salvage, including evidence of capability to complete work.

(ii) an estimated date for completing the dismantling and salvage work and for rendering the site safe and nonhazardous to the public.

(3) Notification Procedure. The Area Director shall provide notification as described in 114H-47.503-7501(b) above by registered mail, return receipt requested, or some other means of proving delivery and date delivered.

(4) Consequence of Non-Response Within 120 Days. If no response to an Area Director's notification has been received from a tribe within 120 days from the date of delivery, the Bureau will proceed with demolition or destruction or other disposal action.

(5) Negative Response Within 120-day Period. If the tribe responds within the 120-day period that it does not wish to receive the condemned property as tendered, the balance of the 120-day waiting period may be waived and disposal/demolition action taken without further notice.

(6) Transfer of Property. The Area Director may transfer excess condemned property to an Indian tribe upon approval of its request submitted under paragraph (b)(1) of this subpart. (25 U.S.C. 443(a))

PROPERTY MANAGEMENT REGULATIONS
Abandonment, Destruction, or Donation to Public Bodies

(7) Penalty for Nonperformance. If a tribe fails to repair and safeguard the transferred property according to the plans set forth in its request, or if the property otherwise becomes unsafe or hazardous to the public, the Area Director shall exercise title reversion authority (25 U.S.C. 443(a)) and direct the appropriate Bureau activity to proceed with demolition or destruction or some other means of disposal.

(8) Property to be Transferred "AS-IS". All properties transferred under this sub-part shall be conveyed only in their present condition: no federal funds or labor shall be expended to improve the condition of such properties and, thereby, make it more acceptable to the tribe. In effect, the BIA will not improve properties to be given away.

114H-47.503-7502 Responsibilities.

a. Area Director. An Area Director shall:

(1) Make determinations to demolish, destroy or otherwise dispose of excess Bureau-owned facilities, buildings or improvements that have been condemned after consulting with:

(i) Custodial officer in possession of property; typically an agency superintendent or agency superintendent for education.

(ii) the Director, Office of Facilities Management and Construction Center.

(iii) the Chief, Division of Safety Management.

(iv) central program offices responsible for oversight of the functions located in such property, including the Office of Indian Education Programs.

(2) Notify the appropriate Indian tribe of the intent to demolish or destroy in accordance with Section 114H-47.503-7501(b) above.

(3) Process tribal requests for transfer of excess, condemned property in a timely manner.

(4) Assure that no government funds or labor are expended to improve a Bureau-owned facility, building, or other improvement to be transferred to a tribe under this subpart.

PROPERTY MANAGEMENT REGULATIONS
Delegations

Subpart 114H-47.6 Delegations

114H-47.603 Delegation to the Department of the Interior.

(a) For purposes of this subsection, authority delegated to the Secretary of the Interior by the Administrator, GSA, is redelegated to an Area Director unless otherwise stated in specific sections of 10 BIAM or 230 DM. The limitations and other requirements are also set forth in this Subpart.

(b) Excepted from dollar value limitations and screening requirements set forth in IPMR 114H-47.203-1(b) are those conveyances or transfers pursuant to those special authorities discussed in BIAMPMR Subpart 114H-47.75.

PROPERTY MANAGEMENT REGULATIONS
Identification of Unneeded Federal Real Property

Subpart 114H-47.8 Identification of Unneeded Federal Real Property

114H-47.800 Scope of Subpart.

(b) IPMR 114-47.800(b) (3 and 7), exempt the reporting of Government-owned buildings, other structures and facilities located on tribal or trust lands or on lands within the boundaries of recognized Indian reservation boundaries. The rationale for such an exemption is traced to the recognition of a "constructive trust" imposed upon such Federal improvements to the benefit of affected Indian tribes by special statutory authorities, namely 25 U.S.C. 443a and 40 U.S.C. 483a.

114H-47.802-52 Bureau Implementation - Utilization Criteria.

(a) Concerning property not currently utilized, but for which a planned future need exists, the Area Director shall document the plans for future use in as much detail as it practicable to justify retention. Documentation should at a minimum address the following elements:

- (1) Program use.
- (2) Amount of funds anticipated for full utilization.
- (3) Anticipated future benefit to installation responsibility.

(b) Property for which no future need is foreseen is to be scheduled for disposal in accordance with FPMR 101-47.202, or as otherwise mandated by special disposal authorities. The special disposal authorities are described in BIAPMR Subpart 114H-47.301-3. See BIAPMR Subpart 114H-47.75.

114H-47.802-53 Records - Utilization Reviews.

(a) The Area Director shall maintain a written, updated record at all times of each installation reviewed, pursuant to FPMR 101-47.801(b), reflecting:

(1) Analysis of each of the review questions set forth in the Federal and Interior Property Management regulations.

(2) A breakout of the amount of real property for each utilization classification including a specific subordinate breakout of property not needed and subject to excessing; property underutilized; and property not put to the highest and best use.

PROPERTY MANAGEMENT REGULATIONS
Identification of Unneeded Federal Real Property

- (3) A map depicting each installation's land and improvements.
- (4) An estimated fair market value of each class of property not needed.

114H-47.802-54 Annual Report.

The Division of Property Management shall prepare a summary of annual utilization reports previously submitted by the Area Directors. The annual report submitted by the Area Director shall be in the format described in BIAPMR-114H-47.802-53 and with evidenced consideration of the guidelines set forth in FPMR 101-47.801, and IPMR 114-47.802.54. Property identified as not currently utilized shall be accompanied by a discussion of the plans of utilization prepared incident to BIAPMR 114H-47.802-52.

PROPERTY MANAGEMENT REGULATIONS
PERMITS

Subpart 114H-47.51 Permits.

114H-47.5102 Applicability.

This subpart applies to all Bureau holdings including holdings located within the boundaries of Indian reservations and/or land owned by Indians. Further, this subpart authorizes the extension of use permits to other Federal agencies for purposes other than the administration of Indian affairs, notwithstanding a recognized future interest in Indians under 25 U.S.C. 443a and/or U.S.C. 483a. See FPMR 101-20.7 concerning permitted use of Bureau holdings by organizations other than Federal agencies.

PROPERTY MANAGEMENT REGULATIONS
Special Disposal Authorities

Subpart 114H-47.75 Special Disposal Authorities114H-47.7500 General.

(a) The purpose of this subpart is to discuss special disposal authorities applicable to the utilization and disposal of certain Bureau real property holdings and are in addition to the authorities set forth in the FPMR and IPMR. Further, the authorities discussed herein are to be considered in conducting real property utilization reviews as called for in IPMR Subpart 114-47.8 and Executive Order 12512. Procedures have been provided in exercising each of the authorities; where appropriate, formats for deeds or instruments of conveyance have also been provided. It is to be recognized that some of the authorities are mandatory while others are discretionary. Before actual transfers (disposal) of real property, a good and marketable title should exist; which shows the proper legal description of a tract of land, ownership, including any applicable conditions, exceptions, restrictions or encumbrances on record.

(b) All title documents shall be submitted to the appropriate Land Titles and Records Office for recording immediately after final approval, issuance, or acceptance. Bureau officials delegated authority by the Secretary to approve title documents or accept title are responsible for prompt compliance with the recording requirement. Documents submitted for recording shall be completed in accordance with prescribed Bureau regulations or instructions. See 25 CFR 150.6.

(c) To assure compliance with the National Historic Preservation Act of 1966, the Area Director shall consult with the State Historic Preservation Office, for the purpose of establishing appropriate stipulated provisions incident to a transfer or conveyance for any property eligible for inclusion in the National Register of Historic Places. The process for designating real property as an historic place is set forth in 36 CFR 800.

(d) Except for the abatement of health and/or safety problems, such as removal or containment of friable asbestos, the Bureau will not make improvements to any real property for the purpose of enhancing its acceptability by recipients under the authorities addressed in this subpart.

114H-47.7501 25 U.S.C. 443a - Conveyance to Indian Tribes of Federally-Owned Buildings, Improvements, or Facilities.

The purpose of this statute is to authorize the Secretary or delegate to convey to an affected Indian tribe, band, or group, title to any Bureau-owned buildings, improvements, or facilities (including any personal property used in connection with such buildings, improvements or facilities), that are situated on lands of such tribe, band or group or on lands reserved for the

PROPERTY MANAGEMENT REGULATIONS
Special Disposal Authorities

administration of its affairs, and that are no longer required by the Secretary for the administration of Indian affairs. Note: NO LAND IS TRANSFERRED. This authority should not be used if the buildings to be transferred are located within the boundaries of Indian Reservations or meet certain criteria and are located in Oklahoma. Refer to 40 U.S.C. 483a as recommended authority.

114H-47.7501-1 Procedures.

(a) 25 U.S.C. 443a.

(1) Upon a determination by the Area Director that reasonably safe buildings and/or facilities located on Indian-owned land are no longer needed for the administration of Indian Affairs, the Area Director shall advise the owner of the land of the determination. The procedures of this subsection shall also apply to such property located on lands reserved for the administration of the affairs of a specific tribe, band or group just as if such tribe was the owner of the land.

(2) The Area Director shall also advise the owner that such property may be conveyed by an instrument of conveyance to the owner, subject to conditions and a reversionary interest in the United States as prescribed by 25 U.S.C. 443a and as implemented by this subsection and 114H-47.7501-2.

(3) As a condition of transfer, the Area Director shall request that the tribe pass a tribal resolution requesting a transfer.

114H-47.7501-2 Format of Conveyance for Transfer.

(a) 25 U.S.C. 443a.

For the conveyance of property pursuant to 25 U.S.C. 443a, a conveyance instrument shall be executed in the format set forth below:

(1) The conveyance instrument shall open by stating that the property is conveyed by the delegated official (usually the Area Director) of the Bureau of Indian Affairs acting pursuant and subject to the Act of August 6, 1956, 70 Stat. 1057, (25 U.S.C. 443a), and pursuant to authority delegated by the Secretary of the Interior on the 17th day of November, 1981, Department Release Number 2364, thereafter referred to as the GRANTOR.

(2) Immediately after the above sentence, the GRANTEE, is to be identified by name or organization.

(3) In a portion of the conveyance instrument entitled "WITNESSETH", following the paragraph above, it shall be stated that the property conveyed was property used for administrative purposes and is no longer needed.

PROPERTY MANAGEMENT REGULATIONS
Special Disposal Authorities

(4) In a paragraph headed "NOW THEREFORE" following the statement above, it shall be stated that in accordance with the provisions of the Act of Congress, and terms of agreement to be observed by the GRANTEE, the delegated official conveys, transfers, releases, and quitclaims, in fee, all of the right, title, and interest of the United States in and to the described property only, NO LAND IS BEING CONVEYED.

(5) In a paragraph following the statement above, the full legal description of the real property is to be stated.

(6) Incidental stipulations and lists of related personal property to be transferred in conjunction with this conveyance are not to be repeated in the text. Rather, such materials should be set out in a separate legal instrument which is acceptable for recording by the local registrar of deeds as a "miscellaneous document". In referencing the relationship between documents, this conveyance document should make reference to the miscellaneous document and note the intention and responsibility of the GRANTEE to record the same.

(7) The following paragraphs shall be recited verbatim following the above paragraph:

"To have and to hold the same, the appurtenances and privileges thereto belonging or in any wise appertaining to all the estates, right, title, and interest of the United States, either in law or equity, in possession or expectancy for the benefit of the said GRANTEE.

Provided that, if at any time while property conveyed pursuant to this section remains in the ownership of any Indian tribe, band, or group, the Secretary of the Interior determines that such property is not being adequately maintained or properly utilized by such tribe, band, or group or that the property creates a health or safety hazard or other undesirable condition, he may declare a forfeiture of the conveyance and the title of such property shall thereupon revert to the United States. Such determination by the Secretary shall be final".

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(8) In a closing paragraph, following the one above, to be entitled "IN WITNESS WHEREOF", a paragraph shall substantially state that for and in behalf of the United States of America, the delegated official (usually the Area Director) of the Bureau of Indian Affairs has set his/her hand on the (date of execution). The signature shall be certified by a Notary Public. Note: Acknowledgements must be in accordance with the forms prescribed by the State in which the land is situated.

(9) For title recording purposes see 114H-47.7500(b).

114H-47.7502 25 U.S.C. 15 - Utility Facilities Used in Administration of Bureau of Indian Affairs.

The purpose of the statute is to authorize the Secretary to contract under such terms and conditions as he/she considers to be in the best interest of the Federal Government for the sale, operation, maintenance, repair, or relocation of Government-owned utilities and utility systems and appurtenances used in the administration of the Bureau of Indian Affairs.

114H-47.7502-1 Procedures.

(a) 25 U.S.C. 15.

(1) Upon a determination by the Area Director that a utility system is no longer needed or is no longer practicably administered by the Bureau, and the system is not subject to 25 U.S.C. 443a or 40 U.S.C. 483a, notice shall be provided to currently operating regional utility corporations of the availability of the system for conveyance.

(2) Further, the notice shall state that the terms of conveyance are contingent upon approval by the Office of Secretary of the Interior and Committees of Congress.

(3) Upon receipt of statements of interest, the Area Director shall conduct negotiations with the utility corporations, which in the Area Director's judgement appear most capable of managing the system. Simultaneously, the Area Director shall initiate an appraisal of the system.

(4) Upon completion of negotiations, the Area Director shall make written findings as to which corporation should be offered the system and on what terms. Subsequently, the Area Director shall prepare a conveyance document in accordance with the format in BIAMPMR 114H-47.302-7(b), and obtain the signature of the corporate official empowered to bind the corporation to a conveyance agreement. The signed agreement shall be transmitted to the Division of Property Management for coordination with the Department concerning Secretarial and Congressional action.

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(5) Following approval by the Congressional Committee, the Assistant Secretary of the Bureau of Indian Affairs will advise the Area Director of the completed action and request final execution of the conveyance. Upon final execution by the Area Director, the property shall be removed from the Federal property records of the Area.

114H-47-7502-2 Format of Conveyance Instrument and Contracts for Operation, Maintenance, Repair, or Relocation of Utilities.

(a) 25 U.S.C. 15 - For the conveyance of real property pursuant to 25 U.S.C. 15, a conveyance instrument shall be executed in the format set forth below.

(1) The conveyance instrument shall open by stating that the property is conveyed by the Secretary of the Interior acting pursuant and subject to the Act of September 22, 1961, 75 Stat. 577 (25 U.S.C. 15), and pursuant to authority delegated by the Secretary of the Interior on the 17th day of November 1981, Department Release No. 2364, thereafter to be referred to as the GRANTOR.

(2) Immediately after the above sentence, the GRANTEE (purchaser), is to be identified by name or organization.

(3) In the portion of the conveyance instrument entitled "WITNESSETH" following the paragraph above, it shall be stated that the property conveyed was used for the operation of a utility system operated by the Bureau of Indian Affairs and is no longer needed for that purpose.

(4) In a paragraph headed "NOW THEREFORE" following the statement above, it shall be stated that in accordance with the provisions of the Act of Congress, as amended, and terms of agreement to be observed (if any), by the GRANTEE (purchaser), the Secretary of the Interior conveys, transfers, releases, and quitclaims, in fee, all of the right, title, and interest of the United States in and to the described real estate and property.

(5) In a paragraph following the statement above, a full legal description of the property is to be stated.

(6) In a paragraph following the legal description, it shall be stated that all mineral rights are excepted from transfer in lands owned by the United States in support of the system and are reserved to the United States along with the right to prospect for and remove such deposits under rules and regulations prescribed by the Secretary of the Interior.

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(7) Where applicable under the circumstances, it shall be stated that the property conveyed is subject to a reservation for other existing utility corridors across the property conveyed for the purpose of servicing lands adjacent to the property conveyed by the conveyance instrument.

(i) In a situation where the transfer of a utility system may lead to difficulties in travel to and from remaining Federal holdings, a reservation must be made for a right-of-way for egress and ingress to the Federal property not conveyed under the conveyance instrument.

(ii) Incidental stipulations agreed to between the Bureau (as a representative of the United States' interest in the utility system conveyed), and GRANTEE (purchaser), as well as lists of buildings and related personal property conveyed, shall not be recited in the text of the conveyance instrument. Rather, such materials should be made a part of a separate legal instrument which is suitable for recording by the local registrar of deeds as a "miscellaneous document". To reference the relationship of such an instrument to the conveyance instrument, the conveyance instrument should make reference to the miscellaneous document and note the intention and responsibility of the GRANTEE (purchaser) to record the same.

(8) It shall be stated that the property conveyed is subject to all existing easements or rights-of-way not specifically relinquished.

(9) The following paragraph shall be recited verbatim following the above paragraph:

"To have and to hold the same, the appurtenances and privileges thereto belonging or in any wise appertaining all the estate, right, title, and interest of the United States, either in law or equity, in possession or expectancy for the benefit of the said GRANTEE (purchaser)."

(10) In a closing paragraph, following the one above, to be entitled "IN WITNESS WHEREOF", a paragraph shall substantially state that for and in behalf of the United States of America, the delegated official (usually the Area Director) of the Bureau of Indian Affairs has set his/her hand on the (date of execution). The signature shall be certified by a Notary Public.
NOTE: Acknowledgements must be in accordance with the forms prescribed by the State in which the land is situated.

(11) For title recording purposes see 114H-47.7500(b).

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114H-47.7503 25 U.S.C. 293 - Sale of Lands Purchased for Day School or Other Indian Administrative Purposes.

The purpose of the statute is to authorize the Secretary to cause to be sold, to the highest bidder, under such rules and regulations as the Assistant Secretary of the BIA may prescribe, any tract or part of a tract of land purchased by the United States for day school or other Indian administrative uses, not exceeding 160 acres in any one tract, when said land or a part thereof is no longer needed for the original purpose.

114H-47.7503-1 Procedures.

(a) 25 U.S.C. 293.

(1) Upon a determination by the Area Director and written concurrence by the Deputy to the Assistant Secretary/Director - IA Indian Education Programs (DAS/D)(IEP), that up to 160 acres of Indian school property, not subject to 25 U.S.C. 443a, and/or 40 U.S.C. 483a, is no longer needed for Bureau educational programs, notice shall be provided to potentially interested public agencies in accordance with FPMR 101-47.303-2. The notice shall state that the property is available for sale at a price to be established through Bureau appraisal.

(2) Further, the notice shall request that interest in the property be expressed in writing within 20 days of the date of the notice.

(3) Upon receipt of statements of interest, the Area Director shall advertise and negotiate a sale of the property in accordance with the provisions in FPMR 101-47.304.

(4) Acceptance of a qualified offer shall be made by the Area Director and a conveyance instrument executed for the conveyance of the property in the format prescribed in BIAMPMR 114H-47.7503-2.

(5) Upon acceptance of the conveyance instrument by the purchaser, the Area Director shall cause the property conveyed to be removed from the Federal property records of the Area.

(6) Any remaining real property shall either continue to be utilized for educational purposes or excessed in accordance with FPMR 101-47.202.

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114H-47.7503-2 Format of Conveyance Instrument.

(a) 25 U.S.C. 293 - For the conveyance of real property pursuant to 25 U.S.C. 293, a conveyance instrument shall be executed in the format set forth below.

(1) The conveyance instrument shall open by stating that the property is conveyed by the delegated official (usually the Area Director) of the Bureau of Indian Affairs, acting pursuant and subject to the Act of March 2, 1917, 39 Stat. 973, as amended on October 31, 1951 (25 U.S.C. 293), and pursuant to authority delegated by the Secretary of the Interior on the 17th day of November, 1981, Departmental Release Number 2364, thereafter referred to as the GRANTOR.

(2) Immediately after the above sentence the GRANTEE (purchaser), is to be identified by name or organization.

(3) In a portion of the conveyance instrument entitled "WITNESSETH", following the paragraph above, it shall be stated that the property conveyed was land purchased by the United States for a day school (or other Indian administrative uses), and is no longer needed for the original purpose.

(4) In a paragraph headed "NOW THEREFORE" following the statement above, it shall be stated that in accordance with the provisions of the Act of Congress, as amended, and terms of agreement to be observed (if any) by the GRANTEE (purchaser), the Assistant Secretary - Indian Affairs conveys, releases, and quitclaims, in fee, all of the right, title and interest of the United States in and to the described real estate and property.

(5) In a paragraph following the statement above, the full legal description or a metes and bounds description of the property is to be stated.

(6) In a paragraph following the legal description, it shall be stated that all mineral rights to the extent that they are owned by the United States are excepted from the transfer and are reserved to the United States along with the right to prospect for and remove such deposits under rules and regulations prescribed by the Secretary of the Interior.

(7) Where applicable under the circumstances, it shall be stated that the property conveyed is subject to a reservation for existing utility easements and/or rights of way across the property conveyed.

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(i) In locations where water is in short supply, a provision should be made for the reservation of water rights where it is determined that such rights may be required for future Federal utilization and/or disposal of property adjacent to the property conveyed. This is especially important when only a portion of a Bureau site is disposed of and the balance of property owned remains operational.

(ii) In addition, if the transfer of a portion of real property may lead to difficulties in travel to and from remaining Federal holdings, a reservation must be made for a right-of-way for egress and ingress to the Federal property not conveyed under the conveyance instrument.

(iii) Incidental stipulations and lists of buildings and related personal property to be transferred in conjunction with the conveyance instrument shall not be recited in the text of the conveyance instrument. Rather, such materials should be set out in a separate legal instrument which is suitable for recording by the local registrar of deeds as a "miscellaneous document". In referencing the relationship of such an instrument to the conveyance instrument, the conveyance instrument should make reference to the miscellaneous document and note the intention and responsibility of the purchaser to record the same.

(8) It shall be stated that the property conveyed is subject to all existing easements or rights-of-way not specifically relinquished.

(9) The following paragraph shall be recited verbatim following the above paragraph:

"To have and to hold the same, the appurtenances and privileges thereto belonging or in any wise appertaining all the estate, right, title, and interest of the United States, either in law or equity, in possession or expectancy for the benefit of the said GRANTEE".

(10) In a closing paragraph, following the one above, to be entitled "IN WITNESS WHEREOF", a paragraph shall substantially state that for and in behalf of the United States of America, the delegated official (usually the Area Director) of the Bureau of Indian Affairs has set his/her hand on the (date of execution). The signature shall be certified by a Notary Public. Note: Acknowledgements must be in accordance with the forms prescribed by the State in which the land is situated.

(11) For title recording purposes see 114H-47.7500(b).

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114H-47.7504 25 U.S.C. 293a - Conveyance of School Properties to Local School Districts or Public Agencies.

The purpose of the statute is to authorize the Secretary to convey to State or local governmental agencies or to local public school authorities all the right, title, and interest of the United States in any land and improvements thereon and personal property used in connection therewith heretofore or hereafter used for Federal Indian School purposes and no longer needed for such purposes.

114H-47.7504-1 Procedures.

(a) 25 U.S.C. 293a.

(1) Upon a determination by the Area Director, and written concurrence by the Deputy to the Assistant Secretary/Director - IA Indian Education Program (IEP), that up to 50 acres of Indian school property, not subject to 25 U.S.C. 443a and/or 40 U.S.C. 483a, is no longer needed for Bureau programs, notice may be provided to potentially-interested public agencies. The notice should state that the property is available for conveyance at no cost, provided the future intended use is a public one affording equal access to Indians, subject to a reversionary interest in the United States on that basis or for violation of other provisions as may be stipulated. Further, the notice should request that any interest in the property be expressed in writing within 20 calendar days of the date of the notice.

(2) Upon receipt of any statement of interest, the Area Director shall review the statements and undertake negotiations with those public bodies who, in the Area Director's opinion, are the best candidates for receiving the property.

(3) Within a reasonable time following the conclusion of negotiations, the Area Director shall notify the public body which has been determined to receive the property. Action to execute a conveyance instrument conveying the property shall be in the the format prescribed in 114H-47.7504-2.

(4) Upon acceptance of the conveyance instrument by the GRANTEE, the Area Director shall cause the property conveyed to be removed from the Federal property records of the Area.

(5) Any remaining real property shall continue to be used for education purposes or other Bureau programs, or excessed in accordance with FPMR 101-47.202.

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114H-47.7504-2 Format of Conveyance Instrument.

(a) 25 U.S.C. 293a. For the conveyance of real property pursuant to 25 U.S.C. 293a, a conveyance instrument shall be executed in the form set forth below:

(1) The property described in the conveyance instrument is conveyed by the delegated official (usually the Area Director) of the Bureau of Indian Affairs acting pursuant and subject to the Act of June 4, 1953, 67 Stat. 41, as amended, (25 U.S.C. 293a), and pursuant to authority delegated by the Secretary of the Interior on the 17th day of November, 1981, Department Release Number 2364, thereafter referred to as the GRANTOR.

(2) Immediately after the above, the GRANTEE shall be identified (example "the State of Nevada, referred to as the GRANTEE").

(3) In a portion of the conveyance instrument entitled "WITNESSETH" following the above paragraph it shall be recited that the property conveyed is no longer needed for Federal Indian school purposes.

(4) In a paragraph following the one above, it shall be stated that the GRANTEE shall use the described property for ..."school or other public purposes, and shall make the property available to Indian and non-Indians on the same terms unless otherwise approved by the Secretary of the Interior".

(5) In a paragraph headed "NOW THEREFORE", it shall be stated that in consideration of the provisions of the Act of Congress and terms of agreement to be observed by the GRANTEE, the delegated official (usually the Area Director) of the Bureau of Indian Affairs conveys, transfers, releases and quitclaims unto the said GRANTEE, in fee, all of the right, title and interest of the United States in and to the described real estate and property, provided further that a modification of use may be approved by the Secretary of the Interior.

(6) A full legal description of the property conveyed excepting, to the extent owned by the United States all mineral rights which are to be reserved to the United States along with the right to prospect for and remove such deposits under rules and regulations prescribed by the Secretary of the Interior. Further, that the described property is conveyed subject to a reservation for existing utility corridors across the property conveyed in order to service any adjacent lands of the United States. Finally, that the described property is conveyed subject to all existing easements or rights-of-way across the conveyed property,

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(7) The following paragraph verbatim:

"To have and to hold the same, the appurtenances and privileges thereto belonging or in any wise appertaining, all the estate, right, title, and interest of the United States, either in law or equity, in possession or expectancy only for the proper stated use and benefit of the said GRANTEE.

(8) The following verbatim:

"If at any time the Secretary of the Interior determines that the GRANTEE has failed to observe any provision or condition of this conveyance or the aforesaid Act of Congress, that any failure has continued for at least one year, a forfeiture may be declared by the Assistant Secretary - Indian Affairs on the entire conveyance and the whole title thereby conveyed shall there upon revert to the United States. Such determination by the Secretary shall be final".

(9) A closing paragraph entitled "IN WITNESS WHEREOF" a statement that for and on behalf of the United States of America, the delegated official (usually the Area Director) of the Bureau of Indian Affairs has set his/her hand on the (date of execution). Note: Acknowledgements must be in accordance with the forms prescribed by the State in which land is situated.

(10) For title recoding purposes see 114H-47.7500(b).

(11) A provision for the reservation of water rights should be stated when it is determined that such right as may be required in whole or in part, for future Federal utilization and/or disposal of other Federal property adjacent to this conveyed property.

(12) A provision should be stated for the reservation of right-of-way for egress and ingress to Federal property, not conveyed under the conveyance instrument, when access to such property crosses the boundaries of the described property conveyed.

(13) Incidental stipulations, lists of buildings, and related personal property to be transferred in conjunction with the conveyance instrument are not to be recited in the text of the conveyance instrument. Rather, such materials should be set out in a separate legal instrument which is acceptable for recording by the local registrar of deeds as a "miscellaneous document". In referencing the relationship of such instrument to the recorded

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conveyance instrument, the conveyance instrument should make reference to the miscellaneous document and note the intention and responsibility of the GRANTEE purchaser to record the same.

114H-47.7505 40 U.S.C. 483(a)(2) - Disposal of Certain Excess and Surplus Federal Property to the Secretary of the Interior for the Benefit of Any Group, Band, or Tribe of Indians.

(a) The purpose of the statute is to authorize the Administrator, GSA, to prescribe such procedures as may be necessary in order to transfer without compensation to the Secretary, excess real property located within the reservation of any group, band, or tribe of Indians which is recognized as eligible for services by the Bureau. Such excess real property shall be held in trust by the Secretary for the benefit and use of the group, band, or tribe of Indians. This is the appropriate and recommended authority to use for the transfer of buildings/improvements located within reservation boundaries.

(b) With regard to excess real property within the State of Oklahoma, the statute provides that transfers of real property shall be made to the Secretary to be held in trust for Oklahoma Indian tribes recognized by the Secretary when such real property (1) is located within boundaries of former reservations in Oklahoma as defined by the Secretary and when such real property was held in trust by the United States for an Indian tribe at the time of acquisition by the United States, or (2) is contiguous to real property presently held in trust by the United States for an Oklahoma Indian tribe and was at any time held in trust by the United States for an Indian tribe.

114H-47.7505-1 Procedures for Transfer of Bureau Holdings.

(a) Upon a determination by the Area Director, and written concurrence by the Deputy to the Assistant Secretary/Director - IA Indian Education Program (IEP), if most recent use was for education purposes, that real property within the category described in the statute is excess to Bureau needs, and upon receipt of a resolution requesting a trust transfer by an eligible group, band, or tribe, the Area Director shall request the appropriate GSA regional office to transfer the property without compensation to the Secretary for the benefit of the group, band, or tribe pursuant to 40 U.S.C. 483(a). A report of excess shall accompany such a request. The report of excess shall be made on GSA Standard Form 118, including all required information such as presence of asbestos, etc.. Sufficient data such as land descriptions, maps, information concerning any utility contracts or realty agreements touching the land, and an itemization of buildings and personal property and valuations of the same as carried on Bureau records shall be included.

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(b) Upon transfer by GSA's Regional Administrator and acceptance of the transfer by the Area Director, the Office of Trust and Economic Development shall cause a notice to be published in the Federal Register and appropriate documents filed with the appropriate Bureau title plant. Simultaneously, the property is to be removed from the Bureau's Federal manual and/or automated real property records by the Area's Real Property office.

114H-47.7505-2 Procedures for Transfer of Other Federal Agency Holdings.

(a) Property under the administration of other Federal agencies is to be reported to GSA by those agencies as excess in accordance with standard procedures set forth in FPMR 101-47.202-2

(b) Upon receipt of a notice of availability of excess property falling within the category described in the statute, the Area Director shall inform the affected group, band, or tribe that they are eligible to submit a resolution requesting that the property be transferred to the Secretary for the benefit of the group, band, or tribe pursuant to 40 U.S.C. 483(a).

(c) Subsequent to receipt of such a resolution, the Area Director shall request GSA to transfer the property pursuant to 40 U.S.C. 483(a), and support the request by attaching a copy of the group, band, or tribe's resolution as well as certification that the property is eligible to be transferred to the Area Director in behalf of the Secretary.

(d) Upon transfer by GSA's Regional Administrator and acceptance of the transfer by the Area Director, the Area Director shall notify the Deputy to the Assistant Secretary - Indian Affairs (Trust and Economic Development) who shall cause a notice to be published in the Federal Register and appropriate documents filed with the appropriate Bureau title plant.

114H-47.7506 Provision of Bureau-owned Facilities, Property, or Equipment to Tribes to Meet Anti-Drug Abuse Act of 1986.

This subpart provides guidance for the use of equipment, and real or personal property owned by the Bureau of Indian Affairs to facilitate the implementation of Public Law 99-570, the Anti-Drug Abuse Act of 1986 (referred to in this subpart as the "act". It supersedes any existing Bureau directives or policy memoranda that conflict with the policies and procedures set forth herein. However, nothing herein shall be so construed as to interfere with the applicability of any existing law, Executive Order, or regulation issued under proper authority by another federal agency.

114H-47.7506-1 Policies and Procedures.

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(a) Tribal Action Plans. This Bureau shall cooperate with the tribes and Indian Health Service to coordinate resources and programs related to alcohol and substance abuse prevention and treatment. Any other laws and regulations are to be liberally construed and administered to achieve the purposes of this Act. (Sections 4206 to 4208 of the Act)

(b) Use of Bureau-owned Property by Tribes. Subject to provisions cited below, any local Bureau-owned facility, property, or equipment, whether located on federally-owned land, administrative reserve, or land held in trust, to the extent permitted by law, are to be made available to tribes as may be requested in their Tribal Action Plans. The use of such facility, property, and/or equipment shall be limited to instances where the terms and conditions of such use are specified in a properly executed Bureau contract, grant or cooperative agreement. Such legal instrument shall include a requirement that the user protect and adequately maintain such property and return it to the Bureau at the end of the negotiated term in good condition, usual wear and tear excepted. The legal instrument shall also specify the term of such period(s) of usage. (Section 4209 of the Act)

114H-47.7506-2 Responsibilities.

(a) Area Director Certification.

(1) Notwithstanding the provisions of paragraph 114H-47.7506-2(b) below, the Area Director, prior to execution of documents noted in 114H-47.7506-1(b), shall certify that the facilities, property, and/or equipment being provided to the tribe will not be required for the administration of other Indian Affairs' programs for the anticipated term of such specific usage under a legal instrument as noted above.

(2) Tribal use of facilities, property or equipment may be allowed, also, for periods of time when such properties are temporarily not being used. A specific example of this type of situation would be the provision of unused school space during the summer season. (See 114H-47.7506-2(b) for other requirements if school facilities are involved.)

(3) Tribal use of facilities under this authority shall not be allowed until the Area Director has certified that the facilities have passed a current Safety and Code Compliance inspection by Bureau Facility Management and/or Safety personnel.

(b) School Facilities. Availability of facilities under this subpart shall include school facilities under jurisdiction of the Secretary of the Interior, PROVIDED that the use of any school facility shall be conditioned upon approval, in writing, of the local school board with jurisdiction over such school. (Section 4209(a) of the Act)

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(c) Costs.

(1) Any additional costs associated with the use of Federal facilities, property, and/or equipment under this subpart may be paid, with approval of the Secretary of the Interior, out of available Federal, tribal, state, local, or private funds. However, the Act does not require the expenditures of additional funds to meet such additional costs. (Section 4209(b) of the Act)

(2) In no event shall any regular Bureau funds be utilized to improve an obsolete or structurally unsound facility for the purpose of providing the same for use under legal instruments awarded pursuant to Tribal Action Plans.

PROPERTY MANAGEMENT REGULATIONS

Uniform Relocation Assistance and Real Property Acquisition Policy

**PART 114H-50 UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY
ACQUISITION POLICY****Subpart 114H-50.301 General**

This subpart incorporates by reference the policies and procedures established in IPMR 50.

114H-50.301-75 Purpose.

(a) The purpose of this subpart is to state the policies and procedures to be followed to insure the fair, equitable, and uniform treatment of persons displaced by Bureau and Bureau-assisted programs relating to acquisition of real property.

(b) The policies and procedures for relocation assistance are to be applied by the Area Director in the course of acquiring any real property which results in the relocation and displacement of persons occupying the property acquired. For purposes of this subpart, the term "Bureaus and Offices" shall mean the Area Offices, except as otherwise indicated.

114H-50.302-75 Fair Market Value.

Fair market value for purposes of this subpart means the reasonable price which can be expected to be received for privately-owned real property as determined by the comparative value of similar privately-owned land and improvements found in the economic area which encompasses or lies adjacent to the land acquired by the Bureau.

PROPERTY MANAGEMENT REGULATIONS
Administrative Review and Annual Reports

Subpart 114H-50.308 Administrative Review

114H-50.308 Compliance Reviews.

The Division of Property Management on behalf of the Assistant Secretary - Indian Affairs, shall periodically review the operations of Area Offices to insure proper implementation of, and full compliance with, the provisions of the Act as implemented by the Department and incorporated in BIAPMR 50. Findings of the review shall be consolidated and made part of the required Annual Report (IPMR 50.12).

Subpart 114H-50.309 Annual Report

114H-50.309 Preparation and Submission of Annual Reports.

(a) The Area Property Accountable Officer shall prepare an annual report in the format prescribed in IPMR 114-50.12. The report shall be submitted to the BIA Division of Property Management, Washington, D.C., for consolidation and summarization, no later than 45 calendar days after the end of each Fiscal Year.

(b) The Division of Property Management shall prepare the report for transmittal by the Assistant Secretary - Indian Affairs to the Assistant Secretary - Policy, Budget and Administration, no later than 30 calendar days after the end of each Fiscal Year.

PROPERTY MANAGEMENT REGULATIONS
Appeals Pertaining to Relocation Assistance

114H-50.310 Appeals Pertaining to Relocation Assistance.

The Area Director shall advise all affected persons of their right to appeal determinations made under Area administration, to the Assistant Secretary - Indian Affairs. Further, the affected persons shall be advised of the future right to appeal to the Office of Hearings and Appeals as specified in IPMR 114-50.1101-1.

PROPERTY MANAGEMENT REGULATIONS
Uniform Real Property Acquisition Policy

Subpart 114H-50.312 Uniform Real Property Acquisition Policy

114H-50.312 Acquisition Policy.

In accordance with Departmental Manual 205 DM 10.4, the Assistant Secretary - Indian Affairs is authorized to exercise the authority of the Secretary of the Interior in performing the appraisal and land acquisition functions as established in Pub. L. 91-646, Title III (84 Stat. 1904; 42 U.S.C. 4651, et. seq.), and as implemented by 41 CFR Part 101-6.111 and Interior Property Management Regulations contained in 41 CFR Part 114-50.3. Further, the authority of the Assistant Secretary - Indian Affairs has been redelegated to the Area Directors.

114H-50.313-75 Appraisal.

In order to avoid the appearance of undue influence by tribal or individual Indian interests in the determination of compensation to be paid for property acquired, the Area Director shall take appropriate measures to ensure that an appraisal is conducted by a disinterested person. Therefore, Bureau Area employees who may have future duties directly associated with the displaced person(s) or tribe(s) should not be involved in the appraisal incident to the procedures described in IPMR 50.

PROPERTY MANAGEMENT REGULATIONS
Provision and Assignment of Quarters and Furnishings

PART 114H-51.75 PROVISION AND ASSIGNMENT OF QUARTERS AND FURNISHINGS.

Subpart 114H-51.75 Provision and Assignment of Quarters and Furnishings.114H-51.7500 General.

This subpart identifies the guidelines which shall be followed in the provision and assignment of quarters and furnishings for Government-owned or leased rental quarters administered by the Bureau of Indian Affairs. Incorporated by reference in this subpart is the Departmental Quarters Handbook, 400 DM Addition to the Interior Property Management Regulations. Since the Departmental Quarters Handbook serves as supplemental material to the Interior Property Management Regulations (IPMR 114-51 and 52), these are also incorporated herein by reference.

To supplement the regulatory provisions described above, definitions and implementing Bureau guidelines are established in the following sections.

114H-51.7501 Purpose.

The Departmental Quarters Handbook and IPMR 114-51 set forth the legislative and regulatory guidelines together with procedures and companion forms to be followed in the management of the Bureau's Quarters Program incident to the provision and assignment of quarters and furnishings. The materials are to be used as a desk manual with revisions to be transmitted by the Division of Property Management, as necessary, to ensure that the material remains current.

114H-51.7502 Policy.

It is the policy of the Bureau of Indian Affairs that all quarters provided to employees be decent, safe, sanitary and energy efficient and that they shall be managed in a professional and cost-effective manner. For establishing new quarters see 114H-51.7508.

114H-51.7503 Authority.

Authority to carry out the Quarters Management Program pursuant to or in accordance with the aforementioned incorporated sources has been delegated from the Secretary of the Interior to the Assistant Secretary - Indian Affairs, pursuant to 205 DM 10. Authority of the Assistant Secretary - Indian Affairs has been redelegated to the Area Directors in 230 DM 3.

The following management responsibilities cannot be redelegated below the Area Director per 205 DM 10.1C

PROPERTY MANAGEMENT REGULATIONS
Provision and Assignment of Quarters and Furnishings

(1) Approval of acquisition (including construction) and utilization of new or replacement quarters units.

(2) Approval of continued use of obsolete quarters units.

114H-51.7504 Definitions.

The following definitions of terms and offices are provided in order to clarify the relationship of provisions in the Departmental Handbook to Bureau of Indian Affairs management responsibilities:

(a) Agency Head - The Assistant Secretary - Indian Affairs, sometimes referred to in the IPMR as the head of the Bureau or operational head of the Bureau of Indian Affairs.

(b) Agency/Installation Level Government Quarters Manager - The Agency/Installation quarters officer - responsible for the day-to-day operation of the quarters management program within that agency's jurisdiction.

(c) Area Level Government Quarters Manager - The area quarters officer - responsible for areawide oversight of the quarters management program including proper use and care of government-furnished quarters.

(d) Assigning Office - For purposes of quarters assignment recordkeeping, the term means both the area office and its agencies/installations.

(e) Chief Administrative Officer - Director, Office of Administration, Bureau of Indian Affairs.

(f) Quarters Management Officer / Contracts - The Contracting Officer will appoint a Contracting Officers Representative (COR) who shall be the Quarters Management Officer for quarters provided under Pub. L. 93-638 contracts.

(g) Government Programs - Programs which are administered directly by Bureau employees, including contracts or grants to Indian tribes in furtherance of Bureau objectives. The term also includes programs administered by other Federal agencies.

(h) Holding Bureau - The Bureau of Indian Affairs which is accountable for quarters properties under its jurisdiction.

(i) National Level Government Quarters Manager - The national quarters officer - responsible for policy and procedure development and oversight/review of all Bureau quarters activities.

PROPERTY MANAGEMENT REGULATIONS
Provision and Assignment of Quarters and Furnishings

(j) Tenant - An occupant of Government quarters who has been authorized to rent the unit in accordance with the IPMR and Departmental Quarters Handbook provisions for the assignment of quarters to employees. The term also includes an authorized occupant of Government quarters under IPMR and Quarters Handbook provisions pertaining to public rental of quarters. Authorization for occupancy is evidenced by a Departmental Quarters Assignment Agreement, DI Form 1881, which provides the essential contractual elements of a rental agreement. The use of the term, "tenant," is not intended to inject principles of landlord-tenant law which would be otherwise applicable in private sector jurisdictions.

114H-51.7505 Responsibilities for Quarters Management Program.

The Bureau shall have a National Quarters Management Officer (NQMO) designated at the headquarters level who shall be responsible for policy and procedure development and oversight/review of all Indian Affairs quarters activities.

Additionally each area office shall have an area level Quarters Management Officer (QMO) who shall be responsible for oversight and administration of the Quarters Management program for all quarters throughout the area's jurisdiction, and agency/installation Quarters Management Officers (QMO) shall be responsible for all day-to-day operation of quarters administrative functions.

114H-51.7505-1 Designation of Quarters Management Officers.

Following are the procedures for designation of Quarters Management Officers at each organizational level, for all quarters operated directly by the Bureau. For quarters operated under Pub. L. 93-638, the Bureau Contracting Officer shall designate a Quarters Management Officer. See 114H-52.8010 for Program responsibilities.

(a) National Quarters Management Officer - The Chief, Division of Property Management, Central Office, shall nominate a National Quarters Management Officer for approval and designation by the Director, Office of Administration.

(b) Area Level Quarters Management Officer - Each Area Director shall designate, in writing, a specific individual preferably within the area office property management staff as the Area Quarters Management Officer

PROPERTY MANAGEMENT REGULATIONS
Provision and Assignment of Quarters and Furnishings

(c) Agency Level Quarters Management Officer - Each Bureau of Indian Affairs (BIA) Agency Superintendent having government quarters within the Agency's jurisdiction shall nominate a specific officer within the agency office staff for approval and designation by the Area Director as the agency level Quarters Management Officer.

(d) Agency Superintendent for Education - Each Agency Superintendent for Education shall nominate a specific official at each OIEP school or installation under his/her jurisdiction, which is not collocated with a BIA agency office, for concurrence by the cognizant Office of Indian Education Program (OIEP) Assistant Director and approval and designation by the cognizant Area Director as the Installation Quarters Management Officer.

114H-51.7505-2 Quarters Management Officer's Responsibilities.

(a) National Level.

(1) The quarters management officer shall be responsible for policy and procedure development, oversight/review of all Bureau quarters activities, conducting field inspections of the 12 area jurisdictions, and providing counseling and technical assistance on quarters matters. Incumbent shall be proficient in applicable regulations, policies, and procedures including inventory, review, and acquisition procedures. Incumbent ensures that standard financial reporting processes, as provided by accounting management are capable of controlling, tracking, and reporting all quarters income and expenditures, and are used Bureauwide and recommends necessary changes or improvements to accounting management.

(b) Area Level.

(1) The quarters management officer shall be responsible for area wide monitoring and review of the quarters management program including: proper use and care of Government furnished quarters; ensuring that standard financial reporting processes are capable of controlling, tracking, and reporting all quarters account(s) income and expenditures; reporting to the Division of Accounting Management any needs for improvement and enhancement; assuring data input and resulting printouts from QMIS are correct; and correcting any errors contained in the QMIS data.

(c) Agency/Installation Level.

(1) The quarters management officer shall be responsible for all quarters within that agency's jurisdiction and must stay informed of the status of all quarters, including those available, rented, no longer needed, obsolete, condemned, etc.

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Provision and Assignment of Quarters and Furnishings

(2) He/she is responsible for use, distribution, and file maintenance of all the following forms:

- (DI-1871) "Justification for New or Replacement Quarters"
- (DI-1872) "Certification of Required Occupancy"
- (DI-1873) "Private Rental Survey"
- (DI-1874) "Rental Rate Comparability" (Part 1 of 3)
- (DI-1874) "Base Rental Report" (Part 2 of 3)
- (DI-1874) "Base Rental Report" (Part 3 of 3)
- (DI-1875) "Government Quarters Inventory"
- (DI-1876) "Isolation Adjustment"
- (DI-1877) "Excessive Heating/Cooling Deduction"
- (DI-1879) "Quarters Occupancy/Vacancy Inspection Form"
- (DI-1880) "Rent Computation Schedule"
- (DI-1881) "Quarters Assignment Agreement"
- (DI-1882) "Rental Rate Adjustment"
- (EDC-16) "Quarters Report"

(3) Quarters Management Officer's shall maintain a complete file for each quarters unit, whether or not it is presently rented. The required files shall contain the following forms:

- (DI-1872)
- (DI-1874) - Part 1 of 3
- (DI-1875)
- (DI-1876)
- (DI-1877)
- (DI-1879)
- (DI-1880)
- (DI-1881)
- (DI-1882)
- (EDC-16) and other pertinent data.

(4) Quarters Management Officer's shall explain the rental program as necessary to prospective tenants, including contractor employees, Federal teachers, custodians, principals, administrative personnel, tribal, and state officials.

(5) Quarters Management Officer's shall assure that Consumer Price Index (CPI) adjustments (annual rental adjustments mandated by OMB), are provided to contracting officers for inclusion in applicable Pub. L. 93-638 contracts along with other rental/utility increases that might be necessary. The Rent Computation Schedule (Form DI-1880) shall also be explained to the tenants prior to occupancy so that they will be aware of all amounts which may be charged to them related to quarters rental.

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(6) The agency's QMO shall have the appropriate Occupancy Agreement (Form DI-1881) signed by the tenant prior to the time of occupancy. Form EDC-16, "Quarters Report", shall also be annotated and filed with the Bureau of Reclamation, Division of Payroll Operations, D2641, 7333 W. Jefferson Avenue, Denver, CO 80235 within 48 hours of signature of the occupancy agreement. Submission of the EDC-16 in a timely, accurate, and complete manner shall be a critical element in the rating of all agency QMO positions.

114H-51.7506 Authority for Assignment of Quarters.

The authority delegated to the Assistant Secretary - Indian Affairs in 205 DM 10 has been redelegated to the Area Director in 230 DM 3.

114H-51.7507 Policy on Quarters Assignment.

In view of the delegation of authority in 205 DM 10, leased quarters may be provided to employees by authority of the Area Director when the determinations contemplated by paragraph 2 of OMB Circular No. A-18, revised, have been made by the Area Director. The area QMO shall develop an areawide written quarters assignment policy, which is equitable and objective, to be signed by the Area Director, pursuant to IPMR 114-51.301 and shall be administered in the same manner based on location housing needs. The Area QMO shall provide the assignment policy in draft form to all interested parties (e.g. OIEP Superintendents, the union etc.) for comments and shall consider all comments received and justify their exclusion or inclusion in the final document before forwarding to the Area Director for signature.

(Cross reference to IPMR 114-51.101(b)).

114H-51.7508 Establishing New Quarters.

As stated in Departmental Quarters Handbook 400 DM, Chapter 3.1, and IPMR 114-52-401, new or additional Government Furnished Quarters (GFQ) shall not be provided unless it is determined that the quarters are essential to the accomplishment of a Bureau mission, and are energy-efficient.

The procedures to be followed in applying for new or replacement quarters are:

(a) All requests shall be submitted on Justification for New or Replacement Quarters, Form DI 1871 in accordance with Departmental Quarters Handbook and IPMR 114-52-401.

(b) The cognizant line officer and/or Agency Superintendent shall submit the request to the Area Director for review/approval signature and submission to the Division of Property Management through the Bureau's Office of Facilities Management.

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(c) The Office of Facilities Management after review and concurrence shall then submit the request to the Division of Property Management.

(d) The Division of Property Management will review and concur or recommend rejection and will submit the request to the appropriate Central Office program (e.g. Law Enforcement, Education, Trust, Tribal Services, etc.) for their review and recommendations.

(e) After program office concurrence, the request shall be submitted to the Assistant Secretary and Deputy to the Assistant Secretary - Indian Affairs (Operations) for final approval/signature.

(f) The budget process, including construction planning with Facility Management, can proceed when final approval has been received.

114H-51.7509 Acquisition and Assignment of Housekeeping Furnishings.

Authorized acquisition and assignment of housekeeping furnishings, shall require written determinations approved by the Area Director in accordance with IPMR 114-51.202-1.

114H-51.7510 Special Security Measures for Transient and Seasonal Quarters.

At the discretion of the Area Director, special security measures shall be undertaken as are deemed necessary to assure the safekeeping of occupants' personal effects located in assigned quarters. Such measures may include, but are not limited to, installation of security locks on points of entrance, and security lighting.

PROPERTY MANAGEMENT REGULATIONS
Establishment of Quarters Rental Rates

PART 114H-52.75 ESTABLISHMENT OF QUARTERS RENTAL RATES

Subpart 114H-52.75 Establishment of Quarters Rental Rates.114H-52.7500 General.

This subpart identifies the regulatory provisions to be followed in the establishment of quarters rental rates for quarters owned or leased by the Bureau of Indian Affairs. Incorporated by reference in this subpart is the Departmental Handbook, 400 DM Addition to the Interior Property Management Regulations. Because the Departmental Handbook serves as supplemental material to the Interior Property Management Regulations (IPMR 114-52), it is also incorporated herein by reference.

114H-52.7501 Purpose.

The Departmental Quarters Handbook and IPMR 114-52 set forth the legislative and regulatory guidelines together with procedures and companion forms to be followed for the establishment of quarters rental rates. The materials shall be used as a desk manual with revisions which shall be transmitted by the Division of Property Management, as necessary, to ensure that these references remain current.

114H-52.7502 Authority.

Authority to carry out the Quarters Management Program pursuant to or in accordance with the aforementioned sources has been delegated from the Secretary of the Interior to the Assistant Secretary - Indian Affairs, pursuant to 205 DM 10. Authority of the Assistant Secretary - Indian Affairs has been redelegated to each Area Director in 230 DM 3.

114H-52.7503 Criteria for Identifying an Established Community.

The Area Director shall ensure the strict application by Area/Agency QMO's, of procedures defined in Departmental Quarters Handbook and OMB Circular No. A-45, Revised, for the designation of "Nearest Established Communities" incident to completing quarters inventory information on DI Form 1875.

114H-52.7504 Listing of Amenities Present.

The area and agency QMO's shall insure the accurate listing of actual amenities present at any given installation incident to completing quarters information on DI Form 1875.

(Cross reference to IPMR 114-52.303(a).

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Establishment of Quarters Rental Rates

114H-52.7505 Extension of Comparability for Transient or Temporary Quarters

The methods for rate setting set forth in IPMR 114-52.107(b) shall be implemented for transient or temporary quarters occupied by Bureau employees incident to the fulfillment of their duties. However, when such costs to the employee can be deducted from travel expenses related to lodging, arrangements shall be made with the Area Travel Officer for the reimbursement of such costs to the credit of the quarters rental receipt account. Alternatively, such costs may be paid out of the program funds from which the employee's salary is paid and shall be credited to the quarters rental receipt account.

114H-52.7506 Survey and Appraisal Policy.

The provisions in IPMR 114-52.2 stipulate that the preferred method for establishing base rental rates is the regional survey. Area Offices are not authorized to conduct individual surveys or appraisals in lieu of an Office of Acquisition and Property Management (PAM) directed regional survey. Areas may conduct appraisals only where there are no regional surveys or for the purpose of setting rates for public rentals. In these instances, appraisals shall be initiated and conducted in accordance with the provisions in IPMR 114-52.202 and 114-52.703 respectively.

114H-52.7507 Administrative Review of Adjustments to the Base Rental Rate.

The Area Director shall initiate an annual review of all adjustments to the base rental rate for each quarters unit in the area in order to ensure that changing conditions are accurately reflected in the rates charged. For example, changes in amenities status should be directly reflected in rates charged. The review shall be conducted prior to January 1 of each year in anticipation of prospective annual Consumer Price Index adjustments normally implemented in February of each year. Written certification that these adjustments are in place and that calculations have been double-checked shall be submitted to the Division of Property Management (Central Office) on or before June 30 annually.

(Cross-reference to IPMR 114-52.309)

114H-52.7508 Corrective Action on Rental Rate Previously Served on Tenant.

The Area Director shall notify each tenant in writing at least 30 days before implementing rental rate adjustment actions. If errors are discovered in the notice, the errors shall be immediately corrected by the Area Quarters Management Officer and the proper rates collected. Within one week after the corrective action has been made, the tenant shall be advised of the new rate being charged. The tenant shall be advised that the corrective action is subject to appeal in the same manner as the first notice, and under the same

PROPERTY MANAGEMENT REGULATIONS
Establishment of Quarters Rental Rates

conditions as prescribed in IPMR 114-52.602. As stated in IPMR 114-52-403(c), revised rental rates shall be collected whether or not the occupant signs a new rental agreement. Signing the agreement shall not nullify appeal rights: however, REFUSAL TO SIGN IS CAUSE FOR EVICTION.

114H-52.7509 Tenant Copies of Government Quarters Inventory Forms and Quarters Evaluation Schedule.

The Agency/Installation QMO must be able to explain the quarters program to tenants. As stated in IPMR 114-52.601, upon request each tenant shall be provided with OMB Circular A-45, a current copy of their Government Quarters Inventory Form (DI Form 1875), and their Rent Computation Schedule (DI Form 1880). In addition, copies of the regional survey report should be made available for review. The distribution of such documents is intended to remedy tenant misunderstandings concerning the rental rate setting process and the criteria under which rates are established. In addition, the Bureau requires that all factual errors be brought to its attention immediately for the earliest possible resolution, thus often avoiding unnecessary appeals.

114H-52.7510 Corrective Action on Appealed Rental Rate Adjustments.

Upon verification of an appealed, bona fide factual error in the calculation of a rental rate adjustment, the Superintendent, or equivalently ranked field officer, shall certify to the Area Director that a factual error was made and shall describe the correct rental rate to be charged to the tenant. Subsequently, the Area Director shall cause the tenant's quarters records to be corrected, and arrange for repayment or credit for any underpayment and/or overpayment by the tenant. If the tenant has underpaid his/her rent the Area Director shall immediately take action to collect the underpaid amount. Notice of such a change shall be provided to the Division of Property Management on DI Forms 1875 and 1880 for transmittal to the Office of Acquisition and Property Management. An appeal shall not delay implementation of rental rates.

In the event that an allegation of factual error is found to be without merit, the tenant shall be advised of the determination within 30 days of receipt of the request for reconsideration, and shall be advised of the right of appeal to the Area Director. If the determination is affirmed by the Area Director, the tenant shall be advised of the right to appeal to the Office of Hearings and Appeals, in accordance with the provisions in IPMR 114-52.602(b). However, the employee shall file a request for reconsideration as a prerequisite to an appeal to the Office of Hearings and Appeals.

PROPERTY MANAGEMENT REGULATIONS
Rental Income and Expenditures, in Management of Quarters

PART 114H-52.80 RENTAL INCOME AND EXPENDITURES, IN MANAGEMENT OF QUARTERS.

Subpart 114H-52.80 Rental Income and Expenditure, in Management of Quarters.114H-52.8000 General.

This subpart identifies regulatory provisions which shall be followed in the management and operation, of Government furnished quarters and collection and expenditures of quarters rental rate receipts. Incorporated by reference in this subpart is the Departmental Quarters Handbook, 400 DM Addition to the Federal Property Management Regulations. Because the Departmental Handbook serves as supplemental material to the Interior Property Management Regulations (IPMR 114-52) it is also incorporated herein by reference.

114H-52.8001 Purpose.

The Departmental Quarters Handbook and IPMR 114-51 and 52 set forth the legislative and regulatory guidelines and companion forms to be followed in the administrative management of the Bureau's Quarters Program incident to the control of income and expenditures, and the operation and management of Government furnished quarters.

114H-52.8002 Policy.

It is the policy of the Bureau of Indian Affairs that all rents and Government furnished utility costs owed to the United States through the Bureau's Government Quarters Management Program are to be collected. Where ever possible the provision of household utilities shall be contracted for directly between the tenant and utility company.

114H-52.8003 Authority.

Authority to carry out the Quarters Management Program according to the aforementioned sources has been delegated from the Secretary of the Interior to the Assistant Secretary - Indian Affairs, pursuant to 205 DM 10. Authority of the Assistant Secretary - Indian Affairs has been redelegated to the Area Directors. Further, responsibilities and authorities associated with the collection of amounts due the United States through the Government Quarters Management Program, such as Pub. L. 97-365, the Debt Collection Act of 1982, Department of Justice/General Accounting Office Federal Claims Collection Standards (4 CFR 101-105), and 344 DM Debt Collection, are also incorporated.

114H-52.8004 Rental Income and Expenditures.

To ensure that Bureau rental revenues are properly administered, guidelines for segregation of the quarters account and authorized expenditures are contained in 42 BIAM (Supplement 2, Section 2.12). Proceeds from rental

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Rental Income and Expenditures, in Management of Quarters

receipts shall be used for the maintenance, operation, and administrative management of Government furnished quarters within the Bureau of Indian Affairs Agency's jurisdiction where funds are collected.

114H-52.8005 Collection of Rents.

The Agency QMO shall ensure that whenever possible, quarters rent and related charges shall be collected by payroll deduction.

NOTE: Payroll deduction payment is not an elective matter on the part of the employee. Cash collection shall be used only where payroll deduction is not possible. Any payment of rent other than by payroll deduction, shall be recommended by the Agency Superintendent and approved by the Area Director.

(a) Until payroll deductions are in effect, it shall be the responsibility of the tenant and the tenant's immediate supervisor to assure that rental payments are made.

(b) Rental payments shall be collected/deducted in a timely manner. Back rent, bills, or any loss/damage or other fees incurred shall be collected/deducted. The Agency QMO shall be in close contact with the Accounts Receivable Clerk to ensure that payroll deductions for rent are being made in a timely, accurate and complete manner. If deductions are not being made, the Agency QMO shall notify the tenant and set up an appointment with the Collections Officer to discuss options for payment, which may include increased payroll deductions, personal check, money order, installment payment, or a lump sum, per 42 BIAM Supplement 3, 3.8D(4)(a)(b).

(Cross-reference to 42 BIAM Supplement 3, Section 3.16 - Cost Recovery Procedures)

(c) Each BIA and/or OIEP local line officer is responsible for ensuring that form EDC-16 is prepared at each location/installation by the tenant and tenant's supervisor at the time the employee becomes a tenant or at the time the tenant is processed through new employee orientation by the Personnel Office, whichever occurs first. He/she is to ensure that, within 48 hours following its execution, the original form EDC-16 is forwarded to:

Bureau of Reclamation
Division of Payroll Operation
D2641
7333 W. Jefferson Avenue
Denver, CO 80235

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Copies of EDC-16 shall be distributed as follows: the first copy to the appropriate Personnel Office for the employee's personnel file, second copy to be forwarded to the designated quarters management officer, third copy to the employee. If the Quarters Officer is not a Facility Management employee, a fourth copy shall be sent to the applicable Facility Management Office.

(d) Rental reports on occupancies, adjustments and vacancies shall be reported by the Agency QMO to the Area QMO and Division of Property Management (Central Office) NQMO by monthly report. Please see Illustration #14 and directions for use, Illustration #15.

114H-52.8006 Collection of Delinquent, Uncollected Rents.

This procedure establishes the administrative tools to be used to document the Bureau's efforts to recover all amounts. Rentals and other monies determined to be due and owing the Bureau of Indian Affairs as a result of the occupancy of Government owned quarters at Bureau agencies, schools, field offices, etc., by Bureau of Indian Affairs' employees, the employees of other Federal agencies, employees of contractors including, but not limited to local governmental contractors such as those identified with Pub L. 93-638 agreements and defined in 42 BIAM Supplement 3, 3.16D(11), (12), (13), (18) and (19), and members of the general public.

(a) Each Area Director shall assure review of the Quarters Management Program operating in his/her applicable jurisdiction at least once each year.

(1) The review shall encompass all occupancy records agreements to ascertain who is living in the Government furnished quarters on an Areawide basis and to ensure Central Office that sufficient documentation is available to support the type of occupancy found; e.g., that Central Office permission was granted before a member of the general public was permitted to occupy the Government furnished quarters.

(2) The review shall encompass all fiscal records available which will be matched to the occupancy records in an effort to determine if all amounts due the Bureau of occupancy have been:

(i) Identified;

(ii) Collected, or;

(iii) Appropriately documented for collection; e.g., Bills for Collection (DI-1040) have been issued in accordance with the Department Manual, Part 334.

344 and 346 DM.

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PROPERTY MANAGEMENT REGULATIONS
Rental Income and Expenditures, in Management of Quarters

(3) The review shall also identify, by quarters unit, those individuals occupying Government owned quarters who have not properly executed a "Quarters Assignment Agreement," DI-1881, as required by 114H-51.7504-2(c)(6).

(b) Each Area Director shall ensure that applicable Bills for Collection have been issued to collect delinquent amounts due from;

(1) Members of the general public currently occupying and/or having occupied Government furnished quarters;

(2) Tribal contract employees currently occupying and/or having occupied Government furnished quarters;

(3) Other contractor employees currently occupying and/or having occupied Government furnished quarters, and;

(4) Former Bureau of Indian Affairs' employees who have left the payroll system without settling Government furnished quarters accounts' except that if the former employee remains in the employ of the Federal Government where an offset to the existing payroll of another location with BIA, or another bureau/office within the Department and/or with another Federal agency; e.g., Indian Health Service, can be accomplished, the Area Director shall contact the former employee's employer and request cooperation in the recovery of delinquent quarters debts.

(c) The Area Director shall ensure that the procedures for current employees of the Bureau of Indian Affairs established in Accounting Management Procedure (AMP) 86-003, Procedures for Requesting, Establishing, Processing and Recording Collection Activities Through Payroll Offset, dated October 28, 1986, are fully implemented.

(d) The Area Director shall ensure that the debt collection procedures found in 344 DM are applied in all cases as well as Federal Claims Collection Standards (4 CFR 101-105), wherein they speak to aggressive demands for payment, the consideration of undue hardships in collecting delinquent amounts due in lump sums, the consideration of ceasing collection activity when the costs to be recovered will be exceeded by the costs of collection, as well as other issues addressed in Federal law, regulations and policies.

(e) Quarterly, each Area Director is to submit as set forth below an Areawide report on its quarters management program which delineates amounts due the United States not yet collected; the status of collections; who the individual debtors are by quarters location; e.g., H54-21 and the six digit number assigned to the individual quarters unit(s). Additionally, the quarterly report will generate vacancy information; e.g., which unit(s) were unoccupied over which periods during the quarter being reported.

PROPERTY MANAGEMENT REGULATIONS
Rental Income and Expenditures, in Management of Quarters

(1) Reports are to be submitted in the format demonstrated by Illustration 1.

(2) Reports are due by COB of the 30 day of the month following quarter end.

(3) Reports are to be submitted on an areawide basis only.

(a) All individual location reports are to be forwarded collectively with other location reports within the reporting Area.

(b) Reports are to be forwarded to:
DAS-IA (OPS)
ATTN: Chief, Division of Property Management
National Quarters Manager, MS-334-SIB

Semiannually all Area Directors shall certify that all rents have been collected or if not provide a written explanation as to why they have not been collected and what measures are being taken to rectify the situation.

114H-52.8007 Furloughed Employees.

Charges for quarters to be occupied for a full year, by an occupant whose income spans 11 months or less during that year, shall be assessed total rent equivalent to a 12 month period. The total 12 month charges shall be divided by the number of actual pay periods for computation of the payroll deduction. If such employees vacate the quarters prior to the end of the rental year, any withheld amount attributable to the unused time shall be refunded to them unless required to be retained toward satisfaction of other amounts owed the government.

114H-52.8008 Expenditure of Rental Receipts.

It is the policy of the Department of the Interior and this Bureau to provide GFQ which are decent, safe, sanitary, and energy efficient. Each Area Director shall ensure that rental income is used to support this policy.

(a) All quarters income, regardless of source, may be expended only for operation and management of the quarters program. This includes maintenance, repair, alteration of quarters, and overhead directly associated with the quarters program.

(b) No obligation of quarters income may be made until the Area has submitted and received approval of a Financial Program Plan for operation of their quarters program. Operational cost for Central Office quarters management functions, including cost of QMIS or other Departmental support,

PROPERTY MANAGEMENT REGULATIONS

Rental Income and Expenditures, in Management of Quarters

shall be charged against area rental income on a prorata basis according to the ratio of area income to income from all areas. Under no circumstances may quarters obligations exceed the actual total earned income available to that agency, including any transfer noted below.

(c) Overhead costs directly associated with and incurred for managing the quarters program can be charged to the quarters rental income. This includes the costs of regional surveys, maintenance, administrative utilities, energy audits, inventory costs, and associated local, regional and central office personnel, travel, and training costs directly related to the quarters program.

(d) Quarters income within this Bureau will be expended only within the Agency where the funds are collected, provided that up to 10 percent of the funds collected annually in such agency may be transferred to another agency within the same area jurisdiction. Any transfer shall be made only after written justification for such need has been approved in writing by the Area Director. The funds shall be used only for valid quarters operation and management. Fund transfers shall be allowed only in cases where the receiving agency documents an account balance insufficient to fund quarters work which is necessary and requires immediate action. All income transfers shall be properly reported and recorded in the Bureau's financial accounting and budgeting systems.

If transfers similar to those described immediately above are made between Areas, each shall be documented and justified by the receiving Area Director, concurred by the charged Area Director, and approved by the Deputy to the Assistant Secretary - Indian Affairs (Operations).

(e) Each Area Director will ensure that priority for maintenance is given to health and safety problems in GFQ. This necessitates some methodology for documenting work requirements at each installation, and planning for project completion.

114H-52.8009 Quarters Furnished for Use by Pub. L. 93-638 Contractors.

(a) The method of reimbursement for quarters furnished under a contracted program shall be set forth in the contract. However, it is recommended that the contractor deduct rent from employees' paychecks. Rental rates shall be those established by approved regional surveys, and set by the Bureau, with the same adjustments applied to quarters occupied by Bureau employees, or adjusted by other off-sets as established in the contract.

(b) The contract must require that any contract employee whose income spans 11 months or less during the year, shall be assessed total rent equivalent to a 12 month period. The total 12 month charges shall be divided by the number of actual pay periods for computation of the payroll deduction.

PROPERTY MANAGEMENT REGULATIONS
Rental Income and Expenditures, in Management of Quarters

(c) The contract shall state that the contractor is required to pay the Bureau of Indian Affairs (BIA) on a monthly or quarterly basis for all rental receipts, except for those Pub. L. 93-638 contracts where quarters are provided as partial consideration for execution of the contract or, where the contractor has assumed responsibility for operation and maintenance of the quarters pursuant to contract terms. In the latter case, the contractor shall be required to deposit quarters rental receipts into a separate account which is to be used only for costs directly associated with operations and maintenance of the governments quarters furnished under the contract. If the contractor fails to do so as specified in the contract, the contracting officer shall initiate partial termination for cause (See 41 CFR 14H-70.638) and debt collection procedures.

(d) Local Quarters Management Officers shall notify the Contracting Officer of CPI adjustments and any other rental rate adjustments, by providing appropriate forms. The Contracting Officer shall then notify the contractors who in turn must notify the tenants of CPI adjustments and any other rental rate adjustments according to Government regulations. Such CPI rate adjustment provision must be included in the contract.

114H-52.8010 Program Responsibilities.

(a) Program Officials shall be responsible for furnishing adequate terms and conditions to the Contracting Officer for inclusion in all Pub. L. 93-638 quarters-related contracts under which quarters are to be provided to assure the following:

(1) Contractor is notified of rental rates required by Departmental Regulations.

(2) Tenant agreements are properly signed, maintained and reported upon occupancy of quarters.

(3) Rents are collected in a timely manner and deposited into the BIA's Quarters account when the Bureau is maintaining the quarters used for the facility under the contract agreement.

(4) For those instances where a contractor is responsible for maintenance of quarters, under the terms and conditions of the contract. Rental receipts shall be deposited in a specific separate contractor account which shall be used for repair and/or maintenance of the quarters units.

(5) Quarterly status report of repair and maintenance to quarters, and costs thereof are submitted.

(6) Contractors shall be required to provide written notice to the Contracting Officer/CO each time a quarters unit is occupied/vacated.

PROPERTY MANAGEMENT REGULATIONSRental Income and Expenditures, in Management of Quarters

(7) Contractors shall be required to pay all amounts due for quarters occupied, whether or not they are able to collect rent from their tenants.

114H-52.8011 Collection of Rents for Quarters Occupied by Employees of Other Federal Agencies.

(a) When BIA quarters are requested and provided temporarily to employees of another Federal agency, a written Memorandum of Agreement (MOA) interagency agreement shall first be executed requiring the other Federal agency to collect rent from employees and reimburse the Bureau of Indian Affairs. The rent is to be used to maintain the units.

(b) The Memorandum of Agreement (MOA) between the two Federal agencies shall be in effect before the quarters are occupied.

114H-52.8012 Non-Federal, Private Parties Quarters Rental.

For any non-Federal, private party rentals, of quarters which have not been reported as excess to the General Service Administration delegation of leasing authority must first be obtained by submitting a request to BIA Director Office of Administration, ATTN: Division of Property Management. Such request shall include a full justification for outleasing and shall include the date at which future Bureau use of facility is anticipated. The Division of Property Management will process such request through the Department of Interior for delegation of interim leasing authority from GSA. Such leases shall not be executed until such delegation is received at the Area office. Delegation for outleasing quarters which have been reported excess, (i.e. no known future Bureau requirement, pending disposal) shall be requested by the cognizant Area Director from the servicing GSA regional Public Building Services Office and outleases for such excess quarters shall not be executed until the requested delegations are received from GSA.

114H-52.8013 Eviction.

(a) Refusal to sign DI-1881 shall be cause for eviction per IPMR 114-52.403(c).

(b) An employee may be subject to removal or other disciplinary action for his or her failure to meet cited financial responsibilities, as stated in Departmental Handbook, Section 20.735-16(d).

(c) If a contractor fails to pay quarters rental income to BIA on schedule, the action as prescribed in 114H-52.8009(c) shall be initiated.

PROPERTY MANAGEMENT REGULATIONS
Rental Income and Expenditures, in Management of Quarters

(d) Any occupant may be evicted for breach of the rental agreement. Non payment of quarters rental shall be considered a breach of the rental agreement.

(e) Eviction procedures shall be in accordance with applicable local jurisdictional rules, including due process therein provided.

114H-52.8014 Maintenance, Operation and Administrative Management of Quarters.

The Area Director will ensure that Government furnished quarters are safe, sanitary, and energy efficient.

(a) See IPMR 114-52.307

(b) Obsolete quarters shall be scheduled for immediate action to repair, remodel, modernize, etc., per Departmental Quarters Handbook (Section 3.3), and interim use must be approved by the Assistant Secretary, pursuant to 43 BIAM Supplement 2 114H-51.7503.

(Cross Reference 46 BIAM, which is in the process of being revised.).

PROPERTY MANAGEMENT REGULATIONS
Personal Property Management

PART 114H-60 PERSONAL PROPERTY MANAGEMENT

114H-60.000 Scope of Part.

It is the purpose of this part to supplement regulations established by IPMR 114-60. This part shall be used in conjunction with that IPMR Part and 43 BIAM 2., Responsibilities and Organizational Relationships, and 43 BIAM Supplement 1.

114H-60.001-75 Supplemental Procedures.

Area Directors may issue such supplemental procedures, not inconsistent with the provisions of the BIAPMR and this Part 114H-60, as deemed necessary for accomplishment of property management requirements within the Areas.

114H-60.002 Compliance Reviews.

(a) The Division of Property Management shall review the property and supply operations at Central Office, Area, and field locations as deemed necessary to insure that an adequate and effective property and supply program appropriate to the mission of the BIA is established and maintained in accordance with all applicable property management requirements.

(b) All BIA locations shall submit to the Division of Property Management any records, reports, or correspondence deemed necessary by the Division of Property Management for policy and program review. Special reports required by the Division of Property Management for management information purposes shall be submitted by BIA locations in the manner requested, in the timeframes allowed, in the format required, and with complete and accurate data provided.

(c) Area Property Accountable Officers shall review property and supply operations at their Area Office and field locations including those of the Office of Indian Education Programs, to ensure compliance with all property management requirements.

114H-60.100 Definitions.

(a) Accountable Officers - Requirements for designation of Area and Agency/field level Property Accountable Officers are set forth in 43 BIAM 2., Responsibilities and Organizational Relationships.

(b) Property Responsibility - Designated property custodians of individual BIA organizational-units shall be responsible for the proper use, care, operation, maintenance, and safekeeping of property entrusted to their possession.

PROPERTY MANAGEMENT REGULATIONS
Personal Property Management

(i) Procedures - Each organizational unit supervisor of the BIA (i.e., staff, program, project, division, branch, etc.), as deemed appropriate by the cognizant Area and/or Agency/field level Property Accountable Officer, shall designate a Property Custodian for the unit. The Property Custodian shall sign hand receipts for all non-expendable property issued to or in use by the organizational unit as requested by the cognizant Property Accountable Officer. Such hand receipts shall be evidence of the Property Custodian's acceptance of property responsibility as defined in this paragraph (d) of BIAPMR 114H-60.100, and in IPMR 114-60.100(d).

114H-60.102-75 Property Management Related Directives and Publications.

(1) In addition to Part 43 BIAM and all supplements thereto, the following property management related directives and publications as a minimum should be on hand, up-to-date, and readily available to each Property Accountable Officer.

- (a) Federal Property Management Regulations (FPMR).
- (b) Federal Procurement Regulations (FPR).
- (c) General Accounting Office Policy and Procedures Manual for Guidance of Federal Agencies, Title 2.
- (d) Interior Property Management Regulations (IPMR).
- (e) Interior Procurement Regulations (IPR).
- (f) GSA Supply Catalogs.
- (g) DSA/DLA Supply Catalogs and Publications.
- (h) Federal Supply Classification Cataloging Handbook.
- (i) GSA Handbook, Discrepancies or Deficiencies in GSA or DOD Shipments, Material or Billings.
- (j) FEDSTRIP Operating Guide.
- (k) GSA Worldwide Geographic Location Codes.

114H-60.103 Property Controls.

114H-60.103-75 BIA Property Accountability Records System.

The BIA Property Accountability Records System and procedures are set forth in BIAPMR Subpart 114H-60.7.

PROPERTY MANAGEMENT REGULATIONS
Personal Property Management

114H-60.104 Use of Government Property Restricted to Official Purposes.

In addition to the policies set forth in FPMR 101-25.100 and IPMR 114-25.100, the policy in BIAPMR 114H-25.100 shall also be followed.

114H-60.104-75 Use and Control of Weapons and Firearms.

(a) Applicability. This BIAPMR subsection 114H-60.104.75 supercedes any existing Bureau directives or policy memoranda which are in conflict with the policies and procedures set forth herein. However, nothing in this section shall be construed so as to interfere with the applicability of any existing law, Executive Order or regulation issued under proper authority by another Federal Agency.

(b) Purpose. The purpose of this section is to provide guidance and instructions for the acquisition, custody, safeguarding and control of BIA owned weapons and ammunition.

(c) Procedures. The following procedures shall be followed in the Bureau for handling BIA owned weapons and ammunition:

(1) Acquisition.

(i) All weapons and ammunition acquired shall be assigned upon receipt to the Area Office's Chief Law Enforcement Officer.

(ii) No weapons or ammunition of any type shall be acquired unless they are requested in writing by the Area Office's Chief Law Enforcement Officer.

(d) Custody, Safeguarding and Control.

(1) The Area Office's Chief Law Enforcement Officer shall:

(i) Be designated as the Custodian of Record for all BIA owned weapons and ammunition acquired or used within his/her jurisdiction.

(ii) Provide for security, issuance, control and retrieval for all weapons and ammunition in accordance with 68 BIAM Supplement 1, Release 4, Law and Order Handbook. In this regard, shall maintain records of all weapons issued and copies of signed issue documents.

(iii) Arrange with the Area's Property Accountable Officer for disposal of the Law and Order Program's excess and nonessential weapons or ammunition.

(2) The Area Office's Property Accountable Officer shall prohibit acquisition or use of weapons and ammunition for other than uses approved by the Area Chief Law Enforcement Officer.

PROPERTY MANAGEMENT REGULATIONS
Personal Property Management

114H-60.105 Property Irregularities.

Boards of Survey, as described in BIAPMR 114H-60.9 and IPMR 114-60.9, shall be established to investigate all matters involving property irregularities (fraud, waste, abuse, unauthorized use, theft, conversion, etc.), as provided in IPMR 114-60.105 and 355 DM 2, and in all instances where property is reported lost or missing and is not located within 15 days of such reports. All Boards of Survey reports concerning property irregularities shall be forwarded to the Washington, D.C., Division of Property Management, for further review and other approval by the Director, Office of Administration or further coordination with the Departmental Office of the Inspector General prior to implementing any relief from accountability or custodial responsibilities as may be recommended by Boards of Survey reports.

PROPERTY MANAGEMENT REGULATIONS
Personal Property Management

Subpart 114H-60.2 Receipt of Property and Services

114H-60.202 Basic Receiving Principles.

(a) Acknowledging Receipt of Property. Area Directors and Superintendents or Officers-in-Charge of other field installations shall designate one individual employee, and an alternate where necessary, as the Receiving Clerk for all property received at the installation, Area Office, or other field location. The designee should be a member of the Property and Supply Management Staff, but shall not be the Property Accountable Officer. Receiving Clerks shall be responsible for acknowledging receipt of all property at the installation served and for assuring correct quantities and condition of items received. Receiving Clerks shall also assure that the cognizant Property Accountable Officer and the servicing financial organizational unit receive copies of all receiving reports.

(b) Establishing Accountability for Property. Property Accountable Officers shall assure establishment of prescribed accountability records in accordance with the procedures in BIAPMR Subpart 114H-60.7.

(c) Establish Initial Responsibility For Property. Initial responsibility for all non-expendable property which is placed in use immediately after receipt must be established. The Property Accountable Officer shall obtain the signature on a hand receipt, (DI Form 105 or form BIA-717), for such property from the appropriate Property Custodian designated pursuant to 114H-60.100 (d)(1). Further, all other property received to be placed in storage/stock for future use shall be receipted for by the employee having immediate responsibility for the storage area or stockroom.

114H-60.203 Documentation of Receipts.

The form BIA-710 is the suggested receiving report form for use in the Bureau of Indian Affairs. When property is acquired through the following methods the corresponding listed forms may also be used as receiving reports:

<u>Method</u>	<u>Forms</u>
(a) Small Purchases	OF-347 Order for Supplies or Services (Receiving Report Optional)
(b) Transfer of Available Property from other BIA or Departmental Activities	BIA-4312 Property Invoice DI-104 Transfer of Property
(c) Transfer of Excess Property From Other Federal Agencies	BIA-4312 Property Invoice
(d) Property Fabricated/Produced In BIA Shops	BIA-4315 Production Report

PROPERTY MANAGEMENT REGULATIONS
Basic Receiving Principles

A copy of the forms used for transfers under items (b) and (c) above shall be provided to the transferor's activity as evidence of receipt by the transferee to support adjustments to transferor's property inventory records.

PROPERTY MANAGEMENT REGULATIONS
Identification of Personal Property

Subpart 114H-60.3 Identification of Personal Property

114H-60.302 Assignment and Display of Property Numbers.

All items of capitalized non-expendable Bureau-owned property shall be marked with a BIA property tag in a conspicuous location on the item in order to facilitate ease in its location during physical inventories. Each Area Property Accountable Officer shall control the assignment of property tag numbers and provide for the furnishing of adequate tags for all capitalized equipment acquired or held by all BIA and Indian Education activities within the geographical jurisdiction of the Area Office.

114H-60.302-75 BIA Property Tag Numbers.

Each Area Office shall utilize the numbering system prescribed in 43 BIAM Supplement 1 for its property tags.

114H-60.302-76 Marking.

Each Area Property Accountable Officer shall obtain sufficient tags and other marking materials for all installations and field locations within the Area Office jurisdiction. Such tags shall be of the permanent metal or film/adhesive type. Equipment for which it is impracticable to mark with the above prescribed tags shall be marked with its individual tag number by means of electric pencil, branding, steel dies, or other practical method, which will definitely and permanently identify the property.

(a) Should a previously tagged item of equipment be found with its tag missing, that tag shall be replaced with another, showing the original number assigned. Blank tags shall be obtained for this purpose.

(b) Tribal or trust property located or used within BIA installations shall not be marked with BIA tag numbers, but shall be identified according to its beneficial owner's instructions so as to avoid mixing of equipment and confusion during physical inventories.

(c) Livestock shall be considered equipment for property accountability purposes and shall be branded or marked to show Government ownership. The location of "brands" shall be governed by branding regulations applicable to the particular jurisdiction and the State Brand Board, State Stockgrower's Association, or similar organizations. It is recommended that all registered animals be tattooed or ear tagged in addition to being branded.

PROPERTY MANAGEMENT REGULATIONS
Identification of Personal Property

114H-60.302-77 Marking of Non-Capitalized Non-Expendable Property.

Items of property which are not capitalized, including minor items as defined in IPMR 114-60.302(b), shall not be assigned Bureau tag numbers, but shall be permanently marked as Government property wherever and by whatever means is practical (e.g., use of steel dies, stencils, electric pencil, etc.), with the letters "US BIA".

114H-60.303 Items Requiring Special Identification.

In addition to motor vehicles and livestock, as identified in IPMR 114-60.303, as requiring special identification, boats and watercraft also require special marking. For instructions on such identifications refer to the Federal Boating Act of 1958 (72 Stat. 1754), and 46 CFR 171.01-1. Also see 411 DM 3 D.

PROPERTY MANAGEMENT REGULATIONS
Storage of Property

Subpart 114H-60.4 Storage of Property

114H-60.475 Storage and Stores Responsibility.

Each Area Director and Area Deputy Accountable Officer shall assure that adequate storerooms and other storage facilities and staffing for operation of such operations are adequate to ensure proper control over issuance, use, return, maintenance, and safekeeping of items and equipment stored for pooling or issue.

PROPERTY MANAGEMENT REGULATIONS
Classification of Property

Subpart 114H-60.5 Classification of Property

114H-60.501 Classification Criteria.

(c) All office furniture and other non-expendable property valued at less than \$300 and not capitalized shall be entered into a subsidiary property inventory record listing to be maintained at each Area Office and Bureau or Office of Indian Education Programs field installation or location. Area Property Accountable Officers shall develop the necessary procedures and reporting system to assure maintenance of such subsidiary inventory listing and periodic inventories of items so listed.

114H-60.501-75 Livestock Classification.

(a) Beasts of Burden.

(1) 2-Years Old and Above. This includes all horses and mules. These animals will be taken up individually as equipment items, assigned a property number, and be properly branded.

(2) Newborn. Newborn beasts of burden will be taken into Stores from a Property Invoice supported by a Production Report which shows the appraised value, and

(i) If sold, will be dropped from the Stores Records by Property Invoice at time of sale.

(ii) If held until 2 years old, will be dropped from Stores, taken into Equipment Accounts, and assigned a property number.

(b) Cattle.

(1) Beef Cattle.

(i) 2-year olds and above. These animals will be taken up individually, as equipment items, assigned a property number and be properly branded.

(ii) If slaughtered or sold, they will be transferred to Stores and expended on Issue Requisition.

(iii) Newborn beef cattle will be taken into Stores from a Property Invoice supported by a Production Report which shows the appraised value, and

(iv) If sold, will be dropped from the Stores Records on Property Invoice at time of sale.

PROPERTY MANAGEMENT REGULATIONS
Classification of Property

(v) If held until 2 years old, will be dropped from Stores, taken into Equipment Account and assigned a property number.

(2) Dairy Cattle.

(i) Same as beef cattle, except any registered stock.

(3) Registered Cattle.

(i) Registered cattle shall be classified same as 2 year old beef cattle.

(ii) Newborn, will be taken into Equipment immediately, and numbered.

(c) Swine. All hogs and pigs will be taken into Stores and retained in Stores until slaughtered or sold.

(d) Poultry. All poultry will be classed as Stores, with like kind carried on a single Stores card, and requisitioned as consumed, or invoiced as sold.

(e) Project Herds. Livestock owned and operated as a Project from Government or Tribal appropriated funds shall be handled as Stores. "Project Herds" constitute livestock which normally are not branded or marked and where it is difficult to maintain individual identity such as buffalo and reindeer herds which will be carried as Stores. Herd animals (entire herd), will be carried on one Stores card as "Reindeer Herd", "Buffalo Herd", etc., indicating the number in the herd and the total cost or estimated value of the herd. Any increase or decrease in the herd will be adjusted at inventory time. For increases, use an appraised value. If value is not known take into Stores Accounts by Property Invoice supported by Production Report. For decreases, use the "average" cost method and drop on Property Invoice supported by Report of Survey.

(f) Livestock. Slaughtered, Sold, Lost, or Accidentally Killed. All livestock except swine and poultry which are slaughtered, sold, lost, or accidentally killed will be reported on Report of Survey for action by a Board of Survey or Survey Officer, indicating the reason for slaughter, sale, loss, and/or the cause of accidental death, then dropped by Property Invoice.

114H-60.575 BIA Policy.

All Property Accountable Officers shall utilize the forms and procedures set forth in 43 BIAM Supplement 1, Property Classification (Real and Personal), to classify and enter capitalized property in the Bureau's automated property inventory records system which is maintained by the BIA Division of Property Management.

PROPERTY MANAGEMENT REGULATIONS
Stores Records

Subpart 114H-60.6 Stores Records114H-60.600 General Ledger Control Account.

General ledger control accounts shall be maintained for all acquisitions and disposals of storehouse property.

114H-60.601-75 Storehouse Records.

The following forms will be used as BIA Storehouse records.

(a) Requisition form BIA-4314 shall be used for request of property from BIA storehouses.

(b) Property Invoice form BIA-4312 shall be used in inventory adjustments.

(c) Stores Card. The Form DI-101 shall be used to record the physical accountability of property in Stores and on subsidiary records for accounting controls. Each card must reflect stocks on hand, and be maintained with current postings of receipts and issues.

(1) Each Storehouse card shall show the location of items by bin number and Storehouse section. Stock number when applicable will be listed on the card. The Stores Classification Account charged must be indicated on the card.

(2) Cards for regular stock items shall show the minimum and maximum quantities which are to be used as a control in maintaining stocks.

(3) Unit prices shall be established from the Receiving Report and are to be used when the receipt is posted to the Stores card.

(4) An average unit price must be developed to adjust Store cards when shipments of identical items are posted.

(d) Return Material Credit - Form BIA-4320. This form shall be used for return of items previously issued. The returning activity should provide, if possible, a copy of the issue document. This form will be processed as a Receiving Report.

(e) Receiving Report - Form BIA-710. Will be used to document the receipt of property for Storehouse stock items received. When applicable, receiving reports shall cite purchase order or contract number and attach a copy of purchase document.

(f) Major Equipment Card. Items that are to be capitalized shall be handled in accordance with BIAPMR Subpart 114H-60.2.

PROPERTY MANAGEMENT REGULATIONS
Stores Records

(g) Inventory Work Sheets - Form BIA-717.

(1) Stores Inventory.

(i) A complete physical inventory shall be conducted annually. Comparisons with quantity balances of Storehouse cards shall be conducted on a daily basis.

(ii) Shortages must be documented and adjustments made only after a Report of Survey is conducted. Gains in stock shall be documented. All adjustments shall be made by the use of the Property Invoice form BIA-4312.

(h) Monthly Property Balance Sheet - Form BIA-4313. The balance sheet shall be prepared the first week of each month for all Store Accounts, and shall account for transactions for the preceding month. The form shall be prepared in triplicate and submitted to the Area Property Office for review and forwarding to the Area Finance Office.

(i) Report of Survey. Conducted in accordance with BIAPMR 114H-60.9 and IPMR 114-60.9.

a. Completed approved original shall be the document for the Property Invoice to adjust accounting records.

b. Copy will be attached to Stores record.

(j) Production Report - Form BIA-4315. To be used to document items:

1) Fabricated in local shops.

2) Manufactured in various operations.

PROPERTY MANAGEMENT REGULATIONS
Non-Expendable Property Records

Subpart 114H-60.7 Nonexpendable Property Records

114H-60.701 Accountability Records.

(a) Capitalized Property.

(1) See Supplement 1, Property Classification, (Real and Personal), for BIA forms used to record and enter capitalized property into the BIA Inventory System.

(b) Capitalized Property in Custody of Contractor or Grantee. Contracting and Grants Officers are Accountable Officers for all property acquired by Contractor with contract funds and for Bureau property and property acquired from excess sources and furnished to Contractor and Grantees. As such, Contracting Officers shall assure that appropriate data and records are furnished to cognizant Property Accountable Officers and finance offices for property inventory and General Ledger Account recordkeeping purposes. Additionally, Contracting and Grants Officers shall assure that their Contractors and Grantees perform regular physical inventories and furnish resultant evidence of reconciliation with inventory listings for use by Bureau Property Accountable Officers in annual certification of Bureau inventory and General Ledger Account records reconciliation.

114H-60.775 BIA Capitalized Property Records System.

All acquisitions, disposals, corrections, and transfers will be prepared on Bureau forms BIA-4310 and BIA-4325. These forms will be batched monthly and submitted to the BIA Division of Property Management for transfer of data to the punchcard system of personal property accountability for recording on magnetic tape. The data on the tape will be used for machine printouts which will be the Bureau's official accountability records. The printouts as issued will be maintained in each Bureau office as required and will be supported by General Ledger Accounts. The prompt and accurate processing and recording of input transactions is crucial to the maintenance of the current property accounting system and financial management to permit machine reconciliation. The inventory control information that establishes responsibility by personnel, location, and a standard uniform nomenclature code has been accomplished for items of accountable property.

The system prescribes the use of the machine printouts as prelisted inventories in meeting the annual inventory requirements. Special inventory listings may be requested whenever required.

114H-60.775-1 Procedures.

(a) General. The following general procedures for maintaining property accountability records on machine printouts shall be observed and followed in the Bureau.

PROPERTY MANAGEMENT REGULATIONS
Non-expendable Property Records

(1) The basic property record on an item of accountable property will be the original machine printout. Each item of accountable property entered on the printout will contain all the information shown on forms BIA-4310 and BIA-4325. Both forms have four pages (white, pink, blue, and yellow), with interleaved carbons. The cutoff date for the receipt of personal property input data (BIA-4310 and BIA-4325), at the BIA Division of Property Management shall be established between the Division and each Area Office.

(2) Maintenance of Machine Printouts. The original machine inventory printout of Personal Property Accountability is considered the basic document and will be maintained currently by monthly reconciliation and monthly summary printouts of acquisition, disposal, corrections, and transfers. Data obtained from forms BIA-4310 and BIA-4325.

(3) Financial Control and Reconciliation. Financial control and reconciliation to Finance General Ledger Accounts will be maintained on a monthly basis by the use of a printout, "Monthly Summary of Property Accounts", either on an Area-wide or accountable office basis, depending on the Area Finance requirements. This summary is run after the month's transactions have been processed, either on an Area-wide or Accountable Office basis, depending on the Area Finance requirements. The basis for reconciliation are five fund categories of (1) General, (2) Roads Construction, (3) Irrigation and Power, (4) IPML, and (5) Tribal Trust. The activity code summary is informational only and provides the responsibility totals for the various activities. The original and one copy of the printout will be jointly certified by Finance and Property and Supply as to accuracy, and the original returned to Property and Supply for file. The other certified copy will remain with Finance for their files.

It is the responsibility of Finance to report any discrepancies detected to Property and Supply, at which time it becomes a joint responsibility to reconcile the two sets of records. No fund accounting is required of field units on personal property, but an informational copy of the monthly summary of property accounts will be furnished each accountable office for file with the current inventory printout.

(4) Property Record Disposition. (See FPMR 101-11.404-2, Approved General Records Schedules No. 4, and 15 BIAM Supplement 3, Schedule Number 307).

(5) Acquisition of Property. When property is acquired by transfer, purchase, or local production, the Property Office shall prepare form BIA-4310 or BIA-4325, Property Accountability Transaction, in quadruplicate.

(1) The BIA-4310 and BIA-4325 (Personal Property Accountability Transactions), shall be prepared as indicated in Supplement No. 1, 43 BIAM. The forms in original and two copies (pink and blue), shall be transmitted to

PROPERTY MANAGEMENT REGULATIONS
Non-expendable Property Records

the Area Office promptly, properly supported and attached to documents relating to the acquisition, such as receiving reports, property invoices, etc. The No. 4 (yellow) copy, shall be filed in the responsible employee's jacket file and will serve to maintain current records on responsibility for property, pending receipt of new inventory printouts.

(ii) The Area Property Management Staff will review and transmit the original copy of the form BIA-4310 or encoded tape or punchcards thereof to the Division of Property Management for preparation of a new punchcard for recording on magnetic tape. The No. 2 (pink), and the No. 3 (blue), copies of the form BIA-4310 or BIA-4325, together with receiving report and other supporting documents, are routed to Finance, if required, for appropriate entries in General Ledger Accounts. The fiscal data is inserted in the form by Finance.

(6) Disposition of Property. When property is disposed of either through transfer, sale, donation, or destruction, the Property Office shall prepare form BIA-4310 or BIA-4325, in the required manner by filling in the "Action Code" block to indicate nature of action and the "Current Record Identification" blocks to identify the property. (See Supplement 1, 43 BIAM). The No. 4 (yellow) copy shall be filed in the responsible employee's jacket file, and the required three copies of the form (original and the No. 2 (pink), and the No. 3 (blue) copies will then be transmitted to the Area Office, securely fastened to the supporting document executed for the transaction, generally a property invoice. The Area Office will make the prescribed distribution of form BIA-4310 or BIA-4325 and the supporting document executed for the transaction, generally a property invoice.

(b) Corrections and Transfers of Responsibility.

(1) Corrections which do not involve value or ownership may be documented on forms BIA-4310 or BIA-4325, and transmitted to the Area Office without supporting documents. The documentation should indicate the nature of the action taken, and the number of the cards used with changes to be made only as indicated in 43 BIAM, Supplement 1.

(2) Transfer of Responsibility. Transfer of responsibility between responsible employees under the same Accountable Officer should be accomplished with the use of form BIA-4310 or BIA-4325, Property Accountability Transaction, only. The property shall be identified and the nature of the action indicated.

(3) Transfer of Accountability and Responsibility. When an accountable (or responsible) officer is to be relieved of responsibility for property, the incoming officer shall be required to formally accept full (responsibility) accountability for all Government-owned property involved in

PROPERTY MANAGEMENT REGULATIONS
Non-expendable Personal Property

the assignment, subject to inventory. This may be accomplished by the incoming officer acknowledging receipt of the property of the outgoing employee after a check to assure that the property is on hand or subject to inventory. A special machine listing of the Inventory of Accountable Property may be prepared for this purpose. The original of this form, properly signed, is required for the Area Office file.

The incoming official shall acknowledge accountability for all property subject to a physical inventory within the particular jurisdiction by signing a certificate.

114H-60.776 Accountability and Control for Property in the Custody of the BIA but Owned by Others.

The purpose of this section is to provide policy and procedures for the accountability and control for all non-expendable property in the custody of the Bureau of Indian Affairs, including the Office of Indian Education Programs, which has been furnished or loaned to or leased by the BIA from other Federal or non-Federal organizations.

(a) All non-expendable property furnished or loaned to or leased by the BIA from other Federal or non-Federal organizations or owners shall be recorded upon receipt by the receiving location in a subsidiary property inventory listing. This listing shall include the name of the owner, a nomenclature description of each item, date of receipt, manufacturer's name, make and/or model, serial number if any, and tag number assigned by the receiving organization's cognizant Area Office.

(b) Each item recorded in the subsidiary property inventory listing shall be marked with a removable tag or label which displays the number assigned when it is received. Each Area Office shall develop a tag numbering system for this purpose and provide tags to field locations where required.

(c) Physical inventories and reconciliations with the subsidiary property inventory records shall be accomplished each Fiscal Year along with inventories of Bureau owned equipment.

(d) All Area Directors shall provide certifications within 30 days after the close of the Fiscal Year that the required inventories and reconciliations are completed.

(e) In the event that owners of property furnished or loaned to the BIA or leased by the BIA require inventory or control requirements which conflict with the procedures in this section 114H-60.776, the owner's requirements shall prevail only to the extent of conflict.

PROPERTY MANAGEMENT REGULATIONS
Periodic Inventories of Personal Property

Subpart 114H-60.8 Periodic Inventories of Personal Property

114H-60.800 Physical Inventories.

(a) Capitalized Property. Complete physical inventories as prescribed in IPMR 114-60.800(a) shall be taken annually by all BIA activities.

(b) Non-capitalized Property. Area Directors, in cooperation with their Property Accountable Officers, shall prescribe procedures and methods for inventories of non-capitalized property in accordance with IPMR 114-60.800(b), and such management practices found necessary for the circumstances and conditions existing at the various field installations under the jurisdiction of the Area Office.

114H-60.875 BIA Inventory Practices.

(a) Preparation. Annually, or more often as determined by the Area Office, complete machine inventory printouts of accountable property shall be submitted to the various Accountable Officers. A separate list, in quadruplicate, will be prepared for each designated responsibility. One copy will be retained by the Area Office until the certified copy (original), is returned.

(b) Inventory Procedure. The property listing (machine printouts), will be distributed to the appropriate Area Property Accountable Officer, or Area inventory team, with instructions to conduct a physical inventory of all items. In conducting this inventory, all items of accountable property shall be physically checked against the listing. A separate list shall be made for items found and not listed, giving a complete description, property number, and other pertinent data. Inventorying of capitalized equipment includes independent inquiry into the condition and extent of utilization of the equipment and upon completion of the inventories, reports for each installation shall be prepared by listing the items and their value, condition, utilization, need, and repairability.

(c) Disposition of Inventory Listing. After the inventory has been completed, the responsible person shall manually sign the original and one copy of the property listing and return the two copies to the Accountable Officer. The original certified list will be transmitted to the Area Office with whatever adjustment documents are required. The second copy, which has been signed by the responsible employee, will be retained by the Accountable Officer and maintained on a current basis through the use of form BIA-4310 or BIA-4325, Personal Property Accountability Transaction.

(d) Minor Equipment Responsibility. In addition to the prescribed inventory of non-expendable property, suitable inventory control shall be maintained for items of a minor nature. The use of an adequate tool check is

PROPERTY MANAGEMENT REGULATIONS
Periodic Inventories of Personal Property

considered to be in compliance with these requirements. Such items shall be inventoried at the time of separation or transfer of the employee charged with that responsibility.

(e) Special Inventories. Special inventories may be required during audits; when there is a change in Accountable Officers; or when other circumstances arise requiring an inventory. Whenever there is a change of Accountable Officers, the procedure outlined in 412 DM 6.5 for transferring accountability shall be followed.

(f) Annual Reconciliation. The results of the annual physical inventory of all property, except that which may be exempted pursuant to 412 DM 7.2, shall be reconciled with the responsibility, accountability, Stores, and such other records as may be maintained for inventory control purposes. Any differences between the physical inventory and the quantities shown on records shall be promptly adjusted and such adjustments adequately documented. Rechecks and adjustments shall be made within 120 days after the effective date of the inventory.

(g) Inventory Report. After completing the physical counting and reconciliation process, but no later than 120 days after the end of each Fiscal Year, Area Directors shall submit to the Central Office, Division of Property Management, Washington, D.C., a memorandum certifying that a physical inventory has been taken at locations under his jurisdiction, and that such inventories have been completed and that records reflect actual quantities on hand and are in agreement with the General Ledger Control Accounts.

PROPERTY MANAGEMENT REGULATIONS
Board of Survey Procedures

Subpart 114H-60.9 Board of Survey Procedures

114H-60.904-75 Requirement for Survey Action

Board of Survey members are required to hold cognizant accountable officers or custodial officers personally liable for lost/missing/stolen property when documentation has not clearly indicated that another person(s) or other circumstances beyond the control of the accountable or custodial officer are responsible for the loss.

114H-60.905 Reviewing Authority.

Board of Survey reports which contain indications of property irregularities (see BIAPMR 114H-60.105), shall be submitted to the Director, Office of Administration, for review. Area Directors shall be the reviewing authority for all other Board of Survey actions except in the instances where the Area Director is the custodian of record and solely responsible for the property listed within the Report of Survey. In those cases, reviewing authority shall be the Director, Office of Administration.

PROPERTY MANAGEMENT REGULATIONS
BIA Illustration of Forms

PART 114H-80 BIA ILLUSTRATION OF FORMS

114H-80.100 Scope of Part.

(a) Sections 114H-80.710 through 114H-80.4326 contain illustrations of BIA forms used in connection with the regulations prescribed in the BIAPMR. The forms are illustrated to show format, text, and arrangement and to provide a ready source of reference. Authority and instructions relevant to the forms are referenced with each section.

(b) BIA forms illustrated in this BIAPMR 114H-80 may be duplicated locally. When larger quantities are required, Area Offices will submit to GPO authorized sources, their consolidated requirements for printing.

- 114H-80.4310 Form BIA-4310, Personal Property Accountability Transactions.
(Reference: 43 BIAM, Supplement 1, and 114H-60.775).
- 114H-80.4311 Form BIA-4311, Receiving Report.
(Reference: 114H-60.203, and 114H-60.601-75(e)).
- 114H-80.4312 Form BIA-4312, Property Invoice.
(Reference: 43 BIAM, Supplement 1, 114H-60.203 (b) & (c), and 114H 60.601-75 (b) and (g)).
- 114H-80.4313 Form BIA-4313, Property Balance Sheet.
(Reference: 114H-60.601-75 (h)).
- 114H-80.4314 Form BIA-4314, Requisition.
(Reference: 114H-25.0076, 114H-38.301, and 114H-60.601-75 (a)).
- 114H-80.4315 Form BIA-4315, Production Report.
(Reference: 114H-60.203(d), and 114H-60.601-75 (i)).
- 114H-80.4319 Form BIA-4319, Real Property Accountability Transaction.
(Reference: 43 BIAM, Supplement 1).
- 114H-80.4320 Form BIA-4320, Return Material Credit.
(Reference: 114H-60.601-75 (d)).
- 114H-80.4325 Form BIA-4325, Personal Property Accountability Transactions.
(Reference: 43 BIAM, Supplement 1, and 114H-60.775-1).
- 114H-80.4328 Form BIA-4328, Request for Use of Government Vehicle
Between Employee's Domicile and Place
of Official Duty.
(Reference: 114H-38.5005).

PROPERTY MANAGEMENT REGULATIONS
BIA Illustration of Forms

- 114H-80.4329 Form BIA-4329, Personal Property Intra-Bureau Transfer Transaction
(Reference: 43 BIAM, Supplement 1).
- 114H-80.4330 Form BIA-4330, Request for Exemption from Displaying Official U.S. Government Tags and Other Identification on a BIA Government-Owned Motor Vehicle
(Reference: 114H-38.600).
- 114H-80.4331 Form BIA 4331, Personal Property-Mass Change Code Sheet
(Reference: 43 BIAM, Supplement 1).

PERSONAL PROPERTY ACCOUNTABILITY TRANSACTION

CURRENT RECORD IDENTIFICATION	AREA/AGENCY	LOCATION	F Y	ACTIVITY	ELMNT/COMP	W / O	PROP LOCN.
ACCOUNTING DATA							
ACTION CODE		AREA/AGENCY/LOCATION	F Y	ACTIVITY/ELMNT/COMP	W / O	PROP LOCN	B. I. A. IDENTIFICATION NO.
(1)	(02-04)	(05-07)	(08)	(09-12)	(13-16)	(17-19)	(20-25)
EQUIPMENT		DOI LICENSE NO.	DOCUMENT REFERENCE NO.	NOMENCLATURE CD	NATIONAL STOCK NO.		
DATA		(35-41)	(42-55)	(56-59)	(60-70)		
Acquisitions		NOMENCLATURE DESCRIPTION		MFG MAKE OR MODEL			
A Purchase/Contract	(71-85)		(86-95)				
B Contractor Acqd							
E Excess							
F Donation							
G Lease	MFG SERIAL NUMBER	YR ACQUIRED/LEASE EXPIRE	WARRANTY EXPIRE/BUY DATE				
H On Loan	(96-105)	(106-109)	(110-115)				
J Abandon/Confiscate							
Disposals	PROPERTY COST		REPAIR/MAINT COST				
K Excess	(116-126)		(127-137)				
M Surplus Sale							
N Destruction							
P Donation							
R Exchange Sale							
S Board of Survey							
T Expire Lease/Loan							
Correction							
* Correction							
REMARKS:							
INITIATED BY: _____ DATE: _____							
SIGNATURE _____							

Oct. 1961

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS**

RECEIVING REPORT

TO: (Area Office) Purchase order No.

Agency: Approp. Purchase order date

Account: Cutback A, B, C, etc.

VENDOR: Date cutback prepared

..... F.o.b. point

..... GB/L No.

Contract No. Discount terms Shipped via:

ITEM No.	ARTICLES OR SERVICES (If services, show period covered)	QUANTITY	UNIT	UNIT PRICE	TOTAL AMOUNT
Please sign and forward as soon as articles or services are received.					TOTAL THIS CUTBACK

I CERTIFY that the above listed articles or services have been received by me and that same have been inspected and accepted, except as otherwise noted hereon.

Check one:

PARTIAL
(1st, 2d, etc.)

FINAL

COMPLETE

.....
(Signature and title of receiving employee)

.....
(Date goods or services received)

Supp. 2, Release 1, 4/5/84

U.S. Department of the Interior
BUREAU OF INDIAN AFFAIRS

REQUISITION

1. REQUISITION NO: _____

2. DATE: _____

3. Vendor Name and Address:	4. Ship to (Name and Address):	5. Requested Delivery Date:
-----------------------------	--------------------------------	-----------------------------

NOTE: The accounting code strip **must be entered below each Line No. Description in Block 7.**

6. Line No.	7. Description and Accounting Code Strip	8. Qty	9. Unit	10. Unit Price	11. Total
<div style="text-align: right; margin-right: 50px;">12. TOTAL ESTIMATED COST:</div>					

13. REQUESTED BY:

14. APPROVING OFFICIAL CERTIFICATION: I certify the above items are authorized for this program and funds are available.

(Title and Signature)

(Date)

15. PROPERTY MANAGEMENT CERTIFICATION: I certify that except _____
listed, items are not available from sources under my control.

(Name and Title of Approving Official)

(Title and Signature)

(Date)

(Approving Official's Signature)

(Date)

**INSTRUCTIONS
REQUISITION FORM BIA-4314**

- Block No. 1 - Requisition No.:** Required. Enter budget organization code, fiscal year, and sequential number.
- Block No. 2 - Date:** Required. Enter date requisition is prepared.
- Block No. 3 - Suggested Vendor(s) Name and Address:** Optional. If more than one vendor is suggested, type "see attached list" in this block and list all suggested vendors on an attached sheet.
- Block No. 4 - Ship to (Name and Address):** Required. Enter the name and address where the goods and/or services are to be delivered.
- Block No. 5 - Requested Delivery Date:** Required. Enter exact date delivery is needed. Allow time for processing. Do not use the term "as soon as possible".
- Block No. 6 - Line Number:** Required. Enter the sequential number which separates the types of goods/services and the obligation accounting code strips.
- Block No. 7 - Description:** Required. Provide a clear, complete, and accurate description of each item (material, product, or service), including stock and/or part number, if appropriate. If ordering from a catalog, match/repeat the catalog description. Enter an accounting code after each description. Only one accounting code may be entered for each Line Number.
- Block No. 8 - Quantity:** Required. Enter quantity, by Line No., of each item ordered.
- Block No. 9 - Unit:** Required. Enter unit classification such as each, dozen, package, lot, job, etc.
- Block No. 10 - Unit Price:** Required. Enter the actual or estimated unit price.
- Block No. 11 - Total:** Required. Enter the estimated total amount for all items requested on this line.
- Block No. 12 - Total Estimated Cost:** Required. Enter the estimated total for all items listed on this requisition.
- Block No. 13 - Requested By:** Optional. Enter the title and signature of the employee requesting the goods or services and the date of the request.
- Block No. 14 - Approving Official Certification:** Required. Enter the name, title, and signature of the official who is authorized to obligate funds and has the responsibility to ensure that all necessary approvals, clearances, and justifications are attached to the requisition prior to submission to the property office.
- Block No. 15 - Property Management Certification:** Required if the requisition requests accountable property items.

Form BIA-4320

RETURN MATERIAL CREDIT

Bureau of Indian Affairs

FUNCTION	ACTIVITY	PROJECT NAME	(Date)
APPROPRIATION		ACCOUNT	R. M. C. No.
LIMIT		PROJECT No.	COST ACCOUNT

CLASS	ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	VALUE

<p>THESE ITEMS RECEIVED ON REQUISITION No. _____</p> <p>Receipt is hereby acknowledged of the above items.</p> <p>(Date) _____ (Signature) _____ (Title) _____</p>	<p>DATE OF REQUISITION _____</p> <p>The above items are returned for credit to the account shown above.</p> <p>(Signature) _____ (Title) _____</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------

Request for Use of Government Vehicle
Between Employee's Domicile and Place of Official Duty

Date _____

To: Director, Office of Administration (BIA)
Attention: Division of Property Management
Through: Area Director

From: Superintendent _____
(Name and Location of Agency)

Subject: Request for Use of Government-Owned Vehicle between Employee's
Domicile and Place of Official Duty

1. Pursuant to BIAPMR 114H-38.5005 it is recommended that the employee listed below be granted authority to operate a Government vehicle as indicated on this form and in the attached justification.

Employee's Name and Title

2. _____
Location of Employee's Official Duty Station

3. _____
Location of Employee's Domicile

4. _____
Year, Make, Model and License No. of Vehicle

5. JUSTIFICATION: (Give detailed explanation of relationship between duties of employee and proposed use of the vehicle, pointing out all factors that tend to establish the best interest of the Government. The nature and frequency of possible emergencies must be demonstrable as warranting an authorization permitting the use of the vehicle between the employee's domicile and place of employment). Justification must meet the criteria of IPMR 114-38.5005, and BIAPMR 114H-38.5005. (Attach justification to last sheet. Reference Item No. 5).

6. Signatories certify that usage of vehicle is required as checked below (See 205 DM 9.1B(2):

Protection of life and property.

Other. Explain (must be in best interest of the Government).

This request, if approved, shall be reviewed and evaluated every three months by the Superintendent or Area Director, and if it is determined that the best interests of the Government would be served by discontinuing such use of the vehicle, this authorization shall be revoked, and a copy of the revocation forwarded to the Bureau's Division of Property Management. (ALL SIGNATORIES ARE CAUTIONED TO READ THE PROHIBITIONS AND WARNINGS CONTAINED IN 31 U.S.C. SEC. 638a (c)(2). THIS REQUEST, IF APPROVED IS NON-TRANSFERRABLE).

7. _____
Employee's Signature Date

8. Requested by Superintendent or Officer in Charge:

Signature Date

Name Title

9. Area Director's Recommendation for Approval:

Signature Date

Name Title

10. BIA Approval:

Signature, Director, Office of Administration, BIA Date

11. Departmental Approval (for uses other than for protection of life or property):

Signature Date

Assistant Secretary - Policy, Budget and Administration

Form BIA-4329
Mar. 1984

U. S. DEPT. OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

PERSONAL PROPERTY INTRA-BUREAU TRANSFER TRANSACTION

ACCOUNTING DATA	
ACTION CODE	AREA/AGENCY
(1)	(02-04)
LOCATION	F Y
(05-07)	(08)
ACTIVITY	ELMNT/COMP
(09-12)	(13-16)
W/O	
(17-19)	
GAINING OFFICE (IN)	
PROPERTY LOCN (20-25)	B. I. A. TAG NO. (26-34)
	DEPARTMENT OF INTERIOR LICENSE NO. (35-41)
	SF-122 ORDER NUMBER (42-55)
ACCOUNTING DATA	
ACTION CODE	AREA/AGENCY
(1)	(02-04)
LOCATION	F Y
(05-07)	(08)
ACTIVITY	ELMNT/COMP
(09-12)	(13-16)
W/O	
(17-19)	
LOSING OFFICE (OUT)	
PROPERTY LOCN (20-25)	B. I. A. TAG NO. (26-34)
	DEPARTMENT OF INTERIOR LICENSE NO. (35-41)
	DOCUMENT REFERENCE NO. (42-55)
NOMENCLATURE CD	
(56-59)	NATIONAL STOCK NO. (60-70)
	NOMENCLATURE DESCRIPTION (71-85)
MFG MAKE OR MODEL (86-95)	MFG SERIAL NUMBER (96-105)
	YR ACQUIRED/LEASE EXPIRE (106-109)
	WARRANTY EXPIRE/BUY DATE (110-115)
PROPERTY COST (116-126)	REPAIR/MAINT COST (127-137)
TRANSFERRED OUT BY: _____	TRANSFERRED IN BY: _____
SIGNATURE _____	SIGNATURE _____
DATE _____	DATE _____

U.S. DEPARTMENT OF INTERIOR
BUREAU OF INDIAN AFFAIRS

REQUEST FOR EXEMPTION FROM DISPLAYING
OFFICIAL U.S. GOVERNMENT TAGS AND OTHER IDENTIFICATION
ON A BIA GOVERNMENT-OWNED MOTOR VEHICLE

Date: _____

To: Director, Office of Administration, BIA
Attention: Division of Property Management, Code 380

From: Superintendent _____
(Name and Location of Agency)

Through: _____ Area Director

Subject: Request for Exemption from Displaying Official U.S. Government Tags
and Other Identification on a BIA Government-owned Motor Vehicle

1. Pursuant to 41CFR 101-38.603, it is requested that the motor vehicle listed below be authorized the temporary removal of official U.S. Government tags and other identification and the substitution of license plates issued by the State of _____.

2. Year, Make, Model, BIA Property ID No., Tag No. and VIN No.: _____

3. Name, Title, and Job Series of Law Enforcement Officer to be authorized to operate undercover motor vehicle: _____

4. If approved, this authorization shall be valid only for one calendar year. This request, if approved, shall be reviewed and reevaluated every three months by the Superintendent and/or Area Director, and if it is determined that the best interest of the Government would be served by discontinuing such use of the vehicle, this authorization shall be revoked, and a copy of the revocation forwarded to the BIA's Division of Property Management immediately. Authorizations are not transferable.

5. Signatories certify that: (a) The motor vehicle is acquired and used for the purposes of investigative law enforcement work, for use only by non-uniformed criminal investigators in the GS-1811 job series, and that conspicuous identification would interfere with the purposes or performance of the duties required, and/or would endanger the security of individuals or the United States Government. (b) Any supervisory criminal investigator for which this request is made must be engaged in field criminal investigative work for no at least 30 percent or more of his/her available duty hours.

6. Requested by Superintendent:

(Signature) (Date)

(Name)(Must be typed) (Title)

7. Area Director's Recommendation for Approval:

(Signature) (Date)

(Name) (Must be typed) (Title)

8. Recommendation for Approval by Chief, Division of Law Enforcement Services, BIA

(Signature) Chief, Division of Law Enforcement Services (Date)

9. BIA Recommendation for Approval:

(Signature) Director, Office of Administration, BIA (Date)

10. Concurrence:

(Signature) Chief, Division of Enforcement & Security Mgmt., DOI

11. Departmental Approval:

(Signature) (Date)

Name (Must be typed) Title

Instructions

43 BIAM Supp. 2
Illustration 14
Page 2 of 2

- (1) Quarters Number. Enter the Area/agency code plus the six digit quarters number assigned to the individual unit; e.g. H54-21-123456.
- (2) Occupant & Mailing Address. Enter the name and current mailing address of the responsible occupant.
- (3) Type of Occupant. Use one of the letter following the correct category.
 - (a) CBIAE - Current Bureau of Indian Affairs Employee.
 - (b) OCE - Contract Employee
 - (c) TCE - Tribal Contract Employee
 - (d) OFE - Other Federal Employee
 - (e) MGP - Member of the General Public
- (4) Date of Occupancy. Enter the date the tenant occupied the quarters.
- (5) Adjustments. Enter the amount of adjustments if any to the rent.
- (6) Vacancies. Enter the date quarters are vacated
- (7) Condition. Enter whether the quarters are good, fair, bad, condemned, ect..