

# INDIAN AFFAIRS MANUAL

Part 23

Property Management

Chapter 8

Managing Stolen, Lost, Damaged, or Destroyed Personal Property

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- 1.1 Purpose.** This chapter establishes Indian Affairs' (IA) policy for managing stolen, lost, damaged, or destroyed personal property, including museum property.
- 1.2 Scope.** This policy applies to all programs and offices under the authority of the Assistant Secretary - Indian Affairs (AS-IA), including AS-IA offices, the Bureau of Indian Affairs (BIA), and the Bureau of Indian Education (BIE).
- 1.3 Policy.** It is the policy of IA to properly account for all government-owned property, and comply with Department of the Interior (DOI) policies and guidance regarding the appointment of a board or other survey authority to investigate, document, and establish a determination of findings (including financial liability) for property which has been reported stolen, lost, damaged, or destroyed.

## **1.4 Authority.**

### **A. Statutes and Regulations.**

- 1) P.L. 81-152, Federal Property and Administrative Services Act of 1949, as amended
- 2) 18 U.S.C. 641, Public money, property or records
- 3) 31 U.S.C. 3711, Collection and compromise
- 4) 41 CFR 101, Federal Property Management Regulations
- 5) 41 CFR 102, Subchapter B, Federal Management Regulation (FMR) - Personal Property
- 6) 43 CFR Subtitle A, Part 4, Department Hearings and Appeals Procedures
- 7) 48 CFR § 45.104, Responsibility and liability for Government property

### **B. Guidance.**

- 1) 355 Departmental Manual (DM) 2: Policy for Investigating Complaints and Referrals
- 2) 370 DM 752: Discipline and Adverse Actions
- 3) 410 DM 1 - 2: Personal Property Management
- 4) 411 DM 1: Policy and Responsibilities for Managing Museum Property

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- 5) DOI Acquisition, Assistance, and Assets Policy (DOI-AAAP-0111) - Stolen, Lost, Damaged, or Destroyed DOI Personal Property and related Technical Operating Procedures for Stolen, Lost, Damaged, or Destroyed DOI Personal Property
- 6) Principles of Federal Appropriations Law, Third Edition, Volume II, Chapter 9 – Liability and Relief of Accountable Officers, U.S. Government Accountability Office (GAO), GAO-06-382SP

## C. Handbooks.

- 1) DOI Motor Vehicle Management Handbook, current version

## 1.5 Responsibilities.

- A. **Deputy Assistant Secretary – Management (DAS-M)** is responsible for administering this policy.
- B. **Directors, BIA and BIE** ensure this policy is implemented across their programs and offices in compliance with all applicable laws, regulations, policies, and procedures.
- C. **Deputy Bureau Director (DBD), Office of Justice Service (OJS), BIA** ensures this policy is implemented throughout OJS offices in compliance with all applicable laws, regulations, policies, and procedures.
- D. **BIA Regional Directors** are responsible for implementing this policy and related procedures.
- E. **BIE Property Management Branch (PMB)** oversees the BIE Property Management Program, including implementing and executing IA property management policies and procedures to ensure compliance. The BIE PMB also provides advice and guidance on the procedures for reporting missing, damaged, or destroyed IA personal property.
- F. **Director, Office of Facilities, Property, and Safety Management (OFPSM)** has overall responsibility for the IA Property Management Program, including policy and oversight, and serves as the IA Property Management Officer (PMO).
- G. **Chief, Personal Property Management (PPM), OFPSM** is responsible for implementing the Property Management Program, and for ensuring IA is in compliance with property management policies and procedures consistent with the General Services Administration (GSA) and DOI regulations and requirements.

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- H. Regional Property Officer (RPOs)** oversees the Property Management Program in their respective regions, including implementing and executing BIA property management policies and procedures to ensure compliance. They also provide advice and guidance on the procedures for reporting missing, damaged, or destroyed IA personal property.
- I. Accountable Property Officer (APO)** is responsible for requesting relief of accountability for property theft, loss, damage, or destruction by initiating a Report of Survey (form DI-103).
- J. Custodial Property Officer (CPO)** is responsible for:
- 1) managing day-to-day property operations, including personal and real property entrusted to his/her program through the CPO designation letter;
  - 2) accounting for property under their control; and
  - 3) ensuring that all cognizant employees (CEs) are aware of their responsibilities and are held responsible for the proper use and care of Federal Government-owned or leased property in their possession.
- K. Standing Board of Survey** includes a Chairperson and at least two members. All Survey Board designations must be in writing and be made by the APO/RPO. Members of the Survey Board are held responsible for investigating the loss of Federal Government property, including completing a Report of Survey form by documenting the investigation, arriving at findings, and determining the disposition of the property and financial liability for the loss. The Chairperson is responsible for presiding over the Board's meetings and helping the Board reach consensus regarding its decision(s) about findings and determinations.
- L. Local Survey Officer** has the same responsibilities as a Standing Board of Survey member and can only be appointed to investigate the loss of non-sensitive Federal Government property with an original acquisition cost of less than \$25,000.
- M. Traveling Survey Officer** has the same authorities, responsibilities, and restrictions as a Standing Board of Survey member, and acts in lieu thereof. A Traveling Survey Officer may be appointed when the APO/RPO is responsible for the property at separate geographic locations, and it has been determined that the use of a Traveling Survey Officer is required.

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- N. **Special Boards of Survey** are responsible for investigating unusual losses such as those resulting from major incidents (e.g., fire, flood, earthquakes, etc.). Special Boards of Survey have the same responsibilities and authority as Standing Boards of Survey. No limits are imposed upon the membership or size of the Special Board, but all members must be appointed by the APO/RPO.
- O. **CE** is responsible for the proper and reasonable care, use, safekeeping and return of Federal Government property and may be held financially liable for loss, damage, or destruction in the amount of such loss as prescribed in the Board of Survey findings.

### 1.6 Definitions.

- A. **Cognizant Employee (CE)** is any IA or non-IA employee (such as a contractor, volunteer, etc.) who utilizes Federal Government property and is therefore responsible for the proper and reasonable care, use, safekeeping, and return of such property.
- B. **Damaged property** is personal property that is impaired or unserviceable yet may be repaired. If it is not repaired, it will be designated for excess.
- C. **Destroyed property** is personal property that is rendered inoperative or beyond repair.
- D. **Gross negligence** is an act or omission that constitutes misconduct according to 370 DM 752, or a wanton and reckless disregard for the property.
- E. **Lost property** is any IA personal property asset that cannot be found after a reasonable search and is determined to be lost.
- F. **Museum property** is a subset of personal property, and includes objects, works of art, or archives retained for long-term preservation, study, and interpretation consistent with statutory requirements, relationship to the respective bureau/office mission, or other appropriate factors.
- G. **Negligence** is the failure to behave with the level of care that someone of ordinary prudence would have exercised under the same circumstances. The behavior usually consists of actions but can also consist of omissions when there is some duty to act for the proper use and care of IA's personal property. Examples of negligent behavior include, but are not limited to, disregarding the safety and care of IA's personal property and displaying a lack of respect towards the overall accountability of IA's personal property.

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- H. Property accountability** means the assigned responsibility and liability associated with the management of Federal Government property. It includes the responsibility for establishing and maintaining property records, safeguarding property, and ensuring its proper use, as well as submitting required reports. It also includes the liability associated with loss, theft, damage, or destruction of said property.
- I. Property assignee** is any individual affiliated with IA who is assigned/issued/loaned IA personal property through his/her employment. These individuals include, but are not limited to, employees, interns, fellows, volunteers, contractors, or other individuals otherwise affiliated with IA.
- J. Personal property** is property of any kind or interest therein, except: (1) real property, (2) records of the Federal Government, and (3) water vessels or amphibious equipment. Specifically, personal property includes all equipment, materials and supplies, and museum objects. It does not include property that is incorporated in, or permanently affixed to, real property.
- K. Property responsibility** means the obligation of an individual to properly use, care for, and safeguard property entrusted to his/her possession or under their direct supervision.
- L. Report of Survey (form DI-103)** is a DOI form used to report lost, damaged, or destroyed property. It is also used to document the results and recommendations of survey investigations, findings, and determinations.
- M. Reviewing Authority** for the Report of Survey form includes the Regional Directors and Central Office Directors, as well as the Special Agent in Charge (SAC).
- N. Sensitive property** is personal property, which is controlled, regardless of value, by detailed property accountability records and is determined to be sensitive because of its high probability of theft, misuse, or misappropriation; or, because it has been designated as “sensitive” by management. Sensitive property designated by IA includes motor vehicles, trailers, tablets, laptops, desktops, servers, radio communication equipment (RCU), weapons, ballistic vests, ammunition, and explosives.
- O. Simple negligence** is the failure to exercise the degree of care that a prudent person would exercise under the circumstances.
- P. Survey action** is the official action taken by a Board of Survey or a Survey Officer involving the investigation into the loss, theft, damage, or destruction of Federal Government property; or the determination of unserviceability of Federal Government property.

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**Q. System-controlled property** means property with an original acquisition cost of \$5,000 or more, and sensitive property, regardless of cost. System-controlled property must be recorded and controlled in a bureau/office property management system.

## 1.7 Requirement and Procedures.

### A. Reporting Lost, Damaged, or Destroyed Personal Property

All CEs are responsible for immediately reporting to their respective supervisor, office CPO, or APO/RPO any IA personal property assets believed or known to be lost, damaged, or destroyed. When a CE is a contractor or contractor's employee, notification should be made to the Contracting Officer Representative (COR) and to the CE's respective CPO. Damage to Federal Government-owned/leased motor vehicles should be immediately reported in accordance with the DOI Motor Vehicle Management Handbook.

If a CE needs to report missing, damaged, or destroyed property, they must submit a statement of circumstance to their respective CPO or APO/RPO within 24 hours of discovering the missing, damaged, or destroyed personal property.

The statement of circumstance must be written and signed by the CE, which is then attached to the Report of Survey form. The statement must contain the following information:

- An explanation of what occurred to cause the loss, damage, or destruction of the property.
- Who or what was involved?
- How it occurred?
- Where it occurred?
- Approximate time of the occurrence

The absence of any required information will result in the Report of Survey form being returned to the CE by the CPO or APO/RPO.

The CPO (or APO/RPO) should then sign the completed Report of Survey form using the applicable signature block (i.e., APO/RPO signs in the Accountable Officer block and CPO signs in the Custodial Property Officer block) attesting that the statement of circumstances is correct.

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Additionally, the CE must take the actions listed below when reporting these specific types of lost, damaged, or destroyed personal property:

- 1) Incidents involving a Federal Government-owned/leased motor vehicle accident: Complete the SF-91 form (Motor Vehicle Accident (Crash) Report) and submit it to the supervisor, who will report it to the IA Regional/Central Office Occupational Safety and Health Manager and to the APO/RPO. If there is damage to the government vehicle, a Report of Survey form must also be completed. Further guidance may be found within 23 IAM 11: Fleet Management, and in the DOI Motor Vehicle Handbook.
- 2) Incidents involving theft, ongoing unauthorized use, or vandalism of personal property: Within 24 hours, report the incident to BIA OJS, the CPO, the APO/RPO, local, and/or state law enforcement authorities, and, as appropriate, to facility security forces.
- 3) Incidents involving lost or stolen laptop or desktop computers, tablets, and notebooks: Within 24 hours, report the incident to the CPO, the APO/RPO, and to the local IA Information Management Technology office for referral to the DOI Computer Incident Response Center, and adhere to any additional bureau or office-specific policy.
- 4) Incidents involving the theft, loss, damage, or destruction of personal property by a contractor or subcontractor: Refer to FAR Part 45.104. The incident must also be reported to the CPO and to the APO/RPO.
- 5) All incidents involving museum property, to include museum property housed by, or on loan to, non-federal repositories: Report the incident to the BIA Museum Staff Curator (Office of Trust Services, Division of Environmental and Cultural Resources Management's Museum program).
- 6) All incidents involving lost or stolen firearms, including museum firearms and less-than-lethal weapons (e.g., tasers), or any negligence: Within 24 hours, report the incident to BIA OJS and to local or state law enforcement authorities, and, as appropriate, to facility security forces.
- 7) Incidents involving fraud, waste, or misuse: Report the incident to the Office of Inspector General (OIG) when suspected.

### **B. Survey Actions**

A survey action involves the investigation into the loss, theft, damage, or destruction of Federal Government property. A survey action is required for relief of accountability, except as permitted in DOI's Technical Operating Procedures for Stolen, Lost, Damaged, or Destroyed DOI Personal Property for items valued at or above the \$5,000 accountability

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threshold. A survey action is also required for all sensitive property regardless of cost.

When circumstances require convening a Survey Authority, the APO/RPO for the property to be surveyed will immediately notify the Board of Survey Chairperson or Survey Officer by initiating the Report of Survey form, and collecting all of the supporting documentation from the CPO.

Survey actions must be initiated by the Board of Survey Chairperson or Survey Officer within 30 days of the discovery of the loss. The Board of Survey/Survey Officer has 30 business days after receipt of the Report of Survey form to complete the review and investigation (if applicable). Delays must be explained in writing and attached to the survey document.

Survey actions are *not* required in the following circumstances:

- 1) To document the loss of non-expendable, non-sensitive property with a depreciated value of less than \$5,000.
- 2) For damage to a Federal Government-owned/leased motor vehicle when such damage is clearly not the result of CE negligence, and there is no possibility of a tort claim against the Federal Government, such as an accident or other natural event caused without human intervention that could not have been prevented by reasonable foresight or care (e.g., broken windshields from flying debris, minor dents while appropriately parked, damaged tires resulting from road hazards, storm damage, etc.).

If the documentation or conditions indicate a pattern of unacceptable losses for low-value property, the APO/RPO or CPO may refer the incident, regardless of the original acquisition cost, to a Survey Authority for further investigation. See section F. Property Irregularities for more details.

### **C. Types of Survey Authority and Limitations**

When survey action is required, it will be conducted by one of the following methods: a Standing Board of Survey, a Traveling Survey Officer, a Local Survey Officer, or a Special Board of Survey. Board members and Survey Officers must be Federal Government employees.

Survey authority will be appointed, in writing, by the APO/RPO. Survey appointments will be for a period of at least one year and not more than three years. In the event of a change in the APO/RPO (i.e., transfer, retirement, death), existing appointments will remain in effect until a new APO/RPO is appointed. APOs/RPOs and the CE(s) responsible for the property to be surveyed may not be Survey Authorities. Property Managers may participate either as full members or non-voting participants in an advisory capacity.



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Boards of Survey and Survey Officers will limit their activities to surveying Federal Government property. Loss of private property, even if it directly results from the actions of a CE, is not the concern of Boards of Survey or Survey Officers, but is handled through the tort claims process. The CE will contact the IA Regional/Central Office Occupational Safety and Health Manager for further guidance.

### **D. Reviewing Authority for Reports of Survey**

The Reviewing Authority for a Report of Survey form will be the Regional Directors/Central Office Directors and/or SAC. A Reviewing Authority may not be a member of the Board of Survey which acted in the case under consideration. Under no circumstances will a Reviewing Authority include the APO/RPO for the property involved. Copies of all actions should be forwarded to the regional APO/RPO.

### **E. Authority to Overturn Findings and Determinations**

The Reviewing Authority cannot overturn the Board of Survey or Survey Officer's findings and determinations. The Reviewing Authority may only return a Report of Survey to the Survey Officer or Board of Survey for reasons of technical insufficiency or inadequate documentation. The APO/RPO must review the Report of Survey form and supporting documentation prior to sending it to the Reviewing Authority in order to avoid insufficient or inadequate documentation.

If the Reviewing Authority disagrees with the Board of Survey's or Survey Officer's findings and determinations, he/she will prepare a written statement outlining the reasons for such disagreement and attach it to the Report of Survey. The Report of Survey will then be forwarded to the next higher organizational level for resolution.

### **F. Property Irregularities**

Boards of Survey/Survey Officers will also investigate property irregularities if requested by the APO/RPO based on his/her review of the DI-103 documentation, and the facts and circumstances provided surrounding the lost, damaged, or destroyed personal property.

Property irregularities include:

- 1) Loss of Federal Government property in which the total is more than \$5,000, either in the aggregate for a single incident or a single item.
- 2) Repetitive losses of a particular type of property or recurring losses at a given location.
- 3) Losses of a suspicious nature.

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- 4) Evidence of serious misconduct or irregularity (i.e., fraud, falsification of records, etc.).
- 5) Known, suspected, alleged fraud, waste or abuse, or misappropriation of Federal Government property.
- 6) Loss or theft of a firearm or weapon, ammunition, explosives, hazardous materials, or a controlled substance.

If there is evidence of property irregularities during the investigation, Boards of Survey/Survey Officers will refer the findings to the Reviewing Authority. The Reviewing Authority will review the findings to determine whether the case merits referral to the OIG. When it is determined that property irregularities exist, the initial findings and all pertinent documentation will be forwarded to the Assistant Inspector General for Investigations, OIG.

A copy of each case referred to the OIG will be provided to the APO/RPO and the DOI Director, Office of Acquisition and Property Management (PAM), for review. No further investigations or disciplinary actions will be taken pending the outcome of the OIG review. The OIG will review all Reports of Survey, conduct investigations, and provide the Director, PAM, with the results and recommendations.

### **G. Determining CE Liability**

The Survey Officer and/or Board of Survey will not hold the CE liable for any property loss attributable to inherent defects in the property. The loss of Federal Government property alone does not automatically indicate negligence. If the Survey Authority cannot prove negligence based on facts or convincingly demonstrate in a written argument that the CE acted in an imprudent manner, it cannot arrive at a determination of negligence.

Under circumstances other than the above, CEs will be held financially liable when a thorough investigation determines that:

- 1) Property loss was a result of use for other than official purposes;
- 2) Property loss was due to simple or ordinary neglect or negligence, which is an act or omission of the CE in which he or she failed to exercise the degree of care, precaution, attention, and vigilance which a prudent person would exercise under normal circumstances;
- 3) Property loss resulted from a supervisor or manager who failed to provide a CE with adequate instructions or authorized the use of the property by a CE unfamiliar with its operation (in such cases, the supervisor or management official may be found negligent); or

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- 4) Property loss was due to gross negligence, which is an act or omission which constitutes misconduct in accordance with 370 DM 752, or a wanton and reckless disregard for the property.

Use of Federal Government property by non-government personnel must be authorized by a legal instrument such as a contract, cooperative agreement, etc. that contains the required property clauses. Where Federal Government property is lost, damaged, or destroyed, a determination of liability and amount due, if any, will be made by the Board of Survey and a determination will be provided to the COR or other designated Federal Government representative for the contract, memorandum of understanding, cooperative agreement, etc.

Unauthorized use of Federal Government property by non-government personnel is illegal (see 18 U.S.C. 641). If a Federal Government employee permits unauthorized use, the action should be considered a property irregularity, and must be reported to the employee's supervisor and to the OIG in accordance with DOI-AAAP-0111, Section 5, Table 5.

Any other illegal use should be reported to law enforcement authorities in accordance with DOI-AAAP-0111, Section 5, Table 5.

## **H. Assessing Financial Liability**

Any deliberation as to the question of a CE's financial liability must be separate and apart from, and without prejudice to, any personnel action that may be under consideration (e.g., admonishment, reprimand, suspension, reassignment, demotion, etc.). The assessment of financial liability is not to be used in lieu of or as a form of disciplinary action.

Boards/Officers cannot recommend personnel actions and must confine their recommendations to recovering Federal Government property losses and correcting the cause of the incidents.

When the Board of Survey/Survey Officer finds that a CE should be held liable for property loss, damage, or destruction, the Board/Officer will determine and specify in writing the exact dollar amount of financial liability for which the CE should be held liable. More than one CE may be found negligent for an incident involving a piece of property, but the dollar amount must be prorated equally among the negligent CEs. For example, if two CEs are equally to blame for a loss, then the total amount of loss should be divided between them. The amount of financial liability assessed the CE is determined as follows:

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- 1) Simple negligence: in cases where property loss, damage, or destruction was the result of simple or ordinary negligence, the amount of liability is calculated as follows:
  - a. Damage: The estimated or actual cost of repairs for damage that resulted from the incident, regardless of whether the property was repaired; or the replacement cost for a comparable item, whichever is less.
  - b. Loss or theft: The amount of liability for Federal Government property that was lost or stolen as a result of simple negligence will be the estimated or fair market value of the property computed by subtracting the accumulated depreciation from the acquisition value or the replacement cost of a comparable item, whichever is less.
  - c. Destruction: The amount of financial liability for Federal Government property which was destroyed as a result of simple negligence will be the estimated or fair market value of the property computed by subtracting the accumulated depreciable amount; or the replacement cost of a comparable item, whichever is lowest.
  - d. In no case involving simple negligence will the CE be assessed more than \$250, or one-month's disposable pay, and always the lesser amount. Under no circumstances should associated costs such as towing, storage, damage to private property, etc., be part of the liability assessed.
- 2) Gross negligence: in cases where an employee should be held liable for loss, theft, damage, or destruction of property, including vehicles and heavy equipment resulting from gross negligence, the amount of liability is calculated as follows:
  - a. Damage: The amount of financial liability for property damage will be the lower of the replacement cost of a comparable item or the estimated or actual cost of repairs, regardless of whether the property is repaired.
  - b. Loss or theft: The amount of financial liability for property loss or theft of Federal Government property resulting from gross negligence will be the lesser of the replacement cost of a comparable item or the estimated or fair market value of the property computed by subtracting the accumulated depreciation from the acquisition value.
  - c. Destruction: The amount of financial liability for destruction of Federal Government property resulting from gross negligence will be the lesser of the replacement cost of a comparable item or the estimated or fair market value of the property computed by subtracting the accumulated depreciation from the depreciable amount.

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- d. Under no circumstances should associated costs such as towing, storage, damage to private property, etc., be part of the liability assessed.

Once the survey action is completed, the Report of Survey form will be signed by the Survey Authority(s) and submitted through channels to the Reviewing Authority. If approved, the original Report of Survey will be used as authority to adjust the property records. Report of Survey files must be retained for six years and then destroyed.

### **I. CE Notification of Findings and Determinations and the Appeals and Billing Process**

The Board of Survey Chairperson or Survey Officer will send written notification to the CE who may be held liable for property loss and allow the CE to present a written statement of facts surrounding the loss. Any such statement must be presented to the Board of Survey/Survey Officer by the employee within 10 business days of the date of the notification. The statement(s) will become a part of the Report of Survey and will be considered in the investigation and determination of financial liability. The CE may orally address the Board within the same time frame but must provide an accompanying written statement of any facts he/she wishes the Board to include in the Report of Survey.

Once the survey action has been completed and approved, the Board/Survey Officer will notify the CE immediately of the findings and determinations. A copy of the signed, reviewed, and approved Report of Survey, including the findings and determinations as well as appeal information will be provided to the CE as part of this notification process.

If the CE chooses to appeal the findings and determinations of the Board of Survey/Survey Officer, he/she may file an appeal with the Director, Office of Hearings and Appeals (OHA) within 30 days of the date of the decision transmitted by the notification letter (see DOI-AAAP-0111, Section 4, Table 4.3 for the filing procedure). A copy of the appeal letter must be forwarded to the APO/RPO to *ensure billing procedures are not implemented until the appeal is decided.*

Billing procedures will be suspended pending the outcome of a timely appeal. Billing will be reinstated if the OHA finds in favor of the Federal Government, or when the Director or an Appeals Board provides that a decision or any part of it should be in full force and effective immediately (see 43 CFR 4.21).

Within 10 business days of receipt of a copy of the notice of appeal, the official whose decision is being appealed should ensure that the entire *original* official file on the matter is transmitted to the Director, OHA (43 CFR 4.702). The official file cannot be a photocopy, and copies of photographs are not acceptable. The official file should be organized in a logical, chronological order, and bound or stapled to ensure that it does

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not become disorganized during the transmittal process.

When it is determined by the Board/Survey Officer that a CE should be held financially liable for Federal Government property loss, damage, or destruction, and that determination has been approved by the Reviewing Authority, then the Federal Government will establish its claim against the CE by billing the CE once 21 business days have passed since the determination was approved. Payment does not convey title to the property; rather, payment should be viewed simply as restitution to the Federal Government for losses suffered.

Amounts owed by the CE resulting from a survey action may be voluntarily remitted or collected by administrative offset in accordance with 31 U.S.C. 3716 (1988). CEs may replace lost, stolen, or destroyed items with a comparable item or have damaged items repaired upon written approval by the APO/RPO.

Because of the costs associated with the collection process, offices may elect not to collect small amounts in simple negligence cases. If the amount is less than the estimated cost to affect the collection and does not exceed \$100, the appropriate Finance Officer may waive it. All other requirements of DOI-AAAP-0111 remain in full force and effect.

It should be noted that when an appeal decision favors the CE, no adverse actions will be taken against the CE. Copies of the final decision will be provided to the respective property assignee and all Survey Board members, as well as to the Director/Office Head, as appropriate. All decisions rendered are final. It is the responsibility of the APO/RPO to ensure that decisions transmitted by the Survey Board and the Director, OHA are communicated to all applicable individuals and enforced.

### **J. Relief from Accountability**

Relief from accountability is determined by the Board when they reach their findings and determinations. The findings and determinations will be sent to the Reviewing Official, and should contain the following information:

- 1) All findings (facts and evidence) about the incident that were discovered through the inquiry process.
- 2) Findings that the missing, damaged, or destroyed property resulted from the property being used for other than appropriate and official purposes.
- 3) A determination of whether the incident resulted from negligence or willful misconduct, and whether the CE (or more than one CE) is liable.

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- 4) The decision of the Survey Officer or Board of Survey as to whether restitution is due to the IA as a result of the CE's negligence or willful intent.
- 5) Recommendations to the CPO to minimize future incidents of loss, damage, or destruction to IA personal property.
- 6) Any advice from the RPO or the Chief, PPM.

## **K. Removal of Surveyed Property from Accountability Records**

Stolen, lost, damaged, and destroyed property will not be removed from the property accountability records in the Financial and Business Management System (FBMS) until the Reviewing Authority has approved the DI-103.

### **1.8 Reports and Forms.**

- 1) The DI-103, Report of Survey form is a DOI form. This form is located on the DOI webpage here: <https://www.doi.gov/eforms> (click on the "Official Files for Production" link).

The APO/RPO will sign the Report of Survey form within two business days after the Report of Survey process is completed. The APO/RPO will use the signed form(s) to make the administrative adjustments in FBMS. Copies of approved Reports of Survey for property losses over \$50,000 should be forwarded through IA's PPM to the DOI PAM Office by the regional PMO.

- 2) The SF-91, Motor Vehicle Accident (Crash) Report is located here: <https://www.gsa.gov/system/files/SF91-20>

### **Approval**

**JASON FREIHAGE**

Digitally signed by JASON

FREIHAGE

Date: 2023.12.18 08:24:56 -05'00'

Jason Freihage

Deputy Assistant Secretary – Management (DAS-M)

Date