



United States Department of the Interior



BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C. 20245

IN REPLY REFER TO:

FEB 18 1989

10 BIAM Release 44

Memorandum

To: Holders of 10 BIAM

From: Deputy to the Assistant Secretary - Indian Affairs (Operations)

Subject: Revised Delegation of Authority and Table of Contents

Since the establishment of the Deputies to the Assistant Secretary - Indian Affairs by Secretary's Order No. 3112 dated March 18, 1986, and the redelegation of authority by the Assistant Secretary - Indian Affairs in DM 230 dated February 9, 1987, the 10 BIAM containing redelegations of authority to Central Office Directors and to Area Directors has been obsolete. It is being revised to remove these obsolete portions.

Changes in the 10 BIAM are:

1. Addition of the definition of "Inherent Authority of the Position".
2. Incorporation of 230 DM into 10 BIAM 2;
3. Removal of 10 BIAM 2 - 5.3C and 7 - 9.3C which contained delegations which are now covered in the 230 DM; and
4. Sections 3 - 5 are now reserved for later redelegations of authority which will be issued by the Deputies to the Assistant Secretary - Indian Affairs.

Acting Deputy to the Assistant Secretary -
Indian Affairs (Operations)

Filing Instructions:

- (a) Remove superseded material:
10 BIAM 1.1 - 9.3C Release 39 (Dated 11/17/81) (22 sheets)
Illustrations 1, 2, and 3 Release 39 (Dated 11/17/81) (4 sheets)
- (b) Insert new material transmitted:
10 BIAM Release 44, Dated 2/18/89:
Transmittal memorandum (1 sheet)
Table of Contents (1 sheet)
Section 1.1 - 1.13D (2 sheets)
Section 2.1 (1 sheet)
Illustration 1 (1 sheet)
Illustration 2 (1 sheet)
Illustration 3 (1 sheet)
- (c) Pen-and-ink changes:
None.

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4. Reserved for Redelegations issued by the Deputy to the Assistant Secretary - Indian Affairs (Tribal Services)
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(To be issued later.)

6. Reserved for Redelegations issued by the Deputy to the Assistant Secretary - Indian Affairs/Director (Indian Education Programs)
(To be issued later.)

Illustrations

- 1. Delegation of Authority Flow Chart
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DELEGATION OF AUTHORITY
General

1. GENERAL

1.1 Purpose. The Assistant Secretary - Indian Affairs has delegated authority to the Deputies to the Assistant Secretary - Indian Affairs in the 230 DM. This part delegates authorities of the Deputies to the Assistant Secretary - Indian Affairs to other managers in the Bureau of Indian Affairs (BIA). Authorities delegated are subject to any limitations and exceptions listed in the specific delegation.

1.2 Policy. All authority of officials within the Bureau of Indian Affairs shall be derived from, and traceable to, delegations of authority issued by officials at a higher level in the organization. Delegations of authority shall be granted from higher to lower levels, and that chain of authority shall be clearly defined and described. This requires that all authority redelegated by BIA officials be officially documented, and it is Bureau policy that this part of the Bureau manual be the official vehicle for publishing delegated authorities. No other form of redelegation document is authorized. In redelegating any delegated authority, the following principles apply:

A. Officials to whom authority is delegated shall be held accountable for actions taken in exercise of that authority.

B. Authority shall correspond in amount, magnitude, or degree to assigned responsibilities to the greatest extent feasible to permit the efficient and effective execution of duties associated with those responsibilities.

C. Authority shall be delegated to the lowest level in the organization at which resources and competence are available for the proper exercise of that authority.

D. Authority delegated to a specific position or official by this part may be exercised by any successor position established as a result of an organizational change.

1.3 Authority. This directive is issued in compliance with, and pursuant to, the authority delegated in 230 DM to the Deputies to the Assistant Secretary - Indian Affairs.

1.4 Scope. This manual part contains and documents delegations of authority to BIA officials. Redelegations are conferred in the form of a release in 10 BIAM or its addenda. See Procedures 1.11, and Standards, 1.13.

DELEGATION OF AUTHORITY

General

1.5 Objectives. The objectives of this directive are to:

- A. Provide for one formal document where redelegated authority is published, and
- B. Clearly define redelegated authority.

1.6 Definitions.

A. Authority - power to direct the activities of an organization, function, or program; a citation used in support of an action.

B. Responsibility - the obligation to perform one's duty. The term implies accountability for the effective discharge of specific duties. The term "responsibility" may imply, but does not necessarily confer, any authority as defined herein.

C. Inherent Authority of the Position - the authority to carry out the responsibilities and functions assigned by virtue of the position held. For example: a Supervisor has authority to select, establish standards for, and rate an employee; employees who have been allocated funds have authority to authorize their expenditure; personnelists have authority to classify jobs, rank and rate applicants, and sign SF 50's which obligate the government to pay salaries.

D. Line Officer or Manager - provides specific direction for the operation of an activity, including accountability, planning, and controlling the attainment of goals and objectives. Managers with line authority have direct operational responsibility for accomplishing assigned missions and ensuring that activities under their authority are being performed in accordance with established laws, regulations, and policies.

E. Staff Officer or Manager - provides advice or services to line managers with regard to laws, regulations, and policies. A staff manager or officer provides functional oversight or technical supervision over counterpart staff in subordinate organizations.

1.7 Issuance of Redelegation Documents. All redelegations of authority made by Bureau officials will be in the form of a document published in 10 BIAM. No other form of redelegation document is authorized. The redelegations are to be issued by listing the exceptions only.

1.8 Publication in the Federal Register.

A. If the initial delegation of authority is published in the Federal Register after the effective date of the Public Information Act (July 1967), any redelegation of that authority shall also be published in the Federal Register.

DELEGATION OF AUTHORITY
General

B. Publication of delegation or redelegation of contracting authority is not required.

1.9 Exercise of Authority. An officer or employee who receives delegated authority (1) must exercise it in conformity with applicable statutes, regulations, Executive orders, and Departmental or other Federal Agency policies which the official conferring the delegation would be called upon to observe, and (2) may redelegate or authorize redelegation unless redelegation of authority is specifically prohibited or limited.

1.10 Effect of Delegation or Redelegation. An official who delegates or redelegates authority is not divested of the power to exercise that authority; nor does the delegation or redelegation relieve that official of the responsibility for action taken pursuant to the delegation.

1.11 Procedure for Issuance of Redelegation of Authority. The following procedures apply to all redelegations and/or withdrawals of redelegations of authority conferred by the Deputies to the Assistant Secretary - Indian Affairs. (See Illustration 1 for Delegation of Authority Flow Chart.)

A. Deputies to the Assistant Secretary - Indian Affairs. Originators of proposed redelegations shall consult with the Branch of Organization Management in the Office of Administration at the earliest stage of development to ensure proper preparation, review, clearance, and publication of redelegations.

1. Deputies to the Assistant Secretary - Indian Affairs shall submit the request for publication in 10 BIAM to the Director, Office of Administration.

2. The Director, Office of Administration, shall provide for the publication of the redelegated authority in 10 BIAM. (See Illustration 2 for format).

B. Area Office Directors. Area Directors shall provide for the publication of redelegated authority as addenda to 10 BIAM 2. (See Illustration 3 for format.)

1.12 Responsibility.

The Deputies to the Assistant Secretary - Indian Affairs; Area Office Directors; and subordinate line officials are responsible for acting on the requirements of this directive. These officials are responsible for the publication in this part of any redelegation of their authority, for ensuring that the delegation is maintained in a current status, and for requesting publication of delegations or redelegations in the Federal Register if such publication is required.

DELEGATION OF AUTHORITY
General

1.13 Standards for Redelelegation.

A. A redelegation of authority shall be in compliance with Bureau policy prescribed in 10 BIAM 1.2 and shall be conferred by the official having the authority.

B. A redelegation of authority granted by an official to whom authority has been delegated by the Assistant Secretary - Indian Affairs shall be published in the appropriate 10 BIAM chapter or as an addenda to 10 BIAM. See 230 DM 1.4.

C. Authority delegated or redelegated shall be in compliance with and in conformance with any limitations, exceptions, restrictions, and/or requirements prescribed in the initial delegation; and

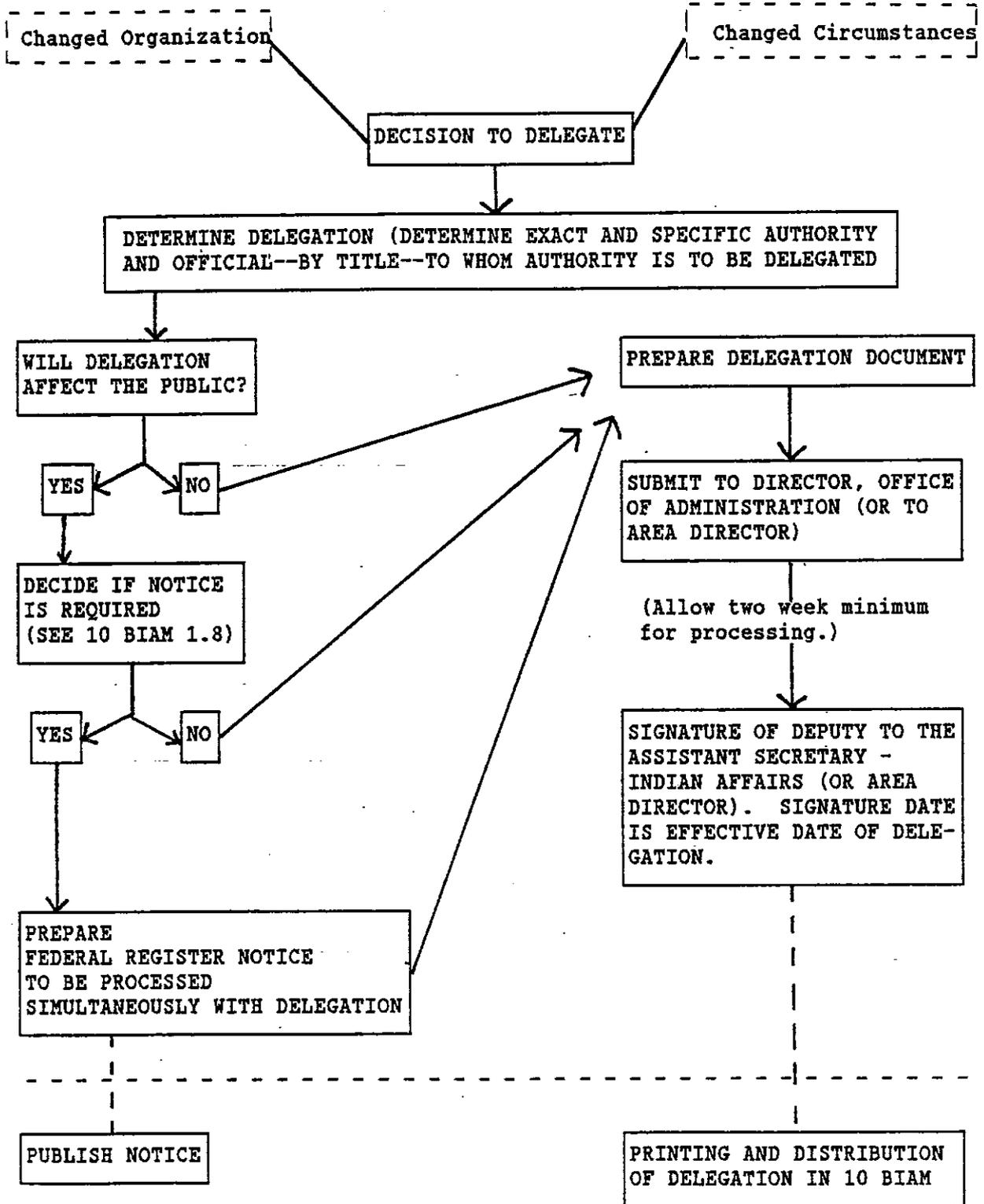
D. Authority shall be in compliance with and in conformance with all established laws, regulations, and policies governing the Bureau of Indian Affairs.

DELEGATION OF AUTHORITY
Delegation

2. DELEGATION

2.1 Authority of the Assistant Secretary - Indian Affairs. The authority of the Assistant Secretary - Indian Affairs is contained in 209 DM 8 and 205 DM. The 209 DM 8 contains program authorities delegated by the Secretary to the Assistant Secretary - Indian Affairs. The 205 DM contains administrative authorities delegated by the Secretary to all Interior Department Assistant Secretaries, the Solicitor, and Directors of Offices not under the supervision of an Assistant Secretary. The Assistant Secretary - Indian Affairs is authorized to redelegate the authority delegated by the Secretary by publishing a 230 DM release. The 230 DM release is incorporated into the 10 BIAM as the 10 BIAM Section 2 issuance and is to be inserted into the BIAM following this section and before the sections on delegations of authority by the Deputies to the Assistant Secretary.

DELEGATION OF AUTHORITY
FLOW CHART



FORMAT FOR 10 BIAM ADDENDUM
DELEGATION OF AUTHORITY FROM AREA OFFICE DIRECTORS

<u>ABERDEEN AREA OFFICE</u>	<u>REDELEGATION OF AUTHORITY</u>	<u>ADDENDUM TO</u>
	<u>DIRECTOR, ABERDEEN AREA OFFICE</u>	<u>10 BIAM 2</u>
	<u>General</u>	

1. GENERAL

1.1 Purpose. This addendum provides for the redelegation of authority conferred in 230 DM 3.

1.2 Policy. This release is an addendum to 10 BIAM. Therefore all the policies, procedures, and standards in 10 BIAM 1 and 3 are applicable.

1.3 Authority. Authority to issue this addendum is contained in 10 BIAM 1.

1.4 Limitations. Delegations of authority made by this addendum are not to be construed as depriving the Director, Aberdeen Area Office of the authority conferred by the Deputy to the Assistant Secretary - Indian Affairs (Operations).

1.5 Approval of Redelegations. Authorities delegated by this addendum may not be redelegated without prior approval of the Director, Aberdeen Area Office.

1.6 Conformance of Redelegations. Authorities redelegated shall be in conformance with policies, procedures, and standards prescribed in 10 BIAM 2 and in this addendum.

ABERDEEN AREA OFFICE

REDELEGATION OF AUTHORITY
DIRECTOR, ABERDEEN AREA OFFICE
Delegation of Authority

10 BIAM 2

2. DELEGATION OF AUTHORITY TO AREA OFFICE OFFICIALS

2.1 Authority of Assistant Area Director for Administration (Chief, Division of Administration). Subject to the limitations, exceptions, and restrictions set out in this addendum, the Assistant Area Director for Administration is authorized to exercise authorities delegated to the Deputy to the Assistant Secretary - Indian Affairs (Operations) in 230 DM 2.

A. Exceptions to Redelegation. Authorities delegated by this addendum do not include the following:

- (1)
- (2)

B.

2.2 Authority of Assistant Area Director for Trust (Chief, Division of Trust Resources).

2.3 Authority of Assistant Area Director for Tribal Services (Chief, Division of Program Services)

2.4 Authority of Agency Superintendents.

2.5 Authority of Specifically Designated Officials (by title).

(print on colored paper)

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DELEGATIONS OF AUTHORITY

General

1. GENERAL

1.1 Purpose. This part delegates authorities of the Deputy Assistant Secretary - Indian Affairs (Operations) to other officials in the Bureau of Indian Affairs (BIA). Authorities delegated are subject to any limitations and exceptions listed in the specific delegation. Authority of the Secretary is delegated to the Deputy Assistant Secretary - Indian Affairs (Operations) in 209 DM 8.

1.2 Policy. All authority of officials within the Bureau of Indian Affairs shall be derived from, and traceable to, delegations of authority issued by officials at a higher level in the organization. Delegations of authority shall be granted from higher to lower levels, and that chain of authority shall be clearly defined and described. This requires that all authority redelegated by BIA officials be officially documented, and it is Bureau policy that this part of the Bureau manual be the official vehicle for publishing delegated authorities. No other form of redelegation document is authorized. In redelegating any delegated authority, the following principles apply:

A. Officials to whom authority is delegated shall be held accountable for actions taken in exercise of that authority.

B. Authority shall correspond in amount, magnitude, or degree to assigned responsibilities to the greatest extent feasible to permit the efficient and effective execution of duties associated with those responsibilities.

C. Authority shall be delegated to the lowest level in the organization at which resources and competence are available for the proper exercise of that authority.

D. Authority delegated to a specific position or official by this part may be exercised by any successor position established as a result of an organizational change.

1.3 Authority. This directive is issued in compliance with, and pursuant to, the authority delegated in 209 DM 8 to the Deputy Assistant Secretary - Indian Affairs (Operations).

1.4 Scope. This manual part contains and documents redelegations of authority made by the Deputy Assistant Secretary - Indian Affairs (Operations) and other BIA officials. Redelegations are conferred in the form of a release in 10 BIAM or its addenda. See Procedures, section 1.11, and Standards, 1.13.

1.5 Objectives. The objectives of this directive are to:

A. Provide for one formal document where redelegated authority is published, and

B. Clearly define redelegated authority.

1.8 Authority of Persons Holding Designations as Deputy or Assistant. Positions having title prefixes of "Deputy", "Assistant" or "Assistant to" have different responsibilities and authorities although each may serve the same superior. Unless restricted in writing by the superior, these positions shall have the following stated authorities:

A. "Deputy" (Associate Commissioners, Directors, Area Directors, etc.) positions have the authority to sign, over their title, matters which are normally prepared for signature of their superiors. They have the full authority of their superiors for line direction of all programs under his jurisdiction. The difference between these positions and their superiors is that the superior establishes policy and furnishes primary direction over his staff and the deputy must work within these guidelines.

B. "Assistant" (Directors, Area Directors, etc.) positions have the full line authority of the Director for certain program or functional matters, as assigned. (For example, for Education, Administration, etc.) In this area of responsibility they may sign and approve correspondence normally prepared for the Area Director. These positions also differ from their superiors in that the superior has responsibility for primary direction over the staff and establishes policy guidelines to follow, where applicable. The Assistant must work within these guidelines.

C. "Assistant to" (Commissioner, Associate Commissioners, Directors, etc.) positions generally have no line authority over either programs or administrative matters. They may on occasion be furnished a small subordinate group to work for them, but usually function alone. Their principal duties normally involve furnishing staff advice on specifically assigned matters including both long and short term projects.

DELEGATIONS OF AUTHORITY

General

1.10 Effect of Delegation or Redelegation. An official who delegates or redelegates authority is not divested of the power to exercise that authority; nor does the delegation or redelegation relieve that official of the responsibility for action taken pursuant to the delegation.

1.11 Procedure for Issuance of Redelegations of Authority. The following procedures apply to all redelegations and/or withdrawals of redelegations of authority conferred by the Deputy Assistant Secretary - Indian Affairs (Operations). (See Illustration 1 for Delegation of Authority Flow Chart.)

A. Central Office Directors. Originators of proposed redelegations shall consult with the Division of Management Research and Evaluation in the Office of Administration at the earliest stage of development to ensure proper preparation, review, clearance, and publication of redelegations.

1. Central office directors shall submit the request for publication in 10 BIAM to the Director, Office of Administration.

2. The Director, Office of Administration, shall provide for the publication of the redelegated authority in 10 BIAM. (See Illustration 2 for format).

B. Area Office Directors. Area Directors shall provide for the publication of redelegated authority as addenda to 10 BIAM 3. (See Illustration 3 for format.)

1.12 Responsibility.

A. Responsibility for Issuance of Redelegations of Authority. The Deputy Assistant Secretary - Indian Affairs (Operations); central and area office directors; and subordinate line officials are responsible for acting on the requirements of this directive. These officials are responsible for the publication in this part of any redelegation of their authority.

B. Responsibility for Maintenance of Current 10 BIAM. These officials are responsible for the maintenance of current delegations of their authority in 10 BIAM.

C. Responsibility for Publication in the Federal Register. These officials are responsible for publishing delegations and redelegations of their authority in the Federal Register when they directly affect the public. See 10 BIAM 1.8, Publication in the Federal Register.

DELEGATIONS OF AUTHORITY

General

1.13 Standards for Redelegation.

A. A redelegation of authority shall be in compliance with Bureau policy prescribed in 10 BIAM 1.2 and shall be conferred by the official having the authority.

B. A redelegation of authority granted by an official to whom authority has been delegated by the Deputy Assistant Secretary - Indian Affairs (Operations) shall be published as addenda to 10 BIAM. See 10 BIAM 2.3 and 3.3.

C. Authority delegated or redelegated shall be in compliance with and in conformance with any limitations, exceptions, restrictions, and/or requirements prescribed in the initial delegation; and

D. Authority shall be in compliance with and in conformance with all established laws, regulations, and policies governing the Bureau of Indian Affairs.

DELEGATIONS OF AUTHORITY
Authority of Central Office Directors

2. AUTHORITY OF CENTRAL OFFICE DIRECTORS

2.1 Delegation. Subject to the limitations in 10 BIAM 2.2, central office directors are authorized to exercise the authority delegated to the Deputy Assistant Secretary - Indian Affairs (Operations) in 209 DM 8 pertaining to the responsibilities and functions assigned to them in 130 DM, Organization of the Bureau of Indian Affairs. This section of the Department Manual is incorporated into 5 BIAM 2.

This redelegation includes future authorities of the Secretary of the Interior redelegated to the Deputy Assistant Secretary - Indian Affairs (Operations) which:

A. Do not, by their own terms, disallow exercise of authority by officials organizationally subordinate to the Deputy Assistant Secretary - Indian Affairs (Operations);

B. Are not within the generally applicable exceptions in section 2.2 below; or

C. Are not expressly excluded by additional provisions to this part from being exercised by officials organizationally subordinate to the Deputy Assistant Secretary Indian Affairs (Operations).

2.2 Limitations on the Exercise of Authority. The authority delegated in 2.1 does not include the following unless such authority is specifically mentioned in the delegation to individual central office directors.

A. Authority to direct field operations.

B. Authority to redelegate to officials outside their organization without the approval of the Deputy Assistant Secretary - Indian Affairs (Operations).

C. Authority to establish Bureau policy or procedures to be followed by line officers or the public unless specific authority to do so is delegated elsewhere in 10 BIAM.

D. Authority which may not be redelegated below the Bureau head or assistant Bureau head level.

E. Authority to publish documents in the BIAM except:

(1) documents of redelegations as addenda to 10 BIAM, and

(2) documents of a purely informational nature.

F. Authority to sign correspondence involving:

(1) Directives or orders to Bureau employees not under their immediate supervision.

(2) Matters reserved to the Assistant Secretary - Indian Affairs or to the Deputy Assistant Secretary - Indian Affairs (Operations).

DELEGATIONS OF AUTHORITY
Authority of Central Office Directors

- G. Approve or disapprove requests for word processing equipment.
- H. Authorize interagency training exceeding 120 training days or 960 hours in duration.
- I. Approve the issuance of travel authorizations covering travel to the central office.
- J. Authorize or approve an employee's written request for an extension of time to complete a sale or purchase of a residence or a lease termination transaction.
- K. Authorize or approve payment of actual subsistence expense travel in other than designated high rate geographical areas.
- L. Approve absences from duty without charge to leave or without loss of compensation.
- M. Approve extensions of leave without pay.
- N. Approve educational leave.
- O. Approve the purchase of ADP hardware or software systems.
- P. Approve the use of term authority in appointment of employees.
- Q. Authorize or approve the use of first-class air accommodations.
- R. Approve awards for employees under their immediate supervision.
- S. Authority to commit allocation of funds or to approve advice of allotments.
- T. Authority to allocate or reallocate employment ceiling or workyear ceiling.
- U. Approve Bureauwide (two or more areas) forms/reports.
- V. Approve Bureauwide oil and gas leave bonds.
- W. Authority to prescribe procedures and to coordinate and act as the Freedom of Information Act (FOIA) Officer and liaison in the implementation of the FOIA.
- X. Authority to deny Privacy Act requests.
- Y. Authority to approve the disposal of records.

DELEGATIONS OF AUTHORITY

Authority of Central Office Directors

2.3 Authority to Redelegate. Central office directors may redelegate authorities delegated by the Deputy Assistant Secretary - Indian Affairs (Operations) in this part to officials within organizations under their supervision and direction. Redelegations shall be in conformance with policies, procedures, and standards prescribed in 10 BIAM 1 and 2.

2.4 Restrictions on Redlegation. Redlegation shall be in the form of an addendum to 10 BIAM. No other form of redlegation document is authorized.