

Tribal Transportation Program (TTP) & Bipartisan Infrastructure Law (BIL)* Overview

ELIZABETH ROMERO, PROGRAM ADMINISTRATION MANAGER

FHWA - OFFICE OF TRIBAL TRANSPORTATION

*Also known as the “Infrastructure Investment and Jobs Act”

OFFICE OF TRIBAL TRANSPORTATION (OTT)

Tribal Transportation Program (TTP)

Tribal Transportation Safety

202(a)(9) transfers

NSFLTP

Discretionary Grants

ERFO

Resource for State DOTs and FHWA Divisions

Support Consultation Needs in Planning





Tribal Transportation Program (TTP)



U.S. Department
of Transportation
**Federal Highway
Administration**

Formerly the IRR Program

Largest program delivered by Federal lands

- FY24 - \$602 M
- \$3.01+B over 5 years

Serves 574 Tribes

Jointly administered with BIA

Regulations: 25 CFR 170



574 TRIBES SERVED BY THE TTP

TTP Purpose
(25 CFR 170)

Provide safe and adequate transportation and public road access to and within reservations, Indian lands and communities.....

Contribute to economic development, self-determination and employment of Indians and Alaska Natives.....

TTP Guiding Principles (25 CFR 170)

Promote the rights of tribal governments to govern their own affairs.....

Ensure implementation is consistent with tribal sovereignty and the government-to-government relationship.....

Encourage flexibility and innovation in program implementation.....

Regulations will be liberally construed for the benefit of Tribes.....

TTP Delivery Options

BIA Direct Service Agreements

BIA P.L. 93-638 Contracts

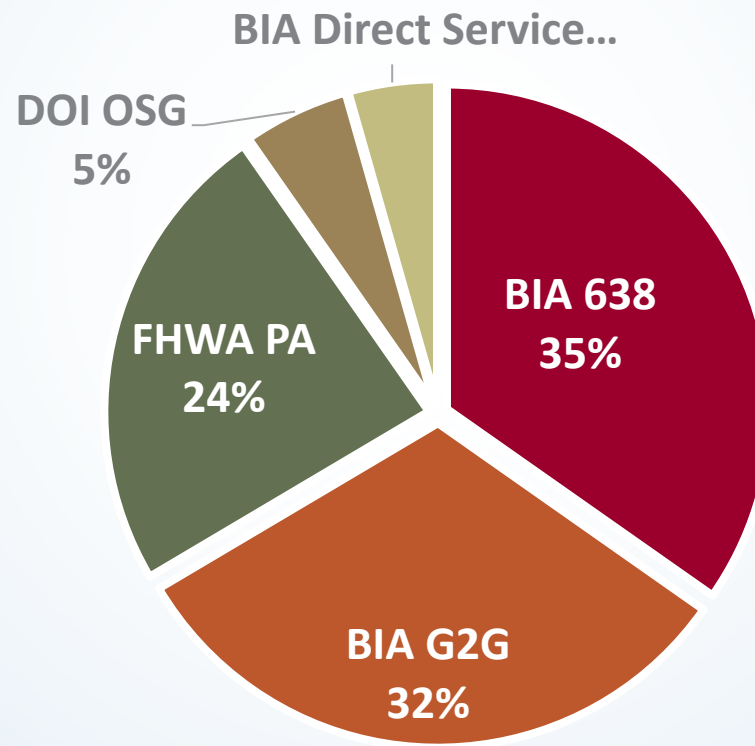
DOI Office of Self-Governance

BIA TTP Agreements

FHWA Program Agreements

US DOT Self-Governance Program

TTP DELIVERY OPTIONS (574 Tribes)





TTP Funds Distribution



OSG

BIA
DOT

**Tribal
Governments**



BIA Regions

Tribal Transportation Program (TTP)

Largest Program in HFL

○ FY22 -	\$578,460,000	(CA)
○ FY23 -	\$589,960,000	(CA)
○ FY24 -	\$602,460,000	(CA)
○ FY25 -	\$612,960,000	(CA)
○ FY26 -	\$627,960,000	(CA)
Total:	\$3,011,800,000	

- *Contract Authority

TTP Funding Set-asides

Safety Fund 4%

- to address transportation safety issues identified by [federally recognized Indian tribes](#) through a competitive, discretionary program. Projects are chosen whose outcomes will reduce fatal and serious injuries in transportation related incidents, such as motor vehicle crashes.
- FHWA advocates the development of strategic transportation safety plans as a means for tribes to determine how transportation safety needs will be addressed in and around tribal communities. See additional information on [developing safety plans](#).

Planning Funds 2%

- The Federal Highway Administration Office of Tribal Transportation works in partnership with Tribal Governments and the Bureau of Indian Affairs (BIA) to achieve Tribal Transportation Program (TTP) planning on Tribal lands.

High Priority Program

Tribal High Priority Projects (Tribal HPP) Program

\$9,000,000 of the available TTP funds are set aside for the Tribal HPP Program. *

The Tribal HPP Program, as established under 23 U.S.C. 202, is a nationwide priority program for:

1. An Indian Tribe or governmental subdivision of an Indian Tribe whose annual allocation of funding under the Tribal Transportation Program is insufficient to complete the highest priority project of the Indian Tribe or governmental subdivision of an Indian Tribe; or
2. Any Indian Tribe that has an emergency or disaster with respect to a transportation facility included on the national inventory of Tribal transportation facilities under section 202(b)(1) of Title 23, United States Code.

* Addn'l **\$30,000,000** out of the general fund of the Treasury for each fiscal years 2022 through 2026, if Congress passes this funding in their legislation

Tribal Transportation Program Bridge Fund

Eliminated 3% Set-aside from TTP

Bridge Formula Program – 3% Set-aside

- \$165 M/year (AA)

Bridge Investment Program Set-aside

- \$20 M/year (AA)

Bridge Investment Program Set-aside

- FY22 \$16 M (CA)
- FY23 \$18 M (CA)
- FY24 \$20 M (CA)
- FY25 \$22 M (CA)
- FY26 \$24 M (CA)

◦ Note:

- AA- Advance Appropriations
- CA – Contract Authority

National Significant Federal Lands and Tribal Project Program

FY22 – \$125 M available

- 7 [grant recipients](#) (3 Tribal!)
 - *The County of Tooele, Utah*
 - The Confederated Salish and Kootenai Tribes in Montana
 - The Pyramid Lake Paiute Tribe in Nevada
 - The Cherokee Nation in Oklahoma
- Press Release:
<https://highways.dot.gov/newsroom/biden-harris-administration-announces-130-million-seven-transportation-projects-federal>

FY23 – \$95 M available

- NOFO [View Opportunity | GRANTS.GOV](#)
- Due November 6th

Bipartisan Infrastructure Law – Section 14003

Allows a Tribe to determine, on behalf of the Secretaries of Interior or Transportation, whether a TTP project is categorically excluded from the preparation of an EA or EIS under NEPA.

FHWA developed a Programmatic Agreement template based on example Programmatic Categorical Exclusions (PCEs) between FHWA and State DOTs

This PCE is currently available to FHWA PA Tribes.

Programmatic Agreement for Tribal
Categorical Exclusions

OTT increasing services to Tribes and partners

- Tribal Transportation Program – TTPCC
- Tribal Bridge Program
- Funding Assistance
 - Discretionary Grants Team for Tribal awards
- [Transportation Funding Opportunities for Tribal Nations](#)
- 202(a)(9) transfers
- Program Administration team
- Tribal Coordinators in the field and located across the Country
- FHWA – Tribal – BIA Regional Workshops
- Resource to all FHWA on Tribal matters

FHWA Federal Aid Divisions Tribal Coordinators

Partnership with Regional TTAP Centers (also LTAP centers)

- Training Emphasis Area:
 - 1 of 3 - Management of Transportation Programs includes **transportation planning**
- National Transportation in Indian Country Conference

Current FHWA Tribal Transportation Support

Consultation Needs in Planning

Integrated planning

- Federal agencies working together
 - How do we deliver while effectively utilizing resources? Leveraging TIPs?
 - FHWA at the table of gov-gov conversations (+ states, FLMA, counties)
 - Tribal Liaisons are critical to help from planning – delivery - maintenance
- Promote Tribal consultation at State DOTs
- State DOT, MPO, RPOs engaging Tribes in transportation planning
 - Project level Section 106 Consultations
 - Capturing historical climate change experiences from elders to inform plans > sustainability

Understanding mutual context - [NCAI](#) view that leadership at DOT and FHWA should advocate for Tribal needs and foster understanding

- Reaching Tribes where they are located to understand perspectives and issues
- Create an understanding of the unique Tribal circumstances (ex: cost of materials in Alaska)
- Understanding the small details
- Meeting the stakeholders – ex: how BIA works with Tribes
- No response from Tribes

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Next Steps: “Slow down but hurry up”

Need to ask ourselves, “What am I still not seeing?”

Build and strengthen trust – cognitively and emotionally

- Trust holds people together

Develop a Planning and Environment Tribal Consultation and Coordination Action Plan for leadership approval and implementation

- Consultation with Tribes
- Presidential Executive Order and Memo on Tribal Consultation
- U.S. DOT Tribal Policy and Plan actions
- FHWA mission, vision, and goals; strategic plan; diversity and equity plan
- FLH enterprise mission and goals
- State Department of Transportations’, Metropolitan Planning Organizations’, and Regional Planning Organizations’ Tribal consultation requirements
- Current national [Tribal Transportation Planning Research Study](#)

USDOT Discretionary Grants

Resources:

[DOT Discretionary Grants Dashboard | US Department of Transportation](#)

[Transportation Funding Opportunities for Tribal Nations](#)

[Key Notices of Funding Opportunity | US Department of Transportation](#)

[Applying for USDOT Grants | US Department of Transportation](#)

[DOT Funding Opportunities for Rural Projects | US Department of Transportation](#)

FEDERAL HIGHWAY ADMINISTRATION



Transportation Funding Opportunities for Tribal Nations



U.S. Department
of Transportation
**Federal Highway
Administration**

Updated: June 1, 2023

Transportation Funding Opportunities for Tribal Nations (dot.gov)

Federal Role

How to Access Fundings

Dedicated Tribal Programs and Other Programs

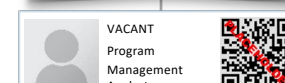
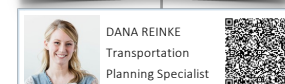
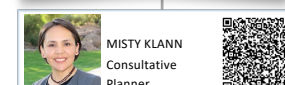
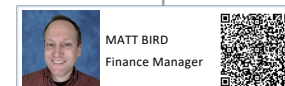
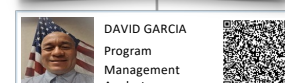
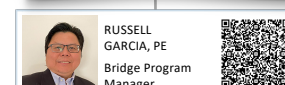
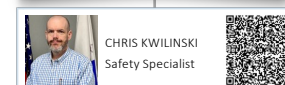
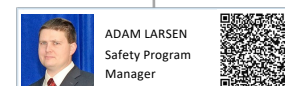
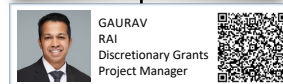
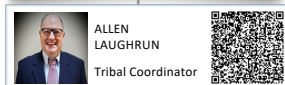
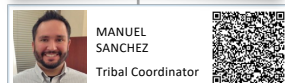
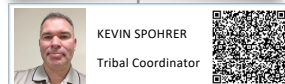
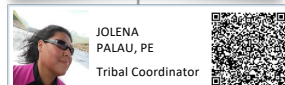
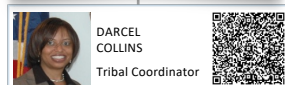
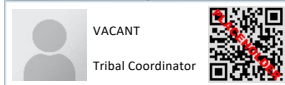
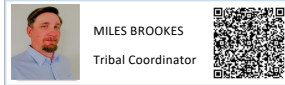
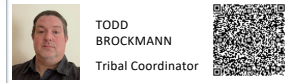
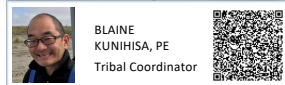
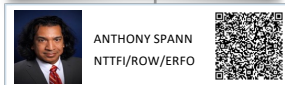
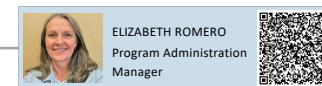
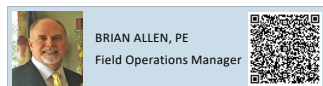
Outlines:

- Purpose
- Funding
- Program Type
- Federal Share
- Eligible activities
- BIL Changes to TTP
- Additional Information and Assistance



U.S. Department
of Transportation
**Federal Highway
Administration**

Office of Tribal Transportation



Questions

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[HTTPS://HIGHWAYS.DOT.GOV/FEDERAL-LANDS/PROGRAMS-TRIBAL](https://highways.dot.gov/federal-lands/programs-tribal)