

INDIAN AFFAIRS MANUAL

Part: 26

Budget

Chapter: 4

Reimbursement Authority

Page 1

4.1 Purpose. This chapter describes the procedures to request authority to credit payments for work performed by Indian Affairs employees on behalf of other bureaus or other departments and to credit payments from the public for certain services provided by Indian Affairs.

4.2 Authority.

- A. Title 31 U.S.C. §1535, Economy Act,** provides authority for Federal agencies (departments) or major organizational units (bureaus) to enter into agreements with other Federal agencies or major organizational units for the delivery of goods or services.
- B. Title 31 U.S.C. §9701, Cost Recovery Act,** authorizes Federal agencies to charge for services or things of value that are provided by the agency which are not available to the general public.
- C. 25 C.F.R., Part 143, Charges for Goods and Services Provided to Non-Federal Users,** establishes procedures for the assessment, billing, and collection of charges for goods and services provided to non-Federal users by Indian Affairs.
- D. Title 25 U.S.C. §14b, Disposition of funds received from the public for goods and services provided by the Bureau of Indian Affairs,** provides that the Secretary of the Interior is authorized to retain collections from the public in payment for goods and services provided by the Bureau of Indian Affairs. Such collections shall be credited to the appropriation account against which obligations were incurred in providing such goods and services.

4.3 Limitations.

- A. Within the Bureau of Indian Affairs.** Reimbursable agreements are **not** used for intra-bureau activities. If there are arrangements between different parts of the BIA where one office agrees to pay for another office to perform certain work, the fund distribution process is to be used to withdraw the funds from the “purchasing” organization and to distribute the funds to the “performing” organization. The performing organization charges their costs directly to the funds distributed for that purpose. Occasionally, Central Office directors may authorize field staff to directly charge some expenses to a Central Office account.
- B. With Tribes.** Funds obligated by the BIA to a Tribe or Tribal organization under a contract, grant, or compact may **not** subsequently be used to “reimburse” the BIA should the Tribe determine that it wishes for the BIA to operate all, or a portion, of the program or project. The proper procedure is to amend or cancel the contract, compact, or grant; have the Tribe refund any monies due; deposit the money returned; de-obligate the appropriate amount from the contract or grant; reallocate the funds, if necessary; and directly charge the BIA expenses.

INDIAN AFFAIRS MANUAL

Part: 26

Budget

Chapter: 4

Reimbursement Authority

Page 2

4.4 Guidance. Program codes for reimbursable activities are included in the “Financial Management Handbook” which is updated regularly. The Handbook is available from the Office of Planning, Budget and Management Support, Division of Budget Management, 1849 C Street, NW, Mail Stop 4612-MIB, Washington, DC 20240.

4.5 Responsibilities.

A. Regional Directors and Central Office Directors are to approve reimbursable agreements initiated by Program Managers, ensuring that each agreement is in compliance with applicable laws and regulations.

B. Program Managers are to:

- (1) Provide the servicing budget office with an estimate of the dollar value of reimbursable agreements for the next fiscal year by July 15 of each year to be included in the Estimated Reimbursement Plan (Illustration 1);
- (2) Prepare an Application for Reimbursement Authority (Illustration 2) for each reimbursable agreement and submit the agreement and the form through the Regional Budget Officer or Central Office budget coordinator, as appropriate, to the Regional Director or Central Office Director for approval under delegated authorities.
- (3) Provide a copy of the approved Application for Reimbursement Authority to the servicing budget office;
- (4) Send copies of all reimbursable agreements to the servicing accounting office and to the Division of Accounting Management;
- (5) Ensure that obligations do not exceed the amount provided in the agreement; and
- (6) Follow the additional procedures contained in Part 27, Financial Management, relating to Reimbursable Agreements.

C. Regional Budget Officers, Education Financial Officers/Business Managers, and Central Office Budget Coordinators are to:

- (1) Prepare Estimated Reimbursement Plans (Illustration 1), based upon input from program managers;
- (2) Submit the plans to the Division of Budget Management by August 1 of each year;
- (3) Review applications for reimbursement authority prior to submission to the appropriate Director for approval, including documentation (i.e., Memorandum of Agreement) that authorizes such agreement and amount to be reimbursed; and,

INDIAN AFFAIRS MANUAL

Part: 26

Budget

Chapter: 4

Reimbursement Authority

Page 3

- (4) Regional Budget Officers Only: Allocate reimbursement authority based upon requests approved by the Regional Director pursuant to delegated authority, maintain record of Application for Reimbursement Authority with copy of applicable agreement (i.e., Memorandum of Agreement/Understanding) that authorizes the amount to be reimbursed, and within the approved Estimated Reimbursement Plan and subsequent authority issued by the Division of Budget Management or within the approved Reimbursement Authority issued by the Division upon request by the Regional Office (after the initial Estimated Reimbursement Plan has been submitted).

D. Director, Office of Planning, Budget and Management Support, is to:

- (1) Submit estimates of reimbursement authority required for the fiscal year to the Office of Management and Budget by August 21 of each year for approval and apportionment authority;
- (2) Ensure timely allotment and suballotment of reimbursement authority; and
- (3) Allocate reimbursement authority to Central Office organizations based upon requests approved by Central Office Directors.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
APPLICATION FOR REIMBURSEMENT AUTHORITY

1 DOC. REF. NO:	01-M995-001
2 DATE ENTERED:	Dec. 15, 2001
3 COPIES TO:	720B, 720C, 200

4 ORGANIZATION: M -- Southwest Regional Office
5 APPROPRIATION SYMBOL, TITLE, AND FISCAL YEAR: 14 1/2 2100, Operation of Indian Programs
6 FUND: 99000

7 PROGRAM CLASS	8 TITLE	9 PREVIOUS	10 INCREASE/ DECREASE	11 PRESENT
995	Resource Management	0	100,000	100,000

12 AUTHORITY: Reimbursement Authority is authorized by the Economy Act, 31 U.S.C. 1535.

The Southwest Regional Office is providing services to the Indian Health Service in the preparation of environmental mitigation program applications.

[CITE APPLICABLE AUTHORITY AND PROVIDE DESCRIPTION OF WORK TO BE PERFORMED.]
PROVIDE COPY OF MEMORANDUM OF AGREEMENT THAT APPLIES.

CONDITIONS: THIS AUTHORITY IS SUBJECT TO THE CONDITIONS AND RESTRICTIONS CONTAINED IN 26 IAM.

13 REQUESTED BY: _____ DATE: _____
TITLE

14 RECOMMENDED BY: _____ DATE: _____ BUDGET OFFICER/BUDGET COORDINATOR
15 APPROVED BY: _____ DATE: _____ DIRECTOR

APPLICATION FOR REIMBURSEMENT AUTHORITY
Instructions

General: The Application for Reimbursement Authority Document provides for the distribution of reimbursable authority to Headquarters and Regional Offices. The authority is approved and entered into the Federal Financial System (FFS) by the Division of Budget Management.

<u>NUMBER & TITLE</u>	<u>INSTRUCTIONS</u>
1 DOC. REF. NO.	Tracking number assigned by the Division of Budget Management
2 DATE ENTERED	Date the document is encoded into FFS.
3 COPIES TO	Enter organization codes for the distribution of copies.
4 ORGANIZATION	Enter FFS division code and name of organization receiving authority.
5 APPROPRIATION	Enter appropriation symbol, title, and fiscal year.
6 FUND	Enter FFS fund code.
7 PROGRAM CLASS	Enter FFS program class code(s).
8 TITLE	Enter title of program class(es).
9 PREVIOUS	Enter amount of reimbursement authority previously allotted for the program class.
10 INCREASE/DECREASE	Enter amount of the increase or decrease, as appropriate, by program class.
11 PRESENT	Enter the net total of (9) and (10).
12 AUTHORITY	Cite the public law authorizing the BIA to charge for the service and to retain the collections. NOTE: All Offices are to have attached for the record the agreement which allows the issuance of the reimbursement authority.
13 REQUESTED BY	Name and title of individual submitting request and date of request.
14 RECOMMENDED BY	Signature of reviewing official.
15 APPROVED BY	Signature of Regional or Central Office Director approving the request(s).