

FUND DISTRIBUTION PROCESS

Program: Real Estate Services (RES) (TPA)

Type of Funding: Recurring (Base)/Recurring (Non Base)

Funding Authority/Responsibility: 25 U.S.C. 13 (The Snyder Act of November 2, 1921), 42 Stat. 208, Pub.L. 67-85; 90 Stat. 2233, Pub.L. 94-482; 25 U.S.C. 5108 et seq. (The Indian Reorganization Act of 1934), 48 Stat. 984, Pub.L. 73-383; Pub.L. 103-263; 25 U.S.C. 450 (The Indian Self-Determination and Education Assistance Act), 88 Stat. 2203, Pub.L. 93-638; Pub.L. 100-472; 102 Stat. 2285, Pub.L. 103-413. 25 U.S.C. 176 (Reorganization Plan No. 3 of 1946), 60 Stat. 1097. 25 U.S.C. 311 (The Act of March 3, 1901), 31 Stat. 1084, Pub.L. 56 382. 25 CFR 169 (25 U.S.C. 323-328) (Rights-of-Way) 25 U.S.C. 393 (The Act of March 3, 1921), 41 Stat. 1232, Pub.L. 66 359. 25 U.S.C. 396 et seq (35 Stat. 783; 52 Stat. 347; 70 Stat. 774) 25 U.S.C. 2201 et seq. (Indian Land Consolidation Act), 96 Stat. 2515, Pub.L. 97-459; 98 Stat. 3171, Pub.L. 98-608; Pub.L. 102-238. 25 U.S.C. 415 as amended by the HEARTH Act of 2012. 25 U.S.C. 5108, The Indian Reorganization Act, 48 Stat. 984 (Land into Trust) 25 U.S.C. 5110, The Indian Reorganization Act, 48 Stat. 986 (Proclamations) 25 U.S.C. 5101, et seq. (The Indian Reorganization Act of 1934), 48 Stat. 984, Pub. L. 73-383; Pub. L. 103-263

The Deputy Bureau Director, Office of Trust Services has responsibility for this funding.

Criteria for Distribution:

The majority of this funding is Base funding distributed directly from the Office of Budget and Performance Management (OBPM) according to historical Tribal Priority Allocation (TPA) base funding levels.

For Non Base funds, either a request from the Region is made to the RES Division Chief, or the Division Chief may issue a data call to the Regions to identify funding needs. These requests are usually based upon number of realty transactions.

e.g. Used in the past to fund Ft. Berthold; Osage; renewables; to cover shortfall when there was a surge in realty transactions, ie, oil & gas boom, ROW projects, equipment for system needs, etc.

Distribution Process:

Base Funds:

- Upon apportionment, Indian Affairs OBPM transmits TPA Recurring Base funds to the appropriate BIA Region or to the Office of Self Governance (OSG) for distribution to the agency and tribal level. (within 5 days of apportionment)

Non Recurring Funds:

- Upon apportionment, OBPM moves Non-base funding to the Office of Trust Services. (within 5 days)
- Once Central Office Realty receives distribution requests from the regions, they prepare FEDs for distribution (within 2 days).
- Trust Program Management submits the approved Regional FED to OBPM for execution to the appropriate BIA Region. (within 3 days)
- Trust Program Management submits approved OSG FED to OSG for approval and submission to

OBPM for execution. (within 3 days)

- OBPM moves the funding to the regions for processing to the tribes. (within 3 days)

Regional Processing:

- Indian Self Determination (ISD) Awarding Official negotiates terms, conditions of award, including payments. They calculate Contract Support Costs and prepare contract award/modifications in PRISM. (within 5 days)
- The ISD Awarding Official prints and mails the award/modification to tribe for review and acceptance. (within 5 days)
- Tribal elected official approves award/modification and returns the documentation to the Region/Agency.
- The ISD Awarding Official executes the award/modification and releases the obligation in PRISM. PRISM interfaces with ASAP and funds are available to tribes. (within 3 days of receipt of signed document)

OSG Processing:

- For Tribal programs, once both OSG and OBPM are in agreement with the distribution list, a FED document is processed to OSG for fund distribution. (within 3 business days.)
- OSG will process the FED, subsequent PR, and obligate funding. (within 7 business days.)

Tribes log into ASAP to draw funds into their account.