



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #MOH-17-041

TITLE: Request for Tribal Consultation Regarding Tribal Technical Assistance Program Reorganization

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Jacqueline Pata
Tlingit

NCAI HEADQUARTERS
1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of tribal governments; and

WHEREAS, recently the Federal Highway Administration (FHWA) within the U.S. Department of Transportation proposed reorganization of the Tribal Technical Assistance Program (TTAP); and

WHEREAS, TTAP is an important and only program that provide training and technical assistance for all aspects of transportation for each tribe within six regions in the lower 48 states and one in Alaska; and

WHEREAS, the proposed changes by FHWA is to consider a two-year pilot program by using a centralized model of Tribal Technical Assistance Centers (TTAC), where one of the TTAP will be the main center and the other six TTACs will be provide training across all the Bureau of Indian Affairs regions; and

WHEREAS, the FHWA do not appear to have started with an understanding of sovereignty for tribes, active involvement of all tribes or any effort to have formal consultation to this important program; and

WHEREAS, in a letter from the Tribal Transportation Program Coordinating Committee (TTPCC) to the Federal Highway Administration about the proposed reorganization of the TTAPs, the letter states, "TTPCC believes it is critical for the FHWA to engage in consultation directly with Tribes about the proposed reorganization" (Letter dated April 6, 2017 attached).

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) does hereby request the U.S. Department of Transportation and to engage in formal consultation with tribes in each region prior to making any changes to the Tribal Technical Assistance Program; and

BE IT FURTHER RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2017 Midyear Session of the National Congress of American Indians, held at the Mohegan Sun Convention Center, June 12 to June 15, 2017, with a quorum present.


Brian Cladoosby, President

ATTEST:


Aaron Payment, Recording Secretary

Edward (Sam) Thomas
Committee Chairman
P.O Box 320
Craig, AK 99921
Crabbay13@hotmail.com

Tribal Transportation Program Coordinating Committee

Rick Galloway
Committee Secretary
920 East 16th Avenue
Spokane, WA 99203
rick_go_on@msn.com

April 6, 2017

Mr. Tony Furst
Chief Innovation Officer
Federal Highway Administration
Office of Innovative Program Delivery
1200 New Jersey Ave., SE
Washington, D.C. 20590
Tony.Furst@Dot.gov

Re: Potential Reorganization of the Tribal Transportation Assistance Centers (TTAC)

Dear Mr. Furst:

The Tribal Transportation Program Coordinating Committee (TTPCC) under 25 CFR §§ 170.135 and 136, provides input and recommendations to Federal Highway Administration (FHWA) and the Bureau of Indian Affairs (BIA) in developing Tribal Transportation Program (TTP) regulations, policies and procedures. The TTPCC supplements government-to-government consultation between Tribes and the federal government by coordinating with and obtaining input from Tribes, BIA, and FHWA.

We write this letter in response to FHWA's request that the TTPCC review and comment on the FHWA's initial proposal that Tribal Technical Assistance Centers (TTAC aka Tribal Technical Assistance Program TTAP) be reorganized in efforts to better serve Tribes, increase efficiency, and improve uniformity and quality of training and technical assistance. TTPCC has copied tribal leaders on this letter so Tribes are aware of the proposed changes.

FHWA has performed a review of the TTACs and presented data to the TTPCC that FHWA believes shows TTACs can improve service delivery within the same budget. FHWA is considering a centralized model for the TTACs, and proposed that the centers be restructured so that there is one "main" TTAC and six technical TTACs that provide uniform training across all BIA regions. FHWA has recommended a two-year pilot program to reorganize the TTACs and collect data about training and technical assistance they provide.

TTPCC believes it is critical for the FHWA to engage in consultation directly with Tribes about the proposed reorganization. FHWA has asked the TTPCC for its comments because the government will soon issue a Request for Proposals for applicants to operate the TTACs, as current contracts are expiring. While TTPCC is not involved in specific procurement decisions, we urge the FHWA to fully consult with tribal governments regarding the scope of work for

The Tribal Transportation Coordinating Committee is the regulatory committee established by federal regulations (25 CFR 170.155), to provide input and recommendations to the Bureau of Indian Affairs and Federal Highway Administration concerning the Tribal Transportation Program as detailed in Title 23 U.S.C. 202.

<http://www.bia.gov/WhoWeAre/BIA/OIS/Transportation/ttcc/index.htm> ♦ <https://flh.fhwa.dot.gov/programs/ttp/cc/>

TTACs, what criteria tribes feel is necessary for FHWA to consider when selecting successful applicants, and what structure for the TTAC program will best serve tribal needs.

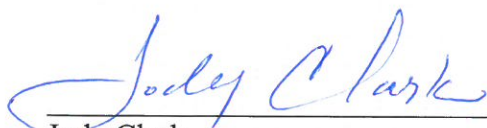
Following FHWA's presentations, the TTPCC agreed there is a strong indication that TTAC services can be improved, that there are likely ways to decrease redundancy in services across regions, and that overhead costs can be reduced. Anecdotal evidence also suggests that TTAC services can be improved. However, the TTPCC also realizes that Tribes and TTACs may have strong relationships and changes to the system may be disruptive. The TTPCC believes the FHWA must engage directly with Tribes to receive their feedback on the TTACs.

FHWA will likely make determinations of who will operate TTACs after applications are received this summer. Recognizing this tight timeframe, the TTPCC has identified the following goals that FHWA may consider in making decisions about the pilot program:

- Increase the amount and types of education and technical assistance services available to tribes, and encourage on-site trainings and assistance;
- Increase tribal use of the TTACs and encourage Tribal use of the Local Technical Assistance Program (LTAP) in each state
- Deliver consistent and uniform training and training materials across all centers for all regions, including websites, resources, and newsletters.
- Increase TTAC efficiency and reduce redundant services given available funding;
- Offset potential travel and technical assistance costs by eliminating redundant services
- Supplement face to face training with web-based resources;
- Implement a National Transportation Scholars Certification Program;
- Encourage cooperative and collaborative relationships; and,
- Provide for capacity building on a continual basis

Again, the TTPCC stresses that consideration of these broad goals is no substitute for government-to-government consultation. While the TTPCC recognizes that changes to the TTACs may be appropriate and beneficial, the Committee urges FHWA to engage tribes in meaningful consultation as soon as possible so FHWA can best make decisions about the future of TTACs.

Sincerely,



Jody Clark
TTPCC Vice-Chair

Cc: Tribal Transportation Coordinating Committee