Indian Affairs - Office of Public Affairs

Media Contact: Nedra Darling, OPA-IA Phone: 202-208-3710
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Assistant Secretary - Indian Affairs, Kevin Gover has approved immediate distribution of $108 million to build roads and bridges on Indian lands proposed by the Transportation Equity Act for the 21st Century (TEA-21) Regulatory Negotiations Committee. The Assistant Secretary also set into motion a process for distributing the remaining funds within 45 days.

This funding process came out of a negotiated rulemaking started almost a year ago with the Bureau of Indian Affairs, the Federal Highway Administration and representatives from Tribal governments under the Transportation Equity Act for the 21st Century (TEA-21). TEA-21 provides for the federal government to enter negotiated rulemaking with tribal representatives to develop new regulations and funding formula for FY 2000 and following years, for road and bridge construction.

"I am pleased to see the Committee making progress on the funding for FY 2000. I am encouraged by this recent breakthrough in the negotiation process. I will continue to support the work of those dedicated tribal and federal members to providing me with a final formula and regulations that will help to strengthen the transportation program for all tribes," said the Assistant Secretary.

At the January 2000 monthly negotiated rulemaking committee meeting, Tribal committee members presented a consensus proposal that the Secretary of the Interior use the existing relative need formula for FY 2000 distributions. The full committee accepted the proposal by a consensus and presented it to the Assistant Secretary. Based on his consideration of and acceptance of the consensus proposal, Assistant Secretary Gover submitted a temporary rule for publication in the Federal Register to allow distribution of FY 2000 funds for construction and transportation activities in Indian country.

"The successful effort of the TEA-21 Regulatory Negotiations Committee in reaching consensus and publication of the temporary rule in the Federal Register was a team effort. It was not just one tribe, but was the team effort of the small, medium, and large tribes that made it successful," stated Pete Red Tomahawk, Tribal Co-chair of the TEA-21 Regulatory Negotiations Committee, and a member of the Standing Rock Sioux Tribe.

"I think it's a monumental accomplishment that after 11 months of disagreement we came to a unanimous consensus for an interim funding distribution beneficial to all Tribes. I am confident that now that FY 2000 has been addressed, the TEA-21 Regulatory Negotiations Committee will come up with a funding distribution that is equitable and fair for all Tribes across the nation. Without consensus on the Tribal Committee members' proposal, FY 2000 funding would have been further delayed. This distribution solution is not perfect, but it allows for Tribal decision making this year while the Committee continues to work toward a permanent funding formula. Without a tribal solution, the Assistant Secretary for Indian Affairs would have decided this year's funding distribution," stated Alex Cabillo, TEA-21 Regulatory Negotiations Tribal Committee member and tribal member of the Hualapai Tribe.

The temporary rule published on February 15, 2000, allowed the Assistant Secretary to distribute one-half of FY 2000 allocated funds immediately upon publication of the temporary rule. The funds were

distributed using the relative need funding formula from fiscal years 1998 and 1999. The rule also provided for a 30-day comment period on the funding formula for distribution of the second one-half of the FY 2000 funds. Following consideration of comments, the Assistant Secretary will publish a second temporary rule for distribution of the rest of the FY 2000 IRR funds. All funds should be distributed by the end of March 2000.
