

INDIAN AFFAIRS MANUAL

1.1 Purpose. The Indian Affairs (IA) Directives System is comprised of the policies and procedures that document the functions under the authority of the Assistant Secretary of Indian Affairs (AS-IA). The Directives System provides the framework for developing and publishing clear and consistent IA program and administrative policy; facilitates IA's compliance with laws and other requirements to have accurate and accessible documentation for staff and the public; provides appropriate controls and documentation of IA program and administrative functions; provides guidance to facilitate employees' performance of their duties and responsibilities; and generally improves accountability across IA.

The two terms "policy" and "directives" are often used interchangeably to refer to the components of the IA Directives System.

1.2 Scope. The Directives System contains the policies and procedures for all functions under the authority of the AS-IA, including the Offices of the AS-IA, the Bureau of Indian Affairs (BIA), and the Bureau of Indian Education (BIE). IA offices and employees must follow the directives that apply to them.

IA's directives are intended only to improve the internal management of the offices of the ASIA, BIA, and BIE. They are not intended to, and do not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

1.3 Policy. It is IA's policy to comply with all applicable federal laws and regulations and Department of the Interior (DOI) policies and procedures regarding directives management. Directives are essential to satisfy federal requirements that specific information be made available to the public, and to address Departmental requirements to provide instructions and guidance to enable employees to perform their duties and responsibilities. These requirements are explained in more detail below in section 1.4.

Given that the components of the IA Directives System are considered "operational policy" that apply only to employees carrying out federal functions, the addition of a new, or a change to an existing, component would generally not have Tribal implications triggering the need for Tribal consultation. However, in those very limited circumstances where an update to, or development of a new, policy component may have Tribal implications, the Office of Regulatory Affairs and Collaborative Action (RACA) will work with the program office to ensure compliance with Tribal consultation procedures as documented in Executive Order 13175 and Departmental policy. Additionally, there may be circumstances where the Office of the Solicitor (SOL) should review a directive before it is approved by IA management/senior leadership. RACA will work with IA offices/programs to determine if such a review is necessary.

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1.4 Authority.

A. Statutes and Regulations.

- 1) 5 U.S.C. 552, Administrative Procedure Act. The Public Information section of this Act requires that the following information be made available to the public: descriptions of the organization, where and how information and decisions can be secured, what and how functions are performed, what requirements must be met to get benefits or services, and what procedures must be followed.
- 2) 29 U.S.C. § 794d, Section 508 of the Rehabilitation Act of 1973, as amended. This section of the Act requires federal agencies' electronic and information technology to be accessible to people with disabilities, including employees and members of the public. This is also referred to as "Section 508 compliance."
- 3) 44 U.S.C. 3101-3102, Federal Records Act. This Act requires the head of each federal agency to make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency. The records should be designed to furnish the information necessary to protect the legal and financial rights of the Federal Government and of persons directly affected by the agency's activities.

B. Guidance.

- 1) 381 Departmental Manual (DM) 1, Directives Management
- 2) 381 DM 4, Departmental Directives System
- 3) U.S. Government Accountability Office, Standards for Internal Control in the Federal Government (GAO-14-704G)

C. Handbooks.

- 1) 1 IAM 1-H, The Indian Affairs Directives Handbook, current version.

This handbook provides additional guidance, templates, and examples to assist those who produce policies and supporting documents that affect IA programs and activities. The handbook is located on the BIA.gov webpage here:

<https://www.bia.gov/policy-forms/handbooks>

Additionally, employees can locate policy and directive templates and examples through RACA's intranet webpage here: <https://inside.indianaffairs.gov/asia/raca/>

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1.5 Responsibilities.

A. **RACA** oversees the IA Directives System. As such, RACA is responsible for:

- 1) developing guidance and templates to assist IA programs in establishing policies and procedures to document their functions;
- 2) providing technical assistance and advice to IA programs in the development of directives;
- 3) assigning and managing release numbers and document identification numbers for directives;
- 4) reviewing directives for format, authorities, proper delegation of authority, the use of plain language, and other factors to ensure ease of use and reading comprehension;
- 5) coordinating edits with the authoring office;
- 6) determining when a policy may need additional review by the SOL, in consultation with the authoring office;
- 7) determining when a directive is “final,” in coordination with the authoring office (RACA makes the final determination);
- 8) determining with the authoring office the appropriate management/senior leadership surnames and final signature required for the directive(s);
- 9) managing the Policy Database within the Data Tracking System (DTS), and uploading and routing all directives within the system to the appropriate parties for review and surname/final signature;
- 10) completing final processing and publication once the directive has been signed; and
- 11) performing all records management related tasks and proper documentation for directives.

B. **IA Offices (including Offices under the AS-IA, BIA, BIE, Central Office, Regional Offices, and Agency Offices)** are considered the “authoring office.” They are responsible for:

- 1) maintaining current directives, revising existing chapters, and removing outdated information from directives related to their respective programs;
- 2) coordinating policy development/updating with RACA;
- 3) developing content;
- 4) circulating drafts for internal review and comment as well as to RACA;

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- 5) addressing RACA's edits to directives, and working with RACA to bring the directive to a "final" status in a timely manner;
- 6) consulting with RACA on the appropriate management/senior leadership involvement for review and surnaming/final signature; and
- 7) ensuring that employees are aware of directives that effect their programs, and distributing the directive(s) as needed in electronic or print format to employees regardless of location.

1.6 Components. The IA Directives System includes the following components:

- A. The Indian Affairs Manual (IAM)** contains the current policies and directives of IA. The IAM is organized into sections called Parts, which are the major functions and programs (for example, Budget, Trust Services, Forestry) under the authority of the AS-IA. Each Part is further divided into chapters, which describe (in general) *what the program does* and *under what authority(s)*. Compliance with the Manual is mandatory for all IA employees.
- B. Regional Directive (RD)** is usually a companion to an IAM chapter, providing additional information and instructions that apply to employees within the jurisdiction of Regional Offices. The RD uses the same basic template as an IAM. Although a RD conveys additional instructions that may apply only to specific regions, RDs must not conflict with established IA policies and procedures. RDs are identified by regional office letter codes added to the document identification number (for example, 28 IAM 7 - MW).
- C. Handbook (HB)** is also usually a companion to a related IAM chapter, providing a greater level of detail regarding the processes and procedures IA employees use to perform their duties (*how the program implements the related policy*). Handbooks provide more detailed information than is appropriate for IAM chapters.
- D. National Policy Memorandum (NPM)** is a temporary policy which provides interim guidance regarding a specific program or function, and may include some procedural information. A NPM is effective for one year, and can be extended for one more year after that; however, after the extension (when it's ready to expire), it must either be incorporated into an IAM chapter or simply be allowed to expire.
- E. Regional Policy Memorandum (RPM)** is a temporary policy which adapts interim national policy to circumstances unique to particular regions. A RPM is effective for one year, and can be extended for one more year after that; however, after the extension (when it's ready to expire), it must either be incorporated into a RD or simply be allowed to expire. Regional policy cannot conflict with or supersede national policy.

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F. **Assistant Secretary's Order (ASO)** is a temporary directive by which the AS-IA may issue delegations of authority, special assignment of functions, establish new organizational units, and convey emergency directives. ASO provisions remain in effect for one year unless extended, revoked, or incorporated into the IAM. ASOs are signed only by the Assistant Secretary, the Principal Deputy Assistant Secretary, or an Acting Assistant Secretary.

1.7 Definitions.

- A. **Directive** is a means of written or verbal communication that conveys policy, initiates or governs actions, conduct, or procedures.
- B. **Directives Management** is the effective and efficient process of controlled directives and their distribution, use, maintenance, and disposition.
- C. **Document Identification Number** is the unique identification number for the type of directive being issued. Additional guidance on how document identification numbers are assigned is provided in 1 IAM 1-H: The IA Directives Handbook.
- D. **Indian Affairs (IA)** includes the Offices of the AS-IA, the BIE, and the BIA. The organization and functions of the components of IA are described in 110 DM 8 and 130 DM 1 through 130 DM 12.
- E. **Proper Documentation** is identifying what information needs to be created or received in order to provide documented evidence of carrying out official responsibilities; managing the organization; and meeting the Department's legal responsibilities.

Approval



John Tahsuda

Principal Deputy Assistant Secretary – Indian Affairs

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Date