

CHAPTER VI—OFFICE OF THE ASSISTANT  
SECRETARY, INDIAN AFFAIRS, DEPARTMENT OF  
THE INTERIOR

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## APPENDIX A TO PART 1000—MODEL COMPACT OF SELF-GOVERNANCE BETWEEN THE TRIBE AND THE DEPARTMENT OF THE INTERIOR

AUTHORITY: 25 U.S.C. 458aa–gg.

SOURCE: 65 FR 78703, Dec. 15, 2000, unless otherwise noted.

### Subpart A—General Provisions

#### § 1000.1 Authority.

This part is prepared and issued by the Secretary of the Interior under the negotiated rulemaking procedures in 5 U.S.C. 565.

#### § 1000.2 Definitions.

*403(c) Program* means a non-BIA program eligible under section 403(c) of the Indian Self-Determination and Education Assistance Act of 1975, as amended, 25 U.S.C. 450 *et seq.* and, specifically, a program, function, service, or activity that is of special geographic, historical or cultural significance to a self-governance Tribe/Consortium. These programs may be referred to, also, as “nexus” programs.

*Act* means the Tribal Self-Governance Act, Title IV of the Indian Self-Determination and Education Assistance Act of 1975, Pub. L. 93–638, as added by Pub. L. 103–413, amended by Pub. L. 104–109, as amended.

*Applicant pool* means Tribes/Consortia that the Director of the Office of Self-Governance has determined are eligible to participate in self-governance in accordance with §1000.16 of these regulations.

*BIA* means the Bureau of Indian Affairs of the Department of the Interior.

*BIA Program* means any program, service, function, or activity, or portion thereof, that is performed or administered by the Department through the Bureau of Indian Affairs.

*Bureau* means a bureau or office of the Department of the Interior.

*Compact* means an executed document that affirms the government-to-government relationship between a self-governance Tribe and the United States. The compact differs from an annual funding agreement (AFA) in that parts of the compact apply to all bureaus within the Department of the Interior rather than a single bureau.

*Consortium* means an organization of Indian Tribes that is authorized by those Tribes to participate in self-governance under this part and is responsible for negotiating, executing, and implementing annual funding agreements and compacts.

*Construction management services (CMS)* means activities limited to ad-

ministrative support services, coordination, oversight of engineers and construction activities. CMS services include services that precede project design: all project design and actual construction activities are subject to Subpart K of these regulations whether performed by a Tribe subcontractor, or consultant.

*Days* means calendar days, except where the last day of any time period specified in this part falls on a Saturday, Sunday, or a Federal holiday, the period must carry over to the next business day unless otherwise prohibited by law.

*Director* means the Director of the Office of Self-Governance (OSG).

*DOI or Department* means the Department of the Interior.

*Funding year* means either fiscal or calendar year.

*Indian* means a person who is a member of an Indian Tribe.

*Indian Tribe or Tribe* means any Indian Tribe, band, nation or other organized group or community, including pueblos, rancherias, colonies and any Alaska Native village, or regional or village corporations as defined in or established pursuant to the Alaska Native Claims Settlement Act, that is recognized as eligible for special programs and services provided by the United States to Indians because of their status as Indians.

*Indirect cost rates* means the rate(s) arrived at through negotiation between an Indian Tribe/Consortium and the appropriate Federal agency.

*Indirect costs* means costs incurred for a common or joint purpose benefitting more than one program and that are not readily assignable to individual programs.

*Nexus Program* means a 403(c) Program as defined in this section.

*Non-BIA Bureau* means any bureau or office within the Department of the Interior other than the Bureau of Indian Affairs.

*Non-BIA programs* means those programs administered by bureaus or offices other than the Bureau of Indian Affairs within the Department of the Interior.