DRAFT RECLAMATION MANUAL RELEASE
Comments on this draft release must be submitted to lgriswold@usbr.gov by August 26, 2019.

Background and Purpose of the Following Draft Directive and Standard (D&S)
The goal of preparing this D&S document and providing stakeholders with the opportunity to comment on it in draft form is to enhance common understanding of the usage, responsibilities, requirements, and process for the Bureau of Reclamation’s miscellaneous obligations.

The revisions to the D&S were staffed through the Acquisition and Assistance Management Division, the Native American and Internal Affairs Office, Policy and Administration, the Reclamation Property Policy Section, and the Financial Policy Review Team, which consists of representatives from each regional finance office, the Reclamation Integration Office, the Finance and Accounting Division, and the Business Analysis Division to arrive at this consolidated document.

The Reclamation Manual is used to clarify program responsibility and authority and to document Reclamation-wide methods of doing business. All requirements in the Reclamation Manual are mandatory.

See the following pages for the draft D&S.
Subject: Miscellaneous Obligations (MO)

Purpose: To establish the Bureau of Reclamation’s usage, requirements, and process for MOs. The benefit of this Directive and Standard (D&S) is to provide Reclamation-wide requirements for determining what actions qualify as MOs and Reclamation’s process for obligating such actions in accordance with applicable regulations.

Authority: 31 USC 1501; Federal Acquisition Regulation (FAR) (48 CFR 1-99,); 2 CFR, Grants and Agreements; Indian Self-Determination and Education Assistance Act (Pub. L. 93-638); Office of Management and Budget (OMB), Circular A-11, Preparation, Submission and Execution of the Budget; OMB Circular A-123, Management’s Responsibility for Internal Control; Department of the Interior Acquisition, Assistance and Asset Policy (DOI AAAP) 0052, Purchase of Training at DOI; DOI AAAP-0148, Class Deviation – Increasing the Micro-purchase Threshold and the Simplified Acquisition Threshold

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1. Introduction. Reclamation performs many activities to achieve its mission. This D&S sets forth requirements and process for obligations qualifying as MOs, in accordance with legislation and regulations relating to the obligation of funds.

   A. The Reclamation Manual (RM), Delegations of Authority, delegates the Commissioner’s authority to perform Reclamation’s activities and establishes a process for further re-delegation of authority.

   B. The FAR regulates the acquiring by contract and interagency acquisitions with appropriated funds of supplies or services (including construction) by and for the use of Reclamation through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated, and evaluated. The contracting officer (CO) is responsible for obligating Government funds regulated by the FAR. The FAR also regulates micro-purchases acquired through a government purchase card (please contact your Purchase Line Card Coordinator (PLCC) for additional information). Reclamation does not process these obligations as MOs.

   C. Title 2 of the Code of Federal Regulations (CFR) regulates the awarding of financial assistance agreements. The grant officer (GO) is responsible for obligating funds regulated by 2 CFR. Reclamation does not process these obligations as MOs.

   D. Pub. L. 93-638 provides authority for federally recognized tribes to enter into self-determination contracts and annual funding agreements with Reclamation for eligible project activities. Per RM Delegations of Authority, delegated awarding officials (AO)
are the only individuals authorized to enter into and administer Pub. L. 93-638 contracts and agreements on behalf of Reclamation. Reclamation does not process these obligations as MOs.

E. Reclamation processes the remaining types of obligations as MOs based on delegation of authority. See RM *Delegations of Authority*.

2. **Applicability.** This D&S applies to all Reclamation employees who participate in the creating, approving, reviewing, and recording of MOs and all Reclamation employees involved in providing direction whether a micro-purchase, financial assistance, or contract is more appropriate.

3. **Allowable MOs.**

A. The Commissioner delegates authority to Reclamation personnel to perform activities in support of Reclamation’s mission. The RM *Delegations of Authority* contains the Commissioner’s delegation and specifies whether the action is eligible for further re-delegation. Personnel with delegated authority to create MOs are responsible for contacting the CO, PLCC, GO, or AO for assistance in determining whether a MO is appropriate. The CO, PLCC, or GO are responsible for providing direction, when contacted, on whether a specific obligation meets the criteria of the FAR (including micro-purchase through government charge cards) or 2 CFR, and thus will not be a MO. The AO is responsible for providing direction, when contacted, on whether programs, functions, services, or activities are eligible for contracting under Pub. L. 93-638 and thus will not be a MO.

B. The regional office or directorate uses the purchase card or convenience checks wherever applicable and will not request a MO. Please contact your regional CO or PLCC for additional information.

C. If the FAR, 2 CFR, or Pub. L. 93-638 does not regulate an activity, the person with delegated authority may create an MO to accomplish the activity, provided there is no other, more specific, business process or transaction type in FBMS. The person with delegated authority to create the MO (sign the obligating document) is responsible for:

1. entering into obligations for actions and limits within their delegated authority in accordance with RM *Delegations of Authority*;

2. ensuring the obligation is in accordance with all regulations, policies, and directives applicable to the activity;

3. signing the appropriate obligating document; and

4. attaching a copy of their relevant delegation memorandum to the obligating document.
D. The following is a comprehensive list of allowable MOs. If a MO request is not on the list, Financial and Accounting Division, Denver Office/Washington Office Accounting and Fiscal Services (AFS) will not process it unless the regional office or directorate obtains an approved exception (see Paragraph 6). In certain circumstances, the FAR, 2 CFR, or PL 93-638 may regulate an item listed below. If the FAR may apply to an item on the list, contact the CO, PLCC, GO, or AO for direction. Allowable MOs are:

1. Training, when not a FAR based purchase in accordance with DOI AAAP-0052.

2. Intra-agency agreements for intra-departmental travel, cash awards, training, departmental assessments, departmental solicitor salaries, firefighting charges, land appraisal services from the Appraisal and Valuation Services Office (AVSO), and strategic sourcing contract vehicles.

3. Prize competition awards.

4. Land and easement acquisitions, excluding real estate contracts for leased land covered by the FAR and appraisal services or title services not obtained from AVSO.

5. Purchased buildings (acquired with land; not constructed).

6. Technical Service Center funding agreements.

7. Water related contracts, including annual funding memorandum.

8. Operations and maintenance contracts, including annual funding memorandum.

9. General Service Administration (GSA) reimbursable work agreements (RWA).

10. Licensing fees (see RM D&S, Payment for State Licenses, Certification Fees, and Professional Credentials and Examinations (HRM 05-02)).

11. Permits.


14. Transfers between Federal agencies of property with reimbursement.

15. Legal statute (attach excerpt of legislation to the obligating document).

16. EEO settlements and tort claims (do not process through the preliminary purchase requisition (PPR SharePoint) contact AFS for assistance).
4. **Documentation and Segregation of Duties.** At a minimum, every MO request contains a copy of a delegation memorandum and the obligating document. At a minimum, three different people have responsibilities in the MO process. The person with the delegated authority, the certifying funds approver (CFA), and the supervisor approver must be different people on any specific request.

   A. **Person with Delegated Authority.** See Paragraph 3.C for the person with delegated authority’s responsibilities.

   B. **Certifying Funds Approver (CFA).** The CFA is responsible for:

      (1) verifying the accuracy of the accounting string (e.g., fund, work breakdown structure); and

      (2) verifying the accounting string has funds available for the MO.

   C. **Supervisor Approver.** The person with the Financial and Business Management System (FBMS) supervisor approver role, who is responsible for the program area pertaining to the MO, is responsible for approving the legitimacy of the request, including the appropriate accounting string.

5. **Process.**

   A. The regional office or directorate submits a PPR request into the PPR SharePoint site. The PPR request must include:

      (1) a copy of the obligating document, the delegation memorandum, and any other pertinent supporting documentation to the PPR request (e.g., a copy of an approved exception in accordance with Paragraph 6, when applicable.);

      (2) the names of the required approvers (at a minimum the supervisor approver and the CFA but, if applicable, must include additional approvers such as property or information technology personnel depending on the User Product Code (UPC)-refer to the UPC Lookup spreadsheet);

      (3) pertinent information on the PPR request, e.g., period of performance (see the MO PR and IAA PR Instructions for required fields).

   B. AFS performs a general review of the PPR request but it is the person signing the obligating document’s responsibility to ensure the actions and amount are within their delegated authority; and the supervisor approver’s responsibility to ensure the legitimacy and accuracy of the transaction. AFS is responsible for:

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1 FBMSSOP < Acquisitions/Financial Assistance/Charge Card < Preliminary PR Site < Preliminary PR Application
2 FBMSSOP < Acquisitions/Financial Assistance/Charge Card < Preliminary PR Site < UPC Lookup
3 FBMSSOP < Acquisitions/Financial Assistance/Charge Card < Preliminary PR Site < MO PR and IAA PR Instructions
(1) confirming the supporting documentation includes, at a minimum, the obligating document and delegation memorandum;

(2) confirming the supporting documentation and the information on the PPR request reflects the action (new, modification or deobligation) requested;

(3) ensuring the signature on the obligating document matches the name on the delegation memorandum;

(4) reviewing the MO to ensure the person signing the obligating document, the supervisor approver, and the CFA are different personnel on any specific request;

(5) reviewing the period of performance; and

(6) verifying the type of request is on the list of allowable MOs (see Paragraph 3.D.) or contains an approved exception (see Paragraph 6).

C. If the PPR request is for a deobligation or a zero-dollar modification, AFS makes the necessary changes in FBMS. If the PPR request is a new obligation or is a modification for additional funds, AFS enters a purchase requisition (PR) in FBMS. FBMS routes the PR through the required approvals. After receiving all required approvals, AFS creates the obligation request and attaches the documentation in FBMS.

6. **Approved Exceptions.** AFS only processes a MO request if it is on the list of allowable MOs in Paragraph 3.D. or they receive a copy of an email from the CO, GO, or AO. It is the CO, GO, or AO’s responsibility to determine whether FAR, 2 CFR, or Pub. L 93-638 applies to the activity and thus will not be an MO. If the CO, GO or AO determine the FAR, 2 CFR or Pub. L. 93-638 does not apply, the person with delegated authority obtains an email stating so. Attach a copy of the email to the obligating document as an approved exception.

7. **Definitions.**

   A. **Legal Statute.** An act of a legislature that declares, prescribes, or commands a requirement or a settlement handed down to Reclamation.

   B. **Micro-purchase.** Defined in FAR 2.101 and DOI AAAP-0148 with procedures prescribed in FAR 13.2

   C. **Obligating Document.** The form, agreement, contract, etc. signed by the person with delegated authority to obligate funds to achieve an activity. Examples include annual funding for water service agreements, SF-182 Authorization, Agreement and Certification of Training, and GSA RWA.
D. **Obligation.** Binding agreement that will result in outlays immediately or in the future. When Reclamation places an order, signs a contract, awards a grant, purchases a service, or takes other actions that require Reclamation to make payments to the public or another Government entity, Reclamation incurs an obligation.

E. **Simplified Acquisition.** Defined in FAR 2.101 and DOI AAAP-0148 with procedures prescribed in FAR 13.

8. **Review Period.** This release will undergo review upon issuance of updated Departmental policy or every 2 years.