Dear ITA Executive Committee Members, Member Tribes, Non-member Tribes and Friends of ITA:

Hello all my relations! I hope at the reading of this report it finds you in good health & good humor. For we know that its good to find humor even when the times get hard. This has helped us survive for many years.

ITA, the Federal Transit Administration (FTA), and the NPTTAP Center have once again decided to partner for the 2010 Annual meeting. This partnership has seemed to work out great for all involved over the past few years and we hope this continues. With the many tribes getting into the Transit field it seems a natural fit. FTA will present a National Tribal Transit Program Technical Assistance Workshop. The session was held December 6-7th.

The Intertribal Transportation Association (ITA) held the 2010 Annual Conference at the Imperial Palace Hotel & Casino, 3801 Las Vegas Blvd. South Las Vegas, NV 89109.

As some of you may know I have been out of the office for basically the last two months and the whole month of October. I had only told a few people of my medical condition in September, and needed to be taken care of ASAP. Fortunately this was discovered in the early stages, and has been taken care of.

Well I took almost the full 4-weeks off that the doctor recommended, I was getting used to staying home and working out with that remote control. I’m back to work now with a new outlook on life and a new thirst for adventure. There was a certain point that one reflects back on one’s life and you basically review what you have done, and you say if the test results come back negative I’m going to do this or that, if you’re a family man you say you’re going to be a better husband or father, you’re going to do more with your kids, if you like to be active you say you’re going to start riding horses again, you’re going start riding a bicycle again, you’re going to bowl a 300 this year, you’re going to make another awesome 5-iron shot, if you are a business man you say you are going to do your job better, if you are a member of an organization representing tribes you might say I’m going to represent the tribes in a better way.

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ITA President's Report

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I thank you for your prayers; I’m physically and mentally back in the game and ready to take on all comers. This is my pledge to ITA; I will represent you to the fullest of my abilities this coming year as your President. Having said that, yes I am running for the President, of ITA, there are those that would kick a good man while he is down. You may knock a good man down, but a good man will not stay down.

An old man once said “The World ain’t all sunshine & rainbows it’s a very mean and nasty place and I don’t care how tough you are, it will beat you to your knees and keep you there permanently if you let it, you, me, or nobody is going to hit as hard as life but.

It ain’t about how hard you hit, its about how hard you can get hit & keep moving forward, how much you can take & keep moving forward, that’s how winning is done”

Now if you know what your worth, go out and get what your worth, but you have to be willing to take the hits and not be pointing fingers, saying you ain’t where you want to be because of him or her or anybody, cowards do that, and that’s not you, you are better then that”

There is a lot of merit is this old saying and I believe in it, it seems as though this year every place I turned I was getting hit, I let these blows glance off me, and continued on. Then the big hit this past month with my bout with cancer, I once again bounced back, this I attribute to my Kolas, my believe in the Red Road and your prayers.

I assure I’m ready, willing and able to serve you. By able I mean I am physically (health wise), able to travel and willing to travel. My Tribal Council has passed Tribal Resolution #228-2010 supporting me as the ITA President and supporting me in the 2010 elections.

I respectfully submit this brief report on behalf of the Intertribal Transportation Association (ITA).

Activities since December 2008:

American Recovery & Reinvestment Act (ARRA).

Bill was signed into law on February 17, 2009 by President Obama with provisions for additional funding for the Indian Reservation Roads programs, funding to be distributed by formula.

before the signing of the ARRA Bill by President Obama, key tribal leaders in the Tribal Transportation Coalition along with the National Congress of American Indians (NCAI), and ITA were asked if tribes wanted to be a part of the Infrastructure component of the Economic Stimulus package being considered on the Hill. [as the President of ITA, which has tribal membership across Indian Country consisting of small, medium and large tribes I received a call in October-2008 with the question of whether or not tribes would be interested in being a part of this stimulus package ], my response to the question from DC was in the affirmative, “of course tribes would like to be a part of this stimulus package, we have a great need for infrastructure development on our tribal lands as well” after the initial response a model letter was developed and emailed out to tribes to advocate for this position, tribes across the nation responded readily, and this snowballed into a nationwide campaign. From November/2008 to January/2009 Tribes were encouraged to write their perspective congressional delegations if they wanted to be involved with the stimulus funding. Senator Tester, Senator Baucus and Senator Dorgan were very supportive of this effort. Meanwhile Attorneys representing the Tribal Transportation Coalition (Sonosky & Chambers from Washington DC), continually encouraged staffers on the hill to include tribes in their perspective packages.

We would like to thank Sonosky & Chambers for all their work at this time for their efforts on the ARRA Act for Indian Country. Many tribes might not realize all the effort that has gone into securing funding for tribes with regard to the ARRA Projects, and there is no amount of money that can express this appreciation either.

We would also like to thank NCAI for assisting in the recovery act also.

I’m proud to say also that ITA has assisted in this endeavor to bring much needed additional funds to Indian Country (this falls right into ITA’s Strategic Plan).

Tribal Reauthorization of Indian Programs (TRIP) ACT:

April 22, 2009 letter from Senator Dorgan, Chairman of Senate Committee on Indian Affairs (SCAI), requesting comments by May 15, 2009

Published by the Senate Committee on Indian Affairs, to amend the SAFETEA-LU, titles 23 and 49, United States Code, and the Indian Self-Determination and Education Assistance Act.

Submitted comments on behalf of the Intertribal Transportation Association (ITA).

NCAI-ITA Joint Task Force on Transportation Issues:

Have been involved since 2006

Presented the National Tribal Leadership Paper on Tribal Transportation (White Paper), to the General Assembly at the 2008 NCAI Annual Meeting Phoenix, AZ.

Participate in monthly NCAI-ITA teleconference calls

Have co-chaired the NCAI Transportation Sub-committee meetings 2007-08,

I missed this years NCAI Mid-Year meeting in Niagara Falls because I was on my sabbatical (annual leave for Sundance in SD).

2009 NCAI Annual Meeting, co-chair the Transportation Sub-committee meetings

Attended the Tribal Leaders Forum on the Current State of Tribal Transportation on Sunday October 11, 2009 1:00pm – 5:00pm during the NCAI Annual Meeting (Palm Springs, CA).

Tribal Leaders have been invited by letter to this forum to discuss any IRR issues with the administration (John Baxter, Associate Administrator, FHWA, Larry Echohawk, A3A, Robert Sparrow, FLH, LeRoy Gishi, BIA).

Indian Reservation Roads (IRR), Inventory Issue:

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ITA President’s Report

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Since August 14, 2006 there has been major issues with regard to the IRR Program, this may be the biggest issue the IRR has had to face of late. The reason why this date is so important is because it’s the first year (2005-06 inventory data), that a majority of the tribes began to update their perspective inventories and this is where some irregularities began to show up in the infamous RIFDS. After August 15th of each calendar year the regions and central office can run a report through RIFDS to show each region’s perspective inventory numbers.

As the President of ITA I have not spoken out on the issue one way or the other because we have Tribal Membership on both sides of the spectrum. ITA has membership from small, medium and large tribes therefore we have been very careful in our comments.

Last year we offered our assistance in this matter in the way of facilitating meetings to come up with solutions to the matter. This proposal was not acted upon, however due to tribes and other organizations commenting on the issue, the present ASIA wanted to see some action taken on this matter and some solutions brought forth. Hence the Tribal Consultation Meetings held this past spring/summer.

I would continue to support Tribes from small, medium and large tribes in the development of their Transportation Programs, as we have historically always done. However in today’s sensitive environment we must do this in a way in which we do not show favoritism one way or the other. There are many other issues we as Tribes have in common which we can support each other on.

Some of these solutions were discussed during the Tribal Leaders Forum on the Current State of Tribal Transportation scheduled for Sunday October 11, 2009 1:00pm to 5:00pm during the NCAI Annual Meeting (Palm Springs, Ca).

There has been some expressed criticism about ITA’s involvement with NCAI, and our involvement in the development of the National Tribal Leadership Paper on Tribal Transportation (White Paper), however since ITA inception (circa 1993), one of the goals was to partner with organizations to assist in getting the tribes voices heard. I believe we have accomplished this over the last few years, without this partnership I don’t think we would have developed such a comprehensive document. Of course this is all to thanks of our tribal membership, in 2007 ITA hosted several meetings to garner comment that went into the White Paper, this is in accordance with our Strategic Plan. We must show unity to the fullest extent possible, there is strength in numbers, there will always be issues we have differences on, however let us show unity on the big issues that will help us prosper as a Nation, as a family.

Intertribal Organizations

Was invited to attend the Intertribal Organizations Meeting on Sunday October 11, 2009 9:00am to 12:00pm during the NCAI Annual Meeting (Palm Springs, Ca).

This is a relatively new project being undertaken by NCAI,

Objectives:

Tribal Leaders have been invited by letter to this forum to discuss important issues relative to Intertribal Organizations.

SCAI Congressional Transportation Field Hearing:

October 15, 2010 Polson, MT.

Submitted comments.

One time when I was leaving the US Capitol Building and walking through the Rotunda I couldn’t help but to think about the history of the United States. More specifically the history of the Native American relative to transportation as many of the highways that exist to this day are built over the path of a hunting trail or path the Native American traveled. This gave me a renewed strength to advocate for the interest of the ITA Executive Committee and member tribes. I believe these DC trips were beneficial for ITA and our member tribes.

It was with the people in mind that ITA was formed on that blustery day in May of 1993 in Polson, Mt. Formed so we may go forth into the future with one thought in mind, with one ideal in mind, and with service to the people in our heart.

I think we can all agree that to build strong tribal nations, Indian tribes must build a transportation infrastructure that permits safe travel and promotes economic expansion. Connecting people within tribal communities and tribal communities to the surrounding area means greater economic development and improved delivery of tribal government services. Yet many Indian reservation roads and bridges are known more for their impassable condition than for their use as a safe means of transportation.

The poor condition of many tribal roads and bridges jeopardizes the health, safety, security and economic well-being of our tribal members. Tribal roads and bridges are often in such disrepair that children are prevented from attending school, sick and injured people are prevented from reaching hospitals and emergency responders are delayed in providing timely assistance to people in need.

We must move on and be persistent in our efforts to continue the educational process for our people. This is where organizations such as ITA come into play. There is a need to bridge a gap between the funding organization, the administrator of those funds and ultimately to the tribes. This is where ITA can facilitate a much needed service.

We must continue to focus on our goals of the organization, primarily to assist Native American tribes in their exclusive evolution in promoting transportation system planning, renovating and construction of new projects. Safety is a prime factor at the forefront of properly planning transportation system improvements, the lives of people is far too precious to lose, therefore it’s our challenging task to assist brotherly and sisterly tribes with their innovative transportation system promotion plans.

I want to extend an invitation for all tribes to sincerely consider enlisting with the Intertribal Transportation Association. As tribal governments, we must unite as one while addressing monumental transportation system issues and concerns whether it’s about the national highway bill, how parts of the law is ineffective and needs further defining, or

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ITA President’s Report

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relevant to the set protocols. Be assured that from the top management of this organization, you have our support.

We need to continue in developing an effective flexible plan catering directly to tribal transportation needs while modifying practices to make it more business friendly, and of course as we adapt to internal and external environment changes.

Let’s all travel light into the unknown future while caring and helping one another.

With that in mind let us move forward once again, the next two years will be critical to Tribal Transportation, let us set our petty differences aside and move forward for our people, I look forward to serving you.

If you should have any questions or comments please call me at 406-353-8469, or Email, C_johnhealy_sr@live.com

Thank you,

“Mitakuye Oysin” (all my relations).

C. “John” Healy Sr., President, Intertribal Transportation Association.

2010 ITA Annual Meeting Summary
C. “John” Healy Sr. ITA President

Dear Intertribal Transportation Association (ITA), member tribes and non-member tribes alike. I respectfully write this short article as a brief update on ITA.

On December 6-10, 2010 the 16th Annual Intertribal Transportation Association (ITA), Annual Meeting was held in conjunction with the 13th Annual Northern Plains Tribal Technical Assistance Program (NPTTAP), Tribal Transportation Planners Conference. The Federal Transit Administration (FTA), Region VIII also held a Training in conjunction with the ITA Conference. These meetings were held at the Imperial Palace Hotel & Casino.

The FTA Training was scheduled for all grantees within Region VIII and was attended by approximately 40 participants, some were out of Region VIII, and were most welcomed.

The Trainers for the FTA were Jennifer Stewart, Tribal Liaison, Region VIII, Dan Wagner, John Caruolo, Donna Douville, and Tony Zakel. ITA would like to thank Lorna Wilson and the Trainers for their participation with this years ITA meeting and we look forward to continuing the great working relationship.

The ITA Annual Business meeting was held on Wednesday, December 8th, for member tribes of the organization. The current ITA President Mr. C. “John” Healy Sr., from the Fort Belknap Indian Community called the meeting to order.

We were honored to have Mr. Wesley Hare, Yankton Sioux Tribe, open the meeting with an honor song, and Mr. Eugene Limpy, Northern Cheyenne Tribe followed with the Invocation.

Introductions were held for all in the room, followed by opening comments: Lyle Deere, Vice President, ITA, John Smith, Shoshone & Arapahoe Tribes, and Pete Red Tomahawk, Transportation Director, Standing Rock Sioux Tribe.

Mr. Smith and Mr. Red Tomahawk each gave great speeches on how ITA should move forward in a united effort on behalf of Indian Country rather than be a house divided. Each touched on their medical conditions and how they were blessed through prayers from my friends, family and associates from across the nation and were able to successfully come back. They mentioned my recent medical condition and how I was able to come back successfully as well through the power of prayers from my friends, family and associates from across the nation. Tugasha has a path for each one of us in mind and maybe that is why we were able to come back from our medical conditions.

I did the roll call for the ITA Executive Committee Members, 8 of 12 regions plus the President & Vice-President were present.

The election procedures were reviewed, after a lengthy process of determining who paid their registration fees and Tribal dues in order to participate in the election the meeting continued. Roll call of member tribes present was held (33), a majority of the active member tribes were present to conduct business.

Of particular importance this year was the election of officers and reorganization. The positions up this year were the President and Even Numbered Regions. However as a result of an unofficial meeting called in ABQ, NM in November-2010 during the National Tribal Transportation Conference it was put forth to hold elections for all the Officer seats in addition to even numbered regions. A motion was made to split the Secretary-Treasurer position, this was passed.

At 1:30pm the ITA Annual reconvened with the annual elections with the nominations for President, Vice-President,

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Secretary & the Regional Representatives (even numbered regions).

at 1:40 pm there were 31 tribes that answered the roll call.

2011 ITA Annual Elections:

Angela Blind, Cheyenne & Arapaho Tribes, Southern Plains Region, was elected as the new Treasure and Gayleen Pretty Bird, Rosebud Sioux Tribe, Great Plains Region was elected as the new Secretary.

For the first time in ITA’s history the current seated Vice-President decided to run for the Presidency. After discussion on the procedures it was decided to hold the election for the President Position first. John Healy was nominated and accepted the nomination, Lyle Deere was nominated and accepted the nomination. The ballots were read aloud and John Healy, Fort Belknap Indian Community was re-elected as the President of ITA.

Lyle Deere, retained the position of Vice-President, ITA

A full listing of each region Executive Board members follows this report.

Even numbered Regions:

Southwest Region (II)
   Albuquerque Area.
Rocky Mountain (IV)
   Billings Area.
Alaska Region (VI)
   Juneau Area Office.
Eastern Oklahoma (VIII)
   Muskogee Area Office.
Western Region (X)
   Phoenix Area.
Pacific Region (XII)
   Sacramento Area

Following the election process discussion was brought to the floor from meeting participants on a wide range of topics including: The actual registration form, the need for a Champion for ITA, Diversity (thinking outside the box), challenging tribal councils to support ITA.

Agenda items discussed for the remainder of the day were: Proposed By-Laws Revisions.


John Smith, Shoshone & Arapahoe Tribes and Tim Rossette, Chippewa Cree Tribe presented on their presentations at the Field Hearing on Tribal Transportation Issues, held in Polson, MT on October 15, 2010.

Leroy Gishi, Chief, Division of Transportation, Washington DC Office, and Lincoln Begay, RM RO-BIA, Division of Transportation presented on the American Recovery & Reinvestment Act (ARRA), and projects completed.

On the morning of Thursday December 9, 2010 Leroy Gishi, Chief, Division of Transportation, Washington DC Office, made a presentation on the board roads in his region.

The ITA President appoints John Smith as the Acting Interim Executive Director, Passed by unanimous consent.

The Finance Committee was re-activated:

John Smith, Chair.
Howard Mermelstein, Co-Chair.
Don White, Blackfeet Nation, Member.
Barack Myers, Member.

2011 ITA Mid-Year Meeting: June 7-9, 2011 Las Vegas, NV. Site TBD by the Site Planning Comm. Golf Outing: December 6, 2011. The Site Planning Committee was re-activated. Members: Howard Mermelstein, Barack Myers, Jason Palmer, LaRue Guolad-dle, Transportation Secretary, Kiowa Tribe.

2012 ITA Mid-Year Meeting: June 6-8, 2012 (tentative date). Possible location Eastern Cherokee Casino, Barack Myers will research and get info. back to the Site Planning Comm.

2012 ITA Annual Meeting: December 5-7, 2012 Las Vegas, NV. Site TBD by the Site Planning Comm. Golf Outing: December 4, 2012. The Legislative Committee was re-activated. Lyle Deere, ITA Vice-President was appointed as Chair. Tim Rossette, Chippewa Cree Tribe, Co-Chair. Members: Howard Mermelstein, Jason Palmer, Anthony Bronco, and Barack Myers.

Motion to adjourn at 4:30pm.

Mr. John Smith, Shoshone & Arapahoe Tribes blessed us with a closing prayer.
ITA Meeting with Coalition of Large Land Based Tribes in Las Vegas, Nevada
C. “John” Healy Sr. ITA President

On Friday December 10, 2010 members of the Intertribal Transportation Association (ITA), Executive Committee attended a meeting hosted by the Coalition of Land Based Tribes at the Golden Nugget Hotel & Casino in Las Vegas, N.V.

This meeting was hosted by the Shoshone & Arapahoe Tribes of the Wind River Indian Reservation, Wyoming.

My friend Big John Smith had invited us down the day before at the ITA Annual Meeting.

The Coalition of Land Based Tribes originally known as the Council of Large Land Based Tribes have been very active over the last couple years regarding Tribal Transportation issues that directly affect Large Land Based Tribes.

The Council of Large Land Based Tribes was originally formed under the MT-WY Tribal Leaders Council, when it was found that there were other Large Land Based Tribes outside of MT & WY that had similar issues concerns in common areas. Transportation is one of these areas and has been a hot topic for several years. Tribes with a vested interest in Tribal Transportation and that have actually seen decreases in their IRR Allocations are particularly active in the Council of Large Land Based Tribes.

I was invited to provide a few comments on behalf of ITA: I thanked Big John and the Coalition for the invitation and the opportunity to address the group as the re-elected ITA President. I gave a brief overview of ITA and its makeup of Tribal Membership across the nation. “Over the last couple years I haven’t taken a stance one way or the other on the controversial IRR Inventory issue or the Q #10 issue because we have Tribal Membership on both sides of the fence so to speak”. However at this time I would like to explore options on how we can help each other, because as you know there are strength in numbers, this particularly true at this time with re-authorization here.

I think we are on the same page as far as that is concerned we just need to brainstorm on which avenues to pursue. On which areas of common interests we have as tribes.

One of the closing comments made by one of the Council of Large Land Based Tribes Representatives was that it was good to have meetings and discuss these matters however what is going to be done about them, who is going to take these issue and make our concerns known.

That is a good comment, and I think there has been a good effort of this being done over the last couple years by a few organization and several key individuals such as Big John, James Garrigan and Tim Rosette.

As I stated before there are strength in numbers, we must show unity amongst the tribes on this coming re-authorization. As tribes there will always be differences on certain issues, let us unite on the large issue that we can all agree upon, take these forth and see what we can do for our people.

Federal Register: “Improving Regulation and Regulatory Review”

Good Afternoon!

The U.S. Department of Transportation Office of the Secretary would like to alert you to an important opportunity for public participation regarding Executive Order 13563 focused on “Improving Regulation and Regulatory Review”. You can view and provide comments about DOT Regulations outlined in the Federal Register by using regulation e-docket system by Clicking Here (Docket Number: DOT-OST-2011-0028-0002). You may also submit comments via regular postal mail, by hand delivery, or by fax by following the instructions provided in the Federal Register Notice. All comments should be received on or before April 1, 2011.

This opportunity is presented in accordance with Executive Order 13563, “Improving Regulation and Regulatory Review.” The US Department of Transportation (USDOT) is conducting a review of its existing regulations to evaluate their continued validity and determine whether they are crafted effectively to solve current problems. As part of this review, the Department invites the public to participate in a comment process designed to help the Department ensure that it has a plan for periodically analyzing existing significant rules to determine whether they should be modified, streamlined, expanded, or repealed and identify specific rules that may be outmoded, ineffective, insufficient, or excessively burdensome.

The Department will also hold a public meeting on March 14, 2011 at the DOT headquarters in Washington, DC. Members of the public are invited to identify by March 3, 2010, specific regulatory provisions currently in effect that they believe are outmoded, ineffective, or otherwise in need of reform.

Please feel free to distribute this letter across your networks. If you have any additional questions regarding this announcement that are not addressed in the Federal Register, please contact Mr. Neil R. Eissner, Assistant General Counsel for Regulation and Enforcement, via phone at (202) 366-4723; or E-mail: neil.eisner@dot.gov
Tribal Leader Consultation Session to Resolve Indian Reservation Roads (IRR) Program Funding Formula Impasse
Concept Paper – For Discussion Purposes Only

Overview of IRR Program Funding Formula Problem: For the last several years, there has been a growing dispute among Indian tribes over the accuracy of the data in the IRR Program inventory database and the overall fairness of the IRR Program funding formula (i.e., Relative Needs Distribution Formula (RNDF) and Tribal Transportation Allocation Methodology (TTAM)). Despite the many great successes and accomplishments that Tribal transportation programs have achieved over the last several years, this IRR Program funding formula dispute has cast a negative light on the IRR Program in the view of many Tribal leaders. As the new 112th Congress begins to consider successor legislation to the SAFETEA-LU highway authorization law and Tribal unity is of the utmost importance, many Indian tribes remain divided over the best means of resolving the IRR Program funding formula dispute.

In response to this problem, the Federal Highway Administration (FHWA) and the Bureau of Indian Affairs (BIA) recently proposed a significant policy change to address the so-called “Q10” dispute on how non-tribal and BIA owned roads are counted in the IRR Program funding formula. While some see this as a step in the right direction, many Tribal leaders expressed concern that this policy change was developed without full consultation and does not address several other areas of dispute. Given the need for Tribes to unify around a common set of highway reauthorization legislative proposals (such as the draft “TRIP” legislation), there are important reasons to work toward a full and final solution to the IRR Program funding formula dispute in all areas at once, rather than addressing only one disputed area at a time.

Proposed Solution to Help Resolve the IRR Program Funding Formula Impasse: This paper proposes that the Indian Reservation Roads Program Coordinating Committee (IRRPPCC) recommend to the FHWA and BIA leadership that they announce a formal two-week “Tribal Leaders’ IRR Program Consultant Session” to help the Federal agencies and the IRRPCC resolve the IRR Program funding formula dispute through a mediated discussion which weighs competing policy proposals and seeks reasonable compromises. Elected Tribal leaders, representing a diverse community of small, medium and large Tribes, are in the best position to help the BIA and FHWA forge consensus solutions to the complex IRR Program funding issues which have divided Indian Country and the IRRPCC over the last few years. Securing Tribal leader input prior to final agency action will foster greater trust in the IRR Program, promote Tribal unity, and help ensure the IRR Program’s future growth and stability.

To the extent it is required by law, this formal consultation session could also be treated as a mini-negotiated rulemaking session so that any approved recommendations that actually require “notice and comment” rulemaking could proceed following this formal consultation session. Importantly, this consultation meeting would allow for a well-organized, fundamentally fair, legally authorized and hopefully final forum in which Tribal leaders and senior Federal officials could work out reasonable solutions to all the remaining areas of the dispute. Equally important, the FHWA and Interior Department leadership should commit to act promptly on the results of this meeting, through published policy changes or formal “notice and comment” rulemaking.

Federal Policy Supports Active Tribal Consultation: On November 5, 2009, President Obama issued a Memorandum on Tribal Consultation which reaffirmed the unique legal and political relationship between the United States and Tribal nations. President Obama directed every executive department and agency of the United States to create detailed plans of action to implement the policies and aspirations found in Executive Order 13175, “Consultation and Coordination with Indian Tribal Governments” (Nov. 6, 2000). The U.S. Department of Transportation (DOT) and the Department of the Interior (DOI) have issued Tribal Consultation Plans to implement President Obama’s Memorandum. Both Departments are committed to “improving communications while maximizing tribal input and coordination” (DOI’s “Plan to Develop a Tribal Consultation and Coordination Policy”) and “seeking tribal government representation in meetings, conferences, summits, advisory committees, and review boards concerning issues with tribal implications” (DOT’s “Tribal Consultation Plan”). The IRR Program regulations also state that the IRRPPCC supplements, but does not replace, government-to-government consultation with Indian tribes.

Meeting Structure and Logistics: To ensure adequate time for the complex IRR Program funding formula issues to be carefully explained to Tribal leaders, a two-week, eight day meeting is proposed, with travel days on the beginning Monday and concluding Friday. It would be sensible to hold the meeting near Washington, D.C. so that senior DOI and FHWA officials could more easily attend the entire two-week session to hear directly the views and concerns of Tribal leaders. From a list of Tribal nominations, DOI Assistant Secretary for Indian Affairs Larry Echo Hawk and FHWA-Federal Lands Highways Associate Administrator John Baxter would jointly select two elected Tribal leaders from each of the 12 BIA Regions to serve as primary members, for a total of 24 members, with one alternate member identified for each region in the event a primary member is unable to attend. The FHWA and BIA should cover the selected primary members’ travel and per diem expenses.

The meeting’s purpose and the selected members should be announced in the Federal Register, in accordance with appropriate legal requirements. Ideally, the meeting should be held no later than (Continued on page 8)
Tribal Leader Consultation Session to Resolve Indian Reservation Roads (IRR) Program Funding Formula Impasse continued

April 2011 so that any policy or regulatory revisions could be finalized and published by the end of FY 2011. With concrete steps being taken to resolve the IRR Program funding formula dispute, Tribal leaders may be more willing to put the dispute aside for awhile in order to unify behind the draft TRIP legislation or other Tribal transportation proposals for the new highway legislation. For this advocacy to do any good, prompt and unified Tribal action is required.

The selected members should represent a diverse range of Tribal nations so that all viewpoints are represented during the consultation meeting. The Federal Mediation & Conciliation Service (FMCS) should be enlisted to moderate the discussions to ensure that constructive solutions and compromises are thoroughly discussed in a respectful and productive manner. Primary members should be asked to avoid talking about past wrongs or dwelling too long on individual tribal needs so that the focus can remain on the future growth and success of the IRR Program for all Tribes. Senior DOI and FHWA officials should advise the members that the federal agencies will move forward with policy or regulatory changes shortly after the meeting so that everyone understands that the purpose of the meeting is to attempt resolve the dispute once and for all. The goal of the meeting is to work on revisions to the IRR Program funding formula that are fundamentally fair, easy to implement, not easily manipulated and that will treat similarly situated Tribes in a similar manner.

Each day’s session should focus on only one topic, and at the end of each day’s session a vote of the all primary members should be held to determine whether any of the proposed solutions achieves a consensus or has majority support. Even if no proposed solution achieves a consensus or even majority vote, senior Federal officials will still gain the benefit of having heard the Tribal leaders’ discussion and debate as they formulate any new policy or regulatory revisions. In other words, meaningful Tribal consultation in advance of federal decision-making would be assured, even if the Tribal leaders cannot reach agreement.

Technical Support: IRRPCC members, FHWA and BIA officials and other tribal transportation experts should provide technical assistance and support to the selected Tribal leaders selected to participate in this consultation session. In order to ensure that the discussion is focused on truly workable options, these technical experts should develop 2-4 detailed options for each of the topic areas in advance of this meeting, and the Tribal leaders and mediators should focus on trying to form a consensus around these detailed options, or some variation on them. In other words, the discussion should focus on concrete proposals and whether to adopt them “as is” or modify them somewhat to achieve greater consensus. The Tribal leaders may also bring staff and consultants to assist them during the meeting. These technical advisors may present information during the meeting if called on by a Tribal leader or the moderator, but they may not vote on any of the proposals at the end of the day.

Proposed Topics and Agenda: A possible agenda could be the following (the topic areas and discussion order may be revised if the list below is not ideal):

Monday: Travel to Consultation Meeting location
Tuesday: Orientation of Tribal Leaders on the IRR Program, the funding formula (i.e., TTAM, RNDF, RIFDS); report on BIA/FHWA implementation of administrative solution to the “Question 10” controversy; overview of major disputed areas
Wednesday: Treatment of “proposed roads” and “eligible transportation facilities” in the IRR Program funding formula
Thursday: Treatment of “primary access routes” and boundary issues
Friday: Treatment of the Vehicle Miles Traveled (VMT) funding component

Monday: Improvements to RIFDS and Coding Guides, Quality Assurance/Quality Control (QA/QC) to ensure accuracy of IRR Inventory data
Tuesday: Treatment of Tribal Transportation Allocation Methodology (TTAM) in IRR Program funding formula
Wednesday: Methods to stabilize IRR Program funding formula and make annual funding shares more predictable
Thursday: Methods to simplify the RIFDS Inventory update process
Friday: Return Travel following Consultation Meeting

If a two-week session with an intervening weekend places too great a strain on the busy schedules of Tribal leaders and senior federal officials, a logical alternative would be to compress the meeting into a single long week, with travel days on a beginning Saturday and concluding Sunday, with seven days of meetings (from Sunday to Saturday) in between. However, this topic is so complex and the need for thoughtful discussion so important that the final meeting schedulers should be careful not to short-change the time that is needed to do this valuable work. It will be far better to work hard to resolve this issue over a one or two week period than to allow the IRR Program funding formula debates and disagreements to drag on for many months and years. The more compressed one-week schedule may also be objectionable to some Tribal leaders or federal officials who do not wish to work on traditional, cultural or religious days of rest. The final decision on the date of the meeting, the agenda, the length of session and the order of topics to be discussed will no doubt be made by senior DOI and FHWA, with input from the IRRPCC members, Tribal leaders and others. The most important thing is that this Tribal Leaders Consultation meeting is well-organized, has significant support from Tribes and Tribal organizations around the country and occurs in the near future.
Re-Authorization Update
By Howard Mermelstein, ITA Primary Rep for the Alaska Region

Since SAFETEA-LU Expired on 9/30/09 the IRR Program has been working under extensions and continuing resolutions. We are now halfway through FY 2011 and funds are still dribbling in small amounts. Some Tribes have not received any FY 2011 funding as the 638 contracts are so cumbersome that some regions have elected not to have them more than once.

The NCAI-ITA Joint Task Force on Tribal Transportation has been developing a national consensus position to move forward with in a new bill. The Task Force “White Paper” identified requests for increases and justifications for these requests. During February and early March, Task Force Co-Chair Chief JoAnn Polston from the Mendas Cha-Ag Tribe of Healy Lake, myself, and Jim Glaze from Sonosky Chambers law firm, had several meetings with members of congress and their staff. In addition to meeting with Congressman Don Young (R) AK, Senator Lisa Murkowski (R) AK, and Senator Mark Begich (D) AK we had meetings with House T&I staff, as well as the Senate EPW staffers and Senate Committee on Indian Affairs members and staff. John Healy, President, Intertribal Transportation Association (ITA), set up a meeting for us with Mark Jette, Legislative Assistant with Senator Jon Tester’s (D-MT) Office. These meetings were very productive and took place at the same time the President’s budget for 2012 was unveiled, along with the administrations proposal for the next surface transportation bill. These meetings and the advocacy of Chief Polston were instrumental in having Congressman Don Young Chair of the House Natural Recourses Committee, Sub Committee on American Indian and Alaska Native Affairs, and Congressman Nick Rahall Ranking member of the House Transportation and Infrastructure Committee sponsor a staff briefing session in the hearing room of the Rayburn Office Building. The briefing was done by Howard Mermelstein and Jim Glaze, and was attended by over a dozen staffers from 11 states. Many of those that attended will be key in the drafting of the next bill.

The briefing went very well and we provided an overview of the current program, ARRA successes, SAFETEA-LU improvements and successes, the President’s budget and the recommendations from the draft TRIP legislation and the NCAI-ITA White Paper. The President’s budget for 2012 does provide increases to the program as well as consolidating the IRR Program, the IRR bridge Program, and Tribal safety Programs into one “Tribal Transportation Program”. Along with the President’s budget the administration unveiled a plan for the next highway bill that would start at 600 million for FY 2012 and go to 747 million in FY 2017. It was stressed that this was a good starting point, but that the need in Indian Country is so great, that we would like them to increase these amounts to reflect the requests of the Tribes. In having these meetings at this time we have brought Indian Country’s issues for transportation to the forefront at a most vital time, and we will be assured to be at the table as discussions continue. A copy of the briefing power point presentation has been sent to NCAI and ITA for distribution.

Tribal Leader Consultation Session to Resolve Indian Reservation Roads (IRR) Program Funding Formula Impasse continued

(Continued from page 8)

Federal Follow-up Actions: Immediately after the Consultation meeting, DOI and FHWA officials should provide a report of the meeting to all Indian Tribes and explain their next steps to implement new policy or regulatory provisions to address the IRR Program funding formula impasse. New policy directives and/or proposed rules should be published within 60 days after the conclusion of the meeting. If Tribal leaders reach consensus or achieve significant majority approval for a particular option, DOI and FHWA officials should seek to implement the Tribal leaders’ choices to the maximum extent allowed by law. The federal action should be considered final for the Departments, subject only to court review. The Consultation meeting should provide useful support for the Federal action, making it less likely to be overturned in any subsequent court action.

Hopefully, all Tribes will accept the results of this fair process and allow the IRR Program funding formula dispute to become a thing of the past. 

Howard Mermelstein, ITA, Primary Rep, Alaska Region and Mark Jette, Legislative Assistant, Senator Jon Tester (D-MT).
INTERTRIBAL TRANSPORTATION
ASSOCIATION
2011 Mid-Year Meeting
Fairbanks, AK
June 7-9, 2011

INITIAL NOTICE

The ITA President would like to personally invite each of you to our ITA Mid-Year Meeting scheduled for June 7-9, 2011 in Fairbanks, AK. We have some very important issues on the agenda such as Tribal Consultation, Legislative Issues, Transportation Reauthorization, NCAI-ITA Joint Task Force on Transportation Issues Update, Tribal Transit Panel, and Tribal Transportation Coalition Presentations.

“At this point of the game it is vital that we show unity amongst the Tribes in this era of reauthorization, I think we know what will happen if we show we are divided, we must unite on the major issues of Transportation Reauthorization, we all know that there will always be differences amongst the tribes on certain issues, this is historical in nature because of the obvious different geographical locations, different societies and individual Tribal sovereign status. However once again I think we can come to some middle ground on the major issues tribes deal with in the Indian Reservation Roads (IRR), Program and Transportation Reauthorization”.

CONFERENCE HOTEL:

Pike’s Waterfront Lodge
1850 Hoselton Rd.
Fairbanks, AK 99709

Phone: Hotel Direct line at 907-456-4500 or Christena directly at 907-374-7110.
Reference: Leader # 356929.
frontdesk@pikelodge.com

A block of 60 rooms has been reserved for the Intertribal Transportation Association at the rate of $159.00 for the nights of June 5th, 6th, 7th and $109.00 per night for the nights of the 8th, 9th, and 10th.

Meeting Location is at the Princess Hotel (next door).

FOR MORE INFORMATION:

C. “John” Healy Sr., President, ITA, at Office: (406) 353-8469. Email: c.johnhealy_sr@live.com. John Smith, Acting Interim ITA Executive Director at Office 307-335-7669, or Howard Mermelstein, ITA Alaska Primary Representative at Office 907-455-4226 Email: hmermelstein@hotmail.com
INTERTRIBAL TRANSPORTATION ASSOCIATION (ITA)

MID-YEAR MEETING

JUNE 7-9, 2011
FAIRBANKS, AK

HOSTED BY: INTERTRIBAL TRANSPORTATION ASSOCIATION (ITA)

SITE: PIKE’S WATERFRONT LODGE
1850 HOSELTON ROAD
FAIRBANKS, AK 99709

PHONE: DIRECT LINE AT 907-456-4500 OR CHERSTENA AT 907-374-7110.
EMAIL: FRONTDESK@PIKELODGE.COM
REFERENCE: LOADER # 356929.
WEB SITE: WWW.PIKELODGE.COM

LODGING: A BLOCK OF 60 ROOMS HAS BEEN RESERVED FOR THE INTERTRIBAL TRANSPORTATION ASSOCIATION AT THE RATE OF $159.00 FOR THE NIGHTS OF JUNE 5TH, 6TH, 7TH AND $109.00 PER/NIGHT ON THE 8TH, 9TH, & 10TH.

CUT-OFF DATE FOR ROOMS: APRIL 5, 2011

REGISTRATION FORM

ORGANIZATION: ___________________________ NAME: ___________________________

POSITION/TITLE: ___________________________ ADDRESS: ___________________________

CITY: ___________________________ STATE: ___________________________

ZIP: ___________________________ TELEPHONE: ___________________________ FAX: ___________________________

EMAIL: ___________________________

ITA MEMBERSHIP INFORMATION:

ARE YOU A: OFFICER ____________ EXECUTIVE COMMITTEE MEMBER/ALTERNATE ____________ DESIGNATED VOTING MEMBER (REGISTRATION & DUES MUST BE PAID IN ORDER TO VOTE) ____________ ASSOCIATE MEMBER ____________ TRIBAL DELEGATE/REP ____________ INDIAN COMMUNITY REPRESENTATIVE ____________ INDIVIDUAL MEMBER ____________ SPEAKER ____________ PRESENTER ____________ VENDOR

NOTE: IF TRIBAL DUES WERE PAID AT THE ANNUAL MTG. IN DEC-2010, YOU DON’T NEED TO PAY AT THIS MTG. IN ORDER TO VOTE AT THIS MEETING

PRE-REGISTRATION FEE:

(before May 6th)

Early Bird Special: $250.00

REGISTRATION FEE:

(after May 6th)

$300.00

MEMBERSHIP FEES: (2011)

JOIN ITA FOR THE FOLLOWING RATES (SELECT ONE)

TRIBAL GOVERNMENT/ALASKA NATIVE VILLAGES/INDIAN COMMUNITY MEMBERSHIP (VOTING MEMBER) $200.00

ORGANIZATION/PRIVATE SECTOR/TRIBAL PROGRAM (NON-VOTING MEMBER) $300.00

CITY/COUNTY/STATE AGENCY (NON VOTING) $500.00

SENIOR CITIZEN: 60+ YRS. OF AGE (NON VOTING) $50.00

ELDER 55+ YEARS OF AGE (NON VOTING) $50.00

INDIVIDUAL 21-55 YEARS OF AGE (NON VOTING) $100.00

STUDENT RATE: (COLLEGE STUDENTS WITH ID) $50.00

YOUTH 20 YEARS AND UNDER (NON VOTING) $20.00

TOTAL FEES:

MAIL REGISTRATION FEES & TRIBAL DUES TO:
HOWARD MERTELSTEIN
PRIMARY REPRESENTATIVE, ALASKA REGION, ITA
P.O. BOX 61147
FAIRBANKS, ALASKA 99706

TELE: (907) 455-4226 MOBILE (907) 388-7389
EMAIL: hmertelstein@hotmail.com
2011 CALENDAR

<table>
<thead>
<tr>
<th>Dates</th>
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<th>Event</th>
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<tbody>
<tr>
<td>April 18-21, 2011</td>
<td>Spokane, WA</td>
<td>18th Annual Northwest Tribal Transportation Symposium</td>
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<tr>
<td>June 6-9, 2011</td>
<td>Fairbanks, AK</td>
<td>ITA Mid-year Meeting</td>
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18th Annual ATNI Northwest Tribal Transportation Symposium to be held at Kalispel’s Northern Quest Resort, Spokane, Washington

This year we are pleased to announce that the symposium will be held at the Northern Quest Resort Hotel in Spokane WA. The Symposium will begin Monday afternoon on April 18th, 2011. Be sure to let the hotel know that you will be attending the symposium to get the conference rate on the room rentals.

Every Day Counts for Northwest Tribes – Innovation in Transportation & Safety

Schedule and Special Events

Monday afternoon
1:00 pm FTA Tribal Transit Training
1:00 pm Planning and Environmental Linkages
4:00 pm Road Planner Board Game
Monday Evening
6:00 pm Reception

Tuesday General Sessions and Training Workshops
Tuesday Evening
6:00 pm WA Tribal Transportation Planning Organization (TTPO) Meeting

Wednesday Training Workshops
Wednesday Evening
6:00 pm Tribal Transportation Planning Work Group meeting

Thursday Morning Final General Session

Thursday
1:00 – 5:00 pm WA Tribal Traffic Safety Summit Follow-up Working meeting.

To register for the conference, http://www.ewu.edu/NWTTAP/Training/18th-Annual-NW-Tribal-Transportation-Symposium.xml. For questions regarding the symposium please call Richard Rolland at 509-359-6829. For questions regarding registration please call Michele Siedenburg at 509-359-6828.

JOIN ITA TODAY

Membership Application

Membership Type (Select):  
Tribal Membership (Voting Entity)  
Tribal Governmen  
200.00  
Tribal Community  
200.00  
Associate Memberships (Non-Voting)  
Organizations  
300.00  
Private Sector  
300.00  
Tribal Program/Department  
300.00  
Federal Agency/Program/Dept  
300.00  
State Agency/District/City/County  
500.00  
Individual Membership (Non-voting)  
ITA Individual  
100.00  
ITA Elder (55 years +)  
50.00  
ITA Student/Youth (under 20 years)  
25.00  
Contributor Membership (Tax-Deductible)

TOTAL

Name:
Contact:
Address:
Phone:
Fax:
Email:

Mail payments and/or contributions by check to ITA and send to: Intertribal Transportation Association Attn: C. John Healy Sr., President 256 Whitebear Road, P.O. Box 1252, Harlem, MT 59526

Email: cjohnhealysr@fortbelknapnations-nsn.gov

To the family and friends of Lyle Deere, Vice President of ITA

The Executive Committee and member tribes extend our sincere condolences on the loss of a brother and friend.
Intertribal Transportation Association

Officers and Executive Committee Members

OFFICERS:
John Healy Sr., President (Fort Belknap Indian Community)
Vacant (Navajo Nation)
Gaylene Pretty Bird, Secretary (Rosebud Sioux)
Angela Blind, Treasurer
John Smith, Interim Executive Director (Shoshone and Arapaho Tribes)

GREAT PLAINS REGION:
Sherman Wright, Rosebud Sioux Tribe (Rep)

SOUTHWEST REGION:
Vacant

SOUTHERN PLAINS REGION:
Chuck Tsoodle, Kiowa Tribe of Oklahoma (Rep)
Tim Ramirez, Prairie Band

Potawotomi Nation (Alt)

ROCKY MOUNTAIN REGION:
Tim Rosette, Chippewa Cree Tribe (Rep)
Don White, Blackfeet Nation (Alt)

EASTERN REGION:
Barack Myers (Rep)

ALASKA REGION:
Howard Mermelstein, Tetlin Tribe (Rep)

MIDWEST REGION:
Vacant

EASTERN OKLAHOMA REGION:
Jeff Lieb (Rep)
Will Owen (Alt)

NAVAJO REGION:
Omar Begay, Navajo Nation (Rep)
Lawrence Morgan, Navajo Nation (Alt)

WESTERN REGION:
Vacant

NORTHWEST REGION:
Mike Marchand, Colville Tribes (Rep)
Mary Beth Clark, Nez Perce Tribe (Alt)

PACIFIC REGION:
Vacant

SUPPORT:
Terrollene Charley, Newsletter Editor