

# INDIAN AFFAIRS MANUAL

**1.1 Purpose.** This policy establishes the funds distribution process for Indian Affairs (IA), and provides guidance on the distribution processes for appropriated funding for Bureau of Indian Affairs (BIA), Bureau of Indian Education (BIE), and Assistant Secretary – Indian Affairs (AS-IA) programs.

This policy includes high level, over-arching guidance as well as in-depth procedural information for individual types of funding. The use of these procedures, as well as the templates and documents referenced throughout, will ensure standard approaches at all levels within IA. This standardization will facilitate improved efficiency and timeliness in the distribution of funds to Tribes. The templates and documents referenced herein can be found on the Office of Budget and Performance Management’s (OBPM) webpage here: <https://www.bia.gov/as-ia/obpm/budget-docs/26IAM3DistributionofResources>.

**1.2 Scope.** This policy applies to all programs and offices under the authority of the AS-IA, including offices reporting to the BIA and BIE.

**1.3 Policy.** Funding will be distributed to suballottees in compliance with all legal restrictions and regulations. The Financial and Business Management System (FBMS) is the official record of account or finance system.

**1.4 Authority.**

**A. Statutes and Regulations.**

- 1) Appropriations Acts for the Department of the Interior (DOI)
- 2) 31 U.S.C. Subtitle I, General and Subtitle II, The Budget Process
- 3) 25 U.S.C. 1862(d), Tribally Controlled Postsecondary Career and Technical Institutions Program Distribution

**B. Guidance.**

- 1) Executive Order 11541, July 1, 1970
- 2) Executive Order 11609, July 22, 1971
- 3) Executive Order 11717, May 9, 1973
- 4) Office of Management and Budget (OMB) Circular A-11, Preparation, Submission and Execution of the Budget

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### 1.5 Responsibilities.

- A. **DOI Office of Budget (POB)** is responsible for reviewing and submitting all Bureau requests for apportionment to the OMB.
- B. **Deputy Assistant Secretary - Management (DAS-M)** is responsible for establishing and implementing policy and general oversight related to funds distribution within IA.
- C. **Director, OBPM, DAS-M** is responsible for approving funds distribution in accordance with applicable authorities.
- D. **OBPM staff** are responsible for requesting apportionment and warrants, calculating base funding amounts, entering budgetary data into FBMS, reflecting enacted appropriations, and entering allotments and suballotments into FBMS using Budget Version 0 and Version 1 entries.
- E. **Director, BIA and Director, BIE** are responsible for reviewing, verifying, certifying, and assigning suballocated funds.
- F. **BIA Programs, BIE Programs, and Central Office OBPM staff** are responsible for reviewing and verifying suballocated funds in FBMS, notifying program staff of the availability of funds, and processing funding documents to further distribute funds and resources to lower organizational levels or programs.
- G. **Regional Directors (RDs)** are responsible for reviewing, verifying, and certifying suballocated funds and approving designated regional officials for fund approval.
- H. **BIA Regional Budget Officers** are responsible for reviewing and verifying suballocated funds in FBMS, notifying program staff and awarding officials of the availability of funds, and processing funding documents to further distribute funds and resources to lower organizational levels or programs and Tribal fund centers within their respective regions.
- I. **Self-Determination Officers** are responsible for determining proper levels of contract support cost funding, preparing all necessary contracting documentation, sending contracting documents to Tribes for acceptance approval, and releasing funds within the Automated Standard Application for Payments (ASAP) drawdown website upon receipt of Tribal signature.

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- J. Director, Office of Self-Governance (OSG)** is responsible for reviewing, verifying, and certifying the suballocation of funds through Tribal compacts.
- K. OSG Financial staff** are responsible for reviewing and verifying suballocated funds in FBMS, processing funding documents, determining proper levels of contract support cost funding, preparing all necessary compact documentation, sending compacting documents to Tribes for acceptance approval, and releasing funds within the ASAP drawdown website upon receipt of Tribal signature.

### 1.6 Funding Levels and Restrictions.

**A. Appropriations.** Appropriated funds become available in two ways:

- 1) Continuing Resolution (CR) - Prior to enactment of a regular appropriations bill, funds are provided under a CR as passed by Congress and signed into law by the President of the United States.
- 2) Regular Appropriation - Regular appropriations bills provide funds once passed by Congress and signed into law by the President.

**B. Restrictions.** The use of appropriated funds is governed by the language in each fiscal year's (FY) appropriation as contained in the Public Law (P.L.), as well as other P.L.s that place restrictions on the use and distribution of IA funding (e.g., 25 U.S.C. 1862(d) places requirements on the distribution of funds for Tribal Colleges and Universities). IA must comply with all legal restrictions, terms, and conditions in the funds distribution process.

### 1.7 Allocation Processes.

- A. Apportionment/Warrant.** Upon appropriations bill approval, OBPM submits a Standard Form (SF) 132 Initial Apportionment to OMB through the DOI POB. The SF-132 form can only be downloaded from the OMB MAX website by authorized users. Once the apportionment is approved by OMB (OMB has 30 days to approve), OBPM sends a letter to the Department of the Treasury (Treasury) for warrant approval. The approved warrant is usually received within seven business days and is then entered into FBMS.
- B. CR.** If Congress passes a CR, then a comprehensive budget table is developed that outlines the level of funding authorized within the CR. This funding is based on the number of days the CR runs as a percentage of total days of funding within the FY. This percentage is then applied to the level of funding enacted for the previous FY for each program to determine distributions.

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- 1) Tribal Priority Allocation (TPA) Tables - TPA tables that outline Tribal base funding are adjusted according to the CR percentage to determine Tribal base levels of funding.
- 2) Regional Operational Programs (ROP) Tables - ROP tables that outline regional base funding levels are adjusted according to the CR percentage to determine regional levels of funding.

**C. Full Year Funding.** When full year funding is received, OBPM loads the full year amount at the Budget Address level in FBMS, and removes the CR and CR Cumulative amounts.

- 1) TPA Tables - Adjusted to reflect Tribally-requested and other approved base transfers within appropriated funding amounts, and the remaining base funding is distributed to regions and OSG for processing to Tribes.
- 2) ROP Tables - Adjusted to reflect any requested base transfers within final appropriated funding amounts, and the remaining base funding is distributed to the regions.
- 3) Budget Version 0 and Version 1 Suballotments - Once an appropriations bill for the DOI is enacted, approved allotments and suballotments are entered into FBMS with budget transaction entries "Version 0" and "Version 1" by OBPM staff. Budget Version 0 and Version 1 entries provide suballotment funding at the highest organizational level. A funding document is prepared by OBPM for TPA Base and ROP Base funding and the funding document is distributed electronically to central and regional offices. Central and regional offices make additional funding adjustments/distributions, as needed, using a funding document.

**D. Allotments/Suballotments.** The Director, OBPM, or designee, approves all allotments/suballotments and any underlying transactions (e.g., transfers, contract authority, etc.). Upon receipt of an approved apportionment from OMB, the OBPM reconciles FBMS entries to the approved apportionment.

- 1) Appropriated funds will be fully allotted/suballotted during the period of availability unless proposed for rescission or deferral.
- 2) Receipts are automatically allotted/suballotted throughout the year as collections are posted and receipt authority is realized within FBMS.
- 3) Reimbursement Authority is a part of the Sales Order process. The Reimbursement Authority is suballotted within the FBMS upon final approval of

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each Sales Order. Reimbursement Authority not associated with reimbursable agreements, such as the School Lunch program, is automatically allotted/suballotted within FBMS throughout the year as collections are posted and authority is realized.

- 4) Recoveries or deobligations in prior year (PY) non-expired accounts are made available in FBMS as they occur. Recoveries are posted as reductions to obligations and increase the unobligated balances in the affected Fund Center/Functional Area.
- 5) Unobligated no-year account balances will continue to be available in each source budget FY until expended or rescinded.
- 6) Transfers, or funding from other federal departments/agencies, will be allotted/suballotted throughout the year upon receipt and approval of official documentation (i.e., SF-1151) from the funding source providing the funding. The suballottee(s) is notified once the funds are suballotted in FBMS.
- 7) Contract Authority received from another Department (e.g., the Department of Transportation) to incur obligations will be allotted/suballotted throughout the year once the official documentation (e.g., a letter) providing the authority is approved and received. The official documentation is used in lieu of a funding document for these purposes. The suballottee is notified once the funds are suballotted in FBMS.

### 1.8 Other Standards, Requirements, and Procedures.

**A. Apportionment.** An apportionment is an OMB-approved plan to use budgetary resources (31 U.S.C. 1513(b); Executive Order 11541). It typically limits the obligations that may be incurred for specified time periods, programs, activities, projects, objects, or any combination thereof. An apportionment is legally binding, and obligations and expenditures (disbursements) that exceed an apportionment are a violation of, and are subject to reporting under, the Antideficiency Act (31 U.S.C. 1517(a)(1), (b)).

#### 1) Types of Apportionments

- a. Initial - Initial Apportionment
- b. CR - Written Apportionment
- c. Full Year - Annual Apportionment
- d. Actual Carryover

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- e. Re-apportionment
- f. Supplemental
- g. Cleanup
- h. Credit Loan Apportionment

## 2) Apportionment Process (Carryover and Full Year)

- a. Apportionment preparation starts in July and includes estimated unobligated balances, recoveries, new authority, and sequestered funds. The goal is to estimate within +/- 10% of last year's carryover, so the apportionment will be approved by OMB.
- b. Necessary documents to include are as follows (formats are found in DOI-issued apportionment guidance): SF-132 Appointment and Reapportionment Schedule, Summary of Requirements or Summary of Bureau Appropriations (anticipated mandatory accounts), Explanation of Carryover Estimates, and Explanation of Estimated Recoveries.
- c. Process to Determine Carry over request:
  - i. The OBPM processes FBMS budget transactions to move the unobligated fund amounts as of the end of the third quarter (June), and sends notifications to the appropriate Central Office and regional programs to be justified.
  - ii. The offices must outline whether funds are going to be obligated by the FY end, or if they will need to be carried over into the new FY.
  - iii. When completing this exercise, programs estimates should be within +/- 10% of actual expenditures at year end, or problems could arise in getting the full apportionment.
  - iv. Once the funds have been justified, the amounts go onto the Attachment E (in the DOI-issued guidance) and the SF-132 Apportionment Schedule.
- d. DOI POB process:
  - i. OBPM submits proposed apportionments to POB by mid-August.
  - ii. POB reviews the submission, verifying numbers and checking for large inconsistencies from the PY.
  - iii. Once POB verifies and clears the request, POB submits to the OMB.

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- e. OMB process:
  - i. OMB receives the apportionment and has 30 days to review and approve.
  - ii. OMB reviews the submission and confirms balances are appropriate and in line with PY requests.
  - iii. OMB will request additional information or clarifications if there are any anomalies.
  - iv. Once all questions are satisfied, OMB will make a determination and send an approval.

### 3) Credit Loan Apportionment

- a. The apportionment level for the loan ceiling is calculated by the IA Office of Indian Economic Development (OIED) Loan staff.
- b. Full funding, administrative costs, and ceiling are all outlined within appropriations language.
- c. The Loan staff determines the total subsidy amount by subtracting appropriated administrative costs from total appropriated funding.
- d. The OIED Credit Chief determines how much of the appropriated ceiling will be for insured loans.
- e. The Loan staff uses a credit subsidy calculator to determine Guaranteed and Insured subsidy rates.
- f. The Loan staff determines the Insured Subsidy by multiplying the determined level of insured ceiling by the FY Insured Loan Subsidy Rate.
- g. The Loan staff determines the Guaranteed Subsidy by subtracting the Insured Subsidy from the overall Subsidy level of funding.

### 4) Apportionment for Indefinite funds (Contract Support Costs)

- a. Apportionment for Contract Support Costs and other indefinite funds must be done on a separate request from IA Operational and Construction funding. Indefinite funds are required to be returned to Treasury at the end of the first FY despite the funds being classified as 2-year funds.

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- b. Although the apportionment is separate, the same process is followed as for other apportionments, and OMB still has 30 days to approve.

**B. Warrant.** A Treasury warrant is an order similar to a check. A warrant provides authorization that a payment be made from a public treasury. It is through Treasury warrants that government disbursements are paid.

### 1) Warrant Process

- a. Once an apportionment is approved by OMB, OBPM sends a letter to Treasury requesting the Funding Order. This is usually done the same day OBPM is notified of an approved apportionment.
- b. Treasury receives the Funding Order request and begins the process of issuing the warrant. Depending on the workload and the time of year, Treasury may respond as quickly as within one day, or may take up to one week to process the warrant request.
- c. Once Treasury has processed the warrant and notifies OBPM, the IA Budget Execution staff download the warrant from the Central Accounting Reporting System (CARS) (usually within one business day).
- d. OBPM reviews and signs off on the warrant, and enters it into FBMS to the appropriate suballottee.
- e. OBPM then notifies the suballottee that the warrant has been processed and is available.

**C. CR & Full Year Funding Process.** A CR is a joint resolution enacted by Congress when the new FY is about to begin or has begun. A CR provides budget authority for federal agencies and programs to continue in operation until the regular appropriations acts are enacted.

### 1) CR Process

- a. A CR is passed by Congress.
- b. OMB reviews and approves the CR for DOI (this usually takes between one to two business days).
- c. The Department's POB approves the CR for IA and outlines percentages to be applied (an additional one to two business days).



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- d. The Comp Table is updated by OBPM (one to two business days).
- e. OBPM loads the CR funding amount to the suballotted (SALT) budget type in FBMS at the budget address level (first 4 characters of the fund center and first 5 characters of the functional area) for Version 0 and Version 1. To designate the funding as a CR and to ensure the proper posting model is used, OBPM puts “C” in the legislative field for the Version 0 entry in FBMS. This makes the funding available to obligate (one to two business days).
- f. A second entry is done in FBMS along with the suballotted entry to capture the unavailable funding under the CR. This entry uses the budget type “UnAvailable under Continuing Resolution” (UACR). This is the difference between what the CR is based off of (PY funding, operating plan, etc.) minus the CR. This is processed at the budget address level in Version 0 only (concurrent with suballotted entry).

Example: Operating plan	\$100
- CR	- \$ 10
UACR	\$ 90

- g. Once the funding is loaded at the budget address level, the base and non-base entries must be completed. This moves the base and non-base funding to Tribal, regional, and program fund centers. The Version 0 entry is done at the budget address level and the Version 1 entry is done at the full level of the fund center and functional area (one to two business days, however OSG will require three business days to review prior to approving entries).
- h. If an additional CR is passed, steps b. through e. listed above are repeated. However, the entry that must be completed next is a reduction to UACR and an increase to SALT using the new CR amount to the budget address in Version 0. The “C” will still need to be used in the legislative field. The SALT budget amount will be added to Version 1 (this takes a total of three to six business days including steps b. through e.).
- i. The base and non-base tables will need to be updated and distributed in Version 0 at the budget address level and in Version 1 at the full address level. Updating the tables and posting could take an additional one to two business days. However, OSG requires three business days to review after the four to seven business days outlined in the steps above, so it could take up to seven to 10 business in total to process including OSG’s review.)
- j. If more CRs occur, steps b. through e. along with g. and h. will occur at each instance.

2) **Full Year Funding Process**

Once a full year appropriation is passed, the following needs to occur:

- a. OBPM loads the full year amounts at the budget address level in Version 0. OBPM then removes the CR and unavailable CR cumulative amounts. The column on the Comp Table that states “remaining to post” is posted to Version 1 (one to two business days after receiving the warrant).
- b. OBPM completes the remaining base and non-base entries in Version 0 at the budget address level and at full address level in Version 1 (two to three business days after receiving the warrant).

**D. Types of Funding.**

- 1) **Recurring Base Funding** means the funding levels and recipients are already established, so funding does not go to the program for distribution. Base funding amounts are formally documented to be taken out of the overall initial distribution and provided directly to the regional or Tribal recipient of the funds.

There are two types of documented base funding. Both of these areas are tracked and maintained by OBPM for distribution. The processes for tracking and management of base transfers for distribution is:

- a. **TPA.** Funds basic Tribal services and gives Tribes the opportunity to further Tribal self-determination by establishing their own priorities and reallocating federal funds among programs in this budget category.

Note: Three TPA programs (Road Maintenance, Welfare Assistance, and Housing) are formula-based programs that are calculated annually, and therefore are not able to be base-funded like the rest of the TPA programs.

- i. **Internal Transfers.** Also known as Tribal base changes. A data call is sent to the regions in the fall to compile base changes from the Tribes to reflect their budget priorities. The data must be provided within four weeks of the data call.
- ii. **Self-Governance Transfers.** A data request is sent to OSG in the fall to provide base adjustments for new and existing Self-Governance compacts. OSG provides data via the “Whitebook.” The data must be provided within four weeks of the data call.

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- iii. Other Transfers/Adjustments. A data call is sent to the Central Office programs in the Fall to provide any base changes/transfers to distribute non-base funding. The data must be provided within four weeks of the data call.

Note: Submitted changes are applied to Current Year (CY) Enacted to begin formulation of the Budget Year (BY) Request amount.

- iv. Fixed Costs

For Federal Pay Adjustments:

1. Download the PY Actual Full-Time Equivalent (FTE) report from the Budget Execution Reporting Tool (BERT) FTE.
2. Formulate the spread of federal pay-related adjustments using:
  - downloaded FTE data, and
  - control numbers displayed in the Comp Table (program level).

- v. Input final pay adjustments into the TPA table from the 638 pay adjustment worksheets as fully explained under section 1.8 D. 8) Tribal Pay-Related Adjustments (Pay Cost) within this document.

- vi. Enter program changes as identified on the Comp Table at the individual locations as necessary once enacted.

- b. **Regional Operation Allocations** provide recurring funding for each of the 12 BIA regional offices. Regions are permitted to adjust their base funding as determined by the RD during the annual budget formulation process.

- i. Internal Transfers

Regional Base Changes. A data call is sent to the regions in the Fall to compile base changes to reflect their priorities. The data must be provided within four weeks of the data call.

- ii. Self-Governance (SG) Transfers

1. A data request is sent to OSG in the fall to provide base adjustments for new and existing SG compacts.
2. OSG provides data via the “Whitebook.” The data must be provided within four weeks of the data call

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### iii. Other Transfers/Adjustments

A data call is sent to the Central Office programs in the Fall to provide any base changes/transfers to distribute non-base funding. The data must be provided within four weeks of the data call.)

Note: Submitted changes are applied to CY Enacted to begin formulation of the BY Request amount.

### iv. Fixed Costs

1. Federal Pay Adjustments
2. Download the PY Actual FTE report from BERT FTE.
3. Formulate the spread of federal pay-related adjustments using:
  - downloaded FTE data, and
  - control numbers displayed in the Comp Table (program level).

### v. Program Changes

Enter program changes as identified on the Comp Table at the individual locations as necessary once enacted.

- 2) **Recurring Non-Base Funding** is funding distributed by the program using historical levels of funding as their means of distribution. This type of funding is often called “Like TPA” by Tribes. The funding amounts for recipients are fairly static from year to year. Any increases are usually only due to pay cost or fixed cost increases. Any general increases to the program itself are usually distributed on a pro-rata basis to ensure consistency to all that receive funding. While the funds are not designated as “base” for recipients, there is a general policy with the management of these funds that funding levels for one recipient will not be reduced to increase funding for another recipient.
- 3) **Non-Recurring Formula Funding** is distributed annually by a program and cannot be base transferred to a Tribal fund center. A formula program has a documented standard methodology that calculates the level of funding to be disbursed annually. This measure ensures the same equity in fund distributions from year to year. Once the program receives funding, the program applies the standard methodology and disburses funding. Some formula-based programs use a high-level calculation to distribute funding to the regional level, where regional program staff further calculate for individual distributions. Other formula programs calculate the distributions down to the Tribal recipients from the Central Office program.

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Note: Three TPA programs (Road Maintenance, Welfare Assistance, and Housing) are formula-based programs that are calculated annually, and therefore are not able to be base-funded like the rest of the TPA programs.

- 4) **Non-Recurring Proposal Funding** is one-time funding that is distributed based on a weighted ranking of requests that are received from potential recipients. For a proposal-based program to determine annual distributions, they must first send out a formal request for Tribal proposals. This is usually done through a Federal Register Notice outlining the evaluation criteria and the timeline for submissions. Once the submission period has closed, the program assembles review teams to review all the submissions, and weigh and rank the proposals. For some programs, these review teams are assembled at the regional level and then each region submits a set of rankings to the Central Office program. The Central Office program will then consolidate all of the priority rankings to determine final funding distributions. Other programs assemble the review team at Central Office and then review all proposals on a national scale. Once all proposals are ranked and prioritized, the programs distribute funding to as many top ranked projects as possible.
- 5) **Court Ordered Funding** is distributed according to the federal responsibilities outlined in enacted land and water rights claim settlements with Indian Tribes. Apportioned funding is moved directly to the BIA Office of Trust Services (OTS), which is responsible for making distributions to the Office of the Special Trustee for American Indians (OST) or the regional office where the Tribe is located. The funding is based upon the payment direction outlined in the signed settlement agreement. The level of funding directed for payments can vary from year to year based upon what is needed to ensure settlements are fulfilled within the timeline established in the signed agreements.
- 6) **Pass Through Funding** are funds that IA receives from outside agencies for distribution to Tribes. Pass through funding comes to IA with the lower level distributions already outlined. The receiving program does not have any responsibility for determining the distributions. The program prepares the necessary paperwork to forward the funding on to the Tribal funds centers that are designated by the transferring agency.
- 7) **Gift and Donation Funding** is deposited into the Gift and Donation account and the funds become available for use by the intended recipient. If there are conditions attached to the gift or donation, Accounting will document these conditions. Accounting tracks all gifts or donations with a Work Breakdown Structure (WBS) number to increase the visibility of the usage of funds.

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- 8) **Tribal Pay-Related Adjustments (Pay Cost)** is determined by collecting year-end actual salary and FTE data. This information is used to formulate the amount of fixed cost increases for pay and benefits that will be included in the President's Budget Request. Congressional appropriations determine the actual level of funding provided. The Indian Self Determination and Education Assistance Act, P.L. 93-638, as amended, entitles Tribes operating federal programs under contract or compact to the same rate of pay increase as federal employees. In order for Tribes to share in these increases, OBPM sends out a data call requesting the salary and FTE information annually.

The process is as follows:

- a. Prior to issuance of the annual data call (by October 1):
  - i. OBPM reviews and updates 638 pay base salary worksheets to reflect current Tribes by region.
  - ii. OBPM confirms regional points of contact (POC).
  - iii. RDs confirm Tribal POCs for all Tribes within their region, including SG Tribes.
- b. OBPM issues a data call to RBOs in October/November to collect PY base salary information from all Tribes within each region including SG Tribes.
- c. Regions then distribute the data call within five business days to all Tribes in their region including SG Tribes.
- d. The RBOs and the Regional Awarding Official (RAO) have four weeks to collect salary information from Tribes.

Guidelines for salary data:

- i. If salary data is not current (PY Actuals), then the data year used must be provided in the "Year of Data" table at the bottom of the base salary worksheet.
- ii. There is a four-year limit of no response, after which point the Tribe will not be eligible for pay increases.
  1. RBOs/RAOs must review all Tribal data and determine if any Tribes are at the four-year maximum for using the same data.
  2. If a Tribe is in year four of data, the RBO/RAO sends a letter advising the Tribe it will need to provide salary data in the following year during the open data call timeframe established in October/November for the BY to resume/continue pay increases.

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3. For any Tribes past the four-year maximum, the RBO/RAO sends a second letter that states the Tribe must submit updated salary information during the current data call timeframe to resume/continue pay increases.
- e. If zero salaries are reported for any Tribe, RBOs/RAOs must check the appropriate box in the “Zero Salaries Explanation” table at the bottom of the base salary worksheet. If marked “Other,” written confirmation is required from the region for each of those instances.
  - f. RBO/RAO review upon receipt in December:
    - i. Follow up with any Tribes, including SG Tribes, that have not responded by the set due date. If there is still no response, use the last available data and record year (four-year limit).
    - ii. Ensure Tribal base salaries (no benefits) that are paid out of each budgeted program line are used.
    - iii. Ensure salaries are entered in actuals, not thousands.
    - iv. Ensure PY Actual salaries are used.
    - v. Prepare letters for any Tribes that are in the fourth year of data.
    - vi. Review the “Base Check” table at the bottom of the base salary worksheet.
      1. Tribes should only be including salaries covered by federal funding for the program, so they should not exceed the base level of funding. (No Tribally-funded positions should be recorded.)
      2. This does NOT apply to SG Tribes as compacts include other non-TPA funds.
    - vii. Check that the Consolidated Tribal Government Program (CTGP) is NOT broken out. And ensure there is an explanation for any zero salaries reported.
  - g. Submission of data call (four weeks from issuance):
    - i. RBO finalizes the 638 pay base worksheet.
    - ii. RBO completes the cover sheet and obtains required signatures.
    - iii. RBO saves documents to the designated shared drive folder by the established due date.
  - h. OBPM reviews the data upon receipt in December, and works with RBOs/RAOs to resolve any discrepancies.

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- i. OBPM develops a summary table of submitted salary data to calculate the spread of amounts provided by POB down to the Comp Table level for each element identified in their table (i.e., Pay Raise, Change in Paid Days, etc.).
- j. Once Congressional indications of fixed costs are known, the final 638 pay-related adjustments worksheet is prepared and entered into the TPA table in preparation for final appropriation.

### **E. Moving Funds to Tribes – Regional Distributions.**

#### **1) Base Funding Distribution Process**

- a. The TPA & ROP base funds are moved to the regional level, and a spreadsheet for the breakdown of funding is provided in a spreadsheet by OBPM to BIA Field Operations and each region. (Performed within five business days of apportionment/warrant.)
- b. Regional budget staff verify distributions and alert program managers that funds have been allocated to their program lines. (Performed within three business days.)
- c. Regional program managers reallocate funds in their Version 1 accounts as determined by program objectives. Regional internal processes for program management of funds determine the level of funding for each Tribal and non-Tribal account. (Performed within five business days.)
- d. Program managers submit requests for funding allocations to the regional budget staff for verification, and to the RD for approval. (Performed within five to seven business days.)
- e. Once approved, Fund Execution Documents (FEDs) are sent to OBPM for final Version 0 allocation in FBMS. (Performed within five to seven business days.)

#### **2) P.L. 638 Contract Funding Distribution Process for Approved Contracts**

- a. 90 days prior to the end of the FY, Tribes submit proposals for contract renewal in accordance with 25 CFR 900.
- b. Within 90 calendar days, the Approving Official approves the proposal.
  - i. Once the supporting documents are received from the Tribe, a purchase request (PR) is submitted by the program manager. (Performed within three business days.)



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- ii. Once the PR has been fully approved, the PR is transmitted to the ASAP to be awarded (obligated). (Performed within five to seven business days.)
- c. The Indian Self-Determination (ISD) Awarding Official negotiates the terms and conditions of the award, including payments. The Awarding Official calculates Contract Support Costs and prepares the contract award/modifications in the Procurement Request Information System Management (PRISM) (Performed within five business days.)
- d. The ISD Awarding Official prints and mails the award/modification to the Tribe for review and acceptance. (Performed within five business days.)
- e. A Tribal elected official approves the award/modification and returns the documentation to the region/BIA Agency. (Timelines cannot be placed on Tribes.)
- f. The ISD Awarding Official executes the award/modification and releases the obligation in PRISM. PRISM interfaces with ASAP and the funds are made available to Tribes. (Executed within three business days of receipt of signed document.)
- g. Tribes log into ASAP to draw funds into their account.

### **F. Moving Funds to Tribes – OSG Distributions.**

#### **1) Full Year funding**

- a. Once funds are appropriated and apportioned to OBPM, a distribution list for SG compacts is sent to OSG for review. (Performed within seven business days of apportionment.)
- b. OSG must review each individual SG compact's base formulation for accuracy, ensuring any congressional across-the-board reductions or increases are implemented, pay costs are incorporated, and all approved base transfers are accounted for. (Performed within five to seven business days.)
- c. Once OSG has concluded their initial review and reconciliation of the SG base funding, OSG sends an email to OBPM, either providing OBPM with their concurrence of the proposed distribution list, or bringing forward a list of issues to be reviewed and rectified with OBPM. (Performed within five business days.)

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- d. In the event that there are issues with the proposed distribution list, OBPM will work with OSG to rectify the situation. (Performed within five business days.)
- e. Once both OSG and OBPM are in agreement with the distribution list, a FED document is prepared by OBPM and sent to OSG for processing. (Performed within three business days.)
- f. OSG will process the FED, subsequent PR, and obligation of funds. (Performed within seven business days.)

### 2) CR

- a. In the event that a full year's spending bill is not passed by October 1, and a CR(s) is enacted, the process above must be repeated for each CR and subsequent full year's spending bill, with minor changes to the process.
- b. It is understood that base changes, pay costs, and any across-the-board increase or decrease to funding to be enacted by Congress will not be factored into the process while OBPM and OSG are distributing funds under CRs.
- c. When CRs have concluded and a full year spending bill is enacted, OBPM must provide OSG with a final distribution list. (Performed within five business days.)
- d. Depending on the language of the spending bill, this final distribution list may remove any across-the-board reduction to funding which was included in the CRs, factor in any across-the-board reduction or increase enacted by Congress, and factor in all approved base changes and pay costs. OSG will review and respond to OBPM with concurrence or changes. (Performed within five to seven business days.)
- e. If any issues arise during the final reconciliation, OBPM will work with OSG to rectify the situation. (Performed within three to five business days.)
- f. Once both OSG and OBPM are in agreement with the distribution list, OBPM prepares a FED document and sends it to OSG for processing. (Performed within three business days.)
- g. OSG processes the FED, subsequent PR, and obligation of funds. (Performed within seven business days.)

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## G. Managing Tribal Shares

- 1) Each region will maintain documentation of Tribal shares for all programs available to the Tribes within their regions.
- 2) If the Tribes within the region participated in the 1990 Tribal shares process, this should be the basis for initial funding determinations within the Tribal shares document.
- 3) If a Tribe within the region did not participate in the 1990 Tribal shares process, the region should work with that Tribe to outline Tribal shares for individual programs based upon existing program criteria, or in the absence of program criteria, Tribal population and land base.
- 4) These established Tribal shares will then be maintained in a spreadsheet format (Attachment 15 – Suggested Example) that includes, at a minimum, the following:
  - a. Amounts for TPA Base, Regional Operations, Non-Base, and Direct Service levels of funding.
  - b. Tracks increases/decreases for fluctuations in funding to program lines.
  - c. Budget lines consistent with the budget subactivity titles within the most recent Comprehensive Table.
  - d. Residual levels of funding within lines.
- 5) The Tribal shares spreadsheet must be updated and maintained on an annual basis, at minimum.
- 6) When a Tribe contacts the region and provides intent to contract or move to compact, these documents should be immediately reviewed and updated as necessary.
- 7) Up-to-date information on available funding for the Tribe must be provided to the Tribe within five business days of notification of intent to contract or move to compact, this will allow the Tribe to prepare to negotiate appropriate funding levels.

### Approval

**JASON FREIHAGE** Digitally signed by JASON FREIHAGE  
Date: 2022.02.15 10:46:06 -05'00'

Jason Freihage  
Deputy Assistant Secretary - Management

Date