



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Washington, DC 20240

AUG 01 2025

IN REPLY REFER TO  
Indian Highway Safety Program

Susan deCourcy  
Acting Regional Administrator, National Highway  
Traffic Safety Administration Region 6  
819 Taylor Street, Room 8A38  
Fort Worth, Texas 76102

Dear Ms. deCourcy:

Enclosed please find the BIA Indian Highway Safety Program's FY 2026 Annual Grant Application approved by my office.

If you have any questions, or need additional information, please call me at (360)726-6300.  
Thank you.

Sincerely,  


R. Glen Melville  
Governors Representative

Enclosure



**Annual Grant Agreement  
Fiscal Year 2026  
Bureau of Indian Affairs  
Office of Justice Services  
Indian Highway Safety Program**

**August 1, 2025**

Richard “Glen” Melville-Governor’s Representative  
Justin D. Wendland-Program Director

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## **Annual Grant Application:**

The Bureau of Indian Affairs (BIA), Indian Highway Safety Program (IHSP) development of the Annual Grant Application (AGA) provides the project level information for the highway traffic safety program areas described in the Indian Highway Safety Program Triennial Highway Safety Plan (3HSP FY24-FY26). The highway traffic safety projects detailed within the AGA is the best strategy to combat the number and severity of traffic crashes, creating an environment where roadways in Indian Country are safe for all.

IHSP recognizes and acknowledges Native American communities in the United States face a unique set of challenges and disadvantages that are deeply rooted in historical, social, and economic contexts. According to data from the U.S. Census Bureau, Native Americans experience significantly higher poverty rates and lower median incomes compared to the national average, highlighting persistent economic disparities. The Bureau of Indian Affairs and the National Congress of American Indians report that these communities often struggle with limited access to quality education and healthcare, contributing to lower educational attainment and adverse health outcomes.

The National Highway Traffic Safety Administration (NHTSA) has identified alarming disparities in traffic safety outcomes for Native American populations. Data indicates that Native Americans are overrepresented in traffic fatalities, with fatality rates significantly higher than those of other racial and ethnic groups. Factors contributing to these disparities include limited access to safe transportation infrastructure, higher rates of impaired driving, and inadequate law enforcement resources in tribal areas. The U.S. Department of Transportation (DOT) emphasizes the need for targeted interventions to improve road safety and transportation access in Native communities, recognizing that these disparities are compounded by socioeconomic challenges.

Studies by the Pew Research Center and the Economic Policy Institute further illustrate the systemic barriers that Native Americans encounter, including high unemployment rates and underemployment, which exacerbate economic instability. The Indian Health Service underscores the critical health disparities faced by these populations, revealing higher incidences of chronic diseases and limited access to healthcare services.

Moreover, the unique legal and political status of Native American tribes, as recognized by the U.S. government, complicates their ability to navigate these challenges effectively. This status often results in a complex relationship with federal and state authorities, impacting their sovereignty and self-determination. Collectively, these factors contribute to a landscape of disadvantage that is distinct to Native American communities, necessitating targeted policies and interventions to address their specific needs and promote equitable opportunities for growth and development.

The current 5 percent Program Management Budget provided to IHSP poses significant challenges to the for effective implementation of National Highway Traffic Safety Administration grants, projects, and initiatives for the Indian State. Additionally, this hinders Indian Tribes' ability to fully benefit from highway safety programs. The 5 percent cap for Planning and Administration (P&A) funds provided to BIA severely limits the capacity to adequately manage, plan, and execute traffic safety initiatives with the Tribes. By comparison, other State highway safety offices have greater administrative flexibility due to larger P&A amounts, allowing them to maximize their programmatic impact in their respective communities.

In addition to the limited capacity noted, the current framework also places an undue hardship on the Indian State by not ensuring administrative parity with the other States.

IHSP notes that allowing greater administrative and programmatic flexibility will empower this office to participate more fully in highway safety initiatives, address disparities, and contribute meaningfully to National Highway Traffic Safety Administration goals and programs.

## Updates to Triennial HSP

### Adjustments to Countermeasure Strategies for Programming funds:

With the Triennial Highway Safety Plan (3HSP) being established in FY26, there are no adjustments to countermeasures strategy for program funds.

### Change to performance plan:

With the Triennial Highway Safety Plan (3HSP) being established in FY26, there are no adjustments to the performance plan.

## Projects and Subrecipient information:

### Program Area: Planning & Administration

#### Primary Countermeasure Strategy: Program and Administration

#### Description of Planned Activity:

With only 5% Program & Administration (P&A) personnel service, manage, monitor, and oversee the BIA IHSP. They include two (2) positions funded by 402: Program Analyst (Coordinator), and Program Analyst (Finance). Other costs include travel and training, office machines, office supplies, education supplies and other appropriate administrative expenditures. Staff training is necessary to maintain compliance and management of expending federal funds.

Personnel planned activities will be to initiate highway safety related projects Police Traffic Services grants, Occupant Protection Child Protection Seat (CPS) grants, Community Safety Projects (Highway Safety Specialist) Grants for federally recognized Tribes within the United States. BIA IHSP staff will initiate meetings and communications with non-granted tribes to evaluate for potential funding opportunities which would provide financial assistance to meet a Police Traffic Services, Occupant Protection, Impaired Driving Court and/or Youth Traffic Safety Education need to expand the program. They will contact state highway safety offices to offer funding opportunities to their tribal communities which may be available. IHSP will conduct Public Participation & Engagement (PPE) required with 402 funds. BIA IHSP will maintain constant contact with participating tribes via on-site visits, desk and telephone monitoring and audits. Staff will offer technical assistance and outreach to tribes not currently participating in program as requested. They will also conduct monthly monitoring of expenditures utilizing BIA's finance system and NHTSA's Grants Tracking System (GTS).

#### Promised Project: No

#### Location of Project & Affected Communities: Federally Recognized Tribes Nation Wide

#### Project Title: Program and Administration

#### Funding Source: 402

#### Organization Type: Federal Agency: Department of the Interior, Bureau of Indian Affairs, Office of Justice Services, Indian Highway Safety Program

Project Number	Subrecipient	Organization Type	State	Fund Estimate
PA-26-01	Bureau of Indian	Federal Agency	Indian State	\$ 402,270.00
PA-26-01	Bureau of Indian (Estimated Carry Forward)	Federal Agency	Indian State	\$ 903,999.50

**Primary Countermeasure Strategy:** Proactive Traffic Safety Measures**Description of Planned Activity:**

IHSP will conduct Public Participation & Engagement (PPE) as required with 402 funding. IHSP staff will use funding to assist in engaging communities across Indian Country to collaboratively address traffic safety problems. Public Participation and Engagement activities include attending community events, offering educational and partnership opportunities, creating advisory roles for program areas such as seeking out leaders and organizations who can best represent the interests of groups and offer a pathway to connect with them.

**Promised Project:** No**Location of Project & Affected Communities:** Federally Recognized Tribes Nation Wide**Project Title:** Public Participation & Engagement (PPE)      **Funding Source:** 402**Organization Type:** Federal Agency: Department of the Interior, Bureau of Indian Affairs, Office of Justice Services, Indian Highway Safety Program

Project Number	Subrecipient	Organization Type	State	Fund Estimate
TBD	Bureau of Indian	Federal Agency	Indian State	\$ 30,000.00
<b>402 Funding Total:</b>				<b>\$ 30,000.00</b>

**Program Area: Occupant Protection (Adult and Child Passenger Safety)****Primary Countermeasure Strategy:** Car Seat Distribution, Seatbelt Survey, Inspection Stations and Education**Description of Planned Activity:**

Occupant Protection (Tribal Grant Programs) - This grant is a financial assistance award to assist the tribes in enhancing their current traffic safety and child safety seat efforts in occupant protection. Tribes will be awarded child safety seats for distribution, provide educational training and handouts to parents/guardians on the importance of proper car seats installation and keeping children properly restrained in a motor vehicle. Funds will also be used to award grant personnel to assist with tribal grant administration such Highway Safety Specialist to conduct/coordinate car seat clinics, seatbelt surveys, car seat distributions, and attending CPS related training and conferences to maintain continuing education units (CEUs). HSS will also work with other federally recognized tribes in conducting car seat distributions, surveys, car seat clinics, coordinating CPS Technician training, attending health fairs to raise awareness in occupant protection. Funding for education and outreach to high-risk areas and demographics of low seat belt use rates, including pickup truck drivers, rural drivers, Native American drivers, and young drivers. Education and outreach will also occur in areas with the lowest use rates. All grant funded tribes will be required to coordinate and collaborate with other federal and tribal agencies being utilized to educate school children of all ages, as well as tribal community members on the importance of wearing safety belts. Awareness and education activities to include providing certification and recertification for Child Passenger Safety technicians to tribal agencies nationwide. Activities to include the purchase of materials, supplies that support and enhance occupant protection efforts. The items purchased may include but not limited to child safety seats, latch manual, safety fitting accessories, Highway Safety Specialist, and other items outlined in the tribes grant agreement need to enhance their occupant protection efforts.

**Promised Project:** No

**Location of Project & Affected Communities:** Federally Recognized Tribes Nation Wide

**Project Title:** Occupant Protection

**Funding Source:** 402

Project Number	Grantee	Organization Type	State	Fund Estimate
OP-26-01	Pueblo of Isleta	Police Department	New Mexico	\$ 14,736.00
OP-26-02	Pueblo of Laguna	Police Department	New Mexico	\$ 13,000.00
OP-26-03	Northwest Portland Area Indian Health Board	Indian Health Board	Oregon	\$ 172,707.00
OP-26-04	Menominee Indian Tribe of Wisconsin	Police Department	Wisconsin	\$ 11,000.00
OP-26-05	Craig Tribal Association	Transportation Department	Alaska	\$ 16,115.00
OP-26-06	Cheyenne & Arapaho Tribes	Transportation Department	Oklahoma	\$ 8,388.00
OP-26-07	Comanche Nation	Injury Prevention	Oklahoma	\$ 11,766.00
OP-26-08	Muscogee (Creek) Nation	Head Start Program	Oklahoma	\$ 16,000.00
OP-26-09	Confederated Tribe of the Siletz Indians	Social Services Department	Oregon	\$ 7,150.00
OP-26-10	Cheyenne River Sioux Tribe of the Cheyenne River Reservation	Police Department	South Dakota	\$ 8,273.00
OP-26-11	Oglala Sioux Tribe	Police Department	South Dakota	\$ 16,500.00
OP-26-12	Lummi Nation	Health Clinic	Washington	\$ 19,509.00
OP-26-13	Muckleshoot Indian Tribe	Transportation Department	Washington	\$ 15,000.00

**402 Funding Total:** \$ 330,144.00

### **Program Area: Police Traffic Services**

**Primary Countermeasure Strategy:** High Visibility Law Enforcement, Other Enforcement Methods, Traffic Enforcement, Car Seat Distribution, Seat Belt Survey, Communication and Outreach Supporting Enforcement, Crash Investigation uniform Guidelines for State Highway Safety Programs #18, Youth and Awareness Programs NHTSA Uniform Guidelines #8, Publicized sobriety checkpoints, Preliminary Breath Test Devices, Enforcement of Drug- Impaired Driving

### **Description of Planned Activity:**

This grant is a financial assistance award to assist the tribes in enhancing their current traffic safety, enforcement, and education efforts. Federally recognized tribal law enforcement will implement the use of officer activity hours and overtime on traffic enforcement activities in support of tribal and Indian Highway Safety Plan goals to target violations that contribute to the cause and or severity of motor vehicle crashes and fatalities. Tribal Law Enforcement will use officers to conduct traffic enforcement projects focusing on drug and alcohol impaired driving and other related traffic laws in high risk and problematic areas on roadways within their tribal boundaries. This also includes saturation patrols, check points if applicable. In addition, two national mobilizations and one Indian State mobilization (two impaired driving and seat belt). Officers will conduct enforcement based upon locally available tribal data, state data and other national sources if applicable. Officers will be assigned shifts to work activity hours and overtime shifts to enforce alcohol/drug impaired driving and other related traffic laws in high risk and problem areas within tribal boundaries. Tribal officers will participate in inter/intra-agency impaired driving enforcement efforts via regional enforcement events in cooperation with county, local, and other tribal law enforcement in support of impaired driving and other traffic enforcement initiatives. Funding will also provide travel and training for officers in ARIDE, SFST, DRE, SFST instructor, radar operator and instructor, saturation patrol,

checkpoint methods, crash reconstruction (basic and advanced) as well as drug impaired driver identification, other traffic training related courses and conferences such as but not limited to Lifesavers, GHSA, Impaired Driving, Kids in Motion held throughout the United States. Provide not less than two (2) educational presentations. The tribes must use a portion of grant funds received under Section 402 to carry out a program to educate the public regarding the risks of vehicular heatstroke when leaving a child or unattended passenger in a vehicle after the vehicle motor is deactivated by the operator. Activities also include awareness to youth groups in regard to mock crashes, and other traffic safety awareness initiatives on the dangers of impaired driving, seatbelt usage, etc. Funds will also be used to conduct seat belt surveys.

Funds will be used to hire and provide travel and training for the following grant funded personnel.

Program Manager (Commissioned Officer) will oversee the selected traffic enforcement program to determine if projected activity milestones are being met, funds are being utilized properly and assist as needed to facilitate the success of the project activities and to meet performance targets.

Data Clerks are administrative personnel funded to support the traffic grant. The duties are solely to identify activities associated with the grant and accurate monthly reconciliation.

Highway Safety Specialist (HSS) will also work with other federally recognized tribes in conducting car seat distributions, seat belt surveys, car seat clinics, coordinating CPS Technician training, attending health fairs to raise awareness in occupant protection. HSS will also conduct analysis on traffic data and incorporate it into meaningful reports and enforcement activities. They will share data with first responders and tribal roads to address problem areas. HSS will also create media and traffic safety messaging along with conducting community outreach on traffic safety awareness.

**Promised Project:** No

**Location of Project & Affected Communities:** Nation Wide, Federally Recognized Tribes

**Project Title:** Police Traffic Services

**Funding Source:** 402

Project Number	Subrecipient	Organization Type	State	Fund Estimate
PT-26-01	Bureau of Indian (Estimated Carry Forward)	Federal Agency	Indian State	\$ 17,692,549.00
PT-26-02	Pueblo of Isleta	Police Department	New Mexico	\$ 1,964,398.00
PT-26-03	Pueblo of Laguna	Police Department	New Mexico	\$ 833,729.00
PT-26-04	Pueblo of Sandia	Police Department	New Mexico	\$ 291,942.00
PT-26-05	Menominee Indian Tribe of Wisconsin	Police Department	Wisconsin	\$ 261,078.00
PT-26-06	Fort McDowell Yavapai Nation	Police Department	Arizona	\$ 90,657.00
PT-26-07	Minnesota Chippewa Tribe - White Earth Band	Police Department	Minnesota	\$ 611,518.00
PT-26-08	Cheyenne River Sioux Tribe of the Cheyenne River Reservation	Police Department	South Dakota	\$ 484,554.00
PT-26-09	Upper Sioux Indian Community	Police Department	Minnesota	\$ 420,189.00
PT-26-10	Quapaw Nation	Police Department	Oklahoma	\$ 1,338,356.00
PT-26-11	White Mountain Apache Tribe of the Fort Apache Reservation	Police Department	Arizona	\$ 381,378.00
PT-26-12	Miccosukee Tribe of Indians	Police Department	Florida	\$ 1,426,508.00
PT-26-13	Minnesota Chippewa Tribe - Leech Lake Band	Police Department	Minnesota	\$ 225,281.00
PT-26-14	Red Lake Band of Chippewa Indians	Police Department	Minnesota	\$ 410,016.00
PT-26-15	Chippewa Cree Indians of the Rocky Boy's Reservation	Police Department	Montana	\$ 379,285.00
PT-26-16	Jicarilla Apache Nation	Police Department	New Mexico	\$ 331,901.00

PT-26-17	Pueblo of Jemez	Police Department	New Mexico	\$ 155,631.00
PT-26-18	Pueblo of Pojoaque	Police Department	New Mexico	\$ 122,115.00
PT-26-19	Pueblo of Zia	Police Department	New Mexico	\$ 518,462.00
PT-26-20	Walker River Paiute Tribe of the Walker River Reservation	Police Department	Nevada	\$ 358,215.00
PT-26-21	Three Affiliated Tribes of the Fort Berthold Reservation	Police Department	North Dakota	\$ 855,149.00
PT-26-22	Cherokee Nation	Police Department	Oklahoma	\$ 351,473.00
PT-26-23	Oglala Sioux Tribe	Police Department	South Dakota	\$ 1,447,585.00
PT-26-24	Rosebud Sioux Tribe of the Rosebud Indian Reservation	Police Department	South Dakota	\$ 291,046.00
PT-26-25	Sisseton Wahpeton Oyate of the Lake Traverse Reservation	Police Department	South Dakota	\$ 165,627.00
PT-26-30-02	Seminole Tribe of Florida	Police Department	Florida	\$ 39,066.00
PT-26-30-03	Otoe-Missouria Tribe	Police Department	Oklahoma	\$ 73,326.00
PT-26-30-04	Makah Indian Tribe of the Makah Indian Reservation	Police Department	Washington	\$ 75,013.00

**402 Funding Total: \$ 31,596,047.00**

### **Program Area: Police Traffic Services (Equipment over \$10,000)**

**Primary Countermeasure Strategy:** High Visibility Law Enforcement, Other Enforcement Methods, Traffic Enforcement, Car Seat Distribution, Seat Belt Survey, Communication and Outreach Supporting Enforcement, Crash Investigation uniform Guidelines for State Highway Safety Programs #18, Youth and Awareness Programs, NHTSA Uniform Guidelines #8, Publicized sobriety checkpoints, Preliminary Breath Test Devices, Enforcement of Drug- Impaired Driving

#### **Description of Planned Activity:**

This is not an equipment only grant. The equipment request in the table below is for those grantees who have requested to purchase equipment over \$10,000 and is included in the total Police Traffic Services budget of \$31,596,047 table above. This funding is in support of the above identified police traffic services subrecipient awards. Funding is designed to provide essential financial assistance for the purchase of traffic safety equipment and software, which will directly support various enforcement and educational activities aimed at enhancing traffic safety within tribal communities. As outlined in the U.S. Department of Transportation's "Countermeasures That Work" 11th Edition (2023), the acquisition of appropriate equipment is critical for effective traffic safety initiatives. All equipment requested adheres with the regulatory requirements of 23 CFR 1300.31 and 2 CFR 200.313 and compliant with the Buy America Act.

The Bureau of Indian Affairs (BIA) Indian Highway Safety Program (IHSP) will allocate funds for traffic safety equipment and software exceeding \$10,000. This equipment will play a pivotal role in facilitating participation in three major mobilizations: the national campaigns "Click It or Ticket" and "Drive Sober or Get Pulled Over," as well as the tribal initiative "Don't Shatter the Dream." These campaigns are supported by evidence-based practices that have demonstrated success in increasing seatbelt use and reducing impaired driving incidents.

Additionally, the purchased equipment will enable the execution of local traffic safety initiatives, including checkpoints and saturation patrols, in accordance with tribal and state laws. The equipment will also be instrumental in conducting educational presentations that raise awareness about the dangers of impaired driving and the importance of seatbelt usage.

By investing in this critical traffic safety equipment, the grant will enhance the capacity of tribal

communities to implement effective enforcement strategies and educational programs, ultimately contributing to a safer driving environment and reducing traffic-related injuries and fatalities. (See *Triennial HSP pages 17-18 for FARS Data rolling averages for fatalities, and tribal self-reported data*) (See *FY24 Annual Report for Data Sets Miccosukee Tribe of Indians page 26; Minnesota Chippewa Tribe-White Earth Band page 30; Three Affiliated Tribes of the Fort Berthold Reservation page 38; Pueblo of Isleta page 42, Pueblo of Laguna page 47; Pueblo of Zia page 53; Cheyenne River Sioux Tribe Page 59; Oglala Sioux Tribe page 61; Menominee Indian Tribe of Wisconsin page 69*).

IHSP has reviewed all documentation and supports the requests. All subrecipients are in good standing with the IHSP.

As noted on page 3 of this document, federally recognized tribes are economically disadvantaged, and in need of this funding to purchase and upfit the following police related equipment:

**Pursuit-rated SUVs and sedans with upfit:** Pursuit-rated units average \$43,000 to \$50,000 and upfits range from \$25,000 to \$49,000 depending on availability from vendors nation-wide. Grant funded pursuit rated units are dedicated to traffic safety/enforcement and will not be used for general patrol. The pursuit rated units with upfit are essential for police officers to effectively conduct traffic enforcement, achieve performance targets, and respond to motor vehicle crashes and fatalities as outlined in their problem identification and the Indian Highway Safety Plan.

Pueblo of Isleta is requesting to replace a police unit, for the program manager (Commission Officer dedicated to traffic only), that was a total loss in FY25 and has requested \$5,121, to be covered by grant funds, to purchase a new police unit with an upfit in the amount of \$47,227. Pueblo of Isleta will use the insurance check to assist with the purchase replacement of the police unit with upfit. Additional funding for upfit was granted by Acting Regional Administrator Susan DeCourcy however the vehicle was no longer available for purchase and Pueblo of Isleta did not have time to resubmit it for bid in accordance with tribal acquisition policy.

Miccosukee Tribe of Indians, Oglala Sioux Tribe, and Pueblo of Laguna, Minnesota Chippewa Tribe-White Earth Band grant funded vehicles that have reached 80,000 miles they have requested to purchase the replacements in FY26. Miccosukee Tribe of Indians and Oglala Sioux Tribe were denied purchase by NHTSA in FY25 and request to purchase in FY26 due to period of performance and 2 CFR 200.313 (a)(1); therefore, the IHSP has requested pre-award approval per 2 CFR 200.458 and request is being included per 23 CFR 1300.12(b)(2) for October 1, 2025, purchase.

**BAT Mobile & Upfit:** BAT Mobiles average costs \$233,522 with upfit \$567,049 and delivery charge of \$5,996. They will be used to support and enhance accurate and immediate testing of suspected impaired drivers. The BAT Mobiles will also assist in meeting impaired driving arrests performance measure/target. BAT Mobile will be used at checkpoints and serious injury crashes and fatalities to include during inclement weather. It will be used for traffic presentations and youth education to deter impaired driving. Grant funded BAT Mobiles are dedicated to traffic safety/enforcement and will not be used for general crime scene response. These two grantees also participate in intra/inter traffic activities with other law enforcement agencies which would give them the ability to assist in traffic enforcement/safety efforts if tribal governments allow. BAT Mobiles take 11 months to build upfit and deliver. A BAT Mobile was awarded to the Pueblo of Isleta in FY24 and carried into FY25. The Pueblo of Isleta placed their order for the BAT Mobile but the build and upfit take 11 months. The BAT Mobiles estimated delivery date of January 2026. Quapaw Tribe service area for the Marshal Service in FY2022 saw 400 MVC including of that

number were 27 serious injury MVC's, 28 crashes were attributed to alcohol. They also had 25 fatality and 8 were attributed to drivers with a BAC of 0.08+. As of the June Monthly Report the Quapaw Tribe Marshal Service reported 125 MVC's, 46 of those crashes were serious injury, and 2 were attributed to alcohol. They also reported 4 MVCF's and 1 motorcyclist fatalities and 1 bicycle fatality. The Quapaw Marshal Service has been using grant funds to increase patrols by conducting high visibility speed enforcement in the identified problem areas and times. They have dedicated enforcement staff to enforce the traffic laws that will make the reservation roadways safer. Grant funds have enhanced the Quapaw Marshal Service traffic safety and enforcement efforts in reducing MVC's and MVCF's within their tribal boundaries.

**In Car Camera & Body Camera:** will be used to support and enhance prosecutions of suspected impaired drivers through accurate video and audio evidence recordings. Equipment will assist grantees in meeting impaired driving arrests performance measure/target. The grantee requesting this equipment has officers dedicated to traffic safety/enforcement.

**Speed Trailers:** are essential for effectively monitoring and recording vehicle speeds on roadways. These trailers will play a crucial role in enhancing traffic safety by raising driver awareness of speed limits, thereby contributing to a reduction in speeding-related incidents. By visibly displaying speed data, the trailers encourage compliance with traffic laws, which is instrumental in decreasing the likelihood of motor vehicle crashes and fatalities. Implementing speed trailers will serve as a proactive measure to promote safer driving behaviors within the community

**Traffic Software Licenses:** such as Zuercher, Motorola Flex directly supports the goals of the grant by improving the departments' ability to collect, analyze, and report traffic related data. Grantees are requesting this software, and the amount is proportionate to their traffic activities. It is an essential component in targeting enforcement and evaluating progress toward reducing crashes, fatalities, and violations. Software captures and stores all traffic related incident data in real time essential for identifying traffic problem areas, planning targeted enforcement, and measuring performance against grant targets.

**Total Station:** allows for accurate angle and distant measurement and advanced data processing to be collected during accident investigation and reconstruction. Provides efficient data collection and ease of use for officers at the scene of the crash. The grantee will be using this equipment for their traffic safety/enforcement efforts only. Quapaw Tribe service area for the Marshal Service in FY22 saw 400 MVC including 25 fatality and 27 serious injury MVC's. In FY25 as of the June Monthly Report the Quapaw Tribe Marshal service has reported 125 motor vehicle crashes of that number 46 serious injury crashes, 2 alcohol related crashes, and 1 speed related crash. They also reported 4 motor vehicle crash fatalities of that number 1 bicyclist fatality and 2 motorcycle fatalities. Grant funding has contributed to Quapaw Tribe Marshal Service reducing motor vehicle crashes and fatalities and total stations will assist in their crash reporting efforts. The Quapaw Tribe Marshal Service is on track to meet their FY25 grant targets.

**Forensic Robotic Map:** provides accurate information of fatalities and can determine how the motor vehicle crash fatality occurred. Equipment provides ease of use for officer at the scene of the crash.

**Promised Project:** No

**Location of Project & Affected Communities:** Nation Wide, Federally Recognized Tribes

**Project Title:** Police Traffic Services (Equipment over \$10,000) **Funding Source:** 402

Project Number	Subrecipient	Organization Type	State	Equipment/ *Software Request	Fund Estimate
PT-26-02	Pueblo of Isleta	Police Department	New Mexico	**BAT Mobile & Upfit (1)	\$ 806,583.00
				Pursuit Vehicle & Upfit (1)	\$ 52,348.00
PT-26-03	Pueblo of Laguna	Police Department	New Mexico	Pursuit Vehicle & Upfit (1)	\$ 171,570.00
				Speed Trailer (1)	\$ 22,800.00
PT-26-05	Menominee Indian Tribe of Wisconsin	Police Department	Wisconsin	*Zuercher (1)	\$ 10,001.00
PT-26-07	Minnesota Chippewa Tribe - White Earth Band	Police Department	Minnesota	Pursuit Vehicle (2)	\$ 100,000.00
PT-26-08	Cheyenne River Sioux Tribe of the Cheyenne River Reservation	Police Department	South Dakota	Forensic Robotic Map (1)	\$ 38,550.00
PT-26-10	Quapaw Nation	Police Department	Oklahoma	BAT Mobile & Upfit (1)	\$ 700,000.00
				Total Station (1)	\$ 25,000.00
PT-26-12	Miccosukee Tribe of Indians	Police Department	Florida	Pursuit Vehicle & Upfit (1)	\$ 71,000.00
				*Motorola Flex (1)	\$ 77,000.00
PT-26-19	Pueblo of Zia	Police Department	New Mexico	Pursuit Vehicle & Upfit (1)	\$ 89,072.00
PT-26-21	Three Affiliated Tribes of the Fort Berthold Reservation	Police Department	North Dakota	Pursuit Vehicle & Upfit (2)	\$ 227,952.00
				In Car & Body Camera (2)	\$ 21,832.00
PT-26-23	Oglala Sioux Tribe	Police Department	South Dakota	Pursuit Vehicle & Upfit (2)	\$ 180,000.00

\* Software

**402 Funding Total: \$ 2,593,708.00**

\*\*BAT Mobile was approved by NHTSA Regional Administrator Maggi Gunnels

### **Program Area: Community Safety Project (Highway Safety Specialist)**

**Primary Countermeasure Strategy:** Car Seat Distribution, Seat Belt Survey, Communication and Outreach Supporting Enforcement, Youth and Awareness Programs NHTSA Uniform Guidelines #8, Establish and Conducting Traffic Related Activities, Community Safety Projects

#### **Description of Planned Activity**

In 2020, the BIA IHSP and NHTSA met with State funded Tribal Traffic Safety Coordinators in the States of Washington and Montana in reference to Highway Safety Specialist position. These positions facilitated safety improvements and improved communication across tribal, state, and local transportation departments. In an effort to expand the use of this model, the BIA IHSP developed a detailed position description and made grant funds available to tribes through the FY2025 request for proposals. The Highway Safety Specialist is an entry-level professional position that encompasses responsibility for establishing and conducting traffic- related activities including identifying, collecting, analyzing, and presenting traffic-safety related data; incorporating data into tribal strategic planning, programming, and implementation; and organizing groups, events, and activities to increase community awareness of traffic-safety related issues. Assignment to this position is based on need and requires compliance with the job qualifications and quarterly goals. Grantees will also use grant funds for unattended passengers' program. Funds will also be used to conduct/coordinate car seat clinics, seatbelt surveys, car seat distributions, and attending CPS related training and conferences to maintain continuing education units (CEUs). Attending community events to raise awareness in occupant protection. Funding for education and outreach to high-risk areas and demographics of low seat belt use rates, including pickup truck drivers, rural drivers, Native American drivers, and young drivers. The tribes must use a portion of grant funds received under Section 402 to carry out a program to educate the public regarding vehicular heatstroke and the risks of leaving a

child or unattended passenger in a vehicle after the vehicle motor is deactivated by the operator.

**Promised Project:** No

**Location of Project & Affected Communities:** Nation Wide, Federally Recognized Tribes

**Project Title:** Highway Safety Specialist

**Funding Source:** 402

Project Number	Subrecipient	Organization Type	State	Fund Estimate
CP-25-02	Forest County Potawatomi Community	Dept of Transportation	Wisconsin	\$ 139,538.00

**402 Funding Total:** \$ 139,538.00

## **Appendix A to Part 1300—Certifications and Assurances for Highway Safety Grants**

*[Each fiscal year, the Governor's Representative for Highway Safety must sign these Certifications and Assurances affirming that the State complies with all requirements, including applicable Federal statutes and regulations, that are in effect during the grant period. Requirements that also apply to subrecipients are noted under the applicable caption.]*

State: Bureau of Indian Affairs      Fiscal Year: 2026

**By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906, Public Law 109-59, as amended by Section 25024, Public Law 117-58, the State Highway Safety Office acknowledges and agrees to the following conditions and requirements. In my capacity as the Governor's Representative for Highway Safety, I hereby provide the following Certifications and Assurances:**

### **GENERAL REQUIREMENTS**

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended;
- Sec. 1906, Public Law 109-59, as amended by Sec. 25024, Public Law 117-58;
- 23 CFR part 1300—Uniform Procedures for State Highway Safety Grant Programs;
- 2 CFR part 200—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- 2 CFR part 1201—Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

### **INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS**

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs).

### **FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)**

The State will comply with FFATA guidance, *OMB Guidance on FFATA Subaward and Executive Compensation Reporting*, August 27, 2010, ([https://www.fsrs.gov/documents/OMB\\_Guidance\\_on\\_FFATA\\_Subaward\\_and\\_Executive\\_Compensation\\_Reportin\\_08272010.pdf](https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reportin_08272010.pdf)) by reporting to FSRS.gov for each sub-grant awarded:

- Name of the entity receiving the award;
- Amount of the award;

- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
  - Unique entity identifier (generated by **SAM.gov**);
- The names and total compensation of the five most highly compensated officers of the entity if:
  - (i) the entity in the preceding fiscal year received—
    - (I) 80 percent or more of its annual gross revenues in Federal awards;
    - (II) \$25,000,000 or more in annual gross revenues from Federal awards; and
  - (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 ([15 U.S.C. 78m\(a\), 78o\(d\)](#)) or section 6104 of the Internal Revenue Code of 1986;
- Other relevant information specified by OMB guidance.

## **NONDISCRIMINATION**

### **(applies to subrecipients as well as States)**

The State highway safety agency [and its subrecipients] will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- *Title VI of the Civil Rights Act of 1964* ([42 U.S.C. 2000d](#) *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- [\*49 CFR part 21\*](#) (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- [\*28 CFR 50.3\*](#) (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- *The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, ([42 U.S.C. 4601](#)), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- *Federal-Aid Highway Act of 1973*, ([23 U.S.C. 324](#) *et seq.*), and *Title IX of the Education Amendments of 1972*, as amended ([20 U.S.C. 1681-1683](#) and [1685-1686](#)) (prohibit discrimination on the basis of sex);
- *Section 504 of the Rehabilitation Act of 1973*, ([29 U.S.C. 794](#) *et seq.*), as amended, (prohibits discrimination on the basis of disability) and [\*49 CFR part 27\*](#);
- *The Age Discrimination Act of 1975*, as amended, ([42 U.S.C. 6101](#) *et seq.*), (prohibits discrimination on the basis of age);
- *The Civil Rights Restoration Act of 1987*, (Pub. L. 100-209), (broadens scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the

Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);

- *Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189)* (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and [49 CFR parts 37 and 38](#).

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

### **GENERAL ASSURANCES**

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA.”*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

## SPECIFIC ASSURANCES

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in § 21.23(b) and (e) of [49 CFR part 21](#) will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.*
3. The Recipient will insert the clauses of appendix A and E of this Assurance (also referred to as DOT Order 1050.2A)<sup>[1]</sup> in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in appendix C and appendix D of this DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or

structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
- b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the State highway safety agency also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing NHTSA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by NHTSA. You must keep records, reports, and submit the material for review upon request to NHTSA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The State highway safety agency gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Highway Safety Grant Program. This ASSURANCE is binding on the State highway safety agency, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Highway Safety Grant Program. The person(s) signing below is/are authorized to sign this ASSURANCE on behalf of the Recipient.

#### **THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)**

The State will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace, and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
  1. The dangers of drug abuse in the workplace;
  2. The grantee's policy of maintaining a drug-free workplace;

3. Any available drug counseling, rehabilitation, and employee assistance programs;
4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
  1. Abide by the terms of the statement;
  2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted—
  1. Taking appropriate personnel action against such an employee, up to and including termination;
  2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

**POLITICAL ACTIVITY (HATCH ACT)**  
(applies to subrecipients as well as States)

The State will comply with provisions of the Hatch Act ([5 U.S.C. 1501-1508](#)), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

**CERTIFICATION REGARDING FEDERAL LOBBYING**  
(applies to subrecipients as well as States)

**CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a

Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### **RESTRICTION ON STATE LOBBYING**

**(applies to subrecipients as well as States)**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

#### **CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

**(applies to subrecipients as well as States)**

#### **INSTRUCTIONS FOR PRIMARY TIER PARTICIPANT CERTIFICATION (STATES)**

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an

erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms **covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded**, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Participant Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction,” provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate the transaction for cause or default.

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS—PRIMARY TIER COVERED TRANSACTIONS**

1. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
  - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

**INSTRUCTIONS FOR LOWER TIER PARTICIPANT CERTIFICATION**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of [2 CFR parts 180](#) and [1200](#).
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms **covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded**, as used in this clause, are defined in [2 CFR parts 180](#) and [1200](#). You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Participant Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

#### **CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION—LOWER TIER COVERED TRANSACTIONS**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## **BUY AMERICA**

**(applies to subrecipients as well as States)**

The State and each subrecipient will comply with the Buy America requirement ([23 U.S.C. 313](#)) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

## **CERTIFICATION ON CONFLICT OF INTEREST**

**(applies to subrecipients as well as States)**

### **GENERAL REQUIREMENTS**

No employee, officer, or agent of a State or its subrecipient who is authorized in an official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting, or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

1. The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.
  - a. The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
  - b. The code or standards shall establish penalties, sanctions, or other disciplinary actions for violations, as permitted by State or local law or regulations.
2. The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

### **DISCLOSURE REQUIREMENTS**

No State or its subrecipient, including its officers, employees, or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in

organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

1. The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
2. NHTSA will review the disclosure and may require additional relevant information from the recipient. If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict.
3. Conflicts of interest that require disclosure include all past, present, or currently planned organizational, financial, contractual, or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor, and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

### **PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE** **(applies to subrecipients as well as States)**

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

### **POLICY ON SEAT BELT USE**

In accordance with [Executive Order 13043](#), Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at [www.trafficsafety.org](http://www.trafficsafety.org). The NHTSA website ([www.nhtsa.gov](http://www.nhtsa.gov)) also provides information on statistics, campaigns, and program evaluations and references.

## **POLICY ON BANNING TEXT MESSAGING WHILE DRIVING**

In accordance with [Executive Order 13513](#), Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

## **SECTION 402 REQUIREMENTS**

1. To the best of my personal knowledge, the information submitted in the annual grant application in support of the State's application for a grant under [23 U.S.C. 402](#) is accurate and complete.
2. The Governor is the responsible official for the administration of the State highway safety program, by appointing a Governor's Representative for Highway Safety who shall be responsible for a State highway safety agency that has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program. ([23 U.S.C. 402\(b\)\(1\)\(A\)](#))
3. At least 40 percent of all Federal funds apportioned to this State under [23 U.S.C. 402](#) for this fiscal year will be expended by or on behalf of political subdivisions of the State in carrying out local highway safety programs ([23 U.S.C. 402\(b\)\(1\)\(C\)](#)) or 95 percent by and on behalf of Indian tribes ([23 U.S.C. 402\(h\)\(2\)](#)), unless this requirement is waived in writing. (This provision is not applicable to the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)
4. The State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks. ([23 U.S.C. 402\(b\)\(1\)\(D\)](#))
5. As part of a comprehensive program, the State will support a data-based traffic safety enforcement program that fosters effective community collaboration to increase public safety, and data collection and analysis to ensure transparency, identify disparities in traffic enforcement, and inform traffic enforcement policies, procedures, and activities. ([23 U.S.C. 402\(b\)\(1\)\(E\)](#))
6. The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State, as identified by the State highway safety planning process, including:

- Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each fiscal year to—
  - Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and
  - Increase use of seat belts by occupants of motor vehicles;
- Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;
- An annual statewide seat belt use survey in accordance with 23 CFR part 1340 for the measurement of State seat belt use rates, except for the Secretary of Interior on behalf of Indian tribes;
- Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;
- Coordination of triennial Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a); and
- Participation in the Fatality Analysis Reporting System (FARS), except for American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands

7. The State will actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))
8. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system, except in a work zone or school zone. (23 U.S.C. 402(c)(4))

I understand that my statements in support of the State's application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.

[Click here to validate form fields and permit signature](#)




Signature Governor's Representative for Highway Safety

Date

R. Glen Melville

Printed name of Governor's Representative for Highway Safety