

BUREAU OF INDIAN AFFAIRS  
TRIBAL CONSULTATION SESSIONS  
COMMENTS ON TRIBAL TRANSPORTATION PROGRAM

25 CFR PART 170

+ + + + +

THURSDAY, JANUARY 15, 2015  
9:00 a.m.

+ + + + +

Bureau of Land Management  
National Training Center  
9828 N. 31st Avenue  
Washington A/B/C(A-201)  
Phoenix, Arizona 85051

APPEARANCES:

Robert W. Sparrow, Jr.  
Director - Tribal Transportation  
Program  
Federal Highway Administration  
Room E61-311  
Office of Federal Lands Highway  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
(202)366-9483  
Robert.sparrow@dot.gov

LeRoy M. Gishi  
Chief, Transportation  
Division of Transportation  
U.S. Department of the Interior  
Bureau of Indian Affairs  
1849 C Street, NW  
MS 4513-MIB  
Washington, DC 20240  
(202)513-7711  
Leroy.gishi@bia.gov

Andrew S. Caulum  
Office of the Solicitor  
Division of Indian Affairs  
U.S. Department of the Interior  
(202) 208-7024  
Andrew.caulum@sol.doi.gov

Sheldon O. Kipp  
Supervisory Highway Engineer  
  
U.S. Department of the Interior  
  
Bureau of Indian Affairs  
  
Division of Transportation  
  
1001 Indian School Road, NW Suite 227  
  
Albuquerque, New Mexico 87104  
  
(505)563-3320  
  
Sheldon.kipp@bia.gov

Vivian A. Philbin  
  
Assistant Chief Counsel, Federal Lands  
  
U.S. Department of Transportation  
  
Federal Highway Administration  
  
12300 West Dakota Avenue, Suite 390  
  
Lakewood, Colorado 80228-2683  
  
(720)963-3445  
  
Vivian.philbin@dot.gov

1 P-R-O-C-E-E-D-I-N-G-S

2 9:00 a.m.

3 MR. SPARROW: Can you hear me all  
4 right? Okay. Good morning. My name is Bob  
5 Sparrow. I'm the Director of the Tribal  
6 Transportation Program at the Federal Highway  
7 Administration in Washington, DC; and welcome to  
8 the consultation on the NPRN update 25 CFR Part  
9 170.

10 We're going to have a tag team of  
11 presenters today going through the Rule and  
12 showing you what's been changed and giving you  
13 the information. And this will give you an  
14 opportunity to ask questions and provide  
15 comments. Not the only opportunity. The comment  
16 period is open until March 20th. And we'll get  
17 into the details of how you can provide comments  
18 after this meeting, but I just want to welcome  
19 you to this consultation.

20 We have -- we're with the government,  
21 so we've got to use acronyms. We have an ECR, we  
22 have an electronic court reporter with us who

1 will be recording what is said at this meeting,  
2 capturing your comments, capturing what we're  
3 saying up here as presenters and then that  
4 transcript will be provided to BIA and we'll go  
5 through it and make any corrections or fill in my  
6 blanks that she may miss and then those  
7 transcripts will be placed on the BIA Federal  
8 Highway website for your future reference as  
9 well.

10           During the comment process, if you  
11 have a comment during the presentations, we would  
12 ask you to raise your hands. And at the other  
13 consultation sessions we had a microphone stand.  
14 We don't have that here. We've got Sheldon Kipp,  
15 who is like our Vanna White, she'll be walking  
16 around -- he'll be walking around with a  
17 microphone and bringing the microphone to you so  
18 that you can ask your questions and we can get it  
19 recorded.

20           We ask that when you do ask a question  
21 to state your name. The first time you ask a  
22 question, please spell your name and then also

1 who you represent. If you ask multiple questions  
2 once we've gotten the spelling the first time --  
3 we still would ask you to tell us who you are and  
4 identify yourself, but we'll -- we'll have the  
5 previous information from that point forward.

6 Does everyone have a copy of the  
7 handouts? You should have a multitude of  
8 handouts presented to you. At any time, if you  
9 don't have the section or the PowerPoint that  
10 we're presenting, please raise your hand and  
11 we'll make sure that we get the PowerPoints to  
12 you.

13 MR. GISHI: Bob.

14 MR. SPARROW: Yes?

15 MR. GISHI: You've got a person that  
16 wishes to be --

17 MR. SPARROW: Yes, sir?

18 STEVE TIPTON: I don't have one.

19 MR. SPARROW: Oh, the PowerPoints?

20 STEVE TIPTON: Yes.

21 MR. SPARROW: Okay. We'll get it for  
22 you. That's fine.

1 Meeting expectations. Basically, what  
2 we're here to do is to present the information to  
3 you and then listen to and record your comments  
4 and concerns and questions. We should be able to  
5 provide answers. We may not be able to provide  
6 answers to all your questions, but ultimately  
7 they're being recorded. They will be looked at  
8 and a response will be provided.

9 What I'd like to do is take a few  
10 minutes now and just do introductions around the  
11 room so we know who is here. You don't need to  
12 spell your name. Just if you would stand and  
13 identify yourself and who you represent, I'd  
14 greatly appreciate it. And if we could start  
15 right here, sir.

16 (Introductions were made. See sign-in  
17 sheet.)

18 MR. SPARROW: Well, again, welcome  
19 everybody. We got everyone, I believe. And I  
20 hope you were told that we make the students come  
21 up and do one of the presentations, so study your  
22 notes, we'll be calling on you in an hour or so.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

Out of respect to the representatives of the Tribal Transportation Program Coordinating Committee, I would ask the members of the Coordinating Committee, please, to stand up and be recognized. I'm going to pay for this later. Thank you all very, very much.

If you go to the next slide, I want to go over the agenda of what we plan to cover today. Before we get started, we've got lights that we cannot get off of these screens, unfortunately. We were able to clear this one up and the only other option I have is this. Would you prefer that? Or -- is this okay? Promise not to fall asleep. Okay? Too late? All right.

So just going over the agenda, we're kind of in the welcome and the introductions and we'll be talking about the NPRM review. Andy Caulum is going to come up and talk about the preamble and then, as I said before, we're going to tag-team the various presentations the rest of

1 the day going over the subparts of the  
2 regulation.

3 The one thing you'll see is we plan to  
4 adjourn at four o'clock. Immediately after we  
5 adjourn and close the formal consultation, I'm  
6 going to come back up and do an update on the  
7 Tribal Transportation Program just to let you  
8 know where we are currently with the program,  
9 with the highway bill, with reauthorization, with  
10 the funding coming out, and a few other things  
11 just to give you a -- and it's only about a ten  
12 or 15-minute presentation, but just to get you  
13 the most current information on the program  
14 itself.

15 So why are we here? Back in 1998  
16 Congress passed the TEA-21 bill, the  
17 Transportation Equity Act for the 21st century.  
18 And for those of you that have been around, what  
19 was the IRR program prior to TTP, TEA-21 directed  
20 the Secretary of the Interior to enter into  
21 negotiated rulemaking and develop program  
22 regulations and establish a funding formula for

1 the IRR program. Hence the birth of 25 CFR 170  
2 was developed through that negotiating rulemaking  
3 process and it was published in July of 2004.

4 And TEA-21 also established the IRR  
5 Bridge Program, which many of you may have been  
6 able to take advantage of since that time and  
7 it's been funded at anywhere from about \$13 to  
8 \$14 million a year since then.

9 So the final Rule was published in  
10 2004, and sure enough in 2005, the new highway  
11 trust -- or the highway bill, the SAFETEA-LU was  
12 passed by Congress and went into effect. And it  
13 made some changes to the IRR program. It  
14 provided an opportunity for eligible tribes to  
15 enter into funding agreements directly with the  
16 Federal Highway. Prior to that point, Federal  
17 Highway's role in this program was really  
18 stewardship and oversight from a national  
19 perspective. So now in addition to doing that,  
20 we were being -- we were more involved and  
21 directly involved with tribes. Tribes were  
22 working with Federal Highway for their IRR

1 program.

2 It also allowed 25 percent of each  
3 tribe's share to be used for maintenance  
4 activities. Prior to that, the BIA Road  
5 Maintenance Program was really the only program  
6 that you could use maintenance for -- or use for  
7 maintenance. It identified the amount of money  
8 for program management and oversight that the BIA  
9 and Federal Highway could use to oversee the  
10 program and provide stewardship and oversight of  
11 the program. It allowed tribes to approve their  
12 own PS&Es after certain conditions were met; and  
13 identified the National Tribal Transportation  
14 Facility inventory. And it also made that IRR  
15 Bridge Program, which was established in TEA-21  
16 at a set-aside, it made it its own stand-alone  
17 program. And it was authorized through 2009.  
18 Well, as we all know, it was extended nine times  
19 through 2012. So that highway bill was actually  
20 in effect from 2005 to 2012.

21 When SAFETEA-LU was passed, BIA and  
22 Federal Highway moved ahead and tried -- started

1 the update process of 20 CFR 170 to reflect these  
2 changes that came about that I just discussed.  
3 However, the effort was stopped once we got it  
4 close to the NPRN stage, it was stopped due to  
5 the upcoming change in administrations. We are  
6 now approaching 2007 and 2008 was a presidential  
7 election year and the administration didn't want  
8 any NPRMs or new regulations being published  
9 towards the end of the one administration, not  
10 knowing what was going to happen in the future.

11 So then once the new administration  
12 was in place, the action was further delayed  
13 because SAFETEA-LU now was expiring in 2009. We  
14 didn't know it would be extended nine times. We  
15 didn't know it would go out to 2012. If we would  
16 have known that, we could have taken care of it.  
17 But we kept saying well, we've got a new highway  
18 bill coming up, let's just kind of wait and see.  
19 So as a result, that work and effort that was  
20 done at that time was just kind of shelved.

21 So then the new highway bill was  
22 finally brought in in 2012 and we had additional

1 changes to the IRR program. Primarily the  
2 program change in the name to the Tribal  
3 Transportation Program. Internally, between  
4 LeRoy and myself we've got a little pot that  
5 every time we say IRR instead of TTP we have to  
6 put a dollar into. And right now it's up to  
7 about \$13, and we've only been to one  
8 consultation so far.

9 But it -- probably the biggest thing  
10 that happened with MAP-21 was it replaced the  
11 existing funding formula that was dropped through  
12 negotiated rulemaking with a statutory funding  
13 formula. Congress told us here's the money,  
14 here's how it's going to be distributed, right  
15 down to the -- to every little penny and every  
16 little group of money -- every dollar and every  
17 little set-aside and everything else, telling us  
18 exactly how it could -- how it was to go forward.

19  
20 It increased the amount of funding  
21 that a tribe can use for maintenance activities.  
22 Previously, under SAFETEA-LU it had a threshold.

1 It changed that threshold and provided more  
2 opportunity and more funds available to a tribe  
3 for maintenance activities. It further clarified  
4 what the National Tribal Transportation facility  
5 inventory was and how it was to be used. It  
6 removed the High Priority Projects Program from  
7 the IRR or the Tribal Transportation Program and  
8 reestablished it as a stand-alone program funded  
9 through the General Funds and not the Highway  
10 Trust Fund.

11 So the High Priority Projects Program  
12 still existed and it still exists today; but the  
13 problem is it has to be funded by a separate  
14 action of Congress out of the General Fund and to  
15 date that hasn't happened. It established new  
16 set-asides for tribal safety projects and  
17 activity and it established the authority for  
18 tribes to receive federal aid funds from the  
19 state to carry out work.

20 So here's some additional changes that  
21 had to be made. So now it's 2012. Our Rule is  
22 reflecting what was going on in TEA-21 in the

1 early 2000, 2001, '02, '03. So BIA and Federal  
2 Highway, again began to update 25 CFR 170 to  
3 reflect the current laws and operational  
4 processes. Although all parts of the existing 25  
5 CFR were reviewed, only the sections requiring an  
6 update due to the changes in the law, updated  
7 operations, or approved policy clarifications  
8 developed by the Coordinating Committee that were  
9 subsequently approved by the Secretaries were  
10 modified. And further coordination took place  
11 with the Coordinating Committee with the draft  
12 that we put together for this NPRM.

13 We did that, really, out of respect  
14 for the negotiator rulemaking that took place.  
15 We really are trying to take this Rule and just  
16 update it to what the law says. So what you'll  
17 see in many places is where it used to say IRR it  
18 now says TTP. Where the old formula used to be  
19 in the Rule, the new formula is in the Rule. So  
20 it's things like that that are in the law that we  
21 really can't change that we try to update the  
22 Rule to make it as current as possible.

1           So after the coord -- the work with  
2           the Coordinating Committee took place, a draft  
3           NPRM was published in the Federal Register back  
4           in April of 2013 and we carried out three  
5           consultation sessions: One here in Phoenix, one  
6           in Anchorage, and one in Minneapolis. Comments  
7           were received, we made changes to the draft, the  
8           NPRM that we're going to be discussing today was  
9           published in the Federal Register on December  
10          19th. And the comments that we -- we received  
11          from the draft process are also posted on the BIA  
12          website.

13                 From here I'm going to turn it over to  
14          Mr. Caulum. Thank you.

15                 MR. CAULUM: All right. In -- when we  
16          published the NPRM on December 19th, 2014, some  
17          of you may have already been aware that it had  
18          been sent to the Federal Register, because we  
19          sent out through the TTIPs a notice that we  
20          were -- that the -- that the notice of proposed  
21          rulemaking would be published soon in the Federal  
22          Register. We also provided a link to the

1 draft -- not the draft, the final version that  
2 had been signed off on by everybody in the  
3 Department of the Interior including our  
4 regulatory affairs people, the solicitor's  
5 office, which was me and my boss, and the  
6 Assistant Secretary himself.

7           When it came out in the Federal  
8 Register then on December 19th, there were a  
9 number of differences. And lawyers don't like  
10 the word change once they've said this is it,  
11 this is final and everybody has signed off on it.  
12 But the Federal Register, however, ultimately has  
13 final say over what they actually publish. And  
14 since 2004 when the current Rule was published,  
15 we've had a number of changes in the way the  
16 Federal Registry does something. And one of the  
17 changes they -- they made primarily editing and  
18 formatting changes. However, there were two  
19 sections that were modified, Subpart C and  
20 170.202(e). They removed the statutory reference  
21 to the date of MAP-21 enactment, quote, "in  
22 effect as of July 5, 2012." This is a problem,

1 because as some of you may know, that was the  
2 snapshot in time that MAP-21 took of the  
3 inventory. And so, technically, the restatement  
4 of the formula that we put in the NPRM is  
5 inaccurate.

6 We will be working with the Federal  
7 Register when we get to the final Rule to address  
8 that. However, as Bob was mentioning earlier and  
9 as you all may know, the extension of MAP-21  
10 expires on May 31st. Hopefully, we'll have most  
11 of the final Rule getting close to be ready to  
12 publish by then, but Congress could step in and  
13 change everything. So this may not become --  
14 this may not be an issue at all as of June 1st.

15 So -- but, again, as Bob mentioned,  
16 you know, the -- you know, the rule is not  
17 updated for SAFETEA-LU, because we felt well,  
18 Congress was going to make a deal and they were  
19 going to pass a new Transportation Act; and that  
20 didn't happen for a while. So we're moving  
21 forward as if the current formula's in place and  
22 we'll address this then once we get to the final

1 Rule.

2 Subpart C, 170.226(b), the word  
3 "proposed" was deleted from the language. In  
4 this case, "proposed" means new and not  
5 previously approved. And again, we'll work with  
6 the Federal Register on that to try and move that  
7 forward.

8 Did I go the right way? I did.

9 So why are we here? What is the  
10 purpose of today's session? Most importantly,  
11 we're going to present the NPRM and the proposed  
12 changes to 25 CFR 170 and we want to listen to  
13 and record your comments and concerns.

14 Bob may have mentioned before,  
15 whenever you get up and talk, please give us your  
16 name and spell your last name so the court  
17 reporter can have that accurate for the record.  
18 And if you represent a particular entity, that  
19 would be helpful for us to know as well. And if  
20 you're here just on your own for your own  
21 interest, you don't have to tell us that.

22 Only the -- one of the things that as

1 we were going through the development of the  
2 draft that we consulted on last year and as we  
3 move forward to the NPRM, we always kept in mind  
4 is that the current Rule was developed as a  
5 result of negotiated rulemaking. And as you all  
6 know that is a fairly unique structure within the  
7 Department -- within the government. And there  
8 was a lot of work over, what was it, four years,  
9 that went into developing the current Rule and we  
10 wanted -- and it's our goal to respect that work  
11 and to not change things that in our view did not  
12 need to be changed.

13           However, the -- as Bob mentioned  
14 earlier, the current Rule is out of date with  
15 respect to statutory changes. And many of you  
16 who have been involved with the program for a  
17 long time I suspect would agree that the way the  
18 program is delivered as we say it in the federal  
19 government -- the way the program is delivered,  
20 in other words the way tribes contract with the  
21 program has changed dramatically over the last  
22 ten years.

1           In 2004, no tribes contracted with the  
2 Federal Highway. Today over 100 -- what was it?  
3 128? 128 tribes contract with the Federal  
4 Highway.

5           2004 no tribes worked with -- well,  
6 actually, as of 2010, no tribes worked with BIA  
7 under an agreement that we've since developed.  
8 It's largely modeled on the Federal Highways  
9 agreement that we call the G2G agreement, or as I  
10 call it now a program agreement, where the tribe  
11 is taking on all of the inherently federal  
12 functions of the program, similar to what they do  
13 with Federal Highway.

14           Since 2010, over 150 tribes total are  
15 now having the programs delivered. They're  
16 taking the program in that manner. There's 566  
17 federally recognized tribes in the United States,  
18 so now you're looking at nearly half of the  
19 tribes have gone from the old model, the  
20 pre-SAFETEA-LU to a new model that I don't think  
21 anyone even really envisioned changing that fast  
22 over the course of ten years.

1           I think -- you know, I would say that  
2           it's -- it's a tremendous change. The tribe, I  
3           think, will have a lot more control over what  
4           they are doing if they go forward with a program  
5           agreement, program agreements, but they still  
6           have that option of doing Title 1 or self-  
7           determination contracts. Self-governance is  
8           still available, and direct service is still  
9           available. So it's a very flexible program in  
10          terms of how a tribe -- a particular tribe wishes  
11          to have the program delivered.

12                 Also, since ten years ago, the IRR  
13          program, now known as the Tribal Transportation  
14          Program Coordinating Committee -- I think I just  
15          cut off the dollars there -- has developed and  
16          passed by consensus a number of policy  
17          recommendations that the Secretaries of  
18          Transportation and Interior have approved.

19                 So we have to look at the NPRM and the  
20          areas where -- or the Rule and the areas where  
21          those affect what the negotiated rule had, we  
22          made some adjustments there.

1           Also, OMB has changed some rules at  
2           the Federal Register regarding what is allowed in  
3           an NPRM or in a final Rule. And one of the  
4           things that you may have noticed if you looked at  
5           it and you compared it to the current Rule is  
6           that no material may be included for information  
7           only. We had some excellent comments in  
8           Sacramento about this by a couple of people who  
9           were involved pretty heavily in the negotiation  
10          of the current Rule, the negotiated rulemaking  
11          process for the current Rule.

12                 This is something that we're going to  
13          definitely be looking at and we'd like to hear  
14          further comments if you have them about this.  
15          But the result is that as of right now the -- all  
16          of the "for information only" material that was  
17          included in the current 170 is not in this NPRM.  
18          And that is something that we're going to have to  
19          work out with the Federal Register. They may  
20          take a hard line and say we can't do this.

21                 One of the reasons I think why the  
22          Federal Register's view is that you can't have

1 reference material there, is that if it's not  
2 germane directly to the Tribal Transportation  
3 Program, if it's standards or things of that  
4 nature that aren't something the Tribal  
5 Transportation Program in effect generates, in  
6 other words, you know, a technical standard, what  
7 would it be like a rule building standard or  
8 something like that, those things can change. So  
9 if we publish them in a federal -- in a Rule and  
10 the Rule stays in effect for ten years, those can  
11 become out of date. And the view, I believe, of  
12 the Federal Register is you then have in a  
13 regulation information that is inherently  
14 incorrect. And, I mean, you know, well, if  
15 that's really the case, then why aren't we  
16 changing the Rule when the law changes? Because  
17 a regulation can't be -- can't be in conflict  
18 with the statute. The statute always controls.  
19 But as we've talked about earlier, you know we --  
20 we tried -- it tried to be done after SAFETEA-LU  
21 was enacted, but the timing issue took over.

22 We've also reduced the use of

1 appendices; and all of the information that's  
2 reference information is going to be available on  
3 the BIA and the federal websites -- the Federal  
4 Highway websites.

5 The preamble. In the notice of  
6 proposed rulemaking, the preamble provides  
7 information about the background and overview of  
8 the history of 25 CFR 170 since its publication  
9 in July of 2004, including the laws that have  
10 been passed that affected the IRR program, now  
11 known as the Tribal Transportation Program. It  
12 gives efforts that took place to clarify policies  
13 and procedures that were established. It also  
14 talks about the consultation sessions, locations,  
15 schedules and agenda, an explanation of the  
16 proposed revisions that are contained in each  
17 subpart of the NPRM and other information and  
18 procedural requirements published in the NPRM.

19 Preamble. What is this NPRM, broad  
20 overview. The NPRM revises and updates 25 CFR  
21 170 to comply with legislation governing the  
22 program, reflects changes in the TTP delivery

1 options that are available to tribal governments.  
2 We just alluded to that a few minutes ago. It  
3 makes technical corrections to clarify program  
4 related responsibilities and requirements for  
5 tribal governments, BIA, and the Federal Highway,  
6 and clarifies the requirements for proposed roads  
7 and access roads that tribes request to be added  
8 to or remain on the NTTFI, formally the IRR  
9 inventory, and remove certain sections of the  
10 current rule that were previously included for  
11 information purposes only. I'll direct you to  
12 the BIA -- the reader to the BIA Federal Highway  
13 website.

14 The proposed rule -- the proposed  
15 rules and access roads issue is something we did  
16 get some comments on at Sacramento. We expect  
17 there may be some comments here on that and under  
18 alert on these.

19 You may recall that we did  
20 consultations on what was known as question ten,  
21 which was an issue of involving the proposed  
22 roads and access roads question among other

1 things. Right at the end of our consultations on  
2 that, actually, I think it was the day before our  
3 last consultation on it -- we were doing it in  
4 Mount Pleasant at the Soaring Eagle Hotel Casino  
5 meeting complex in Michigan -- Congress put the  
6 final touches on MAP-21.

7 And, as you know, a big part of MAP-21  
8 was that Congress took out the formula that was  
9 in Part 170 and replaced it with a statutory  
10 formula. That statutory formula had a huge  
11 effect on the question ten issue that we'd been  
12 consulting on. And, in fact, largely made it  
13 obsolete overnight. However, this issue of  
14 proposed roads and access roads is still  
15 something that we felt we should address in the  
16 proposed Rule and it's something we're going to  
17 look at to have a final resolution on in the  
18 final Rule.

19 Our consultation sessions. We've had  
20 one already in Sacramento. Today is here in  
21 Phoenix. On January 27th, we'll be in  
22 Minneapolis, January 29th Oklahoma City, February

1 10th Anchorage, February 12th in Seattle. You're  
2 welcome to come to any one of those sessions, the  
3 remaining sessions. However, I can assure you  
4 that the PowerPoint presentation is no different.  
5 The moment we started in Sacramento on Tuesday,  
6 the PowerPoint's frozen, can't change. The  
7 agenda, once it was published, that's not -- that  
8 wasn't able to be changed after December 19th.  
9 So the information that's presented here is going  
10 to be the same as we had in Sacramento. It will  
11 be the same in Minneapolis, Oklahoma City,  
12 Anchorage, and Seattle.

13 And just one other note, the  
14 PowerPoint -- I know you have it written here,  
15 but if others are interested in it, it's been  
16 loaded on the BIA's website. Is it the -- it's  
17 on your website? Okay. It's on the Federal  
18 Highway's website as well if you want to download  
19 that from there.

20 MR. GISHI: They're on both.

21 MR. CAULUM: What is that?

22 MR. GISHI: They're on both.

1 MR. CAULUM: They're on both websites.

2

3 MR. GISHI: You have one more slide.

4

5 MR. CAULUM: There we go. All right.

6

7 Preamble. Written comments. Comments

8 on the NPRM must be submitted by March 20th,

9 2015. You can submit them at

10 consultation@bia.gov. Please be sure to include

11 the number 1076-AF19 in the submission. That's

12 the tracking number that the BIA's Office of

13 Regulatory Affairs will use to track the

14 comments. You can mail them to Elizabeth Appel.

15 She's at the Office of Regulatory Affairs and

16 Collaborative Action within the Office of the

17 Assistant Secretary in Washington, DC. Again,

18 please include the reference number 1076-AF19.

19 You can submit them on the internet

20 through the Federal Government rulemaking portal.

21 It's been assigned the docket BIA-2014-0005 or

22 hand delivery in Washington, DC to Liz Appel.

1                   Anybody have any questions? All  
2 right. Thank you.

3                   MR. GISHI: Good morning everybody.  
4 Can you hear me? Again, welcome everybody.  
5 LeRoy Gishi from BIA Transportation. Thank you  
6 very much for taking the time to come out.

7                   As Andy and as Bob indicated, this has  
8 been a process that's been started back in 1998,  
9 but it's a continuation of regulations prior to  
10 that. The regulations were last finalized in  
11 1979, so you can imagine that the regulations at  
12 that time really needed some changes and then  
13 obviously, the big changes in the program  
14 occurred after 1991 with the passage of ISTEA in  
15 1991.

16                   It was mentioned, the layout of the  
17 particular sections as a whole. The sections are  
18 very similar to the way they were originally  
19 written in the final 25 CFR 170. The changes, of  
20 course, are primarily in those areas that  
21 constitute the major changes in the program.  
22 Obviously, the law changed several times during

1 this process, including references to the type of  
2 agreements which are now in effect, the  
3 programmatic agreements, the other appropriate  
4 agreements, as well as the role Federal Highways  
5 has taken on, as Bob indicated, in the program.

6 Subpart A, primarily, is the policies,  
7 the application, the applicability of the  
8 program, the definitions. The big changes there  
9 are in the -- in the definition areas. And we'll  
10 go through -- the way this is set up, our  
11 presentations if you've had a chance to take a  
12 look at them is -- by the way, the PowerPoint  
13 presentations, as Andy mentioned, are on the  
14 websites if you need to be able to run prints and  
15 hand them out and distribute them, particularly  
16 if you represent a group of tribes in either a  
17 consortium or a planning organization, they are  
18 made available for that purpose.

19 The way the presentation is set up is  
20 it tries -- we tried to look through every  
21 section, and there's a lot of them that basically  
22 says, you know, no changes, very little,

1 informational change only. But as you're going  
2 through this, certainly there's a lot more that's  
3 in there and we could be spending a lot more time  
4 if we were to go through each one of them and  
5 read through them. But they're here to identify  
6 exactly what changes that we have and we've noted  
7 and obviously questions that you have you can  
8 bring up.

9           Immediately out, as part of this  
10 process is to identify the Department of  
11 Transportation, the Secretary of Transportation  
12 as a partner in the delivery of the TTP.

13           Bob indicated earlier that prior to  
14 this, Federal Highways primary role in the  
15 program was in oversight, as the oversight agency  
16 for the program. They still are. The Federal  
17 Highway Administration, Federal Lands, is still  
18 what we refer to as the parent organization for  
19 the TTP program. But with the passage of  
20 SAFETEA-LU in 2005, then the Secretary of  
21 Transportation was identified as also an agency  
22 which could participate in the implementation of

1 the TTP. So in addition to doing oversight, they  
2 are now implementing entering into agreements  
3 with tribes. And some of you tribes that are  
4 here have entered into those agreements with the  
5 Federal Highway Administration. And so this is  
6 part of the process and review. And if you will  
7 go through the rules, we've tried to include in  
8 every case where it referred to implementation of  
9 the program to include the U.S. DOT and Federal  
10 Highway Administration for that purpose.

11 It also added the word "program  
12 agreements and other appropriate agreements,"  
13 which are a reference to the specific words in  
14 the statute, Title 23, that basically allows in  
15 addition to the standard agreements that were in  
16 existence since 1974 and an update in 1996 of the  
17 Indian Self-Determination Education Assistance  
18 Act and, certainly, Subpart J, Subpart K, those  
19 were -- and the FAR (phonetic) contracts were  
20 mechanism -- procurement mechanisms that we used  
21 in implementing the program and the choice of the  
22 tribe, the preference.

1           And since then we now have the other  
2 two agreements, which are the programmatic  
3 agreements with the -- between tribes and the  
4 Secretary of Transportation and the -- what we  
5 call the other appropriate agreements, the TTP  
6 agreements that we have. Andy will talk a little  
7 later about other appropriate agreements. In  
8 particular, as the law has kind of evolved, as  
9 Congress has been made aware, as tribes have  
10 become more vocal in identifying the needs of  
11 other Title 23 programs, programs that are made  
12 available for transportation through the states,  
13 through the local governments, there has had to  
14 be a change in mechanism to be able to allow  
15 tribes to continue to participate in that, but  
16 have benefits of working with the Secretary of  
17 the Interior and, in some cases, working through  
18 the Indian Self-Determination -- the contracting  
19 mechanism agreements that are there also.

20           The other areas, of course, people  
21 move, we have our offices change and if we had a  
22 dollar for every time offices move in Washington,

1 DC we'd be pretty rich. I think I've moved about  
2 four times and I'm in the same program and in the  
3 same community of DC. But the addresses change;  
4 and this basically updates the address from the  
5 standpoint of providing information for people  
6 who want to make contact with the program.

7 The definitions that have been  
8 impacted here, one of the big ones, of course is  
9 access road. Access road is primarily defined  
10 there that's in accordance with what is found in  
11 23 CFR in the federal regulations that pertain to  
12 the U.S. DOT. It's similar to the same  
13 definition that was developed working with the  
14 coordinating committee. Obviously, a lot of  
15 things changed as a result of the changes in the  
16 law.

17 As you go down through the list you'll  
18 notice there's a lot of references to TTP, simply  
19 because that's where the big changes occurred is  
20 in the name change and in a lot of the program  
21 procedures.

22 It modifies definitions that were

1 previously included in the system as a result,  
2 again, of the changes in the law itself. A  
3 couple of these will be addressed specifically as  
4 we go through the other remaining presentations  
5 through the day.

6 There's two definitions that were  
7 previously included that were removed. Of  
8 course, the IRR program construction funds. As  
9 we went through the -- through the years, the  
10 program has evolved to start including other  
11 activities, which were not necessarily considered  
12 construction. Congress made those activities  
13 eligible.

14 For instance, road maintenance is one  
15 that we speak of that became an eligible activity  
16 in 2005 and was enhanced with MAP-21. We had in  
17 1998 the word -- the two words "transit" and  
18 "facilities" came into the definition of eligible  
19 activities, which made a tremendous change in how  
20 tribes would then begin to look at providing  
21 access to local transit systems or developing  
22 their own transit systems. And a number of

1 tribes have programs that are now implemented as  
2 a result of those changes.

3 So as you begin to see, the program  
4 wasn't just construction funds. It's primarily  
5 TTP program funds and other eligible activities,  
6 because it refers to those other eligible  
7 activities that are there.

8 Office of Civil Governance. Pretty  
9 much it stands alone on its own now. All the  
10 agreements are identified in the -- that are  
11 referenced in the regulations reference,  
12 primarily the authority under self-determination  
13 and not necessarily in the Office, because they  
14 are, obviously, agreements that the Secretary  
15 enters into with tribes.

16 Just a little table here that kind of  
17 defines a little bit of the major changes that  
18 are out there. IRR to TTP, primarily in those  
19 areas that we're looking at. Very similar in  
20 terms of function and activity. And some of  
21 these others are very clear in talking about  
22 their role. IRR inventory in particular was

1 completely used for the implementation of the  
2 formula that we used to call the relative need  
3 distribution factor, the T 10 if you will, the  
4 tribal transportation allocation methodology; and  
5 that went away with the passage of MAP-21 and  
6 incorporated specific portions of the National  
7 Tribal Transportation Facility Inventory that the  
8 formula would then use. Bob will talk a little  
9 bit about that, but that's one of probably the  
10 big changes in there in the impact of how the  
11 inventory is. It's very much inventory driven  
12 and very much the more inventory you had the more  
13 money you had. Now, it's pretty much a frozen  
14 formula in terms of parts of the data as a whole,  
15 at least for this MAP-21.

16 Consultation, collaboration, and  
17 coordination, the three Cs. Again, the whole  
18 idea is as part of this process is to provide,  
19 not only continue to emphasize a need for those  
20 that occur out there, but kind of introducing  
21 portions of programs that are now new, new set-  
22 asides as a result of MAP-21. And part of that

1 is the process for identifying development plans  
2 and projects under the safety program.

3 If you'll notice, most of you who've  
4 been working in the program are familiar with it,  
5 that Title 23 as it's evolved through the years,  
6 initially there were certain programs that  
7 Congress specifically identified that the  
8 Secretary of Transportation would, basically  
9 implement and bring about, and then there were  
10 certain parts of the program that the Secretary  
11 of the Interior was primarily responsible for.

12 But it was -- it's all related to the TTP  
13 program. From a -- from your perspective, it's  
14 basically the federal government providing  
15 services associated with tribal transportation.  
16 But as a result of that, Bob mentioned that  
17 there's certain things they have to be eligible  
18 to do on their end and one of them is safety.

19 The Bridge Program as a whole is a  
20 program also that they oversee in terms of the  
21 determination, which has changed, actually, in  
22 MAP-21. But even that, we have another office

1 that we all have to work with; and that's the  
2 Infrastructure Office within Federal Highways who  
3 oversees all structures for all of Federal  
4 Highways. So it's a process in which we continue  
5 to work with. So consultation, collaboration,  
6 and coordination is a very big part and an  
7 important part of what the regulations talk about  
8 how to make sure that that is carried out in a  
9 manner that not only benefits but also simplifies  
10 the process in impacting and working with tribal  
11 governments.

12 102, 103 combined. Here there's a  
13 little bit of -- there's an error. We are  
14 developing an errata sheet that shows. And if  
15 you've gone through it, you'll notice that in the  
16 body of the regulation there's two 170.103s. The  
17 first one, actually is -- I think there's -- it  
18 should be numbered 102, because the 102 from  
19 previously is rolled up into 101. So the first  
20 one should be 102 and the second one, of course,  
21 is correct. And we'll note that on there.  
22 But -- so there's a number of things that you'll

1 see on there where we've got some errors and  
2 we'll have to go through the process of cleaning  
3 those up. And we're trying -- as we find them,  
4 we're identifying them for you here so that  
5 you're -- you're aware they're out there.

6 The consultation process required  
7 before obligating any TTP funds for direct  
8 service tribes, basically just a polishing up of  
9 the original concept of developing some sort of  
10 agreements, MOUs between the BIA and region  
11 offices and the tribes regarding direct service  
12 type of activities.

13 Next part. 104 through 108, no  
14 significant changes. Reworded for some  
15 clarification purposes. The change in 109 was  
16 the state and local government "shall work with  
17 tribes" was changed to "will work with tribes."

18 And this is a thing that we -- and it  
19 varies from administration to administration to  
20 individual office structures as we go through.  
21 We went through a period of time where everything  
22 was to be worded as "shall." And now we're going

1 back through another phase of people where we're  
2 rewording everything, or a lot of things with  
3 "will." And some of them are even being changed  
4 to "must." So you'll see "must" in some of these  
5 areas also. And primarily it's the manner in  
6 which a lot of the people who oversee the  
7 regulatory process, primarily OMB, have made  
8 those changes. So when we got back our comments  
9 after we sent them forward, a lot of these  
10 changes were in there as we went through and  
11 clarified with them on what they were -- changes  
12 they were making.

13 110, no significant changes.

14 Eligible uses of Tribal Transportation  
15 Program funds, section 111, makes reference to --  
16 previously in Title 23 there was a section that  
17 was not necessarily buried, but further on in  
18 that portion of, I believe it was either 202 or  
19 204, that had made reference to -- it was 204  
20 that made reference to the activities that are  
21 associated with the program that were eligible.  
22 But it was all primarily geared back to what was

1 allowed in the self-determination contract.

2 With this rewrite in -- in the statute  
3 it basically, the very first thing, 202, which is  
4 the section on tribal transportation, A, which is  
5 the first subsection of that, one, which is the  
6 very first part of that subsection, it starts  
7 off, it says these are the eligible activities.  
8 So it comes right out and states what those are.  
9 So that process was, of course, rewritten in the  
10 regulation to make sure that that's right up at  
11 the front also with the way it's presented.

12 It references appendix A to the  
13 particular Subpart A. There's appendix A to that  
14 and there's more detailed information as far as  
15 eligible activities, to provide a little more  
16 explanation of kind of what, expands on those.  
17 And that list primarily comes from what was  
18 contained in the negotiating, the rulemaking  
19 process that was identified earlier. And you'll  
20 see we'll identify where some of those things  
21 have changed as a result of the law, the statute.  
22

1           112 deletes references to maintenance  
2 activities as an eligible activity -- as an  
3 ineligible activity. Excuse me. When this rule  
4 2004 was passed, road maintenance was not an  
5 eligible activity and this was -- it was  
6 published in July. Congress reviewed and  
7 approved. You have to go through a 90-day period  
8 where it sits up on the Hill. For that period if  
9 they have any questions, if they have any  
10 concerns, at that point they can make -- they can  
11 state what they want to. And by November of that  
12 year it cleared that hurdle so it became final,  
13 officially final.

14           Well, that was in November. In August  
15 of the following year, so not even a full year,  
16 we had -- SAFETEA-LU was passed. And one of the  
17 provisions in SAFETEA-LU was we can utilize at  
18 that time, when it was referred to as the IRR  
19 program, we can use IRR program funds for the  
20 purposes of maintaining roads. And the provision  
21 was, of course, that 25 percent -- 25 percent of  
22 the funds and I believe it was 200,000,

1       whichever -- in terms of whichever is greater.

2               MR. CAULUM: 500,000.

3               MR. GISHI: That was SAFETEA-LU. But  
4 then with MAP-21, it changed to 25 percent or  
5 \$500,000, basically expanding the eligible use.  
6 So clearly maintenance is an eligible activity.  
7 It wasn't when the first -- previous regs were  
8 written, so that's why that's a big change in the  
9 regulations here.

10               The 113 clarifies the process by which  
11 proposals for new uses; how that process works.  
12 New uses means we have questions that come up all  
13 the time. We most recently had a question that  
14 came up that talked about something as simple as  
15 can we go out and buy land that we can later  
16 either put in the trust or -- so there's a number  
17 of things that people are looking at. And this  
18 is basically a process that shows -- that  
19 indicates to the public, particularly tribes, you  
20 have to go through these procedures if you're  
21 looking at uses which are not identified in a  
22 regulation or in a statute and you want to be

1 able to include those in. And there's a process  
2 for doing that and who does -- who makes those  
3 approvals in the process, particularly if it's  
4 BIA or if it's FHWA. It clarifies that the  
5 purchase of construction and maintenance  
6 equipment must be approved by the BIA and FHWA.

7 In the previous regulation, the only  
8 equipment that was really mentioned that was to  
9 be approved was equipment associated with the  
10 implementation of the planning and the  
11 engineering process, which is basically  
12 computers, GIS equipment, printers, anything you  
13 would need to function in your office to produce  
14 the work that you needed to, that support the  
15 program, those were identified as eligible  
16 purchases.

17 Since then we have gone through the  
18 process and we have been doing on a very regular  
19 basis going through and approving equipment  
20 purchases for construction and maintenance based  
21 on criteria that we -- the policies that we've  
22 established and now we want to put it into the

1 regulations for that purpose. And primarily it's  
2 a cost-benefit analysis that shows what are -- is  
3 there -- is there -- what are the options that  
4 are out there? It's lease purchase. If it's  
5 purchase, those things have to be considered in  
6 terms of basically buying equipment for that  
7 purpose. And we get through a little bit later,  
8 there may be some questions that come up on that  
9 when we start talking about eligible activities  
10 and contracts as a whole.

11 Section 170.113, the process by which  
12 proposals for a new use, strategic funds must  
13 follow. That's what I was mentioning. It  
14 includes the updates on the addresses as to where  
15 those can be sent, timelines associated with it  
16 and it also adds that new uses will be posted on  
17 FHWA and Federal Highway websites. If you  
18 recall, during the last go-round of this process,  
19 we didn't have any websites. People couldn't  
20 access some of the things that we're doing, other  
21 than very general information. But now we're  
22 back on track and we're able to do that.

1                   Use of Tribal Transportation Program,  
2           TTP funds on cultural access roads. It states  
3           that all facilities that are in the National  
4           Tribal Transportation Facility Inventory are open  
5           and available for public use, based on the  
6           definition in the definition section of Title 23.  
7           And primarily what we're looking at there is, is  
8           it gives you -- the committee when they were  
9           working with this -- when I say the committee,  
10          the representatives from the tribe who were  
11          working with this process wanted to make sure  
12          that although they were eligible, there were  
13          certain times when roads could be closed as far  
14          as public access and those are identified for  
15          reasons. For instance, when you're looking at  
16          sacred sites or when there's places where the  
17          tribe really doesn't want traffic when they --  
18          for purposes of temporary road closures, things  
19          of this nature, that's kind of what's identified  
20          in that portion of it. And then, of course, how  
21          to close a facility permanently and the  
22          procedures and the process associated with that

1 when a road wants to be taken -- you want a road  
2 to be taken off the inventory as a public road as  
3 a whole.

4 Section 115 and 116, no significant  
5 changes there.

6 Seasonal transportation routes. One  
7 thing we've learned in the last ten years or so  
8 in working with the Coordinating Committee -- the  
9 Coordinating Committee is a group of  
10 representatives, tribal representatives, that  
11 have been appointed by the Secretary of the  
12 Interior and the Secretary of Transportation for  
13 the purpose of providing input and recommendation  
14 to the programs. And as part of that process, a  
15 lot of our meetings that we had were held in  
16 Indian country. A lot of the very unique  
17 transportation aspects of what tribes have to  
18 deal with became very apparent. And in doing so,  
19 one of the areas that was not specifically  
20 addressed was the concept of seasonal  
21 transportation routes. And even since we've put  
22 that out, we've been doing a lot more work in

1 those areas of board roads, ice roads in those  
2 areas and trying to identify kind of what those  
3 entail and the process and what to do in terms of  
4 including those into the -- the inventory and how  
5 their eligibility is impacted by the use of  
6 Tribal Transportation Program funds.

7 It also clarifies the required design  
8 standards for ensuring the health and safety of  
9 the traveling public. Again, a process that's  
10 very, very important when you're -- when you're  
11 developing roads which are not traditional roads  
12 in terms of you can't just pull a -- a standard  
13 off the shelf and start designing to that  
14 standard.

15 Housing access road. No significant  
16 changes there. That was part of the old Rule.

17 Toll, ferry, and airport facilities.  
18 There's a table there. Federal Highway program  
19 agreements was added to the table.

20 121, no changes.

21 122 verifies how TTP funds can be used  
22 for airport access roads and maintaining airport

1 facilities. A big part of that, again is you  
2 begin to see through the years those become a big  
3 part of the transportation program in the tribal  
4 communities and the Indian lands.

5 Recreation, tourism, and trails  
6 describe basically the update on references.  
7 There are some programs that used to exist, you  
8 know, that as part of MAP-21 there was a very  
9 large consolidation of programs. So some  
10 programs were completely taken away, other  
11 programs were sort of adopted or brought into  
12 other programs, at least from a function  
13 standpoint with a different name; and in these  
14 areas we tried to update that so that we could  
15 still reference those sites in the law.

16 It clarifies how tribes can obtain  
17 those funds in 124.

18 And 125, no significant changes.

19 And 126 is a reg that has been out  
20 there for the past 20-plus years at least that  
21 I'm familiar with, and that roads cannot be built  
22 in areas that are designated as roadless and wild

1 areas. And in Indian country we only have one  
2 location that is on that list and that's in the  
3 State of Wyoming, so. But we made -- have to  
4 make sure we put that in there, because we don't  
5 want roads being built out there or give any  
6 indication that roads can be built in those  
7 locations.

8 Highway safety functions. The -- this  
9 part basically in general replaces 141 and 145 of  
10 the old regulations, and it primarily refers to  
11 the TTP safety funding that was set aside under  
12 the new program, under MAP-21. It provides that  
13 funds are available for safety activities,  
14 describes the eligible activities for the funds,  
15 describes how the funds are going to be received,  
16 and also that the non-Tribal Transportation  
17 Program, non-tribal shares can be used for safety  
18 projects and activities. Most of you are  
19 familiar with that. We've seen over the past two  
20 years, 2013 and 2014 the safety program, safety  
21 projects and requests for notice of funds  
22 availability. Tribes have submitted -- a lot of

1 tribes have submitted requests for funding to  
2 develop a safety plan. A some tribes who have  
3 safety plans have gone ahead and developed  
4 projects that are associated with the other --  
5 what are called four Es, engineering, emergency  
6 response, enforcement, and one more, education,  
7 thank you.

8 Transit facilities. Again, it's been  
9 there since '90 -- '98. It continues to be a big  
10 part of what tribes are doing. No changes there  
11 in 131. There is a -- it references a program  
12 which was changed under MAP-21 that refers to the  
13 public transportation on Indian reservations  
14 program, the tribal transit program. It's a  
15 grant program. It's located in 49 U.S.C. Section  
16 5311 and it talks about that being available for  
17 a source of funding. Identifies that the TTP  
18 program funds in 133 can be used to satisfy the  
19 local match.

20 And, of course, if any questions come  
21 up on that, that's generally across the board  
22 these funds can be used for most of the programs

1 that are there. Generally, you'll hear from  
2 somebody if it's not. Primarily, if it's a  
3 program on the federal aid level. For the most  
4 part, we've been very successful in being able to  
5 work with them. And of course, Andy will talk  
6 about -- excuse me, Bob will talk about it and  
7 Andy will talk about other -- these other  
8 program -- other appropriate agreements that  
9 allow us to be able to successfully make those  
10 work sometimes also. But this just talks about  
11 that they can be used for a local match.

12 Transit operational costs are  
13 eligible. That has been -- been added and  
14 improved upon a little bit, because we've had --  
15 that's one of the areas we've had a lot of  
16 questions on in the past ten years or so, is the  
17 continuous process that tribes are becoming  
18 involved in, in making sure that they're moving  
19 people, utilization of transit as an alternate to  
20 moving people about, particularly in rural areas.

21  
22 And so this talks a little bit about

1 what functions and activities are associated and  
2 are eligible for that. And any of those, as  
3 you're looking through this thing, if you have  
4 unique situations that occur in your location  
5 that you think needs to be added, like I say,  
6 we -- we've been everywhere in the last ten years  
7 and we're still finding things, we're still  
8 getting information from folks, great ideas as to  
9 how to sort of tackle problems and make things  
10 work. So as you go through this thing, we  
11 appreciate any comments that you have on  
12 improving the implementation of these programs.  
13 And simply if you don't have any idea, you want  
14 to know, include it in there. This is the time  
15 to do it when we're looking at updating these  
16 regulations.

17 The Tribal Transportation Program  
18 Coordinating Committee, established under the  
19 negotiated rulemaking process. It was a  
20 committee that the tribal reps felt like when the  
21 rulemaking was over, they would like to have some  
22 ability to continue to provide continuous input

1 and recommendation to have a method in which the  
2 Secretaries could have ongoing participation,  
3 consultation, collaboration with tribes, at least  
4 on a national level. So that issues that were  
5 out there, like what we've talked about, could be  
6 brought to the attention of both Secretaries and  
7 the programs as a whole.

8 This portion start -- talks about  
9 basically the roles and responsibility of the  
10 committee. It talks about how they are  
11 organized, what their authorities and powers are,  
12 how they function, how they are selected,  
13 essentially appointed.

14 One of the big changes here in terms  
15 of this regulation is in the existing regulations  
16 it identifies 12 primary members and 12 alternate  
17 members. This regulation and we worked with the  
18 coordinating committee on this and this is one of  
19 the first recommendations that they had, was to  
20 look at the possibility of making this committee  
21 just basically representatives of two per region.  
22 So that the way it currently is set up is there

1 is only one vote per region and in terms of not  
2 necessarily vote, but from a consensus  
3 standpoint, which they operate under. And this  
4 will allow input from both representatives. It  
5 allows for a much broader perspective even from  
6 the region standpoint. Because even within  
7 regions you have different ideas that are out  
8 there that occur from one side -- one part of the  
9 region to the other part of the region. And  
10 we've seen that, of course, a lot in Alaska. And  
11 that brings a point that it's important to be  
12 able to get everybody's input. So we were  
13 eliminating the use of alternate representatives,  
14 because alternate representatives had limited  
15 authority. Now there will only be  
16 representatives and they'll have the same  
17 authorities as far as the implementation and  
18 working of the committee as a whole. That's 136.

19  
20 And also 137, the change there was  
21 that the committee members will submit a schedule  
22 of proposed meetings to the Secretary for

1 approval. It identifies a process that we're  
2 currently working with right now, and also to get  
3 more input from the committee out into the field  
4 in terms of a mechanism to be able to do that.

5 The TTACs. The Tribal Technical  
6 Assistance Centers, formerly referred to and  
7 still are called the TTAPs. This provides a  
8 description of the TTAP centers and where  
9 additional information can be found. We included  
10 this in there and kept it in there. It was in  
11 their previous regulations, but the TTAPs and the  
12 TTACs are of such an integral part of the  
13 implementation of the program that we need to  
14 make sure that they're still referenced in here  
15 and what their roles and responsibilities are.  
16 They actually are a -- an arm of the Federal  
17 Highway Administration and that process of their  
18 selections or development is identified there.  
19 And from the information we provided, there's  
20 just enough information to get you to the point  
21 where you can kind of get an idea of who's there  
22 and what it refers to.

1                   This is different than the  
2 information -- as we mentioned before, Andy had  
3 mentioned that OMB and some of the Federal  
4 Register folks asked us to change some of these  
5 things. This is one of the areas where we made  
6 it very clear that okay, we'll back off on the  
7 number of sections here, but we do have to have  
8 something in here that describes the TTACs so  
9 that -- because they are described in the statute  
10 in terms of Title 23.

11                   Appendix A to Subpart B. This is, the  
12 list was corrected to primarily show statutory  
13 references. We're just going to have to go back  
14 through. A lot of the citations were changed  
15 from one year to another, certainly since 19 --  
16 excuse me -- 2004. But it gives you some  
17 indication as to the concern that the folks at  
18 OMB and the Federal Register have in putting too  
19 many citations in there is because they change.

20                   Okay. Of course, we eliminated some  
21 duplicate entries in there, added purchasing,  
22 leasing or renting of equipment as eligible.

1 Equipment purchases must be accompanied by a cost  
2 analysis. This is sort of a continuation of  
3 what's stated earlier as one of the eligible  
4 activities in there in this process; and this is  
5 where it talks about how that process is to go  
6 forward.

7 And if you have any questions on that  
8 or any comments on that, obviously, when you send  
9 your comments in, please, we're very interested  
10 in finding out. We had -- we got some really  
11 good comments in Sacramento regarding just the  
12 whole idea of equipment purchase as a whole.

13 Any questions with Subpart A and  
14 Subpart B? Yes. We've got a question back here.

15  
16 BRIAN GOLDING: Brian Golding, Sr.,  
17 G-O-L-D-I-N-G. Quechan Tribe.

18 MR. GISHI: Hold on one second.

19 BRIAN GOLDING: Brian Golding,  
20 G-O-L-D-I-N-G, Quechan Indian tribe. At part  
21 170.120 the table -- the table says a tribe must  
22 meet and follow the requirements of 22 U.S.C. 129

1 and if TTP funds are used, venture into a self-  
2 governance period. Is the agreement supposed to  
3 be there or compact? Is it limited only to self-  
4 governance, not compact?

5 MR. GISHI: What number is this now  
6 again?

7 BRIAN GOLDING: Section 170.120.

8 MR. GISHI: 120?

9 BRIAN GOLDING: The table there under.

10  
11 MR. GISHI: Oh, okay. Yes. I've got  
12 you. And you're referring to --

13 BRIAN GOLDING: Third line -- fourth  
14 line, in the right hand column.

15 MR. GISHI: Introduce into a  
16 self-governance. Yes. There's something missing  
17 there. It should be agreement. And generally we  
18 refer to agreements primarily from the standpoint  
19 of -- okay. It should say "a self-governance  
20 agreement, comma, self-determination contract,  
21 comma, or BIA or FHWA program agreement." And  
22 for some reason they cut that off on there. So

1 great catch.

2 BRIAN GOLDING: Thank you.

3 MR. GISHI: I appreciate that. And if  
4 you -- if you do look at the -- as Andy mentioned  
5 -- that's why I wanted to make sure, Andy  
6 mentioned that there was a publication on  
7 December -- January the 12th that came out, which  
8 was part of your tribal leader letter announcing  
9 this consultation, and it directed you to a  
10 website that had the regulation. In that one  
11 you'll see that in there. And so part of the  
12 process is reconciling what happened when it went  
13 to Federal Register and they had a few things  
14 that they need to change or things that just  
15 where they missed. So I appreciate you bringing  
16 that to our attention.

17 Any other questions and comments?

18 Thank you very much.

19 We want to take a break at this time,  
20 right, Mr. Sparrow?

21 MR. SPARROW: Let's go through C real  
22 quick.

1 MR. GISHI: Okay.

2 MR. SPARROW: Let's just take a few  
3 more minutes and talk about Subpart C and then  
4 we'll take a break.

5 Subpart C is where it talks about the  
6 funding formula and the funding that's made  
7 available for the program. Generally, as we said  
8 earlier under MAP-21, Congress replaced the  
9 funding formula that was established through that  
10 negotiated rulemaking back in early 2000 to  
11 2003. That's the one that's shown in your  
12 existing 25 CFR 170. And it replaced it with a  
13 new statutory funding formula.

14 So as a result, in the NPRM, all of  
15 those references, the calculations, formulas, the  
16 tables, the incidental cost tables that were  
17 associated with running the old formula,  
18 including population adjustment factors, the  
19 relative need, as I said, the cost tables and  
20 others. Since that no longer is part of the  
21 funding formula, it has been removed from the  
22 NPRM and proposed to be removed from the new

1 Rule.

2 So what you're seeing in Subpart C now  
3 is substantially less than what you saw before.  
4 But what we've done with Subpart C is basically  
5 cut and paste what's in MAP-21 under 23 U.S.C.  
6 202, cut it out of there and pasted it into the  
7 NPRM.

8 So 170.200 describes how the -- how  
9 the TTP funding amount is determined. It talks  
10 about the set-asides. What's taken out of the --  
11 for instance the program is authorized at \$450  
12 million, what are the set-asides for planning?

13 What's the set-aside for bridge? What's the  
14 set-aside for safety? What's the set-aside for  
15 PMNO when it talks about a set-aside for  
16 supplemental funding? So it goes in and  
17 describes that.

18 And then the one thing that you'll  
19 also see in there is it talks about the  
20 transition. When Congress passed MAP-21, even  
21 though it was only a two-year bill for -- and  
22 went into effect in 2013 and '14, there's a

1 four-year transition included in that bill. So  
2 it's transitioning from the old reg -- or the old  
3 form -- negotiated rulemaking formula that first  
4 year that MAP-21 was out, that formula kind of  
5 played a major role still. And each year the new  
6 formula takes -- more and more money is given to  
7 the new formula and distributed through the new  
8 formula, and less money is distributed through  
9 the old formula. So it was transitioned over a  
10 four-year period. This year in 2015 we're in the  
11 third year of the four-year transition. But that  
12 is described in that second part of 170.200.

13 In 201 it contains the funding  
14 distribution formula itself. It identifies the  
15 new formula. It identifies the new factors of  
16 the formula. So each one of the new factors --  
17 for instance, under -- if you are looking at the  
18 Rule 170.201(a)(1), that's the first factor.  
19 Twenty-seven percent of the money goes towards  
20 the eligible road miles. And it describes --  
21 Congress has told us what those eligible road  
22 miles are. So that's what's written in the Rule.

1 Then, in the second factor, 39 percent to the  
2 population and the third factor 34 percent is  
3 really a historical tribal shares factor.

4 So we've taken what's in MAP-21 and  
5 replaced the existing formula information and  
6 data and references and everything else from the  
7 old formula out and just replaced it with that  
8 new stuff from -- from MAP-21.

9 170.203 talks about -- or I'm sorry,  
10 170.202 talks about the supplemental funds. That  
11 was one of those set-asides that was previously  
12 described in 170.200 and it was established by  
13 Congress, again, to help with the transition from  
14 the old formula to the new formula and try to  
15 minimize any negative impacts of that transition.

16 So this particular section talks about  
17 how the supplemental funding is distributed and  
18 is made part of the tribal shares that are made  
19 available to the tribes. Again, pretty much  
20 verbatim out of what the law says.

21 170.203 clarifies how the TTP planning  
22 funds are distributed. Really, all we did in

1 this section was update it to reflect new  
2 references, because the planning funds used to be  
3 under -- under SAFETEA-LU or under a different  
4 part of the code than they are today, so we're  
5 referencing what is referenced in MAP-21. And  
6 then in addition, we talk about how the funds can  
7 be distributed from Federal Highway for those  
8 tribes that work directly with Federal Highway,  
9 where when it was written previously the funding  
10 was being distributed strictly from the Bureau of  
11 Indian Affairs.

12 The other major change you're going to  
13 see in Subpart C is that all the references to  
14 the IRR High Priority Projects program are gone.  
15 This was a major -- in addition to the funding  
16 formula, the high priority program was included  
17 in this section. And since it is no longer part  
18 of the Tribal Transportation Program, even though  
19 it is still in existence, it's its own separate  
20 program now as we said earlier, it is not part of  
21 this regulation anymore.

22 170.204 pretty much states, again

1        verbatim, what are the restrictions on the funds  
2        per MAP-21. It identifies that the TTP funds can  
3        only be expended on activities and projects that  
4        are identified in the appendix; and then it's  
5        also those activities and projects have to be  
6        contained on a Federal Highway approved TIP. So  
7        we're updating that section to reflect what the  
8        law currently says.

9                170.205 puts the time frame by which  
10       the funds must be made available, that's again in  
11       MAP-21, into the reg. Talking about the 30 days  
12       after the funds are made available to the BIA  
13       that they need to be made available when the  
14       process started, to make those funds available to  
15       the tribe.

16                The next section that remains in  
17       Subpart C talks about the TTP inventory and the  
18       long-range transportation plan. And how are  
19       they -- how do they work together, how do they  
20       correlate? And saying that the NTTFI, the  
21       facilities that you have in the inventory, have  
22       to be developed through your long-range

1 transportation planning process. That's just  
2 pretty much how the process works today, so  
3 there's no real major changes there. It just  
4 identifies the correlation and the relationship  
5 between inventory and the long-range  
6 transportation plan.

7 There is a reference to the High  
8 Priority Project program that's at the end of  
9 170.225 that it is -- it is an error. We didn't  
10 catch it; and that reference has to be taken out  
11 or will be taken out in the final Rule.

12 Yes, sir? Hold on one second. If you  
13 would, please, raise your hand.

14 PAUL WARD: Paul Ward with the Fort  
15 McDowell Yavapai Nation. It mentions up there  
16 the FHWA approved TIP.

17 MR. SPARROW: Yes, sir.

18 PAUL WARD: Specifically, who at FHWA  
19 approved TIPS nowadays?

20 MR. SPARROW: When your TIPS are  
21 developed through -- by the -- when you're  
22 working with the Bureau, you develop a TIP that

1 goes through the Regional Office and the BIA DOT  
2 for approval; or if you're working with Federal  
3 Highway, my staff works with the tribe to develop  
4 your TIP. Ultimately that TIP comes to  
5 Washington, DC and is approved by my staff in  
6 Washington, DC.

7 PAUL WARD: Fair enough. I understand  
8 that FHWA doesn't approve TIPs. I'm not talking  
9 Indian ones in this particular case. They're  
10 approved by the respective governors of states.  
11 Obviously, that's different here and that's not  
12 been my experience. So I apologize.

13 MR. SPARROW: Well, no. No. No  
14 problem at all. That's a very, very good  
15 question. One of the things, though, with this  
16 program, and respectfully, with the other  
17 programs in the federal lands highway, because we  
18 work with the National Park Service and the Fish  
19 and Wildlife and BLM and the Corps of Engineers.  
20 But for this particular program, when we approve  
21 the TIPs that the tribes develop, we take those  
22 TIPs and for the major construction projects we

1 forward them to the states for inclusion with  
2 their STIP.

3 So that's how the process works, that  
4 ultimately the significant or regionally  
5 significant tribal projects that are being  
6 carried out get included in the STIP. All  
7 right? So it comes through Federal Highway, but  
8 both -- any -- all the TIPS within the tribal  
9 transportation program ultimately are approved by  
10 my office. Okay? But very, very good question.

11  
12 Subpart C then goes on to talk about  
13 the data appeals. There was an appeal section in  
14 the old reg. This particular section has been  
15 changed to just reflect the appeals from data  
16 that goes into the funding formula itself. If  
17 you look at the factors of the funding formula,  
18 it's pretty much locked in by Congress as far as  
19 what the eligible miles are and it references  
20 back to a 2012 inventory -- or a 2005 inventory.  
21 So there really isn't much -- there isn't any  
22 appeal process from that.

1           The population. There can be an  
2 appeal process regarding the tribal population.  
3 The factors that we get from HUD and then  
4 historic shares, that third part of the formula  
5 is historic shares. So unless there is an error  
6 in the calculation of what you received over the  
7 last six years, there really isn't much of a  
8 process there. But it does talk about how you  
9 could appeal what data could be appealed by the  
10 tribe with regards to the formula.

11           It also identifies, though, where you  
12 can find other appeal processes for other aspects  
13 of the tribal transportation program. So that's  
14 also in there.

15           And if you look at 226, the last  
16 sentence, it steers you to other parts of the reg  
17 to say if you've got an appeal process with  
18 regards to inventory or whatever, this is -- that  
19 would be how -- it identifies or takes you to a  
20 reference in the reg on how that appeal process  
21 would work.

22           Flexible financing is really the last

1 part of Subpart C and in this area it pretty  
2 much, these Q and A's provide you with  
3 information on the use of flexible financing,  
4 that it is eligible, that you can secure funding  
5 for future projects and pay it back with your  
6 future TTP funds and how long -- how you can use  
7 the -- leverage your funds in paying back the  
8 loan and leverage your funds with other funds and  
9 your ability for the tribe to apply for a loan  
10 from the state infrastructure bank.

11 It also identifies that as long -- if  
12 you do have flexible financing and you're paying  
13 back a loan, it identifies that you have to show  
14 that loan payment in your future years or every  
15 year that you're making it, you have to identify  
16 that on the TIP, because, again, we're saying the  
17 only way you -- you can only spend -- or expend  
18 your TTP funds on activities and projects that  
19 are on an approved TIP. So say, you were paying  
20 back a loan \$250,000 a year for the next ten  
21 years, you would just identify a \$250,000 payback  
22 to the bank on your TIP and that's approved and

1 that whole process would be approved. So it just  
2 kind of describes how that infrastructure and --  
3 or not infrastructure, excuse me -- flexible  
4 financing process works.

5 So there is a lot of stuff that was in  
6 Subpart C that's no longer there. Some of the  
7 appendices that may have been referenced will be  
8 put on the BIA and Federal Highway website for  
9 reference purposes only for your use in the  
10 future, but it's not part of the reg anymore.

11 And that's really it with Subpart C.  
12 We've got some questions.

13 RAYMOND CONCHO: Raymond Concho, Jr.  
14 with Acoma Pueblo. C-O-N-C-H-O.

15 My question actually goes back --  
16 well, comment goes to the preamble section. The  
17 preamble section, there were several sites  
18 identified where tribal consultation is. But I  
19 mean, how -- we do understand yes, there's 566  
20 tribes, Alaskan villages, (indiscernible) in the  
21 country, but I needed to make it known for the  
22 record that for the Pueblo tribes in New Mexico,

1 the meeting scheduled this month was very bad  
2 timing. Primarily the thought would be the  
3 traditional form of government we have with the  
4 Pueblos. We have an appointment system and our  
5 leaderships were just recently appointed just a  
6 couple of weeks ago. So they're in a transition.  
7 So hopefully in the future, when future tribal  
8 consultation meetings are held that will be kept  
9 in mind.

10 And on that note too, there's a  
11 proposal that you can also do a -- I don't know  
12 if you want to call it a sub meeting, a tribal  
13 consultation where you meet with the Pueblo  
14 governors at their upcoming meeting it would be  
15 good if we could have you there and re-present  
16 this same information.

17 Thank you.

18 MR. SPARROW: Do you know the dates of  
19 that meeting?

20 RAYMOND CONCHO: No. I do not know  
21 the dates. As soon as we can find out, we'll let  
22 you know.

1 MR. SPARROW: Thank you, sir.

2 MR. CAULUM: Bob, can I briefly?

3 MR. SPARROW: Yes.

4 MR. CAULUM: As you all know, one of  
5 the things that's hard for us with the  
6 consultation sessions is that ultimately it's  
7 controlled and approved by the Assistant  
8 Secretary for Indian Affairs. So we understand  
9 that situation, certainly and you know, you may  
10 have noticed on our schedule we're going to  
11 Alaska in February.

12 That, as you might imagine, is  
13 probably somewhat of a challenging time for any  
14 of the tribes to get to Anchorage, but  
15 fortunately they have pretty advanced  
16 transportation up there nonetheless. But it's --  
17 it's always a challenge, that exact where we go.  
18 I mean, if you remember when we involved question  
19 ten, we did, what, ten sessions and then we added  
20 three in Alaska. Or no. We had 11 sessions and  
21 then added two more in Alaska, one in Nome and  
22 one in Bethel.

1           So it is always a challenge. And we  
2 appreciate that comment, Raymond, and we'll do  
3 what we can to do the presentation at those  
4 sessions, although in those situations with cost  
5 and things of that nature, we may not have it be  
6 a formal consultation in that instance.

7           ED GONZALES: Ed Gonzales with Santa  
8 Clara Pueblo. It occurs to me that these  
9 sessions have a variety of different issues and  
10 questions being presented at each of these  
11 sessions and I'm wondering as you proceed through  
12 all six or however many you have, at the end of  
13 those sessions these questions can be shared  
14 online so we can see the nature of some of the  
15 other issues that we may have missed; if that  
16 might be something that could be updated every  
17 time a session is done so that we can access that  
18 information.

19           MR. GISHI: Thank you. The intent is  
20 as we get the transcripts back from these  
21 meetings, and Andy mentioned that the purpose of  
22 spelling is sometimes people's names are spelled

1       incorrectly and we can help out with that. But  
2       generally, shortly after that we intend to get  
3       them online at some point.

4                 We have to, obviously, go through the  
5       approval of our leadership to be able to do that,  
6       like we did with these last meetings, but the  
7       idea is to -- as we do, we make them available  
8       online so that people can see what happened in  
9       Sacramento, and what's happening nuclear power --  
10      what are some of the comments that happened in  
11      Minneapolis, and as a whole.

12                And you're also welcome to at any time  
13      go on to the websites that are out there and  
14      we'll be posting the actual mail-in comments.  
15      There's many number of avenues that are out  
16      there. Sometimes we have tribes who actually  
17      include the hard copies of letters or resolutions  
18      to these meetings, those are scanned and included  
19      as part of the record also. So all those will be  
20      available and we'll keep everybody updated at  
21      those two websites, particularly the BIA  
22      transportation website that most of this

1 documentation has been.

2 The consultation website is not  
3 controlled by our office, but we can put the  
4 additional information. Like, we had some  
5 information the other day that we are providing  
6 that's not on the consultation website, it's not  
7 part of 25 CFR 170, but it is part of some of the  
8 presentation we had today that we wanted to get  
9 your comments on, so those will be there also.

10 Thank you.

11 MR. SPARROW: Yes, sir?

12 JONAH BEGAY: My name is Jonah Begay,  
13 Navajo DOT. Last name B-E-G-A-Y.

14 Navajo is in its second year of  
15 developing our own TTAP working with the BIA in  
16 the last couple of years -- last year -- this  
17 past years we have really drilled down on some of  
18 the numbers, construction year, beginning year,  
19 beginning date and how it's funded within five  
20 years. Our understanding is that financially  
21 constrained really means to have a beginning and  
22 ending date with funds available for those

1 constructions. And there's also an illustrative  
2 list, which could mean it could go beyond the  
3 funds that are available.

4           Could you please explain and -- or  
5 elaborate a little bit more on the financial  
6 constraint in the illustrative lists?

7           MR. SPARROW: The term financially  
8 constrained, I believe, is in the -- in Subpart A  
9 under the definitions, but pretty much what it  
10 means is when you're showing a project on a TIP,  
11 you've got to be able to show reasonably how you  
12 plan to build that or how you plan to fund that  
13 project.

14           In many cases, the funding goes out,  
15 but in an instance with Federal Highway TIP,  
16 there's a box up there that says we plan to apply  
17 for TIGER Grants or we plan to pursue this avenue  
18 with regards to funding mechanisms of how the  
19 project's going to be funded. That's really the  
20 primary purpose of financially constrained.

21           If you've got an -- you know, for  
22 example say you're a relatively small tribe and

1 your tribal shares are \$100,000 and you're  
2 proposing a \$10 million project on your TIP,  
3 you've got to show where you anticipate getting  
4 the funds to -- and not guaranteeing it, we know  
5 that, but you've got to identify how -- what  
6 source of funding you plan to pursue to get that  
7 project constructed.

8 That's really financially constrained  
9 in -- at the highest level. The starting and end  
10 dates are all kind of identified in the TIP.  
11 That's all part of the planning process. But  
12 from the eyes of Federal Highway, when you're  
13 talking about financially constrained, it's got  
14 to be reasonable of how you plan to construct  
15 this project and where you expect to get the  
16 money that you're going to be spending on that  
17 project. Okay?

18 Another question.

19 MICHAEL LOMAYAKTEWA: Michael  
20 Lomayaktewa, L-O-M-A-Y-A-K-T-E-W-A, Hopi Tribe.

21 The tribe, as you're aware, was  
22 awarded the TIGER Grant, which you hit on. The

1 TIP requirement I believe that we had a -- an  
2 application in process. Of course, now we have  
3 to award that. Would that be necessary to be  
4 included in the -- our tribal TIP as well as  
5 providing to the STIP?

6 MR. SPARROW: You should be  
7 probably -- you should be amending your existing  
8 TIP to show that project and any TTP finds that  
9 would go forward or you plan to be expending on  
10 that project, just as a simple amendment to your  
11 TIP so that it's updated. Because, potentially,  
12 the project is a regionally significant project.

13  
14 MICHAEL LOMAYAKTEWA: Second question.  
15 The tribe in its development do not have the  
16 facility, I know, transit wise for a structure, a  
17 facility. Now, is a multipurpose facility  
18 eligible under a TIP?

19 MR. SPARROW: Under the TTP program?

20 MICHAEL LOMAYAKTEWA: The TTP program.

21  
22 MR. SPARROW: Yes, it is.

1                   MICHAEL LOMAYAKTEWA: Thank you.

2                   MR. SPARROW: All right. It's 20  
3 minutes to 11:00. We're running a little bit  
4 behind schedule, but we'll catch up here. Can we  
5 try to get back here by 11 o'clock, LeRoy?

6                   MR. GISHI: Sounds good, 17 minutes.

7  
8                   MR. SPARROW: Yeah, 17 minutes. We'll  
9 start Subpart D at 11 o'clock. We probably will  
10 only go through D before lunch and then we'll  
11 come back after lunch and hit the remainder.  
12 When you get to the rest of the program, once you  
13 get past D we've done probably 70 or 80 percent  
14 of the reg and generally it goes quite quickly  
15 towards the end.

16                   So we'll see you back here at 11  
17 o'clock. Thank you.

18                   (Recess taken from 10:44 to 11:05  
19 a.m.)

20                   MR. KIPP: My name is Sheldon Kipp.  
21 I'm a supervisory highway engineer, Bureau of  
22 Indian Affairs Division of Transportation Central

1 Office and I'm going to be presenting the next  
2 section, Subpart D, planning design and  
3 construction of Tribal Transportation Program  
4 facilities. Basically, what I'll be doing is  
5 just reviewing the basic changes to some of the  
6 questions I'm asked pertaining to various  
7 subsections of Subpart D.

8 The first subsection has a series of  
9 questions that are basically related to  
10 transportation planning, 400, 401, 402, 403. A  
11 lot of them update the relationship of  
12 transportation planning. The new additions  
13 basically identify not only the BIA but FHWA  
14 involvement in the transportation planning  
15 process.

16 402, tribal list of planning  
17 activities to reflect program changes.

18 403 what funding -- what TTP funding  
19 can be used for planning.

20 404, 405 how a tribe can basically use  
21 their planning and what happens when you  
22 accomplish your transportation planning and you

1 still have transportation planning funds  
2 available. What do you do with them? That's  
3 question 404.

4 405, basically, identifies under what  
5 planning uses do you have available to you as far  
6 as utilization of the TTP funds for  
7 transportation planning.

8 410 and 411 defines the purpose of  
9 long-range transportation planning and what it  
10 should include. The majority of these questions  
11 I kind of went through so far, there's very  
12 little pertinent changes, I guess. There's a lot  
13 of adding of FHWA, there's a lot of reference to  
14 the TTP program now. But as we go through and  
15 identify what the long-range application plan and  
16 the TTPTIP, those types of items, there's a lot  
17 more "musts" and "shall," I guess, if you will.  
18 A lot of our requirements that identify what a  
19 tribe must do when performing some of these  
20 contractual items in the transportation plan  
21 process.

22 412 identifies how a tribe's LRTP are

1 developed and approved, updated to include the  
2 involvement of the Federal Highway program people  
3 in that process. If you include those tribes  
4 that have program agreements with the Secretary  
5 of Transportation.

6 413 identifies the public's role in  
7 developing the LRTP, it includes references to  
8 FHWA. Just a reminder that when you as a tribe,  
9 when you're developing your long-range  
10 transportation plan, that does require a certain  
11 involvement, public involvement. Public notices  
12 and those types of things, they must be out  
13 there.

14 The last few questions, 414 describes  
15 how the LRTP is used and updated.

16 415 adds project identification  
17 studies as a part of the overall planning  
18 process, for 415. you'll notice that the Federal  
19 Registry does not have 416, 417, 418, 419.

20 Question 420 defines the tribal  
21 priority list. No significant changes there, but  
22 just remember that the -- the Federal Register

1 has regulations that do require that you as a  
2 tribe do provide one of two documents, either the  
3 tribal transportation TIP or a tribal priority  
4 list. One of few instances where you see the  
5 regulation where I said a tribe shall or a tribe  
6 must do this. Tribal priority list, very  
7 important in the transportation planning process.

8  
9 The next Subpart -- the next section  
10 of this Subpart D, transportation improvement  
11 programs. Several questions there pertaining to  
12 the TIP.

13 421 updates the definition and the use  
14 of the TTPTIP to better align with planning  
15 requirements.

16 422, basically the same thing, but  
17 updates the definition and use of the Tribal  
18 Transportation Program TIP to better align with  
19 planning requirements. In reading these  
20 questions and understanding of these two  
21 questions you must kind of realize what we're  
22 talking about; tribal TIP, tribal transportation

1 program TIP.

2 423 updates the process of how  
3 projects are placed on the TTPTIP. Better  
4 alignment with planning and statutory  
5 requirements.

6 424 updates the public involvement  
7 process in the TTPTIP development. Again, it  
8 just reiterates that public involvement is  
9 required and the development of the long-range  
10 transportation plan is a requirement of  
11 developing the TTPTIP, the tribal TIP.

12 One note that was brought up earlier  
13 this morning in a previous presentation portion  
14 was the updates to the definition and the use of  
15 the TTIP to better align with planning  
16 requirements, 421. Somebody brought up the term  
17 financially constrained. 170.421 basically adds  
18 the reference to financially constrained. That  
19 term did not exist or does not exist in the  
20 existing regulations. But the term financially  
21 constrained is added to question 421. And for  
22 this particular question financially constrained

1 basically, for the purpose of this question,  
2 basically lets you outline your intended uses for  
3 your tribal share. If your tribal share is \$1  
4 million, the tribal TIP should be developed for  
5 approximately \$1 million. That's an  
6 identification of the funds that are being made  
7 available under the TTP program for this and  
8 three outlying years, basically a four-year TIP.  
9 But, again, just wanted to make sure that that is  
10 known that the term financially constrained is  
11 added to 421 and it does not exist in the  
12 existing regulations.

13 425 provides information on how the  
14 TTPTIP annual update is carried out.

15 426 updates how the TTP is approved.

16  
17 427 describes how a tribe can amend  
18 its TIP.

19 428 describes how a state will receive  
20 a TTPTIP.

21 One of the things here I'll just point  
22 out as a note on 427, that describes how a tribe

1 can amend its approved TIP. The proposed  
2 regulations basically say that in the same manner  
3 as involving the public in developing your long-  
4 range transportation plan, the same public  
5 involvement must be utilized in updating your  
6 TIP. It's not a process of just adding a project  
7 because the housing needs access because they're  
8 having some development. Some sort of public  
9 involvement must be involved in adding projects  
10 on a previously approved TIP.

11 The next series of questions pertains  
12 to public hearings. Update to reflect current  
13 actions and requirements. No significant changes  
14 between questions 435 to 441. But again, they  
15 see some of the semantics as far as adding FHWA  
16 as a partner for tribes in developing their long-  
17 range transportation, rolling off their long-  
18 range transportation plan, developing the TTIP,  
19 rolling off of TTIP; because as mentioned before,  
20 some of the tribes that have opted to enter into  
21 the program agreements with the Secretary of  
22 Transportation, Federal Highway is basically

1 there for -- as your primary contact on a  
2 day-to-day basis in learning your program.

3 TTP facility inventory. You'll notice  
4 that in one of the earlier presentations some of  
5 the new definitions for these performance regs.  
6 This happens to be one of them. TTP, facility.  
7 Basically that is a new term in the definition.  
8 So when you're reviewing these questions and  
9 collecting the comments on these, make sure you  
10 go back to the definitions and get a fairly good  
11 understanding of what a TTP facility inventory  
12 is, what does it define.

13 442 describes the NTTFI and what is  
14 included. Primarily what it does is it inserts  
15 the statutory language from that point on.

16 443 describes a proposed facility and  
17 includes the process and requirements to  
18 successfully include it into the NTTFI. Again,  
19 some of the previous presentations it was  
20 referenced that we had some consultation sessions  
21 on proposed access roads. We had some  
22 consultations on access roads. How do we handle

1 those when we add them to inventory? Because  
2 with the formula for the SAFETEA-LU, proposed  
3 roads and access roads have a significant impact  
4 on the result of earning the tribal share from  
5 one year to another; and that impacted the  
6 inventory, like I said. When we ran the formula  
7 from one fiscal year to the other, where the  
8 funding used to go was shifting quite a bit, to a  
9 point where it was quite -- it became quite an  
10 issue at the national level even for the  
11 Coordinating Committee to work with.

12 But, again, 443 is basically a new  
13 question. The question doesn't exist in the  
14 existing regulations. It does exist here in the  
15 proposed regulations, though. And there's a lot  
16 of identification of what documentation is needed  
17 for a proposed facility to be added to the  
18 inventory. It also identifies what requirements  
19 have to be created to justify a proposed road  
20 that is already in the inventory.

21 And again, that particular question,  
22 one of the requirements for proposed facilities

1 has to do with not only adding a road to the  
2 system, but justifying the proposed facilities  
3 that you already have in the inventory.

4 444 describes how the NTTFI is  
5 updated. As far as updating the inventory you  
6 were probably very familiar with the November 1st  
7 deadline, the March 15th deadline for updating  
8 the inventory. This particular question is  
9 updated not only to referencing the NTTFI as a  
10 new avenue for the inventory, but also basically  
11 expands on the previous question. There's a  
12 series of questions for how to add a new facility  
13 to the inventory. There's a series of questions  
14 and requirements on what you have to do when you  
15 update an existing facility. And there's also a  
16 small section in this question that basically  
17 identifies the appeal. You submit something, the  
18 answer is no, something is not needed, something  
19 needs additional clarification, it's not  
20 eligible. There is a small section in there that  
21 identifies who you appeal that to. And that is  
22 something new to this particular question.

1           445, 446, describes a strip map and  
2           minimum attachments required. 445 is basically a  
3           reiteration of what's in the existing regs  
4           pertaining to a strip map.

5           446 is basically a new question. It  
6           references the minimum attachments required used  
7           to identify, justify, and, basically identify  
8           what facility are you adding. Again, what we  
9           have seen here is for 446, the minimum  
10          attachments it is going to be varied, because  
11          like I said before, our inventory has expanded  
12          well beyond what a -- just a bridge. We have  
13          boardwalks, pier docks, barge docks. We have  
14          transit facilities such as a bus stop. Whether  
15          it's education or true transit oriented, we've  
16          added those facilities to the inventory. They  
17          need to be addressed and included in the  
18          inventory. So the minimum attachments, the  
19          question 446 is basically going to be a new one.

20  
21           The next series of questions pertain  
22          to the environmental and archeological

1 requirements.

2 450 identifies the TTP and  
3 environmental and archaeological requirements  
4 located on the BIA and FHWA websites. I believe  
5 earlier in the presentation earlier this morning  
6 a lot of the appendix that exist in the existing  
7 regulations have basically been removed from  
8 these regulations and are placed on the websites.  
9 So these lists of environmental laws, these lists  
10 of archaeological laws, manuals, and references  
11 to the CFR, they're basically existing on  
12 websites now. They are not a part of the  
13 regulation. But there are, I believe internet  
14 websites where you can access and it will take  
15 you to the appropriate information.

16 The next thing, the question pertains  
17 to the design, identifies the requirements of  
18 design standards and where they can be found.  
19 Also describes how the use of new design  
20 standards can be proposed, question 454.  
21 Basically a reiteration of what already is in the  
22 regulations. Not a lot of changes there.

1           455 clarifies what other factors  
2 influence projects' designs.

3           456, 457 states how the tribes can  
4 request design exceptions and appeal process if  
5 the request is denied. Those series of questions  
6 are basically a reiteration of what's already in  
7 the existing regs, but still should be reviewed  
8 and commented on if necessary.

9           The next series of questions review  
10 and approval of plans, specifications and  
11 estimates. I do have to make a historic note  
12 that every once in a while as we do our  
13 presentations on the TTP program at various  
14 venues, it's important to kind of have an idea of  
15 what plans, specs, and estimates versus the  
16 project packets are.

17           460, basically, defines that for us.  
18 It tells us what -- what consists of a project  
19 package, because there is a large difference  
20 between having a PS&E and having a project  
21 package. Going to questions 460, 461.

22           462 is, basically, not in the -- in

1 the regs. It has basically been removed from the  
2 proposed regulations, but 462 itself is  
3 integrated into 461. 461, 462 from the existing  
4 regs have been basically rolled into question  
5 461. And in reading the existing regs versus  
6 these proposed regs, the primary thing that the  
7 combining of those two questions does basically  
8 is eliminate the second level review process on  
9 the plans, the specs and the estimates.

10 Another important thing for a number  
11 of tribes who actually have program agreements,  
12 whether it's with Federal Highway or whether it's  
13 a UGG with the Bureau of Indian Affairs. The  
14 combining of 461 and 462 in the existing regs and  
15 the 461 here, basically, like I said before, the  
16 wording there it does eliminate the requirement  
17 of the second level review of the plan,  
18 specification and estimates.

19 463 identifies the actions to be taken  
20 if the Secretary identifies a design deficiency.

21  
22 Construction and construction

1 monitoring. 470 and 471 identifies the  
2 construction standards that must be used and how  
3 projects are to be administered.

4 472 clarifies what construction  
5 records must be kept and accessible for review on  
6 construction projects.

7 473 and 474 talk -- 474 is the  
8 boundary of what exactly exists in the proposed  
9 regs. Both of the questions provide information  
10 on when a project is considered complete. And  
11 474, how and by who a project closeout is  
12 conducted.

13 These series of questions we,  
14 basically, have not had a lot of issues raised I  
15 guess at the central office level pertaining to  
16 these. But one of the things that I kind of  
17 recommend that when you review, a lot of tribes  
18 are developing projects that are not disclosing  
19 roads and bridges. We have a lot of vertical  
20 construction pertaining to the building of a  
21 tribal administration building, transportation  
22 orientated. We have tribes building transit

1 buildings. We have tribes building transit bus  
2 stops; and that is historically not what the  
3 roads program used to be involved in. But we see  
4 a lot of that type of activity and eligible  
5 projects on TTIPs in the last probably three to  
6 five years. But when you're looking at the 470 I  
7 believe it is, for the construction standards, it  
8 does reference to what is nationally applicable.  
9 When you're building a road or you're building a  
10 bridge it's not a lot of electrical work, but  
11 when you decide to build a vertical construction  
12 building supporting your transportation program,  
13 that is going to be something that you have to, a  
14 rule that you have to basically overcome somehow.

15  
16 Management systems. In general  
17 program reviews were removed from this section,  
18 as this work is now included in the National  
19 Business Plan.

20 The question that does remain in 502  
21 identifies the requirements for national  
22 management systems and also as well as what funds

1 a tribe can use if it is desired to have its own  
2 management systems. This question is pertinent  
3 to a majority of tribes, because you are running  
4 the program. In running the program how are you  
5 managing the personnel? How are you managing  
6 your clients, how are you managing your  
7 activities?

8 Management systems must be in place to  
9 be able to track your people, their salaries,  
10 their costs, procurements that you enter into on  
11 the program. And that's basically what this  
12 question is there for.

13 The last section for the series of  
14 questions for Subpart D pertains to the Bridge  
15 Program.

16 510 to 514 identifies the TTP Bridge  
17 Program as a source of funding for bridge work  
18 where additional regulations can be found, how  
19 funds are made available to tribes and also  
20 updates the bridge inspection requirements that  
21 have been set in place by MAP-21. The TTP Bridge  
22 Program basically, I believe officially is called

1 the Tribal Transportation Facility Bridge  
2 Program.

3 23 CFR 661. These series of questions  
4 pertain to the Tribal Transportation Facility  
5 Bridge Program, which used to be called the IRR  
6 Bridge Program. But again, those particular  
7 regulations do not reside in the 25 CFR, they  
8 reside in the 23 CFR, but these questions  
9 basically identify that. And at some point in  
10 time those regulations will probably be updated  
11 to reflect at least the name change from the IRR  
12 Bridge Program to the Tribal Transportation  
13 Facility Bridge Program.

14 The last part of Subpart D, appendices  
15 A and B to Subpart D have been removed. That  
16 information can be found on the BIA and FHWA  
17 websites. And as far as Subpart D, I've  
18 basically gone through the presentation for  
19 reviewing some of the questions for Subpart D and  
20 some of the primary changes in these questions.

21 So at this point in time I believe  
22 we're ready for if there's any questions on any

1 of those parts.

2 MR. GISHI: If there aren't any other  
3 questions, we'd like to take a break for lunch  
4 and start back up at 1:00. There are --  
5 downstairs at the reception desk they have --  
6 they can tell you places to eat and around there.  
7 Most of you who come here are probably familiar  
8 with that more than others. Of course, there are  
9 a couple of places within a couple blocks, a  
10 short drive and walking distance. If you have  
11 more specific questions or you're looking for a  
12 specific menu, go ask the person at the reception  
13 desk and they'll be able to help you.

14 I want to thank you for your attention  
15 this morning and we will start back up at one  
16 o'clock. Thank you.

17 (Recess was taken from 11:30 a.m. to  
18 1:01 p.m.)

19 MR. CAULUM: We'll reconvene the  
20 consultation session; and it's just after one  
21 o'clock.

22 My name is Andy Caulum. Again, I'm

1 going to present the very short part, Subpart E,  
2 which involves service delivery for the Tribal  
3 Transportation Program.

4 Section 170.600 has changed to -- it  
5 was updated to reflect how tribes are notified of  
6 annual funding amounts as well as the time frame  
7 by which those funds must be made available to  
8 the tribes.

9 And section 170.602 identifies that  
10 under existing statutes, no additional funding is  
11 available to tribes for unforeseen construction  
12 costs.

13 Under miscellaneous, we have 170.605,  
14 which was changed to describe when force account  
15 methods may be used in the Tribal Transportation  
16 Program.

17 And I have a quick question for the  
18 attendees here. How many tribes here use force  
19 account for the work that they do? Meaning do  
20 you have your own roads department people who do  
21 work (indiscernible)? Okay. Only a few. All  
22 right. That is something that we hope will

1 continue to grow, though, over time.

2 170.606 identifies the legislation and  
3 procurement requirements of the Tribal  
4 Transportation Program. There's no significant  
5 changes there. I just wanted to make sure that  
6 we had those -- the legislation and the procuring  
7 requirements identified. The Federal Register  
8 didn't ding us on this, even though we were  
9 referencing other legislation and rules, so  
10 hopefully they will not bother that in the final  
11 version.

12 170.607 to 609 describes use of funds  
13 for contract support costs and start-up  
14 activities.

15 Where is the --

16 MR. GISHI: It's right here, sir.

17 MR. CAULUM: Oh, all right. It is.

18 We lost our PowerPoint.

19 Subpart E continued, contracts and  
20 agreements.

21 170.610 has been revised. Identifies  
22 the functions that tribes may assume in their

1 agreements with BIA and Federal Highway.

2 611 identifies the special provisions  
3 that to self-determination contracts. There  
4 weren't any significant changes there, but we  
5 would just like to highlight that.

6 612 describes that non-contractible  
7 activities are funded out of the funds identified  
8 in 23 U.S.C. 202(a)(6), which is the program  
9 management and oversight funds, and can be used  
10 only by BIA and Federal Highway and identifies  
11 the PM&O activities or eligible activities can be  
12 found in the appendix to Subpart E.

13 614 was updated to reflect that a  
14 tribe may receive partial funding as that funding  
15 becomes available to Federal Highway and BIA.  
16 Unfortunately, as you know with the continuing  
17 resolution process, we only can make the amount  
18 of funding available as commensurate with ACR.  
19 So now we have until May 31st and then hopefully,  
20 we'll be able to go to the rest -- to the end of  
21 the year after May 31st, for example.

22 615 to 618 identifies the availability

1 of advanced payments, receiving additional funds  
2 if they become available to the TTP on a  
3 nationwide basis, contingencies and savings to  
4 align with new statutes.

5 And you may see references throughout  
6 the NPRM to other appropriate agreements. And  
7 that is a little different from the current Rule;  
8 and that is intended to capture the BIA G2G  
9 agreements and also we have -- we have references  
10 in the interim to program agreements as a -- sort  
11 of as a generic, and that also involves the  
12 Federal Highway agreement as well as the BIA G2G  
13 or program agreement.

14 Any questions on this area?

15 Yes, sir? Can you identify yourself?

16 STEVE DEAN: Steve Dean. Shoshone  
17 Paiute tribe.

18 Just a point of clarification I  
19 suppose in all of this discussion. Where you  
20 make reference to BIA and FHWH, shouldn't that  
21 mean BIA and/or FHWA, or is this specific to both  
22 agencies on these where it states that?

1 MR. CAULUM: With such --

2 STEVE DEAN: Well, if you look at,  
3 like 610 up there at the top --

4 MR. CAULUM: Okay.

5 STEVE DEAN: -- toward the end it says  
6 agreements with BIA and FHWA. I just wanted to  
7 clarify --

8 MR. CAULUM: Okay.

9 STEVE DEAN: -- that it doesn't  
10 necessarily mean both agencies in all instances?

11

12 MR. CAULUM: No. Not all agent --  
13 both agencies in all instances.

14 STEVE DEAN: Okay.

15 MR. CAULUM: That is actually a good  
16 catch. We'll look at that.

17 Anybody else?

18 All right. That was pretty simple and  
19 straightforward. And I'll turn it over to -- I'm  
20 sorry. I have to do F.

21 MR. GISHI: You're on a roll.

22 MR. CAULUM: What's that?

1 MR. GISHI: You're on a roll. Keep  
2 going.

3 MR. CAULUM: All right. I'll go to  
4 Subpart F. I'm sorry, there was a little bit  
5 more on Subpart E. That's right; there's two  
6 sides.

7 All right. 619, contracts agreements  
8 identified. And 619 identifies when tribal  
9 preference and Indian preference apply to the  
10 Tribal Transportation Program. No changes other  
11 than program agreements added as a reference.

12 620 clarifies that reimbursable or  
13 other agreements with state or local governments  
14 for a Tribal Transportation Program may include  
15 ISDAs in preference provisions.

16 And then 621, no significant changes,  
17 other than to add the BIA and Federal Highway TTP  
18 agreements.

19 And then Subpart E, contracts and  
20 agreements.

21 622, no significant changes.

22 623 and 25 we didn't change anything,

1 other than just for clarification purposes.

2 And then 626 how a tribe can request  
3 a waiver of a regulation.

4 The appendix lists the non-contractual  
5 activities. There weren't any significant  
6 changes there.

7 One thing, briefly, in the contracts  
8 and agreements area, I want to run back one  
9 slide. We -- I think a couple tribes here have  
10 done agreements with states. We used to call  
11 them Section 132 agreements. We now -- because  
12 of a provision that was changed in MAP-21, we now  
13 refer to it as 202(a)(9). What that effectively  
14 allows is for a tribe and the state or local  
15 government to enter into an agreement that allows  
16 the state to take its highway funds and transfer  
17 those funds back up through either Federal  
18 Highway or BIA and have those funds then come  
19 back down to the tribe through your program  
20 agreements.

21 You still have to have sort of a side  
22 agreement that explains, you know, what you're

1 doing, what the funds were intended for and  
2 any -- any other additional information that's  
3 required. There are -- we've developed what's  
4 become kind of a model now for that.

5           And what the purpose of this is that,  
6 say that there's a county road or a state road  
7 that goes through tribal land and the tribe and  
8 the state are able to work out an arrangement  
9 where the tribe can take on, say, reconstruction  
10 of that road. And in those situations, then the  
11 state can enter into an agreement with the tribe  
12 to have the state funds transferred back out to  
13 Federal Highway or BIA and have them come back  
14 down to the tribes so the tribe can carry on with  
15 the project, even though it's a state owned road  
16 or a county owned road. You're doing the work on  
17 a private -- on the tribe's land. And that's  
18 something we would encourage you to see if you  
19 can work out and we're happy to help you do that.  
20 It's an opportunity to cooperate. We think that  
21 can be -- and a number of tribes have done it and  
22 it's been very successful.

1                   STEVE TIPTON: Steve Tipton,  
2 T-I-P-T-O-N with the Tohono O'odham Nation.

3                   The question I have and I know this  
4 went back to the question ten issue for the  
5 southern area. But my question is if you have a  
6 state route that's not in the BIA inventory, but  
7 it goes right through the tribes, the  
8 reservation, and they would like to do some  
9 improvements on the improvements that the state  
10 has made, can you use any of the tribal  
11 transportation funds to assist in doing that?

12                  MR. CAULUM: Well, fundamentally, as  
13 you know, if you're going to expend the Federal  
14 Highway trust funds, or Tribal Transportation  
15 Funds, the route has to be on the tribe's Tribal  
16 Transportation Inventory.

17                  STEVE TIPTON: Okay.

18                  MR. CAULUM: And if you have any  
19 issues with working with the state to try to put  
20 that on the inventory, we're, obviously, happy to  
21 help if that happens. I don't know if the state  
22 has to agree to allow the route to go on Indian

1 land.

2 JONAH BEGAY: Well, my question was  
3 kind of similar to what he asked.

4 MR. CAULUM: I'm sorry. Could you  
5 identify yourself please?

6 JONAH BEGAY: Jonah Begay.

7 MR. CAULUM: Very good.

8 JONAH BEGAY: I was going to ask, but  
9 his question was kind of my question also. In a  
10 case where state money is going to go to the BIA  
11 or Federal Highway to the tribe, does that  
12 project need to be on tribal's inventory and also  
13 on tribal's priority, like on a TTIP?

14 MR. CAULUM: I'm going to -- I mean,  
15 fundamentally that still has to meet the  
16 requirements of the program if the money's coming  
17 back through and it's being credited to the  
18 Tribal Transportation Program funds of the tribe.  
19 The purpose of the use of the funds, all right,  
20 so in this case -- we'll say in our example it's  
21 a reconstructed state road. All right? The  
22 tribe has to use the funds consistent with that

1 purpose for eligible activities, but they can be  
2 credited to the tribe's Tribal Transportation  
3 Program.

4 Our view, I think, has been -- well,  
5 not I think, I know it's been, that the road has  
6 to be on the inventory of the tribe as well.

7 Does that answer your question?

8 JONAH BEGAY: Yes.

9 MR. CAULUM: Okay.

10 All right. Oh, I'm sorry.

11 MARVIN MULL: Marvin Mull from the San  
12 Carlos Apache Tribe.

13 Can you explain a little bit more on  
14 the 619?

15 MR. CAULUM: 619? Identifies when  
16 tribal preference and Indian preference apply to  
17 the Tribal Transportation Program. That involves  
18 situations where -- especially involving the  
19 self-determination as well as other Indian  
20 preference laws and rules and identifies when  
21 those collide with the Tribal Transportation  
22 Agreement.

1           For example, in a situation where  
2 maybe there's a competitive bid situation, if  
3 there's a TERO -- the tribe has a TERO ordinance  
4 and a qualified, tribally owned, or, you know,  
5 Native American owned company puts in a bid and  
6 it's within the limitations in the TERO  
7 ordinance, then perhaps that -- that work can go  
8 to the native owned business or the tribally  
9 owned business, as opposed to the lowest bidder.  
10 So that is just as an example.

11           MS. PHILBIN: Vivian Philbin, Federal  
12 Highway.

13           I just wanted to expand a little,  
14 because the question typically doesn't come up on  
15 Indian preference and tribal preference. For the  
16 TTP program with the tribe's tribal shares  
17 preference absolutely is applicable under -- it  
18 applies under 25 U.S.C. 450 E. But where the  
19 confusion sometimes comes in is on federal aid  
20 state projects, which many of you have state  
21 projects that are on or near your tribal lands or  
22 reservations. And in those cases with state

1 funds individual Indian employment preference is  
2 permissible. It's not required, but tribal  
3 preference is not. So it would -- any Indian and  
4 we know enrollment isn't even part of the  
5 discussion in this area -- is eligible for any  
6 type of individual Indian employment preference,  
7 but not tribal preference.

8 But for the TTP program, then there is  
9 tribal preference.

10 MR. CAULUM: Any other questions on  
11 Subpart E? Going once. Going twice. You can  
12 still ask questions if they occur to you later  
13 on.

14 Subpart F, program oversight and  
15 accountability.

16 Section 170.700 describes what the TTP  
17 stewardship plan and National Business Plan is.  
18 And some of you who have may have attend --  
19 especially the ones who may have attended the  
20 recent meetings of the Tribal Transportation  
21 Program Coordinating Committee or perhaps  
22 listened in or viewed the hearing that the Senate

1 Committee on Indian Affairs had regarding the  
2 Tribal Transportation Program last spring I  
3 believe it was. The National Business Plan is  
4 something that's in development and we were  
5 hoping that we will have a draft or final of it,  
6 Bob? For the National Business Plan?

7 MR. SPARROW: It's a draft.

8 MR. CAULUM: A draft of the National  
9 Business Plan.

10 MR. SPARROW: The final draft.

11 MR. CAULUM: The final draft of the  
12 National Business Plan will be available for  
13 review we're hoping by the time the Tribal  
14 Transportation Program Coordinating Committee  
15 meets next. So right now it's scheduled for  
16 either late February or possibly in early March  
17 some time.

18 The final location of that meeting we  
19 have not yet determined, but it's tentatively  
20 scheduled to be held in Phoenix. That has to be  
21 approved by the Assistant Secretary's Office and  
22 higher-ups beyond the Assistant Secretary's

1 Office before we can make a formal announcement  
2 of the dates and specific location of the  
3 meeting.

4 170.701 clarifies that tribal BIA  
5 memorandum of understanding may be used to  
6 identify work that the BIA will carry out at the  
7 tribe's request. This is related to direct  
8 service in particular. It clarifies that -- that  
9 it's not a requirement, but I think that it's  
10 something that I believe most of the regions that  
11 do direct service for tribes use, so that  
12 everybody is clear as to what the tribe's  
13 priorities are for a particular fiscal year and  
14 that the regional road engineer's office  
15 understands those and within the financial  
16 constraints the tribes share they've agreed on  
17 what work's going to be done in that coming year  
18 or a couple of years out.

19 170.702 identifies that the  
20 Secretaries review and monitor the performance of  
21 all Tribal Transportation Program activities.

22 170.703 and 704 describes what program

1 reviews the Secretaries conduct and how  
2 improvements are identified and acted on. That  
3 relates to in particular the advent of the -- of  
4 the program agreements and you can still do  
5 program reviews for tribes that are using  
6 self-determination agreements.

7 But in particular with the program  
8 agreements, because they have a -- because the  
9 way that they work is a little bit more like a  
10 self-governance tribe operates their programs  
11 overall, the opportunity to do program reviews  
12 with tribes is helpful for our -- to carry out  
13 our program management and oversight  
14 responsibilities, but also how improvements are  
15 identified and acted on. There is -- within a  
16 certain period of time after the program review  
17 at the tribe's offices, you'll get a letter or  
18 other information from the Regional Office or the  
19 Federal Highway office that conducted the review,  
20 describing what things they may have found that  
21 they think could be improved on and hopefully  
22 setting up a further discussion so that you

1 guys -- so that the tribe and the BIA or the  
2 Federal Highway can continue to improve the way  
3 that the tribe is carrying out the program.

4 Are there any questions on Subpart F?

5 All right. Who's next? Mr. Gishi.

6 MR. GISHI: Thank you.

7 Subpart G. If you're familiar with  
8 Subpart G and where all of the negotiations were  
9 going in terms of the process in 2004, there was  
10 a lot of information that was provided for  
11 information purposes. This one in particular,  
12 the tribes wanted a little bit more information  
13 regarding sort of the relationship between DOI  
14 appropriations in particular, the Highway Trust  
15 Funds and the -- I apologize. I thought it was a  
16 continuation of the previous presentation.

17 And how the relationship between  
18 Highway Trust Funds and the appropriated funds  
19 under the DOI TPA program. So there was -- there  
20 was graphs, tables that kind of related to that,  
21 explained that.

22 When we went forward and sent this

1 material to the -- to those outside of Indian  
2 Affairs and consequently to OMB, they came back  
3 and said you need to remove references to the BIA  
4 Road Maintenance Program and focus strictly on  
5 the maintenance activities and the functions  
6 associated with the TTP program.

7 Now, most of you are familiar that the  
8 TTP program, the eligible activities that are  
9 associated with the assets that are part of the  
10 TTP is the National Tribal Transportation  
11 Facility Inventory, which basically includes BIA  
12 roads, tribal roads, the roads of local  
13 governments, state governments, and so forth,  
14 which are eligible to receive funds in terms of a  
15 TIP, long-range plan, and so forth. So from that  
16 standpoint these activities do still cover to an  
17 extent the BIA rules in terms of maintaining  
18 them.

19 And in reference to the Road  
20 Maintenance Program here, as we get further on  
21 we'll cite where information will be located  
22 relative to a lot of the information that is

1 necessary that you may be looking for. Certainly  
2 there are a few people that may be looking for it  
3 in terms of implementation of the program as it  
4 relates to maintaining of roads under the NTTFI.

5  
6 So 170.800 primarily describes the --  
7 the funding available for maintenance for -- from  
8 MAP-21. And, as I mentioned before, the big  
9 change there was, of course 25 percent of TTP  
10 funds or \$500,000, the greater -- whichever is  
11 greater. The funds can only be used to maintain  
12 public facilities included on the NTTFI.

13 Again, answering some of the questions  
14 that folks have for if they're going to utilize  
15 the funds. And it's pretty much across the board  
16 on any of the programs that we have with --  
17 particularly if it applies to TTP program, the  
18 program itself, that they have to be on the  
19 national inventory.

20 Road sealings. Again, is still an  
21 activity that is excluded from this 25 percent or  
22 500,000, just as it was in SAFETEA-LU and

1 actually when it was first established under  
2 ISTEA in '91 when the provision came by that said  
3 that road maintenance -- excuse me, road sealing  
4 could be performed using the Highway Trust funds.  
5 That's continued to be the case. It does not  
6 count against the 25 percent or the 500,000. So  
7 in other words you may have -- may be doing road  
8 sealing projects and in addition to that you can  
9 continue to consider the 25 percent or 500,000  
10 for road maintenance purposes.

11 It also talks about -- a little bit  
12 more in that section about the responsibility  
13 that the Secretary still has in insuring that  
14 there is a budget being available as it was  
15 established in SAFETEA-LU that the Secretary is  
16 still responsible for making sure that there's an  
17 annual funding request for BIA roads, that  
18 there's an appropriation there and also that, of  
19 course, the Secretary of Interior has still  
20 primary responsibility for requesting those  
21 funds. So it talks a little bit from a funding  
22 perspective in there.

1           801 clarifies that the funds cannot  
2 be -- that are used for maintenance cannot be  
3 used for improvement. This is consistent with  
4 the policy and procedures that has existed  
5 throughout all of the federal aid side and  
6 through the years. And that is, these funds, if  
7 it's maintenance you maintain it according to  
8 maintaining the roadway template. It is not an  
9 improvement program. It is not a program which  
10 we call it a heavy maintenance project and we go  
11 and we resurface it or widen it or replace a  
12 structure on it because we say it's maintenance.  
13 It's very clear on the activities that are out  
14 there as to what maintenance is.

15           802 verifies that tribes can carry out  
16 maintenance activities, essentially the  
17 authorities that tribes have under the law to  
18 choose if they choose to participate in the  
19 programs, functions, services and activities and  
20 notification of the federal government that they  
21 want to perform that work and the mechanisms that  
22 are available are what we've talked about: 638

1 contracts under Subpart J Title 4, self-  
2 governance agreements, the programmatic  
3 agreements under Federal Highways, and the TTP  
4 agreements under the Bureau of Indian Affairs.

5 803 identifies what standards, that  
6 the facilities must be maintained, and it  
7 actually references a -- the websites where this  
8 information will be made available. Again, when  
9 it talks about from that -- in that context, as  
10 we get into the next section, we'll talk about  
11 standards that can be used. And these are all  
12 areas that will apply. And it will state there  
13 also what kind of standards are acceptable in  
14 terms of road maintenance activities.

15 804 describes the actions that may be  
16 taken if maintenance funding is deemed  
17 inadequate. And really what this is saying is  
18 that if the road is not being maintained, then if  
19 it is a BIA road, because it is an eligible  
20 activity under BIA road, then notification needs  
21 to be made to the Secretary, through the region  
22 directors, through the agency, eventually to the

1 Secretary of the Interior that roads are not  
2 being maintained, or are inadequately maintained  
3 or are not maintained at all.

4 It also refers that if there are roads  
5 which are roads that are the responsibility of  
6 other public authorities, state and local  
7 governments and so forth, and tribal governments,  
8 then the notification needs to be made to Federal  
9 Highways. And Federal Highways will then in some  
10 cases make notification of those folks and in  
11 particularly the state DOTs if those roads are  
12 not being maintained.

13 And, of course, section 316 of Title  
14 23 is the section that basically says that very  
15 thing: that if roads aren't being maintained then  
16 the Secretary needs to be notified of those  
17 things, and the possible consequences of not  
18 doing that. So it's something to be aware of,  
19 the connection there.

20 170.805 identifies the BIA and FHWA  
21 websites where tribes can find the list of  
22 eligible maintenance activities. I'm not sure if

1 that's the one that talks about it. We just  
2 covered that. Sorry. And it refers to  
3 standards.

4 There are standards that are  
5 applicable or can be considered, including those  
6 which are tribal standards, state and local  
7 government standards, particularly if you're  
8 working in cooperation with these governments to  
9 maintain roads and you have a consistent way of  
10 doing that. Those are eligible. You just have  
11 to make sure that you make them known, identify  
12 them, and make them part of the negotiations that  
13 you have with the contract, within the contract  
14 itself. So that's important to be able to  
15 include that in.

16 Any questions on Subpart G, road  
17 maintenance? We've got a question back there,  
18 sir. Thank you.

19 JONAH BEGAY: Jonah Begay, Navajo DOT.  
20

21 I believe the current definition of  
22 road maintenance is not in law by the

1 regulations. Can the tribes provide comments on  
2 those, the definitions? Like, right now I think  
3 the definition of road maintenance is from ditch  
4 line to ditch line. And a lot of times on Navajo  
5 there are a lot of dirt roads that our road  
6 maintenance guys maintain. And sometimes they  
7 really can't fix a road without going beyond the  
8 ditch line. So can I provide my comments for  
9 redefining some of those definitions?

10 MR. GISHI: Certainly, that's --  
11 obviously, in making comments regarding the road  
12 maintenance definition and maybe requesting  
13 specific information to that. When we're talking  
14 about road maintenance and if there are standards  
15 out there -- and I know what you're referring to.  
16 There are certain entities that require, based on  
17 their own procedures, as to what they consider  
18 work that has to be performed. And it's  
19 important to note that those entities, whether  
20 within a tribal organization or a state and local  
21 government where you may be doing the work in  
22 those areas, you still need to be sure you comply

1 with that. So it varies, I'm sure, even  
2 within -- on the reservation, just within the  
3 jurisdictions that are there as to what the  
4 limits of road maintenance that can occur.  
5 Keeping in mind that the overall bottom line is  
6 that it's not an improvement and there may be in  
7 some cases a requirement to do that.

8 And keep in mind that we also have  
9 different rules for the TTP program with regard  
10 to something as -- like road sealing also, which  
11 I know a lot of state entities and other public  
12 authorities consider road sealing as a  
13 maintenance activity strictly and not a  
14 construction activity. And we kind of refer to  
15 it as a construction activity for purposes of the  
16 funds used only. Obviously, the procedures are  
17 pretty much the same or are consistent in all  
18 those areas. But you're certainly welcome to  
19 provide that as a comment. Thank you.

20 Any other questions? Thank you.

21 Excuse me. We've got a mic coming right here.

22 KATHY TRUJILLO: Yes. I'm Kathy

1 Trujillo, T-R-U-J-I-L-L-O. I'm with Pueblo  
2 Isleta.

3 With regards to road sealing, I  
4 understand that those activities are not subject  
5 to the 500,000 or 25 percent limitation. So what  
6 is considered sealing? Is -- are pot sealing and  
7 crack sealing included in this definition? So  
8 what this means then is that pot sealing and  
9 crack sealing can come out of the TTP budget  
10 beyond the 500,000?

11 MR. GISHI: But what are you doing the  
12 crack sealing for? If you're doing just crack  
13 sealing in preparation -- just for maintenance  
14 purposes --

15 KATHY TRUJILLO: Correct.

16 MR. GISHI: -- that's certainly  
17 different than if you're doing crack sealing in  
18 preparation that you're going to come and do a  
19 chip seal in the spring. Then from that  
20 standpoint you can include that in as part of a  
21 project. And we did that with a lot of Recovery  
22 Act projects as the way it was defined. So some

1 of that stuff is -- if it's a maintenance  
2 activity that you would normally perform under  
3 maintenance as a stand-alone activity, it's got  
4 to be maintenance.

5 KATHY TRUJILLO: Okay. So we can  
6 only -- it would only apply if we were crack  
7 sealed in the spring and then you were going to  
8 come back and do a thin overlay; you could call  
9 that all one project and then utilize money  
10 beyond the 500,000?

11 MR. GISHI: Yes.

12 KATHY TRUJILLO: Okay.

13 MR. GISHI: Yes. And there's various  
14 levels at which you would involve your PS&Es in  
15 the project itself to do that. If you're doing  
16 other things, you -- you know, that's -- that's  
17 part of those costs of preparation for a  
18 construction phase or whatever it is that's  
19 identified.

20 KATHY TRUJILLO: Right. Okay. Thank  
21 you.

22 MR. KIPP: Sheldon Kipp, BIA Division

1 of Transportation. Just want to expand to the  
2 answer to that is that once you create a chip  
3 seal project, it actually becomes a project.

4 So therefore the plan, specification,  
5 estimates, all of the applicable permits apply.

6 You can't just treat a chip and seal as a  
7 maintenance activity without a set of plans,  
8 because a chip COI could become a project on your  
9 TTIP. And therefore all the -- it's treated just  
10 like any other set of plans. So you've got to be  
11 able to distinguish. I think that's what LeRoy  
12 was trying to identify between performing a  
13 maintenance activity and actually creating a TTP  
14 project. Because there's a lot of documentation  
15 when you create a chip seal and you make it a  
16 pro -- a construction project on your TIP, all of  
17 that comes into play.

18 KATHY TRUJILLO: Would it be okay to  
19 utilize a state price agreement to perform a chip  
20 seal project if the tribal allows it?

21 MR. KIPP: Say that again.

22 KATHY TRUJILLO: Would it be okay to

1 use a state DOT price agreement for a chip seal  
2 or -- for a chip seal project?

3 MR. GISHI: For establishing,  
4 essentially, what Sheldon was talking about?

5 KATHY TRUJILLO: Uh-huh.

6 MR. GISHI: Yes. Resources that are  
7 available to generate applicable, the air  
8 conditions, the materials are locally found,  
9 everything is consistent, absolutely.

10 KATHY TRUJILLO: Right. And it was  
11 already, you know, competitively bid, so. But  
12 there wouldn't be a plan set then for that  
13 incidence. If you use a state price agreement,  
14 you wouldn't have a plan set for that project?

15 MR. GISHI: You wouldn't have a what,  
16 a price?

17 KATHY TRUJILLO: A plan set. You  
18 know, a construction set of plans.

19 MR. GISHI: Oh, okay.

20 KATHY TRUJILLO: Yeah.

21 MR. GISHI: Well, no, you still would  
22 have to come up with that. You could utilize

1 basically, those of you who have done the chip  
2 seals, you know, you're not looking at 30 or 40  
3 sheets here, you're looking at basically a couple  
4 of standard details that you may have utilized.

5 And the idea is the civil is  
6 identifying it is a project identified on there  
7 as a road sealing project and you can include all  
8 those elements that you need to do to move it  
9 forward. Kind of like a safety project, if you  
10 were looking at a safety project with replacing  
11 signs. You know, you would have to have  
12 something that would describe your costs, your  
13 associated -- what you're going to be looking at  
14 doing, because ultimately from the standpoint  
15 of -- of public accountability, you have  
16 something to be able to document that process.

17 KATHY TRUJILLO: Right. Okay.

18 MR. GISHI: Any other questions on  
19 road maintenance? Gentleman in the back.

20 MICHAEL LOMAYAKTEWA: Michael  
21 Lomayaktewa, L-O-M-A-Y-A-K-T-E-W-A.

22 How would it relate to say a fee MOB,

1 or an annual project where it calls for continual  
2 damages to the area where there's a need for  
3 betterment of that particular area? And I know  
4 you would need to go back and have to provide an  
5 update to all of the or make a change to that  
6 section of the MOB, so what does it mean as far  
7 as that event and others certain requirements of  
8 having to -- having it be defined as an  
9 improvement?

10 MR. GISHI: Right. And the mistake in  
11 there is if you're looking at an IRFO (phonetic)  
12 funded project where you have a disaster that  
13 occurs and you have a site location that has been  
14 approved, if you have certain things that you've  
15 done from a maintenance perspective, temporary,  
16 from a maintenance to keep the road open for that  
17 purpose, obviously part of the process is making  
18 sure that you document those and that's an  
19 eligible activity, but it's not -- it isn't  
20 considered part of the permanent repairs.

21 When you get to the permanent repairs,  
22 they're looking at betterments. If there's

1 things that you do, you still have to get those  
2 approvals. And if it is, for instance raising  
3 the grade, if it's widening the road, or if it's  
4 replacing one structure with another structure,  
5 that's still considered construction. It's not  
6 road maintenance. You have to go into that realm  
7 and provide all of -- make sure that you're  
8 complying with all those.

9           It's important to note also,  
10 particularly with tribes, that even within your  
11 road maintenance activities, there are certain  
12 things that you need to continue to check with  
13 the tribal offices that are there, in terms of  
14 making sure you get their approvals for any type  
15 of clearances from an environmental perspective  
16 and a cultural and historic preservation  
17 perspective, because some of these things are  
18 still very sensitive. They may need to be aware  
19 of them, but from the standpoint of the general  
20 road maintenance that you're continuing to do,  
21 that you do on a routine basis day in and day  
22 out, those are activities which you probably have

1 already cleared, those are those areas we're  
2 talking about in terms of this road maintenance,  
3 the 25 percent and the 500,000. Okay? Any more  
4 for G?

5 Okay. Let's go to H. H,  
6 miscellaneous provisions.

7 Previously to this we had in H  
8 established it as a location that we put a lot of  
9 the miscellaneous things in there that didn't  
10 really either carry a specific reference in the  
11 statute, but in -- but which tribes were very  
12 curious and wanted to make sure that they  
13 included in there so they'd know where to go to,  
14 at least references to who they could talk to or  
15 citation in law that they could refer to if they  
16 needed help in this manner. Hazardous and  
17 nuclear waste, the transportation of hazardous  
18 and nuclear waste is one of them.

19 Emergency relief, which is what's  
20 being referred to. Emergency relief, not only  
21 for federal roads, but also under the state  
22 program. All of those, of course are not funded

1 out of the TTP. And so for that reason we were  
2 asked by the folks that manage these kind of  
3 things to remove them, so we removed those  
4 sections from here. But we do continue to  
5 include reporting requirements about Indian  
6 preference.

7 There's a section in here that really  
8 gets to the point of describing how the BIA and  
9 the FHWA provide information to tribes upon  
10 request and within reasonable time. Any of that  
11 information, primarily from the standpoint of  
12 trying to make sure that information exchange is  
13 available, that projects are -- or that the  
14 questions that they have regarding the program  
15 itself is made available.

16 911 through 917 talks about  
17 information on Indian preference and employment.  
18 There's no significant changes in this, other  
19 than sections that were updated to reflect the  
20 current statutory reference and program  
21 references that are there. That's what Andy,  
22 basically, covered and Vivian had some comments

1 on also.

2 918 describes the Secretaries'  
3 collection of data on the Tribal Transportation  
4 Program. Primarily in that area, I want to make  
5 sure what applies to the Secretaries' collection  
6 of data on the TTP. What applies to that? And  
7 primarily that there's a couple of elements of  
8 information.

9 There is a portion of the preamble  
10 that Andy talked about this morning that talks  
11 about information collection. The burden on the  
12 public to collect information. Now, this is sort  
13 of referencing portions of those. There are  
14 certain programs and activities where the  
15 government is asking for data from the public, in  
16 this case the tribes.

17 Take a look at that section of the  
18 preamble and it talks about the approximate  
19 burden on the public to provide this information  
20 and what it's going to cost to be able to do  
21 that; and you're welcome to make comments on that  
22 to see if it's -- the analysis, the discussion is

1 applicable. And it's important to note that we  
2 said the comment date on the regulations itself  
3 is March the 20th, 2015. The comment period and  
4 the location where to send the comments for the  
5 information collection, if you'll look at the  
6 first couple of pages of the NPRM publication,  
7 are in a different location. They're not at the  
8 same website and they have different dates.  
9 They're much earlier than March 20th. So please  
10 keep that in mind.

11           And all the this is basically saying  
12 is that the -- the basic information that we need  
13 to collect to be able to implement and function  
14 as a program from BIA and Federal Highway's  
15 perspective is the inventory, the condition  
16 information of roads, and, of course the big one  
17 in there that's coming out is the bridge  
18 inspection and inventory data associated with a  
19 big part of what we're seeing out there in the  
20 changing world. And Bob will talk a little bit  
21 about where the regulations and the new  
22 provisions in Title 23 under MAP-21 are going

1 with the bridge inspection program.

2 So that covers that in 918.

3 Let's see if it screams at me again.

4  
5 Okay. The tribal transportation  
6 departments. No significant changes were there.  
7 A big part of the rulemaking process back in 2004  
8 was prior to this, everything that was being  
9 contracted or agreements that were being made  
10 with tribes was on a project by project basis.  
11 And there was a lot of misunderstanding and  
12 really the tribes were saying we need -- we  
13 operate as transportation departments. We need  
14 to be able have that kind of status or there  
15 needs to be something in the Rule that provides  
16 us the ability to operate and notice our rules  
17 and responsibilities that are associated with  
18 that. And that's what 930 through 933 are.

19 Resolving disputes. This outlines in  
20 the 934 and 935 alternative dispute resolution  
21 procedures that are available. There's no major  
22 changes in this from the regulation that's

1 existing, except for inclusion in this  
2 alternative dispute resolution process the  
3 program reg agreements with Federal Highways and  
4 the -- the TTP agreement process.

5 941, 42, and 43 talk about other  
6 miscellaneous provisions about what's eligible in  
7 terms of transportation research as an eligible  
8 activity and kind of where funds can be -- at  
9 least what kind of funds can be utilized for  
10 that. There's no significant changes there.

11 And the last one is, describes the  
12 Tribal High Priority Projects Program is not part  
13 of the TTP; and that information can be found on  
14 the BIA FHWA website. Essentially, we do have --  
15 the program is defined in MAP-21, but it is not  
16 funded through the TTP program. But obviously,  
17 it's something that I've made reference to, in  
18 terms of the programs being available and the  
19 information being available on it. I thought  
20 we'd have one more slide that has questions.

21 That concludes -- excuse me. Up to  
22 this point sections Subpart A through H. As you

1 can see the NPRM that we had back in 2003 I think  
2 was 83 pages long; and this is much different.  
3 It's much shorter, simply because the for  
4 information only portions were taken out. A lot  
5 of it, again, has been updated to reflect the  
6 changes in the law, and the different changes in  
7 how programs are being perceived, not just in the  
8 transportation world but across the board at DOI  
9 and DOT also.

10 Are there any questions on not just G  
11 and H, but any of the other -- if there are other  
12 topics that you may have thought about during  
13 lunch and you had a good lunch and we got you to  
14 thinking about something you wanted to bring up,  
15 this is the time to bring it up

16 Yes, we've got a question over here.

17  
18 MISTY KLANN: My name is Misty Klann,  
19 D-A-Y. That's not funny. All right. K-L-A-N-N.  
20 I work for the Ak-Chin Indian Community and I was  
21 wondering, your reference to agreement 20289  
22 where you stated that the tribe and the state can

1 transfer state funds to BIA or FHWA so that the  
2 tribe can utilize it. Does that same agreement  
3 also apply in a reverse direction, where the  
4 tribe sends their TTP funds to the BIA or FHWA to  
5 give to the state to help in, you know, a  
6 partnership type event? Is that -- is that the  
7 same agreement or is that, that's utilized or is  
8 that just the other way around?

9 MR. GISHI: Two things there. One of  
10 them, important to note is, is that for this  
11 particular purpose, the agreement that we're  
12 talking about, no, it is not. But there are  
13 provisions as you -- if you look back in that  
14 same section it says can the tribe establish an  
15 agreement with an MOU with BIA to identify what  
16 rules or responsibilities are being carried on  
17 its behalf? That is where something like this  
18 would be identified, because the funds would then  
19 be transferred from Federal Highways to BIA and  
20 then on to the state through some sort of  
21 agreement.

22 There are visions which the tribe

1       could become a party to that agreement to  
2       whatever extent they wanted to.  So there's some  
3       flexibility there.  There's not -- there's not a  
4       one size fits all.  A lot of times it takes just  
5       sitting down and discussing and talking about  
6       those things, but we have done that; and actually  
7       we were doing that a lot of times well before we  
8       developed these other type of agreements in the  
9       program.

10                 Andy, did you have something to add?

11                 MR. CAULUM:  Yeah.  Just one brief  
12       follow-up to that.  The reason why these -- we  
13       previously referred to as section 132, because it  
14       was 23 U.S.C. 132 that allowed -- well, we  
15       interpreted it as allowing agreements that I  
16       described, where the state would transfer its  
17       funds back up to Federal Highway, over to BIA and  
18       down.  And now it's under 23 U.S.C. 202(a)(9).

19                 The reason why that -- that structure  
20       is a little different than what LeRoy just  
21       described and what your question is, is that  
22       states typic -- states do not have the ability to

1 just give a check to a tribe.

2 So in effect what they're trying to do  
3 is they're -- they're sending back up what is --  
4 it's cash running (indiscernible) to the state,  
5 right? Is that how it works on your end? So  
6 they're sending what amounts to their cash back  
7 to Federal Highway that -- and we're sent back  
8 the contract authority? It stays as cash. But  
9 the key is -- one of the things that states would  
10 run into is that if they wanted to -- to -- you  
11 know, they have their own bidding process that's  
12 overseen very carefully by, you know, not only  
13 the state inspectors, but also Federal Highway.

14 And what happened would be -- this was  
15 an issue with a tribe in northern Minnesota,  
16 where normally a project would be done by private  
17 entities as any other project in the state,  
18 right? Whereas if they want to work with the  
19 tribe it's a little bit of -- it's a different  
20 situation and they're not putting it out for bid,  
21 the state's agreeing with the tribe on this is  
22 what it's going to cost and then the tribe is

1 going to administer the project, in some cases  
2 carry out some or all of the work itself. So  
3 that -- so that's why we developed that process  
4 using 23 U.S.C. 132 and now this 202(a)(9) thing.

5  
6 So, I mean, to be really blunt, so  
7 that states could find a way to get the money  
8 back down to the tribes so they don't have to go  
9 through the competitive bidding process that they  
10 would normally do for those kinds of projects.

11 What you're describing too is a  
12 situation -- we call them cooperative agreements,  
13 but in effect what they are is reimbursable  
14 agreements, that if a tribe does  
15 self-determination contracting, so the program  
16 agreement, any -- and they can do this in direct  
17 service, where BIA would work with the tribe to  
18 enter into an agreement with the local government  
19 where, say, a portion of their tribal  
20 transportation funds would be dedicated for a  
21 paving project or something like that, but the  
22 county would be the one that's carrying it out,

1 maybe in cooperation with the tribe.

2 We call them cooperative agreements.

3 But they don't have -- they don't fall into  
4 what's called the Grants and Cooperative  
5 Agreements Act. They're really in effect  
6 reimbursable agreements, but because it's your  
7 government to government situation, we don't like  
8 calling them a reimbursable agreement, because  
9 that makes it sound like basically the tribe is  
10 sort of subordinate to the county or other local  
11 government. And that's not something we want to  
12 foster by any stretch of the imagination. It's  
13 usually not a good thing politically for tribes,  
14 either.

15 MS. PHILBIN: I just wanted to add to  
16 that.

17 MR. CAULUM: Hold on, we've got a --

18 MS. PHILBIN: The question was -- I  
19 don't speak as fast as my colleagues -- can I try  
20 to enter into a partnership with the state using  
21 TTP funds; is that correct? And the answer would  
22 be yes, as long as the project -- as long as it's

1 an eligible activity.

2 So could they use the TTP funds for  
3 something other than an eligible activity like a  
4 hotel or something? No. But for an eligible  
5 activity and then the project would have to be on  
6 the TIP, the answer would be yes. And that is  
7 not going to be a problem -- we have many --  
8 particularly in Oklahoma there's a lot of  
9 partnerships between tribes, counties, the state.  
10 And in other parts of the country as well.

11 The problem we have had, which  
12 Mr. Caulum just addressed, was getting state  
13 funds, chapter one appropriate -- excuse me,  
14 appropriated funds that are given to the state  
15 and given directly to a tribe, which we've had  
16 some difficulties in the past without the BIA  
17 undertaking oversight and administration of the  
18 project. And we have a new provision in MAP-21,  
19 which Mr. Sparrow is also going to address, which  
20 makes that a lot easier.

21 MISTY KLANN: And just to follow up on  
22 that -- this is Misty Klann again.

1           On the process where the state sends  
2           the funds today to FHWA and then to the tribe,  
3           did I hear you correctly that those funds are  
4           considered, like, a supplement to the Tribal  
5           Transportation Program so therefore it must be on  
6           the tribal transportation improvement program and  
7           therefore the national inventory?

8           MR. SPARROW: Yes.

9           MISTY KLANN: Okay.

10          MR. SPARROW: Yes.

11          MISTY KLANN: And then my last  
12          question is, I know that there was a report out  
13          on the Tribal Transportation Program for a review  
14          or whatever it was to, you know, make  
15          recommendations to improve the program or to find  
16          some deficiencies or to find some, you know,  
17          things that are going well. Anyway, it was kind  
18          of like an overall -- the evaluation of the  
19          program. And I was wondering in a general sense  
20          how those recommendations have been incorporated  
21          into or if they have been at all incorporated  
22          into this new Rule or the updated Rule?

1           MR. SPARROW: We have -- this is Bob  
2 Sparrow. There were seven recommen -- and remind  
3 me here. There were seven recommendations that  
4 came out of the OIG review of the TTP program at  
5 Federal Highway. And we have incorporated those  
6 things like the National Business Plan and the  
7 other things that affect that operation of the  
8 program from a national perspective, those  
9 recommendations have been incorporated into the  
10 update of the 25 CFR Part 170.

11           MR. GISHI: Getting the reg out.

12           MR. SPARROW: Getting the reg out is  
13 one of those recommendations, actually, as LeRoy  
14 just reminded me. The database.

15           But we also -- excuse me. We also  
16 have to develop, like, better databases within  
17 Federal Highway. That's -- there were some  
18 internal things that we needed to do and clarify  
19 that are not part of the Rule, they are just  
20 internal processes. So where appropriate those  
21 have affected the program from a national  
22 perspective and how the tribes and the BIA and

1 the Federal Highway would carry out the program.  
2 Those are referenced in the update.

3 RANDY BROWN: Randy Brown,  
4 transportation planner and technician for the Nez  
5 Perce Tribe.

6 I just want to say that the Nez Perce  
7 Tribe so far as the TTUC as a tribal resolution.  
8 We are one of many tribes who came together to  
9 look at travel needs and concerns and the areas  
10 that are working. At this time I would like to  
11 submit a document of the TTUC. Upon your review  
12 you will notice the portions that are particular  
13 to 25 C Part 170.

14 Also in addition I would like to  
15 invite tribes, federal partners, and  
16 representatives to the TTUC meeting that's  
17 scheduled on February 29th located in the same  
18 facility, the Capital Hilton in DC, as NCAI.  
19 This meeting is to discuss the success and the  
20 relevance in Indian country. And last, the Nez  
21 Perce Tribe will be responding and submitting  
22 written documentation for this 25 CFR Part 170

1 before the deadline.

2 MR. GISHI: Thank you very much. And  
3 we'll have those scanned and have them also  
4 included to the court reporter so they have that  
5 on the record.

6 STEVE TIPTON: Steve Tipton, Tohono  
7 O'odham Nation.

8 I just -- it's a question of  
9 clarification on a previous statement about the  
10 state coordinating with the tribe. That kind of  
11 sounds like a question I had before, but the  
12 project between the state or the local government  
13 and the tribe still has to be on the BIA  
14 inventory for the tribe; is that correct?

15 MR. GISHI: If you're utilizing TTP  
16 program funds, yes.

17 STEVE TIPTON: Okay.

18 MR. SPARROW: Sheldon, another  
19 question, please.

20 KEVIN TURNER: It's Kevin Turner with  
21 Hualapai.

22 Under 170. -- sorry. 170.917 it says

1 "Tribes may consider requesting direct payment of  
2 tribal employment taxes or fees from other  
3 transportation departments in lieu of receiving  
4 their payment from the contractor." Who are  
5 these other transportation departments?

6 MR. GISHI: I'll let Vivian Philbin  
7 answer that.

8 MS. PHILBIN: Hello. Vivian Philbin.

9 Well, typically, let's just give the  
10 example of a federal aid project. We have  
11 consistently said at the Federal Highway  
12 Administration since 1987, that the payment of  
13 federal fees is an allowable cost. That is that  
14 if you need help with the contract. And as I've  
15 said there's no set amount of money. So we all  
16 know that any extra taxes at any level increases  
17 the cost of the project. So that can be built in  
18 as the model of the cost. So a contractor --  
19 which section are you referring to, sir?

20 KEVIN TURNER: 170.917.

21 MS. PHILBIN: Just one minute, please.  
22

1 KEVIN TURNER: Okay.

2 MS. PHILBIN: Yeah, that would be the  
3 tax. That would be no more fee that would be  
4 built into the contract. That would be paid  
5 directly to the tribe. Does that answer your  
6 question?

7 KEVIN TURNER: No, it doesn't. Who is  
8 the other transportation departments that this  
9 revenue is coming from?

10 MS. PHILBIN: It's not coming -- the  
11 revenue is not coming from any -- there is no  
12 separate pot for this revenue. It's a cost built  
13 into the contract.

14 KEVIN TURNER: If the contract isn't  
15 paying it, who's going to pay it? That's what  
16 this is saying.

17 MS. PHILBIN: Well, that's a matter of  
18 us negotiating when the contract is made. Okay?

19 I mean, I don't know what else to say. You have  
20 a contract. There's costs. And if they're not  
21 being paid, then it's a matter of contract  
22 administration.

1 MR. GISHI: Any other questions?

2 KATHERINE TRUJILLO: Yes. This is  
3 Katherine Trujillo, T-R-U-J-I-L-L-O. I  
4 understand that purchasing equipment with TTP  
5 funds requires prior approval from the BIA  
6 REGIONAL OFFICE, but in terms of leasing or  
7 renting equipment using TTP funding, does that  
8 also require prior approval or -- and does that  
9 have to be in the -- in the plan, in the TIP?  
10 Renting or leasing equipment.

11 MR. SPARROW: The purchase of the  
12 equipment -- why did you walk away from me?

13 MR. GISHI: Excuse me.

14 MR. SPARROW: -- for construction. If  
15 you're wanting to purchase construction equipment  
16 versus leasing or renting the equipment, you need  
17 to do a cost-benefit analysis and provide that  
18 either to the BIA or the Federal Highway for  
19 approval to purchase that equipment.

20 If you're just leasing the equipment,  
21 you don't need to have approval. That -- if  
22 you're -- again, when it comes to identifying

1 funds, the expenditure of any TTP funds has to be  
2 on an approved TIP, so you've got to make sure  
3 that you've got that money identified, you know,  
4 on a TIP. You know, everything has to be shown  
5 where you plan to expend it.

6 KATHERINE TRUJILLO: Okay.

7 MR. GISHI: And if your question was  
8 can it be included in your project development?  
9 Yes, it can, but you have to be able to identify  
10 this part of that process.

11 And a lot of it also deals with the  
12 type of agreement you have. It's very different  
13 when you're dealing with an awarding official  
14 under your Subpart J contract as opposed to a  
15 programmatic agreement under Federal Highways or  
16 OSG or even the BIA TTP agreement, because in  
17 those areas primarily, they're basically saying  
18 you know exactly what you need to do and you're  
19 functioning as a transportation program official  
20 and those things you know. Whereas on 638 Title  
21 1 you may have to provide a lot more  
22 documentation to identify what that is. So it

1 all depends on the type of agreement also.

2 Another question up here.

3 PAUL WARD: My name is Paul Ward with  
4 Fort McDowell Yavapai Nation.

5 I've noticed a reference to the TTP  
6 coding guide; and I tried to find a copy of that  
7 on the web and all I'm finding is the 2004 IRR.  
8 Does that mean I've got (indiscernible)? I'm  
9 just wondering, is there a more recent version?

10 MR. GISHI: The version that we have  
11 currently is that one. It's just a matter of  
12 transitioning all of that to the process of the  
13 IRR. If you notice a lot of our software still  
14 refers to IRR, which we're in the process of --  
15 of transferring over to that. Thank you.

16 MR. SPARROW: Any other questions on,  
17 actually, all of the Subparts A through H? If  
18 not I certain -- on behalf of the federal  
19 administrations here I want to thank you for  
20 taking the time to come here for the formal  
21 consultation session, which at the time is --  
22 will end. And the next section we'll go to is

1 sort of an update, as we talked about on our  
2 agenda. So I want to thank you and encourage you  
3 that if you have comments to please make them  
4 available through those avenues that are  
5 identified. Have a safe trip home. And, again,  
6 thank you for your attendance here.

7 We'll take a ten-minute break and then  
8 we'll come back and I'll provide an update on the  
9 TTP program.

10 (The session ended at 2:07 p.m.)  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

<b>A</b>	
<b>\$1</b> 88:3,5	124:22 128:4 134:11
<b>\$10</b> 80:2	134:22 137:14
<b>\$100,000</b> 80:1	<b>activity</b> 13:17 35:15
<b>\$13</b> 9:7 12:7	36:20 43:2,3,5 44:6
<b>\$14</b> 9:8	98:4 120:21 123:20
<b>\$250,000</b> 72:20,21	127:13,14,15 129:2,3
<b>\$450</b> 63:11	130:7,13 133:19
<b>\$500,000</b> 44:5 120:10	140:8 147:1,3,5
<b>A's</b> 72:2	<b>actual</b> 77:14
<b>a.m</b> 1:6 3:2 82:19	<b>add</b> 91:1 92:12 107:17
101:17	143:10 146:15
<b>A/B/C(A-201)</b> 1:10	<b>added</b> 25:7 32:11 49:19
<b>ability</b> 54:22 72:9	53:13 54:5 58:21
139:16 143:22	75:19,21 87:21 88:11
<b>able</b> 6:4,5 7:12 9:6 27:8	91:17 93:16 107:11
30:14 33:14 45:1	<b>adding</b> 84:13 89:6,9,15
46:22 53:4,9 56:12	92:1 93:8
57:4 77:5 79:11 99:9	<b>addition</b> 9:19 32:1,15
101:13 104:20 109:8	66:6,15 121:8 150:14
125:14 130:11 132:16	<b>additional</b> 11:22 13:20
137:20 138:13 139:14	57:9 78:4 92:19 99:18
155:9	102:10 105:1 109:2
<b>absolutely</b> 113:17	<b>additions</b> 83:12
131:9	<b>address</b> 17:7,22 26:15
<b>acceptable</b> 123:13	34:4 147:19
<b>access</b> 25:7,15,22	<b>addressed</b> 35:3 48:20
26:14 34:9,9 35:21	93:17 147:12
46:20 47:2,14 49:15	<b>addresses</b> 34:3 46:14
49:22 76:17 89:7	<b>adds</b> 46:16 85:16 87:17
90:21,22 91:3 94:14	<b>adjourn</b> 8:4,5
<b>accessible</b> 97:5	<b>adjustment</b> 62:18
<b>accompanied</b> 59:1	<b>adjustments</b> 21:22
<b>accomplish</b> 83:22	<b>administer</b> 145:1
<b>account</b> 102:14,19	<b>administered</b> 97:3
<b>accountability</b> 114:15	<b>administration</b> 1:14
132:15	2:17 3:7 11:7,9,11
<b>accurate</b> 18:17	31:17 32:5,10 40:19
<b>Acoma</b> 73:14	40:19 57:17 97:21
<b>ACR</b> 104:18	147:17 152:12 153:22
<b>acronyms</b> 3:21	<b>administrations</b> 11:5
<b>Act</b> 8:17 17:19 32:18	156:19
128:22 146:5	<b>adopted</b> 50:11
<b>acted</b> 117:2,15	<b>advanced</b> 75:15 105:1
<b>action</b> 11:12 13:14	<b>advantage</b> 9:6
28:16	<b>advent</b> 117:3
<b>actions</b> 89:13 96:19	<b>affairs</b> 1:1,20 2:2,7 16:4
123:15	28:13,15 66:11 75:8
<b>activities</b> 10:4 12:21	82:22 96:13 115:1
13:3 35:11,12,19 36:5	119:2 123:4
36:7 40:12 41:20 42:7	<b>affect</b> 21:21 149:7
42:15 43:2 46:9 51:13	<b>agencies</b> 105:22
51:14,18 54:1 59:4	106:10,13
67:3,5 72:18 83:17	<b>agency</b> 31:15,21 123:22
99:7 103:14 104:7,11	<b>agenda</b> 7:9,17 24:15
104:11 108:5 112:1	27:7 157:2
116:21 119:5,8,16	<b>agent</b> 106:12
122:13,16,19 123:14	<b>ago</b> 21:12 25:2 74:6
	<b>agree</b> 19:17 110:22
	<b>agreed</b> 116:16
	<b>agreeing</b> 144:21
	<b>agreement</b> 20:7,9,9,10
	21:5 60:2,17,20,21
	105:12,13 108:15,22
	109:11 112:22 130:19
	131:1,13 140:4
	141:21 142:2,7,11,15
	142:21 143:1 145:16
	145:18 146:8 155:12
	155:15,16 156:1
	<b>agreements</b> 9:15 21:5
	30:2,3,4 32:2,4,12,12
	32:15 33:2,3,5,6,7,19
	36:10,14 40:10 49:19
	53:8 60:18 85:4 89:21
	96:11 103:20 104:1
	105:6,9,10 106:6
	107:7,11,13,18,20
	108:8,10,11,20 117:4
	117:6,8 123:2,3,4
	139:9 140:3 143:8,15
	145:12,14 146:2,5,6
	<b>ahead</b> 10:22 52:3
	<b>aid</b> 13:18 53:3 113:19
	122:5 152:10
	<b>air</b> 131:7
	<b>airport</b> 49:17,22,22
	<b>Ak-Chin</b> 141:20
	<b>Alaska</b> 56:10 75:11,20
	75:21
	<b>Alaskan</b> 73:20
	<b>Albuquerque</b> 2:10
	<b>alert</b> 25:18
	<b>align</b> 86:14,18 87:15
	105:4
	<b>alignment</b> 87:4
	<b>allocation</b> 37:4
	<b>allow</b> 33:14 53:9 56:4
	110:22
	<b>allowable</b> 152:13
	<b>allowed</b> 10:2,11 22:2
	42:1 143:14
	<b>allowing</b> 143:15
	<b>allows</b> 32:14 56:5
	108:14,15 130:20
	<b>alluded</b> 25:2
	<b>alternate</b> 53:19 55:16
	56:13,14
	<b>alternative</b> 139:20
	140:2
	<b>amend</b> 88:17 89:1
	<b>amending</b> 81:7
	<b>amendment</b> 81:10
	<b>American</b> 113:5
	<b>amount</b> 10:7 12:20 63:9
	104:17 152:15
	<b>amounts</b> 102:6 144:6
	<b>analysis</b> 46:2 59:2
	137:22 154:17
	<b>Anchorage</b> 15:6 27:1
	27:12 75:14
	<b>and/or</b> 105:21
	<b>Andrew</b> 2:1
	<b>Andrew.caulum@sol...</b>
	2:3
	<b>Andy</b> 7:19 29:7 30:13
	33:6 53:5,7 58:2 61:4
	61:5 76:21 101:22
	136:21 137:10 143:10
	<b>announcement</b> 116:1
	<b>announcing</b> 61:8
	<b>annual</b> 88:14 102:6
	121:17 133:1
	<b>answer</b> 92:18 112:7
	130:2 146:21 147:6
	152:7 153:5
	<b>answering</b> 120:13
	<b>answers</b> 6:5,6
	<b>anticipate</b> 80:3
	<b>Anybody</b> 29:1 106:17
	<b>anymore</b> 66:21 73:10
	<b>Anyway</b> 148:17
	<b>Apache</b> 112:12
	<b>apologize</b> 69:12 118:15
	<b>apparent</b> 48:18
	<b>appeal</b> 70:13,22 71:2,9
	71:12,17,20 92:17,21
	95:4
	<b>appealed</b> 71:9
	<b>appeals</b> 70:13,15
	<b>APPEARANCES</b> 1:11
	<b>Appel</b> 28:14,22
	<b>appendices</b> 24:1 73:7
	100:14
	<b>appendix</b> 42:12,13
	58:11 67:4 94:6
	104:12 108:4
	<b>applicability</b> 30:7
	<b>applicable</b> 98:8 113:17
	125:5 130:5 131:7
	138:1
	<b>application</b> 30:7 81:2
	84:15
	<b>applies</b> 113:18 120:17
	137:5,6
	<b>apply</b> 72:9 79:16 107:9
	112:16 123:12 129:6
	130:5 142:3
	<b>appointed</b> 48:11 55:13
	74:5
	<b>appointment</b> 74:4
	<b>appreciate</b> 6:14 54:11
	61:3,15 76:2
	<b>approaching</b> 11:6
	<b>appropriate</b> 30:3 32:12
	33:5,7 53:8 94:15
	105:6 147:13 149:20
	<b>appropriated</b> 118:18

147:14  
**appropriation** 121:18  
**appropriations** 118:14  
**approval** 57:1 69:2 77:5  
 95:10 154:5,8,19,21  
**approvals** 45:3 134:2  
 134:14  
**approve** 10:11 69:8,20  
**approved** 14:7,9 18:5  
 21:18 43:7 45:6,9  
 67:6 68:16,19 69:5,10  
 70:9 72:19,22 73:1  
 75:7 85:1 88:15 89:1  
 89:10 115:21 133:14  
 155:2  
**approving** 45:19  
**approximate** 137:18  
**approximately** 88:5  
**April** 15:4  
**archaeological** 94:3,10  
**archeological** 93:22  
**area** 72:1 105:14 108:8  
 110:5 114:5 133:2,3  
 137:4  
**areas** 21:20,20 29:20  
 30:9 33:20 36:19 41:5  
 48:19 49:1,2 50:14,22  
 51:1 53:15,20 58:5  
 123:12 126:22 127:18  
 135:1 150:9 155:17  
**Arizona** 1:10  
**arm** 57:16  
**arrangement** 109:8  
**aside** 51:11  
**asides** 37:22  
**asked** 58:4 83:6 111:3  
 136:2  
**asking** 137:15  
**asleep** 7:15  
**aspects** 48:17 71:12  
**assets** 119:9  
**assigned** 28:21  
**assist** 110:11  
**Assistance** 32:17 57:6  
**Assistant** 2:15 16:6  
 28:17 75:7 115:21,22  
**associated** 38:15 41:21  
 45:9 46:15 47:22 52:4  
 54:1 62:17 119:6,9  
 132:13 138:18 139:17  
**assume** 103:22  
**assure** 27:3  
**attachments** 93:2,6,10  
 93:18  
**attend** 114:18  
**attendance** 157:6  
**attended** 114:19  
**attendees** 102:18  
**attention** 55:6 61:16

101:14  
**August** 43:14  
**authorities** 55:11 56:17  
 122:17 124:6 127:12  
**authority** 13:17 36:12  
 56:15 144:8  
**authorized** 10:17 63:11  
**availability** 51:22  
 104:22  
**available** 13:2 21:8,9  
 24:2 25:1 30:18 33:12  
 47:5 51:13 52:16 62:7  
 65:19 67:10,12,13,14  
 77:7,20 78:22 79:3  
 84:2,5 88:7 99:19  
 102:7,11 104:15,18  
 105:2 115:12 120:7  
 121:14 122:22 123:8  
 131:7 136:13,15  
 139:21 140:18,19  
 157:4  
**avenue** 1:9,15 2:18  
 79:17 92:10  
**avenues** 77:15 157:4  
**award** 81:3  
**awarded** 80:22  
**awarding** 155:13  
**aware** 15:17 33:9 40:5  
 80:21 124:18 134:18

---

**B**


---

**B** 58:11 59:14 100:15  
**B-E-G-A-Y** 78:13  
**back** 8:6,15 15:3 29:8  
 41:1,8,22 46:22 58:6  
 58:13 59:14 62:10  
 70:20 72:5,7,13,20  
 73:15 76:20 82:5,11  
 82:16 90:10 101:4,15  
 108:8,17,19 109:12  
 109:13 110:4 111:17  
 119:2 125:17 129:8  
 132:19 133:4 139:7  
 141:1 142:13 143:17  
 144:3,6,7 145:8 157:8  
**background** 24:7  
**bad** 74:1  
**bank** 72:10,22  
**barge** 93:13  
**based** 45:20 47:5  
 126:16  
**basic** 83:5 138:12  
**basically** 6:1 30:21  
 32:14 34:4 38:8,14  
 40:8 42:3 44:5,18  
 45:11 46:6 50:6 51:9  
 55:9,21 63:4 83:4,9  
 83:13,20 84:4 86:16  
 87:17 88:1,2,8 89:2

89:22 90:7 91:12  
 92:10,16 93:2,5,7,19  
 94:7,11,21 95:6,17,22  
 96:1,4,7,15 97:14  
 98:14 99:11,22 100:9  
 100:18 119:11 124:14  
 132:1,3 136:22  
 138:11 146:9 155:17  
**basis** 45:19 90:2 105:3  
 134:21 139:10  
**becoming** 53:17  
**began** 14:2  
**Begay** 78:12,12 111:2,6  
 111:6,8 112:8 125:19  
 125:19  
**beginning** 78:18,19,21  
**behalf** 142:17 156:18  
**believe** 6:19 23:11  
 41:18 43:22 79:8 81:1  
 94:4,13 98:7 99:22  
 100:21 115:3 116:10  
 125:21  
**benefits** 33:16 39:9  
**Bethel** 75:22  
**better** 86:14,18 87:3,15  
 149:16  
**betterment** 133:3  
**betterments** 133:22  
**beyond** 79:2 93:12  
 115:22 126:7 128:10  
 129:10  
**BIA** 4:4,7 10:4,8,21 14:1  
 15:11 20:6 24:3 25:5  
 25:12,12 29:5 40:10  
 45:4,6 60:21 67:12  
 69:1 73:8 77:21 78:15  
 83:13 94:4 100:16  
 104:1,10,15 105:8,12  
 105:20,21 106:6  
 107:17 108:18 109:13  
 110:6 111:10 116:4,6  
 118:1 119:3,11,17  
 121:17 123:19,20  
 124:20 129:22 136:8  
 138:14 140:14 142:1  
 142:4,15,19 143:17  
 145:17 147:16 149:22  
 151:13 154:5,18  
 155:16  
**BIA's** 27:16 28:12  
**BIA-2014-0005** 28:21  
**bid** 113:2,5 131:11  
 144:20  
**bidder** 113:9  
**bidding** 144:11 145:9  
**big** 26:7 29:13 30:8  
 34:8,19 37:10 39:6  
 44:8 50:1,2 52:9  
 55:14 120:8 138:16

138:19 139:7  
**biggest** 12:9  
**bill** 8:9,16 9:11 10:19  
 11:18,21 63:21 64:1  
**birth** 9:1  
**bit** 36:17 37:9 39:13  
 46:7 53:14,22 79:5  
 82:3 91:8 107:4  
 112:13 117:9 118:12  
 121:11,21 138:20  
 144:19  
**blanks** 4:6  
**BLM** 69:19  
**blocks** 101:9  
**blunt** 145:6  
**board** 49:1 52:21  
 120:15 141:8  
**boardwalks** 93:13  
**Bob** 3:4 5:13 17:8,15  
 18:14 19:13 29:7 30:5  
 31:13 37:8 38:16 53:6  
 75:2 115:6 138:20  
 149:1  
**body** 39:16  
**boss** 16:5  
**bother** 103:10  
**bottom** 127:5  
**boundary** 97:8  
**box** 79:16  
**break** 61:19 62:4 101:3  
 157:7  
**Brian** 59:16,16,19,19  
 60:7,9,13 61:2  
**bridge** 9:5 10:15 38:19  
 63:13 93:12 98:10  
 99:14,16,17,20,21  
 100:1,5,6,12,13  
 138:17 139:1  
**bridges** 97:19  
**brief** 143:11  
**briefly** 75:2 108:7  
**bring** 31:8 38:9 141:14  
 141:15  
**bringing** 4:17 61:15  
**brings** 56:11  
**broad** 24:19  
**broader** 56:5  
**brought** 11:22 50:11  
 55:6 87:12,16  
**Brown** 150:3,3  
**budget** 121:14 128:9  
**build** 79:12 98:11  
**building** 23:7 97:20,21  
 97:22 98:1,9,9,12  
**buildings** 98:1  
**built** 50:21 51:5,6  
 152:17 153:4,12  
**burden** 137:11,19  
**Bureau** 1:1,8,20 2:7

66:10 68:22 82:21  
96:13 123:4  
**buried** 41:17  
**bus** 93:14 98:1  
**business** 98:19 113:8,9  
114:17 115:3,6,9,12  
149:6  
**buy** 44:15  
**buying** 46:6

---

**C**

---

**C** 1:20 16:19 18:2 61:21  
62:3,5 63:2,4 66:13  
67:17 70:12 72:1 73:6  
73:11 150:13  
**C-O-N-C-H-O** 73:14  
**calculation** 71:6  
**calculations** 62:15  
**call** 20:9,10 33:5 37:2  
74:12 108:10 122:10  
129:8 145:12 146:2  
**called** 52:5 57:7 99:22  
100:5 146:4  
**calling** 6:22 146:8  
**calls** 133:1  
**Capital** 150:18  
**capture** 105:8  
**capturing** 4:2,2  
**care** 11:16  
**carefully** 144:12  
**Carlos** 112:12  
**carried** 15:4 39:8 70:6  
88:14 142:16  
**carry** 13:19 109:14  
116:6 117:12 122:15  
135:10 145:2 150:1  
**carrying** 118:3 145:22  
**case** 18:4 23:15 32:8  
69:9 111:10,20 121:5  
137:16  
**cases** 33:17 79:14  
113:22 124:10 127:7  
145:1  
**cash** 144:4,6,8  
**Casino** 26:4  
**catch** 61:1 68:10 82:4  
106:16  
**Caulum** 2:1 7:20 15:14  
15:15 27:21 28:1,5  
44:2 75:2,4 101:19,22  
103:17 106:1,4,8,12  
106:15,22 107:3  
110:12,18 111:4,7,14  
112:9,15 114:10  
115:8,11 143:11  
146:17 147:12  
**Center** 1:9  
**centers** 57:6,8

**central** 82:22 97:15  
**century** 8:17  
**certain** 10:12 25:9 38:6  
38:10,17 47:13 85:10  
117:16 126:16 133:7  
133:14 134:11 137:14  
156:18  
**certainly** 31:2 32:18  
58:15 75:9 120:1  
126:10 127:18 128:16  
**CFR** 1:4 3:8 9:1 11:1  
14:2,5 18:12 24:8,20  
29:19 34:11 62:12  
78:7 94:11 100:3,7,8  
149:10 150:22  
**challenge** 75:17 76:1  
**challenging** 75:13  
**chance** 30:11  
**change** 11:5 12:2 14:21  
16:10 17:13 19:11  
21:2 23:8 27:6 31:1  
33:14,21 34:3,20  
35:19 40:15 44:8  
56:20 58:4,19 61:14  
66:12 100:11 107:22  
120:9 133:5  
**changed** 3:12 13:1  
19:12,21 22:1 27:8  
29:22 34:15 38:21  
40:17 41:3 42:21 44:4  
52:12 58:14 70:15  
102:4,14 108:12  
**changes** 9:13 11:2 12:1  
13:20 14:6 15:7 16:15  
16:17,18 18:12 19:15  
23:16 24:22 29:12,13  
29:19,21 30:8,22 31:6  
34:15,19 35:2 36:2,17  
37:10 40:14 41:8,10  
41:11,13 48:5 49:16  
49:20 50:18 52:10  
55:14 68:3 83:5,17  
84:12 85:21 89:13  
94:22 100:20 103:5  
104:4 107:10,16,21  
108:6 136:18 139:6  
139:22 140:10 141:6  
141:6  
**changing** 20:21 23:16  
138:20  
**chapter** 147:13  
**check** 134:12 144:1  
**Chief** 1:18 2:15  
**chip** 128:19 130:2,6,8  
130:15,19 131:1,2  
132:1  
**choice** 32:21  
**choose** 122:18,18  
**citation** 135:15

**citations** 58:14,19  
**cite** 119:21  
**City** 26:22 27:11  
**civil** 36:8 132:5  
**Clara** 76:8  
**clarification** 40:15  
92:19 105:18 108:1  
151:9  
**clarifications** 14:7  
**clarified** 13:3 41:11  
**clarifies** 25:6 44:10  
45:4 49:7 50:16 65:21  
95:1 97:4 107:12  
116:4,8 122:1  
**clarify** 24:12 25:3 106:7  
149:18  
**cleaning** 40:2  
**clear** 7:12 36:21 58:6  
116:12 122:13  
**clearances** 134:15  
**cleared** 43:12 135:1  
**clearly** 44:6  
**clients** 99:6  
**close** 8:5 11:4 17:11  
47:21  
**closed** 47:13  
**closeout** 97:11  
**closures** 47:18  
**code** 66:4  
**coding** 156:6  
**COI** 130:8  
**collaboration** 37:16  
39:5 55:3  
**Collaborative** 28:16  
**colleagues** 146:19  
**collect** 137:12 138:13  
**collecting** 90:9  
**collection** 137:3,5,11  
138:5  
**collide** 112:21  
**Colorado** 2:19  
**column** 60:14  
**combined** 39:12  
**combining** 96:7,14  
**come** 6:20 7:20 8:6  
27:2 29:6 44:12 46:8  
52:20 82:11 101:7  
108:18 109:13 113:14  
128:9,18 129:8  
131:22 156:20 157:8  
**comes** 42:8,17 69:4  
70:7 113:19 130:17  
154:22  
**coming** 8:10 11:18  
111:16 116:17 127:21  
138:17 153:9,10,11  
**comma** 60:20,21  
**commensurate** 104:18  
**comment** 3:15 4:10,11

73:16 76:2 127:19  
138:2,3  
**commented** 95:8  
**comments** 1:3 3:15,17  
4:2 6:3 15:6,10 18:13  
22:7,14 25:16,17 28:7  
28:7,14 41:8 54:11  
59:8,9,11 61:17 77:10  
77:14 78:9 90:9 126:1  
126:8,11 136:22  
137:21 138:4 157:3  
**committee** 7:4,5 14:8  
14:11 15:2 21:14  
34:14 47:8,9 48:8,9  
54:18,20 55:10,18,20  
56:18,21 57:3 91:11  
114:21 115:1,14  
**communities** 50:4  
**community** 34:3 141:20  
**compact** 60:3,4  
**company** 113:5  
**compared** 22:5  
**competitive** 113:2  
145:9  
**competitively** 131:11  
**complete** 97:10  
**completely** 37:1 50:10  
**complex** 26:5  
**comply** 24:21 126:22  
**complying** 134:8  
**computers** 45:12  
**concept** 40:9 48:20  
**concern** 58:17  
**concerns** 6:4 18:13  
43:10 150:9  
**Concho** 73:13,13 74:20  
**concludes** 140:21  
**conclusion** 138:15  
**conditions** 10:12 131:8  
**conduct** 117:1  
**conducted** 97:12  
117:19  
**conflict** 23:17  
**confusion** 113:19  
**Congress** 8:16 9:12  
12:13 13:14 17:12,18  
26:5,8 33:9 35:12  
38:7 43:6 62:8 63:20  
64:21 65:13 70:18  
**connection** 124:19  
**consensus** 21:16 56:2  
**consequences** 124:17  
**consequently** 119:2  
**consider** 121:9 126:17  
127:12 152:1  
**considered** 35:11 46:5  
97:10 125:5 128:6  
133:20 134:5 148:4  
**consistent** 111:22

122:3 125:9 127:17  
131:9  
**consistently** 152:11  
**consists** 95:18  
**consolidation** 50:9  
**consortium** 30:17  
**constitute** 29:21  
**constrained** 78:21 79:8  
79:20 80:8,13 87:17  
87:18,21,22 88:10  
**constraint** 79:6  
**constraints** 116:16  
**construct** 80:14  
**constructed** 80:7  
**construction** 35:8,12  
36:4 45:5,20 69:22  
78:18 83:3 96:22,22  
97:2,4,6,20 98:7,11  
102:11 127:14,15  
129:18 130:16 131:18  
134:5 154:14,15  
**constructions** 79:1  
**consultation** 1:2 3:8,19  
4:13 8:5 12:8 15:5  
24:14 26:3,19 37:16  
39:5 40:6 55:3 61:9  
73:18 74:8,13 75:6  
76:6 78:2,6 90:20  
101:20 156:21  
**consultation@bia.gov**  
28:10  
**consultations** 25:20  
26:1 90:22  
**consulted** 19:2  
**consulting** 26:12  
**contact** 34:6 90:1  
**contained** 24:16 42:18  
67:6  
**contains** 64:13  
**context** 123:9  
**contingencies** 105:3  
**continual** 133:1  
**continuation** 29:9 59:2  
118:16  
**continue** 33:15 37:19  
39:4 54:22 103:1  
118:2 121:9 134:12  
136:4  
**continued** 103:19 121:5  
**continues** 52:9  
**continuing** 104:16  
134:20  
**continuous** 53:17  
54:22  
**contract** 19:20 20:3  
42:1 60:20 103:13  
125:13,13 144:8  
152:14 153:4,13,14  
153:18,20,21 155:14

**contracted** 20:1 139:9  
**contracting** 33:18  
145:15  
**contractor** 152:4,18  
**contracts** 21:7 32:19  
46:10 103:19 104:3  
107:7,19 108:7 123:1  
**contractual** 84:20  
**control** 21:3  
**controlled** 75:7 78:3  
**controls** 23:18  
**cooperate** 109:20  
**cooperation** 125:8  
146:1  
**cooperative** 145:12  
146:2,4  
**coord** 15:1  
**coordinating** 7:3,5 14:8  
14:11 15:2 21:14  
34:14 48:8,9 54:18  
55:18 91:11 114:21  
115:14 151:10  
**coordination** 14:10  
37:17 39:6  
**copies** 77:17  
**copy** 5:6 156:6  
**Corps** 69:19  
**correct** 39:21 128:15  
146:21 151:14  
**corrected** 58:12  
**corrections** 4:5 25:3  
**correctly** 148:3  
**correlate** 67:20  
**correlation** 68:4  
**cost** 59:1 62:16,19 76:4  
137:20 144:22 152:13  
152:17,18 153:12  
**cost-benefit** 46:2  
154:17  
**costs** 53:12 99:10  
102:12 103:13 129:17  
132:12 153:20  
**Counsel** 2:15  
**count** 121:6  
**counties** 147:9  
**country** 48:16 51:1  
73:21 147:10 150:20  
**county** 109:6,16 145:22  
146:10  
**couple** 22:8 35:3 74:6  
78:16 101:9,9 108:9  
116:18 132:3 137:7  
138:6  
**course** 20:22 29:20  
33:20 34:8 35:8 39:20  
42:9 43:21 47:20  
52:20 53:5 56:10  
58:20 81:2 101:8  
120:9 121:19 124:13

135:22 138:16  
**court** 3:22 18:16 151:4  
**cover** 7:9 119:16  
**covered** 125:2 136:22  
**covers** 139:2  
**crack** 128:7,9,12,12,17  
129:6  
**create** 130:2,15  
**created** 91:19  
**creating** 130:13  
**credited** 111:17 112:2  
**criteria** 45:21  
**Cs** 37:17  
**cultural** 47:2 134:16  
**curious** 135:12  
**current** 8:13 14:3,22  
16:14 17:21 19:4,9,14  
22:5,10,11,17 25:10  
89:12 105:7 125:21  
136:20  
**currently** 8:8 55:22 57:2  
67:8 156:11  
**cut** 21:15 60:22 63:5,6

---

**D**


---

**D** 82:9,10,13 83:2,7  
86:10 99:14 100:14  
100:15,17,19  
**D-A-Y** 141:19  
**Dakota** 2:18  
**damages** 133:2  
**data** 37:14 65:6 70:13  
70:15 71:9 137:3,6,15  
138:18  
**database** 149:14  
**databases** 149:16  
**date** 13:15 16:21 19:14  
23:11 78:19,22 138:2  
**dates** 74:18,21 80:10  
116:2 138:8  
**day** 8:1 26:2 35:5 78:5  
134:21,21  
**day-to-day** 90:2  
**days** 67:11  
**DC** 1:16,21 3:7 28:17,22  
34:1,3 69:5,6 150:18  
**deadline** 92:7,7 151:1  
**deal** 17:18 48:18  
**dealing** 155:13  
**deals** 155:11  
**Dean** 105:16,16 106:2,5  
106:9,14  
**December** 15:9,16 16:8  
27:8 61:7  
**decide** 98:11  
**dedicated** 145:20  
**deemed** 123:16  
**deficiencies** 148:16

**deficiency** 96:20  
**define** 90:12  
**defined** 34:9 128:22  
133:8 140:15  
**defines** 36:17 84:8  
85:20 95:17  
**definitely** 22:13  
**definition** 30:9 34:13  
35:18 47:6,6 86:13,17  
87:14 90:7 125:21  
126:3,12 128:7  
**definitions** 30:8 34:7,22  
35:6 79:9 90:5,10  
126:2,9  
**delayed** 11:12  
**deleted** 18:3  
**deletes** 43:1  
**delivered** 19:18,19  
20:15 21:11  
**delivery** 24:22 28:22  
31:12 102:2  
**denied** 95:5  
**department** 1:19 2:2,6  
2:16 16:3 19:7 31:10  
102:20  
**departments** 139:6,13  
152:3,5 153:8  
**depends** 156:1  
**describe** 50:6 102:14  
132:12  
**described** 58:9 64:12  
65:12 143:16,21  
**describes** 51:14,15  
58:8 63:8,17 64:20  
73:2 85:14 88:17,19  
88:22 90:13,16 92:4  
93:1 94:19 103:12  
104:6 114:16 116:22  
120:6 123:15 137:2  
140:11  
**describing** 117:20  
136:8 145:11  
**description** 57:8  
**design** 49:7 83:2 94:17  
94:18,19 95:4 96:20  
**designated** 50:22  
**designing** 49:13  
**designs** 95:2  
**desired** 99:1  
**desk** 101:5,13  
**detailed** 42:14  
**details** 3:17 132:4  
**determination** 21:7  
38:21  
**determined** 63:9  
115:19  
**develop** 8:21 52:2  
68:22 69:3,21 149:16  
**developed** 9:2 14:8

19:4 20:7 21:15 34:13  
52:3 67:22 68:21 85:1  
88:4 109:3 143:8  
145:3  
**developing** 19:9 35:21  
39:14 40:9 49:11  
78:15 85:7,9 87:11  
89:3,16,18 97:18  
**development** 19:1 38:1  
57:18 81:15 87:7,9  
89:8 115:4 155:8  
**difference** 95:19  
**differences** 16:9  
**different** 27:4 50:13  
56:7 58:1 66:3 69:11  
76:9 105:7 127:9  
128:17 138:7,8 141:2  
141:6 143:20 144:19  
155:12  
**difficulties** 147:16  
**ding** 103:8  
**direct** 21:8 25:11 40:7  
40:11 116:7,11  
145:16 152:1  
**directed** 8:19 61:9  
**direction** 142:3  
**directly** 9:15,21 23:2  
66:8 147:15 153:5  
**Director** 1:13 3:5  
**directors** 123:22  
**dirt** 126:5  
**disaster** 133:12  
**disclosing** 97:18  
**discuss** 150:19  
**discussed** 11:2  
**discussing** 15:8 143:5  
**discussion** 105:19  
114:5 117:22 137:22  
**dispute** 139:20 140:2  
**disputes** 139:19  
**distance** 101:10  
**distinguish** 130:11  
**distribute** 30:15  
**distributed** 12:14 64:7  
64:8 65:17,22 66:7,10  
**distribution** 37:3 64:14  
**ditch** 126:3,4,8  
**Division** 1:19 2:2,8  
82:22 129:22  
**docket** 28:21  
**docks** 93:13,13  
**document** 132:16  
133:18 150:11  
**documentation** 78:1  
91:16 130:14 150:22  
155:22  
**documents** 86:2  
**DOI** 118:13,19 141:8  
**doing** 9:19 21:4,6 26:3

32:1 45:2,18 46:20  
48:18,22 52:10 83:4  
109:1,16 110:11  
121:7 124:18 125:10  
126:21 128:11,12,17  
129:15 132:14 143:7  
**dollar** 12:6,16 33:22  
**dollars** 21:15  
**DOT** 32:9 34:12 69:1  
78:13 125:19 131:1  
141:9  
**DOTs** 124:11  
**download** 27:18  
**downstairs** 101:5  
**draft** 14:11 15:2,7,11  
16:1,1 19:2 115:5,7,8  
115:10,11  
**dramatically** 19:21  
**drilled** 78:17  
**drive** 101:10  
**driven** 37:11  
**dropped** 12:11  
**due** 11:4 14:6  
**duplicate** 58:21

---

### E

---

**E** 102:1 103:19 104:12  
107:5,19 113:18  
114:11  
**E61-311** 1:14  
**Eagle** 26:4  
**earlier** 17:8 19:14 23:19  
31:13 42:19 59:3 62:8  
66:20 87:12 90:4 94:5  
94:5 138:9  
**early** 14:1 62:10 115:16  
**earning** 91:4  
**easier** 147:20  
**eat** 101:6  
**ECR** 3:21  
**Ed** 76:7,7  
**editing** 16:17  
**education** 32:17 52:6  
93:15  
**effect** 9:12 10:20 16:22  
23:5,10 26:11 30:2  
63:22 144:2 145:13  
146:5  
**effectively** 108:13  
**effort** 11:3,19  
**efforts** 24:12  
**either** 30:16 41:18  
44:16 86:2 108:17  
115:16 135:10 146:14  
154:18  
**elaborate** 79:5  
**election** 11:7  
**electrical** 98:10

**electronic** 3:22  
**elements** 132:8 137:7  
**eligibility** 49:5  
**eligible** 9:14 35:13,15  
35:18 36:5,6 38:17  
41:14,21 42:7,15 43:2  
43:5 44:5,6 45:15  
46:9 47:12 51:14  
53:13 54:2 58:22 59:3  
64:20,21 70:19 72:4  
81:18 92:20 98:4  
104:11 112:1 114:5  
119:8,14 123:19  
124:22 125:10 133:19  
140:6,7 147:1,3,4  
**eliminate** 96:8,16  
**eliminated** 58:20  
**eliminating** 56:13  
**Elizabeth** 28:14  
**emergency** 52:5 135:19  
135:20  
**emphasize** 37:19  
**employment** 114:1,6  
136:17 152:2  
**enacted** 23:21  
**enactment** 16:21  
**encourage** 109:18  
157:2  
**ended** 157:10  
**enforcement** 52:6  
**engineer** 2:5 82:21  
**engineer's** 116:14  
**engineering** 45:11 52:5  
**Engineers** 69:19  
**enhanced** 35:16  
**enrollment** 114:4  
**ensuring** 49:8  
**entail** 49:3  
**enter** 8:20 9:15 89:20  
99:10 108:15 109:11  
145:18 146:20  
**entered** 32:4  
**entering** 32:2  
**enters** 36:15  
**entities** 126:16,19  
127:11 144:17  
**entity** 18:18  
**entries** 58:21  
**environmental** 93:22  
94:3,9 134:15  
**envisioned** 20:21  
**equipment** 45:6,8,9,12  
45:19 46:6 58:22 59:1  
59:12 154:4,7,10,12  
154:15,16,19,20  
**Equity** 8:17  
**errata** 39:14  
**error** 39:13 68:9 71:5  
**errors** 40:1

**Es** 52:5  
**especially** 112:18  
114:19  
**essentially** 55:13  
122:16 131:4 140:14  
**establish** 8:22 142:14  
**established** 9:4 10:15  
13:15,17 24:13 45:22  
54:18 62:9 65:12  
121:1,15 135:8  
**establishing** 131:3  
**estimates** 95:11,15  
96:9,18 130:5  
**evaluation** 148:18  
**event** 133:7 142:6  
**eventually** 123:22  
**everybody** 6:19 16:2,11  
29:3,4 77:20 116:12  
**everybody's** 56:12  
**evolved** 33:8 35:10  
38:5  
**exact** 75:17  
**exactly** 12:18 31:6 97:8  
155:18  
**example** 79:22 104:21  
111:20 113:1,10  
152:10  
**excellent** 22:7  
**exceptions** 95:4  
**exchange** 136:12  
**excluded** 120:21  
**excuse** 43:3 53:6 58:16  
73:3 121:3 127:21  
140:21 147:13 149:15  
154:13  
**exist** 50:7 87:19,19  
88:11 91:13,14 94:6  
**existed** 13:12 122:4  
**existence** 32:16 66:19  
**existing** 12:11 14:4  
55:15 62:12 65:5 81:7  
87:20 88:12 91:14  
92:15 93:3 94:6,11  
95:7 96:3,5,14 102:10  
140:1  
**exists** 13:12 97:8  
**expand** 113:13 130:1  
**expanded** 93:11  
**expanding** 44:5  
**expands** 42:16 92:11  
**expect** 25:16 80:15  
**expectations** 6:1  
**expend** 72:17 110:13  
155:5  
**expended** 67:3  
**expending** 81:9  
**expenditure** 155:1  
**experience** 69:12  
**expires** 17:10

**expiring** 11:13  
**explain** 79:4 112:13  
**explained** 118:21  
**explains** 108:22  
**explanation** 24:15  
 42:16  
**extended** 10:18 11:14  
**extension** 17:9  
**extent** 119:17 143:2  
**extra** 152:16  
**eyes** 80:12

---

**F**


---

**F** 106:20 107:4 114:14  
 118:4  
**facilities** 35:18 47:3  
 49:17 50:1 52:8 67:21  
 83:4 91:22 92:2 93:14  
 93:16 120:12 123:6  
**facility** 10:14 13:4 37:7  
 47:4,21 81:16,17,17  
 90:3,6,11,16 91:17  
 92:12,15 93:8 100:1,4  
 100:13 119:11 150:18  
**fact** 26:12  
**factor** 37:3 64:18 65:1,2  
 65:3  
**factors** 62:18 64:15,16  
 70:17 71:3 95:1  
**Fair** 69:7  
**fairly** 19:6 90:10  
**fall** 7:15 146:3  
**familiar** 38:4 50:21  
 51:19 92:6 101:7  
 118:7 119:7  
**far** 12:8 32:19 42:14  
 47:13 56:17 70:18  
 84:5,11 89:15 92:5  
 100:17 133:6 150:7  
**fast** 20:21 146:19  
**February** 26:22 27:1  
 75:11 115:16 150:17  
**federal** 1:14,15 2:15,17  
 3:6 4:7 9:16,16,22  
 10:9,22 13:18 14:1  
 15:3,9,18,21 16:7,12  
 16:16 17:6 18:6 19:18  
 20:2,3,8,11,13 22:2  
 22:19,22 23:9,12 24:3  
 24:3 25:5,12 27:17  
 28:20 30:4 31:14,16  
 31:17 32:5,9 34:11  
 38:14 39:2,3 46:17  
 49:18 53:3 57:16 58:3  
 58:18 61:13 66:7,8  
 67:6 69:2,17 70:7  
 73:8 79:15 80:12 85:2  
 85:18,22 89:22 96:12  
 103:7 104:1,10,15

105:12 107:17 108:17  
 109:13 110:13 111:11  
 113:11,19 117:19  
 118:2 122:5,20 123:3  
 124:8,9 135:21  
 138:14 140:3 142:19  
 143:17 144:7,13  
 149:5,17 150:1,15  
 152:10,11,13 154:18  
 155:15 156:18  
**federally** 20:17  
**fee** 132:22 153:3  
**fees** 152:2,13  
**felt** 17:17 26:15 54:20  
**ferry** 49:17  
**FHWA** 45:4,6 46:17  
 60:21 68:16,18 69:8  
 83:13 84:13 85:8  
 89:15 94:4 100:16  
 105:21 106:6 124:20  
 136:9 140:14 142:1,4  
 148:2  
**FHWH** 105:20  
**field** 57:3  
**fill** 4:5  
**final** 9:9 16:1,11,13  
 17:7,11,22 22:3 26:6  
 26:17,18 29:19 43:12  
 43:13 68:11 103:10  
 115:5,10,11,18  
**finalized** 29:10  
**finally** 11:22  
**financial** 79:5 116:15  
**financially** 78:20 79:7  
 79:20 80:8,13 87:17  
 87:18,20,22 88:10  
**financing** 71:22 72:3,12  
 73:4  
**find** 40:3 71:12 74:21  
 124:21 145:7 148:15  
 148:16 156:6  
**finding** 54:7 59:10  
 156:7  
**finds** 81:8  
**fine** 5:22  
**first** 4:21 5:2 39:17,19  
 42:3,5,6 44:7 55:19  
 64:3,18 83:8 121:1  
 138:6  
**fiscal** 91:7 116:13  
**Fish** 69:18  
**fits** 143:4  
**five** 78:19 98:6  
**fix** 126:7  
**flexibility** 143:3  
**flexible** 21:9 71:22 72:3  
 72:12 73:3  
**focus** 119:4  
**folks** 54:8 58:4,17

120:14 124:10 136:2  
**follow** 46:13 59:22  
 147:21  
**follow-up** 143:12  
**following** 43:15  
**force** 102:14,18  
**form** 64:3 74:3  
**formal** 8:5 76:6 116:1  
 156:20  
**formally** 25:8  
**formatting** 16:18  
**formerly** 57:6  
**formula** 8:22 12:11,13  
 14:18,19 17:4 26:8,10  
 26:10 37:2,8,14 62:6  
 62:9,13,17,21 64:3,4  
 64:6,7,8,9,14,15,16  
 65:5,7,14,14 66:16  
 70:16,17 71:4,10 91:2  
 91:6  
**formula's** 17:21  
**formulas** 62:15  
**Fort** 68:14 156:4  
**forth** 119:13,15 124:7  
**fortunately** 75:15  
**forward** 5:5 12:18 17:21  
 18:7 19:3 21:4 41:9  
 59:6 70:1 81:9 118:22  
 132:9  
**foster** 146:12  
**found** 34:10 57:9 94:18  
 99:18 100:16 104:12  
 117:20 131:8 140:13  
**four** 8:4 19:8 34:2 52:5  
**four-year** 64:1,10,11  
 88:8  
**fourth** 60:13  
**frame** 67:9 102:6  
**front** 42:11  
**frozen** 27:6 37:13  
**full** 43:15  
**function** 36:20 45:13  
 50:12 55:12 138:13  
**functioning** 155:19  
**functions** 20:12 51:8  
 54:1 103:22 119:5  
 122:19  
**fund** 13:10,14 79:12  
**fundamentally** 110:12  
 111:15  
**funded** 9:7 13:8,13  
 78:19 79:19 104:7  
 133:12 135:22 140:16  
**funding** 8:10,22 9:15  
 12:11,12,20 51:11  
 52:1,17 62:6,6,9,13  
 62:21 63:9,16 64:13  
 65:17 66:9,15 70:16  
 70:17 72:4 79:14,18

80:6 83:18,18 91:8  
 99:17 102:6,10  
 104:14,14,18 120:7  
 121:17,21 123:16  
 154:7  
**funds** 13:2,9,18 35:8  
 36:4,5 40:7 41:15  
 43:19,22 46:12 47:2  
 49:6,21 50:17 51:13  
 51:14,15,21 52:18,22  
 60:1 65:10,22 66:2,6  
 67:1,2,10,12,14 72:6  
 72:7,8,8,18 78:22  
 79:3 80:4 84:1,6 88:6  
 98:22 99:19 102:7  
 103:12 104:7,9 105:1  
 108:16,17,18 109:1  
 109:12 110:11,14,15  
 111:18,19,22 114:1  
 118:15,18,18 119:14  
 120:10,11,15 121:4  
 121:21 122:1,6  
 127:16 140:8,9 142:1  
 142:4,18 143:17  
 145:20 146:21 147:2  
 147:13,14 148:2,3  
 151:16 154:5 155:1,1  
**funny** 141:19  
**further** 11:12 13:3  
 14:10 22:14 41:17  
 117:22 119:20  
**future** 4:8 11:10 72:5,6  
 72:14 73:10 74:7,7

---

**G**


---

**G** 118:7,8 125:16 135:4  
 141:10  
**G-O-L-D-I-N-G** 59:17,20  
**G2G** 20:9 105:8,12  
**geared** 41:22  
**general** 13:9,14 46:21  
 51:9 98:16 134:19  
 148:19  
**generally** 52:21 53:1  
 60:17 62:7 77:2 82:14  
**generate** 131:7  
**generates** 23:5  
**generic** 105:11  
**Gentleman** 132:19  
**germane** 23:2  
**getting** 17:11 54:8 80:3  
 147:12 149:11,12  
**GIS** 45:12  
**Gishi** 1:18 5:13,15  
 27:20,22 28:3 29:3,5  
 44:3 59:18 60:5,8,11  
 60:15 61:3 62:1 76:19  
 82:6 101:2 103:16  
 106:21 107:1 118:5,6

126:10 128:11,16  
 129:11,13 131:3,6,15  
 131:19,21 132:18  
 133:10 142:9 149:11  
 151:2,15 152:6 154:1  
 154:13 155:7 156:10  
**give** 3:13 8:11 18:15  
 51:5 142:5 144:1  
 152:9  
**given** 64:6 147:14,15  
**gives** 24:12 47:8 58:16  
**giving** 3:12  
**go** 4:4 7:8,9 11:15  
 12:18 18:8 21:4 28:5  
 30:10 31:4 32:7 34:17  
 35:4 40:2,20 43:7  
 44:15,20 54:10 58:13  
 59:5 61:21 75:17 77:4  
 77:13 79:2 81:9 82:10  
 84:14 90:10 91:8  
 101:12 104:20 107:3  
 110:22 111:10 113:7  
 122:10 133:4 134:6  
 135:5,13 145:8  
 156:22  
**go-round** 46:18  
**goal** 19:10  
**goes** 63:16 64:19 69:1  
 70:12,16 73:15,16  
 79:14 82:14 109:7  
 110:7  
**going** 3:10,11 7:6,17,20  
 7:21 8:1,6 11:10  
 12:14 13:22 15:8,13  
 17:18,19 18:11 19:1  
 22:12,18 24:2 26:16  
 27:9 31:1 40:22 45:19  
 51:15 58:13 66:12  
 75:10 79:19 80:16  
 83:1 93:10,19 95:21  
 98:13 102:1 107:2  
 110:13 111:8,10,14  
 114:11,11 116:17  
 118:9 120:14 126:7  
 128:18 129:7 132:13  
 137:20 138:22 144:22  
 145:1 147:7,19  
 148:17 153:15  
**Golding** 59:16,16,19,19  
 60:7,9,13 61:2  
**Gonzales** 76:7,7  
**good** 3:4 29:3 59:11  
 69:14 70:10 74:15  
 82:6 90:10 106:15  
 111:7 141:13 146:13  
**gotten** 5:2  
**governance** 36:8 60:2,4  
 123:2  
**governing** 24:21

**government** 3:20 19:7  
 19:19 28:20 38:14  
 40:16 74:3 108:15  
 122:20 125:7 126:21  
 137:15 145:18 146:7  
 146:7,11 151:12  
**governments** 25:1,5  
 33:13 39:11 107:13  
 119:13,13 124:7,7  
 125:8  
**governors** 69:10 74:14  
**grant** 134:3  
**grant** 52:15 80:22  
**Grants** 79:17 146:4  
**graphs** 118:20  
**great** 54:8 61:1  
**greater** 44:1 120:10,11  
**greatly** 6:14  
**group** 12:16 30:16 48:9  
**grow** 103:1  
**guaranteeing** 80:4  
**guess** 84:12,17 97:15  
**guide** 156:6  
**guys** 118:1 126:6

---

**H**


---

**H** 135:5,5,7 140:22  
 141:11 156:17  
**half** 20:18  
**hand** 5:10 28:22 30:15  
 60:14 68:13  
**handle** 90:22  
**handouts** 5:7,8  
**hands** 4:12  
**happen** 11:10 17:20  
**happened** 12:10 13:15  
 61:12 77:8,10 144:14  
**happening** 77:9  
**happens** 83:21 90:6  
 110:21  
**happy** 109:19 110:20  
**hard** 22:20 75:5 77:17  
**hazardous** 135:16,17  
**he'll** 4:16  
**health** 49:8  
**hear** 3:3 22:13 29:4  
 53:1 148:3  
**hearing** 114:22  
**hearings** 89:12  
**heavily** 22:9  
**heavy** 122:10  
**held** 48:15 74:8 115:20  
**Hello** 152:8  
**help** 65:13 77:1 101:13  
 109:19 110:21 135:16  
 142:5 152:14  
**helpful** 18:19 117:12  
**high** 13:6,11 66:14,16  
 68:7 140:12

**higher-ups** 115:22  
**highest** 80:9  
**highlight** 104:5  
**highway** 1:14,15 2:5,17  
 3:6 4:8 8:9 9:10,11,16  
 9:22 10:9,19,22 11:17  
 11:21 13:9 14:2 20:2  
 20:4,13 24:4 25:5,12  
 31:17 32:5,10 46:17  
 49:18 51:8 57:17 66:7  
 66:8 67:6 69:3,17  
 70:7 73:8 79:15 80:12  
 82:21 85:2 89:22  
 96:12 104:1,10,15  
 105:12 107:17 108:16  
 108:18 109:13 110:14  
 111:11 113:12 117:19  
 118:2,14,18 121:4  
 143:17 144:7,13  
 149:5,17 150:1  
 152:11 154:18  
**Highway's** 9:17 27:18  
 138:14  
**Highways** 20:8 30:4  
 31:14 39:2,4 123:3  
 124:9,9 140:3 142:19  
 155:15  
**Hill** 43:8  
**Hilton** 150:18  
**historic** 71:4,5 95:11  
 134:16  
**historical** 65:3  
**historically** 98:2  
**history** 24:8  
**hit** 80:22 82:11  
**Hold** 59:18 68:12  
 146:17  
**home** 157:5  
**hope** 6:20 102:22  
**hopefully** 17:10 74:7  
 103:10 104:19 117:21  
**Hopi** 80:20  
**hoping** 115:5,13  
**hotel** 26:4 147:4  
**hour** 6:22  
**housing** 49:15 89:7  
**Hualapai** 151:21  
**HUD** 71:3  
**huge** 26:10  
**hurdle** 43:12

---

**I**


---

**ice** 49:1  
**idea** 37:18 54:13 57:21  
 59:12 77:7 95:14  
 132:5  
**ideas** 54:8 56:7  
**identification** 85:16  
 88:6 91:16

**identified** 10:7,13 31:21  
 36:10 38:7 42:19  
 44:21 45:15 47:14,19  
 57:18 67:4 73:18  
 80:10 103:7 104:7  
 107:8 117:2,15  
 129:19 132:6 142:18  
 155:3 157:5  
**identifies** 52:17 55:16  
 57:1 64:14,15 67:2  
 68:4 71:11,19 72:11  
 72:13 84:4,22 85:6  
 91:18 92:17,21 94:2  
 94:17 96:19,20 97:1  
 98:21 99:16 102:9  
 103:2,21 104:2,10,22  
 107:8 112:15,20  
 116:19 123:5 124:20  
**identify** 5:4 6:13 31:5  
 31:10 42:20 49:2  
 72:15,21 80:5 83:13  
 84:15,18 93:7,7 100:9  
 105:15 111:5 116:6  
 125:11 130:12 142:15  
 155:9,22  
**identifying** 33:10 38:1  
 40:4 132:6 154:22  
**illustrative** 79:1,6  
**imagination** 146:12  
**imagine** 29:11 75:12  
**Immediately** 8:4 31:9  
**impact** 37:10 91:3  
**impacted** 34:8 49:5  
 91:5  
**impacting** 39:10  
**impacts** 65:15  
**implement** 38:9 138:13  
**implementation** 31:22  
 32:8 37:1 45:10 54:12  
 56:17 57:13 120:3  
**implemented** 36:1  
**implementing** 32:2,21  
**important** 39:7 49:10  
 56:11 86:7 95:14  
 96:10 125:14 126:19  
 134:9 138:1 142:10  
**importantly** 18:10  
**improve** 118:2 148:15  
**improved** 53:14 117:21  
**improvement** 86:10  
 122:3,9 127:6 133:9  
 148:6  
**improvements** 110:9,9  
 117:2,14  
**improving** 54:12  
**inaccurate** 17:5  
**inadequate** 123:17  
**inadequately** 124:2  
**incidence** 131:13

**incidental** 62:16  
**include** 28:10,18 32:7,9  
 45:1 54:14 77:17  
 84:10 85:1,3 90:18  
 107:14 125:15 128:20  
 132:7 136:5  
**included** 22:6,17 25:10  
 35:1,7 57:9 64:1  
 66:16 70:6 77:18 81:4  
 90:14 93:17 98:18  
 120:12 128:7 135:13  
 151:4 155:8  
**includes** 46:14 85:7  
 90:17 119:11  
**including** 16:3 24:9  
 30:1 35:10 49:4 62:18  
 125:5  
**inclusion** 70:1 140:1  
**incorporated** 37:6  
 148:20,21 149:5,9  
**incorrect** 23:14  
**incorrectly** 77:1  
**increased** 12:20  
**increases** 152:16  
**Indian** 1:1,20 2:2,7,9  
 32:17 33:18 48:16  
 50:4 51:1 52:13 59:20  
 66:11 69:9 75:8 82:22  
 96:13 107:9 110:22  
 112:16,19 113:15  
 114:1,3,6 115:1 119:1  
 123:4 136:5,17  
 141:20 150:20  
**indicated** 29:7 30:5  
 31:13  
**indicates** 44:19  
**indication** 51:6 58:17  
**indiscernible** 73:20  
 102:21 144:4 156:8  
**individual** 40:20 114:1  
 114:6  
**ineligible** 43:3  
**influence** 95:2  
**information** 3:13 5:5  
 6:2 8:13 22:6,16  
 23:13 24:1,2,7,17  
 25:11 27:9 34:5 42:14  
 46:21 54:8 57:9,19,20  
 58:2 65:5 72:3 74:16  
 76:18 78:4,5 88:13  
 94:15 97:9 100:16  
 109:2 117:18 118:10  
 118:11,12 119:21,22  
 123:8 126:13 136:9  
 136:11,12,17 137:8  
 137:11,12,19 138:5  
 138:12,16 140:13,19  
 141:4  
**informational** 31:1

**infrastructure** 39:2  
 72:10 73:2,3  
**inherently** 20:11 23:13  
**initially** 38:6  
**input** 48:13 54:22 56:4  
 56:12 57:3  
**inserts** 90:14  
**inspection** 99:20  
 138:18 139:1  
**inspectors** 144:13  
**instance** 35:14 47:15  
 63:11 64:17 76:6  
 79:15 134:2  
**instances** 86:4 106:10  
 106:13  
**insuring** 121:13  
**integral** 57:12  
**integrated** 96:3  
**intend** 77:2  
**intended** 88:2 105:8  
 109:1  
**intent** 76:19  
**interest** 18:21  
**interested** 27:15 59:9  
**interim** 105:10  
**Interior** 1:19 2:2,6 8:20  
 16:3 21:18 33:17  
 38:11 48:12 121:19  
 124:1  
**internal** 149:18,20  
**Internally** 12:3  
**internet** 28:19 94:13  
**interpreted** 143:15  
**Introduce** 60:15  
**introducing** 37:20  
**introductions** 6:10,16  
 7:18  
**inventory** 10:14 13:5  
 17:3 25:9 36:22 37:7  
 37:11,11,12 47:4 48:2  
 49:4 67:17,21 68:5  
 70:20,20 71:18 90:3  
 90:11 91:1,6,18,20  
 92:3,5,8,10,13 93:11  
 93:16,18 110:6,16,20  
 111:12 112:6 119:11  
 120:19 138:15,18  
 148:7 151:14  
**invite** 150:15  
**involve** 129:14  
**involved** 9:20,21 19:16  
 22:9 53:18 75:18 89:9  
 98:3  
**involvement** 83:14 85:2  
 85:11,11 87:6,8 89:5  
 89:9  
**involves** 102:2 105:11  
 112:17  
**involving** 25:21 89:3

112:18  
**IRFO** 133:11  
**IRR** 8:19 9:1,4,13,22  
 10:14 12:1,5 13:7  
 14:17 21:12 24:10  
 25:8 35:8 36:18,22  
 43:18,19 66:14 100:5  
 100:11 156:7,13,14  
**ISDAs** 107:15  
**Isleta** 128:2  
**issue** 17:14 23:21 25:15  
 25:21 26:11,13 91:10  
 110:4 144:15  
**issues** 55:4 76:9,15  
 97:14 110:19  
**ISTEA** 29:14 121:2  
**items** 84:16,20

---

**J**


---

**J** 32:18 123:1 155:14  
**January** 1:6 26:21,22  
 61:7  
**Jersey** 1:15  
**Jonah** 78:12,12 111:2,6  
 111:6,8 112:8 125:19  
 125:19  
**Jr** 1:12 73:13  
**July** 9:3 16:22 24:9 43:6  
**June** 17:14  
**jurisdictions** 127:3  
**justify** 91:19 93:7  
**justifying** 92:2

---

**K**


---

**K** 32:18  
**K-L-A-N-N** 141:19  
**Katherine** 154:2,3  
 155:6  
**Kathy** 127:22,22 128:15  
 129:5,12,20 130:18  
 130:22 131:5,10,17  
 131:20 132:17  
**keep** 77:20 107:1 127:8  
 133:16 138:10  
**Keeping** 127:5  
**kept** 11:17 19:3 57:10  
 74:8 97:5  
**Kevin** 151:20,20 152:20  
 153:1,7,14  
**key** 144:9  
**kind** 7:18 11:18,20 33:8  
 36:16 37:20 42:16  
 47:19 49:2 57:21 64:4  
 73:2 80:10 84:11  
 86:21 95:14 97:16  
 109:4 111:3,9 118:20  
 123:13 127:14 132:9  
 136:2 139:14 140:8,9

148:17 151:10  
**kinds** 145:10  
**Kipp** 2:4 4:14 82:20,20  
 129:22,22 130:21  
**Klann** 141:18,18 147:21  
 147:22 148:9,11  
**know** 6:11 8:8 10:18  
 11:14,15 17:1,9,16,16  
 18:19 19:6 21:1 23:6  
 23:14,19 26:7 27:14  
 30:22 50:8 54:14  
 74:11,18,20,22 75:4,9  
 79:21 80:4 81:16  
 104:16 108:22 110:3  
 110:13,21 112:5  
 113:4 114:4 126:15  
 127:11 129:16 131:11  
 131:18 132:2,11  
 133:3 135:13 142:5  
 144:11,12 148:12,14  
 148:16 152:16 153:19  
 155:3,4,18,20  
**knowing** 11:10  
**known** 11:16 21:13  
 24:11 25:20 73:21  
 88:10 125:11

---

**L**


---

**L-O-M-A-Y-A-K-T-E-...**  
 80:20 132:21  
**Lakewood** 2:19  
**land** 1:8 44:15 109:7,17  
 111:1  
**lands** 1:15 2:15 31:17  
 50:4 69:17 113:21  
**language** 18:3 90:15  
**large** 50:9 95:19  
**largely** 20:8 26:12  
**late** 7:15 115:16  
**law** 14:6,16,20 23:16  
 29:22 33:8 34:16 35:2  
 42:21 50:15 65:20  
 67:8 122:17 125:22  
 135:15 141:6  
**laws** 14:3 24:9 94:9,10  
 112:20  
**lawyers** 16:9  
**layout** 29:16  
**leader** 61:8  
**leadership** 77:5  
**leaderships** 74:5  
**learned** 48:7  
**learning** 90:2  
**lease** 46:4  
**leasing** 58:22 154:6,10  
 154:16,20  
**legislation** 24:21 103:2  
 103:6,9

**LeRoy** 1:18 12:4 29:5  
82:5 130:11 143:20  
149:13  
**Leroy.gishi@bia.gov**  
1:22  
**let's** 11:18 61:21 62:2  
135:5 139:3 152:9  
**letter** 61:8 117:17  
**letters** 77:17  
**level** 53:3 55:4 80:9  
91:10 96:8,17 97:15  
152:16  
**levels** 129:14  
**leverage** 72:7,8  
**lieu** 152:3  
**lights** 7:10  
**limitation** 128:5  
**limitations** 113:6  
**limited** 56:14 60:3  
**limits** 127:4  
**line** 22:20 60:13,14  
126:4,4,8 127:5  
**link** 15:22  
**list** 34:17 42:17 51:2  
58:12 79:2 83:16  
85:21 86:4,6 124:21  
**listen** 6:3 18:12  
**listened** 114:22  
**lists** 79:6 94:9,9 108:4  
**little** 12:4,15,16,17  
30:22 33:6 36:16,17  
37:8 39:13 42:15 46:7  
53:14,22 79:5 82:3  
84:12 105:7 107:4  
112:13 113:13 117:9  
118:12 121:11,21  
138:20 143:20 144:19  
**Liz** 28:22  
**loaded** 27:16  
**loan** 72:8,9,13,14,20  
**local** 33:13 35:21 40:16  
52:19 53:11 107:13  
108:14 119:12 124:6  
125:6 126:20 145:18  
146:10 151:12  
**locally** 131:8  
**located** 52:15 94:4  
119:21 150:17  
**location** 51:2 54:4  
115:18 116:2 133:13  
135:8 138:4,7  
**locations** 24:14 51:7  
**locked** 70:18  
**Lomayaktewa** 80:19,20  
81:14,20 82:1 132:20  
132:21  
**long** 19:17 72:6,11 89:3  
89:16,17 141:2  
146:22,22

**long-range** 67:18,22  
68:5 84:9,15 85:9  
87:9 119:15  
**longer** 62:20 66:17 73:6  
**look** 21:19 26:17 30:12  
30:20 35:20 55:20  
61:4 70:17 71:15  
106:2,16 137:17  
138:5 142:13 150:9  
**looked** 6:7 22:4  
**looking** 20:18 22:13  
36:19 44:17,21 47:7  
47:15 54:3,15 64:17  
98:6 101:11 120:1,2  
132:2,3,10,13 133:11  
133:22  
**lost** 103:18  
**lot** 19:8 21:3 30:21 31:2  
31:3 34:14,18,20 41:2  
41:6,9 48:15,16,22  
51:22 53:15 56:10  
58:14 73:5 83:11  
84:12,13,16,18 91:15  
94:6,22 97:14,17,19  
98:4,10 118:10  
119:22 126:4,5  
127:11 128:21 130:14  
135:8 139:11 141:4  
143:4,7 147:8,20  
155:11,21 156:13  
**lowest** 113:9  
**LRTP** 84:22 85:7,15  
**lunch** 82:10,11 101:3  
141:13,13

---

### M

---

**M** 1:18  
**mail** 28:14  
**mail-in** 77:14  
**maintain** 120:11 122:7  
125:9 126:6  
**maintained** 123:6,18  
124:2,2,3,12,15  
**maintaining** 43:20  
49:22 119:17 120:4  
122:8  
**maintenance** 10:3,5,6,7  
12:21 13:3 35:14 43:1  
43:4 44:6 45:5,20  
119:4,5,20 120:7  
121:3,10 122:2,7,10  
122:12,14,16 123:14  
123:16 124:22 125:17  
125:22 126:3,6,12,14  
127:4,13 128:13  
129:1,3,4 130:7,13  
132:19 133:15,16  
134:6,11,20 135:2

**major** 29:21 36:17 64:5  
66:12,15 68:3 69:22  
139:21  
**majority** 84:10 99:3  
**making** 41:12 53:18  
55:20 72:15 121:16  
126:11 133:17 134:14  
**manage** 136:2  
**management** 1:8 10:8  
98:16,22 99:2,8 104:9  
117:13  
**managing** 99:5,5,6  
**manner** 20:16 39:9 41:5  
89:2 135:16  
**manuals** 94:10  
**map** 93:1,4  
**MAP-21** 12:10 16:21  
17:2,9 26:6,7 35:16  
37:5,15,22 38:22 44:4  
50:8 51:12 52:12 62:8  
63:5,20 64:4 65:4,8  
66:5 67:2,11 99:21  
108:12 120:8 138:22  
140:15 147:18  
**March** 3:16 28:8 92:7  
115:16 138:3,9  
**Marvin** 112:11,11  
**match** 52:19 53:11  
**material** 22:6,16 23:1  
119:1  
**materials** 131:8  
**matter** 153:17,21  
156:11  
**McDowell** 68:15 156:4  
**mean** 23:14 73:19  
75:18 79:2 105:21  
106:10 111:14 133:6  
145:6 153:19 156:8  
**Meaning** 102:19  
**means** 18:4 44:12  
78:21 79:10 128:8  
**mechanism** 32:20  
33:14,19 57:4  
**mechanisms** 32:20  
79:18 122:21  
**meet** 59:22 74:13  
111:15  
**meeting** 3:18 4:1 6:1  
26:5 74:1,12,14,19  
115:18 116:3 150:16  
150:19  
**meetings** 48:15 56:22  
74:8 76:21 77:6,18  
114:20  
**meets** 115:15  
**members** 7:4 55:16,17  
56:21  
**memorandum** 116:5  
**mentioned** 17:15 18:14

19:13 29:16 30:13  
38:16 45:8 58:2,3  
61:4,6 76:21 89:19  
120:8  
**mentioning** 17:8 46:13  
**mentions** 68:15  
**menu** 101:12  
**met** 10:12  
**method** 55:1  
**methodology** 37:4  
**methods** 102:15  
**Mexico** 2:10 73:22  
**mic** 127:21  
**Michael** 80:19,19 81:14  
81:20 82:1 132:20,20  
**Michigan** 26:5  
**microphone** 4:13,17,17  
**miles** 64:20,22 70:19  
**million** 9:8 63:12 80:2  
88:4,5  
**mind** 19:3 74:9 127:5,8  
138:10  
**minimize** 65:15  
**minimum** 93:2,6,9,18  
**Minneapolis** 15:6 26:22  
27:11 77:11  
**Minnesota** 144:15  
**minute** 152:21  
**minutes** 6:10 25:2 62:3  
82:3,6,8  
**miscellaneous** 102:13  
135:6,9 140:6  
**missed** 61:15 76:15  
**missing** 60:16  
**mistake** 133:10  
**Misty** 141:18,18 147:21  
147:22 148:9,11  
**misunderstanding**  
139:11  
**MOB** 132:22 133:6  
**model** 20:19,20 109:4  
152:18  
**modeled** 20:8  
**modified** 14:10 16:19  
**modifies** 34:22  
**moment** 27:5  
**money** 10:7 12:13,16  
37:13 64:6,8,19 80:16  
111:10 129:9 145:7  
152:15 155:3  
**money's** 111:16  
**monitor** 116:20  
**monitoring** 97:1  
**month** 74:1  
**morning** 3:4 29:3 87:13  
94:5 101:15 137:10  
**MOU** 142:15  
**Mount** 26:4  
**MOUs** 40:10

**move** 18:6 19:3 33:21  
33:22 132:8  
**moved** 10:22 34:1  
**moving** 17:20 53:18,20  
**Mull** 112:11,11  
**multiple** 5:1  
**multipurpose** 81:17  
**multitude** 5:7  
**musts** 84:17

---

**N**

---

**N** 1:9  
**name** 3:4 4:21,22 6:12  
12:2 18:16,16 34:20  
50:13 78:12,13 82:20  
100:11 101:22 141:18  
156:3  
**names** 76:22  
**Nation** 68:15 110:2  
151:7 156:4  
**national** 1:9 9:18 10:13  
13:4 37:6 47:3 55:4  
69:18 91:10 98:18,21  
114:17 115:3,6,8,12  
119:10 120:19 148:7  
149:6,8,21  
**nationally** 98:8  
**nationwide** 105:3  
**native** 113:5,8  
**nature** 23:4 47:19 76:5  
76:14  
**Navajo** 78:13,14 125:19  
126:4  
**NCAI** 150:18  
**near** 113:21  
**nearly** 20:18  
**necessarily** 35:11  
36:13 41:17 56:2  
106:10  
**necessary** 81:3 95:8  
120:1  
**need** 6:11 19:12 30:14  
37:2,19 45:13 57:13  
61:14 62:19 67:13  
93:17 111:12 119:3  
126:22 132:8 133:2,4  
134:12,18 138:12  
139:12,13 152:14  
154:16,21 155:18  
**needed** 29:12 45:14  
73:21 91:16 92:18  
135:16 149:18  
**needs** 33:10 54:5 89:7  
92:19 123:20 124:8  
124:16 139:15 150:9  
**negative** 65:15  
**negotiated** 8:21 12:12  
19:5 21:21 22:10  
54:19 62:10 64:3

**negotiating** 9:2 42:18  
153:18  
**negotiation** 22:9  
**negotiations** 118:8  
125:12  
**negotiator** 14:14  
**new** 1:15 2:10 9:10 11:8  
11:11,17,21 13:15  
14:19 17:19 18:4  
20:20 37:21,21 44:11  
44:12 46:12,16 51:12  
62:13,22 64:5,7,15  
64:15,16 65:8,14 66:1  
73:22 83:12 90:5,7  
91:12 92:10,12,22  
93:5,19 94:19 105:4  
138:21 147:18 148:22  
**Nez** 150:4,6,20  
**nine** 10:18 11:14  
**Nome** 75:21  
**non-contractible** 104:6  
**non-contractual** 108:4  
**non-tribal** 51:16,17  
**normally** 129:2 144:16  
145:10  
**northern** 144:15  
**note** 27:13 39:21 74:10  
87:12 88:22 95:11  
126:19 134:9 138:1  
142:10  
**noted** 31:6  
**notes** 6:22  
**notice** 15:19,20 24:5  
34:18 38:3 39:15  
51:21 85:18 90:3  
139:16 150:12 156:13  
**noticed** 22:4 75:10  
156:5  
**notices** 85:11  
**notification** 122:20  
123:20 124:8,10  
**notified** 102:5 124:16  
**November** 43:11,14  
92:6  
**nowadays** 68:19  
**NPRM** 7:19 14:12 15:3  
15:8,16 17:4 18:11  
19:3 21:19 22:3,17  
24:17,18,19,20 28:8  
62:14,22 63:7 105:6  
138:6 141:1  
**NPRMs** 11:8  
**NPRN** 3:8 11:4  
**NTTFI** 25:8 67:20 90:13  
90:18 92:4,9 120:4,12  
**nuclear** 77:9 135:17,18  
**number** 16:9,15 21:16  
28:11,12,18 35:22  
39:22 44:16 58:7 60:5

77:15 96:10 109:21  
**numbered** 39:18  
**numbers** 78:18  
**NW** 1:20 2:9

---

**O**

---

**O** 2:4  
**o'clock** 8:4 82:5,9,17  
101:16,21  
**O'dham** 110:2 151:7  
**obligating** 40:7  
**obsolete** 26:13  
**obtain** 50:16  
**obviously** 29:13,22  
31:7 34:14 36:14 59:8  
69:11 77:4 110:20  
126:11 127:16 133:17  
140:16  
**occur** 37:20 54:4 56:8  
114:12 127:4  
**occurred** 29:14 34:19  
**occurs** 76:8 133:13  
**office** 1:15 2:1 16:5  
28:12,15,16 36:8,13  
38:22 39:2 40:20  
45:13 69:1 70:10 78:3  
83:1 97:15 115:21  
116:1,14 117:18,19  
154:6  
**offices** 33:21,22 40:11  
117:17 134:13  
**official** 155:13,19  
**officially** 43:13 99:22  
**Oh** 5:19 60:11 103:17  
112:10 131:19  
**OIG** 149:4  
**okay** 3:4 5:21 7:14,15  
27:17 58:6,20 60:11  
60:19 62:1 70:10  
80:17 102:21 106:4,8  
106:14 110:17 112:9  
129:5,12,20 130:18  
130:22 131:19 132:17  
135:3,5 139:5 148:9  
151:17 153:1,18  
155:6  
**Oklahoma** 26:22 27:11  
147:8  
**old** 14:18 20:19 49:16  
51:10 62:17 64:2,2,9  
65:7,14 70:14  
**OMB** 22:1 41:7 58:3,18  
119:2  
**once** 5:2 11:3,11 16:10  
17:22 27:7 82:12  
95:12 114:11 130:2  
**ones** 34:8 69:9 114:19  
**ongoing** 55:2

**online** 76:14 77:3,8  
**open** 3:16 47:4 133:16  
**operate** 56:3 139:13,16  
**operates** 117:10  
**operation** 149:7  
**operational** 14:3 53:12  
**operations** 14:7  
**opportunity** 3:14,15  
9:14 13:2 109:20  
117:11  
**opposed** 113:9 155:14  
**opted** 89:20  
**option** 7:13 21:6  
**options** 25:1 46:3  
**ordinance** 113:3,7  
**organization** 30:17  
31:18 126:20  
**organized** 55:11  
**orientated** 97:22  
**oriented** 93:15  
**original** 40:9  
**originally** 29:18  
**OSG** 155:16  
**outline** 88:2  
**outlines** 139:19  
**outlying** 88:8  
**outside** 119:1  
**overall** 85:17 117:11  
127:5 148:18  
**overcome** 98:14  
**overlay** 129:8  
**overnight** 26:13  
**oversee** 10:9 38:20  
41:6  
**overseen** 144:12  
**oversees** 39:3  
**oversight** 9:18 10:8,10  
31:15,15 32:1 104:9  
114:14 117:13 147:17  
**overview** 24:7,20  
**owned** 109:15,16 113:4  
113:5,8,9

---

**P**

---

**P-R-O-C-E-E-D-I-N-G-S**  
3:1  
**p.m** 101:18 157:10  
**package** 95:19,21  
**packets** 95:16  
**pages** 138:6 141:2  
**paid** 153:4,21  
**Paiute** 105:17  
**parent** 31:18  
**Park** 69:18  
**part** 1:4 3:8 26:7,9 31:9  
32:6 37:18,22 39:6,7  
40:13 42:6 48:14  
49:16 50:1,3,8 51:9  
52:10 53:4 56:8,9

57:12 59:20 61:8,11  
62:20 64:12 65:18  
66:4,17,20 71:4 72:1  
73:10 77:19 78:7,7  
80:11 85:17 94:12  
100:14 102:1 114:4  
119:9 125:12 128:20  
129:17 133:17,20  
138:19 139:7 140:12  
149:10,19 150:13,22  
155:10  
**partial** 104:14  
**participate** 31:22 33:15  
122:18  
**participation** 55:2  
**particular** 18:18 21:10  
29:17 33:8 36:22  
42:13 65:16 69:9,20  
70:14 87:22 91:21  
92:8,22 100:6 116:8  
116:13 117:3,7  
118:11,14 133:3  
142:11 150:12  
**particularly** 30:15 44:19  
45:3 53:20 77:21  
120:17 124:11 125:7  
134:10 147:8  
**partner** 31:12 89:16  
**partners** 150:15  
**partnership** 142:6  
146:20  
**partnerships** 147:9  
**parts** 14:4 37:14 38:10  
71:16 101:1 147:10  
**party** 143:1  
**pass** 17:19  
**passage** 29:14 31:19  
37:5  
**passed** 8:16 9:12 10:21  
21:16 24:10 43:4,16  
63:20  
**paste** 63:5  
**pasted** 63:6  
**Paul** 68:14,14,18 69:7  
156:3,3  
**paving** 145:21  
**pay** 7:6 72:5 153:15  
**payback** 72:21  
**paying** 72:7,12,19  
153:15  
**payment** 72:14 152:1,4  
152:12  
**payments** 105:1  
**penny** 12:15  
**people** 16:4 22:8 33:20  
34:5 41:1,6 44:17  
46:19 53:19,20 77:8  
85:2 99:9 102:20  
120:2

**people's** 76:22  
**Perce** 150:5,6,21  
**perceived** 141:7  
**percent** 10:2 43:21,21  
44:4 64:19 65:1,2  
82:13 120:9,21 121:6  
121:9 128:5 135:3  
**perform** 122:21 129:2  
130:19  
**performance** 90:5  
116:20  
**performed** 121:4  
126:18  
**performing** 84:19  
130:12  
**period** 3:16 40:21 43:7  
43:8 60:2 64:10  
117:16 138:3  
**permanent** 133:20,21  
**permanently** 47:21  
**permissible** 114:2  
**permits** 130:5  
**person** 5:15 101:12  
**personnel** 99:5  
**perspective** 9:19 38:13  
56:5 121:22 133:15  
134:15,17 138:15  
149:8,22  
**pertain** 34:11 93:21  
100:4  
**pertaining** 83:6 86:11  
93:4 97:15,20  
**pertains** 89:11 94:16  
99:14  
**pertinent** 84:12 99:2  
**phase** 41:1 129:18  
**Philbin** 2:14 113:11,11  
146:15,18 152:6,8,8  
152:21 153:2,10,17  
**Phoenix** 1:10 15:5  
26:21 115:20  
**phonetic** 32:19 133:11  
**pier** 93:13  
**place** 11:12 14:10,14  
15:2 17:21 24:12 99:8  
99:21  
**placed** 4:7 87:3 94:8  
**places** 14:17 47:16  
101:6,9  
**plan** 7:9 8:3 52:2 67:18  
68:6 79:12,12,16,17  
80:6,14 81:9 84:15,20  
85:10 87:10 89:4,18  
96:17 98:19 114:17  
114:17 115:3,6,9,12  
119:15 130:4 131:12  
131:14,17 149:6  
154:9 155:5  
**planner** 150:4

**planning** 30:17 45:10  
63:12 65:21 66:2 68:1  
80:11 83:2,10,12,14  
83:16,19,21,22 84:1,5  
84:7,9 85:17 86:7,14  
86:19 87:4,15  
**plans** 38:1 52:3 95:10  
95:15 96:9 130:7,10  
131:18  
**play** 130:17  
**played** 64:5  
**Pleasant** 26:4  
**please** 4:22 5:10 7:5  
18:15 28:10,18 59:9  
68:13 79:4 111:5  
138:9 151:19 152:21  
157:3  
**PM&O** 104:11  
**PMNO** 63:15  
**point** 5:5 9:16 43:10  
56:11 57:20 77:3  
88:21 90:15 91:9  
100:9,21 105:18  
136:8 140:22  
**policies** 24:12 30:6  
45:21  
**policy** 14:7 21:16 122:4  
**polishing** 40:8  
**politically** 146:13  
**population** 62:18 65:2  
71:1,2  
**portal** 28:20  
**portion** 41:18 47:20  
55:8 87:13 137:9  
145:19  
**portions** 37:6,21  
137:13 141:4 150:12  
**possibility** 55:20  
**possible** 14:22 124:17  
**possibly** 115:16  
**posted** 15:11 46:16  
**posting** 77:14  
**pot** 12:4 128:6,8 153:12  
**potentially** 81:11  
**power** 77:9  
**PowerPoint** 5:9 27:4,14  
30:12 103:18  
**PowerPoint's** 27:6  
**PowerPoints** 5:11,19  
**powers** 55:11  
**pre-SAFETEA-LU**  
20:20  
**preamble** 7:21 24:5,6  
24:19 28:7 73:16,17  
137:9,18  
**prefer** 7:14  
**preference** 32:22 107:9  
107:9,15 112:16,16  
112:20 113:15,15,17

114:1,3,6,7,9 136:6  
136:17  
**preparation** 128:13,18  
129:17  
**present** 6:2 18:11 102:1  
**presentation** 8:12 27:4  
30:19 76:3 78:8 87:13  
94:5 100:18 118:16  
**presentations** 4:11  
6:21 7:22 30:11,13  
35:4 90:4,19 95:13  
**presented** 5:8 27:9  
42:11 76:10  
**presenters** 3:11 4:3  
**presenting** 5:10 83:1  
**preservation** 134:16  
**presidential** 11:6  
**pretty** 22:9 34:1 36:8  
37:13 65:19 66:22  
68:2 70:18 72:1 75:15  
79:9 106:18 120:15  
127:17  
**previous** 5:5 44:7 45:7  
57:11 87:13 90:19  
92:11 118:16 151:9  
**previously** 12:22 18:5  
25:10 35:1,7 39:19  
41:16 65:11 66:9  
89:10 135:7 143:13  
**price** 130:19 131:1,13  
131:16  
**primarily** 12:1 16:17  
29:20 30:6 34:9 36:4  
36:12,18 38:11 41:5,7  
41:22 42:17 46:1 47:7  
51:10 53:2 58:12  
60:18 74:2 90:14  
120:6 136:11 137:4,7  
155:17  
**primary** 31:14 55:16  
79:20 90:1 96:6  
100:20 121:20  
**printers** 45:12  
**prints** 30:14  
**prior** 8:19 9:16 10:4  
29:9 31:13 139:8  
154:5,8  
**priorities** 116:13  
**priority** 13:6,11 66:14  
66:16 68:8 85:21 86:3  
86:6 111:13 140:12  
**private** 109:17 144:16  
**pro** 130:16  
**probably** 12:9 37:9  
75:13 81:7 82:9,13  
92:6 98:5 100:10  
101:7 134:22  
**problem** 13:13 16:22  
69:14 147:7,11

**problems** 54:9  
**procedural** 24:18  
**procedures** 24:13  
 34:21 44:20 47:22  
 122:4 126:17 127:16  
 139:21  
**proceed** 76:11  
**process** 4:10 9:3 11:1  
 15:11 22:11 29:8 30:1  
 31:10 32:6 37:18 38:1  
 39:4,10 40:2,6 41:7  
 42:9,19 44:10,11,18  
 45:1,3,11,18 46:11,18  
 47:11,22 48:14 49:3,9  
 53:17 54:19 57:1,17  
 59:4,5 61:12 67:14  
 68:1,2 70:3,22 71:2,8  
 71:17,20 73:1,4 80:11  
 81:2 83:15 84:21 85:3  
 85:18 86:7 87:2,7  
 89:6 90:17 95:4 96:8  
 104:17 118:9 132:16  
 133:17 139:7 140:2,4  
 144:11 145:3,9 148:1  
 155:10 156:12,14  
**processes** 14:4 71:12  
 149:20  
**procurement** 32:20  
 103:3  
**procurements** 99:10  
**procuring** 103:6  
**produce** 45:13  
**program** 1:3,13 3:6 7:3  
 8:7,8,13,19,21 9:1,5  
 9:13,17 10:1,5,5,8,10  
 10:11,15,17 12:1,2,3  
 13:6,7,8,11 19:16,18  
 19:19,21 20:10,12,16  
 21:4,5,9,11,13,14  
 23:3,5 24:10,11,22  
 25:3 29:13,21 30:5,8  
 31:15,16,19 32:9,11  
 32:21 34:2,6,20 35:8  
 35:10 36:3,5 38:2,4  
 38:10,13,19,20 41:15  
 41:21 43:19,19 45:15  
 47:1 49:6,18 50:3  
 51:12,17,20 52:11,14  
 52:14,15,18 53:3,8  
 54:17 57:13 60:21  
 62:7 63:11 66:14,16  
 66:18,20 68:8 69:16  
 69:20 70:9 71:13  
 81:19,20 82:12 83:3  
 83:17 84:14 85:2,4  
 86:18 87:1 88:7 89:21  
 90:2 95:13 96:11 98:3  
 98:12,17 99:4,4,11,15  
 99:17,22 100:2,5,6,12

100:13 102:3,16  
 103:4 104:8 105:10  
 105:13 107:10,11,14  
 108:19 111:16,18  
 112:3,17 113:16  
 114:8,14,21 115:2,14  
 116:21,22 117:4,5,7  
 117:11,13,16 118:3  
 118:19 119:4,6,8,20  
 120:3,17,18 122:9,9  
 127:9 135:22 136:14  
 136:20 137:4 138:14  
 139:1 140:3,12,15,16  
 143:9 145:15 148:5,6  
 148:13,15,19 149:4,8  
 149:21 150:1 151:16  
 155:19 157:9  
**programmatic** 30:3  
 33:2 123:2 155:15  
**programs** 20:15 33:11  
 33:11 36:1 37:21 38:6  
 48:14 50:7,9,10,11,12  
 52:22 54:12 55:7  
 69:17 86:11 117:10  
 120:16 122:19 137:14  
 140:18 141:7  
**project** 68:8 79:10,13  
 80:2,7,15,17 81:8,10  
 81:12,12 85:16 89:6  
 95:16,18,20 97:10,11  
 109:15 111:12 122:10  
 128:21 129:9,15  
 130:3,3,8,14,16,20  
 131:2,14 132:6,7,9,10  
 133:1,12 139:10,10  
 144:16,17 145:1,21  
 146:22 147:5,18  
 151:12 152:10,17  
 155:8  
**project's** 79:19  
**projects** 13:6,11,16  
 38:2 51:18,21 52:4  
 66:14 67:3,5 69:22  
 70:5 72:5,18 87:3  
 89:9 95:2 97:3,6,18  
 98:5 113:20,21 121:8  
 128:22 136:13 140:12  
 145:10  
**Promise** 7:14  
**proposal** 74:11  
**proposals** 44:11 46:12  
**proposed** 15:20 18:3,4  
 18:11 24:6,16 25:6,14  
 25:14,21 26:14,16  
 56:22 62:22 89:1  
 90:16,21 91:2,15,17  
 91:19,22 92:2 94:20  
 96:2,6 97:8  
**proposing** 80:2

**provide** 3:14,17 6:5,5  
 10:10 37:18 42:15  
 54:22 72:2 86:2 97:9  
 126:1,8 127:19 133:4  
 134:7 136:9 137:19  
 154:17 155:21 157:8  
**provided** 4:4 6:8 9:14  
 13:1 15:22 57:19  
 118:10  
**provides** 24:6 51:12  
 57:7 88:13 139:15  
**providing** 34:5 35:20  
 38:14 48:13 78:5 81:5  
**provision** 43:20 108:12  
 121:2 147:18  
**provisions** 43:17 104:2  
 107:15 135:6 138:22  
 140:6 142:13  
**PS&E** 95:20  
**PS&Es** 10:12 129:14  
**public** 44:19 47:5,14  
 48:2 49:9 52:13 85:11  
 85:11 87:6,8 89:3,4,8  
 89:12 120:12 124:6  
 127:11 132:15 137:12  
 137:15,19  
**public's** 85:6  
**publication** 24:8 61:6  
 138:6  
**publish** 16:13 17:12  
 23:9  
**published** 9:3,9 11:8  
 15:3,9,16,21 16:14  
 24:18 27:7 43:6  
**Pueblo** 73:14,22 74:13  
 76:8 128:1  
**Pueblos** 74:4  
**pull** 49:12  
**purchase** 45:5 46:4,5  
 59:12 154:11,15,19  
**purchases** 45:16,20  
 59:1  
**purchasing** 58:21  
 154:4  
**purpose** 18:10 30:18  
 32:10 46:1,7 48:13  
 76:21 79:20 84:8 88:1  
 109:5 111:19 112:1  
 133:17 142:11  
**purposes** 25:11 40:15  
 43:20 47:18 73:9  
 108:1 118:11 121:10  
 127:15 128:14  
**pursue** 79:17 80:6  
**put** 12:6 14:12 17:4  
 26:5 44:16 45:22  
 48:21 51:4 73:8 78:3  
 110:19 135:8  
**puts** 67:9 113:5

**putting** 58:18 144:20

---

**Q**


---

**qualified** 113:4  
**Quechan** 59:17,20  
**question** 4:20,22 25:20  
 25:22 26:11 44:13  
 59:14 69:15 70:10  
 73:15 75:18 80:18  
 81:14 84:3 85:20  
 87:21,22 88:1 91:13  
 91:13,21 92:8,11,16  
 92:22 93:5,19 94:16  
 94:20 96:4 98:20 99:2  
 99:12 102:17 110:3,4  
 110:5 111:2,9,9 112:7  
 113:14 125:17 141:16  
 143:21 146:18 148:12  
 151:8,11,19 153:6  
 155:7 156:2  
**questions** 3:14 4:18 5:1  
 6:4,6 29:1 31:7 43:9  
 44:12 46:8 52:20  
 53:16 59:7,13 61:17  
 73:12 76:10,13 83:6,9  
 84:10 85:14 86:11,20  
 86:21 89:11,14 90:8  
 92:12,13 93:21 95:5,9  
 95:21 96:7 97:9,13  
 99:14 100:3,8,19,20  
 100:22 101:3,11  
 105:14 114:10,12  
 118:4 120:13 125:16  
 127:20 132:18 136:14  
 140:20 141:10 154:1  
 156:16  
**quick** 61:22 102:17  
**quickly** 82:14  
**quite** 82:14 91:8,9,9  
**quote** 16:21

---

**R**


---

**raise** 4:12 5:10 68:13  
**raised** 97:14  
**raising** 134:2  
**ran** 91:6  
**Randy** 150:3,3  
**range** 89:4,17,18  
**Raymond** 73:13,13  
 74:20 76:2  
**re-present** 74:15  
**read** 31:5  
**reader** 25:12  
**reading** 86:19 96:5  
**ready** 17:11 100:22  
**real** 61:21 68:3  
**realize** 86:21  
**really** 9:17 10:5 14:13

14:15,21 20:21 23:15  
 29:12 45:8 47:17  
 59:10 65:3,22 70:21  
 71:7,22 73:11 78:17  
 78:21 79:19 80:8  
 123:17 126:7 135:10  
 136:7 139:12 145:6  
 146:5  
**realm** 134:6  
**reason** 60:22 136:1  
 143:12,19  
**reasonable** 80:14  
 136:10  
**reasonably** 79:11  
**reasons** 22:21 47:15  
**reauthorization** 8:9  
**recall** 25:19 46:18  
**receive** 13:18 88:19  
 104:14 119:14  
**received** 15:7,10 51:15  
 71:6  
**receiving** 105:1 152:3  
**reception** 101:5,12  
**Recess** 82:18 101:17  
**recognized** 7:6 20:17  
**recommen** 149:2  
**recommend** 97:17  
**recommendation** 48:13  
 55:1  
**recommendations**  
 21:17 55:19 148:15  
 148:20 149:3,9,13  
**reconciling** 61:12  
**reconstructed** 111:21  
**reconstruction** 109:9  
**reconvene** 101:19  
**record** 6:3 18:13,17  
 73:22 77:19 151:5  
**recorded** 4:19 6:7  
**recording** 4:1  
**records** 97:5  
**Recovery** 128:21  
**Recreation** 50:5  
**redefining** 126:9  
**reduced** 23:22  
**reestablished** 13:8  
**refer** 31:18 60:18  
 108:13 127:14 135:15  
**reference** 4:8 16:20  
 23:1 24:2 28:18 32:13  
 36:11 41:15,19,20  
 50:15 68:7,10 71:20  
 73:9 84:13 87:18 98:8  
 105:20 107:11 119:19  
 135:10 136:20 140:17  
 141:21 156:5  
**referenced** 36:11 57:14  
 66:5 73:7 90:20 150:2  
**references** 30:1 34:18

42:12 43:1 50:6 52:11  
 58:13 62:15 65:6 66:2  
 66:13 70:19 85:7 93:6  
 94:10 105:5,9 119:3  
 123:7 135:14 136:21  
**referencing** 66:5 92:9  
 103:9 137:13  
**referred** 32:8 43:18  
 57:6 135:20 143:13  
**referring** 60:12 126:15  
 152:19  
**refers** 36:6 51:10 52:12  
 57:22 124:4 125:2  
 156:14  
**reflect** 11:1 14:3 66:1  
 67:7 70:15 83:17  
 89:12 100:11 102:5  
 104:13 136:19 141:5  
**reflecting** 13:22  
**reflects** 24:22  
**reg** 50:19 64:2 67:11  
 70:14 71:16,20 73:10  
 82:14 140:3 149:11  
 149:12  
**regard** 127:9  
**regarding** 22:2 40:11  
 59:11 71:2 115:1  
 118:13 126:11 136:14  
**regards** 71:10,18 79:18  
 128:3  
**region** 40:10 55:21 56:1  
 56:6,9,9 123:21  
**regional** 69:1 116:14  
 117:18 154:6  
**regionally** 70:4 81:12  
**regions** 56:7 116:10  
**Register** 15:3,9,18,22  
 16:8,12 17:7 18:6  
 22:2,19 23:12 58:4,18  
 61:13 85:22 103:7  
**Register's** 22:22  
**Registry** 16:16 85:19  
**regs** 44:7 90:5 93:3  
 95:7 96:1,4,5,6,14  
 97:9  
**regular** 45:18  
**regulation** 8:2 23:13,17  
 39:16 42:10 44:22  
 45:7 55:15,17 61:10  
 66:21 86:5 94:13  
 108:3 139:22  
**regulations** 8:22 11:8  
 29:9,10,11 34:11  
 36:11 39:7 44:9 46:1  
 51:10 54:16 55:15  
 57:11 86:1 87:20  
 88:12 89:2 91:14,15  
 94:7,8,22 96:2 99:18  
 100:7,10 126:1 138:2

138:21  
**regulatory** 16:4 28:13  
 28:15 41:7  
**reimbursable** 107:12  
 145:13 146:6,8  
**reiterates** 87:8  
**iteration** 93:3 94:21  
 95:6  
**relate** 132:22  
**related** 25:4 38:12 83:9  
 116:7 118:20  
**relates** 117:3 120:4  
**relationship** 68:4 83:11  
 118:13,17  
**relative** 37:2 62:19  
 119:22  
**relatively** 79:22  
**relevance** 150:20  
**relief** 135:19,20  
**remain** 25:8 98:20  
**remainder** 82:11  
**remaining** 27:3 35:4  
**remains** 67:16  
**remember** 75:18 85:22  
**remind** 149:2  
**reminded** 149:14  
**reminder** 85:8  
**remove** 25:9 119:3  
 136:3  
**removed** 13:6 16:20  
 35:7 62:21,22 94:7  
 96:1 98:17 100:15  
 136:3  
**renting** 58:22 154:7,10  
 154:16  
**repairs** 133:20,21  
**replace** 122:11  
**replaced** 12:10 26:9  
 62:8,12 65:5,7  
**replaces** 51:9  
**replacing** 132:10 134:4  
**report** 148:12  
**reporter** 3:22 18:17  
 151:4  
**reporting** 136:5  
**represent** 5:1 6:13  
 18:18 30:16  
**representatives** 7:2  
 47:10 48:10,10 55:21  
 56:4,13,14,16 150:16  
**reps** 54:20  
**request** 25:7 95:4,5  
 108:2 116:7 121:17  
 136:10  
**requesting** 121:20  
 126:12 152:1  
**requests** 51:21 52:1  
**require** 85:10 86:1  
 126:16 154:8

**required** 40:6 49:7 87:9  
 93:2,6 109:3 114:2  
**requirement** 81:1 87:10  
 96:16 116:9 127:7  
**requirements** 24:18  
 25:4,6 59:22 84:18  
 86:15,19 87:5,16  
 89:13 90:17 91:18,22  
 92:14 94:1,3,17 98:21  
 99:20 103:3,7 111:16  
 133:7 136:5  
**requires** 154:5  
**requiring** 14:5  
**research** 140:7  
**reservation** 110:8  
 127:2  
**reservations** 52:13  
 113:22  
**reside** 100:7,8  
**resolution** 26:17  
 104:17 139:20 140:2  
 150:7  
**resolutions** 77:17  
**Resolving** 139:19  
**Resources** 131:6  
**respect** 7:2 14:13 19:10  
 19:15  
**respectfully** 69:16  
**respective** 69:10  
**responding** 150:21  
**response** 6:8 52:6  
**responsibilities** 25:4  
 57:15 117:14 139:17  
 142:16  
**responsibility** 55:9  
 121:12,20 124:5  
**responsible** 38:11  
 121:16  
**rest** 7:22 82:12 104:20  
**restatement** 17:3  
**restrictions** 67:1  
**result** 11:19 19:5 22:15  
 34:15 35:1 36:2 37:22  
 38:16 42:21 62:14  
 91:4  
**resurface** 122:11  
**revenue** 153:9,11,12  
**reverse** 142:3  
**review** 7:19 32:6 95:9  
 96:8,17 97:5,17  
 115:13 116:20 117:16  
 117:19 148:13 149:4  
 150:11  
**reviewed** 14:5 43:6  
 95:7  
**reviewing** 83:5 90:8  
 100:19  
**reviews** 98:17 117:1,5  
 117:11

**revised** 103:21  
**revises** 24:20  
**revisions** 24:16  
**Reworded** 40:14  
**rewording** 41:2  
**rewrite** 42:2  
**rewritten** 42:9  
**rich** 34:1  
**right** 3:4 6:15 7:15 12:6  
 12:14 15:15 18:8  
 22:15 26:1 28:5 29:2  
 42:8,10 57:2 60:14  
 61:20 70:7 82:2  
 102:22 103:16,17  
 106:18 107:3,5,7  
 110:7 111:19,21  
 112:10 115:15 118:5  
 126:2 127:21 129:20  
 131:10 132:17 133:10  
 141:19 144:5,18  
**road** 2:9 10:4 34:9,9  
 35:14 43:4 47:18 48:1  
 48:1,2 49:15 64:20,21  
 91:19 92:1 98:9 109:6  
 109:6,10,15,16  
 111:21 112:5 116:14  
 119:4,19 120:20  
 121:3,3,7,10 123:14  
 123:18,19,20 125:16  
 125:22 126:3,5,7,11  
 126:14 127:4,10,12  
 128:3 132:7,19  
 133:16 134:3,6,11,20  
 135:2  
**roadless** 50:22  
**roads** 25:6,7,15,22,22  
 26:14,14 43:20 47:2  
 47:13 49:1,1,11,11,22  
 50:21 51:5,6 90:21,22  
 91:3,3 97:19 98:3  
 102:20 119:12,12,12  
 120:4 121:17 124:1,4  
 124:5,11,15 125:9  
 126:5 135:21 138:16  
**roadway** 122:8  
**Robert** 1:12  
**Robert.sparrow@dot...**  
 1:17  
**role** 9:17 30:4 31:14  
 36:22 64:5 85:6  
**roles** 55:9 57:15  
**roll** 106:21 107:1  
**rolled** 39:19 96:4  
**rolling** 89:17,19  
**room** 1:14 6:11  
**route** 110:6,15,22  
**routes** 48:6,21  
**routine** 134:21  
**rule** 3:11 9:9 13:21

14:15,19,19,22 16:14  
 17:7,11,16 18:1 19:4  
 19:9,14 21:20,21 22:3  
 22:5,10,11 23:7,9,10  
 23:16 25:10,14 26:16  
 26:18 43:3 49:16 63:1  
 64:18,22 68:11 98:14  
 105:7 139:15 148:22  
 148:22 149:19  
**rulemaking** 8:21 9:2  
 12:12 14:14 15:21  
 19:5 22:10 24:6 28:20  
 42:18 54:19,21 62:10  
 64:3 139:7  
**rules** 22:1 25:15 32:7  
 103:9 112:20 119:17  
 127:9 139:16 142:16  
**run** 30:14 108:8 144:10  
**running** 62:17 82:3  
 99:3,4 144:4  
**rural** 53:20

---

**S**


---

**S** 2:1  
**Sacramento** 22:8 25:16  
 26:20 27:5,10 59:11  
 77:9  
**sacred** 47:16  
**safe** 157:5  
**SAFETEA-LU** 9:11  
 10:21 11:13 12:22  
 17:17 23:20 31:20  
 43:16,17 44:3 66:3  
 91:2 120:22 121:15  
**safety** 13:16 38:2,18  
 49:8 51:8,11,13,17,20  
 51:20 52:2,3 63:14  
 132:9,10  
**salaries** 99:9  
**San** 112:11  
**Santa** 76:7  
**satisfy** 52:18  
**savings** 105:3  
**saw** 63:3  
**saying** 4:3 11:17 67:20  
 72:16 123:17 138:11  
 139:12 153:16 155:17  
**says** 14:16,18 30:22  
 42:7 59:21 65:20 67:8  
 79:16 106:5 124:14  
 142:14 151:22  
**scanned** 77:18 151:3  
**schedule** 56:21 75:10  
 82:4  
**scheduled** 74:1 115:15  
 115:20 150:17  
**schedules** 24:15  
**School** 2:9

**screams** 139:3  
**screens** 7:11  
**SE** 1:15  
**seal** 128:19 130:3,6,15  
 130:20 131:1,2  
**sealed** 129:7  
**sealing** 121:3,8 127:10  
 127:12 128:3,6,6,7,8  
 128:9,12,13,17 132:7  
**sealings** 120:20  
**seals** 132:2  
**seasonal** 48:6,20  
**Seattle** 27:1,12  
**second** 39:20 59:18  
 64:12 65:1 68:12  
 78:14 81:14 96:8,17  
**Secretaries** 14:9 21:17  
 55:2,6 116:20 117:1  
 137:2,5  
**Secretary** 8:20 16:6  
 28:17 31:11,20 33:4  
 33:16 36:14 38:8,10  
 48:11,12 56:22 75:8  
 85:4 89:21 96:20  
 121:13,15,19 123:21  
 124:1,16  
**Secretary's** 115:21,22  
**section** 5:9 30:21 41:15  
 41:16 42:4 46:11 47:6  
 48:4 52:15 60:7 65:16  
 66:1,17 67:7,16 70:13  
 70:14 73:16,17 83:2  
 86:9 92:16,20 98:17  
 99:13 102:4,9 108:11  
 114:16 121:12 123:10  
 124:13,14 133:6  
 136:7 137:17 142:14  
 143:13 152:19 156:22  
**sections** 14:5 16:19  
 25:9 29:17,17 58:7  
 136:4,19 140:22  
**secure** 72:4  
**see** 6:16 8:3 11:18  
 14:17 36:3 40:1 41:4  
 42:20 50:2 61:11  
 63:19 66:13 76:14  
 77:8 82:16 86:4 89:15  
 98:3 105:5 109:18  
 137:22 139:3 141:1  
**seeing** 63:2 138:19  
**seen** 51:19 56:10 93:9  
**selected** 55:12  
**selections** 57:18  
**self** 21:6 60:1,3 123:1  
**self-determination**  
 32:17 33:18 36:12  
 42:1 60:20 104:3  
 112:19 117:6 145:15  
**self-governance** 21:7

60:16,19 117:10  
**semantics** 89:15  
**Senate** 114:22  
**send** 59:8 138:4  
**sending** 144:3,6  
**sends** 142:4 148:1  
**sense** 148:19  
**sensitive** 134:18  
**sent** 15:18,19 41:9  
 46:15 118:22 144:7  
**sentence** 71:16  
**separate** 13:13 66:19  
 153:12  
**series** 83:8 89:11 92:12  
 92:13 93:21 95:5,9  
 97:13 99:13 100:3  
**service** 21:8 40:8,11  
 69:18 102:2 116:8,11  
 145:17  
**services** 38:15 122:19  
**session** 18:10 76:17  
 101:20 156:21 157:10  
**sessions** 1:2 4:13 15:5  
 24:14 26:19 27:2,3  
 75:6,19,20 76:4,9,11  
 76:13 90:20  
**set** 30:10,19 37:21  
 51:11 55:22 99:21  
 130:7,10 131:12,14  
 131:17,18 152:15  
**set-aside** 10:16 12:17  
 63:13,14,14,15  
**set-asides** 13:16 63:10  
 63:12 65:11  
**setting** 117:22  
**seven** 149:2,3  
**share** 10:3 88:3,3 91:4  
 116:16  
**shared** 76:13  
**shares** 51:17 65:3,18  
 71:4,5 80:1 113:16  
**she'll** 4:15  
**sheet** 6:17 39:14  
**sheets** 132:3  
**Sheldon** 2:4 4:14 82:20  
 129:22 131:4 151:18  
**Sheldon.kipp@bia.gov**  
 2:12  
**shelf** 49:13  
**shelved** 11:20  
**shifting** 91:8  
**short** 101:10 102:1  
**shorter** 141:3  
**shortly** 77:2  
**Shoshone** 105:16  
**show** 58:12 72:13 79:11  
 80:3 81:8  
**showing** 3:12 79:10  
**shown** 62:11 155:4

**shows** 39:14 44:18 46:2  
**side** 56:8 108:21 122:5  
**sides** 107:6  
**sign-in** 6:16  
**signed** 16:2,11  
**significant** 40:14 41:13  
 48:4 49:15 50:18 70:4  
 70:5 81:12 85:21  
 89:13 91:3 103:4  
 104:4 107:16,21  
 108:5 136:18 139:6  
 140:10  
**signs** 132:11  
**similar** 20:12 29:18  
 34:12 36:19 111:3  
**simple** 44:14 81:10  
 106:18  
**simplifies** 39:9  
**simply** 34:18 54:13  
 141:3  
**sir** 5:17 6:15 68:12,17  
 75:1 78:11 103:16  
 105:15 125:18 152:19  
**site** 133:13  
**sites** 47:16 50:15 73:17  
**sits** 43:8  
**sitting** 143:5  
**situation** 75:9 113:1,2  
 144:20 145:12 146:7  
**situations** 54:4 76:4  
 109:10 112:18  
**six** 71:7 76:12  
**size** 143:4  
**slide** 7:8 28:3 108:9  
 140:20  
**small** 79:22 92:16,20  
**snapshot** 17:2  
**Soaring** 26:4  
**software** 156:13  
**Solicitor** 2:1  
**solicitor's** 16:4  
**somebody** 53:2 87:16  
**somewhat** 75:13  
**soon** 15:21 74:21  
**sorry** 65:9 106:20 107:4  
 111:4 112:10 125:2  
 151:22  
**sort** 40:9 50:11 54:9  
 59:2 89:8 105:10  
 108:21 118:13 137:12  
 142:20 146:10 157:1  
**sound** 146:9  
**sounds** 82:6 151:11  
**source** 52:17 80:6  
 99:17  
**southern** 110:5  
**Sparrow** 1:12 3:3,5  
 5:14,17,19,21 6:18  
 61:20,21 62:2 68:17

68:20 69:13 74:18  
 75:1,3 78:11 79:7  
 81:6,19,22 82:2,8  
 115:7,10 147:19  
 148:8,10 149:1,2,12  
 151:18 154:11,14  
 156:16  
**speak** 35:15 146:19  
**special** 104:2  
**specific** 32:13 37:6  
 101:11,12 105:21  
 116:2 126:13 135:10  
**specifically** 35:3 38:7  
 48:19 68:18  
**specification** 96:18  
 130:4  
**specifications** 95:10  
**specs** 95:15 96:9  
**spell** 4:22 6:12 18:16  
**spelled** 76:22  
**spelling** 5:2 76:22  
**spend** 72:17  
**spending** 31:3 80:16  
**spring** 115:2 128:19  
 129:7  
**Sr** 59:16  
**staff** 69:3,5  
**stage** 11:4  
**stand** 4:13 6:12 7:5  
**stand-alone** 10:16 13:8  
 129:3  
**standard** 23:6,7 32:15  
 49:12,14 132:4  
**standards** 23:3 49:8  
 94:18,20 97:2 98:7  
 123:5,11,13 125:3,4,6  
 125:7 126:14  
**standpoint** 34:5 50:13  
 56:3,6 60:18 119:16  
 128:20 132:14 134:19  
 136:11  
**stands** 36:9  
**start** 6:14 35:10 46:9  
 49:13 55:8 82:9 101:4  
 101:15  
**start-up** 103:13  
**started** 7:10 10:22 27:5  
 29:8 67:14  
**starting** 80:9  
**starts** 42:6  
**state** 4:21 13:19 40:16  
 43:11 51:3 72:10  
 88:19 107:13 108:14  
 108:16 109:6,8,11,12  
 109:15 110:6,9,19,21  
 111:10,21 113:20,20  
 113:22 119:13 123:12  
 124:6,11 125:6  
 126:20 127:11 130:19

131:1,13 135:21  
 141:22 142:1,5,20  
 143:16 144:4,13,17  
 146:20 147:9,12,14  
 148:1 151:10,12  
**state's** 144:21  
**stated** 59:3 141:22  
**statement** 151:9  
**states** 20:17 33:12 42:8  
 47:2 66:22 69:10 70:1  
 95:3 105:22 108:10  
 143:22,22 144:9  
 145:7  
**status** 139:14  
**statute** 23:18,18 32:14  
 42:2,21 44:22 58:9  
 135:11  
**statutes** 102:10 105:4  
**statutory** 12:12 16:20  
 19:15 26:9,10 58:12  
 62:13 87:4 90:15  
 136:20  
**stays** 23:10 144:8  
**steers** 71:16  
**step** 17:12  
**Steve** 5:18,20 105:16  
 105:16 106:2,5,9,14  
 110:1,1,17 151:6,6,17  
**stewardship** 9:18 10:10  
 114:17  
**STIP** 70:2,6 81:5  
**stop** 93:14  
**stopped** 11:3,4  
**stops** 98:2  
**straightforward** 106:19  
**strategic** 46:12  
**Street** 1:20  
**stretch** 146:12  
**strictly** 66:10 119:4  
 127:13  
**strip** 93:1,4  
**structure** 19:6 81:16  
 122:12 134:4,4  
 143:19  
**structures** 39:3 40:20  
**students** 6:20  
**studies** 85:17  
**study** 6:21  
**stuff** 65:8 73:5 129:1  
**sub** 74:12  
**subject** 128:4  
**submission** 28:11  
**submit** 28:9,19 56:21  
 92:17 150:11  
**submitted** 28:8 51:22  
 52:1  
**submitting** 150:21  
**subordinate** 146:10  
**subpart** 16:19 18:2

24:17 30:6 32:18,18  
 42:13 58:11 59:13,14  
 62:3,5 63:2,4 66:13  
 67:17 70:12 72:1 73:6  
 73:11 79:8 82:9 83:2  
 83:7 86:9,10 99:14  
 100:14,15,17,19  
 102:1 103:19 104:12  
 107:4,5,19 114:11,14  
 118:4,7,8 123:1  
 125:16 140:22 155:14  
**subparts** 8:1 156:17  
**subsection** 42:5,6 83:8  
**subsections** 83:7  
**subsequently** 14:9  
**substantially** 63:3  
**success** 150:19  
**successful** 53:4 109:22  
**successfully** 53:9  
 90:18  
**Suite** 2:9,18  
**supervisory** 2:5 82:21  
**supplement** 148:4  
**supplemental** 63:16  
 65:10,17  
**support** 45:14 103:13  
**supporting** 98:12  
**suppose** 105:19  
**supposed** 60:2  
**sure** 5:11 9:10 28:10  
 39:8 42:10 47:11 51:4  
 53:18 57:14 61:5 88:9  
 90:9 103:5 121:16  
 124:22 125:11 126:22  
 127:1 133:18 134:7  
 134:14 135:12 136:12  
 137:5 155:2  
**suspect** 19:17  
**system** 35:1 74:4 92:2  
**systems** 35:21,22 98:16  
 98:22 99:2,8

---

**T**

---

**T** 37:3  
**T-I-P-T-O-N** 110:2  
**T-R-U-J-I-L-L-O** 128:1  
 154:3  
**table** 36:16 49:18,19  
 59:21,21 60:9  
**tables** 62:16,16,19  
 118:20  
**tackle** 54:9  
**tag** 3:10  
**tag-team** 7:22  
**take** 6:9 9:6 14:15 22:20  
 30:11 61:19 62:2,4  
 69:21 94:14 101:3  
 108:16 109:9 137:17  
 157:7

**taken** 11:16 30:5 48:1,2  
50:10 63:10 65:4  
68:10,11 82:18 96:19  
101:17 123:16 141:4  
**takes** 64:6 71:19 143:4  
**talk** 7:20 18:15 33:6  
37:8 39:7 53:5,6,7  
62:3 66:6 70:12 71:8  
97:7 123:10 135:14  
138:20 140:5  
**talked** 23:19 44:14 55:5  
122:22 137:10 157:1  
**talking** 7:19 36:21 46:9  
67:11 69:8 80:13  
86:22 126:13 131:4  
135:2 142:12 143:5  
**talks** 24:14 52:16 53:10  
53:22 55:8,10 59:5  
62:5 63:9,15,19 65:9  
65:10,16 67:17  
121:11,21 123:9  
125:1 136:16 137:10  
137:18  
**tax** 153:3  
**taxes** 152:2,16  
**TEA-21** 8:16,19 9:4  
10:15 13:22  
**team** 3:10  
**technical** 23:6 25:3  
57:5  
**technically** 17:3  
**technician** 150:4  
**tell** 5:3 18:21 101:6  
**telling** 12:17  
**tells** 95:18  
**template** 122:8  
**temporary** 47:18  
133:15  
**ten** 8:11 19:22 20:22  
21:12 23:10 25:20  
26:11 48:7 53:16 54:6  
72:20 75:19,19 110:4  
**ten-minute** 157:7  
**tentatively** 115:19  
**term** 79:7 87:16,19,20  
88:10 90:7  
**terms** 21:10 36:20  
37:14 38:20 44:1 46:6  
49:3,12 55:14 56:1  
57:4 58:10 118:9  
119:14,17 120:3  
123:14 134:13 135:2  
140:7,18 154:6  
**TERO** 113:3,3,6  
**thank** 7:7 15:14 29:2,5  
52:7 61:2,18 74:17  
75:1 76:19 78:10 82:1  
82:17 101:14,16  
118:6 125:18 127:19

127:20 129:20 151:2  
156:15,19 157:2,6  
**they'd** 135:13  
**thin** 129:8  
**thing** 8:3 12:9 40:18  
42:3 48:7 54:3,10  
63:18 86:16 94:16  
96:6,10 108:7 124:15  
145:4 146:13  
**things** 8:10 14:20 18:22  
19:11 22:4 23:3,8  
26:1 34:15 38:17  
39:22 41:2 42:20  
44:17 46:5,20 47:18  
54:7,9 58:5 61:13,14  
69:15 75:5 76:5 85:12  
88:21 97:16 117:20  
124:17 129:16 133:14  
134:1,12,17 135:9  
136:3 142:9 143:6  
144:9 148:17 149:6,7  
149:18 155:20  
**think** 20:20 21:1,3,14  
22:21 26:2 34:1 39:17  
54:5 108:9 109:20  
112:4,5 116:9 117:21  
126:2 130:11 141:1  
**thinking** 141:14  
**third** 60:13 64:11 65:2  
71:4  
**thought** 74:2 118:15  
140:19 141:12  
**three** 15:4 37:17 75:20  
88:8 98:5  
**threshold** 12:22 13:1  
**THURSDAY** 1:6  
**TIGER** 79:17 80:22  
**time** 4:21 5:2,8 9:6  
11:20 12:5 17:2 19:17  
29:6,12 31:3 33:22  
40:21 43:18 44:13  
54:14 61:19 67:9  
75:13 76:17 77:12  
100:10,21 102:6  
103:1 115:13,17  
117:16 136:10 141:15  
150:10 156:20,21  
**timelines** 46:15  
**times** 10:18 11:14  
29:22 34:2 47:13  
126:4 143:4,7  
**timing** 23:21 74:2  
**TIP** 67:6 68:16,22 69:4  
69:4 72:16,19,22  
79:10,15 80:2,10 81:1  
81:4,8,11,18 86:3,12  
86:18,22 87:1,11 88:4  
88:8,18 89:1,6,10  
119:15 130:16 147:6

154:9 155:2,4  
**TIPs** 68:19,20 69:8,21  
69:22 70:8  
**Tipton** 5:18,20 110:1,1  
110:17 151:6,6,17  
**Title** 21:6 32:14 33:11  
38:5 41:16 47:6 58:10  
123:1 124:13 138:22  
155:20  
**today** 3:11 7:10 13:12  
15:8 20:2 26:20 66:4  
68:2 78:8 148:2  
**today's** 18:10  
**Tohono** 110:2 151:6  
**told** 6:20 12:13 64:21  
**Toll** 49:17  
**top** 106:3  
**topics** 141:12  
**total** 20:14  
**touches** 26:6  
**tourism** 50:5  
**TPA** 118:19  
**track** 28:13 46:22 99:9  
**tracking** 28:12  
**traditional** 49:11 74:3  
**traffic** 47:17  
**trails** 50:5  
**Training** 1:9  
**transcript** 4:4  
**transcripts** 4:7 76:20  
**transfer** 108:16 142:1  
143:16  
**transferred** 109:12  
142:19  
**transferring** 156:15  
**transit** 35:17,21,22 52:8  
52:14 53:12,19 81:16  
93:14,15 97:22 98:1  
**transition** 63:20 64:1  
64:11 65:13,15 74:6  
**transitioned** 64:9  
**transitioning** 64:2  
156:12  
**transportation** 1:3,13  
1:18,19 2:8,16 3:6 7:3  
8:7,17 10:13 12:3  
13:4,7 17:19 21:13,18  
23:2,5 24:11 29:5  
31:11,11,21 33:4,12  
37:4,7 38:8,15 41:14  
42:4 47:1,4 48:6,12  
48:17,21 49:6 50:3  
51:16 52:13 54:17  
66:18 67:18 68:1,6  
70:9 71:13 75:16  
77:22 82:22 83:3,10  
83:12,14,22 84:1,7,9  
84:20 85:5,10 86:3,7  
86:10,18,22 87:10

89:4,17,18,22 97:21  
98:12 100:1,4,12  
102:3,15 103:4  
107:10,14 110:11,14  
110:16 111:18 112:2  
112:17,21 114:20  
115:2,14 116:21  
119:10 130:1 135:17  
137:3 139:5,13 140:7  
141:8 145:20 148:5,6  
148:13 150:4 152:3,5  
153:8 155:19  
**travel** 150:9  
**traveling** 49:9  
**treat** 130:6  
**treated** 130:9  
**tremendous** 21:2 35:19  
**tribal** 1:2,3,13 3:5 7:3  
8:7 10:13 12:2 13:4,7  
13:16 21:13 23:2,4  
24:11 25:1,5 37:4,7  
38:15 39:10 41:14  
42:4 47:1,4 48:10  
49:6 50:3 52:14 54:17  
54:20 57:5 61:8 65:3  
65:18 66:18 70:5,8  
71:2,13 73:18 74:7,12  
80:1 81:4 83:3,16  
85:20 86:3,3,6,17,22  
86:22 87:11 88:3,3,4  
91:4 97:21 100:1,4,12  
102:2,15 103:3 107:8  
107:10,14 109:7  
110:10,14,15 111:18  
112:2,16,17,21  
113:15,16,21 114:2,7  
114:9,20 115:2,13  
116:4,21 119:10,12  
124:7 125:6 126:20  
130:20 134:13 137:3  
139:5 140:12 145:19  
148:4,6,13 150:7  
152:2  
**tribal's** 111:12,13  
**tribally** 113:4,8  
**tribe** 12:21 13:2 20:10  
21:2,10,10 32:22  
47:10,17 59:17,20,21  
67:15 69:3 71:10 72:9  
79:22 80:20,21 81:15  
83:20 84:19 85:8 86:2  
86:5,5 88:17,22 99:1  
104:14 105:17 108:2  
108:14,19 109:7,9,11  
109:14 111:11,18,22  
112:6,12 113:3  
117:10 118:1,3  
141:22 142:2,4,14,22  
144:1,15,19,21,22

145:14,17 146:1,9  
 147:15 148:2 150:5,7  
 150:21 151:10,13,14  
 153:5  
**tribe's** 10:3 84:22  
 109:17 110:15 112:2  
 113:16 116:7,12  
 117:17  
**tribes** 9:14,21,21 10:11  
 13:18 19:20 20:1,3,5  
 20:6,14,17,19 25:7  
 30:16 32:3,3 33:3,9  
 33:15 35:20 36:1,15  
 40:8,11,17,17 44:19  
 48:17 50:16 51:22  
 52:1,2,10 53:17 55:3  
 65:19 66:8 69:21  
 73:20,22 75:14 77:16  
 85:3 89:16,20 95:3  
 96:11 97:17,22 98:1  
 99:3,19 102:5,8,11,18  
 103:22 108:9 109:14  
 109:21 110:7 116:11  
 116:16 117:5,12  
 118:12 122:15,17  
 124:21 126:1 134:10  
 135:11 136:9 137:16  
 139:10,12 145:8  
 146:13 147:9 149:22  
 150:8,15 152:1  
**tried** 10:22 23:20,20  
 30:20 32:7 50:14  
 156:6  
**tries** 30:20  
**trip** 157:5  
**true** 93:15  
**Trujillo** 127:22 128:1,15  
 129:5,12,20 130:18  
 130:22 131:5,10,17  
 131:20 132:17 154:2  
 154:3 155:6  
**trust** 9:11 13:10 44:16  
 110:14 118:14,18  
 121:4  
**try** 14:21 18:6 65:14  
 82:5 110:19 146:19  
**trying** 14:15 40:3 49:2  
 130:12 136:12 144:2  
**TTACs** 57:5,12 58:8  
**TTAP** 57:8 78:15  
**TTAPs** 57:7,11  
**TTIP** 87:15 89:18,19  
 111:13 130:9  
**TTIPs** 15:19 98:5  
**TTP** 8:19 12:5 14:18  
 24:22 31:12,19 32:1  
 33:5 34:18 36:5,18  
 38:12 40:7 47:2 49:21  
 51:11 52:17 60:1 63:9

65:21 67:2,17 72:6,18  
 81:8,19,20 83:18 84:6  
 84:14 88:7,15 90:3,6  
 90:11 94:2 95:13  
 99:16,21 105:2  
 107:17 113:16 114:8  
 114:16 119:6,8,10  
 120:9,17 123:3 127:9  
 128:9 130:13 136:1  
 137:6 140:4,13,16  
 142:4 146:21 147:2  
 149:4 151:15 154:4,7  
 155:1,16 156:5 157:9  
**TTPTIP** 84:16 86:14  
 87:3,7,11 88:14,20  
**TTUC** 150:7,11,16  
**Tuesday** 27:5  
**turn** 15:13 106:19  
**Turner** 151:20,20  
 152:20 153:1,7,14  
**Twenty-seven** 64:19  
**twice** 114:11  
**two** 16:18 33:2 35:6,17  
 39:16 51:19 55:21  
 75:21 77:21 86:2,20  
 96:7 107:5 142:9  
**two-year** 63:21  
**type** 30:1 40:12 98:4  
 114:6 134:14 142:6  
 143:8 155:12 156:1  
**types** 84:16 85:12  
**typic** 143:22  
**typically** 113:14 152:9

---

**U**


---

**U.S** 1:19 2:2,6,16 32:9  
 34:12  
**U.S.C** 52:15 59:22 63:5  
 104:8 113:18 143:14  
 143:18 145:4  
**UGG** 96:13  
**Uh-huh** 131:5  
**ultimately** 6:6 16:12  
 69:4 70:4,9 75:6  
 132:14  
**understand** 69:7 73:19  
 75:8 128:4 154:4  
**understanding** 78:20  
 86:20 90:11 116:5  
**understands** 116:15  
**undertaking** 147:17  
**unforeseen** 102:11  
**unfortunately** 7:12  
 104:16  
**unique** 19:6 48:16 54:4  
**United** 20:17  
**upcoming** 11:5 74:14  
**update** 3:8 8:6 11:1  
 14:2,6,16,21 32:16

50:6,14 66:1 83:11  
 88:14 89:12 92:15  
 133:5 149:10 150:2  
 157:1,8  
**updated** 14:6 17:17  
 76:16 77:20 81:11  
 85:1,15 92:5,9 100:10  
 102:5 104:13 136:19  
 141:5 148:22  
**updates** 24:20 34:4  
 46:14 86:13,17 87:2,6  
 87:14 88:15 99:20  
**updating** 54:15 67:7  
 89:5 92:5,7  
**use** 3:21 10:6,6,9 12:21  
 23:22 28:13 37:8  
 43:19 44:5 46:12 47:1  
 47:5 49:5 56:13 72:3  
 72:6 73:9 83:20 86:13  
 86:17 87:14 94:19  
 99:1 102:18 103:12  
 110:10 111:19,22  
 116:11 131:1,13  
 147:2  
**uses** 41:14 44:11,12,21  
 46:16 84:5 88:2  
**usually** 146:13  
**utilization** 53:19 84:6  
**utilize** 43:17 120:14  
 129:9 130:19 131:22  
 142:2  
**utilized** 89:5 132:4  
 140:9 142:7  
**utilizing** 151:15

---

**V**


---

**Vanna** 4:15  
**varied** 93:10  
**varies** 40:19 127:1  
**variety** 76:9  
**various** 7:22 83:6 95:13  
 129:13  
**venture** 60:1  
**venues** 95:14  
**verbatim** 65:20 67:1  
**verifies** 49:21 122:15  
**version** 16:1 103:11  
 156:9,10  
**versus** 95:15 96:5  
 154:16  
**vertical** 97:19 98:11  
**view** 19:11 22:22 23:11  
 112:4  
**viewed** 114:22  
**villages** 73:20  
**visions** 142:22  
**Vivian** 2:14 113:11  
 136:22 152:6,8

**Vivian.philbin@dot.g...**  
 2:21  
**vocal** 33:10  
**vote** 56:1,2

---

**W**


---

**W** 1:12  
**wait** 11:18  
**waiver** 108:3  
**walk** 154:12  
**walking** 4:15,16 101:10  
**want** 3:18 7:8 11:7  
 18:12 27:18 34:6  
 43:11 44:22 45:22  
 47:17 48:1 51:5 54:13  
 61:19 74:12 101:14  
 108:8 122:21 130:1  
 137:4 144:18 146:11  
 150:6 156:19 157:2  
**wanted** 19:10 47:11  
 61:5 78:8 88:9 103:5  
 106:6 113:13 118:12  
 135:12 141:14 143:2  
 144:10 146:15  
**wanting** 154:15  
**wants** 48:1  
**Ward** 68:14,14,18 69:7  
 156:3,3  
**Washington** 1:10,16,21  
 3:7 28:17,22 33:22  
 69:5,6  
**wasn't** 27:8 36:4 44:7  
**waste** 135:17,18  
**way** 16:15 18:8 19:17  
 19:19,20 29:18 30:10  
 30:12,19 42:11 55:22  
 72:17 117:9 118:2  
 125:9 128:22 142:8  
 145:7  
**we'll** 3:16 4:4 5:4,4,11  
 5:21 6:22 7:19 17:10  
 17:22 18:5 26:21 30:9  
 39:21 40:2 42:20 58:6  
 62:4 74:21 76:2 77:14  
 77:20 82:4,8,10,16  
 101:19 104:20 106:16  
 111:20 119:21 123:10  
 151:3 156:22 157:7,8  
**we're** 3:10,20 4:2 5:10  
 6:2 7:17,21 15:8  
 17:20 18:11 22:12,18  
 26:16 36:19 40:3,4,22  
 41:1 46:20,21,22 47:7  
 54:7,7,15 57:1 58:13  
 59:9 64:10 66:4 67:7  
 72:16 75:10 82:3  
 86:21 100:22 109:19  
 110:20 115:13 126:13  
 135:1 138:19 142:11

144:7 156:14  
**we've** 3:21 4:14 5:2  
 7:10 11:17 12:4,7  
 16:15 20:7 23:19,22  
 26:19 31:6 32:7 40:1  
 45:21 48:7,21,22  
 51:19 53:4,14,15 54:6  
 55:5 56:10 59:14 63:4  
 65:4 73:12 82:13  
 93:15 109:3 122:22  
 125:17 127:21 141:16  
 146:17 147:15  
**web** 156:7  
**website** 4:8 15:12 25:13  
 27:16,17,18 61:10  
 73:8 77:22 78:2,6  
 138:8 140:14  
**websites** 24:3,4 28:1  
 30:14 46:17,19 77:13  
 77:21 94:4,8,12,14  
 100:17 123:7 124:21  
**weeks** 74:6  
**welcome** 3:7,18 6:18  
 7:18 27:2 29:4 77:12  
 127:18 137:21  
**went** 9:12 19:9 35:9  
 37:5 40:21 41:10  
 61:12 63:22 84:11  
 110:4 118:22  
**weren't** 104:4 108:5  
**West** 2:18  
**whichever** 44:1,1  
 120:10  
**White** 4:15  
**who've** 38:3  
**widen** 122:11  
**widening** 134:3  
**wild** 50:22  
**Wildlife** 69:19  
**wise** 81:16  
**wishes** 5:16 21:10  
**wondering** 76:11  
 141:21 148:19 156:9  
**word** 16:10 18:2 32:11  
 35:17  
**worded** 40:22  
**wording** 96:16  
**words** 19:20 23:6 32:13  
 35:17 121:7  
**work** 11:19 13:19 15:1  
 18:5 19:8,10 22:19  
 39:1,5 40:16,17 45:14  
 48:22 53:5,10 54:10  
 66:8 67:19 69:18  
 71:21 91:11 98:10,18  
 99:17 102:19,21  
 109:8,16,19 113:7  
 116:6 117:9 122:21  
 126:18,21 141:20

144:18 145:2,17  
**work's** 116:17  
**worked** 20:5,6 55:17  
**working** 9:22 17:6  
 33:16,17 34:13 38:4  
 39:10 47:9,11 48:8  
 56:18 57:2 68:22 69:2  
 78:15 110:19 125:8  
 150:10  
**works** 44:11 68:2 69:3  
 70:3 73:4 144:5  
**world** 138:20 141:8  
**wouldn't** 131:12,14,15  
**written** 27:14 28:7  
 29:19 44:8 64:22 66:9  
 150:22  
**Wyoming** 51:3

---

**X**

---

**Y**

---

**Yavapai** 68:15 156:4  
**Yeah** 82:8 131:20  
 143:11 153:2  
**year** 9:8 11:7 19:2 43:12  
 43:15,15 58:15 64:4,5  
 64:10,11 72:15,20  
 78:14,16,18,18 91:5,7  
 104:21 116:13,17  
**years** 19:8,22 20:22  
 21:12 23:10 35:9 38:5  
 48:7 50:2,20 51:20  
 53:16 54:6 71:7 72:14  
 72:21 78:16,17,20  
 88:8 98:6 116:18  
 122:6

---

**Z**

---



---

**0**

---

**02** 14:1  
**03** 14:1

---

**1**

---

**1** 21:6 155:21  
**1:00** 101:4  
**1:01** 101:18  
**10** 37:3  
**10:44** 82:18  
**100** 20:2  
**1001** 2:9  
**101** 39:19  
**102** 39:12,18,18,20  
**103** 39:12  
**104** 40:13  
**1076-AF19** 28:11,18  
**108** 40:13  
**109** 40:15

**10th** 27:1  
**11** 75:20 82:5,9,16  
**11:00** 82:3  
**11:05** 82:18  
**11:30** 101:17  
**110** 41:13  
**111** 41:15  
**112** 43:1  
**113** 44:10  
**115** 48:4  
**116** 48:4  
**12** 55:16,16  
**120** 60:8  
**1200** 1:15  
**121** 49:20  
**122** 49:21  
**12300** 2:18  
**124** 50:17  
**125** 50:18  
**126** 50:19  
**128** 20:3,3  
**129** 59:22  
**12th** 27:1 61:7  
**131** 52:11  
**132** 108:11 143:13,14  
 145:4  
**133** 52:18  
**136** 56:18  
**137** 56:20  
**14** 63:22  
**141** 51:9  
**145** 51:9  
**15** 1:6  
**15-minute** 8:12  
**150** 20:14  
**15th** 92:7  
**17** 82:6,8  
**170** 1:4 3:9 9:1 11:1  
 14:2 18:12 22:17 24:8  
 24:21 26:9 29:19  
 62:12 78:7 149:10  
 150:13,22 151:22  
**170.103s** 39:16  
**170.113** 46:11  
**170.120** 59:21 60:7  
**170.200** 63:8 64:12  
 65:12  
**170.201(a)(1)** 64:18  
**170.202** 65:10  
**170.202(e)** 16:20  
**170.203** 65:9,21  
**170.204** 66:22  
**170.205** 67:9  
**170.225** 68:9  
**170.226(b)** 18:2  
**170.421** 87:17  
**170.600** 102:4  
**170.602** 102:9  
**170.605** 102:13

**170.606** 103:2  
**170.607** 103:12  
**170.610** 103:21  
**170.700** 114:16  
**170.701** 116:4  
**170.702** 116:19  
**170.703** 116:22  
**170.800** 120:6  
**170.805** 124:20  
**170.917** 151:22 152:20  
**1849** 1:20  
**19** 58:15  
**1974** 32:16  
**1979** 29:11  
**1987** 152:12  
**1991** 29:14,15  
**1996** 32:16  
**1998** 8:15 29:8 35:17  
**19th** 15:10,16 16:8 27:8  
**1st** 17:14 92:6

---

**2**

---

**2:07** 157:10  
**20** 11:1 82:2  
**20-plus** 50:20  
**200,000** 43:22  
**2000** 14:1 62:10  
**20003** 62:11  
**2001** 14:1  
**2003** 141:1  
**2004** 9:3,10 16:14 20:1  
 20:5 24:9 43:4 58:16  
 118:9 139:7 156:7  
**2005** 9:10 10:20 31:20  
 35:16 70:20  
**2007** 11:6  
**2008** 11:6  
**2009** 10:17 11:13  
**201** 64:13  
**2010** 20:6,14  
**2012** 10:19,20 11:15,22  
 13:21 16:22 70:20  
**2013** 15:4 51:20 63:22  
**2014** 15:16 51:20  
**2015** 1:6 28:9 64:10  
 138:3  
**202** 2:3 41:18 42:3 63:6  
**202(a)(6)** 104:8  
**202(a)(9)** 108:13 143:18  
 145:4  
**202)366-9483** 1:16  
**202)513-7711** 1:22  
**20240** 1:21  
**20289** 141:21  
**204** 41:19,19  
**20590** 1:16  
**208-7024** 2:3  
**20th** 3:16 28:8 138:3,9

**21st** 8:17  
**22** 59:22  
**226** 71:15  
**227** 2:9  
**23** 32:14 33:11 34:11  
 38:5 41:16 47:6 58:10  
 63:5 100:3,8 104:8  
 124:14 138:22 143:14  
 143:18 145:4  
**25** 1:4 3:8 9:1 10:2 14:2  
 14:4 18:12 24:8,20  
 29:19 43:21,21 44:4  
 62:12 78:7 100:7  
 107:22 113:18 120:9  
 120:21 121:6,9 128:5  
 135:3 149:10 150:13  
 150:22  
**27th** 26:21  
**29th** 26:22 150:17

---

**3**


---

**30** 67:11 132:2  
**316** 124:13  
**31st** 1:9 17:10 104:19  
 104:21  
**34** 65:2  
**39** 65:1  
**390** 2:18

---

**4**


---

**4** 123:1  
**40** 132:2  
**400** 83:10  
**401** 83:10  
**402** 83:10,16  
**403** 83:10,18  
**404** 83:20 84:3  
**405** 83:20 84:4  
**410** 84:8  
**411** 84:8  
**412** 84:22  
**413** 85:6  
**414** 85:14  
**415** 85:16,18  
**416** 85:19  
**417** 85:19  
**418** 85:19  
**419** 85:19  
**42** 140:5  
**420** 85:20  
**421** 86:13 87:16,21  
 88:11  
**422** 86:16  
**423** 87:2  
**424** 87:6  
**425** 88:13  
**426** 88:15  
**427** 88:17,22

**428** 88:19  
**43** 140:5  
**435** 89:14  
**441** 89:14  
**442** 90:13  
**443** 90:16 91:12  
**444** 92:4  
**445** 93:1,2  
**446** 93:1,5,9,19  
**450** 94:2 113:18  
**4513-MIB** 1:21  
**454** 94:20  
**455** 95:1  
**456** 95:3  
**457** 95:3  
**460** 95:17,21  
**461** 95:21 96:3,3,5,14  
 96:15  
**462** 95:22 96:2,3,14  
**463** 96:19  
**470** 97:1 98:6  
**471** 97:1  
**472** 97:4  
**473** 97:7  
**474** 97:7,7,11  
**49** 52:15

---

**5**


---

**5** 16:22  
**500,000** 44:2 120:22  
 121:6,9 128:5,10  
 129:10 135:3  
**502** 98:20  
**505)563-3320** 2:11  
**510** 99:16  
**514** 99:16  
**5311** 52:16  
**566** 20:16 73:19

---

**6**


---

**609** 103:12  
**610** 106:3  
**611** 104:2  
**612** 104:6  
**614** 104:13  
**615** 104:22  
**618** 104:22  
**619** 107:7,8 112:14,15  
**620** 107:12  
**621** 107:16  
**622** 107:21  
**623** 107:22  
**626** 108:2  
**638** 122:22 155:20  
**661** 100:3

---

**7**


---

**70** 82:13

**704** 116:22  
**720)963-3445** 2:20

---

**8**


---

**80** 82:13  
**801** 122:1  
**802** 122:15  
**80228-2683** 2:19  
**803** 123:5  
**804** 123:15  
**83** 141:2  
**85051** 1:10  
**87104** 2:10

---

**9**


---

**9:00** 1:6 3:2  
**90** 52:9  
**90-day** 43:7  
**91** 121:2  
**911** 136:16  
**917** 136:16  
**918** 137:2 139:2  
**930** 139:18  
**933** 139:18  
**934** 139:20  
**935** 139:20  
**941** 140:5  
**98** 52:9  
**9828** 1:9

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Tribal Consultation Sessions

Before: Bureau of Indian Affairs

Date: 01-15-2015

Place: Phoenix, Arizona

was duly recorded and accurately transcribed under  
my direction; further, that said transcript is a  
true and accurate record of the proceedings.



-----  
Court Reporter

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701