



Tribes & Transportation

*Policy Challenges and Opportunities*¹

Introduction

Transportation infrastructure development is critical to economic development, job creation, and improving living conditions for individuals and families in American Indian/Alaska Native communities, and the millions of Americans who travel through our reservations every day. Construction of transportation systems that allow for safe travel and promote economic expansion will help tribal governments strengthen Native communities and make valuable contributions to much of rural America. Surface transportation in Indian Country involves thousands of miles of roads, bridges, and highways. It connects and serves both tribal and non-tribal communities.

There are 566 sovereign tribal nations with a formal nation-to-nation relationship with the U.S. government. These tribal nations are located within the geographic borders of the United States; however each tribal nation exercises its own sovereignty and each of the 566 tribal governments are legally defined as “federally recognized tribes.” Two-hundred-and-twenty-nine of these tribal nations are located in Alaska; the remaining tribes are located in 34 other states. In total, tribal governments exercise jurisdiction over lands that would make Indian Country the fourth largest state in the nation. The landbase of the Navajo Nation alone would make it the 43rd largest state in the Union and 19 tribal nations are each larger than the state of Rhode Island.²

In the 2010 Census, 5.2 million people or 1.7 percent of the U.S. population identified as American Indian/Alaska Native (AIAN), alone or in combination with other races. This population would make Indian Country the 22nd largest state. States with the highest proportion of Native people include: Alaska (19.5 percent), Oklahoma (12.9 percent), New Mexico (10.7 percent), South Dakota (10.1 percent), Montana (7.9 percent), North Dakota (6.4 percent), Arizona (5.5 percent), Wyoming (3.3 percent), Washington (3.0 percent), and Oregon (2.9 percent).³

Tribes also are important employers and economic engines in many rural communities (as well as in a number of urban areas). The 38 tribal nations in Oklahoma have a \$10.8 billion impact on the state every year, supporting an estimated 87,000 jobs, or five percent of all jobs in the state.

¹ This paper was developed by the National Congress of American Indians (NCAI) through a partnership with The Leadership Conference Education Fund. For more information about NCAI’s transportation policy work contact Gwen Salt, Legislative Associate at gsalt@ncai.org.

² National Congress of American Indians (2013), *A Brief Introduction to Tribal Nations & the United States: Nations within a Nation*, p2.

³ *Ibid*, p3.

In Washington state, the 29 tribal nations employ more than 27,300 people in tribal government, pay more than \$1.3 billion annually in employee wages and benefits, buy more than \$2.4 billion annually in goods and services from private companies, and generate more than \$255 million annually in state and local taxes. In Minnesota, spending by the 11 tribal nations was responsible for \$2.75 billion in economic activity statewide, supporting 41,700 jobs.⁴

The socioeconomic profile of Indian Country mirrors that of many other communities of color. Many Native people lack access to basic infrastructure other Americans take for granted – 15 percent of Native homes are overcrowded (compared with 6 percent nationally), 14 percent lack access to electricity, and 12 percent lack complete plumbing (national rates are both less than 1 percent).⁵ Native communities face similar deficiencies in the quality of transportation infrastructure and similar barriers to accessing reliable and affordable transportation (detailed in the next section).⁶ However, the difference between tribal nations – and their citizens – is that transportation is not only an issue of racial equity but also of governmental coordination and the federal government meeting the trust responsibility to tribal nations.

The unique transportation context for tribal nations means tribes offer several policy insights to those outside of Indian Country – those serving both disadvantaged rural and urban communities. This report provides an outline of the current data and policy context for tribal transportation, provides an overview of the tribal employment rights ordinance (with respect to transportation policy), lays out diverse case studies that demonstrate tribal transportation challenges and opportunities, identifies particular insights for rural transportation policy, and proposes recommendations for ongoing work on these important issues.

The Context for Tribal Transportation Policy Development

Currently, there are more than 160,000 miles of Indian reservation roads with multiple owners, including the tribal nations, the Bureau of Indian Affairs, states, and counties. Indian reservation roads are still the most underdeveloped road network in the nation, however; yet this network is the principal transportation system for all residents of and visitors to tribal and Alaska Native communities. Approximately 11 billion vehicle miles are traveled on the Tribal Transportation Program (TTP) system annually.⁷ Unsafe reservation road conditions present an obvious inequity between Native and non-Native communities and a significant barrier to economic development and efforts to improve living conditions on reservations. For example, more than 60 percent of the system is unimproved earth and gravel, and approximately 24 percent of TTP bridges – more than 8,000 bridges – are classified as deficient.⁸ Due to pronounced and ongoing funding discrepancies, state governments spend between \$4,000 and \$5,000 per road mile on state road and highway maintenance. In contrast, road maintenance spending in Indian Country is less than \$500 per road-mile. Indian Country has an unmet immediate need of well over \$258 million in maintenance funding for roads and bridges.⁹

⁴ *National Congress of American Indians (2013), Securing our Futures, p8*

⁵ *National Congress of American Indians (2013), Demographic Profile of Indian Country*

⁶ *National Congress of American Indians (2013), A Brief Introduction to Tribal Nations & the United States pp4-6*

⁷ *Statement of John R. Baxter, Associate Administrator for Federal Lands, Federal Highway Administration U.S. Department of Transportation, Field Hearing on Tribal Transportation Issues Before the Committee on Indian Affairs, United States Senate, October 15, 2010; http://www.indian.senate.gov/public/_files/JohnBaxtertestimony.pdf accessed August 2013*

⁸ *Ibid*

⁹ *Ibid*

These inferior road conditions explain why American Indians have the highest rates of pedestrian injury and vehicle deaths per capita of any racial or ethnic group in the United States.¹⁰ In fact, Native people are killed at rates twice that of all other ethnic groups in the United States as a result of motor vehicle crashes.¹¹ This is a persistent problem in Indian Country, and data show it is getting worse. Over the past 25 years, 5,962 fatal motor vehicle crashes occurred on Indian reservation roads, with 7,093 lives lost. While the number of fatal crashes in the nation declined 2.2 percent during this time period, the number of fatal motor vehicle crashes per year on Indian reservations increased 52.5 percent.¹²

In addition to the negative public safety impact, inadequate transportation infrastructure makes it very difficult for tribal community residents to travel to hospitals, stores, schools, and employment centers. The poor condition of these roads, bridges, and transit systems jeopardizes the health, safety, security, and economic well-being of tribal members and the traveling public. Tribal roads and bridges are often in such disrepair that children cannot attend school, sick and injured people are prevented from reaching hospitals or other health care providers, and emergency responders are delayed in providing timely assistance to people in need.

Transportation and Jobs

The need to address deficiencies in Indian Country's transportation infrastructure presents an important opportunity to stimulate economic development and expand access to job training and employment. Tribal communities have faced Depression-level unemployment for generations. Indian joblessness in 2005 was approximately 49 percent, as measured by the BIA Labor Force Report.¹³ The Economic Policy Institute reports that the Native unemployment rate rose at a rate 1.6 times the size of the White increase during the recession.¹⁴ Despite improvement in the national unemployment rate over the last few years, the on-reservation unemployment rate remains close to 20 percent with the 2006-2010 American Community Survey reporting a rate of 19 percent.¹⁵

Targeted workforce development strategies are a critical tool to improve transportation infrastructure and address Indian Country's jobs crisis. Tribal leaders have identified long-term job planning as a pressing need to develop a tribal workforce with diverse skills in transportation construction. Job planning includes job training and skill development, and providing employment resources such as entrepreneurship training, resume building, internship programs, and referral services. These services can assist in the recruitment of engineers, planners, entrepreneurs, and other skilled professionals within tribal communities who are critical to developing modern transportation infrastructure.

¹⁰ U.S. Department of Transportation. (2004). *Pedestrian safety in Native America*. Washington, DC: Author.

¹¹ U.S. Department of Health and Human Services, Centers for Disease Control. (n.d.) *Injuries among American Indians/Alaska Natives (AI/AN): Fact Sheet*. Retrieved November 13, 2009, from www.cdc.gov/MotorVehicleSafety/native/factsheet.html and *Indian Highway Safety Program*. (2010). *FY-2011 Highway Safety Plan*. Albuquerque, NM: Governor's Representative for Highway Safety. p39

¹² U.S. Department of Transportation, National Highway Traffic Safety Administration (NHTSA). *Fatal motor vehicle crashes on Indian Reservations, 1975-2002*. (2004, April). Washington, DC: Author.

¹³ Bureau of Indian Affairs, *American Indian and Population Labor Force Report, 2005*

¹⁴ Algernon Austin, (2010), "Different Race, Different Recession: American Indian Unemployment in 2010." Retrieved at: <http://www.epi.org/page/-/pdf/ib289.pdf?nocdn=1>

¹⁵ U.S. Census Bureau, ACS 2006-2010

The Tribal Technical Assistance Program (TTAP) is the only technical assistance program that provides much needed transportation related education and training to tribal governments for transportation road projects. Education and certification is important to assist in building a viable tribal transportation work force. In addition, the availability of skilled workers enables tribes and Alaska Native villages to further develop tribal transportation infrastructure. There are currently seven TTAP centers located around the country. TTAP is funded by the U.S. Federal Highway Administration (FHWA) and Bureau of Indian Affairs within the Local Technical Assistance Program. Currently, each TTAP receives \$140,000 a year. This means less than \$1 million (\$980,000 in total) is available each fiscal year to serve the needs of all 566 federally recognized tribes.

While TTAP is a promising program, significant further investment is required to ensure adequate workforce development. Tribal colleges and universities can play an important role in workforce and skills development, family support, and community education services. They are true community-based institutions, providing the education and skills development needed for entrepreneurship and job creation. According to a 2007 report from the Institute for Higher Education Policy, an associate's or bachelor's degree on a reservation may enable a person to create jobs by starting a business, foster the spirit of leadership and entrepreneurship, and alter negative cultural perceptions of education for future generations.¹⁶ The economic and social benefits of one tribal citizen receiving a college degree are experienced throughout a community.

Overview of Relevant Tribal Transportation Policies

In general, tribal governments have an important opportunity to implement policies that advance public safety and make investments that improve transportation infrastructure, create jobs, and stimulate economic development. A 2013 report by the NCAI Policy Research Center identified at least 30 tribal nations that have implemented codes specifically focused on traffic and/or road safety. Strategies to address seat belt use and child passenger restraints are most common, with at least one tribe directly addressing distracted driving.¹⁷

As demonstrated in the case studies below, several tribes are investing their own resources in the development of transportation infrastructure to serve their communities and strengthen tribal and regional economies. These investments are often undertaken in partnership with federal resources to upgrade roads and bridges, develop public transportation systems, and even to develop major infrastructure projects like airports.

A particular area of policy innovation with respect to tribes and transportation is the use of the Tribal Employment Rights Ordinances (TERO). TERO seeks to address the high unemployment rate facing many Native communities and to facilitate the development of a skilled workforce for American Indians/Alaska Natives. Through their own inherent sovereign powers, tribal nations have established and enforced their own TEROs that govern all employers who operate and conduct business on tribal lands. TEROs include provisions such as a hiring preference for qualified American Indians/Alaska Natives for employment, contracting, and other business interests where feasible.

Each tribal government has its own TERO and has established its own Tribal Employment Rights Office.

¹⁶ Institute for Higher Education Policy. (2007). *The Path of Many Journeys: The Benefits of Higher Education for Native People and Communities*. Washington, DC: Institute for Higher Education Policy.

¹⁷ NCAI Policy Research Center. (2013). *Reservation road safety: Reducing unintentional injury through tribal public health law [Policy Insights Brief]*. Washington, DC: National Congress of American Indians. pp6-9

Each tribal TERO office enforces the tribe's ordinances to ensure employers are in compliance with relevant regulations on hiring and training qualified Native individuals.

Federal funding for tribal transportation programs are included within the broader transportation authorization but with specific investments targeted at Indian Country's unique transportation needs. Moving Ahead for Progress in the 21st Century (MAP-21) reorganized tribal transportation programs and established the Tribal Transportation Program (TTP), formerly the Indian Reservation Roads Program. In addition, it authorized increased funding and modified the Public Transportation on Indian Reservations Program to a formula allocation program. With the enactment of MAP-21, federal-tribal partnerships continue to be imperative for Indian Country transportation system development for economic development; construction of roads and bridges; providing public transportation; and the creation of jobs for Native peoples.

It is also important to note that – given the pronounced road and pedestrian safety challenges facing tribal nations – the federal government's investments in tribal road safety are insufficient. Tribes receive a two percent set aside of the Highway Traffic Safety Grant (23 U.S.C. § 402) within the National Highway Traffic Safety Administration. The funding is then allocated to Bureau of Indian Affairs (BIA) where the BIA Highway Indian Safety Program administers the programs. The purpose of this program is to assist tribes with their proposed highway safety projects, which are intended to reduce traffic crashes and impaired driving crashes, increase occupant protection education, provide emergency medical service training, and increase police traffic services. The set aside is equivalent to \$4.7 million annually and is awarded through a competitive grant process. Tribal leaders have urged the federal government to both create a focused tribal traffic safety program within the Federal Highway Administration and increase funding of the Highway Traffic Safety Grant. These increased and dedicated resources offer an important opportunity to address the disproportionate road and pedestrian safety challenges in Indian Country.

Tribal Transportation Case Studies

The tribal transportation case studies outlined below uncover some important themes related to public transportation, transportation and economic development, and the role of transportation in long-term economic planning. The 566 tribal nations are diverse and these case studies do not tell the whole story of tribal transportation innovation and its impact on economic development. But they do make a strong case for the critical role of transportation in preparing for economic development that meets the needs of tribal nations and Native communities.

Tribal Public Transportation Systems

One common thread that is evident in the case studies below involves addressing the disconnect between where people work and where people live. Tribal public transportation programs are created for the explicit purpose of bringing people to different locations around the reservation, and sometimes even off the reservation, to try to address the distance and transportation cost barriers that many citizens may experience when they seek to access jobs, tribal administrative services, or businesses. Therefore, these tribal public transportation programs serve to encourage employment and economic growth by facilitating the movement of people onto the reservations, off of the reservations, and around the reservations.

The creation of tribal enterprises in the 1990s made the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) one of the largest employers in eastern Oregon. Concurrently, with the shortage of housing on the reservation and a relatively high demand for jobs on the reservation, this meant that there were many tribal citizens living off reservation who commuted to work on the reservation. Many of them did not own cars. In 2001, the tribal government created a two-part public transit system. The first was a bus system -- open to tribal citizens and non-citizens alike -- that connected reservation locations with 10 nearby towns and cities, including three airports, an Amtrak rail station, eight hospitals, four universities, three community colleges, and other important regional businesses and shopping areas. This bus system was created with the express goal of coordinating and linking this bus service with other regional transportation systems. The second is a taxi voucher program, where the tribal government subsidizes the use of private taxi services, with individual tribal citizens or employees working on the reservation paying only 20-40 percent of the price of the taxi out of pocket. These programs have been very successful and this example is important for showing what tribal governments can accomplish when they manage their own tribal transportation programs and have those programs to provide for both local and regional transportation needs.

*Eastern Band of Cherokee Indians (North Carolina)*¹⁹

The government of the Eastern Band of Cherokee Indians has created a public transit system designed to service the needs of local citizens as well as tourists. The Cherokee reservation in western North Carolina has developed into an important regional tourist location due to the creation of a tribally-owned casino, various on-reservation cultural attractions like the Museum of the Cherokee Indian, and its close proximity to Great Smoky Mountains National Park. The bus system works on reservation to connect important locations like hotels and tribal businesses so as to try to make cars unnecessary. This works in the interests of tourists as well as tribal citizens because it means that tourists do not have to worry about driving around and trying to find these sites on the reservation. The Eastern Band of Cherokee Indians have also developed a way to make the transit program more tourist-friendly. The program partners with hotels serviced by these routes to sell bus tokens through the hotel so that they can be acquired more easily by tourists, rather than having tourists worry about paying in cash to ride the bus. The transit program has even expanded to include shuttle routes from the reservation to Great Smoky Mountains National Park and other regional destinations into Tennessee. This case study is important for showing how a tribally-managed public transit system can work with private entities and on a regional level to facilitate mutually beneficial arrangements, and thereby facilitate economic activities on the reservation.

Coeur d'Alene Tribe (Idaho)

The Coeur d'Alene Tribe jointly manages its transit system with the regional Kootenai Metropolitan Planning Organization. It currently operates four bus lines that take passengers around the reservation and to adjacent cities and towns, serving to "link the city with the reservation."

The tribe is negotiating with Union Pacific Railroad to convert 15 miles of an abandoned railroad line on the reservation into a path for bicycles and pedestrians. This trail is intended to attract tourism and promote

¹⁸ Full case study is available from *The Harvard Project on American Indian Economic Development "CTUIR Public Transit: Confederated Tribes of the Umatilla Indian Reservation"*. Honoring Nations: 2010 Honoree. The Harvard Project on American Indian Economic Development. John F. Kennedy School of Government. Cambridge, MA: Harvard University.

¹⁹ For more information see the Eastern Band of Cherokee Indians' transit website: <http://www.cherokeetransit.com>

pedestrian-oriented economic development.

Other Emerging Public Transportation Systems

In addition to the innovations evident in these public transportation systems, other tribes have launched promising public transportation models in the last few years. The *Crow Tribe* (Montana) launched a public bus service in April 2011. They currently operate two bus lines that travel within a 75-mile radius of Crow Agency. The buses are intended to service all of Big Horn County, not just the reservation. These bus lines allow people to reach important locations, like healthcare and education, without private automobiles. The transportation system has received significant support from intergovernmental partners, including federal, state, and local government grants to strengthen the system.²⁰

The *Shoshone-Bannock Tribes* (Idaho) began their public transit program in November 2011 with support from the American Recovery and Reinvestment Act (ARRA). They currently operate four bus lines on the Fort Hall Reservation. While the transit service is open to all people, the primary function of this transit system is to transport reservation residents around the reservation; this includes those who work for the tribal government as well as citizens who need to travel to access various other services. The tribe continues to work to evaluate and refine the system to most effectively serve tribal citizens and other residents of surrounding communities.²¹

Transportation and Economic Development

A number of the case studies in this section demonstrate the link between tribal transportation infrastructure and economic development. In two 2010 reports addressing the impact of the ARRA, the National Congress of American Indians documented the short- and long-term economic benefits of investments in transportation infrastructure. The relevant case studies are outlined below.²²

Rosebud Sioux Tribe (South Dakota)

The construction of the Rosebud Sioux Tribal Airport is an important illustration of the impact of transportation projects on the economic strength of reservations and surrounding communities. A long-term priority of the Rosebud Sioux Tribe since the 1990s, the airport had undergone extensive planning and was “shovel ready” when Recovery Act funding was available in 2009. The project created 75 short-term jobs in construction and 100 long-term jobs in the operation of the airport. These jobs were critical, given the jobless rate on Rosebud stands as high as 85 percent and the reservation is located in two of the poorest counties in the nation.

In addition to the economic benefits of the project, the airport is adjacent to the tribal hospital to address the challenges of rural medical transportation. Annually, more than 500 seriously ill patients were

²⁰ Susan Olp, “Crow Tribe Bus: Crow Tribe makes travel easier with new transit system,” *Billings Gazette*. April 27, 2011. http://billingsgazette.com/news/state-and-regional/montana/article_57674532-bf34-5e05-9d98-307727710c72.html

²¹ Shoshone Bannock Tribes. Accessed at: <http://www.shoshonebannocktribes.com/transportation.html>

²² Full profiles of these two case studies are available in the full report: *National Congress of American Indians (2010) Investing In Tribal Governments: Case Studies From The American Recovery And Reinvestment Act* http://www.ncai.org/resources/ncai-publications/InvestinginTribal_GovernmentsCaseStudiesFromARRAweb.pdf

transported from the tribal hospital to off reservation medical facilities either via helicopter or roads that were often impassable or very unsafe at night or during extreme weather. The airport enabled the tribe to more effectively meet the healthcare needs of tribal citizens.

Confederated Tribes of the Colville Reservation (Washington)

Transportation investments enabled the Confederated Tribes of the Colville Reservation to undertake an important economic transition and prepare for future economic growth. The recession forced the Colville tribes to shut down a major economic engine – their lumber production business. ARRA funding enabled the tribe to repair 70 percent of the roads on the 1.4 million acre reservation. Having lost 400 jobs as a result of the timber industry decline, the tribe was able to create 300 short-term jobs and build a foundation for future economic success through job training and business creation. Improved roads on the reservation built the foundation for expanded business development (both tribally-owned businesses and citizen entrepreneurs) and reduced costs for the export of tribal goods to markets beyond the reservation.

Transportation and Planning Efforts

Tribes have taken a range of approaches to plan for long-term transportation infrastructure development to meet the unique needs of their communities and surrounding regions. The case studies outlined below demonstrate examples of promoting alternative forms of transportation that are based around local geography and local need, as well as examples of tribes engaging in the business of transportation infrastructure development.

Native Village of Eyak (Alaska)

The Native Village of Eyak is adjacent to the city of Cordova, Alaska. In 2009, the Village developed a comprehensive long-range plan for an integrated motorized and non-motorized transportation system in the Copper River, Prince William Sound, and Gulf of Alaska region. The plan is called the “Integrated Motorized & Non-Motorized Alternative Transportation Plan.” The plan was created in partnership with other Alaska Native villages, local municipalities, as well as state and federal agencies.²³

Because the plan is regional in scale, its characteristics and methods of implementation are also regional but with community level actions included. What is significant about this transportation plan is the importance placed on regional integration and coordination of transportation infrastructure and services, the desire to develop locally relevant and locally derived policy actions, and the emphasis placed on creating and maintaining multi-modal transportation options. For example, the plan recommends improving the coordination between the regional rail and ferry services to facilitate their use and promote a relatively seamless connectivity of travel. The maintenance of air travel is also seen as important. The plan also recommends that local governments work to make their communities more pedestrian and bicycle friendly, including the desire to create more trails, and to make the trails that run parallel to highways safer. Other local communities plan to consider promoting ferry and kayak use. The overall goals of the plan are to promote interconnectivity, the efficiency of transportation programs through coordination, and expanding transportation options.

Kawerak, Inc. (Alaska)

²³ *Native Village of Eyak (2009). “Integrated Motorized & Non-Motorized Alternative Transportation Plan.”*

Kawerak, Inc. is a nonprofit regional organization made up of representatives of the 20 Alaska Native villages in the Bering Straits region. In 2009, they partnered with the Bering Strait Development Council to produce the current economic development plan for the region, entitled “The Bering Strait Comprehensive Economic Development Strategy 2009-2013.”²⁴ This report is important because it is regional in scale, ties development to the local/regional context, and emphasizes the importance of infrastructure. The transportation components advocate the upgrading of roads within the various communities while also reducing the costs and maintaining the availability of shipping and air transportation for the movement of both people and supplies.

Navajo Nation (Arizona)

According to the 2009 Navajo Nation Long Range Transportation Plan, there are many forms of transportation in operation on the Navajo reservation. There are 28 public airfields in the Navajo reservation. Additionally, the Navajo Transit System provides public bus service to locations on and adjacent to the reservation. While safety improvements are recognized as the primary transportation concern for the Navajo Nation, economic development issues are also included in projects to encourage tourism, recreation, business development, and furthering the ease of access of people to businesses and government services. The plan also includes the desire to create multi-modal transportation that connects various forms of transportation on the reservation, including pedestrian transportation infrastructure.²⁵

Sac and Fox of the Mississippi in Iowa (Iowa)

The Sac and Fox completed their current Long Range Transportation Plan in 2005. The plan featured improvements to much of the existing transportation infrastructure on the reservation. Proposals included an improved interchange near the tribe’s casino, a new access road to the health clinic, the paving and upgrading of certain roads, and the replacement of bridges. The plan also moves in the direction of connecting transportation with economic development, recognizing that land use decisions must be made in conjunction with transportation decisions since these are linked concepts.²⁶

Insights for Rural Transportation Systems

The above case studies (and previous analysis) offer important insights for rural transportation systems and provide examples of how intergovernmental coordination is critical to the development of robust transportation systems that serve rural and tribal communities. There are clear opportunities for tribes, states, and local governments to: collaborate on code development and implementation; partner to develop long range plans for transportation improvement and economic development; and co-leverage tribal, federal, and state transportation funding.

A paper produced by the National Rural Assembly and the National Congress of American Indians, *Innovative Native Nations in Rural America: Key Partners in Building Sustainable American Prosperity*, outlines

²⁴ Kawerak & the Bering Strait Development Council (2009). “The Bering Strait Comprehensive Economic Development Strategy 2009-2013.”

²⁵ Navajo Nation Transportation Department, “2009 Navajo Nation Long Range Transportation Plan”. Downloaded from the Navajo Nation website: <http://nndot.sks.com/uploads/FileLinks/cc9b686acc8748c595432b79ee53efd2/2009lrtp.pdf>.

²⁶ Sac and Fox Tribe of the Mississippi in Iowa (2005). “Long Range Transportation Plan” http://www.ttap.mtu.edu/bia/sac_fox_trans_plan.pdf

a framework for tribal-rural collaboration. Through an analysis of demographic and policy challenges – including transportation – the paper suggests that rural communities: (1) advocate together with tribes (unifying diverse voices to draw attention to the importance of funding for rural initiatives); (2) ensure tribes are included in federal policy (addressing the myriad federal policies that exclude or overlook the importance of tribal government access to federal programs); and (3) recognize the uniqueness of Indian Country (approaching partnerships sensitively and not expecting the reservation context to exactly mirror the context in surrounding rural communities).²⁷

Several leading rural policy organizations have underscored the importance of collaboration between rural transportation systems and tribal governments. In a series of conferences hosted in the Four Corners region by the Center for Transportation Advancement and Regional Development of the National Association of Development Organizations (NADO) Research Foundation, a broad range of rural, regional transportation planning organizations, and state transportation departments acknowledged the need to engage more effectively with tribal transportation departments.²⁸ The 2010 Four Corners Forum included a strategy session focused on better collaboration with tribal nations. The participants identified the following challenges and opportunities:

- Tribes receive direct federal funding, presenting potential barriers to collaboration.
- On the other hand, tribes can place state and county roads that cross their lands on their priority lists for federal funding, creating an opportunity for partnership.
- Building trust is key and the regional organizations must take time to build relationships with tribes.
- Understanding cultural differences is an important component of relationship building.
- Engaging tribes from the very start is critical.
- When outreach occurs, tribes tend to engage – the forum included examples of tribal participation in the Central Arizona Association of Governments and strategic engagement led by the Arizona Department of Transportation.²⁹

Echoing the insights offered by NADO, a 2011 report by the Rural Policy Research Institute (RUPRI) identifies the importance of collaborative approaches “across jurisdictions and sectors” and urges a particular focus on “regions of persistent poverty and disinvestment.”³⁰ The RUPRI report explicitly acknowledges the importance of tribal sovereignty with respect to transportation investments and urges collaboration between tribes, regional, state, and local transportation departments.³¹

RUPRI offers five policy goals to guide federal transportation policy. The case studies show a number of areas where these policy goals align with the needs of and insights from tribal transportation programs. The

²⁷ NCAI (2012) *Innovative Native Nations in Rural America: Key Partners in Building Sustainable American Prosperity* National Rural Assembly

²⁸ See for example, National Association of Development Organizations Research Foundation (2009) “Four Corners Rural Transportation Forum: Summary of a Conference” <http://66.132.139.69/uploads/2009fourcorners.pdf> p7

²⁹ National Association of Development Organizations Research Foundation (2010) “Four Corners Rural Transportation Forum Summary of a Peer Learning Exchange” <http://www.ruraltransportation.org/uploads/4corners10.pdf> p10

³⁰ Dabson, Brian, Thomas G. Johnson, and Charles W. Fluharty (2011) *Rethinking Federal Investments in Rural Transportation: Rural Considerations Regarding Reauthorization of the Surface Transportation Act* p2 http://www.rupri.org/Forms/RUPRI_Transportation_April2011.pdf

³¹ *Ibid* p2

Umatilla case study demonstrates the importance of “local engagement in planning, decision-making, and resource allocation” and how “innovation and integration” can enhance transportation investments.³² Indian Country as a whole makes the case for the importance of shifting resources (where appropriate) “to address the most pressing rural needs and opportunities.”³³ The goal to improve quality of life in rural communities is another priority of tribal nations where transportation enhancements have measurably improved economic, health, and other community outcomes.

Recommendations and Conclusion

Tribal nations are an integral member of the American family of governments. Developing 21st century transportation infrastructure for the United States depends on fully engaging tribal nations and fully addressing the needs of Native peoples. This report has demonstrated the relevance of tribes to the debate about transportation policy with respect to governmental status, land and population size, the innovation evident in a diverse range of Native communities, and the opportunity for coordinated policy development and implementation in partnership with other governments, especially those serving rural populations.

Despite the importance, potential, and influence of tribal nations, the history of tribal transportation infrastructure is one of unmet needs that grow larger each year. Unfortunately, the current conflict over the size and scope of the federal budget has further reduced the available resources to fulfill the obligations of the federal government that represent the trust responsibility to tribal nations. Budget reductions are affecting a range of tribal services that pose significant challenges to adequately addressing transportation needs in Indian Country and build a foundation for a strong economic future. As the report has demonstrated, insufficient transportation infrastructure has a significant impact on quality of life and a range of socio-economic outcomes. Transportation improvements also have a measurable multiplier effect on health outcomes, job creation, economic growth, etc.

The following recommendations are derived directly from the data in this report and the opportunities to improve and modernize tribal transportation infrastructure.

Recommendation 1: Expand investment in tribal transportation infrastructure

The case studies and analysis in this paper highlight the outsized need for and underscore the importance of sustained investment in tribal transportation to ensure economic growth in reservation, rural, and regional communities throughout the nation.

In addition to the need to improve and develop transportation infrastructure itself, the report underscores the need to invest more fully in technical assistance for tribal transportation departments. Expanded funding for the Tribal Technical Assistance Program is necessary to ensure a regional approach in each of the 12 Bureau of Indian Affairs regions and sufficient resources to support long-term and effective transportation planning.

Recommendation 2: Focus on transportation as an opportunity for job creation and economic transition in tribal communities

³² *Ibid* pp3, 13-14

³³ *Ibid* pp3, 13-14

There is a critical intersection between the need for transportation and jobs in tribal communities. Significant unemployment in tribal communities coupled with difficult economic transitions (especially in natural resource sectors) present a clear case for transportation-related job training and investment. Tribal governments can serve as significant incubators of economic growth in relation to long-term job planning in general, and in innovating areas of transportation infrastructure specifically. Many tribes also have significant infrastructure – especially those with tribal colleges and universities – to implement job training programs that will spur job growth. This offers significant economic opportunities for tribal citizens and residents of surrounding rural communities.

Recommendation 3: Invest in integrated infrastructure planning

Given the role of tribes as job creators and rural economic engines, it is critical that transportation funds be available not only for basic transportation planning but to integrate transportation planning with other planning for economic development and jobs, education, housing, agriculture and food, and the development of communities with health active lifestyles.

In Indian Country, there is a growing emphasis on planning for economic development and jobs and recognition of the importance of business agglomeration. Industries tend to cluster in certain regions, and it is important for tribes to plan and build businesses and jobs that complement their existing strengths. Tribal industries tend to cluster in certain areas from tourism to natural resource development, and from government contracting to gaming/hotel/recreation, etc. Each industry cluster creates jobs and a demand for safe transportation infrastructure.

In addition to the economic impact of transportation infrastructure, the case studies point to the importance of environmental realities in determining transportation infrastructure plans. Tribal planning must address issues such as climate change, energy availability, and food insecurity. Many tribes are on the frontlines of the impact of climate change and – while many communities lack access to the grid – tribal lands are often the source of significant traditional and renewable energy. At the citizen and government level, food and energy consume huge portions of tribal economies and impact fixed costs for tribes and families.

Recommendation 4: Incentivize cross-jurisdictional infrastructure planning

The case studies and overview of rural transportation policy demonstrate the importance of cross-jurisdictional approaches to transportation. Transportation experts – from both tribal governments and regional partners – have long identified incentives for cross-jurisdictional planning as critical for building comprehensive, efficient, and effective transportation infrastructure. Federal programs should provide incentives and allocate sufficient resources to encourage tribes and surrounding jurisdictions to work together. These incentives should reward state, local, and regional transportation authorities for working with tribes and encourage the inclusion of tribes from the outset of the planning and development of new transportation infrastructure.

Recommendation 5: Support the development of safety regulations across jurisdictions

As noted in the report, many tribes are acting to address significant challenges with road and pedestrian safety in Indian Country. Tribes, states, and local governments must work together to develop a robust regulatory framework to protect citizens and develop safe transportation systems.

In addition to regulatory approaches, tribes – and their state government peers – require sufficient resources to respond to public safety challenges. Given the needs of tribal transportation systems, the current set aside in the Highway Traffic Safety Grant program is insufficient to meet the public safety challenges facing Indian Country. The federal government must work with tribes – and surrounding jurisdictions – to ensure sufficient funding is available to address the high incidence of death and injury on reservation roads.

Recommendation 6: Invest in creative transportation systems to serve rural communities

Those unfamiliar with tribal transportation systems may be surprised by the emergence of numerous effective tribal public transportation systems that serve both tribal lands and surrounding rural communities. However, these systems are an important indicator of the critical role of tribes in developing innovative solutions to transportation challenges. Tribal public transportation, and an array of other transportation innovations, provide infrastructure for expanded employment, tourism, and economic activity. Investments in tribal transportation innovations represent an important strategy to leverage government dollars (tribal, federal, state, and local) and to build the foundation for future economic success in tribal and rural communities.

This report has demonstrated the important role of tribes in America's 21st century transportation system. Learning from the data and case studies, and implementing the recommendations outlined above, promise to build a strong foundation for healthy tribal nations, strong regional economies, and a prosperous American future.