

REVISED EDITION
INTERTRIBAL TRANSPORTATION ASSOCIATION (ITA)

116TH CONGRESS
1ST SESSION

S. _____

To enhance tribal transportation infrastructure and tribal transit.

IN THE SENATE OF THE UNITED STATES

_____, 2019

Mr. _____ introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To enhance tribal transportation infrastructure and tribal transit.

1 Be it enacted by the Senate and House of Representatives of
2 the United States of America in Congress assembled,

3 **SECTION 1. SHORT TITLE.**

4 SHORT TITLE. —This Act may be cited as the “Tribal Transportation
5 Infrastructure and Tribal Transit Investment Act of 2020”.

6 TABLE OF CONTENTS. —The table of contents of this Act is as
7 follows:

8 Sec. 1. Short title; table of contents.

9

10 **TITLE I – TRIBAL TRANSPORTATION INFRASTRUCTURE**

11 **AND TRIBAL TRANSIT PROGRAMS**

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SUBTITLE A

TITLE I – TRIBAL TRANSPORTATION INFRASTRUCTURE INVESTMENTS

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) TRIBAL TRANSPORTATION PROGRAM. — For the tribal transportation program under section 202 of title 23, United States Code—

- (i) \$555,000,000 for fiscal year 2021;
- (ii) \$605,000,000 for fiscal year 2022;
- (iii) \$655,000,000 for fiscal year 2023;
- (iv) \$705, 000,000 for fiscal year 2024; and
- (v) \$755,000,000 for fiscal year 2025.

(2) TRIBAL TRANSPORTATION FACILITY BRIDGES PROGRAM— For the tribal transportation facility bridges program under section 202 of title 23, United States Code, as further amended herein—

- (i) \$75,000,000 for fiscal years 2021 through 2025;

Provided, however, that for purposes of section 201 of title 23, funds made available under the tribal transportation facility bridges program shall be considered part of the tribal transportation program.

(3) NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM— For the nationally significant federal lands and tribal projects program under section 1123 of the FAST Act, Pub. L. 114-94, as further amended herein—

- (i) \$100,000,000 for fiscal years 2021 through 2025.

(4) TRIBAL HIGH PRIORITY PROJECTS PROGRAM— For the tribal high priority projects program established under section 105 of this Act—

- 1 (i) \$35,000,000 for fiscal year 2021;
- 2 (ii) \$40,000,000 for fiscal year 2022;
- 3 (iii) \$45,000,000 for fiscal year 2023;
- 4 (iv) \$50,000,000 for fiscal year 2024; and
- 5 (v) \$55,000,000 for fiscal year 2025.

6 (5) NATIONAL TRIBAL ASSET MANAGEMENT PROGRAM— For
 7 the national tribal asset management program established under section
 8 106 of this Act—

- 9 (6) \$85,000,000 for fiscal year 2021;
- 10 (7) \$95,000,000 for fiscal year 2022;
- 11 (8) \$105,000,000 for fiscal year 2023;
- 12 (9) \$115,000,000 for fiscal year 2024; and
- 13 (10) \$125,000,000 for fiscal year 2025.

14 (b) TRIBAL TRANSIT PROGRAM— The following sums are authorized
 15 to be appropriated out of the Highway Trust Fund from the Mass Transit
 16 Account:

17 (1) For the tribal transit program under section 5311(c)(1)(A) of title 49,
 18 United States Code—

- 19 (i) \$30,000,000 for fiscal year 2021;
- 20 (ii) \$35,000,000 for fiscal year 2022;
- 21 (iii) \$40,000,000 for fiscal year 2023;
- 22 (iv) \$45,000,000 for fiscal year 2024; and
- 23 (v) \$50,000,000 for fiscal year 2025;

24 (2) For the tribal transit program under section 5311(c)(1)(B) of title 49,
 25 United States Code—

- 26 (i) \$55,000,000 for fiscal year 2021;
- 27 (ii) \$60,000,000 for fiscal year 2022;
- 28 (iii) \$65,000,000 for fiscal year 2023;
- 29 (iv) \$70,000,000 for fiscal year 2024; and
- 30 (v) \$75,000,000 for fiscal year 2025.

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SEC. 102. NATIONAL TRIBAL INFRASTRUCTURE INVESTMENTS.

(a) IN GENERAL— In addition to funds made available from any other source to carry out transportation and mass transit programs for Indian Tribes, and to make national investments in tribal transportation infrastructure, the following sum are appropriated:

(1) TRIBAL TRANSPORTATION Program— To supplement the Tribal Transportation Program under section 202 of title 23, United States Code, there are appropriated out of the Highway Trust Fund (other than the Mass Transit Account), \$555,000,000 for fiscal year 2021, \$605,000,000 for fiscal year 2022, \$655,000,000 for fiscal year 2023, \$705,000,000 for fiscal year 2024, and \$755,000,000 for fiscal year 2025, for eligible projects listed on a Tribal Transportation Improvement Program approved by the Federal Highway Administration, for investments in transportation infrastructure at American Indian reservations and at Alaska Native Tribes, to remain available for a period of 3 fiscal years following the fiscal year for which the amounts are appropriated: Provided further, That 18 months following the enactment of this Act, to ensure the prompt use of the amount provided for investments at American Indian reservations and Alaska Native Tribes, the Secretary of Transportation and the Secretary of Interior shall have the authority to redistribute unobligated funds within the respective program for which the funds were appropriated: Provided further, That up to 3 percent of the funding provided herein may be used by the Secretary and the Secretary of the Interior, as appropriate, for program management and oversight and project-related administrative expenses: Provided further, That funds made available under this heading shall be administered as if apportioned under chapter 2 of title 23, United States Code: Provided further, That the Federal share payable on account of any project or activity carried out with funds made available under this heading under chapter 2 of title 23, United States Code, shall be 100 percent

1 of the total cost thereof: Provided further, That funding provided under this
2 heading shall be in addition to any and all funds provided for fiscal years 2021
3 through 2025: Provided further, That that amount made available under this
4 heading shall not be subject to any limitation on obligations for the Tribal
5 Transportation Program set forth in any Act.

6 (2) TRIBAL TRANSPORTATION FACILITY BRIDGES
7 PROGRAM— To supplement funds made available from any other source to
8 carry out the Tribal Transportation Facility Bridges Program under section
9 202(d) of title 23, United States Code, there are appropriated \$75,000,000 for
10 each fiscal years 2021 through 2025, out of the Highway Trust Fund (other than
11 the Mass Transit Account), to remain available for a period of 3 fiscal years
12 following the fiscal year for which the amounts are appropriated, for eligible
13 projects for the tribal transportation facility bridges program under section
14 202(d) of title 23, United States Code, to carry out any planning, design,
15 engineering, preconstruction, construction and inspection of new or
16 replacement tribal transportation facility bridges, to replace, rehabilitate,
17 seismically retrofit, paint, apply calcium magnesium acetate, sodium
18 acetate/formate, or other environmentally acceptable, minimally corrosive anti-
19 icing and de-icing composition; or to implement any countermeasure for
20 deficient tribal transportation facility bridges, including multiple-pipe culverts;
21 Provided further, That the Federal share payable on account of any project or
22 activity carried out with funds made available under this heading shall be, at the
23 option of the recipient, up to 100 percent of the total cost thereof: Provided
24 further, That that amount made available under this heading shall not be subject
25 to any limitation on obligations for the tribal transportation facility bridge
26 program set forth in any Act; Provided further, that except as otherwise
27 provided herein, the funds provided under this heading shall be distributed in
28 accordance with section 202(d) of title 23: Provided further, That funding
29 provided under this heading shall be in addition to any and all funds provided
30 for fiscal years 2021 through 2025 in any other Act for Tribal Transportation

1 Facility Bridges and shall not affect the distribution of funds provided for the
2 Tribal Transportation Facility Bridge program in any other Act.

3 (3) **NATIONALLY SIGNIFICANT FEDERAL LANDS AND**
4 **TRIBAL PROJECTS PROGRAM**— To supplement funds made available from
5 any other sources for the nationally significant federal lands and tribal projects
6 program, there are appropriated out of the Highway Trust Fund (other than the
7 Mass Transit Account) \$100,000,000 for fiscal years 2021 through 2025.

8 (4) **TRIBAL HIGH PRIORITY PROJECTS PROGRAM**— To
9 supplement funds made available from any other sources for the tribal high
10 priority projects program, there are appropriated out of the Highway Trust Fund
11 (other than the Mass Transit Account):

- 12 (i) \$35,000,000 for fiscal year 2021;
- 13 (ii) \$40,000,000 for fiscal year 2022;
- 14 (iii) \$45,000,000 for fiscal year 2023;
- 15 (iv) \$50,000,000 for fiscal year 2024; and
- 16 (v) \$55,000,000 for fiscal year 2025.

17 (5) **NATIONAL TRIBAL ASSET MANAGEMENT PROGRAM**— To
18 supplement funds made available from any other sources for the
19 national tribal asset management program, there are appropriated out of
20 the Highway Trust Fund (other than the Mass Transit Account):

- 21 (i) \$85,000,000 for fiscal year 2021;
- 22 (ii) \$95,000,000 for fiscal year 2022;
- 23 (iii) \$105,000,000 for fiscal year 2023;
- 24 (iv) \$115,000,000 for fiscal year 2024; and
- 25 (v) \$125,000,000 for fiscal year 2025.

26 (6) **TRIBAL TRANSIT PROGRAM**— (a) To supplement funds made
27 available from any other sources for the tribal transit program under
28 section 5311(c)(1)(A) of title 49, United States Code, there are
29 appropriated out of the Highway Trust Fund (Mass Transit Account):

- 30 (vi) \$30,000,000 for fiscal year 2021;

- 1 (vii) \$35,000,000 for fiscal year 2022;
 2 (viii) \$40,000,000 for fiscal year 2023;
 3 (ix) \$45,000,000 for fiscal year 2024; and
 4 (x) \$50,000,000 for fiscal year 2025; and

5 (b) For the tribal transit program under section 5311(c)(1)(B) of title
 6 49, United States Code—

- 7 (vi) \$55,000,000 for fiscal year 2021;
 8 (vii) \$60,000,000 for fiscal year 2022;
 9 (viii) \$65,000,000 for fiscal year 2023;
 10 (ix) \$70,000,000 for fiscal year 2024; and
 11 (x) \$75,000,000 for fiscal year 2025.

12
 13 **SEC. 103. TRIBAL TRANSIT PROGRAM AMENDMENTS.**

14 Section 5311(c)(2) of title 49, United States Code, is amended—
 15 in subsection (A) by striking the period at the end of the sentence, inserting a
 16 semi-colon, and adding the following: “; provided that before distributing funds
 17 on a competitive basis under this subsection, the Secretary shall ensure that an
 18 American Indian/Alaska Native Tribe that received a public transportation
 19 grant under section 3013(c) of Pub. L. 109-59 during fiscal years 2006 through
 20 2012, receives not less than the highest amount awarded to the Indian tribe for
 21 equipment purchases, maintenance, operating or any other transit-related costs
 22 received under section 3013(c) of Pub. L. 109-59 if, by operation of the formula
 23 allocation in section (j) herein, the American Indian/Alaska Native Tribe’s
 24 formula grant award falls below an award previously made to the Indian tribe
 25 under section 3013(c) of Pub. L. 109-59.”.

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28 **SEC. 104. NATIONALLY SIGNIFICANT FEDERAL LANDS AND**
 29 **TRIBAL PROJECTS PROGRAM AMENDMENTS.**

1 (a)(1) Section 1123 of the Fixing America’s Surface Transportation Act, Pub.
 2 L. 114-94, 129 Stat. 1370, 23 U.S.C. § 201 note, is amended as follows—
 3 in subparagraph (c)(3) of the section by striking the period at the end and
 4 inserting the following: “; except that for a Tribal transportation project, listed
 5 on the National Tribal Transportation Facility Inventory, a project shall be
 6 eligible under this section if it has an estimated cost, based on the results of
 7 preliminary engineering, equal to or exceeding \$3,000,000, with priority
 8 consideration given to projects with an estimated cost equal to or exceeding
 9 \$5,000,000; and notwithstanding subparagraph (c)(2) or (d)(2) herein, a Tribal
 10 transportation project may include costs for advance planning development
 11 elements, including but not limited to, planning, design, engineering and
 12 environmental requirements under the National Environmental Policy Act of
 13 1969. Such sums shall remain available for a period of three fiscal years
 14 following the fiscal year for which the amounts are appropriated.”; and
 15

16 **SEC. 105. TRIBAL HIGH PRIORITY PROJECTS PROGRAM.**

17 (a) Section 202 of title 23 United States Code is amended to add a new
 18 paragraph (h) to read:

19 “(h) TRIBAL HIGH PRIORITY PROJECTS PROGRAM. —

20 “(1) There is established a high priority projects program to permit any
 21 American Indian/Alaska Native Tribe to finance a high priority project.

22 “(a) DEFINITIONS. —In this section:

23 “(1) EMERGENCY OR DISASTER.—The term ‘emergency or disaster’ means
 24 damage to a tribal transportation facility that—

25 “(A) renders the tribal transportation facility hazardous, impassable or unusable;

26 “(B) is caused by—

27 “(i) a natural disaster over a widespread area; or

28 “(ii) a catastrophic failure from an external cause; and

1 “(C) would be eligible under the emergency relief program under section 125 of
2 title 23, United States Code, but does not meet the funding thresholds required by
3 that section.

4 “(2) LIST.—The term ‘list’ means the funding priority list developed under
5 subsection (c)(5).

6 “(3) PROGRAM.—The term ‘program’ means the Tribal High Priority Projects
7 program established under subsection (b)(1).

8 “(4) PROJECT.—The term ‘project’ means a project provided funds under the
9 program.

10 “(b) PROGRAM.—

11 “(1) IN GENERAL.—The Secretary of Transportation shall use amounts made
12 available under this section to carry out a Tribal High Priority Projects program
13 under which funds shall be provided to eligible applicants in accordance with this
14 section.

15 “(2) ELIGIBLE APPLICANTS.—Applicants eligible for program funds under this
16 section include—

17 “(A) an Indian tribe whose annual allocation of funding under section 202 of title
18 23, United States Code, is insufficient to complete the highest priority project of
19 the American Indian/Alaska Native Tribe;

20 “(B) a governmental subdivision of an Indian tribe—

21 “(i) that is authorized to administer the funding of the American Indian/Alaska
22 Native Tribe under section 202 of title 23, United States Code; and

23 “(ii) for which the annual allocation under that section is insufficient to complete
24 the highest priority project of the Indian tribe; or

25 “(C) any Indian tribe that has an emergency or disaster with respect to a
26 transportation facility included on the national inventory of tribal transportation
27 facilities under section 202(b)(1) of title 23, United States Code.

28 “(c) PROJECT APPLICATIONS; FUNDING.—

1 “(1) IN GENERAL.—To apply for funds under this section, an eligible applicant
2 shall submit to the Department of Transportation or the Department of Interior an
3 application that includes—

4 “(A) project scope of work, including deliverables, budget, and timeline;

5 “(B) the amount of funds requested;

6 “(C) project information addressing—

7 “(i) the ranking criteria identified in paragraph (3); or

8 “(ii) the nature of the emergency or disaster;

9 “(D) documentation that the project meets the definition of a tribal transportation
10 facility and is included in the national inventory of tribal transportation facilities
11 under section 202(b)(1) of title 23, United States Code;

12 “(E) documentation of official tribal action requesting the project;

13 “(F) documentation from the Indian tribe providing authority for the Secretary or
14 the Secretary of the Interior to place the project on a transportation improvement
15 program if the project is selected and approved.

16 “(2) LIMITATION ON APPLICATIONS.—An applicant for funds under the
17 program may only have 1 application for assistance under this section pending at
18 any 1 time, including any emergency or disaster application.

19 “(3) APPLICATION RANKING.—

20 “(A) IN GENERAL.—The Secretary and the Secretary of the Interior shall
21 determine the eligibility of, and fund, program applications, subject to the
22 availability of funds.

23 “(B) RANKING CRITERIA.—The project ranking criteria for applications under
24 this section shall include—

25 “(i) the existence of safety hazards with documented fatality and injury data
26 resulting from motor vehicle crashes;

27 “(ii) the number of years since the Indian tribe last completed a construction project
28 funded by section 202 of title 23, United States Code;

29 “(iii) the readiness of the Indian tribe to proceed to construction or bridge design
30 need;

1 “(iv) the percentage of project costs matched by funds that are not provided under
2 section 202 of title 23, United States Code, (with projects with a greater percentage
3 of other sources of matching funds ranked ahead of lesser matches);

4 “(v) the amount of funds requested, with requests for lesser amounts given greater
5 priority;

6 “(vi) the challenges caused by geographic isolation; and

7 “(vii) all weather access for employment, commerce, health, safety, educational
8 resources, or housing.

9 “(4) FUNDING PRIORITY LIST.—

10 “(A) IN GENERAL.—The Secretary and the Secretary of the Interior shall jointly
11 produce a funding priority list that ranks the projects approved for funding under
12 the program.

13 “(B) LIMITATION.—The number of projects on the list shall be limited by the
14 amount of funding made available.

15 “(5) TIMELINE.—The Secretary and the Secretary of the Interior shall—

16 “(A) require applications for funding no sooner than 60 days after funding is made
17 available pursuant to subsection (a);

18 “(B) notify all applicants and Regions in writing of acceptance of applications;

19 “(C) rank all accepted applications, develop the funding priority list, and return
20 unaccepted applications to the applicant with an explanation of deficiencies;

21 “(D) notify all accepted applicants of the projects included on the funding priority
22 list no later than 180 days after the application deadline has passed pursuant to
23 subparagraph (A); and

24 “(E) distribute funds to successful applicants.

25 “(d) EMERGENCY OR DISASTER PROJECT APPLICATIONS.—

26 “(1) IN GENERAL.—Notwithstanding subsection (c)(5), an eligible applicant may
27 submit an emergency or disaster project application at any time during the fiscal
28 year.

29 “(2) CONSIDERATION AS PRIORITY.—The Secretary shall—

1 “(A) consider project applications submitted under paragraph (1) to be a priority;
2 and

3 “(B) fund the project applications in accordance with paragraph (3).

4 “(3) FUNDING.—

5 “(A) IN GENERAL.—If an eligible applicant submits an application for a project
6 under this subsection before the issuance of the list under subsection (c)(4) and the
7 project is determined to be eligible for program funds, the Secretary or the Secretary
8 of the Interior shall provide funding for the project before providing funding for
9 other approved projects on the list.

10 “(B) SUBMISSION AFTER ISSUANCE OF LIST.—If an eligible applicant
11 submits an application under this subsection after the issuance of the list under
12 subsection (c)(4) and the distribution of program funds in accordance with the list,
13 the Secretary or the Secretary of the Interior shall provide funding for the project
14 on the date on which unobligated funds provided to projects on the list are returned
15 to the Department or the Department of the Interior.

16 “(C) EFFECT ON OTHER PROJECTS.—If the Secretary or the Secretary of the
17 Interior uses funding previously designated for a project on the list to fund an
18 emergency or disaster project under this subsection, the project on the list that did
19 not receive funding as a result of the redesignation of funds shall move to the top
20 of the list the following year.

21 “(4) EMERGENCY OR DISASTER PROJECT COST.—The cost of a project
22 submitted as an emergency or disaster under this subsection shall be at least 10
23 percent of the distribution of funds of the Indian tribe under section 202(b) of title
24 23, United States Code and shall be limited to the amount of disaster or emergency
25 assistance not covered, or not eligible for coverage, under any other Federal
26 emergency or disaster assistance program.

27 “(e) LIMITATION ON USE OF FUNDS.—Program funds shall not be used for—

28 “(1) transportation planning;

29 “(2) research;

30 “(3) routine maintenance activities;

- 1 “(4) structures and erosion protection unrelated to transportation and roadways;
- 2 “(5) general reservation planning not involving transportation;
- 3 “(6) landscaping and irrigation systems not involving transportation programs and
4 projects;
- 5 “(7) work performed on projects that are not included on a transportation
6 improvement program approved by the Federal Highway Administration, unless
7 otherwise authorized by the Secretary or the Secretary of the Interior; or
- 8 “(8) the condemnation of land for recreational trails.
- 9 “(f) LIMITATION ON PROJECT AMOUNTS.—Project funding shall be limited
10 to a maximum of \$2,000,000 per application, except that funding for disaster or
11 emergency projects shall also be limited to the estimated cost of repairing damage
12 to the tribal transportation facility that has not been covered, or is not eligible for
13 coverage, in any other federal emergency/disaster program award as provided in
14 paragraph (d)(4) herein; provided, however, that should appropriations for this
15 sections exceed \$35,000,000, project funding, other than for disaster or emergency
16 projects, shall be limited to a maximum of \$3,000,000.
- 17 “(g) COST ESTIMATE CERTIFICATION.—All cost estimates prepared for a
18 project shall be required to be submitted by the applicant to the Secretary and the
19 Secretary of the Interior for certification and approval.
- 20 “(h) ADMINISTRATION.—The funds made available under paragraph (1) shall
21 be administered in the same manner as funds made available for the tribal
22 transportation program under section 202 of title 23, United States Code, except
23 that—
- 24 “(A) the funds made available for the program shall remain available until
25 September 30 of the third fiscal year after the year appropriated; and
- 26 “(B) the Federal share of the cost of a project shall be 100 percent.”

27

28 **SEC. 106. NATIONAL TRIBAL ASSET MANAGEMENT PROGRAM.**

- 29 (a) IN GENERAL. —Section 201(c)(5) of Title 23, United States Code, is
30 amended to add a new subparagraph (A) to read as follows:

1 “(A) NATIONAL TRIBAL ASSET MANAGEMENT PROGRAM.

2 “(1) ESTABLISHMENT. —The Secretary in cooperation with the
3 Secretary of the Interior shall establish and implement a national tribal asset
4 management program under this section.

5 “(2) PURPOSES.—The purpose of the national tribal asset management
6 program shall be-

7 “(a) to provide support for the condition and performance of tribal
8 transportation facilities and systems;

9 “(b) to ensure that investment of federal and tribal funds in
10 transportation facility construction are directed to support progress toward
11 the achievement of performance targets consistent with 23 U.S.C. § 119
12 National highway performance program and established in an asset
13 management plan of a Tribe for the tribal transportation system.

14 “(3) ELIGIBLE FACILITIES.—Except as provided in subsection
15 (4), to be eligible for funding apportioned under this section, a facility shall
16 be located on the national tribal transportation facility inventory as defined
17 in § 202(b)(1) and must have been previously constructed with or eligible
18 for construction using federal or tribal transportation funds.

19 “(4) ELIGIBLE PROJECTS. —Funds apportioned to a Tribe to
20 carry out the tribal transportation asset management program may be
21 obligated only for a project on an eligible facility that is—

22 “(1)(A) a project or part of a program of projects supporting
23 progress toward the achievement of national tribal transportation

1 performance goals for improving infrastructure condition, safety,
2 mobility, or freight movement on a tribal transportation facility
3 listed on the national tribal transportation facility inventory; and

4 “(B) consistent with the tribe’s long-range transportation plan; and

5 “(2) for 1 or more of the following purposes:

6 “(A) Resurfacing (including sealing, application of dust

7 palliatives, replacement of original surface materials),

8 restoration, preservation or operational improvements of

9 segments of the tribe’s transportation system.

10 “(B) Preservation, and protection (including scour countermeasures, seismic
11 retrofits, impact protection measures, security countermeasures, and protection
12 against extreme events) of bridges on the National Bridge Inventory and part of
13 a tribe’s national tribal transportation facility inventory.

14 “(C) Training of personnel to assure correct implementation of preservation
15 measures.

16 “(5) APPLICABLE LAWS AND REGULATIONS.—Notwithstanding
17 any other law or regulation, a tribal government shall not be subject to the
18 laws, regulations or other requirements applicable to state transportation
19 departments under the Federal-Aid Highway System, except to the extent
20 such laws and regulations are expressly made applicable to contracts,
21 compacts or government-to-government agreements entered into pursuant
22 to the Indian Self-Determination and Education Assistance Act (25 U.S.C.
23 450 et seq.), the Tribal Transportation Self-Governance Program, or
24 contracts and agreements pursuant to sections 202(a)(2)(B) and 202(b)(6)

1 and (7), as amended. Unless expressly agreed to by the participating Indian
2 tribe, the participating Indian tribe shall not be subject to any agency
3 circular, policy, manual, guidance, or rule adopted by the Department of
4 Transportation, except 25 C.F.R. Part 170, or regulations promulgated
5 under section 207(n) of title 23, United States Code.

6 “(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be
7 appropriated from the Highway Trust Fund (other than the Mass Transit
8 Account) to carry out this section \$75,000,000 for fiscal year 2020, \$85,000,000
9 for fiscal year 2021, \$95,000,000 for fiscal year 2022, \$105,000,000 for fiscal
10 year 2023, \$115,000,000 for fiscal year 2024, and \$125,000,000 for fiscal
11 years 2025.

12 Of the amounts made available or appropriated for each fiscal year pursuant to this
13 [section](#) to carry out the activities in this paragraph, the following amounts shall be
14 apportioned each fiscal year for competitive grants to Indian tribes for any purpose
15 eligible under this section, under such terms and conditions as may be established
16 by the [Secretary in consultation with American Indian and Alaskan Native tribes](#):

17
18 **(A)** \$15,000,000 for each fiscal year shall be distributed on a competitive basis for
19 eligible activities on any route included in the National tribal transportation facility
20 inventory

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