

**§ 170.301 Can a tribe use IRR Program funds to leverage other funds or pay back loans?**

(a) A tribe can use IRR Program funds to leverage other funds.

(b) A tribe can use IRR Program funds to pay back loans or other finance instruments for a project that:

(1) The tribe paid for in advance of the current year using non-IRR Program funds; and

(2) Was included in FHWA-approved IRR TIP.

**§ 170.302 Can BIA regional offices borrow IRR Program funds from each other?**

Yes. A BIA Regional office, in consultation with tribes, may enter into agreements to borrow IRR Program funds to assist another BIA regional office in financing the completion of an

IRR project. These funds must be repaid within the next fiscal year. These agreements cannot be executed during the last year of a transportation authorization act unless Congress has authorized IRR Program funds for the next year.

**§ 170.303 Can a tribe apply for loans or credit from a State infrastructure bank?**

Yes. Upon the request of a tribe, BIA region will provide necessary documentation to a State infrastructure bank to facilitate obtaining loans and other forms of credit for an IRR project. A state infrastructure bank is a state or multi-state fund that can offer loans and other forms of credit to help project sponsors, such as tribes, pay for transportation projects.

APPENDIX A TO SUBPART C—IRR HIGH PRIORITY PROJECT SCORING MATRIX

Score	10	5	3	1	0
Accident and fatality rate for candidate route <sup>1</sup> .	Severe .....	X .....	Moderate .....	Minimal .....	No accidents.
Years since last IRR construction project completed.	Never .....	Last project more than 10 years ago.	Last project 5–9 years ago.	Last project within last 1 to 4 years.	Currently has project.
Readiness to Proceed to Construction or IRRBP Design Need.	PS&E Complete and approved.	Bridge Replacement PS&E development Project.	Bridge Rehabilitation PS&E development Project.	Non-bridge PS & E development Project.	X.
Percentage of Project matched by other funds.	X .....	80 percent or more by other funds.	20–79 percent by other funds.	1–19 percent .....	No other funds.
Amount of funds requested <sup>2</sup>	X .....	250,000 or less ..	250,001–500,000	500,001–750,000	Over 750,000.
Geographic isolation .....	No external access to community.	Substandard Primary access to community.	Substandard Secondary access to community.	Substandard access to tribal facility.	X.
All weather access for: .....	Addresses all 6 elements.	Addresses 4 or 5 elements.	Addresses 3 elements.	Addresses 2 elements.	Addresses 1 element.
—Employment					
—Commerce					
—Health					
—Safety					
—Educational Resources					
—Housing					

<sup>1</sup> National Highway Traffic Safety Board standards.

<sup>2</sup> Total funds requested, including preliminary engineering, construction, and construction engineering.

APPENDIX B TO SUBPART C—POPULATION ADJUSTMENT FACTOR

1. The Population Adjustment Factor allows for participation in the IRR Program by all tribes. This component of the funding for-

mula creates a special calculation of funding which is available in accordance with the TTAM each fiscal year for a tribe based on the population range within which the tribe is included. The following table shows how BIA develops the PAF.

Population range	Distribution factor*	Number of tribes**	Funding amount per tribe
Less than 25 .....	1	N <sub>1</sub> .....	MBA*** × 1