



February 24, 2022

INFORMATION MEMORANDUM TO THE SECRETARY

From: Stephanie Pollack
Deputy Administrator
X62240

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Subject: Transmittal of the Tribal Transportation Program Fiscal Year 2020 Data Report

SUMMARY

I am attaching a report prepared by the Federal Highway Administration (FHWA) containing information gathered from all recipients of Tribal Transportation Program (TTP) funds. The report, which is for the Secretary of the Interior, and the Secretary of Transportation, identifies the names of the projects and activities carried out under the TTP during Fiscal Year (FY) 2020, as well as their status, and an estimate of the number of jobs created and retained by the projects and activities. Recipients of TTP funds include Tribes, the U.S. Department of the Interior's Bureau of Indian Affairs (BIA), and FHWA. The attached report addresses several of the U.S. Department of Transportation's (DOT) priorities, including Tribal equity, safety, and economic strength.

BACKGROUND

Section 1117(a) of the Fixing America's Surface Transportation Act (23 U.S.C. § 201(c)(6)(C)) requested preparation of annual TTP data reports. The TTP provides funds to 573 federally recognized Indian Tribes and Alaska Native Villages (Tribes) to help them address the transportation needs of their communities. The Tribes use these funds for eligible transportation activities such as planning, design, and construction of transportation facilities, as well as addressing maintenance and transportation safety issues. The amount of TTP funding made available to each Tribe is determined by a statutory funding formula. The Tribes receive all TTP funds except a 5-percent statutory set-aside that BIA and FHWA use for program management and oversight.

The attached report contains an Executive Summary as well as six attachments. The attachments include general information on funding and jobs as well as more specific information on the projects and activities that were carried out with the TTP funding in FY 2020. A copy of this

report will be provided to the Secretary of the Interior through BIA, which co-administers the TTP with FHWA.

The attachment is the fifth year for this report; over 98 percent of Tribes reported their data.

NEXT STEPS

FHWA's Office of Federal Lands Highway, in cooperation with BIA, will be preparing a data report for FY 2021 containing information from all recipients of TTP funds. Both FHWA and BIA continue to work with Tribal transportation representatives to clarify instructions and improve the data reporting system for use in the coming years.

The Secretary

REVIEWED: _____

DATE: _____

COMMENTS:

Preferred follow-up to comments / questions:

- Policy office hours
- Verbally in daily check-out
- In writing
- Standalone briefing meeting

Attachments:

- Executive Summary: Tribal Transportation Program Fiscal Year 2020 Data Report
- Attachment A: General Program Overview
- Attachment B: National Financial Summary
- Attachment C: Non-Construction Activities
- Attachment D: Design and Construction Project Reports
- Attachment E: TTP Bridge Program Project Report
- Attachment F: National TTP Safety Report

TRIBAL TRANSPORTATION PROGRAM

**FISCAL YEAR
2020**

DATA REPORT TO THE
SECRETARY OF TRANSPORTATION AND THE
SECRETARY OF THE INTERIOR

Background

The Tribal Transportation Program (TTP) is an important resource in a Tribe's overall infrastructure investment strategy. The TTP provides funding to address the transportation needs of the 573 federally recognized Indian Tribes and Alaska Native Villages (Tribes). Tribes use TTP funds for construction, road and bridge maintenance, and other transportation related activities.

The Federal Highway Administration's (FHWA) Office of Federal Lands Highway and the Bureau of Indian Affairs (BIA) Division of Transportation jointly administer the program in accordance with a memorandum of understanding. Tribes directly receive all TTP funding except for a 5-percent statutory set-aside which the BIA and FHWA use for program management and oversight (PM&O). The TTP funding that Tribes received in Fiscal Year (FY) 2020 includes:

- ***The Tribal shares;***
- ***The 2-percent Planning funds;***
- ***Any TTP Bridge Program funds; and***
- ***Any TTP Safety funds.***

The Moving Ahead for Progress in the 21st Century Act (MAP-21) established the TTP in 2012. Prior to MAP-21, the TTP was known as the Indian Reservation Roads (IRR) Program, established by the Surface Transportation Assistance Act of 1982. The statutory funding formula in Title 23, United States Code (U.S.C.), Section 202(b) determines the Tribal shares. Title 25, Code of Federal Regulations (CFR), Part 170 contains the policies and procedures for carrying out the TTP.

Program Management and Oversight

The PM&O funds are used to carry out stewardship and oversight of the TTP as well as other TTP activities that are deemed as inherently Federal in accordance with the appendix to Subpart E of 25 CFR Part 170. In FY 2020, \$22,876,500 was made available to FHWA and BIA to carry out PM&O activities through the

5-percent statutory set-aside. These funds were used for:

- Payroll and travel of the FHWA and BIA TTP staff;
 - Office space and supplies;
 - Information Technology support and equipment;
 - Maintenance of the National Tribal Transportation Facility Inventory; and
 - Other special TTP-specific and required studies, technical assistance and activities such as:
 - Tribal Technical Assistance Program;
 - Carrying out Tribal program reviews; and
 - Conducting bridge inspections on the Tribal and BIA bridges across the country.
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Program Funding

2020 Funding Levels

The Fixing America's Surface Transportation (FAST) Act authorized the TTP in FY 2020 at a funded level of \$505 million. After the application of a 9.4-percent obligation limitation, \$457,530,000 remained for program activities. Of this amount, \$9,150,600 was designated for each of the planning and safety set asides, \$13,725,900 was designated for the Bridge Program and \$22,876,500 went toward PM&O funds. The net result was \$402,626,400 of FY 2020 TTP funding made available to the Tribes as formula Tribal shares. Additional background information about the TTP is provided as Attachment A.

FAST Act Funds Available for Programs	\$457,530,000
FY 2020 Tribal Shares	\$402,626,400
Program Management & Oversight (administered by FHWA and BIA)	\$22,876,500
Bridge Program	\$13,725,900
Planning Set Aside	\$9,150,600
Safety Set Aside	\$9,150,600

Further review of the data contained in the three-chapter reports show that in FY 2020 the Tribes expended funds on more than 677 design or construction projects with a total estimated cost of approximately \$2 billion. In addition, the reports show that in FY 2020, the Tribes leveraged and expended an additional \$19 million in non-TTP funds on those projects as well.

Data Collection

DATA REQUIREMENTS

The FAST Act included language in 23 U.S.C. 201(c)(6)(C) that called for the collection of data on the obligation and expenditure of TTP funds and the development of an annual report for the Secretary of Transportation and the Secretary of the Interior. Specifically, the language states:

Tribal Data Collection

In addition to the data to be collected under subparagraph (A), not later than 90 days after the last day of each fiscal year, any entity carrying out a project under the tribal transportation program under section 202 shall submit to the Secretary and the Secretary of the Interior, based on obligations and expenditures under the tribal transportation program during the preceding fiscal year, the following data:

- (i) The names of projects and activities carried out by the entity under the tribal transportation program during the preceding fiscal year.*
- (ii) A description of the projects and activities identified under clause (i).*
- (iii) The current status of the projects and activities identified under clause (i).*
- (iv) An estimate of the number of jobs created and the number of jobs retained by the projects and activities identified under clause (i).*

This Report to the Secretary and the Secretary of the Interior contains the data collected for FY 2020.

Reducing the Reporting Burden on Tribes

In order to meet FAST Act reporting requirements, FHWA and BIA worked closely with several Tribes to develop the TTP Online Reporting Tool (PORT) for gathering the required data. The PORT uses the MAX Survey platform on MAX.gov. The PORT is prepopulated with existing data to minimize the data entry work required of the Tribes. The Joint Agency Report System (JARS) is a Microsoft Access database used to collate and present the data collected in PORT with automated reports. The PORT data is broken into Construction Projects and Non-Construction Activities.

Over 98 percent of the Tribes that received TTP funds during FY 2020 entered data into the PORT System. The BIA and FHWA provided data on the receipt and use of PM&O funds

Fiscal Year 2020 Reports

Several reports were generated from the collected data and are available for review in the attachments or on the TTP Website. Highlights are summarized below. The reports included as attachments to this report as well as the report itself are posted on the FHWA TTP Website at <https://highways.dot.gov/federal-lands/programs-tribal/annual-report>.

Chapter 1: National Financial Summary Report

The National Financial Summary Report shows the overall amount of TTP funding made available to and expended by each reporting Tribe in FY 2020, as well as the number of jobs created and the number of jobs retained through the projects and activities that were carried out.

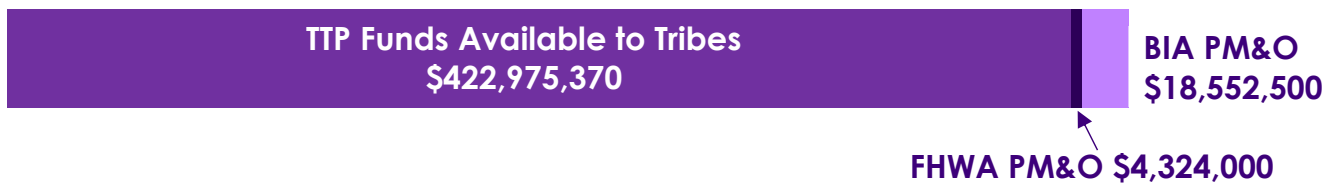
The Chapter 1 Report shows that in FY 2020, \$422,975,370¹ in TTP funding was made available to the Tribes that entered data into the PORT. The report also shows that these same Tribes expended \$321,793,667 of TTP funds in FY 2020. The total funds available, \$445,851,870, are the amounts reported by tribes, BIA and FHWA. The amount differs from the amount of TTP funds made available in FY 2020, \$457,530,000, because amounts reported by Tribes may also include funds awarded from previous fiscal years or from other fund sources.

In addition, the report shows that the TTP funded projects and activities in FY 2020 accounted for 1,937 permanent (retained) jobs as well as 4,313 other non-permanent (created) jobs.

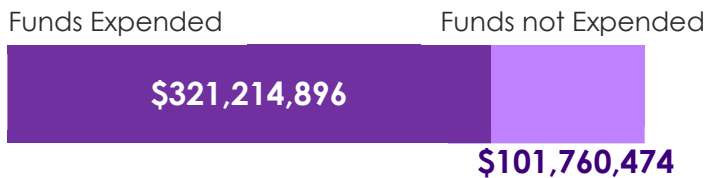
In many cases the difference between the funds made available and expended may be that the Tribes are saving up or carrying over their funding to undertake a future project that requires the use of several years of Tribal shares. Or, BIA or FHWA have obligated funds on a contract but the work has not yet been started or completed.

The Chapter 1 Report is included in this report as Attachment B.

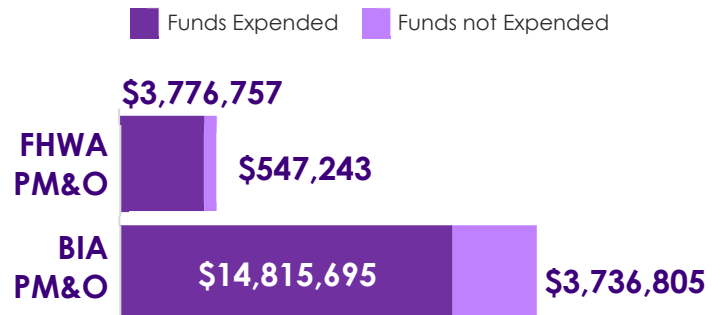
FY 2020 TTP Funds: \$445,851,870 – As Reported



Funds Expended: Reported by Tribes



Funds Expended: PM&O



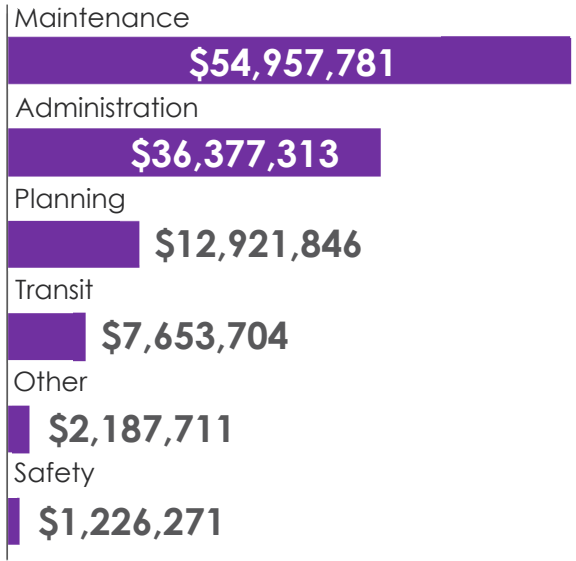
¹ Reports reflect only amounts submitted to PORT by Tribes, so differ from total amounts authorized to the program. Set asides and bridge program funds are included in reported amount

Chapter 2: Non-Construction Activities

This report contains overview information on all TTP-funded non-construction activities that were carried out by the reporting Tribes in FY 2020. The chart to the right summarizes the amounts expended in each non-construction category.

The Chapter 2 Report is included in this report as Attachment C. The jobs associated with these activities are included in the overall information contained in the Chapter 1 Report.

Non-Construction Spending



Chapter 3: Design and Construction Projects Report

This report contains overview information on all the TTP-funded design and construction projects and activities that were carried out by the reporting Tribes in FY 2020. The Construction Projects include all construction-related projects and activities, including projects funded through safety and bridge set-aside funding. The information provided in the report includes:

- **Federal Project Number;**
- **Project Name;**
- **Percent (%) complete;**
- **Project Description;**
- **Progress Reported by Tribe;**
- **Estimated Project Cost; and**
- **TTP Funds Expended this FY.**

The report lists the Tribes in alphabetical order. The Chapter 3 Report is included in this report as Attachment D.

Additional information/data on the specific bridge projects and safety projects contained in the Chapter 3 Report are included in this report as Attachment E and Attachment F.

The funding and jobs associated with these design and construction activities are included in the information contained in the Chapter 1 Report.



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