

# INDIAN AFFAIRS MANUAL

**1.1 Purpose.** This chapter establishes the administrative control of funds policy for Indian Affairs (IA). Specifically, this policy provides the framework in which IA will operate an administrative control of funds system designed to ensure that funds are expended pursuant to enacted appropriations and in accordance with specific directives of the United States Congress. This policy also documents procedures for reporting violations of the Antideficiency Act (ADA).

**1.2 Scope.** This policy applies to all programs and offices under the authority of the Assistant Secretary - Indian Affairs (AS-IA), including AS-IA offices, the Bureau of Indian Affairs (BIA), and the Bureau of Indian Education (BIE).

**1.3 Policy.** It is IA's policy that officials receiving funds must be held administratively accountable and are subject to the provisions of the ADA.

**1.4 Authority.**

**A. Statutes and Regulations.**

- 1) P.L. 97-255, Financial Managers Financial Integrity Act (FMFIA) as amended
- 2) P.L. 97-258, ADA, as amended
- 3) P.L. 101-508, Title V--Federal Credit Reform Act (FCRA) of 1990
- 4) 31 U.S.C. 9, Agency Chief Financial Officers
- 5) 31 U.S.C. 11, The Budget and Fiscal, Budget, and Program Information
- 6) 31 U.S.C. 13, Appropriations
- 7) 31 U.S.C. 15, Appropriation Accounting
- 8) 31 U.S.C. § 3512, Executive agency accounting and other financial management reports and plans

**B. Guidance.**

- 1) 328 Departmental Manual (DM) 1 - 3, Administrative Control of Funds
- 2) Office of Management and Budget (OMB) Circular A-11, Preparation, Execution, and Submission of the Budget

# INDIAN AFFAIRS MANUAL

- 3) Principles of Federal Appropriations Law (Red Book), U.S. Government Accountability Office (GAO)

## C. Handbooks.

- 1) IA Financial Management Handbook (FMH). This handbook contains information on all financial codes and is updated annually or on an as-needed basis. It is available to IA employees only on the IA intranet here:  
[Financial Management Handbooks | INSIDE INDIAN AFFAIRS](#)

## 1.5 Responsibilities.

A. **Deputy Assistant Secretary – Management (DAS-M)** establishes an overall system of funds control within IA and reports statutory violations of the ADA.

B. **Director, Office of Budget and Performance Management (OBPM), DAS-M** is responsible for:

- 1) communicating with and coordinating notifications of potential ADA violations with the DAS-M and the Chief Financial Officer (CFO);
- 2) approving funding adjustments to address negative residual budget authority for non-expired accounts; and
- 3) approving budgetary updates in the Financial and Business Management System (FBMS).

C. **OBPM** is responsible for:

- 1) ensuring budgetary data is accurate and reflects enacted appropriations, approved apportionments, allotments, and sub-allotments and is posted at the budget address level in the FBMS at Budget Version 0 (V0);
- 2) ensuring reprogramming actions and reports adhere to federal law, and Congressional and Department of the Interior (DOI) guidance;
- 3) advising senior management of problems in funding distributions or obligation rates;
- 4) establishing and maintaining budget controls;
- 5) ensuring requests for funding adjustments to address negative residual budget authority for non-expired accounts are processed; and
- 6) controlling and monitoring budgetary updates in the FBMS properly.

## INDIAN AFFAIRS MANUAL

D. **IA CFO** is responsible for:

- 1) receiving reports of potential ADA violations; and
- 2) taking all appropriate steps to address and remedy such violations as possible.

E. **Office of the CFO (OCFO)** is responsible for:

- 1) providing accounting and reporting support to IA;
- 2) ensuring that the accounting system fully supports the bureau's funds control systems; and
- 3) providing for the recording of financial transactions, including both budgetary (apportionments, reapportionments, allotments, suballotments, etc.) and spending (obligations, expenditures, etc.).

F. **Suballottees** are responsible for reviewing, verifying, and certifying suballocated funds. They are also responsible for *all* funding within their suballotment, and signing reprogrammings originating from their suballotment.

### 1.6 Definitions.

A. **Allotment** means an amount made available at the Budget Activity level (i.e. Tribal Government or Community & Economic Development, etc.).

B. **Apportionment** means a plan, approved by OMB, to spend resources provided by one of the annual appropriations acts, a supplemental appropriations act, a continuing resolution, or a permanent law (mandatory appropriations). Resources are apportioned by Treasury Appropriation Fund Symbol (TAFS). The apportionment identifies amounts available for obligation and expenditure. It also specifies and limits the obligations that may be incurred, and expenditures made (or makes other limitations, as appropriate) for specified time periods, programs, activities, projects, objects, or any combination thereof. An apportioned amount may be further subdivided by an agency into allotments, suballotments, and allocations.

C. **Appropriation** means a provision of law (not necessarily in an appropriations act) authorizing the expenditure of funds for a given purpose.

D. **Budget authority** means the authority provided by law to incur financial obligations that will result in outlays. The specific forms of budget authority are appropriations, borrowing authority, contract authority, and spending authority from offsetting collections.

## INDIAN AFFAIRS MANUAL

- E. Budgetary resources** mean amounts available to incur obligations in a given year. Budgetary resources consist of new budget authority and unobligated balances of budget authority provided in previous years.
- F. Comprehensive Budget Table** is a listing of accounts proposed as part of the annual President's Budget request to Congress.
- G. Expenditure** see Outlay.
- H. Obligation** means a binding agreement that will result in outlays, immediately or in the future. Budgetary resources must be available before obligations can be incurred legally.
- I. Outlay** means a payment to liquidate an obligation (other than the repayment of debt principal or other disbursements that are "means of financing" transactions). Outlays generally are equal to cash disbursements but also are recorded for cash-equivalent transactions, such as the issuance of debentures to pay insurance claims. In certain instances, outlays may be recorded on an accrual basis such as interest on public issues of the public debt. Outlays are the measure of Federal Government spending.
- J. Suballotment** means an amount made available at the Comprehensive Budget Table level. This is also the level where ADA controls are monitored.
- K. Suballottee** is someone who has been designated as the responsible party for a portion of the IA budget allotment. For IA, this is usually at the Deputy Bureau Director level or at the Office level (for the AS-IA). In the FBMS, this is someone who is responsible for the V0 level of funding (i.e., usually designated within the four-character Fund Center). Suballottees allocate and suballocate portions of their funding to lower levels of responsibility within their suballotment.

### 1.7 Standards, Requirements, and Procedures.

#### A. Violations of the ADA

The ADA prohibits federal agencies from obligations or expending federal funds in advance or in excess of an appropriation, and from accepting voluntary services. Specifically, it prohibits federal employees from:

- 1) Making or authorizing an expenditure from, or creating or authorizing an obligation under, any appropriation or fund in excess of the amount available in the appropriation or fund, unless authorized by law.

# INDIAN AFFAIRS MANUAL

- 2) Accepting voluntary services for the United States or employing personal services not authorized by law, except in cases of emergency involving the safety of human life or the protection of property.
- 3) Involving the Federal Government in any obligation to pay money before funds have been appropriated for that purpose, unless otherwise allowed by law.
- 4) Making obligations or expenditures in excess of an apportionment or reappropriation, or in excess of the amount permitted by agency regulations.

Federal employees who violate the ADA are subject to administrative and/or penal sanctions. Employees may be subject to appropriate administrative discipline including suspension from duty without pay or removal from office. In addition, employees may also be subject to fines, imprisonment, or both.

## B. Reporting Violations

Any individual with knowledge of a possible violation has the responsibility to report it to their immediate supervisor.

If the violation cannot be corrected, the supervisor will report the violation to the official(s) responsible for the funds involved, i.e., the suballottee, the CFO, and the Director, OBPM. The Director, OBPM will then notify the DAS-M; upon verification of the violation, the DAS-M will follow the reporting procedures described in 328 DM 1.6(B).

## Approval

**JASON FREIHAGE** Digitally signed by JASON FREIHAGE  
Date: 2021.05.05 13:22:22 -0400

Jason Freihage  
Deputy Assistant Secretary – Management (DAS-M)

Date