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BUREAU OF LAND MANAGEMENT
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To: All WO and Field Officials

From: Assistant Director, Business and Fiscal Resources

Subject: "Guide to Agreements"

Purpose: This Information Bulletin transmits the Bureau of Land Management's (BLM) "Guide to Agreements." The guide is a tool to help employees determine the appropriate agreement to use in support of the BLM's mission and strategic goals. Its use is designed for anyone who has a role in processing agreements with other Bureaus and Federal Agencies, State and local governments, and private sector organizations.

Background: With declining budgets and personnel, we are being asked to form partnerships with others to achieve our strategic goals. The formation of these partnerships usually requires a written agreement. Agreements may be developed only when legislative authority exists for the action. Signatory authority is delegated to either an individual or a position.

The BLM spends approximately one-fifth of its appropriations on projects that require agreements. Employees asked for a simple guide to help them understand and appropriately use the different types of agreements.

Coverage: Each type of agreement is described separately in the following format.

- Name and Description - A short definition for the agreement type.
- Application - Information to decide which agreement to use.
- Authority - The Legislative authority for the agreement type.
- Approvals - The approvals required before signing.
- Signatory Authority - Who has authority to sign the agreement.
- References - Where to find additional policies and processes.
- Contact - Who to contact if you need help or have questions.

The guide includes a list of acronyms, a quick reference guide, and two decision diagrams. One decision diagram is used if funds will be obligated and the other is used when no funds are obligated.

It may be necessary to use the other party's agreement name, such as Memorandum of Agreement rather

than Memorandum of Understanding. This is authorized only if the policies and processes that are referenced in the guide are followed.

Because the lead time it takes to negotiate and approve each type of agreement varies widely, it is important that you involve the contact person during budget and strategic planning or as soon as you are aware that you will need an agreement. Agreements that obligate funds must be awarded by a Contracting Officer. Those agreements are listed first in the guide.

The guide is posted on the Intranet at <http://158.68.30.250> under "What's New." It will be on permanent retention in the Business and Fiscal Resources (B&FR) On-Line Reference Library and will be updated as changes occur. If you have any suggestions to improve the guide or you wish to add an agreement type, please contact Marc Gress, Procurement Analyst, Property and Acquisition and Headquarters Services Group (WO-850), by E-Mail or at 406-657-6927.

Signed by:

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Acting Assistant Director

Business and Fiscal Resources

Authenticated by:

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Directives, Records

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1 Attachment

1-BLM "Guide to Agreements" (41 pp)

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INTRODUCTION

Preface

The Bureau of Land Management's (BLM) "Guide to Agreements" is a tool to help employees who use agreements to support the BLM's mission and its Strategic Plan to determine the appropriate agreement to use. Its use is designed for anyone who has a role in processing agreements with other Bureaus and Federal Agencies, State and local governments, and private sector organizations.

Objective

The BLM spends approximately one-fifth of its appropriations on projects that require agreements. Employees have indicated that they need a simple guide on the use of agreements. The use of this guide will help employees understand the different types of agreements and determine the appropriate agreement to use.

Coverage

The guide includes a decision tree to assist you in determining the appropriate type of agreement to use and a quick reference checklist. The outline for each type of agreement includes:

- a definition
- the application
- the authority
- approvals
- references
- a contact

Because the lead time it takes to negotiate and approve an agreement varies, it is important that you involve the contact person during budget and strategic planning or as soon as you are aware that you will need an agreement. Agreements that obligate funds must be awarded by a Contracting Officer. Those agreements are listed first in the guide. You are encouraged to use the "Buying Made Easy" guide when you have a need to acquire goods and services.

Comments

The guide is posted on the Intranet at <http://158.68.30.250> under "What's New." It will be on permanent retention in the Business and Fiscal Resources (B&FR) On-Line Reference Library and will be updated as changes occur. If you have any suggestions to improve the guide or if you wish to add an agreement type, please contact Marc Gress, Procurement Analyst, Property and Acquisition and Headquarters Services Group (WO-850), by E-mail or at 406-657-6927.

Name and Description

Contract. A "contract" is a mutually binding legal document obligating the seller to furnish supplies or services (including construction) and the buyer to pay for them. It includes all types of commitments that obligate the Federal Government to an expenditure of funds and that, except as otherwise authorized, are in writing. A contract results from formal processes such as sealed bids or requests for proposals or through delivery or performance using simplified tools such as purchase/delivery orders, the Government purchase card, or blanket purchase agreements.

Application

A decision to acquire supplies or services by contract initiates a partnership between program and contracting personnel to establish contract objectives and to formulate plans to achieve those objectives. The Federal Government contracting process is governed by various statutes such as the Federal Acquisition Regulations, Executive Orders, Comptroller General Decisions, and Department of the Interior (DOI) and Bureau of Land Management (BLM) regulations.

A contract is used whenever the principal purpose of the contract is the acquisition, by purchase, lease, or barter, of property or services for the direct benefit or use of the Federal Government. A contract may also be used whenever it is determined in specific instances that the use of a certain type of procurement contract is appropriate.

Each agency has the authority to decide which type of contract best fits its needs, e.g., grant, cooperative agreement, or procurement contract. As a general rule, Government "benefit" is the deciding factor. Usually a grant or cooperative agreement is used if there is "indirect benefit to the Government," and the principal purpose of the grant or cooperative agreement is to provide assistance to a non-Federal party. A procurement contract is used when the principal purpose is to meet a direct need of the Government. For low dollar value (under \$25,000) or the short-term cooperative efforts, it may be more economically

advantageous to enter into a simple purchase order instead of the more stringent contract or assistance agreement.

Authority

Federal Property and Administrative Services Act of 1949, as amended.

Approval

Approval authority of a Justification for Other Than Full and Open Competition is listed in BLM Manual Section 1510, Acquisition, 1510-6.

Approval authority of Government purchase card transactions is identified in the BLM National Training Center Course Number SS 1500-11, Using Government Purchase Cards.

Signatory Authority

Only warranted Contracting Officers may award contracts. Contracting Officers are limited to their office or warranted dollar amount authority, whichever is less.

Reference

Federal Acquisition Regulations, 48 CFR; DOI Acquisition Regulation System; BLM Manual Section 1510, Acquisition; and Handbooks (H) H-1510-1, Purchasing; H-1510-3, Contracting for Construction; H-1510-4, Contracting for Services; H-1510-5, Contracting for Supplies and Equipment; H-1510-6, Contracting for Studies, Analysis, Inventories and Surveys; and H-1510-7, Contracting for ADP; and BLM National Training Center Course Number SS 1500-11, Using Government Purchase Cards.

Contact for Information

State Procurement Analyst or Field Office procurement personnel.

NAME AND DESCRIPTION:

Interagency Agreement (IA). An agreement between the BLM and another Federal Agency(ies) (Agency) outside the DOI used to reimburse that Agency for goods or services provided to the BLM.

Intra-agency Agreement (I-A). An agreement between the BLM and another Bureau(s) within the DOI

used to reimburse that Bureau for goods or services provided to the BLM.

Application

The BLM enters into an IA/I-A with another Agency/Bureau to reimburse them for goods or services which that Agency/Bureau provides and the BLM needs. The Agency/Bureau receiving funds (Servicing Agency/Bureau) for its goods and/or services is under the same limitations for the use of the funds as is the Agency/Bureau to whom the funds were appropriated (Requesting Agency/Bureau). Funds obligated for an IA/I-A may include a surcharge which will be paid to the Servicing Agency/Bureau in addition to the services performed. An IA/I-A is effective the date that the last Agency/Bureau signatory official signs the IA/I-A, and may cover a period not to exceed 5 years.

IAs/I-As should not be used to obtain off-the-shelf items such as maps from the U.S. Geological Survey or pamphlets and books from the Government Printing Office. For these purchases, use your Government purchase card; purchase order; or other simplified procedures to reduce time and expense.

An Economy Act Determination (EAD) is required for all IAs/I-As unless specific legislative authority exists. The EAD is prepared by the program office for approval by a Contracting Officer. The Economy Act states that the goods or services shall be obtained, when available, from commercial sources unless they are less costly to obtain from another Agency/Bureau or the private sector cannot perform the work as conveniently as the Agency/Bureau. If the EAD states that it is less costly to use the other Agency/Bureau, include a cost comparison. All transfers of funds from one Agency/Bureau to another are subject to the provisions of the Economy Act unless authorized by another governing law. IAs/I-As are not to be used to circumvent the statutory requirements for competition.

Authority

Economy Act (31 U.S.C. 1535) or other authorizing legislation.

Approval

The EAD is prepared by the program office for approval by the Contracting Officer and approved by the State Chief of the Contracting Office or an official one level above the Contracting Officer awarding the IA/I-A. The Regional Solicitor is also required to review and approve the EAD for IAs/I-As exceeding \$100,000 for the duration of the IA/I-A. The Bureau Procurement Chief in the BLM Washington Office (WO) Property and Acquisition and Headquarters Services Group (WO-850) approves all EADs for IAs/I-As exceeding \$500,000 over the life of the IA/I-A.

Signatory Authority

Warranted Contracting Officers are the only officials who may award IAs/I-As that require an EAD. Unlimited signing authority may be delegated to Contracting Officers in the BLM WO, National Business Center (NBC), Office of Helium Operations, and State Offices. State Offices may redelegate their signing authority up to \$25,000 for the duration of the IA/I-A to their Field Offices.

Reference

Federal Acquisition Regulations, 48 CFR, Part 17.5; DOI Acquisition Regulation System, Part 1417; and BLM Manual Section 1510, Acquisition, Part 1510-17.5.

Contact for Information

State Procurement Analyst or Field Office procurement personnel.

Name and Description

Assistance Agreement (AA). An AA is one of the following legal instruments:

Cooperative Agreement (CA). A CA is used when the primary purpose is to provide "public support or stimulation," rather than to acquire goods or services for the "direct benefit or use" of the Government. The CA must be authorized by Federal statute. There must be substantial BLM involvement during the course of a CA. For example, both BLM and the recipient perform the work effort together.

Grant. A grant is the same as a CA except that there is no program involvement by the BLM during the course of the grant. The BLM has only administrative oversight of the work effort to ensure that the funds are spent for their intended purpose.

Application

The Federal Grant and Cooperative Agreement Act of 1977 (FGCAA) states that the Government must not use an AA when it is appropriate to use a procurement contract. A procurement contract is used when either the principal purpose of the agreement is to acquire goods or services for the direct benefit or use of the Government or when a binding commitment is needed for the Government's protection (e.g., to ensure performance). If you want the recipient of Federal funds to commit to a firm fixed price, prepare a contract.

There must be a specific legislative authority that authorizes the use of an AA. Neither the FGCAA nor the Federal Land Policy and Management Act (FLPMA) confers any preference that State, Tribal, or local governments or nonprofit organizations be the recipients of AAs. The potential recipients of the AAs must

be stated in the authorizing legislation. The FLPMA, for instance, places no limitations on the type of recipients, but the Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA) specifies that recipients of AAs are States and Indian tribes.

The concept of "benefit" to the Government has caused some confusion. Even when AAs are awarded, there must be some indirect benefit to the Government. Otherwise, we have no authority to spend appropriated funds. The pivotal question in deciding to use a contract versus an AA is not whether the Government receives any benefit, but "what is BLM's principal or primary purpose for the agreement?" If the primary purpose is to meet a mission need, a contract is used. If BLM's primary purpose is one of support or stimulation, an AA may be used.

As can call for the transfer of Federal assistance (usually funds, but can be other items such as property, services, or anything of value) to State(s), Tribal, or local government; nonprofit organizations; or other recipients. The recipient can also provide services or anything of value. The AA must list what resources each party is committing.

The FGCAA, Department Manual (DM) 505, Grants Administration, and BLM policy encourage competition, but it is not required. Document the decision process of whether the legal instrument should be an AA or requires competition. H-1511-1, Assistance Agreements, Chapter II, Illustration 1, contains a format for the documentation. The first part of the document, the Statement of Programmatic Involvement (SPI), is prepared by the requester. The second part, Instrument Selection Determination (ISD), is prepared by the Assistance Officer (AO).

Authority

The primary authority is FLPMA, as amended (Public Law 94-579, Section 307(b); 43 U.S.C. 1737(b). The FLPMA states that "the Secretary may enter into contracts and cooperative agreements for the management, protection, development, and sale of public lands." There are no limitations on the type of recipient.

Other authorizing legislation is listed in BLM Manual Section 1511, Assistance Agreements, Section 1511.03.

Approval

All AAs expected to exceed \$100,000, including all modifications and task orders over the life of the AA, require review and approval of the SPI/ISD by the Director (850). The State Procurement Analyst is required to review and approve the SPI/ISD for all AAs within the State's authority.

Signatory Authority

Only warranted Contracting Officers may award AAs or act as an AO. State Directors, NBC, Office of Helium Operations, and the National Interagency Fire Center (NIFC) have the authority to delegate to a GS-1102, Level II or above, Contracting Officer unlimited authority to award AAs. State Directors may delegate their authority, not to exceed \$25,000 over the life of the agreement, to their Field Office AOs. Field Office AOs are limited to either their individual warranted dollar signatory authority or the amount delegated to their office.

Reference

BLM Manual Section 1511, Assistance Agreements, and Handbook H-1511-1, Assistance Agreements.

Contact for Information

State Procurement Analyst.

NAME AND DESCRIPTION:

Cooperative Agreement for Interpretive and Educational Materials and Publications. This is used when BLM and cooperators or partners jointly design, produce, distribute, and if applicable, print interpretive and/or educational materials and publications. The materials and/or publications, whether BLM-owned or privately owned, deal with subjects related to BLM's mission.

APPLICATION:

Interpretive and educational materials may be anything tangible which promotes BLM's mission, but generally are in the form of publications, brochures, maps, or signs.

Because 44 U.S.C. 501 requires that all Government printing be procured through the Government Printing Office, special appropriations authority unique to the BLM has been written each year since Fiscal Year (FY) 1992, which allows BLM to take advantage of offers from cooperators and partners to absorb all or part of the production costs of a cooperatively produced publication. This authority allows the BLM to enter into contracts or agreements with private organizations provided that the publication is jointly and cooperatively produced, the cooperator agrees to absorb at least half the cost of printing and distributing the publication, and the BLM determines that the private printer can meet Federal quality standards for Federal publications.

In addition, the recipient of all AAs, other than a State or local government or Indian Tribe, must contain the endorsement provision specified in 43 CFR, Subpart A, Section 12.2(d)(2), Grant/Cooperative Agreement Provision. That provision states that the recipient must not publicize or otherwise circulate

promotional material (such as advertisements, sales brochures, press releases, speeches, still and motion pictures, articles, manuscripts, or other publications) which states or implies the Government's, DOI's, BLM's, or Government employee's endorsement of a product, service, or position which the recipient represents.

AUTHORITY:

The primary authority is FLPMA, as amended, Public Law 94-579, Section 307(b), 43 U.S.C. 1737(b). The FLPMA states that "the Secretary may enter into contracts and cooperative agreements for the management, protection, development, and sale of public lands." There are no limitations on the type of recipient.

The Omnibus Consolidated Appropriations Bill of 1997, Public Law 104-208, states: "Provided, That notwithstanding 44 U.S.C. 501, the BLM may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share the cost of printing either in cash or in services, and the BLM determines the cooperator is capable of meeting accepted quality standards."

APPROVALS:

Since this type of agreement is awarded as a CA, approvals will follow that instrument. All CAs expected to exceed \$100,000, including all modifications and task orders over the life of the CA, require review and approval of the SPI/ISD by the Director (850). The State Procurement Analyst is required to review and approve the SPI/ISD for all CAs within the State's authority.

SIGNATORY AUTHORITY:

Only warranted Contracting Officers may award CAs or act as an AO. State Directors, NBC, Office of Helium Operations, and NIFC have the authority to delegate to a GS-1102, Level II or above, Contracting Officer unlimited authority to award CAs. State Directors may delegate their authority, not to exceed \$25,000 over the life of the agreement, to their Field Office AOs. Field Office AOs are limited to either their individual warranted dollar signatory authority or the amount delegated to their office.

REFERENCE:

BLM Manual Section 1511, Assistance Agreements, and Handbook H-1511-1, Assistance Agreements.

CONTACT FOR INFORMATION:

State Procurement Analyst.

NAME AND DESCRIPTION:

Cooperative Agreement With Interpretive Associations. These are used when BLM and Interpretive Associations jointly desire to provide educational and interpretive services, including the production and sale of interpretive and educational materials, to enhance public knowledge and appreciation of BLM's role in the management of public lands.

APPLICATION:

The main purpose of entering into CAs with Interpretive Associations is to provide sales outlets for interpretive and educational items, such as publications, maps, postcards, slides, posters, videos, handicrafts, and other objects directly related to interpretive and educational themes. Concession permits may be granted to interpretive associations which authorize sale of other items.

Interpretive associations also are able to design, produce, and print the interpretive and educational materials. Also refer to the discussion regarding this under "Cooperative Agreement for Interpretive and Educational Materials and Publications."

AUTHORITY:

The primary authority is FLPMA, as amended, Public Law 94-579, Section 307(b), 43 U.S.C. 1737(b). The FLPMA states that "the Secretary may enter into contracts and cooperative agreements for the management, protection, development, and sale of public lands." There are no limitations on the type of recipient.

APPROVALS:

Since this type of agreement is awarded as a CA, approvals will follow that instrument. All CAs expected to exceed \$100,000, including all modifications and task orders over the life of the CA, require review and approval of the SPI/ISD by the Director (850). The State Procurement Analyst is required to review and approve the SPI/ISD for all CAs within the State's authority.

SIGNATORY AUTHORITY:

Only warranted Contracting Officers may award CAs or act as an AO. State Directors, NBC, Office of Helium Operations, and NIFC have the authority to delegate to a GS-1102, Level II or above, Contracting Officer unlimited authority to award CAs. State Directors may delegate their authority, not to exceed \$25,000 over the life of the agreement, to their Field Office AOs. Field Office AOs are limited to either their individual warranted dollar signatory authority or the amount delegated to their office.

REFERENCE:

CONTACT FOR INFORMATION:

State Procurement Analyst.

NAME AND DESCRIPTION:

Law Enforcement Agreement - Reimbursable (LEA-R). An agreement used to reimburse State and local law enforcement agencies for work of an extraordinary nature outside the normal scope of that agency's activities on public lands. Only State Offices with a Special Agent-in-Charge may enter into a LEA-R.

Law Enforcement Agreement - Non-Reimbursable (LEA-NR). An agreement between State or local officials and BLM to cooperate and collaborate in better utilizing the resources of both agencies while providing for more adequate protection of persons and property on the public lands.

APPLICATION:

LEA-R - This type of LEA is used when BLM requires services from a State or local law enforcement organization which is above and beyond normal enforcement activity, including, but not limited to, (1) special patrols to specified land areas where routine patrol services are not rendered by the local agency; (2) public land use, primarily by non-citizens of the county within which the public lands are located, at levels creating a major impact to the normal operations of the County Sheriff; and (3) requirements for certain support services such as radio dispatch, extra help for eradicating marijuana, aircraft services, etc.

A LEA-R will not be utilized for encouraging "good will" and friendly relationships or subsidizing local or State law enforcement activity. Before entering into any LEA-R, a State Law Enforcement Needs Analysis and Plan is reviewed to determine the need, the interest, and the qualifications of the appropriate law enforcement agency. Only States with a State Office Special Agent-in-Charge may enter into LEA-Rs for such services.

Once the decision is made to enter into a LEA-R, all negotiations on behalf of the BLM should be carried out by a team consisting of the Contracting Officer, District Manager, and State Office Special Agent-in-Charge. Emphasis should be placed on developing an agreement that is equitable to all parties during negotiations. Rates of reimbursement should be commensurate with those of similar agreements in other Federal, State, or private sectors.

LEA-NR - This type of LEA is used when both State and local law enforcement agencies and the BLM desire to maximize the resources of both agencies by providing "back-up" services to each other in certain

emergency situations. It is also used to grant authority to BLM law enforcement officers to enforce State and local laws and regulations. No reimbursement is authorized under this type of LEA.

AUTHORITY:

Public Law 94-579, FLPMA, Section 303(d), states that "In connection with the administration and regulation of the use and occupancy of the public lands, the Secretary is authorized to cooperate with the regulatory and law enforcement officials of any State or political subdivision thereof in the enforcement of the laws or ordinances of such State or subdivision. Such cooperation may include reimbursement to a State or its subdivision for expenditures incurred by it in connection with activities which assist in the administration and regulation of use and occupancy of the public lands." This authority applies to both the LEA-R and the LEA-NR.

APPROVALS:

LEA-R - All LEA-Rs expected to exceed \$100,000, including all modifications and task orders over the life of the agreement, require review and approval by the Director (850) before the Contracting Officer awards the agreement. The State Procurement Analyst and the State Special Agent-in-Charge are required to review and approve all agreements within the State's authority.

LEA-NR - All LEA-NRs require review and approval by the State Special Agent-in-Charge and the State Director.

SIGNATORY AUTHORITY:

LEA-R - Both the State Director and a warranted Contracting Officer must sign a LEA-R. State Directors have authority to delegate to a GS-1102, Level II or above, Contracting Officer unlimited authority to award LEA-Rs.

LEA-NR - Only the State Director may sign an LEA-NR. This signatory authority cannot be redelegated.

REFERENCE:

BLM Manual Section 9260, Law Enforcement, and Handbook H-9260-1, Law Enforcement Field Operations, Chapter XI, Appendixes C and D.

BLM Manual Section 1511, Assistance Agreements, and Handbook H-1511-1, Assistance Agreements, Chapter XIII.

CONTACT FOR INFORMATION:

State Special-Agent-In-Charge or State Procurement Analyst.

Name and Description

General Purpose Space Leasing. Lease for contractor-furnished real property office, storage, and combined warehouse and wareyard space in or near an established community.

Special Use Space Leasing. These are leases for contractor furnished real property space such as remote storage facilities for firefighting crews, radio transmitter antenna sites, and specially constructed facilities, e.g., refrigerated seed-storage rooms that cannot be classified as general storage or office space.

Application

The General Services Administration (GSA) has delegated solely to the BLM NBC the lease acquisition authority for general purpose space, including office and general storage space. This delegation authorizes the NBC to lease space in geographic areas where the GSA controls less than 250,000 square feet of space for terms that do not exceed a 10-year commitment.

A "special use" space lease is used to acquire space for specialized needs for a short term. The space must be for a special use in order to be covered under this authority. Office and general purpose space are excluded. State and Field Offices that are delegated this authority may lease special use space within the following limitations:

- BLM cannot lease space for another agency.
- No more than 2,500 square feet of space may be acquired at one geographic location.
- All space must be acquired for less than \$25,000 for the duration of the lease term, including utilities.
- The term of the lease is firm and must be for 1 year or less. Up to four annual options are permitted, provided the base year and all option years do not exceed \$25,000.

Authority

- General Purpose - Section 210 (h)(1) of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended.

- Special Use, 41 CFR 101-18.104(i) - Note that this authority limits the BLM to lease commitments of 1 year or less in remote areas where no other Government agencies are quartered.

Approval

- General Purpose - Requests for space are approved by the State Director and forwarded to the NBC. The NBC prepares and sends a space request summary to the Director (850) for review and approval.

- Special Use - An approved requisition authorizes the Contracting Officer to award a special use lease.

Signatory Authority

- General Purpose - Warranted Space Leasing Contracting Officers have signatory authority as outlined in the DOI Contracting Officers Warrant Manual.

- Special Use - Contracting Officers in State Offices, NIFC, and the Office of Helium Operations have authority to award special use leases not to exceed \$25,000. State Directors may delegate their authority, not to exceed \$25,000 over the duration of the lease, to their Field Offices. Field Office Contracting Officers are limited to either their individual warranted dollar signatory authority or the amount delegated to their office.

Reference

General Services Acquisition Regulations (GSAR), Sections 552 and 570, and BLM Manual Section 1510, Acquisition, Part 1510.70.

Contact for Information

NBC Space Leasing Team, State Procurement Analyst, or Field Office acquisition personnel.

NAME AND DESCRIPTION:

Reciprocal Fire Protection Agreement. A written agreement with any fire organization maintaining fire protection facilities in the vicinity of public lands for mutual aid in furnishing fire protection for BLM property and property for which the other organization normally provides fire protection.

APPLICATION:

Joint venture agreements with a non-Federal public firefighting entity for the purpose of acquiring suppression and/or presuppression on a mutual aid basis. These agreements may be initiated with State, county, city, or local fire organizations. Reciprocal fire protection agreements may not be used for one-sided arrangements. The agreement must be reviewed and approved by a Contracting Officer. It must include a waiver by each party of all claims against each other for compensation for any loss, damage, personal injury, or death occurring in consequence of the performance of the agreement, and the reimbursement method must be described.

AUTHORITY:

Reciprocal Fire Protection Act: 42 U.S.C. 1856.

Protection Act: 16 U.S.C. 594.

APPROVALS:

Reviewed by the State Fire Management Officer and the State Procurement Analyst before approval.

SIGNATORY AUTHORITY:

State Director or Field Office Manager and a Contracting Officer (limited to warranted dollar signatory authority).

REFERENCE:

BLM Manual Section 9212, Fire Prevention.

CONTACT FOR INFORMATION:

State or Field Office Fire Management Officer and State Procurement Analyst.

NAME AND DESCRIPTION:

Challenge Cost-Share Arrangement (CCS). Challenge cost-sharing is a matching fund concept in which existing BLM funds are supplemented, on a mutually agreeable share ratio, with public and private agencies, organizations, institutions, and individuals.

APPLICATION:

CCS arrangements are used when the BLM intends to cooperate with other parties to develop, plan, and implement projects that are mutually beneficial to the parties that enhance BLM activities and both parties

share the costs. In BLM, there are currently four budget activities (Land Resources, Wildlife and Fisheries, Threatened and Endangered Species, and Recreation) with CCS authority. In the Annual Work Plan, a certain dollar amount of money is appropriated to CCS activities. This money must be matched by the commitments from other parties of CCS arrangements. State Directors are responsible for ensuring that the sharing ratio, on a statewide basis, is at least 50/50. However, individual arrangements do not necessarily have to be on a 50/50 split; the share ratio is negotiable with the other party, except where directed by legislation or the BLM budget.

If anything of value is transferred to the other party, the instrument may be written as a contract, purchase order, cooperative agreement, or grant. The decision on which instrument to use is made based on the purpose of the arrangement. Write the arrangement in whatever format is appropriate for the type of instrument, with documentation appropriate for the instrument.

The notable differences, if challenge cost sharing is a part of the arrangement, are as follows: competition may be sought, but is not required, even for contracts; cite the authority for the challenge program in the arrangement; and include the cost/share ratio and specific commitments of money, goods, or services by each party.

The CCS projects help foster and build relationships with a wide variety of individuals and organizations that the BLM must work closely with in managing public lands. The unique collaborative relationship of these projects make it extremely important that the BLM be able to account for, and provide feedback at any time to, any of our cooperators. State Directors are expected to ensure that accurate accounting and reporting records for all CCS expenditures are maintained and are made available when requested.

It is not necessary to write a Memorandum of Understanding or other master agreement along with a CCS. Prepare a master agreement only when appropriate. However, write the challenge arrangement to stand alone, regardless of whether it is done as a contract or an AA.

The CCS funds are appropriated specifically for the purposes of co-funding joint projects with State and private sectors. The CCS funds cannot be used for land acquisitions, fixed costs, or employee work months (other than those directly related to the specific project(s)). The value of land that another entity wishes to turn over to the BLM to become public land may be used as a "match" for BLM funds that are used to rehabilitate such land after it becomes part of the public domain. Use of CCS funds for other purposes, including work authorized by Section 124 of Public Law 104-208, is not permitted.

AUTHORITY:

Department of the Interior and Related Agencies Appropriations Act of 1991, Public Law 101-512 which states that the BLM is authorized hereafter to negotiate and enter into cooperative arrangements with public

and private agencies, organizations, institutions, and individuals to implement challenge cost-share programs.

APPROVALS:

Since a CCS arrangement may be written as a contract, purchase order, CA, or grant, approvals will follow that type of instrument.

SIGNATORY AUTHORITY:

If anything of value (money, property, etc.) is transferred to the recipient, the award must be signed by a warranted Contracting Officer (limited to their office or warranted dollar authority).

REFERENCE:

See BLM Manual Section 1510, Acquisition; and Handbooks (H) H-1510-1, Purchasing; H-1510-3, Contracting for Construction; H-1510-4, Contracting for Services; H-1510-5, Contracting for Supplies and Equipment; H-1510-6, Contracting for Studies, Analysis, Inventories and Surveys; and H-1510-7, Contracting for ADP, if the instrument will be a contract.

BLM Manual Section 1511 Assistance Agreements, and Handbook H-1511-1, Assistance Agreements, if the instrument will be an AA.

CONTACT FOR INFORMATION:

Program Leader for the type of arrangement requested or the State Procurement Analyst if anything of value will be transferred.

NAME AND DESCRIPTION:

Sikes Act Agreement. Agreements with State wildlife agencies in accordance with comprehensive plans developed to plan, develop, maintain, and coordinate programs for the conservation and rehabilitation of wildlife, fish, and game. There are two types of Sikes Act agreements. The first is to establish a hunting and fishing stamp program and the second is to cooperatively develop Habitat Management Plans (HMP).

APPLICATION:

The first type of Sikes Act agreement is used to establish a hunting and fishing stamp program for State wildlife agencies to use as a source of revenue for implementing Sikes Act wildlife programs, when and if mutually agreed to by the BLM and the respective State agency. Funds raised from the sale of the hunting and fishing stamps, when spent on BLM wildlife improvement projects, are exempt from the FGCAA.

The second type of Sikes Act agreement is used to develop comprehensive plans in cooperation with State wildlife agencies to plan, develop, maintain, and coordinate programs for the conservation and rehabilitation of wildlife, fish, and game. Such comprehensive plans are called Habitat Management Plans by BLM and are integrated with other public land resources and values. Wildlife projects to be completed, as outlined in the HMP using appropriated funds, are established and paid for by using a contract or an AA.

AUTHORITY:

The Sikes Act, as amended in 1974, Title II, Public Law 93-452 (16 U.S.C. 679 et. seq.).

The Sikes Act, as amended in 1978, Public Law 95-420 (16 U.S.C., 679 et. seq.).

APPROVALS:

HMPs must be approved by the appropriate Wildlife Manager for the State agency.

SIGNATORY AUTHORITY:

State Director or Field Office Manager.

If anything of value is transferred to the State wildlife agency the award must be signed by a warranted Contracting Officer. Contracting Officers are limited to either their individual warranted dollar signatory authority or the amount delegated to their office.

REFERENCE:

BLM Manual Section 6525, Sikes Act Wildlife Programs.

CONTACT FOR INFORMATION:

See State Office Wildlife and Fisheries Coordinator or State Procurement Analyst if anything of value will be transferred.

NAME & DESCRIPTION:

Indian Self-Determination Act Contract. A nonprocurement intergovernmental agreement with federally recognized Tribes to operate Federal programs and services currently provided to Tribes by the Federal Government because of their status as Indians.

APPLICATION:

Under self-determination, Tribes can contract for programs as specified in the Indian Self-Determination and Education Assistance Act, Public Law 93-638, as amended, Section 102(a)(1)(A-E). Section 102(a)(1)(E) of the Act provides for the contracting of programs that are for the benefit of Indians because of their status as Indians. It is under this authority that Tribes can contract for certain BLM programs, most notably, tribal minerals and the cadastral survey of tribal lands.

Indian self-determination contracts are unique because, by definition, they are not procurement contracts, discretionary grants, or CAs. Very few of the usual procurement or grant regulations apply to the management of the Federal funds provided under these contracts. For example, self-determination contracts are not subject to the FARs and application of OMB circulars is limited to those circulars incorporated by the Act, adopted by regulation, or agreed to by the Tribe or tribal organization pursuant to negotiations with the Secretary (or his delegated representative) (see 25 CFR 900.45(e)).

Self-determination contracts are unique in other ways as well, including but not limited to:

Self-determination contracts are nondiscretionary. The Secretary can only decline a proposal for five reasons. (Section 102(a)(2) of the Act and 25 CFR 900.22)

- Each self-determination contract must, by law, contain or incorporate by reference the provisions of the model agreement found in Section 108(c) of the Act.
- Self-determination contracts have statutory timelines/deadlines that are unique, e.g., if a proposal for a contract is not approved or declined within 90 days, it is automatically approved. (Section 102(a)(2) of the Act and 25 CFR 900.16)
- Tribes with self-determination contracts are entitled to GSA screener cards, and have access to the same sources of supply (including lodging, airlines) on the same basis as Federal agencies under Section 201(a) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481(a).)
- Reporting requirements over and above the annual audit required by the Single Audit Act (OMB Circular A-128) are negotiated during the contract negotiation period.
- Tribes and tribal organizations are covered by the Federal Tort Claims Act while carrying out activities under a self-determination contract.
- All pre-award appeals (regardless of the agency involved) are decided by the Interior Board of Indian Appeals. Post-contract disputes are subject to the Contract Disputes Act.

Regulations implementing Public Law 93-638, as amended, are found at 25 CFR 900. They were developed by tribal and Federal representatives in a Negotiated Rulemaking process and apply to Department of Health and Human Services agencies as well as all agencies of the DOI. The content of the regulations was limited to 16 areas and, therefore, do not address the entire Act. The Act must be consulted for complete coverage.

AUTHORITY: Title I, Public Law 93-638, Indian Self-Determination and Education Assistance Act, as amended, 25 U.S.C. 450.

APPROVALS:

Authority to approve, negotiate, and administer self-determination act contracts has been delegated to the State Director up to the dollar limit of his/her procurement authority. State Directors should consult with the Contracting Officer before approving a self-determination act contract. Authority to approve waivers of the regulations at 25 CFR 900 has been delegated to the Assistant Secretary for Indian Affairs and has not been redelegated. The OMB has requested that the Secretary consult with OMB prior to approving any waiver requests dealing with OMB circulars.

SIGNATORY AUTHORITY:

State Director has signatory authority.

REFERENCE:

See Public Law 93-638, as amended, and 25 CFR 900 (applies to all DOI agencies); also see Preamble to Federal Register Notice Vol. 61, No. 122, June 24, 1996, pp. 32482-32535.

CONTACT FOR INFORMATION:

Native American Program Coordinator or the State or National Business Center Procurement Analyst.

NAME & DESCRIPTION:

Indian Self-Governance Annual Funding Agreement. An agreement that is negotiated and entered into between the Secretary (BLM) and a self-governance Tribe for the Tribe to carry out functions, services, and activities provided to Tribes in their status as Tribes.

APPLICATION: Indian self-governance was initiated as a demonstration project authorized by Title III of

the Indian Self-Determination and Education Assistance Act, Public Law 93-638, as amended. Title III authorized specific Tribes, which were designated as self-governance or "compact" Tribes to enter into a compact of self-governance and annual funding agreement (AFA) to carry out programs of the Bureau of Indian Affairs and Indian Health Service. The program was made permanent for Bureau of Indian Affairs and expanded to include all DOI agencies when a new title, Title IV, was added to the Act by Public Law 103-413.

In this sense, self-governance Tribes can use this law to negotiate annual funding agreements for the same functions for which they can negotiate 638 (Self-Determination) contracts. The law also allows discretion for the Secretary to negotiate and enter into agreements for the Tribes to perform certain non-Indian functions of the BLM which are of geographic, historical, or cultural significance to the Tribe.

Tribes can become self-governance tribes by fulfilling the requirements of Title IV, Section 402 of the Act. In addition to those Tribes designated as self-governance Tribes in the demonstration project, the DOI may select up to 20 additional Tribes per year to become self-governance Tribes. A current listing of self-governance Tribes is available from the DOI, Office of Self-Governance, at (202) 219-0420.

Self-governance is similar to self-determination, but differs in some significant ways, including but not limited to:

Self-governance agreements are only available to Tribes that have been designated as self-governance Tribes by the DOI. (Self-determination contracts are available to all federally recognized Tribes.)

- Under a self-governance annual funding agreement, participating Tribes may plan, conduct, consolidate, and administer programs, services, and functions that are "638" functions, that is, Indian programs. (See Section 403(b)(2).) In addition, the Tribes may request and must be granted the opportunity to receive advance payments on an annual or semi-annual basis under the annual funding agreement. (See Section 403(g)(2).)
- Title IV, Section 403 (c) of the Act, states that AFAs may include other programs, services, and activities of a Bureau which are of special geographic, historical, or cultural significance to the participating Tribe. These programs with special significance are known as "nexus" programs. Whether to negotiate or enter into an annual funding agreement for nexus programs is at the discretion of the BLM. The terms and conditions of such an agreement are also subject to the same discretion. The Tribe must conduct the activities with the same obligations and goals as the BLM.

AUTHORITY: Title IV, Public Law 93-638, Indian Self-Determination and Education Assistance Act, as amended, 25 U.S.C. 450. Regulations have not been promulgated under this Act at this time. A joint Federal-Tribal rulemaking team is currently negotiating the rules, with broad differences having arisen regarding fundamental interpretations of the law.

APPROVALS: Authority to approve, negotiate, and administer self-governance annual funding agreements

has been delegated to the State Director up to the dollar limit of his/her procurement authority. State Directors should consult with the Contracting Officer before approving a self-governance annual funding agreement.

SIGNATORY AUTHORITY:

State Director has signatory authority.

REFERENCE:

Public Law 93-638, as amended, Title IV. Regulations implementing Title IV are being developed.

CONTACT FOR INFORMATION:

Native American Program Coordinator or the State or National Business Center Procurement Analyst.

Name and Description

Memorandum of Understanding (MOU). A written agreement between the BLM and another entity(ies) that confirms the use of cooperative policies or procedures to promote mutual endeavors.

Application

An MOU documents a "handshake" agreement by the MOU's entities to use cooperative management policies or procedures, to provide mutual assistance, or to exchange results for the promotion of common endeavors. An MOU is not intended to be a detailed working document. It may be an "umbrella" agreement that provides a basis for more detailed subagreements, but it does not provide authority to enter into contracts or AAs. It may not commit to future noncompetitive contracts with the MOU's entities or subvert any of the procurement laws and regulations. An MOU does not obligate or exchange private or Federal funds, supplies, equipment, or services; share or exchange data with non-Federal entities; or serve as a substitute for covenants or reservations in land or mineral patents. An MOU may be the appropriate way to document the BLM's commitment to participate in a so called "Watershed Agreement" that sets a working group consisting of Federal, State, Tribal, and local Governments; private citizens; and other interests to address impacts of human activities on biotic resources within a watershed and proposes collaborative solutions to problems identified.

There is a belief that an MOU or some other master agreement is needed to authorize a cooperative agreement (CA), grant, or contract. This belief is not accurate. It is acceptable to write a master agreement if there is another reason to do so, but it is not a requirement. Any AA or contract must be written to stand on its own. Many MOUs have been signed at the national level and may be adequate for State purposes.

Authority

See BLM Manual Section 1786, Memorandums of Understanding, Section 1786.3.

Approval

An MOU must be reviewed by an MOU Coordinator prior to its approval, and it may also require a review by the State Procurement Analyst.

Signatory Authority

MOUs are signed by the State Director. Signing of MOUs may be redelegated to Field Office Managers. Check BLM Manual Section 1203, Delegation of Authority, and the State Supplement for a list of BLM officials authorized to sign MOUs.

Reference

BLM Manual Section 1786, Memorandums of Understanding.

Contact for Information

State MOU Coordinator, MOU Custodian, or State Procurement Analyst.

NAME AND DESCRIPTION:

Reimbursable Work Job Authorization (RWA). An agreement with another Federal Agency, within or outside of the DOI, which authorizes BLM to provide resources or services; establishes a reimbursable project number to bill against; and authorizes BLM to accept funds. For each RWA, there should be a corresponding IA/I-A agreement established by the agency paying for BLM services. The IA/I-A agreement is the document that obligates funds.

APPLICATION:

This instrument is used when BLM is providing resources to another Federal Agency on a reimbursable basis. BLM Form 1681-3, Reimbursable Work Job Authorization, is the document used to authorize BLM resources or to provide services to another Federal Agency. When another Federal Agency or Bureau provides resources to the BLM, an IA/I-A agreement must be used. The RWA covers specific services to be

performed by the BLM for the benefit of another Federal Agency. All direct costs, operating costs, and administrative charges (indirect costs) for reimbursable work are charged against the specific reimbursable project number.

If reimbursement is not received for the full cost of the services provided, the BLM must absorb the difference, thus potentially affecting BLM programs (activities). Managers should be aware of and consider these impacts when negotiating and agreeing for the BLM to do work for other agencies. The administrative charge rate is calculated at the NBC and approved by the Washington Office Budget Office. The only way an administrative charge may be reduced or waived is when both the BLM and the other agency are benefiting equally. The administrative charge is currently 18 percent (20 percent for Forest Service) and is established at the time the reimbursable account is set up by finance and a project number assigned. Requests for reduction or waiver of the administrative charge must be approved by the Washington Office Budget Officer prior to the approval of the RWA. A few projects have Bureauwide authorization to reduce the administrative charge, e.g., collocation projects. Leave surcharges are also assessed, but are usually calculated as a part of labor costs.

AUTHORITY:

The primary authority is Public Law 94-579, FLPMA, as amended, Section 307, unless another more appropriate legal authority exists.

An EAD is NOT to be cited as the authority for an RWA. The EAD is required prior to the execution of an IA/I-A agreement. The BLM would prepare an IA/I-A agreement only when we require services FROM another Federal Agency.

APPROVALS:

Approval to waive or reduce the administrative charge must be approved by the Washington Office Budget Officer before the RWA is approved.

SIGNATORY AUTHORITY:

Check BLM Manual Section 1203, Delegation of Authority, and local Manual Supplement 1203, Delegation of Authority, for a list of BLM officials authorized to approve RWAs.

REFERENCE:

BLM Manual Section 1681, Annual Work Plan - Operating Budget, and the electronic version of BLM's Fund Coding Handbook available on WO-880 Electronic Reference Library on the Internet.

CONTACT FOR INFORMATION:

State, Field Office, or Denver Center(s) Budget personnel.

NAME AND DESCRIPTION:

Contributed Funds. Trust Fund Projects (7000 series) or Rights-of-Way Projects (5000 series). An agreement for which BLM accepts contributed funds, services, and/or property for the management, protection, development, acquisition, and conveying of public lands.

APPLICATION:

The FLPMA authorizes BLM to accept contributions of money, services, and property (real, personal, or mixed) for the management, protection, development, acquisition, and conveying of the public lands, including the acquisition of rights-of-way for such programs. Funds may be contributed by private, non-Federal organizations or a combination of Federal and private/non-Federal organizations.

Payment must be received in advance before any expenditures may occur. When contributed funds are accepted, the funds must be deposited and identified with a specific project number which is established by State budget personnel. An administrative charge (indirect cost rate) can be assessed against trust fund projects at the prescribed current rate. For trust fund projects, the State Director may waive or reduce the administrative charge only when it is determined that the project is for the primary benefit to the public and furthers BLM management objectives. Administrative charges will automatically be assessed to rights-of-way projects. Administrative charges for rights-of-way projects (5000 series) cannot be reduced or waived. The administrative charge is currently 18 percent and is established with the project number at the time the trust fund and right-of-way projects are set up by finance. The administrative charge is calculated at the NBC and approved by the Washington Office Budget Office.

When funds are accepted, they must be deposited before expenditures begin and identified with a specific project number and subactivity, which is assigned by the State Office Budget Section. To establish a trust fund project, a Trust Fund Project Number Assignment and Information Data Form, BLM Form 1380-11, must be completed with the required information. If a reduction in the administrative charge is requested, Exception Indirect Cost Rate - Trust Fund Project Request Form, BLM Form 1380-11A, must also be completed and approved by the State Director. To establish a rights-of-way project, a Cost Recovery Project Number Assignment and Information Data Form, BLM Form 1380-10, must be completed with the required information.

AUTHORITY:

The primary authority is the Public Law 94-579, FLPMA, as amended, Section 307, unless another more appropriate legal authority exists.

APPROVALS:

Approval to waive or reduce the administrative charge must be approved by the State Director before the agreement is approved.

SIGNATORY AUTHORITY:

Check BLM Manual Section 1203, Delegation of Authority, and the local Manual Supplement 1203, Delegation of Authority, for a list of BLM officials authorized to approve the required forms.

REFERENCE:

BLM Manual Section 1681, Annual Work Plan - Operating Budget, and the electronic version of BLM's Fund Coding Handbook available on WO-880 Electronic Reference Library on the Internet.

CONTACT FOR INFORMATION:

State, Field Office, or Denver Center(s) Budget personnel.

NAME AND DESCRIPTION:

Cooperative Management Agreement (CMA). A CMA is a site specific agreement used in accordance with management plans for shared on-the-ground management of a specific management area.

APPLICATION:

A CMA is written for the joint management of a specific site. CMAs are usually long-term agreements with other parties interested in the joint management of a specific area such as a back-country byway, recreation area, or wildlife habitat area.

Use a CMA when the primary objective is to provide the public with facilities and levels of use not possible under BLM management capability, but which may be provided with support from user groups. Each party's role in the management of the area must be delineated. There can be a commitment by each party to absorb part of the cost of managing the area, but there is no actual transfer of funds involved. If funding or anything of value will be provided to the cooperator as part of their management functions, an AA may be the correct instrument to use. All requirements of the CMA would be incorporated into the AA.

AUTHORITY:

APPROVALS:

A CMA must be reviewed by the office MOU Coordinator before approval. A CMA may require review by the State Procurement Analyst if anything of value will be transferred to the cooperator.

SIGNATORY AUTHORITY:

State Directors have signatory authority to approve CMAs. State Directors may delegate his/her authority to Field Office Managers. Check BLM Manual Section 1203, Delegation of Authority, and local Manual Supplement 1203, Delegation of Authority, for a list of BLM officials authorized to approve CMAs.

REFERENCE:

BLM Manual Section 8300, Recreation Management, and Handbook H-8357-1, Byways.

BLM Manual Section 8560, Management of Designated Wilderness Areas, and Handbook H-8560-1, Management of Designated Wilderness Areas.

CONTACT FOR INFORMATION:

Recreation Specialist, MOU Coordinator or the State Procurement Analyst.

NAME AND DESCRIPTION:

Volunteer Agreement. An agreement with anyone who voluntarily, and without compensation or reimbursement, provides personal services to the BLM within the limits of a volunteer agreement.

APPLICATION:

The objectives of using volunteers are to:

- Enhance BLM programs by accepting voluntary, uncompensated personal services.
- Involve members of the public in the work of the BLM and provide them an opportunity to serve their Nation.
- Provide the public with an opportunity to contribute to the preservation, conservation, and development of the resources of the public lands.

- Support affirmative action programs, through a career awareness approach, to ensure that ethnic and racial minorities, women, the economically disadvantaged, and the handicapped have an opportunity to be exposed to occupations available within the Government.
- Encourage interest in new or developing occupations and professions and provide opportunities for students and other young people to become involved in early career exploration as a basis for making realistic decisions regarding their future careers.
- Provide exposure to the work environment as a means of encouraging students and other young people to develop work ethics and to acquaint them with the mission of the BLM.

Volunteer agreements are limited to 1 year in duration, but they may be renewed. There are three categories of volunteers. They are:

Individual Volunteers. This is the most common category of volunteer and involves only one individual. Use Individual Volunteer Services Agreement, BLM Form 1114-4.

Volunteer Groups. Organized groups may provide volunteer services under a single volunteer agreement for each sponsoring organization. Use Group Volunteer Services Agreement, BLM Form 1114-5.

Hosted Worker. A hosted worker is an individual who does work for the BLM, for which he/she is compensated from funds, other than appropriated BLM funds, by some other entity such as other Federal, State, and/or local government sources. Use Individual Volunteer Services Agreement, BLM Form 1114-4.

AUTHORITY:

Public Law 94-579, FLPMA, as amended; 43 U.S.C. 1737; and Tort Claims Procedures, 28 U.S.C. Sec. 2672.

APPROVALS:

Assistant Directors, State Office Division Chiefs, and Field Office Managers are authorized to approve volunteer agreements and are responsible for ensuring compliance with directives regarding volunteers.

SIGNATORY AUTHORITY:

Assistant Directors, State Office Division Chiefs, and Field Office Managers have signatory authority to approve volunteer agreements.

REFERENCE:

CONTACT FOR INFORMATION:

State Volunteer Program Manager.

NAME AND DESCRIPTION:

Data Sharing Agreement. Agreements to share or exchange data with other Federal Agencies, State or local governments, or private parties on an ongoing basis when no funds are obligated, and cost recovery by the BLM may be used.

APPLICATION:

The principal purpose of a data sharing agreement is to provide BLM data to another party either at no cost (waiving of fees) or under a cost recovery schedule, where BLM is not obligating appropriated funds and is receiving data or services in return. The agreement may be used for obtaining BLM information on an ongoing basis and must contain a detailed description of the specific data to be shared as well as important metadata. If on-line access is anticipated, standard security measures must be documented. In addition, electronic records or printouts released for external use should be labeled in accordance with BLM Manual Section 1278, External Access to BLM Information.

Signing officials may use discretion to determine whether any fees will be collected as part of the agreement. Determinations should be fair and reasonable and any fees collected should cover only the actual cost of providing the information or service. Fees collected will be in accordance with BLM cost recovery guidelines and fee structure. A cost recovery clause must be included to document cost recovery conditions.

A format for data sharing agreements is included in BLM Manual Section 1278, External Access to BLM Information.

AUTHORITY:

The Paperwork Reduction Act, 44 U.S.C. 3501.

OMB Circular A-130, Management of Federal Information Resources.

APPROVALS:

Data sharing agreements must be reviewed and approved by Records and Data Administrators.

SIGNATORY AUTHORITY:

State Directors, Center Directors, and Assistant Directors (or by redelegated officials) have signatory authority to approve data share agreements.

REFERENCE:

BLM Manual Section 1270-2, Cost Recovery.

BLM Manual Section 1278, External Access to BLM Information.

CONTACT FOR INFORMATION:

Records and Data Administrators.

NAME AND DESCRIPTION:

Recreation Concession Lease. A long-term authorization to possess and use public lands, for a consideration, to provide recreation facilities and services for a fixed period of time.

APPLICATION:

A concession is the operation of recreation oriented services and facilities by a private sector businessperson, on the BLM lands, in support of the BLM recreation programs. The concessioner is authorized to do this through a concession lease that must be administered on a continuous basis. The concessioner must pay fees to the BLM in exchange for the opportunity to conduct business activities on the public lands. A generic or boiler plate lease is found in BLM Manual Section 2920, Leases, Permits, and Easements.

Aside from improved service to the public and the creation of commerce in local communities, a vital benefit of a recreation concession lease is that the money for its construction and operation is derived from the private sector rather than from Federal funds (taxes). This helps the BLM meet its recreation mission without the need for increased funding.

AUTHORITY:

APPROVALS:

Review of the lease by the Field Office or State Office Outdoor Recreation Planner or Concession Specialist is required. If the proposed lease is different than the normal concession lease, a Solicitor's Opinion is required at the local level. If the proposed lease is very different, a review by the WO Recreation Concession Leader and the Solicitor is required.

SIGNATORY AUTHORITY:

State Directors have signature authority to approve recreation concession leases. This authority may be delegated to the Field Office if it is a routine recreation concession lease.

REFERENCE:

BLM Manual Section 8390, Recreation Concession Leases and Vendor Permits.

BLM Manual Section 2920, Leases, Permits, and Easements.

CONTACT FOR INFORMATION:

State Recreation Program Leader, WO Recreation Concession Leader, or the Havasu Field Office Concession Specialist.

NAME AND DESCRIPTION:

Range Use Adjustment Agreement. An agreement that outlines arrangements between the BLM, permittees, lessees, State agencies having land or resource interest, and interested public in determining the need for livestock use adjustments (grazing use or grazing management) and establishes procedures for arriving at the adjustments.

APPLICATION:

Used as a means of encouraging communications with the permittees, lessees, and other interests in determining the need for adjustments in grazing use; establishing procedures for arriving at the adjustments (such as monitoring rangeland health); and seeking their participation in the implementation of those procedures. When adjustments can be successfully initiated and implemented through agreement (in lieu of a decision), and where data acceptable to the authorized officer are available and sufficient for identifying the needed amount and timing of adjustments, the agreement is used to document the adjustment in grazing

use or modification of grazing management. Where appropriate, grazing use adjustments may be scheduled over a period of time as determined by the BLM Field Manager or Area Manager through consultation with the interested parties.

AUTHORITY:

43 CFR 4110 and 4130.

APPROVALS:

Area Manager/Field Office Manager, or District Manager (as appropriate).

SIGNATORY AUTHORITY:

Field Office Managers have signatory authority to approve Range Use Adjustment Agreements.

REFERENCE:

BLM Manual Section 4100, Grazing Administration - Exclusive of Alaska, Handbook H-4110-1, Qualifications and Preferences, and Handbook H-4130-1, Authorizing Grazing Use.

CONTACT FOR INFORMATION:

Field Office Rangeland Management Specialist or Field Office Manager.

NAME AND DESCRIPTION:

Range Line Agreement. An agreement between BLM and grazing allottees or permittees to establish or to modify grazing allotment boundaries on acquired or dispersed public rangelands.

APPLICATION:

Used as a means of modifying boundaries involving two or more allottees or permittees due to the dispersal or acquisition of land or for the division or combination of grazing allotments. BLM Form 4120-10, Range Line Agreement, is to be used for all Range Line Agreements and must be signed by all parties and approved by the authorizing official listed below.

AUTHORITY:

43 CFR 4110.2-4

APPROVALS:

Field Office Manager.

SIGNATORY AUTHORITY:

Field Office Managers have signatory authority to approve Range Line Agreements.

REFERENCE:

BLM Manual Section 4110, Qualifications and Preference, and Handbook H-4110-1, Qualifications and Preference.

CONTACT FOR INFORMATION:

Field Office Rangeland Management Specialist or Field Office Manager.

NAME AND DESCRIPTION:

Exchange of Use Grazing Agreement. An agreement to authorize a certain amount of grazing use to someone who owns or controls private intermingled lands within an allotment. The Exchange of Use Grazing Agreement establishes the terms and conditions under which the grazing use will be made.

APPLICATION:

Exchange of use agreements are used to facilitate grazing management on allotments. When using exchange-of-use agreements, the credit given for private lands within the allotment is based on the estimated grazing capacity. The offered lands must be owned or controlled by the party seeking the credit. No fees are charged for exchange-of-use grazing and exchange-of-use agreements may be issued for a term of not more than 10 years, but are limited to the term for which the applicant has control of the offered land.

An exchange-of-use agreement sets forth the extent of the grazing use authorized and the terms and conditions for grazing use. If no agreement is in place, the authorized officer may reject the application of exchange-of-use or issue a decision establishing the percent of public land use to be used as a basis for the permit or lease. This decision is subject to protest or appeal.

The authorizing official may cancel the agreement for noncompliance with terms and conditions or loss of control of the lands offered in exchange.

Applicants must use BLM Form 4130-4, Exchange-of-Use Grazing Agreement, to apply for exchange of use grazing.

AUTHORITY:

43 CFR 4130.6-1.

APPROVALS:

Exchange of Use Grazing Agreements must be reviewed and approved by the Field Manager.

SIGNATORY AUTHORITY:

Field Managers have signatory authority to approve Exchange of Use Grazing Agreements.

REFERENCE:

BLM Manual Section 4100, Grazing Administration - Exclusive of Alaska, and Handbook H-4130-1, Authorizing Grazing Use.

CONTACT FOR INFORMATION:

Field Office Rangeland Management Specialist or Field Office Manager.

NAME & DESCRIPTION:

Rangeland Cooperative Agreement. An agreement with BLM and any person for installation, use, maintenance, and/or modification of rangeland improvements necessary to achieve management objectives.

APPLICATION:

The rangeland cooperative agreement specifies the division of costs or labor, or both, between the United States and cooperator(s). Title to permanent range improvements may be shared with the United States. Title to nonstructural improvements such as seeding, spraying, and chaining shall be in the name of the United States. A rangeland cooperative agreement conveys no right, title, or interest in any lands or resources held by the United States.

The rangeland cooperative agreement must be signed by the cooperator(s) and approved by the authorizing officer prior to inclusion of the project covered by the agreement in the Annual Work Plan. BLM Form 4120-6, Cooperative Agreement for Range Improvements, is used to authorize such improvements and document the cooperator's interest in (contributed funds, labor, and materials) the rangeland improvement and to ensure proper credit for future valuation and reimbursement of fair value upon transfer or loss of public rangelands.

AUTHORITY:

43 CFR 4120.3-2.

APPROVALS:

Field Office Manager

SIGNATORY AUTHORITY:

Field Office Managers have signatory authority to approve Rangeland Cooperative Agreements.

REFERENCE:

BLM Manual 4100, Grazing Administration - Exclusive of Alaska, and Handbook H-4120-1, Grazing Management.

CONTACT FOR INFORMATION:

Field Office Rangeland Management Specialist or Field Office Manager.

NAME & DESCRIPTION:

Agreement Format

APPLICATION:

AUTHORITY:

APPROVALS:

SIGNATORY AUTHORITY:

REFERENCE:

BLM Manual Section

CONTACT FOR INFORMATION:

ACRONYMS - GUIDE TO AGREEMENTS

AA Assistance Agreement

AFA Annual Funding Agreement

AO Assistance Officer

BLM Bureau of Land Management

CA Cooperative Agreement

CCS Challenge Cost Share Agreement

CFR Code of Federal Regulations

CMA Cooperative Management Agreement

DM Departmental Manual

DOI Department of the Interior

EAD Economy Act Determination

FAR Federal Acquisition Regulations

FGCAA Federal Grant and Cooperative Agreement Act of 1977

FLPMA Federal Land Policy and Management Act of 1976

FOGRMA Federal Oil and Gas Royalty Management Act of 1982

FY Fiscal Year

- GSAR General Services Acquisition Regulations
- HMP Habitat Management Plan
- IA Interagency Agreement
- I-A Intra-Agency Agreement
- ISD Instrument Selection Determination
- LAW Law Enforcement Agreement
- LAW-NR Law Enforcement Agreement - Non-Reimbursable
- LEA-R Law Enforcement Agreement - Reimbursable
- MOU Memorandum of Understanding
- NBC National Business Center
- NIFC National Interagency Fire Center
- OMB Office of Management and Budget
- RWA Reimbursable Work Authorization
- SPI Statement of Programmatic Involvement
- U.S.C. United States Code

DECISION DIAGRAM FOR SELECTION OF INSTRUMENT WHEN BLM FUNDS WILL BE OBLIGATED

Is anything of value to be exchanged? No Skip to Decision Diagram when no funds will be obligated.

Yes

Is the work an inherently governmental function that must be performed only by BLM employees? Yes Use in-house procedures and employees.

No

Is the activity usually performed by non-Federal personnel and the principal purpose is for the direct benefit of the Federal Government? Yes Use a Contract.

No

Is it more economical, more efficient, or required by law that another Federal Agency perform the work? Yes Use an Interagency or Intra-agency Agreement.

No

Is the purpose to acquire contractor-furnished real property office, storage, and warehouse and wareyard space? Yes Use a General Purpose or Special Use Space Lease.

No

Is the purpose to provide mutual aid for fire protection? Yes Use a Reciprocal Fire Protection Agreement.

No

Is the purpose to provide matching funds in which BLM funds are supplemented, on a mutually agreeable share ratio, with a public or private partner?

No

Yes Use a Challenge Cost Share Agreement.

Is the purpose to work with a State wildlife agency to develop plans, maintain, or coordinate programs for the conservation and rehabilitation of wildlife, fish, and game?

No

Yes Use a Sikes Act Agreement.

Is the principal purpose to provide public support or stimulation to a recipient in the form of assistance that is authorized by Federal statute and is not for the "direct benefit or use" of the Federal Government?

No

Yes Use an Assistance Agreement (Cooperative Agreement or Grant), Cooperative Agreement for Interpretive and Educational Materials and Publications, or a Cooperative Agreement with Interpretive Associations.

Is the purpose to reimburse a State or local law enforcement agency for work outside of the normal scope of that agency's activities or to cooperate and collaborate in better utilizing both agencies' resources?

No

Yes Use a Law Enforcement Agreement (Reimbursable or Nonreimbursable).

Is the purpose to have a federally recognized Tribe operate a Federal program or services currently provided to the Tribe by the Federal Government?

No

Yes Use a Indian Self-Determination Act Contract.

Is the purpose for a Tribe to carry out functions, services, and activities provided to Tribes?

Yes Use an Indian Self-Governance Annual Funding Agreement.

DECISION DIAGRAM FOR SELECTION OF INSTRUMENT

WHEN NO BLM FUNDS WILL BE OBLIGATED

Is anything of value to be exchanged?

No

Yes Skip to Decision Diagram when BLM funds will be obligated.

Is the purpose to confirm the use of cooperative policies or procedures to promote mutual endeavors?

No

Yes Use a Memorandum of Understanding.

Is the purpose to provide resources or services, on a reimbursable basis, to another Federal Agency?

Yes Use a Reimbursable Work Authorization.

No	
Is the purpose to accept contributed funds, services, and/or property for the management, protection, acquisition, and conveying of public lands?	Yes Use Contributed Funds (Trust Fund Projects (7000 Series) or Rights-of-Way Projects (5000 Series).)
No	
Is the purpose to develop a site specific agreement in accordance with management plans for shared on-the-ground management of a specific management area?	Yes Use a Cooperative Management Agreement.
No	
Is the purpose to have someone provide personal services to BLM without compensation or reimbursement?	Yes Use a Volunteer Agreement.
No	
Is the purpose to share or exchange data on an ongoing basis?	Yes Use a Data Sharing Agreement.
No	
Is the purpose to provide a long-term authorization to possess and use public lands to provide recreation facilities?	Yes Use a Recreation Concession Lease.
No	
Is the purpose to outline arrangements to determine the need for livestock use adjustments?	Yes Use a Range Use Adjustment Agreement.
No	
Is the purpose to establish or reestablish grazing allotment boundaries?	Yes Use a Range Line Agreement.
No	
Is the purpose to authorize a certain amount of grazing use to someone who owns or controls private intermingled lands within an allotment?	Yes Use an Exchange of Use Grazing Agreement.
No	
Is the purpose to authorize the installation, use, maintenance, and/or modification of rangeland improvements to achieve management objectives?	Yes Use a Rangeland Cooperative Agreement.

TYPE OF AGREEMENT	DEFINITION	SIGNATORY AUTHORITY	REFERENCES	CONTACT FOR INFORMATION
Contract	A mutually binding legal document obligating the seller to furnish supplies or services (including construction) and the buyer to pay for them.	Only warranted Contracting Officers may award contracts.	Federal Acquisition Regulations, 48 CFR; Department of the Interior Acquisition Regulation	State Procurement Analyst or Field Office procurement personnel.

			System; BLM Manual Section 1510, Acquisition, and Handbooks H-1510-1 through 7; and BLM National Training Center Course Number SS 1500-11, Using Government Purchase Cards.	
Interagency Agreement	An agreement between the BLM and another Federal Agency(ies) outside the DOI used to reimburse that Agency for goods or services provided to the BLM.	Warranted Contracting Officers are the only officials who may award Interagency/Intra-Agency Agreements.	Federal Acquisition Regulations, 48 CFR 17.5; Department of the Interior Acquisition Regulation System, Part 1417; and BLM Manual Section 1510, Acquisition, 1510-17.5.	Same as above.
Intra-agency Agreement	An agreement between the BLM and another Bureau(s) within the DOI used to reimburse that Bureau for goods or services provided to the BLM.	Same as above.	Same as above.	Same as above.
Assistance Agreement-Cooperative Agreement	Used when the primary purpose is to provide "public support or stimulation," rather than to acquire goods or services for the "direct benefit or	Only warranted Contracting Officers may award Cooperative Agreements.	BLM Manual Section 1511, Assistance Agreements, and Handbook H-1511-1, Assistance Agreement.	State Procurement Analyst.

use" of the Government. It must be authorized by Federal statute, and there must be substantial BLM involvement.

Assistance Agreement-Grant	A Grant is the same as a Cooperative Agreement except that there is no program involvement by the BLM during the course of the Grant.	Only warranted Contracting Officers may award Grants.	Same as above. Same as above.	
Cooperative Agreement for Interpretive and Educational Materials and Publications	Used when BLM and cooperators or partners jointly design, produce, distribute, and, if applicable, print interpretive and/or educational materials and publications. The materials and/or publications, whether BLM-owned or privately owned, deal with subjects related to BLM's mission.	Only warranted Contracting Officers may award a Cooperative Agreement for Interpretive and Educational Materials and Publications.	Same as above. Same as above.	
Cooperative Agreement With Interpretive Associations	Used when BLM and Interpretive Associations jointly desire to provide educational and interpretive services, including the production and sale of interpretive and educational materials, to enhance public knowledge and appreciation of BLM's role in the management of public lands.	Only warranted Contracting Officers may award a Cooperative Agreement With Interpretive Associations.	BLM Manual Section 1511, Assistance Agreements, and Handbook H-1511-1, Assistance Agreement.	State Procurement Analyst.

Law Enforcement Agreement-Reimbursable	Used to reimburse State and local law enforcement agencies for work of an extraordinary nature outside the normal scope of that agency's activities on public lands.	Both the State Director and a warranted Contracting Officer must sign a Law Enforcement Agreement - Reimbursable.	BLM Manual Section 9260, Law Enforcement, and Handbook H-9260-1, Law Enforcement Field Operations, Chapter XI, Appendixes C and D. BLM Manual Section 1511, Assistance Agreements, and Handbook H-1511-1, Assistance Agreements, Chapter XIII.	State Special-Agent-In-Charge or State Procurement Analyst.
Law Enforcement Agreement-Nonreimbursable	Used for State or local law enforcement officials and BLM to cooperate and collaborate in better utilizing the resources of both agencies while providing for more adequate protection of persons and property on the public lands.	Only the State Director may sign a Law Enforcement Agreement - Nonreimbursable.	Same as above.	Same as above.
General Purpose Space Leasing	Lease for contractor-furnished real property office, storage, and combined warehouse and wareyard space in or near an established community.	Warranted Space Leasing Contracting Officers have signatory authority as outlined in the DOI Contracting Officers Warrant Manual.	General Services Acquisition Regulations (GSAR), Sections 552 and 570, and BLM Manual Section 1510, Acquisition, Part 1510.70.	NBC Space Leasing Team, State Procurement Analyst, or Field Office acquisition personnel.

Special Use Space Leasing	Leases for contractor furnished real property space such as remote storage facilities for firefighting crews, radio transmitter antenna sites, and specially constructed facilities, e.g., refrigerated seed-storage rooms that cannot be classified as general storage or office space.	Contracting Officers in State Offices, NIFC, and the Office of Helium Operations have authority to award special use leases not to exceed \$25,000. State Directors may delegate their authority, not to exceed \$25,000 over the duration of the lease, to their Field Offices.	Same as above.	State Procurement Analyst or Field Office acquisition personnel.
Reciprocal Fire Protection Agreement	A written agreement with any fire organization maintaining fire protection facilities in the vicinity of public lands for mutual aid in furnishing fire protection for BLM property and property for which the other organization normally provides fire protection.	State Director or Field Office Manager and a Contracting Officer.	BLM Manual Section 9212, Fire Prevention.	State or Field Office Fire Management Officer or State Procurement Analyst.
Challenge Cost-Share Arrangement	A matching fund concept in which existing BLM funds are supplemented, on a mutually agreeable share ratio, with public and private agencies, organizations, institutions, and individuals.	If anything of value (money, property, etc.) is transferred to the recipient, the award must be signed by a warranted Contracting Officer (limited to his/her office or warranted dollar authority).	BLM Manual Section 1510, Acquisition, and Handbooks H-1510-1 through 7, if the instrument will be a contract. BLM Manual Section 1511, Assistance Agreements, and Handbook H-1511-1, Assistance Agreements, if	Program Leader for the type of arrangement requested or the State Procurement Analyst if anything of value will be transferred.

			the instrument will be an AA.	
Sikes Act Agreement	Agreements with State wildlife agencies in accordance with comprehensive plans developed to plan, develop, maintain, and coordinate programs for the conservation and rehabilitation of wildlife, fish, and game.	State Director or Field Office Manager. If anything of value is transferred to the State wildlife agency, the award must be signed by a warranted Contracting Officer.	BLM Manual Section 6525, Sikes Act Wildlife Programs.	State Office Wildlife and Fisheries Coordinator or State Procurement Analyst if anything of value will be transferred.
Indian Self-Determination Act Contract	A nonprocurement intergovernmental agreement with federally recognized Tribes to operate Federal programs and services currently provided to Tribes by the Federal Government because of their status as Indians.	State Director has signatory authority.	Public Law 93-638, as amended, and 25 CFR 900 (applies to all DOI agencies), also see Preamble to <u>Federal Register</u> Notice Vol. 61, No. 122, June 24, 1996, pp. 32482-32535.	Native American Program Coordinator or the State or National Business Center Procurement Analyst.
Indian Self-Governance Annual Funding Agreement	An agreement that is negotiated and entered into between the Secretary (BLM) and a self-governance Tribe for the Tribe to carry out functions, services, and activities provided to Tribes in their status as Tribes.	State Director has signatory authority.	Public Law 93-638, as amended, Title IV. Regulations implementing Title IV are being developed.	Native American Program Coordinator or the State or National Business Center Procurement Analyst.
Memorandum of Understanding	A written agreement between the BLM and another entity(ies) that confirms the use of	MOUs are signed by the State Director. Signing of MOUs may be redelegated to Field Office Managers. Check	BLM Manual Section 1786, Memorandums of Understanding.	State MOU Coordinator, MOU Custodian, or State Procurement Analyst.

cooperative policies or procedures to promote mutual endeavors.

BLM Manual Section 1203, Delegation of Authority, and the State Supplement for a list of BLM officials authorized to sign MOUs.

Reimbursable Work Job Authorization

An agreement with another Federal Agency, within or outside of the DOI, which authorizes BLM to provide resources or services; establishes a reimbursable project number to bill against; and authorizes BLM to accept funds.

Check BLM Manual Section 1203, Delegation of Authority, and local Manual Supplement 1203, Delegation of Authority, for a list of BLM officials authorized to approve RWAs.

BLM Manual Section 1681, Annual Work Plan - Operating Budget, and the electronic version of BLM's Fund Coding Handbook available on WO-880 Electronic Reference Library on the Internet.

State, Field Office, or Denver Center(s) Budget personnel.

Contributed Funds - Trust Fund Projects (7000 series) and Rights-of-Way Projects (5000 series)

An agreement for which BLM accepts contributed funds, services, and/or property for the management, protection, development, acquisition, and conveying of public lands.

Check BLM Manual Section 1203, Delegation of Authority, and the local Manual Supplement 1203, Delegation of Authority, for a list of BLM officials authorized to approve the required forms.

BLM Manual Section 1681, Annual Work Plan - Operating Budget, and the electronic version of BLM's Fund Coding Handbook available on WO-880's Electronic Reference Library on the Internet.

State, Field Office, or Denver Center(s) Budget personnel.

Cooperative Management Agreement

A site specific agreement used in accordance with management plans for shared on-the-ground management of a specific management area.

State Directors have signatory authority to approve CMAs. State Directors may delegate their authority to Field Office Managers. Check BLM Manual Section 1203, Delegation of

BLM Manual Section 8300, Recreation Management, and Handbook H-8357-1, Byways. BLM Manual Section

Recreation Specialist, MOU Coordinator, or the State Procurement Analyst.

		Authority, and local Manual Supplement 1203, Delegation of Authority, for a list of BLM officials authorized to approve CMAs.	8560, Management of Designated Wilderness Areas, and Handbook H-8560-1, Management of Designated Wilderness Areas.	
Volunteer Agreement	An agreement with anyone who voluntarily, and without compensation or reimbursement, provides personal services to the BLM within the limits of a volunteer agreement.	Assistant Directors, State Office Division Chiefs, and Field Office Managers have signatory authority to approve volunteer agreements.	BLM Manual Section 1114, Volunteers.	State Volunteer Program Manager.
Data Sharing Agreement	Agreements to share or exchange data with other Federal Agencies, State or local governments, or private parties on an ongoing basis when no funds are obligated and cost recovery by the BLM may be used.	State Directors, Center Directors, and Assistant Directors (or by redelegated officials) have signatory authority to approve data share agreements.	BLM Manual Section 1270-2, Cost Recovery. BLM Manual Section 1278, External Access to BLM Information.	Records and Data Administrators.
Recreation Concession Lease	A long-term authorization to possess and use public lands, for a consideration, to provide recreation facilities and services for a fixed period of time.	State Directors have signature authority to approve recreation concession leases. This authority may be delegated to the Field Office if it is a routine recreation concession lease.	BLM Manual Section 8390, Recreation Concession Leases and Vendor Permits. BLM Manual Section 2920, Leases, Permits, and Easements.	State Recreation Program Leader, WO Recreation Concession Leader, or the Havasu Field Office Concession Specialist.
Range Use Adjustment Agreement	An agreement that outlines arrangements	Field Office managers have signatory authority to approve Range Use	BLM Manual Section 4100, Grazing	Field Office Rangeland Management Specialist or Field Office Manager.

between the BLM, permittees, lessees, and State agencies having land or resource interests, and interested publics in determining the need for livestock use adjustments (grazing use or grazing management) and establishes procedures for arriving at the adjustments.

Adjustment Agreements. Administration - Exclusive of Alaska; Handbook H-4110-1, Qualifications and Preferences; and Handbook H-4130-1, Authorizing Grazing Use.

Range Line Agreement

An agreement between BLM and grazing allottees or permittees to establish or to modify grazing allotment boundaries on acquired or dispersed public rangelands.

Field Office managers have signatory authority to approve Range Line Agreements.

BLM Manual Section 4110, Qualifications and Preference, and Handbook H-4110-1, Qualifications and Preference.

Field Office Rangeland Management Specialist or Field Office manager.

Exchange of Use Grazing Agreement

An agreement to authorize a certain amount of grazing use to someone who owns or controls private intermingled lands within an allotment. The Exchange of Use Grazing Agreement establishes the terms and conditions under which the grazing use will be made.

Field Office managers have signatory authority to approve Exchange of Use Grazing Agreements.

BLM Manual Section 4100, Grazing Administration - Exclusive of Alaska, and Handbook H-4130-1, Authorizing Grazing Use.

Same as above.

Rangeland Cooperative Agreement

An agreement with BLM and any person for installation, use, maintenance, and/or modification of rangeland improvements necessary to achieve

Field Office managers have signatory authority to approve Cooperative Range Improvement Agreements.

BLM Manual Section 4100, Grazing Administration - Exclusive of Alaska; and Handbook H-4120-1,

Same as above.

management
objectives.

Grazing
Management.