

## Bureau of Indian Affairs, Interior

## § 170.2

### APPENDIX A TO SUBPART G—LIST OF ACTIVITIES ELIGIBLE FOR FUNDING UNDER BIA TRANSPORTATION FACILITY MAINTENANCE PROGRAM

#### Subpart H—Miscellaneous Provisions

##### HAZARDOUS AND NUCLEAR WASTE TRANSPORTATION

- 170.900 What is the purpose of the provisions relating to transportation of hazardous and nuclear waste?
- 170.901 What standards govern transportation of radioactive and hazardous materials?
- 170.902 What is the role of State, tribal, and local governments?
- 170.903 Who notifies tribes of the transport of radioactive waste?
- 170.904 Who responds to an accident involving a radioactive or hazardous materials shipment?
- 170.905 How can tribes obtain training in handling hazardous material?
- 170.906 Who cleans up radioactive and hazardous material spills?

##### REPORTING REQUIREMENTS AND INDIAN PREFERENCE

- 170.910 What information on the IRR Program or projects must BIA provide to tribes?
- 170.911 Are Indians entitled to employment and training preferences?
- 170.912 Does Indian employment preference apply to Federal-aid Highway Projects?
- 170.913 Do tribal-specific employment rights and contract preference laws apply?
- 170.914 What is the difference between tribal employment preference and Indian employment preference?
- 170.915 May tribal employment taxes or fees be included in an IRR project budget?
- 170.916 May tribes impose taxes or fees on those performing IRR Program services?
- 170.917 Can tribes receive direct payment of tribal employment taxes or fees?

##### EMERGENCY RELIEF

- 170.920 What is the purpose of the provisions relating to emergency relief?
- 170.921 What emergency or disaster assistance programs are available?
- 170.922 How can States get Emergency Relief Program funds to repair IRR System damage?
- 170.923 What qualifies for ERFO funding?
- 170.924 What happens if DOT denies an ERFO claim?
- 170.925 Is ERFO funding supplemental to IRR Program funding?
- 170.926 Can a tribe administer approved ERFO repairs under a self-determination contract or a self-governance agreement?
- 170.927 How can FEMA Program funds be used to repair damage?

##### TRIBAL TRANSPORTATION DEPARTMENTS

- 170.930 What is a tribal transportation department?
- 170.931 Can tribes use IRR Program funds to pay tribal transportation department operating costs?
- 170.932 Are there other funding sources for tribal transportation departments?
- 170.933 Can tribes regulate oversize or overweight vehicles?

##### RESOLVING DISPUTES

- 170.934 Are alternative dispute resolution procedures available?
- 170.935 How does a direct service tribe begin the alternative dispute resolution process?

##### OTHER MISCELLANEOUS PROVISIONS

- 170.941 May tribes become involved in transportation research?
- 170.942 Can a tribe use Federal funds for transportation services for a tribe's Welfare-to-Work, Temporary Assistance to Needy Families, and other quality-of-life improvement programs?

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SOURCE: 69 FR 43102, July 19, 2004, unless otherwise noted.

### Subpart A—Policies, Applicability, and Definitions

#### § 170.1 What does this part do?

This part provides rules and a funding formula for the Department of the Interior (DOI) in implementing the Indian Reservation Roads (IRR) Program. Included in this part are other Title 23 programs administered by the Secretary and implemented by tribes and tribal organizations under the Indian Self-Determination and Education Assistance Act of 1975, as amended (ISDEAA).

#### § 170.2 What is the IRR Program and BIA Road Maintenance Program policy?

(a) It is the policy of the Secretary of the Interior and the Secretary of Transportation (Secretaries) to do the following in relation to the IRR and BIA Road Maintenance Programs:

- (1) Provide a uniform and consistent set of rules;
- (2) Foster knowledge of the programs by providing information about them and the opportunities that they create;