

Ref Docket: FHWA-99-5933 & Statewide Transportation Planning

As the planner for the Narragansett Indian Tribe, we use this opportunity to take an official exception to the recent proposed changes to the rulemaking process that specifically addresses the issue of participation in the development of each states (STIP). This proposed change, while it is directed at the participation of rural elected officials in the processes, it has an implied impact on how the state's include or do not include Tribal Governments in the STIP process. First, the proposed change to allow a "State" to unilaterally develop a policy on consultation is in direct conflict with the presidential consultation policy with Tribal Governments as well as the Government-to-Government relationship between the Tribal and Federal governments. Second, the existing statute language, as well as the currently proposed language does not go far enough to address the Tribal participation within the states decision making process of how FWHA funds are spent. We believe the language should be changed to state, " If there are any Federally recognized Tribes within the state, that they [Tribe(s)] are automatically considered equal voting members of the state MPO/RPO."