

INDIAN AFFAIRS MANUAL

- 1.1 Purpose.** This chapter describes how authority is delegated in Indian Affairs (IA).
- 1.2 Scope.** This policy applies to all of IA, including offices under the authority the Assistant Secretary - Indian Affairs (AS-IA), the Bureau of Indian Affairs (BIA), the Bureau of Indian Education (BIE), and the Bureau of Trust Funds Administration (BTFA).
- 1.3 Policy.** IA's policy follows that of the Department of the Interior (DOI): Authority should be delegated to the lowest levels in the organization to better address issues and strengthen communications (200 Departmental Manual (DM) 2, 2.1 A.). When determining the extent to which authority should be redelegated, consideration should be given to the existence and adequacy of policy and program guides; the need for centralized operations in the interests of efficiency, security, or financial control; the presence of trained personnel and/or specialized facilities where the authority is to be exercised; and the necessity of coordination on a bureau-wide, Departmental, or interagency basis (200 DM 2, 2.1 B.).
- 1.4 Authority.**

A. Statutes and Regulations.

- 1) 5 U.S.C. § 302, Delegation of authority
- 2) 25 U.S.C. § 1a, Delegation of powers and duties by Secretary of the Interior and Commissioner of Indian Affairs, as amended
- 3) 25 CFR 33.2 – 33.4, Transfer of Indian Education Functions

B. Guidance.

- 1) 200 DM 1 - 3, Delegation Series – General Provisions
- 2) 209 DM 8, Delegation, Secretarial Officers – Assistant Secretary - Indian Affairs
- 3) 209 DM 11, Delegation, Secretarial Officers – Special Trustee for American Indians¹
- 4) 210 DM 8, Delegation – Office of the Assistant Secretary - Indian Affairs
- 5) 210 DM 26, Delegation – Office of the Special Trustee for American Indians

¹ In 2020, the BTFA was established to assume the financial operations and functions previously performed by the Office of the Special Trustee (OST); OST no longer exists (see also 25 U.S.C. §§ 5634 – 5635). A new DM chapter has not yet been created to reflect this organizational change, however, so references to OST's DMs remain.

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- 6) 230 DM 1, Delegation – Director, Bureau of Indian Affairs and Director, Bureau of Indian Education
- 7) 296 DM 1 – 2, Emergency Delegations – Interior Emergency Operations
- 8) 302 DM 1, Departmental Management – Designation of Successors for Supervisors
- 9) 302 DM 2, Departmental Management – Designation of Successors for Presidentially-Appointed, Senate-Confirmed Positions

1.5 General Provisions on Redelegation. Unless redelegation is prohibited by statute, Executive Order, or limitations established by other competent authority, including the DM, program and administrative authorities may be further delegated.

1.6 Issuance and Suspension of Redelegations. All redelegations of authority made by the AS-IA, Deputy Assistant Secretaries (DAS), and Directors, BIA, BIE, and BTFA will be in the form of an Indian Affairs Manual (IAM) chapter in Part 3. Any statement regarding delegation of authority that is contained in any directive or regulatory material must be cross-referenced to, or have as its basis, a delegation published in Parts 200-255, Part 296, and/or Part 302 of the DM and/or a delegation as published in Part 3 of the IAM.

Temporary re-delegations of authority at the IA leadership level may be done via memorandum (i.e., in writing) and are for a fixed period of time. Leadership may temporarily redelegate their authority to another qualified individual if the person in that leadership position is taking leave or will be otherwise unavailable; redelegation may be made to an individual (i.e., qualified position) that is not on the succession plan (as documented per 302 DM 1 – 2) if management determines it necessary. These temporary redelegations are developed in coordination with the Office of the Solicitor (SOL) and the Executive Secretariat – Indian Affairs (ES-IA), approved through the Data Tracking System (DTS), and announced via email. For example, the AS-IA may document in a memorandum that the Deputy Assistant Secretary – Policy and Economic Development (DAS-PED) is delegated all AS-IA and Principal Deputy – Assistant Secretary (PDAS) authorities for a specific time period in which both the AS-IA and the PDAS will be out of the office.

An officer or employee who is delegated or redelegated authority must use such authority in accordance with laws, regulations, established policies and procedures, and appropriate budgetary limitations. Failure to comply may lead to disciplinary action.

An officer who delegates or redelegates authority does not lose the power to exercise that authority, nor does the delegation or redelegation relieve that official of the responsibility for actions taken by those to whom authority was delegated.

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Orders of Succession should follow the Department's guidance as documented in 302 DM 1 – 2, Departmental Management series.

1.7 Process for Developing/Updating a Delegation of Authority. The IA process for creating and/or updating a delegation of authority chapter, whether an IAM or IA-related DM delegation chapter, should follow the same process as IA's operational policy development, as documented in 1 IAM 1: Indian Affairs Directives System – General. This process also involves coordination with the IA Office of Regulatory Affairs & Collaborative Action (RACA).

Developing temporary redelegations of authority are documented above in section 1.6 and do not require coordination with RACA.

1.8 Publication. Unless issued by Secretary's Order, delegations of authority are published in the following documents; the IAM chapters are subject to change as needed:

Delegation From	Delegation To	Citation
	Secretary of the Interior	200 DM 1
Secretary	Assistant Secretary – Indian Affairs	209 DM 8
Assistant Secretary	Principal Deputy Assistant Secretary (PDAS)	209 DM 8 ²
Assistant Secretary/PDAS	Deputy Assistant Secretaries (DAS-Management (DAS-M) and DAS-Policy and Economic Development (DAS-PED))	210 DM 8
Assistant Secretary/PDAS	Director, BIA (130 DM 1-3) and Director, BIE (130 DM 8 ³)	230 DM 1
	General IA Delegation Chapter	3 IAM 1
PDAS	Office Directors [reporting to the PDAS]	3 IAM 2
DAS-M	Office Directors [reporting to the DAS-M]	3 IAM 3
Director, BIA	Deputy Bureau Director, Field Operations (130 DM 6) and to Regional Organizational Levels	3 IAM 4
Director, BIA	Deputy Bureau Director, Justice Services (130 DM 4)	3 IAM 5
Director, BIA	Deputy Bureau Director, Indian Services (130 DM 5) and Deputy Bureau Director, Trust Services (130 DM 7)	3 IAM 6

² In August 2020, the Department issued Secretary's Order (SO) 3384, which established the BTFA and delegated authority for its functions to the AS-IA.

³ BIE is developing its own organizational DM chapter separate from 130 DM so this reference will change. A new DM organizational chapter is also in development for BTFA, so this reference will be updated at a later date as well.

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Part 3
Chapter 1

Delegations of Authority
General

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Delegation From	Delegation To	Citation
DAS-PED	Office Directors [reporting to the DAS-PED]	3 IAM 7
Director, BIE	Deputy Director and Division Chiefs, Bureau of Indian Education	3 IAM 8
Director, BTFA	Office Directors [reporting to the BTFA Director]	3 IAM 9
Chief Financial Officer	Office Directors, Division Chiefs (CFO only)	3 IAM 10
Director, BIA	Chief, Division of Trust Land Consolidation	3 IAM 11

Approval



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Date