 **U.S. Department of Transportation**

**Office of Public Affairs**

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**News**

**FACT SHEET: The Bipartisan Infrastructure Law**

**Will Deliver for Tribal Nations**

President Biden’s historic Bipartisan Infrastructure Law will deliver for Tribal Nations and communities across the country. Tribes have faced a disinvestment in infrastructure – 60% of roads on Tribal lands are unpaved, and Tribal communities are disproportionately impacted by roadway fatalities. The law will help Tribal Nations repair roads and bridges, improve transportation options, upgrade airports, ports and inland ports to ensure that people and goods alike can move safely and efficiently. The law will also ensure that Tribal Nations and Tribal communities receive the benefits of a national network of electric vehicle (EV) chargers that will reduce range anxiety. The law will rebuild and repair Tribal infrastructure, provide connectivity that will spur economic growth in Tribal communities, and create jobs in communities across the country.

**The Bipartisan Infrastructure Law includes new programs that will benefit Tribal Nations.** Specifically, in FY 2022, the law:

* **Includes $300 million for a new Rural Surface Transportation grant program** that will provide competitive grants to eligible entities to improve and expand the surface transportation infrastructure in rural areas, including on Tribal land.The goals of the program include increasing connectivity, improving safety and reliability of the movement of people and freight, and generating regional economic growth and improving quality of life.
* **Includes $1 billion for a new competitive Safe Streets for All program,** to provide funding directly to and exclusively for local and Tribal governments to support their effortstoadvance“vision zero” plans and other complete street improvements to reduce crashes and fatalities, especially for cyclists and pedestrians. This program will benefit Tribal communities who are disproportionately impacted by roadway fatalities.
* **Includes $195 million for a new Reconnecting Communities Pilot,** a first-ever program to reconnect communities divided by transportation infrastructure. This new competitive program will provide dedicated funding to State, local, MPO, and Tribal governments for planning, design, demolition, and reconstruction of street grids, parks, or other infrastructure.
* **Includes a $1 billion for a new MEGA Project Program,** which will support multi-modal, multi-jurisdictional projects of national or regional significance. Tribal communities are eligible to apply for funding to complete critical large projects that would otherwise be unachievable without assistance.
* **Invests in electric vehicle infrastructure.** The law invests $7.5 billion over five years to build out a national network of EV chargers. In FY 2022, the law will provide up to $300 million to establish convenient EV charging where people live, work, and shop through the new charging and fueling infrastructure grants, on top of the $1 billion in formula funding dedicated to building out an electric vehicle charging network. These grants will be prioritized for rural areas, low- and moderate-income neighborhoods, and communities (including Tribal communities) with low ratios of private parking, or high ratios of multiunit dwellings.
* **Establishes rural priorities for rail investment, including a new competitive railroad crossing elimination grant** to make improvements to highway and pathway rail crossings, such as eliminating highway-rail at-grade crossings that are frequently blocked by trains, adding gates or signals, relocating track, or installing a bridge. $600 million is available in FY 2022 for the railroad crossing elimination program, and at least 20 percent of funds are reserved for projects in rural areas or on Tribal lands. This program will improve the safety of communities and the mobility of people and goods. The law also prohibits Amtrak from discontinuing, reducing the frequency of, suspending, or substantially altering the route of rail service on any segment of any long-distance route if Amtrak receives adequate funding for that route.
* **Includes $100 million for a new Strengthening Mobility and Revolutionizing Transportation (SMART) Grant Program which will provide funding to projects across rural, midsized, and large communities.** The SMART Grant program will be a competition that will deliver competitive grants to States, local governments, and Tribal Nations for projects that improve transportation safety and efficiency.
* **Includes $60 million for a new Wildlife Crossing Safety program.** The law establishes a pilot program to provide grants for projects designed to reduce wildlife-vehicle collisions and improve habitat connectivity. It also requires the Secretary to update a 2008 study on wildlife vehicle collisions, including the causes and impacts of wildlife collisions as well as solutions and best practices for reducing wildlife collisions and improving habitat connectivity.
* **Includes $200 million for a National Culvert Removal, Replacement, and Restoration Program** to provide grants to States, local governments, and Tribes to address anadromous fish passage as well as provide funding for certain freshwater impacts to marine fish and shellfish species.

**The Bipartisan Infrastructure Law establishes structures within the Department of Transportation to support Tribal communities through technical assistance, establishes an Office of Tribal Affairs, and changes the Tribal Affairs leadership in DOT.**

* **Establishes an Office of Tribal Affairs.** Currently, the Tribal Affairs Program resides in the Government Affairs Office. The law allows the Tribal Affairs Program to stand independently within the Office of the Secretary (OST) at the Department of Transportation.
* **Changes the Tribal Affairs leadership in DOT** by elevating the position of Deputy Assistant Secretary for Tribal Affairs to the position of Assistant Secretary of Indian Affairs.
* **Establishes the Rural Opportunities to Use Transportation for Economic Success (ROUTES) initiative as a grant program** in order improve analysis of projects from rural areas, Tribes, and historically disadvantaged communities in rural areas applying for Department discretionary grants, including ensuring that project costs, local resources, and the larger benefits to the people and the economy of the United States are appropriately considered. ROUTES will provide technical assistance to rural communities, Tribes, and historically disadvantaged communities in order to meet the transportation infrastructure investment needs in a financially sustainable manner. The law also establishes an office within the Department of Transportation to address the needs of entities seeking Federal grants and assistance for rural projects. ROUTES was first established in 2019 and currently provides technical assistance for rural and tribal stakeholders as a single point of contact at DOT.

**Expands existing programs that benefit Tribal communities.** Specifically, in FY 2022, the BIL:

* **Increases the Tribal Transportation Program, providing $578 million.** The program provides safe and adequate transportation and public roads that are within, or provide access to, Tribal land, or are associated with a Tribal government, while contributing to economic development, self-determination, and employment in Tribal communities. The law will alsoimprove the environmental review process for the Tribal Transportation Program. The law includes a provision directing Interior and Transportation Secretaries to enter into programmatic agreements with Indian Tribes to establish efficient administrative procedures for carrying out environmental reviews in the Tribal Transportation Program**.** Additionally, within this program, the set aside for the Tribal Transportation Program Safety Fund increases from 2% to 4% since roadway fatalities disproportionately impact Native Americans.
* **Amends the Rural Area Formula Grant Program by establishing fixed percentages for the Tribal Transit Program and the Appalachian Development Public Transportation Assistance programs**. $875 million is available in for Formula Grants for Rural Areas under the BIL, a 30 percent increase over FAST Act levels. This program provides capital, planning, and operating assistance to States to support public transportation in rural areas with populations of less than 50,000, where many residents often rely on public transit to reach their destinations.
* **Increases funding for bridges benefiting Tribal areas which often struggle to find the resources to keep bridges in a state of good repair.**  The Bipartisan Infrastructure Law invests more than $40 billion over five years in bridges – the single largest investment in repairing and reconstructing our nation’s bridges since the construction of the interstate highway system, with $2.4 billion in competitive funding and $5.5 billion in formula funding available for bridges in FY 2022. This will include investments to both large bridges, as well as to bridges that are in rural and Tribal areas. The formula bridge funding includes a 15 percent set-aside for “off-system” bridges, providing substantially more federal funding to these bridges. The combined set-asides across both competitive and formula bridge programs for Tribal Transportation Facility bridges is over $201 million, resulting in 14 times the funding levels in the FAST Act.
* **Increases the Rebuilding America’s Infrastructure with Sustainability and Equity (RAISE) grant program, providing $1.5 billion**, supporting surface transportation projects of local and/or regional significance. RAISE grants require an equal split between urban and rural areas.
* **Increases FHWA’s Nationally Significant Federal Lands and Tribal Projects program to $55 million.** This discretionary program provides funding for the construction, reconstruction, and rehabilitation of nationally-significant projects within, adjacent to, or accessing Federal and Tribal lands. The law amends this program to allow smaller projects to qualify for funding and allows 100% federal share for Tribal projects.

**Expands and modifies eligibility for existing programs to benefit Tribal communities.**

* **Increases funding for the Nationally Significant Freight and Highway Projects (also known as INFRA) in rural communities.** The law amends INFRA to include a minimum 30 percent set-aside for small projects, largely intended for rural areas, an increase from the 25 percent set-aside under the FAST Act. INFRA is also expanded under BIL, with $1.64 billion available in FY 2022. These funds will support rural and Tribal communities by funding highway and rail projects of regional and national economic significance – catalyzing economic growth and creating jobs in these communities.
* **Increases funding for the Buses and Bus Facilities competitive grant program, providing $447 million in FY 2022,** and includes a 15 percent rural set-aside, an increase from the 10 percent set-aside in the FAST Act. This will allow more rural and tribal communities to replace, repair, and purchase buses and construct bus-related facilities. Low-emission and no-emission buses and vehicles are eligible to receive funding under this program.
* **Increases the Tribal Transit Program, providing $44 million in FY 2022.** 80 percent of this will be apportioned as formula grants, and the remaining 20 percent will be distributed on a competitive basis. These funds will support public transit projects that will meet the growing needs of rural and tribal communities. Additionally, the TTP is now tied to the Rural Transit Program and will grow as the RTP grows.

**You can view upcoming notices of funding opportunities on USDOT’s** [**Bipartisan Infrastructure Law website**](https://www.transportation.gov/bipartisan-infrastructure-law/upcoming-notice-funding-opportunity-announcements-2022)**. Learn more about funding opportunities at** [**transportation.gov/grants**](https://www.transportation.gov/grants)**.**

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