

# INDIAN AFFAIRS MANUAL

- 1.1 Purpose.** This chapter provides for the delegation of the authorities of the Assistant Secretary - Indian Affairs as provided in 209 DM 8, through the Director, Bureau of Indian Education (BIE) as provided in 230 DM 1, to the Deputy Directors, Associate Deputy Directors, and Assistant Deputy Director to fulfill the responsibilities for those functions, programs, and activities assigned to their organizations.
- 1.2 Scope.** This policy applies to the Deputy Director, School Operations; the Associate Deputy Director, West; the Associate Deputy Director, Navajo; the Associate Deputy Director, East; the Deputy Director, Policy, Evaluation and Post Secondary Education; the Associate Deputy Director, Division of Post Secondary; the Associate Deputy Director, Division of Performance and Accountability; and the Assistant Deputy Director, Administration. The section on monetary awards does not apply to volunteers, contract employees, and/or partners who are not eligible for monetary awards unless a different authority states otherwise.
- 1.3 Policy.** Subject to the limitations in 209 DM 8 and 230 DM 1, the Deputy Directors, Associate Deputy Directors, and Assistant Deputy Director, Bureau of Indian Education, are delegated the following authorities:
- A. General Delegations.** The program and administrative authorities to fulfill the responsibilities identified in 130 DM 8, subject to stipulations set forth in this Chapter.
- B. Specific Administrative Delegations**
1. The authority to approve awards (time-off, monetary, non-monetary recognition, letters of commendation, certificates, plaques, employee-to-employee recognition and length of service), subject to the following limits:
    - a. **Monetary Award - Individual:** Not to exceed \$5,000
    - b. **Monetary Award-Team:** Not to exceed \$10,000, provided each member in the group receives less than \$5,000.
    - c. Monetary awards based on a specific dollar amount in excess of \$5,000 require approval of the Assistant Secretary. Performance-based cash awards based on a percentage of the employee's pay in excess of \$5,000 do not require the approval of the Assistant Secretary.
    - d. **Time-Off Award** - Minimum: 1 hour. Maximum: 40 hours.
    - e. **A combination of awards** to an individual (including team awards) in a fiscal year period that exceeds an individual's approved level must be elevated to the next higher organizational level for approval.
  2. The authority to fill key positions. Selection of a qualified applicant to fill a vacant position, although the position of Deputy Director, Associate Deputy Director, Assistant Deputy Director, and any position classified at the GS-15 level must be approved by the Bureau Director, BIE.

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3. Personnel actions. Authority to sign and issue notices to employees of the following:
  - a. Proposed adverse actions, and decisions on adverse actions, including non-disciplinary demotions and separations
  - b. Proposed demotions or removals and decisions on demotions or removals, based on unacceptable performance
  - c. Terminations during probationary or trial periods.
4. Approval of additional travel expenses incurred by an employee with a disability
5. Authorization and approval of actual subsistence expenses
6. Authorization and approval of rooms used for other than lodging
7. Authority to approve contracts and grants pursuant to the Indian Self-Determination Act to Indian tribes and tribal organizations, under the limitations of this document, Section 1.5 C.

## C. Specific Program Delegations

1. Authority to award school construction and school operational grants pursuant to Tribally Controlled Schools Act of 1988 (25 USC 2501) as amended.
2. Authority, per the Individuals With Disabilities Act, Public Law 108-446, **PART B**: to assist tribes or tribal organizations in child find, screening, and other procedures for the early identification of children aged 3 through 5, parent training, and the provision of direct services and **PART C**: to assist States in child find, screening, and other procedures for the early identification of Indian children under 3 years of age and for parent training.
3. Authority to provide financial assistance to Tribal entities pursuant to the No Child Left Behind Act, Public Law 107-110 for the development of standards and assessments as part of an alternative definition of Adequately Yearly Progress (AYP) for students in elementary and secondary schools.

## 1.4 Limitations on Delegations.

- A. Director, BIE may not redelegate the authority to make written determinations to allow for closed or restricted meetings of advisory committees.
- B. Director, BIE may not redelegate the authority to issue Directives.
- C. Only employees who are certified under the Awarding Official Certification System (AOCS) may award and administer Self-Determination contracts and grants to Indian tribes and tribal organizations.
- D. The authorities identified in 230 DM 1.5, are **Exceptions to General Delegations** and are not delegated to Deputy Directors, Associate Deputy Directors, and the Assistant Deputy Director.

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## 1.5 Redelegations

**A. General Authorities.** Except where redelegation is prohibited by statute, Executive Order, or limitations established by other competent authority, including the limitations contained in this chapter, the authorities delegated to the Deputy Directors, Assistant Deputy Director, and Associate Deputy Directors in paragraph 1.3, above, may be redelegated.

### **B. Procurement Authorities.**

1. Purchases of \$3,000 or less may be redelegated to any employee through the issuance of a charge card with the purchase line.
2. Purchases in excess of \$3,000 may be redelegated by the Procurement Chief to employees who meet the requirements of the Contracting Officers' Warrant System.

### **C. Redelegation to Presidents of Haskell Indian Nations University and Southwestern Indian Polytechnic Institute.**

Subject to the limitations in 209 DM 8 and 230 DM 1, the authorities which have been delegated to the Associate Deputy Director - Division of Post Secondary by paragraph 1.3 above, are redelegated to the President of Haskell Indian Nations University (Haskell) and the President of Southwestern Indian Polytechnic Institute (SIPI). This delegation is subject to the stipulations and limitations identified in paragraph 1.3. These authorities may be redelegated only in conformance with limitations set forth in this Chapter.