January 25, 2018

ACTION MEMORANDUM TO THE SECRETARY

From: Brandye L. Hendrickson
       Acting Administrator
       X60585

Prepared by: Timothy G. Hess
              Associate Administrator for Office of Federal Lands Highway
              X69472

Subject: Transmittal of the Tribal Transportation Program (TTP) Fiscal Year (FY) 2016 Data Report

ACTION REQUIRED

The Federal Highway Administration (FHWA) requests that the Secretary review and approve the attached TTP FY 2016 Data Report for posting on FHWA’s website¹. This report was developed in accordance with Section 1117(a) of the Fixing America’s Surface Transportation (FAST) Act (23 U.S.C. 201(c)(6)(c)).

SUMMARY

Section 1117(a) of the FAST Act requires all recipients of TTP funds, including Tribes, FHWA, and the U.S. Department of the Interior’s Bureau of Indian Affairs (BIA) to identify the names of the projects and activities carried out under the TTP funds during each fiscal year, provide their current status, and estimate the number of jobs created and retained by the projects and activities. The Report contains an Executive Summary as well as five attachments. The attachments include overall information on funding and jobs, as well as more specific information on the projects or activities that were carried out with the TTP funding in FY 2016. A copy of this report is also being provided to the Secretary of the Interior through the BIA, which co-administers the TTP with FHWA.

BACKGROUND

The TTP provides funding to 567 federally recognized Indian Tribes and Alaska Native Villages (Tribes) to help them address the transportation needs of their communities. The Tribes use these funds for eligible transportation activities such as planning, design, and construction of transportation facilities, as well as addressing maintenance and transportation safety issues.

¹ https://flh.fhwa.dot.gov/programs/ttp/port/
The amount of TTP funding made available to each Tribe is determined by using a statutory funding formula.

This is the first year for this report; the data collection and reporting was met with general acceptance by the Tribes, and nearly 99 percent of them reported their data. Both FHWA and BIA continue to work with the tribal transportation representatives to clarify instructions and improve the data reporting system for use in the coming years.

RECOMMENDATION

The FHWA recommends that the Secretary approve this report for posting on the FHWA’s TTP Website.

Attachment
  • TTP FY 2016 Data Report

The Secretary

APPROVED:  

DISAPPROVED:

COMMENTS:

DATE:  2-2-18
General Program Overview

The Tribal Transportation Program (TTP), established in 2012 under the Moving Ahead for Progress in the 21st Century Act (MAP-21), provides funding for addressing the transportation needs of the 567 federally recognized Indian Tribes and Alaska Native Villages (Tribes). The Tribes can use these funds for eligible transportation activities such as planning, design, construction, and road and bridge maintenance. The program is jointly administered by the Federal Highway Administration’s (FHWA) Office of Federal Lands Highway and the Bureau of Indian Affairs (BIA) in accordance with a memorandum of understanding. Prior to MAP-21, the TTP was known as the Indian Reservation Roads (IRR) Program, which was established by the Surface Transportation Assistance Act of 1982.

Under the Fixing America’s Surface Transportation (FAST) Act, the TTP was authorized at a funded level of $465 million in FY 2016. Except for a 5 percent set aside for FHWA and BIA to carry out stewardship and oversight of the program, all other TTP funding is provided to Tribes either as Tribal shares or as special set-aside funding to address transportation planning, as well as safety and bridge projects and activities. The Tribal shares are determined via a statutory funding formula that can be found at Title 23 United States Code (U.S.C.), section 202(b). The TTP is an important resource of a Tribe’s overall infrastructure investment strategy. The regulations for carrying out the TTP can be found at 25 CFR Part 170.

Any facility that provides access to or is located within Tribal lands is eligible to be included in the National Tribal Transportation Facility Inventory (NTTFI). These roads, trails, bridges, and other facilities provide safe and adequate transportation for public access to, within, and through Indian reservations and native communities for Native Americans, visitors, recreational users, resource users, and others, while contributing to the health and safety and economic development of Native American communities. There are currently more than 161,000 miles of roads on the NTTFI. Approximately 31,500 miles are identified as being BIA routes and another 27,000 miles as Tribal routes. The remaining mileage is owned by others including States, counties, townships,
The TTP funds can only be expended for projects and activities that are identified on an FHWA approved Transportation Improvement Program per 23 U.S.C. 202(b)(4)(B). If the funds are to be expended on a facility, that facility must be included in the NTTFI. A listing of eligible TTP activities can be found at 25 CFR 170.111.

**TTP Funding Formula**

The FAST Act carried over the existing funding formula that was established in MAP-21. Found at 23 U.S.C. 202(b), the statute states that in FY 2016, after incorporating the set asides authorized under other subsections and subparagraphs (identified below), the Secretary shall distribute the remaining TTP funding among Indian Tribes as follows:

- 20 percent of the remaining funding using the FY 2011 total relative need distribution factor (RNDF) and population adjustment factor (PAF) percentages (of the funding formula that was in place at that time\(^1\)); and
- the “balance” using the MAP-21 TTP funding formula.

\(^1\) The funding formula that was in place in FY2011 was developed through negotiated rulemaking and contained in 25 CFR part 170, which was published on July 19, 2004. The RNDF formula contained three factors: Cost to construct, Vehicle Miles Traveled, and Population. The PAF provided additional Tribal share funding at one of five differing amounts based on the same official Tribal population as used in the current formula. The RNDF and PAF, when added together became the “Tribal share,” and each Tribe’s share, when compared to the national total, became its “Tribal share percentage.”
The MAP-21 TTP funding formula contains three factors:

- **Eligible Road Mileage (27 percent of the “balance” identified above)**
  For the purposes of this calculation, and per 23 U.S.C. 202(b)(3)(B), the eligible road mileage is computed as the sum of the BIA or Tribally owned roads included in the FY 2012 NTTFI as well as any other road that was included in the BIA system inventory prior to October 1, 2004. A total of 60,446 miles were used for this factor. Each Tribe’s ratio of total eligible road mileage as compared to the total eligible road mileage of all Tribes is used in this Tribal share calculation. A Tribe-by-Tribe breakdown of their eligible mileage for FY 2016 can be found on the FHWA TTP Website at [https://flh.fhwa.dot.gov/programs/ttp/](https://flh.fhwa.dot.gov/programs/ttp/) under the heading of TTP Annual Report/Tribal shares.

- **Tribal Population (39 percent of the “balance” identified above)**
  This calculation utilizes the most recent data on American Indian and Alaska Native population within each Indian Tribe’s American Indian/Alaska Native Reservation or Statistical Area, as computed under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.). For FY 2016, this totaled 1,575,554. Again, each Tribe’s ratio of their total population as compared to the total population of all American Indians and Alaskan Natives is used in this Tribal share calculation.

- **Historic Tribal Shares (34 percent of the “balance” identified above)**
  The Tribal share distribution for this factor is initially divided equally among each of the 12 BIA regions. Then within each region, each Tribe’s share is determined by calculating the ratio that the average total relative need distribution factors and population adjustment factors from FY 2005 through 2011 calculated for that Tribe bears to the average total of relative need distribution factors and population adjustment factors for FY 2005 through 2011 calculated for all the Tribes within that region.

  In FY 2016, $302,950,000 was authorized for the TTP funding formula. Of this amount, $69,339,516 (20 percent) was distributed using the FY 2011 RNDF and PAF percentages described above, while $233,610,484 was distributed using the MAP-21 TTP funding formula.

The set asides that are incorporated into the TTP funding formula include:

- **Tribal supplemental funding** – Under the statutory TTP funding formula, the dollar amount for this set aside is equal to $82,500,000 plus 12.5 percent of the amount made available for the TTP in excess of $275,000,000. For FY 2016, this totaled $106,250,000 in authority. The intent of this set aside is to offset any negative impacts to each Tribe’s funding levels (from the MAP-21 formula versus the previously used IRR funding formula) by providing extra funding to assure that, if possible, each federally recognized Tribe receives at least the same level of funding that it did in FY 2011. The total funding for this set aside is initially designated at the 12 BIA regional level based on a ratio of their regional Tribes’ total of Tribal shares as compared to the total nationwide Tribal
shares for that year. The funds are then made available to the Tribes within each region that were negatively impacted by the new formula so that their Tribal share total is at least the same as they received in FY 2011. Any remaining funds are then made available to all the Tribes within that region based on the size of their Tribal shares. If the supplemental funding made available to a region is not adequate to achieve this, then those Tribes that were negatively impacted each receive an amount that equals the same percentage of their FY 2011 amount.

- **Planning** – Two percent of the funds made available under the FY 2016 TTP were set aside for Tribes to carry out transportation planning activities, such as the development of a Long-Range Transportation Plan (LRTP) or to carry out other planning activities such as inventory updates or project specific planning. These funds were made available to each Tribe by adding 2 percent to their calculated Tribal share. In FY 2016, this set aside totaled $9,300,000 in authority. A list of the projects and activities that were undertaken by the Tribes in FY 2016 using these funds can be found in Attachment B;

- **Tribal Transportation Facility Bridges** – Three percent of the funds made available under the FY 2016 TTP were set aside for the purposes of carrying out this program. Tribes applied for these funds in accordance with 23 CFR part 661 to carry out any planning, design, engineering, preconstruction, construction, and inspection of any bridge project located on a route included in the NTTFI. In FY 2016, this set aside totaled $9,300,000 in authority. A list of the projects and activities that were undertaken by the Tribes in FY 2016 using these funds can be found in Attachment D;
- **Administrative expenses** – In accordance with 23 U.S.C. 202(a)(6), 5 percent of the funds made available under the FY 2016 TTP were set aside for use by the Secretary and the Secretary of the Interior for program management and oversight and project-related administrative expenses. This is often referred to as Program Management and Oversight (PM&O) funds. In FY 2016, this set aside totaled $23,250,000 in authority; and
Safety – Two percent of the funds made available under the FY 2016 TTP were set aside for the purposes of carrying out this program. Eligible projects and activities were in accordance with 23 U.S.C. 148(a)(4). Tribes applied for these funds based on a Notice of Funding Opportunity published by FHWA and awards were approved by the Secretary. In FY 2016, this set aside totaled $9,300,000 in authority. However, due to delays, the Safety funds actually provided to the Tribes in FY 2016 was $8,990,503, which was the amount available and then carried over from FY 2015. A list of the activities and projects that were undertaken by the Tribes in FY 2016 using these funds can be found in Attachment B and E. The FY 2016 Safety set aside funds will be distributed to the Tribes in FY 2017.
# FY16 TTP Fund Distribution

For FY 2016, the amounts authorized and made available for each of these categories are shown on the table below. The main Control Panel is based solely on the FY 2016 authorized levels of TTP funding. The small table to the right identifies the actual dollars or limitation made available to the funding formula and set asides in FY 2016 after the application of obligation limitation. For example, although the TTP Program was authorized at $465,000,000 in FY 2016, the actual funding made available was only $441,285,000. Because of the language of the statute, the TTP funding formula must initially be run and the Tribal shares determined based on the authorized levels. The Tribal shares are then adjusted to meet the dollars actually made available. The FY 2016 calculated Tribal shares for each of the 567 federally recognized Tribes as well as the breakdown of the 2 percent Planning funds can be found on the FHWA TTP Website at [https://flh.fhwa.dot.gov/programs/ttp/](https://flh.fhwa.dot.gov/programs/ttp/) under the heading of TTP Annual Report/Tribal shares. The amounts reported by each Tribe for FY 2016 can be found in Attachment A.

<table>
<thead>
<tr>
<th>TTP FY16 Control Panel (FAST Act)</th>
</tr>
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<tbody>
<tr>
<td>FY16 Authorization Amount</td>
</tr>
<tr>
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<tr>
<td>Ob Limit</td>
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<tr>
<td>PM&amp;O/PRAE</td>
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<tr>
<td>Tribal Transportation Planning</td>
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<td>Bridge Program</td>
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<tr>
<td>Safety Program</td>
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<td>Tribal Supplemental Funding</td>
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<tr>
<th>ACTUAL FUNDING MADE AVAILABLE</th>
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<td>Funding Authorized</td>
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<td>Funding Made Available</td>
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<tr>
<td>Subtotal</td>
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<td>Less Transportation Planning</td>
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<tr>
<td>Subtotal</td>
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<tr>
<td>Less Bridge Program</td>
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<tr>
<td>Subtotal</td>
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<tr>
<td>Less Safety Program</td>
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<tr>
<td>FY11 Tribal Shares</td>
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<td>Less Tribal Supplemental Funding</td>
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<tr>
<td>$302,950,000.00</td>
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<tr>
<td>$233,610,484.40</td>
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<tr>
<td>Available for 27% &quot;eligible miles&quot;</td>
</tr>
<tr>
<td>Available for 39% &quot;tribal population&quot; per region</td>
</tr>
<tr>
<td>Available for 34% &quot;Historic Regional Shares&quot; $79,427,564.70 $6,618,963.72</td>
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<tr>
<td>check</td>
</tr>
</tbody>
</table>
Contracting Mechanisms

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Public Law 109-59 (2005), for the first time allowed eligible Tribes the option of working directly with FHWA in the administration of their IRR Program. This option has continued through subsequent FHWA Authorizations. In FY 2016, 129 Tribes operated their TTP through Program Agreements directly with FHWA. Under these FHWA Program Agreements, the Tribes receive their funding in advance directly from FHWA and are responsible for managing their TTP. The FHWA is responsible for the stewardship and oversight of the provided funds and ensures that the program is carried out in accordance with statutory and regulatory requirements.

Four additional options are available for Tribes that opt to work directly with the BIA. For these options, the TTP funds are initially transferred from FHWA to BIA for further distribution to the Tribes. The options include:

- **Direct Service Agreements** – Under these agreements, the BIA actually carries out the TTP on behalf of and in consultation with a Tribe. Therefore, the BIA is responsible for all aspects of the TTP including delivery, stewardship, and oversight. In FY 2016, 10 Tribes had Direct Service Agreements with the BIA for their TTP;

- **Self-Determination Contracts** – These contracts are developed between the BIA and a Tribe in accordance with the Indian Self-Determination and Education Assistance Act (ISDEAA), Pub. L. 93-638. Generally, each contract is for a specific project or activity, so there could be several contracts developed over a 1-year period to account for the amount of TTP funding being made available to the Tribe. The Tribe is provided TTP funding on a contract-by-contract basis from the BIA and is responsible for carrying out the work identified. The BIA is responsible for the stewardship and oversight of the provided funds, and ensures that the program is carried out in accordance with the contract and statutory and regulatory requirements. In FY 2016, 221 Tribes carried out their TTP under Self-Determination Contracts;

- **Self-Governance Compacts** – Compacts are developed between the Tribe and the BIA’s Office of Self-Governance. Under a self-governance compact, the Tribe is provided its funding in advance from the BIA and manages its TTP similar to the FHWA Program Agreements. However, these compacts include certain protections and other options afforded them in accordance with the ISDEAA. The BIA is responsible for the stewardship and oversight of the provided funds, and ensures that the program is carried out in accordance with the contract and statutory and regulatory requirements. In FY 2016, 37 Tribes carried out their TTP under self-governance compacts; and

- **BIA Government-to-Government (G2G) Agreements** – These agreements are “sister” agreements of the FHWA Program Agreements. First established in July 2011, a Tribe operating under these agreements receives its funding in advance from the BIA and is responsible for managing its TTP. The BIA is responsible for the stewardship and oversight of the provided funds, and ensures that the program is carried out in accordance
with statutory and regulatory requirements. In FY 2016, 170 Tribes carried out their TTP under G2G Agreements.

Statutory Report Language

The FAST Act included language in 23 U.S.C. 201(c)(6)(C) that called for the collection of data on the obligation and expenditure of TTP funds and the development of an annual report for the Secretary and the Secretary of the Interior. Specifically, the language states:

Tribal data collection — In addition to the data to be collected under subparagraph (A), not later than 90 days after the last day of each FY, any entity carrying out a project under the tribal transportation program under section 202 shall submit to the Secretary and the Secretary of the Interior, based on obligations and expenditures under the tribal transportation program during the preceding fiscal year, the following data:

(i) The names of projects and activities carried out by the entity under the Tribal transportation program during the preceding fiscal year;
(ii) A description of the projects and activities identified under clause (i);
(iii) The current status of the projects and activities identified under clause (i); and
(iv) An estimate of the number of jobs created and the number of jobs retained by the projects and activities identified under clause (i).

This report to the Secretary and the Secretary of the Interior contains the above information/data for FY 2016.

In response to this statutory requirement, FHWA and BIA worked closely with several Tribes to develop the TTP Online Reporting Tool (PORT) for gathering the required data. The PORT utilizes the MAX Survey platform on MAX.gov which is prepopulated with existing data so as to
minimize the data entry work required of the Tribes. The Joint Agency Report System (JARS) is a Microsoft Access database that was used to collate and present the collected data into automated reports.

FY 2016 REPORTS AND OBSERVATIONS

General

The data entry in PORT was broken into the headings of Construction Projects and Non-Construction Activities. The Construction Project listings include all construction related projects and activities including projects funded through the safety and bridge set-aside funding. Data for the Non-Construction and Activities was further reported in the areas of:

- Safety activities;
- Transit;
- Administration;
- Maintenance;
- Transportation Planning; and
- Other non-construction activities.

The FHWA and BIA also provided data on the use of the PM&O funds.

As previously discussed and as shown on the Control Panel on page 7 shows, of the $465,000,000 in authority that was made available to the TTP in FY 2016, $441,285,000 in limitation or funding was actually made available after the application of a 5.1 percent obligation limitation.
Of this amount, $8,825,700 was designated for each of the Planning and Safety set asides, $13,238,550 was designated for the Bridge Program and $22,064,250 for the PM&O funds. The net result was $388,330,800 of FY 2016 TTP funding was made available to the Tribes as formula Tribal shares.

**Data Collection**

Nearly 99 percent of the Tribes that received TTP funds during FY 2016 entered data into the PORT System. Although this was the first usage of the system by a vast majority of the Tribes, the Tribes were generally satisfied with the system, and provided constructive suggestions for easing access and clarifying language in the future. The following Tribes or Tribal organizations did not submit any data for the FY 2016 Report:

- Maniilaq Association;
- Native Village of Ambler;
- Tolowa Dee-ni’ Nation (Smith River Rancheria);
- Reservation Transportation Authority Consortium;
- Ute Indian Tribe of the Uintah & Ouray Reservation; and
- Yerington Paiute Tribe (Campbell Ranch).

In addition, the following Tribes only submitted partial data for the FY 2016 Report (although continuous outreach and support were provided):

- Standing Rock Sioux Tribe – Submitted only the Financial report;
- Fort Peck Assiniboine & Sioux Tribes – Submitted only the Financial report; and
- Native Village of Tanacross – Submitted only the Non-construction/Jobs report.

The BIA and FHWA provided data on the receipt and use of the PM&O funds.

**FY 2016 Results**

Several reports were generated from the collected data and are available for review in the various Chapter reports that follow or on the TTP Website. These include:

- Chapter 1: National Financial Summary Report
  - This report shows the overall amount of TTP funding that was made available to and expended by each reporting Tribe in FY 2016 as well as the number of jobs created and the number of jobs retained through the projects and activities which were carried out. The TTP funding made available includes:
    - the FY 2016 Tribal shares;
    - the FY 2016 2 percent Planning funds;
    - any FY 2016 TTP Bridge Program funds; and
    - any FY 2015 TTP Safety funds which were provided in FY 2016.\(^2\)

\(^2\) Due to the process required to award the TTP Safety funds, the FY 2015 safety funds were awarded in FY 2016.
The Chapter 1 Report shows that in FY 2016, $410,493,951 in TTP funding was made available to the Tribes that entered data into the PORT. The report also shows that these same Tribes expended $267,468,456 of TTP funds in FY 2016. In addition, the report shows that the TTP funded projects and activities in FY 2016 accounted for 1519 permanent (retained) positions/jobs as well as 5973 other non-permanent (created) positions. The Chapter 1 Report is included in this report as Attachment A.

- **Chapter 2: Non-Construction Activities**
  - This report contains overview information on all the TTP funded non-construction activities that were carried out by the reporting Tribes in FY 2016. The information is presented in this order:
    - Safety
    - Transit
    - Administration
    - Maintenance
    - Planning
    - Other Non-Construction Activities

The Chapter 2 Report is included in this report as Attachment B and a summary of the amounts expended is shown in the table below.

<table>
<thead>
<tr>
<th>Category</th>
<th>Amounts expended by Reporting Tribes (millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safety</td>
<td>$1.158</td>
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<tr>
<td>Transit</td>
<td>$6.285</td>
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<tr>
<td>Administration</td>
<td>$23.775</td>
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<tr>
<td>Maintenance</td>
<td>$34.733</td>
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<tr>
<td>Planning</td>
<td>$10.991</td>
</tr>
<tr>
<td>Other Non-Construction Activities</td>
<td>$1.752</td>
</tr>
</tbody>
</table>

The jobs associated with these activities are included in the overall information contained in the Chapter 1 Report.

- **Chapter 3: Construction Projects**
  - This report contains overview information on all the TTP funded design and construction projects and activities that were carried out by the reporting Tribes in FY 2016. The information provided in the report includes:
    - Federal Project Number;
    - Project Name;
    - Percent (%) complete;
    - Project Description;
    - Progress Reported by Tribe;
    - Estimated Project Cost;
    - TTP Funds Expended this FY; and
    - Other Funds Expended this FY.
The report lists the Tribes in alphabetical order. The Chapter 3 Report is included in this report as Attachment C. Additional information/data on the specific bridge projects and safety projects contained in the Chapter 3 Report are included in this report as Attachments D and E. The funding and jobs associated with these activities are included in the information contained in the Chapter 1 Report.

Data was also collected on the Program Management and Oversight (PM&O) funds that were made available to FHWA and the BIA through the 5 percent formula set-aside. The PM&O funds are used to carry out stewardship and oversight of the TTP as well as other TTP activities that are deemed as inherently Federal in accordance with 25 CFR part 170. For example, in FY 2016, these funds were used to pay for:

- the payroll and travel of the FHWA and BIA TTP staff;
- support of the U.S. Department of Transportation self-governance activity;
- office space and supplies;
- Information Technology support and equipment;
- maintenance of the NTTFI; and
- other special TTP specific and required studies, technical assistance and activities such as:
  - funding the seven Tribal Technical Assistance Centers;
  - carrying out Tribal Program reviews;
  - outreach on Tribal government recreation travel and tourism activities; and
• conducting bridge inspections on the Tribal and BIA bridges across the country.

A complete listing of these activities can be found in the Appendix to Subpart E of 25 CFR part 170. As previously identified, $22,064,250 was made available to FHWA and BIA in FY 2016 to carry out the PM&O activities. In addition to the FY 2016 funds made available, the BIA obligated $2,451,032 of prior year funds to carry out these activities.

<table>
<thead>
<tr>
<th>FY16 TTP Funds for PM&amp;O</th>
<th>Agency</th>
<th>Funds made available</th>
<th>Funds expended</th>
<th>Jobs created</th>
<th>Jobs retained</th>
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<tr>
<td>FHWA (PM&amp;O)</td>
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<td></td>
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<tr>
<td>BIA (PM&amp;O)</td>
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<td>$16,959,922</td>
<td>199</td>
<td>208</td>
<td></td>
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<tr>
<td>TOTAL</td>
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<td>$20,280,505</td>
<td>219</td>
<td>228</td>
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</tr>
</tbody>
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**Summary**

The table below identifies the TTP funds made available and expended in FY 2016 for all users as well as the jobs created and retained by those funds. In many cases the difference in the funds may be that the Tribes are saving up or carrying over its funding to undertake a future project that requires the use of several years of Tribal shares or that the BIA or FHWA have obligated funds on a contract but the work has not yet been started or completed.

<table>
<thead>
<tr>
<th>FY16 TTP Funds (All sources)</th>
<th>Names</th>
<th>Funds made available</th>
<th>Funds expended</th>
<th>Jobs created</th>
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<tr>
<td>TRIBES*</td>
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<tr>
<td>BIA (PM&amp;O)</td>
<td>$20,930,254</td>
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<tr>
<td>TOTAL</td>
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<td>$287,748,961</td>
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Further review of the data contained in the three chapter reports will show that in FY 2016, the Tribes expended funds on more than 970 design or construction projects whose total cost was estimated to be approximately $2.8 billion. In addition, the reports show that in FY 2016, the Tribes leveraged and expended an additional $264 million in non-TTP funds on those projects as well.

The reports included as attachments to this report as well as the report itself are posted on the TTP Website at [https://flh.fhwa.dot.gov/programs/ttp/](https://flh.fhwa.dot.gov/programs/ttp/).
What is the purpose of the TTP?

To provide safe and adequate transportation and public roads that are within, or provide access to, Tribal land, or are associated with a Tribal government, visitors, recreational users, resource users, and others, while contributing to economic development, self-determination, and employment of Indians and Alaska Natives.