Topics

- FAST Act Overview
- End of Year Reporting
- Safety Reports
- FY16 TTP Safety Funds
- 25 CFR 170
- Tribal Transportation Self-Governance Program
- Other Programs
FAST Act Overview

- Fixing America’s Surface Transportation Act
- 5 year Highway Bill (FY16 – FY20)
- Tribal Transportation Program (TTP) Funding
  - FY16 – $465 Million
  - FY17 – $475 Million (Continuing Resolution??)
  - FY18 – $485 Million
  - FY19 – $495 Million
  - FY20 – $505 Million
  - TOTAL – $2.425 Billion over 5 years
End of Year TTP Reporting

23 USC 201(c)(6)(C) – TRIBAL DATA COLLECTION

Any entity (Tribe, BIA, FHWA, etc.) that carries out a project under TTP during a fiscal year shall submit data to the Secretaries of DOT and DOI so that a report can be generated by December 31 of each year. The submitted data will:

- Contain the names of all projects and activities carried out and include:
  - A description of each;
  - The current status;
  - The obligations and expenditures; and
  - The number of jobs created and the number of jobs retained.
End of Year TTP Reporting

- FHWA and BIADOT have developed an on-line reporting mechanism thru OMB-MAX.
- FHWA Tribes used it for their mid-year reporting and provide feedback.
- System ready for data submittal on Oct. 1
- A reference to this reporting requirement is now in all TTP Agreements.
REPORT TO CONGRESS ON TRIBAL GOVERNMENT TRANSPORTATION SAFETY DATA

- Due December 2016
- Describes the quality of transportation safety data being collected by States, counties, and Indian tribes. Offers recommendations for improvement and potential funding sources.
- Written by FHWA – Adam Larsen and others
- Currently in the FHWA review process
STUDY ON BUREAU OF INDIAN AFFAIRS ROAD SAFETY.

- Report due **December 2017**
- Developed after consultation with the Secretary of the Interior, the Attorney General, States, and Indian tribes.
- Study must identify and evaluate options for improving safety on public roads on Indian reservations.
- Being developed with full coordination of the Tribal Transportation SMS Steering Committee
Included in the FY16 Appropriations Bill

Identifies that:
- Only 8% of 14k miles of tribal roads are paved and that 75% of the 29k miles of BIA road are gravel, earth, or primitive; and
- Current funding levels do not meet the true needs on Indian Country thus limiting economic growth and safety improvements, as well as adding to backlog of maintenance projects

DOT has been directed to work with DOI on the transportation infrastructure needs facing Indian Country and propose steps to make improvements.
FY16 NOFO published July 18, 2016
- Application deadline was September 16, 2016
- 172 applications – $40m
  - 52 new safety plans
  - 7 safety plan updates
  - 86 infrastructure improvement projects
  - 27 road safety audits or crash data improvements
- Team is reviewing applications this week.
Target date for publication is “September”.
Data collection requirements from FAST Act have been included.
Roll out meetings will be scheduled and included in the Federal Register Notice.
TTSGP – Overview and Expectations

Compliments of Bob Sparrow
Secretary must establish and carry out a program to be known as the Tribal Transportation Self-Governance Program

- Eligibility is similar to FHWA Agreements
  - Demonstration of Financial and Program Management capability
- Used for all formula funding and discretionary grants at DOT (1-stop shop)
  - Includes transfer of state funds, IE:(202(a)(9))
- Section 1121 contains a list of the contents, terms, provisions, and applicability of ISDEAA that need to be included in the program.
Tribal Transportation Self-Governance Program

Statutory Timeframes

- **PROMULGATION.** – By March 4, 2016, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5 to negotiate and promulgate such regulations as are necessary to carry out this section. (Negotiated Rulemaking)
- **PUBLICATION OF PROPOSED REGULATIONS.**—An NPRM will be published in Federal Register by September 4, 2017.
- **PUBLICATION OF FINAL RULE** – within 30 months
- **EXTENSION OF DEADLINES.**—Single extension up to 180 days if agreed to by all parties.
Tribal Transportation Self-Governance Program

- On Monday April 25, FHWA published a Federal Register Notice announcing the rulemaking and requesting nominees for committee members.
- Nominations for committee membership closed on June 9, 2016.
- A total of 33 nominations were received, including multiple nominations from tribes located within 10 of the 12 BIA Regions.
18 tribal representatives were named to the committee;
  ◦ 12 primary regional tribal representatives
  ◦ 2 tribal representatives that received backing and support from national or regional tribal organization/committees; and
  ◦ 4 additional tribal representatives based on their experience and knowledge as well as to improve the overall diversity of the committee

Tribal Committee representatives are all tribal members and are tribal leaders, work directly in the area of self-governance or self-determination, or are Directors or equivalent in their Tribe’s transportation department, with most having direct experience in self-governance/self-determination.

Seven additional alternate tribal representatives have also been named. An alternate will attend meetings when the primary regional representative is not able to attend.
Mr. Joe Garcia and Ms. Kay Rhoads are the Tribal Co-Chairs

There are 7 Federal representatives:
- Three from FHWA;
- One each from OST, FTA, and FAA; and
- One from BIA;
# Tribal Members of Committee

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<thead>
<tr>
<th>Name</th>
<th>Tribe/Location</th>
<th>Position</th>
<th>Organization</th>
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<tbody>
<tr>
<td>Joe Garcia</td>
<td>Ohkay Owingeh Pueblo</td>
<td>Michael Hostler</td>
<td>Hoopa Valley</td>
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<tr>
<td>Kay Rhoads</td>
<td>Sac and Fox Nation</td>
<td>John Smith</td>
<td>Wind River Reservation</td>
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<td>Denise Michels</td>
<td>Kawerak, Inc.</td>
<td>Edwina Butler-Wolfe</td>
<td>Absentee Shawnee Tribe of Oklahoma</td>
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<tr>
<td>Westley Woodruff</td>
<td>Poarch Band of Creek Indians</td>
<td>Jennifer Lynn Jack</td>
<td>Salt River Pima-Maricopa Indian Community</td>
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<td>Palmer S. Mosely V</td>
<td>The Chickasaw Nation</td>
<td>Mickey Peercy</td>
<td>Choctaw Nation of Oklahoma - DOI Self-Governance Workgroup</td>
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<tr>
<td>Ron His Horse is Thunder</td>
<td>Standing Rock Sioux Tribe</td>
<td>Jody Clark</td>
<td>Seneca Nation - USET</td>
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<tr>
<td>David Conner</td>
<td>Red Lake Band of Chippewa Indians</td>
<td>Gerald Hope</td>
<td>Sitka Tribe of Alaska</td>
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<tr>
<td>Darryl Bradley</td>
<td>Navajo Nation</td>
<td>Karen Woodard</td>
<td>Morongo Band of Mission Indians</td>
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<td>Timothy Ballew</td>
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# Federal Members of TTSGP Committee

<table>
<thead>
<tr>
<th>Name</th>
<th>Designation</th>
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<tr>
<td>Robert Sparrow</td>
<td>Designated Federal Official</td>
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<tr>
<td>Vivian Philbin</td>
<td>FHWA</td>
</tr>
<tr>
<td>Basharat Siddiqi</td>
<td>FHWA - Oklahoma</td>
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<tr>
<td>Kenneth Martin</td>
<td>OST</td>
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<tr>
<td>Elan Flippin</td>
<td>FTA</td>
</tr>
<tr>
<td>Katherine Andrus</td>
<td>FAA</td>
</tr>
<tr>
<td>LeRoy Gishi</td>
<td>BIA</td>
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Tribal Transportation Self-Governance Program

- The committee will assist in the development of the Notice of Proposed Rulemaking that contains the proposed regulations needed to implement the TTSGP.
  - Anticipate one meeting each month (minimum)
  - Most meetings will take place in ABQ or at a location that is equal to or less than the cost of conducting the meeting in Albuquerque.
- DOT is committed to work towards publishing the NPRM by September 2017.
Nationally Significant Federal Lands and Tribal Projects Program

- To provide funding to construct, reconstruct, or rehabilitate nationally significant Federal lands and tribal transportation projects. (NO DESIGN)

- Tribes are eligible applicants
  - An eligible project must be a single continuous project on a TTP facility, have completed NEPA; and an estimated cost of at least $25,000,000.

- Funded through General Funding (not funded in FY16)
$500M

Awards announced in August

Congratulations to the Rosebud Sioux Tribe

See: https://www.transportation.gov/tiger
TTP Program Reviews

- FHWA hired a contractor to assist us in carrying out TTP “Program Reviews”.
  - 6 pilot reviews conducted this year
  - 10 reviews anticipated next year

Changing of the Guard

- Brian Allen – Acting TTP Director until Sept. 30
- Cindi Ptak – Acting TTP Director beginning Oct. 1
- Advertisement for Bob’s replacement posted soon
Questions?

Contact information:

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