

Road Maintenance Funds and Eligibility (RIFDS, 25%, TPA)

Presenter: Sheldon Kipp, BIA-DOT

BIA Road Maintenance Program Funding

- Provided annually through the annual DOI Appropriations
- Authority: [25 U.S. Code § 318a](#) - Roads on Indian reservations; appropriation
- Appropriations are hereby authorized out of any money in the Treasury not otherwise appropriated for material, equipment, supervision and engineering, and the employment of Indian labor in the survey, improvement, construction, and maintenance of Indian reservation roads not eligible to Government aid under the Federal Highway Act and for which no other appropriation is available, under such rules and regulations as may be prescribed by the Secretary [1] of the Interior.
- (May 26, 1928, ch. 756, 45 Stat. 750.)

Typically, in the appropriations

- FY 2024, “Consolidated Appropriations Act, 2024”
- DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2024 Title I—Department of the Interior
- BUREAU OF INDIAN AFFAIRS OPERATION OF INDIAN PROGRAMS (INCLUDING TRANSFERS OF FUNDS)
- . . . Provided further, That not to exceed \$69,995,000 shall remain available until expended for housing improvement, road maintenance, land acquisition, attorney fees, litigation support, land records improvement, hearings and appeals, and the Navajo-Hopi Settlement Program:

Road Maintenance Eligibility

- **23 USC 101(a)(13):**
- (13) Maintenance.—
- The term “maintenance” means the preservation of the entire highway, including surface, shoulders, roadsides, structures, and such traffic-control devices as are necessary for safe and efficient utilization of the highway.
- **25 CFR 170.5:**
- Maintenance means the preservation of the Tribal transportation facilities, including surface, shoulders, roadsides, structures, and such traffic-control devices as are necessary for safe and efficient utilization of the facility (see 23 U.S.C. 101(13)).