



IN REPLY REFER TO

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, DC 20240

SEP 25 2014

Mr. Raymond Concho
Chairman and Committee Members
P.O. Box 309
Acoma, New Mexico 87034

Dear Mr. Concho:

Thank you for the opportunity to respond to your letter dated May 14, 2014, on behalf of the Tribal Transportation Program Coordinating Committee (TTPCC). Continuing the dialogue with the TTPCC to obtain meaningful input pursuant to the original charge of the TTPCC is paramount to the success of the shared goal to improve the transportation system in Indian Country. The five (5) issues raised in your letter are addressed below:

1. Pre-approval of FY 2014 - 2015 TTPCC meeting schedules

The TTPCC's role in securing tribal input for the program necessitates advance approval of its meetings following the requirements of 25 CFR §§ 170.155-158. Likewise, the Office of the Assistant Secretary – Indian Affairs (AS-IA) must approve all conferences and meetings sponsored by the Bureau of Indian Affairs (BIA). The TTPCC's proposed meeting dates and locations for the remainder of the FY2014 were approved on June 17, 2014. The proposed meeting dates and locations for FY2015 will require a similar approval process. The TTPCC shall submit an updated schedule of proposed meeting dates and locations for the entirety of FY2015 to the Director, Bureau of Indian Affairs (Director) no later than October 1, 2014. Subject to the availability of funding, appropriate authorization under an extension of current transportation authorization or a successor surface transportation act, the Director may approve the FY2015 schedule of meeting locations and dates if the Director concludes that the TTPCC's proposal complies with the requirements established by the Department of the Interior.

2. Release to Committee of Agency rewrite of 25 CFR Part 170

The BIA and the Federal Highway Administration (FHWA) have been working on reviewing comments pertaining to the draft proposed rule as reviewed by the TTPCC during the Spring of 2013 and provided as part of three consultation meetings in May and June of 2013. The redline and side-by-side versions of the proposed Part 170 regulation are located on the FHWA and BIA website: <http://www.bia.gov/WhoWeAre/BIA/OIS/Transportation/index.htm>. The TTPCC as well as the public may also find the summary of comments received and the minutes of the consultation meetings at the website.

3. TTPCC National Strategy Development (National Business Plan)

The BIA and FHWA are committed to being both partners and stewards, and to working toward progressive solutions as we deal with shrinking resources, and increased responsibilities to maximize the benefit of Tribal Transportation Program (TTP) funds in Indian Country. As the TTPCC is aware, the TTP National Strategy Development business plan addresses the inherently federal functions of both agencies, and are of particular importance to the oversight of the program in accordance with current policies, guidance, regulations and statutes. Nonetheless, both FHWA and BIA, at the March 2014 TTPCC meeting, reached out to the TTPCC for “input and recommendations” to this national strategy and plan. As partners, we have taken the lead in developing the National Business Plan (NBS), and will be working with the TTPCC to review the NBS, which is actually a set of three documents:

- *National Business Plan* will replace and update the existing Memorandum of Agreement between FHWA and BIA
- *Operations Manual* will establish a clear, written set of processes for our, FHWA and Indian Affairs (i.e. Bureau of Indian Affairs, Office of Self Governance), common business practices.
- *Communications Plan* will reflect a single voice in information dissemination, and technical outreach and assistance for the TTP.

These documents define and refine our specific roles and responsibilities already outlined in current laws, regulations and policies by the leadership of our respective agencies, and are specific to inherently federal functions.

As a continuation of these efforts, the TTPCC identified five of its members with whom we were to share these documents. We have had limited success in getting responses from the five members and we need to obtain feedback soon so the Federal team can move forward. Any assistance you can provide in encouraging responses from the five members would be greatly appreciated. An update will be given at the September TTPCC meeting in Anchorage, and we will also present similar updates at subsequent regional and national workshops.

4. Indian Country Highway Safety Concerns

The Indian Tribal Safety Management System (SMS) Steering Committee was initially assembled under the auspices of the Federal Highway Administration, with the goal to establish meaningful consultation and collaboration with tribal officials by implementing tribal infrastructure projects. The FHWA proposed to develop a SMS for tribal governments and formed a Steering Committee that includes tribal representatives to advise on the SMS. Since FHWA had proposed this Steering Committee, we have forwarded your request to them.

5. In-depth Agency follow up of Coordinating Committee Recommendations

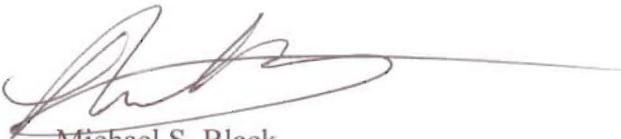
The BIA is preparing a summary table of all TTPCC recommendations and actions to-date for review by the TTPCC at the next meeting in Anchorage, Alaska. Many of these items were

addressed in updates to the TTPCC at the public committee meetings, while others have been responded to and the BIA is waiting further action by the TTPCC. The table will identify each of the recommendations and responses.

We value the importance of jointly delivering the Tribal Transportation Program and look forward to working with the TTPCC on important issues as we strive together to improve transportation in Indian Country.

Thank you again for bringing these issues forward.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael S. Black', with a long horizontal flourish extending to the right.

Michael S. Black
Director, Bureau of Indian Affairs

cc: TTPCC Members