

PROCESS FOR NEGOTIATING TRIBAL TRANSPORTATION PROGRAM PROVISIONS INTO A SELF-GOVERNANCE FUNDING AGREEMENT

- (1) In accordance with 25 CFR Parts 1000.170-182 and 25 CFR 170.610, a Self-Governance Tribe/Consortium wanting to include the Tribal Transportation Program (TTP) program, services, functions or activities or portions thereof, in a Self-Governance Annual or Multi-Year Funding Agreement (funding agreement) should submit to the Director, Office of Self Governance (OSG) a letter of interest to initiate the information phase or a written request to negotiate the terms for including TTP program provisions into its Self-Governance funding agreement for a particular year. Courtesy copies of the letter of interest may be sent to the Tribe's/Consortium's respective OSG negotiator and BIA Regional Office;
- (2) The OSG negotiator shall notify the appropriate BIA Regional Office contact of the Self-Governance Tribe's/Consortium's interest to operate the TTP program under a Tribal Self-Governance funding agreement for a particular year;
- (3) The BIA Regional Office contact shall indicate to the OSG negotiator the response of the Tribe/Consortium to provisions found in 25 CFR 170.600;
- (4) The BIA and the OSG shall respond to the Tribe's/Consortium's letter of interest and written request to negotiate in accordance with 25 CFR Parts 1000.172 and 1000.174, respectively;
- (5) Negotiations shall be held between Tribal/Consortium and Federal representatives in accordance with 25 CFR Parts 1000.175-176;
- (6) Using the TTP Model Addendum in Attachment 9 as a guide, the OSG Negotiator shall submit the negotiated TTP Addendum to the OSG Director for signature through the approved surname process. The approved surname process may include the BIA Regional Director, OSG Negotiator, OSG Director, Office of the Solicitor, Chief of the BIA Division of Transportation, BIA Regional Roads Administrator, and Director, Bureau of Indian Affairs;
- (7) One original signed TTP Addendum will be retained by the OSG, and one original sent to the Tribe/Consortium. In addition to the copies stipulated in 25 CFR § 1000.177, copies shall also be sent to the respective BIA Regional Office, and BIA Division of Transportation; and
- (8) FAST Act authorization expires on September 30, 2020. Currently, there is no authorization for a Tribe/Consortium to operate its TTP for any portion of the 2021 fiscal or calendar year until Congress either extends the FAST Act or enacts a new authorization.