Negotiated Rulemaking Committee Meets

By Alice Karsama

The Negotiated Rulemaking (Neg/Reg) Committee met in Minneapolis, MN, August 27-September 1, 2000, to continue efforts to reach consensus on a number of issues. Tribal and Federal Caucuses met separately, then broke into smaller work groups according to topic areas. Various meeting rooms were labeled: Policy, Technical Standards, Funding, Federal Caucus, and Tribal Caucus.

Work groups then came back to general caucus to review their work and, at the end of each day, both Federal and Tribal Caucus groups met together in a plenary session to review progress and note work remaining to be accomplished. There was plenty of work going on in the lobby area between meeting rooms, as well.

Participant Comments

"There have been no casualties yet this week," was the report upon my arrival. One participant described the process as "steady and slow" saying they are proceeding "one step at a time." Another added, "This process started a year ago; but now the pressure is on us to meet deadlines." Most agreed that "the work has got to be done" and they intend to keep going until they make it. Some groups worked late into the night. Towards the end of the week, participants seemed exhausted but hopeful.

IRR Transportation Facilities

One Tribal Caucus meeting reported that IRR Transportation Facilities must be identified to serve transportation needs. Minimum requirements for IRR Transportation Facilities to be in the IRR Inventory are: (1) There must be a Tribal Resolution for the IRR Transportation Facility, (2) It must be included in the Long Range Plan, (3) It can be construct-

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TTAP Regional Tribes

Aroostook Band of Micmac Indians
Bad River Band of Lake Superior Chippewa Indians
Bay Mills Indian Community
Bois Forte (Nett Lake) Band of Chippewa
Catawba Indian Tribe
Cayuga Nation of Indians
Chitimacha Indian Tribe
Coelestina Indian Tribe
Eastern Band of Cherokee Indians
Fond du Lac Reservation Tribal Council
Forest County Potawatomi Community
Grand Portage Reservation Tribal Council
Grand Traverse Band
Hannaville Indian Community
Ho-Chunks Nation
Houlton Band of Maliseet Indians
Jena Band of Chocataw Indians
Keweenaw Bay Band of Lake Superior Chippewa
Lac Courte Oreilles Band
Lac du Flambeau Band
Lac Vieux Desert Band of Lake Superior Chippewa
Leech Lake Reservation Tribal Council
Little River Band of Ottawa Indians
Little Traverse Band of Ottawa Indians
Lower Sioux Indian Community
Mashantucket Pequot Indian Tribe
Miwokanont Sioux
Menominee Indian Tribe
Miconaukee Indian Tribe
Mille Lacs Reservation Tribal Council
Minnesota Chippewa
Mississippi Band of Choctaw Indians
Mohican Tribe of Indians
Narraganset Indian Tribe
Huron Band of Potawatomi
Oneida Nation of Indians
Oneida Tribe of Indians
Onondaga Nation of Indians
Passamaquoddy Tribe Indian Township Reservation
Passamaquoddy Tribe Pleasant Point Reservation
Penobscot Nation of Indians
Poarch Band of Creek Indians
Pokagon Band of Potawatomi
Prairie Island Indian Community
Red Cliff Band of Lake Superior Chippewa Indians
Red Lake Band of Chippewa Indians
Sac and Fox Nation
Saginaw Chipewa Tribe
Sault Ste. Marie Tribe
Seminole Indian Tribe
Seneca Nation of Indians
Shkopee Mdwawakantong Sioux Community
Shinnecock Nation
Sokaogon Chippewa Mole Lake Indian Community
Stockbridge/Munsee Community
St. Croix Chippewa Indians
St. Regis Mohawk Tribe
Tahlequah Band of Seminole Indians
Tunica-Biloxi Indians of Louisiana
Tuscarora Nation of Indians
Unkechego Nation
Upper Sioux Community
Wampanaog Tribe of Gay Head Aquinnah
White Earth Reservation Tribal Council

Greetings... from the TTAP

This issue of Pathways highlights the Negotiated Rulemaking (Neg/Reg) Committee meeting which took place recently in Minneapolis, Minnesota. Dates for future meetings are given at the end of the Neg/Reg article. Please note dates for the upcoming United Southern & Eastern Tribes (USES) Annual Board Meeting and the Annual Intertribal Transportation Association (ITA) Conference.

ITA representatives from most of the 12 regional areas were in attendance at the Neg/Reg meeting. To find out how to become more involved in the process, please contact ITA at 888-469-0202 or one of ITA's regional representatives.

The Seneca Nation in New York is planning to host a TTAP 638 Contracting Workshop in the near future. Watch for flyers announcing the date and location of that workshop, or call TTAP for more information.

This issue of Pathways also contains information on training organizations and events, educational opportunities, and new technical resources and offerings from the TTAP Library. We hope you enjoy.

Sincerely,
Alice Karsama, Editor

Visit our Internet Home Page at: http://www.ttap.mtu.edu

Pathways
July - September, 2000

Pathways is published quarterly by the Tribal Technical Assistance Program, part of the Transportation Center at Michigan Technological University. The Tribal Technical Assistance Program is part of a nationwide effort jointly financed by the Federal Highway Administration and the Bureau of Indian Affairs. It intends to relate the latest technology and information on tribal roads and bridges, tourism and recreational travel, and related economic development to tribal transportation and planning personnel. TTAP's regional tribes are those in the BIA agency's Minnesota and Eastern Areas. Contact the TTAP office for a free Pathways subscription or for permission to reprint articles. Articles and suggestions may be submitted to the following address:

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Pathways is printed on recycled paper (15% post-consumer waste, 50% total) with soy-based ink.
The Intertribal GIS Council (IGC) is a national Native non-profit organization dedicated to promoting tribal self-determination by improving management of geographic information and building intertribal communication networks.

The IGC was established in 1993 to educate Native people and tribal organizations about the many useful applications of spatial data technologies such as Geographic Information Systems (GIS) for the management of native land and enhancement of associated natural, human, and cultural resource values.

The Need for GIS
Native American people need reliable information about their land and resources, as well as the tools to effectively manage it. Presently, many sovereign tribal governments entrust this information to outside interests. The IGC believes that many native organizations, if given the means to effectively manage this information, will choose to do so. The IGC seeks to support this choice by promoting spatial data technology education, funding opportunities, and technical assistance.

The IGC recognizes that tribal organizations cannot rely solely on federal government initiative to fully realize benefits from application of these technologies, and that the benefits will be realized sooner and more broadly among Tribes if intertribal communications are facilitated and tribal experience is shared. It is the intent of the IGC to bring creative and technically capable people and organizations together to find innovative solutions to problems that are shared among Native American communities.

Current Use
Geographic Information Systems and related spatial data technology are making significant contributions to management of tribal land and resources on native lands throughout North America.

Today, more than 100 Native American tribes are using this technology to map their reservations, inventory cultural resources, track leases and land records, assess impacts of development on surrounding lands, and explore economic development opportunities.

The mission of IGC is to:
- Promote successful and appropriate use of GIS and related spatial data technologies.
- Build cooperation and partnerships among native people and organizations.
- Facilitate communication and exchange of technical knowledge about GIS.
- Seek technology funding opportunities.
- Educate tribal members and staff about technology for effectively supporting tribal interests in land, natural, human and cultural resources.

Membership Benefits:
What are some of the benefits of IGC membership? IGC member tribes are eligible to vote on Council business matters and will benefit from representation by a national non-profit organization that promotes tribal interests concerning use of GIS and other spatial data systems.

A number of promotional offerings and grants for computer hardware, software, and training are offered through IGC. All IGC members receive discount rates for the Annual Conference held each Spring. In addition, members receive the IGC Resource Directory, as well as periodic information and news releases informing members about matters of interest.

Individuals and non-tribal organizations who share our interest in promoting the successful use of spatial data technologies among Native American tribes are welcome to join IGC. Your membership and participation in our Annual Conference will help us build a diverse organization and better ensure our success.

For more information about becoming a member of IGC, call the TTAP for a copy of their application form, or write to:

IGC Membership
P.O. Box 1659
White River, AZ 85941

Source: Intertribal GIS Council
Negotiated Rulemaking, continued from pg. 1

ed within 20 years, based on present funding levels, and (4) Bridges shall be included (by consensus.)

Funding Formula

Progress has been made since the Negotiated Rulemaking Committee started meeting in January. Agreement has been reached in most areas, except for the funding formula used to distribute transportation funds among tribes. One tribal representative from California said the "current funding formula does not benefit smaller tribes at all.” A member from a large western tribe indicated his tribe’s willingness to compromise, in the interest of the important work being accomplished.

The funding formula was an agenda item in the last plenary session. The Bureau provided tables on Annual Construction Funds distribution from 1991-2000. 1993 was a transition year, with 1/4 new formula and 3/4 old. A new formula was used in 1996. Currently, a transition formula developed by Bureau-sponsored input is in use. More tribal input was needed, so the Negotiated Rulemaking Process was developed.

Currently, two funding formulas are under development; one new and one based on the old formula. Both Tribal funding groups are to consider what they like about the other’s formula, in an attempt to bring the parties together. The two funding work groups met together in Albuquerque, New Mexico on September 13th and 14th to work on formula development prior to the next Neg/Reg Meeting.

Intertribal Transportation Assoc.

ITA representatives from seven out of the 12 regions have been actively involved in the Negotiated Rulemaking Process. They serve as primary or alternate Neg/Reg Committee members, and are all either regional representatives or alternates for the ITA Executive Committee (See photo.)

The comment period of the Draft Proposed Rule for the IRR Program (Neg/Reg) will provide an opportunity for those not actively involved in developing the Draft Rule to offer input. Several areas of disagreement are expected to be described in the Preamble of the Proposed Rule. Tribes should seek to understand the impacts of the alternatives and other aspects of the Proposed Rule, in order to provide comments.

Tribes Should Get Involved

Jody Clark (Seneca), ITA Representative for the Eastern Area, would like to see more tribes involved with the Negotiated Rulemaking process. According to Jody, "It affects their futures, and it may change the whole face of 638 Contracting. I'd like to see more tribes getting involved.”

For information about how to get involved and educated about the process, contact Jody Clark at 716-945-1790, Midwest Representative Bruce Danforth (Oneida Nation of Wisconsin) at 920-869-1059, or ITA’s main office at 888-469-0202.

Upcoming Neg/Reg Meetings

The next Caucus Meeting will be held September 18-22, 2000 in Minneapolis, MN. There will be a full plenary committee (Tribal/Federal) on September 19th and 20th. Location will be announced.

Tribal Caucus and full plenary sessions will be held in Albuquerque, New Mexico October 9-13, 2000 and October 30-November 3, 2000. Locations will be announced.
Supervisor's Corner . . . . You Can't Do It All

Reprinted from the LA T2 Center Newsletter

Many managers fail at their jobs because they don’t understand what their job is. A manager’s job is to delegate, to pass the hands-on work to their subordinates.

Quite frequently, a manager will find himself working long hours doing things that should be done by people who work for him. It is a very easy trap to fall into, especially if you are supervising people who are now doing the job you used to do. If you feel overworked, under-appreciated, held responsible for things that are not happening, and blamed for things that go wrong, you are not alone.

It may well be that your staff is getting you to do their work for them. Do you find that you have to make every decision before your subordinates will take action? The solution is simple – you have to delegate properly. It will lower your workload, lower your stress level, make your subordinates better, more efficient workers, and make you a better manager.

The Key to Success

The key is to delegate authority along with responsibility. If you ask someone to get a job done, you are dooming them (and ultimately yourself) to failure if you don’t give them what they need to get the job done. When you do delegate authority along with responsibility, you will find that your subordinates will do a better job, have a better sense of urgency, and feel a better sense of responsibility.

How to Delegate Properly

In order to delegate properly, a manager must follow a simple procedure:

1. Determine the job.

What needs to be done, when, how long should it take, and what manpower, machinery, and cooperation is required from others such as utility companies or other agencies? What obstacles will get in the way? Can your subordinates, given your backing, remove them – or do you or someone else have to do it? Look for things you can delegate.

2. Choose your team.

Decide who will be in charge; who you will deal with on a regular basis to check progress, help identify problems and suggest solutions. It is a good idea to let your team leader choose his own team if possible. That will give him more apparent authority and may create a more cohesive group.

3. Brief the team.

Tell the whole team who is in charge, what the job is, and what is expected, including possible problems. Give them the time frame and point out any unusual aspects of the job. Ask for their input. If there are additional problems or concerns voiced, have your team leader address those concerns or problems. Tell the team that the team leader has your backing, will act for you on this project, and will be answerable to you for whatever may go wrong.

4. Require progress reports.

Require your team leader to report progress, problems and outlook to you on a regular basis, such as once a week. In those meetings, listen to what is being said. Make notes or have notes recorded. Give him a copy of what was discussed, along with the progress reported, problems encountered, and what steps the team will take to correct those problems. Also record the expected completion date.

5. Demonstrate leadership.

Give your team leader your support. Recognize what has been accomplished so far. Encourage innovative thinking and initiative. Help him set priorities and time lines.

6. Don't do your team's job for them.

7. Give credit where credit is due.

Prepare to take credit for being a good manager, and give credit to the team for getting the work done.

True Measure of Effectiveness

Managers will always have more responsibilities than time to carry them out. No manager can adequately plan and perform every task for which they are responsible. So it is obvious that the true measure of a manager's effectiveness is his ability to get things done through other people. Try it! You will feel better and get more done, and your subordinates will feel more appreciated, more effective, and will see you as a resource instead of an obstacle.
Native eDGE - an Economic Development Resource for Indian Country

Source: Melissa Robinson, HUD

The Department of Housing and Urban Development has launched Native eDGE, a one-stop shop for communication and information-sharing between governments, private businesses, and Native Americans.

Native eDGE is a White House Inter-agency initiative developed to achieve sustainable economic development within the American Indian and Alaska Native communities. It links over twelve federal agencies through a single toll-free number and web site so that entrepreneurs, Native Americans, lending institutions, non-profits, foundations and private businesses can collaborate to promote economic growth in Indian Country.

Native eDGE combines the services and resources of a comprehensive call center, an interactive web site, a publications clearinghouse, and prompt technical assistance by economic development specialists.

The web site houses a comprehensive inventory of Federal programs available to Native American communities. Databases of non-Federal resources are also available via direct links from the Native eDGE page. The clearinghouse, established through HUD’s customer service and distribution center, provides informational brochures, pamphlets, and reference materials on economic development to tribes, tribal entities, individuals and other supporting organizations.

Access the center’s resources by calling the toll-free number or log-in to the web site at: http://nativeedge.hud.gov/

Call Toll-free: (877) 807-9013

More Online Activities Move Into Our Lives

Source: Better Roads Magazine

How much of your work includes elements that use online activities? If the percentage isn’t very high now, it will be soon. Here are just some of the areas that most highway agency managers already use during their regular workday:

1. E-mail, as a way to communicate with others in the agency, field personnel, peers in other agencies, associations, suppliers, and the public.
2. An agency Web site, which may be part of a state, county, or city site, as a way to provide information for the public and to give the public a way to contact you with ease.
3. Solutions to equipment, work activity, or funding problems that other agencies may have developed and that can help you.
4. Details about new technical developments that are related to your work.
5. Industry publication articles and news.
6. Online buyers guides and other supplier information.
7. Online product specification sheets and other information.
8. Online job listings.
9. Online faxing (sending and receiving), directly from a work processing program or other Windows application.

Can it be a bad thing? Yes. We need to use our new-found access prudently, spending time on finding information that can help us do the most and not wasting time on searches that are of marginal help.

You can find the Better Roads Web site at: http://www.betterroads.com

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Upcoming Events:

**Intertribal Transportation Association Annual Conference**

The ITA Annual Conference will be held the week of December 4th, 2000 in Las Vegas, Nevada. For more information, call ITA’s main office at 888-469-0202 or visit their Internet website at: http://www.intertribaltrans.org.

**United Southern and Eastern Tribes Meeting**

The United Southern & Eastern Tribes (USET) Annual Board Meeting will be held October 30 - November 2, 2000 at the Turning Stone Casino, Verona, New York. For more information, call USET at 615-872-7900 or see USET’s Internet website: http://oneida-nation.net/uset/

**Negotiated Rulemaking Committee Meetings**

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**New Video Available From TTAP**

The Federal Highway Administration has provided a new training video, from the Foundation for Pavement Preservation, which is now available through the TTAP Library. The new tape is entitled:

- Preventive Maintenance
- PROJECT SELECTION
- Right Road - Right Treatment - Right Time

To borrow this training tape, for up to 2 weeks at no charge, call TTAP at 888-230-0688

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**"PaveCool" Computer Program**

The Federal Highway Administration (FHWA) has distributed copies of a new computer program developed by the University of Minnesota entitled “PaveCool.”

This program is designed to calculate the cooling curve of hot mix asphalt, and provide recommended start and stop compaction times based on the pavement’s rate of cooling.

The program is not a replacement for good engineering judgment, but is a tool to provide insight into how climate and weather conditions will affect the ability to produce a durable, high quality road surface. Cooling rate and compaction are only two of several factors affecting overall hot mix asphalt pavement quality.

To obtain a program disk, call TTAP at 888-230-0688.
Plan to Attend ... The 3rd Annual National Tribal Road Conference 
& Equipment Operator's Rodeo 
(Backhoe and Motor Grader Competitions)

The Tribal Road Conference Series is intended to provide a concentrated training opportunity to persons involved with developing, advising, or managing tribal road systems. Each day, four concurrent workshops will be offered. This year's tracks are entitled: Elected Officials, Transportation Planners, Engineering, and Safety.

A Conference fee of $225 per person includes workshop materials, breaks, lunch for 3 days, and an awards banquet with entertainment. Call TTAP for registration materials.

VENDORS are invited to sponsor booths at the conference for $500 per display. Fee includes conference meals and entertainment admission for two. Call (800) 262-7623

October 17-19, 2000 
Albuquerque, NM

Radisson Hotel & Conference Center
2500 Carlisle, N.E.
RESERVE LODGING BY SEPTEMBER 23rd
Call (800) 333-3333
REQUEST TRIBAL ROAD CONFERENCE RATES

For more Information call TTAP at 1-888-230-0688

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