

OST DIRECTIVES TRANSMITTAL SHEET

(Modified DI -416)

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FOR FURTHER INFORMATION Deputy Special Trustee - Trust Services		DATE SEP 17 2014

EXPLANATION OF MATERIAL TRANSMITTED:

This chapter provides for delegation of authorities from the Deputy Special Trustee – Trust Services as provided in **210 DM 26 and related DM Chapters** to the position of Lead Probate Specialist.



Douglas A. Lords, Deputy Special Trustee
Trust Services

FILING INSTRUCTIONS:

Remove: 900 OM 23

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Part 500
Chapter 2

Delegation of Authority
Delegation to Lead Probate Specialist

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- 1.1 Purpose.** This Chapter provides for delegation of authorities from the Deputy Special Trustee – Trust Services as provided in **210 DM 26** to the position of Lead Probate Specialist. This delegation provides for the programmatic functions necessary to provide increased beneficiary trust services and to fulfill the responsibilities for the functions, programs, and activities assigned to the organizational unit.
- 1.2 Scope.** This Chapter applies to the position of Lead Probate Specialist by the delegated authority of the Deputy Special Trustee – Trust Services.
- 1.3 Policy.** It is the policy of the Office of the Special Trustee for American Indians (OST) to issue Delegations of Authority to appropriate positions within OST. Each delegation is issued in strict compliance with the provisions set forth in the Departmental Manual (DM). This delegation is authorized with consideration given to the:
- A. Need for efficiency of operations.
 - B. Availability of trained staff.
 - C. Need to coordinate programs on an OST-wide basis.
- 1.4 Authority for Delegation.**
- A. Organization, Office of the Special Trustee for American Indians in **110 DM 26**.
 - B. Delegation of Authority to the Secretary of the Interior, General Provisions in **200 DM 1**.
 - C. Delegations, Special Trustee for American Indians and the Principal Deputy Special Trustee in **209 DM 11** to exercise all of the authority of the Secretary, subject to the limitations in **200 DM 1**, relating to the trust responsibilities enumerated by Congress in Chapter 42 of Title 25 of the U.S. Code – American Indian Trust Fund Management Reform, Subchapters I & II (**25 U.S.C. § 4011 - 4029**).
 - D. Delegation, Heads of offices, including the Deputy Special Trustees - Trust Services, within OST in **210 DM 26** to account for the daily and annual balance of all funds held in trust by the United States for the benefit of an Indian tribe or an individual Indian that are deposited or invested pursuant to the Act of June 24, 1938 (**25 U.S.C. 162a**).
 - E. No power to divest responsibilities when delegated to another position within the organization as set forth in **200 DM 1.9**.
- 1.5 Delegation of Program Authority.** Specific authority delegated by the Deputy Special Trustee – Trust Services to the position of Lead Probate Specialist includes the following:
- A. Authority to disburse and transfer probate, tribal, and/or individual Indian trust funds.
 - B. Perform accounting activities that properly record funds disbursed for the purposes of probate.
- 1.6 Limitations.** The delegation is limited to trust program authorities specifically related to the functions and responsibilities assigned to the Deputy Special Trustee – Trust Services

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and subject to the limitations in **200 DM 1**. The authority to approve disbursements and to make transfers is subject to the following limits:

- A.** For purposes of probate: Not to exceed \$1,000,000.
- B.** For purposes of tribal and/or individual Indian trust funds: Not to exceed \$1,000,000.

1.7 Effect of Delegation. This delegation does not divest the power of the Deputy Special Trustee – Trust Services to exercise the authority stated in **paragraph 1.5**, nor does the delegation relieve the Deputy Special Trustee – Trust Services of the responsibility for action taken pursuant to the delegation.

1.8 Authority for Redlegation. No other form of redelegation is authorized. Authorities delegated by this directive shall not be redelegated without the prior approval of the Deputy Special Trustee – Trust Services.

1.9 Expiration Date. The delegation of authority will remain in effect until amended, superseded, or revoked.