

§ 224.10

- 224.119 What must the Director do when making a decision on a petition?
- 224.120 What action may the Director take to ensure compliance with a TERA?
- 224.121 How may a tribe or a petitioner appeal the Director's decision about the tribe's compliance with the TERA?

Subpart F—Periodic Reviews

- 224.130 What is the purpose of this subpart?
- 224.131 What is a periodic review and evaluation?
- 224.132 How does the Director conduct a periodic review and evaluation?
- 224.133 What must the Director do after a periodic review and evaluation?
- 224.134 How often must the Director conduct a periodic review and evaluation?
- 224.135 Under what circumstances may the Director conduct additional reviews and evaluations?

NONCOMPLIANCE

- 224.136 How will the Director's report address a tribe's noncompliance?
- 224.137 What must the Director do if a tribe's noncompliance has resulted in harm or the potential for harm to a physical trust asset?
- 224.138 What must the Director do if a tribe's noncompliance has caused imminent jeopardy to a physical trust asset?
- 224.139 What must a tribe do after receiving a notice of imminent jeopardy to a physical trust asset?
- 224.140 What must the Secretary do if the tribe fails to respond to or does not comply with the Director's order?
- 224.141 What must the Secretary do if the tribe responds to the Director's order?

Subpart G—Reassumption

- 224.150 What is the purpose of this subpart?
- 224.151 When may the Secretary reassume activities?
- 224.152 Must the Secretary always reassume the activities upon a finding of imminent jeopardy to a physical trust asset?

NOTICE OF INTENT TO REASSUME

- 224.153 Must the Secretary notify the tribe of an intent to reassume the authority granted?
- 224.154 What must a notice of intent to reassume include?
- 224.155 When must a tribe respond to a notice of intent to reassume?
- 224.156 What information must the tribe's response to the notice of intent to reassume include?
- 224.157 How must the Secretary proceed after receiving the tribe's response?
- 224.158 What must the Secretary include in a written notice of reassumption?

25 CFR Ch. I (4–1–11 Edition)

- 224.159 How will reassumption affect valid existing rights or lawful actions taken before the effective date of the reassumption?
- 224.160 How will reassumption affect a TERA?
- 224.161 How may reassumption affect the tribe's ability to enter into a new TERA or to modify another TERA to administer additional activities or assume administration of activities that the Secretary previously reassumed?

Subpart H—Rescission

- 224.170 What is the purpose of this subpart?
- 224.171 Who may rescind a TERA?
- 224.172 May a tribe rescind only some of the activities subject to a TERA while retaining a portion of those activities?
- 224.173 How does a tribe rescind a TERA?
- 224.174 When does a voluntary rescission become effective?
- 224.175 How will rescission affect valid existing rights or lawful actions taken before the rescission?

Subpart I—General Appeal Procedures

- 224.180 What is the purpose of this subpart?
- 224.181 Who may appeal Departmental decisions or inaction under this part?
- 224.182 What is the Initial Appeal Process?
- 224.183 What other administrative appeals processes also apply?
- 224.184 How do other administrative appeals processes apply?
- 224.185 When are decisions under this part effective?

AUTHORITY: 25 U.S.C. 2 and 9; 25 U.S.C. 3501–3504; Pub. L. 109–58

SOURCE: 73 FR 12821, Mar. 10, 2008, unless otherwise noted.

Subpart A—General Provisions

§ 224.10 What is the purpose of this part?

This part:

- (a) Establishes procedures by which a tribe, at its discretion, may enter into and manage leases, business agreements, and rights-of-way for purposes of energy resource development on tribal land; and
- (b) Describes the process for obtaining, implementing, and enforcing a tribal energy resource agreement (TERA) that will allow a tribe to enter into individual leases, business agreements, and rights-of-way without obtaining Secretarial approval.