


INTERGOVERNMENTAL FUND TRANSFER AGREEMENT

POSITION STATEMENT

The 21 Member Tribes of the Inter Tribal Association of Arizona (ITAA) support the purpose and methodology of the Intergovernmental Fund Transfer Agreement (IFTA).


KEY POINTS



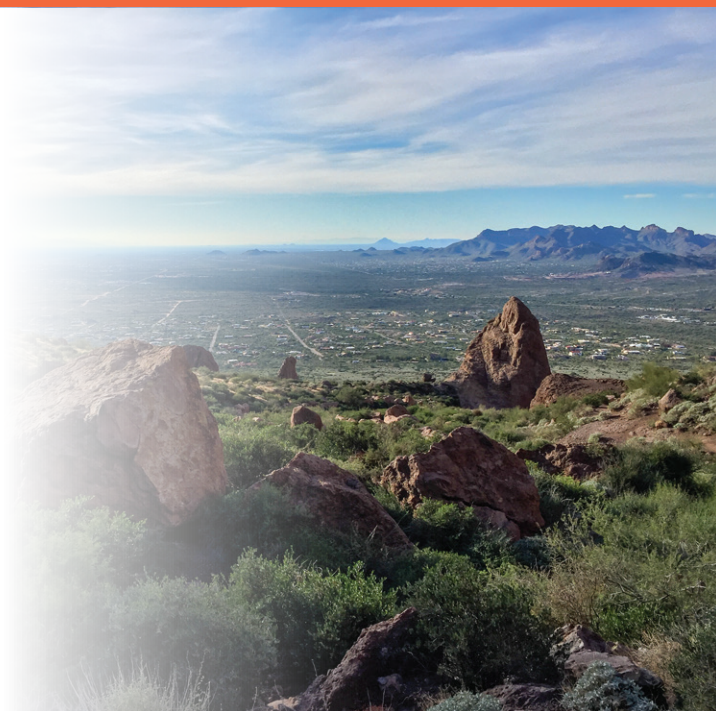
Institute an efficient and timely process for IFTA preparation and approval.



Support self-determination and transfer of project administration and funding from a state DOT to a Tribe's TTP through BIADOT.



Through an IFTA, a Tribe should not be required to waive sovereignty to accept awarded federal-aid funds.



BACKGROUND

An IFTA provides for the transfer of the project administration and funding for an awarded federal-aid project from a state Department of Transportation (DOT) to a Tribe's Tribal Transportation Program (TTP) through the Bureau of Indian Affairs Division of Transportation (BIADOT) or the Federal Highway Administration (FHWA) as applicable.

Tribes in Arizona have successfully carried out several IFTAs with Arizona DOT. However, ADOT and Tribes are experiencing administrative delays when working with BIADOT, which could harm the effective use of these agreements in the future.

INTERGOVERNMENTAL FUND TRANSFER AGREEMENT

Position on Issue:

The 21 Member Tribes of the Inter Tribal Association of Arizona (ITAA) support the purpose and methodology of the Intergovernmental Fund Transfer Agreement (IFTA). An IFTA provides for the transfer of the project administration and funding for an awarded federal-aid project from a state Department of Transportation (DOT) to a Tribe's Tribal Transportation Program (TTP) through the Bureau of Indian Affairs Division of Transportation (BIADOT) or the Federal Highway Administration (FHWA) as applicable.

Key Points

- Request the Department of Interior, Office of the Solicitor, to institute an efficient and timely process for the IFTA preparation and approval that supports self-determination and the expedient transfer of the project administration and funding for an awarded federal-aid project from a state DOT to a Tribe's TTP thru BIADOT.

Background

Signed into law in July 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21) governed the funding and authorization of the federal surface transportation programs. Map-21 authorized cooperation of States and local governments (23 USC § 202(a)(9)(A) and contracting federal-aid within the TTP (23 USC § 202(a)(9)(B)).

However, the actual IFTA methodology was developed during the next federal surface transportation act, Fixing America's Surface Transportation Act. During late 2016 and early 2017, the Inter Tribal Council of Arizona, Inc. coordinated meetings for the 21 Member Tribes, Department of the Interior, Federal Highway Administration and Arizona Department of Transportation (ADOT) that resulted in ADOT instituting the IFTA for federal-aid project agreements with Tribes in Arizona. Through an IFTA, a Tribe is not required to waive sovereignty to accept awarded federal-aid funds and may administer the federal-aid project according to the TTP provisions/regulations.

Since that time, Tribes in Arizona have successfully carried out several IFTAs with ADOT. However, ADOT and Tribes are experiencing administrative delays when working with BIADOT, which could harm the effective use of these agreements in the future.