

**SAMPLE LETTER TO PRESIDENT OBAMA RE: APPOINT THE FIRST
DEPUTY ASSISTANT SECRETARY FOR TRIBAL GOVERNMENT AFFAIRS
(USDOT)**

March __, 2016

The Honorable Barack Obama
President of the United States of America
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Obama:

On behalf of the _____ Tribe, we call you to appoint a qualified individual to serve as the *first* Deputy Assistant Secretary (DAS) for Tribal Government Affairs within the Department of Transportation as required under the decade old highway legislation, SAFETEA-LU, Pub. L. 109-59. Among SAFETEA-LU's provisions is a requirement for the Department of Transportation to have, within the office of the Secretary, a Deputy Assistant Secretary for Tribal Government Affairs appointed by the President of the United States.

The appointment will exemplify your deep personal commitment to Indian tribes and our members. It will place a senior executive level official within the Office of the Secretary to advance the transportation needs of Indian tribes and streamline the Department's policies to improve infrastructure development, highway safety and economic development on Indian reservations and tribal communities.

The DAS for Tribal Government Affairs is responsible to plan, coordinate, and implement the Department of Transportation policy and programs serving Indian tribes and tribal organizations, to coordinate tribal transportation programs and activities in *all* offices and administrations of the Department, and to participate in any negotiated rulemaking having an impact on programs associated with the tribal transportation program. *See* 49 U.S.C. § 102(f)(1). Former Transportation Secretary Ray LaHood had promised tribes that you would fill this important position. The time has come for you to do so.

Included in the new highway measure, "Fixing America's Surface Transportation Act" (FAST Act), is a provision which directs the Secretary of Transportation to establish a new "Tribal Transportation Self-Governance" program within the Department of Transportation. The program is modeled after the successful Indian Health Service Tribal Self-Governance Program (Title V of Pub. L. 93-638). The Tribal Transportation Self-Governance program requires implementing regulations. The FAST Act requires that the regulations be drafted by a joint Tribal-Federal Negotiated Rulemaking Committee, which must be established very soon. The DAS for Tribal Government Affairs should actively participate in the rulemaking process.

Your appointment would come at a critical time. According to the Centers for Disease Control (CDC), motor vehicle crashes are the leading cause of death among Native Americans

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aged 1-44 and Native American infants are eight times more likely to be killed in a motor vehicle crash than other groups. Together, we can reverse these terrible statistics and save our most precious resource; our families.

Indian country roads remain among the most dangerous roads in our Nation's transportation network. Transportation barriers continue to exist which separate tribal communities from our neighbors, places of work, health centers, schools and commercial centers. Long-term sustainable economic development in Indian country begins with essential infrastructure, including all-season transportation facilities.

We strongly believe that it is important for your Administration to establish the *precedent* of appointing a DAS for Tribal Government Affairs at the Department of Transportation so that this important position may continue in future administrations. The position will elevate tribal transportation needs within the Department, and his or her successor will ensure that the work product of the Negotiated Rulemaking Committee is respected once it is vetted within the Department of Transportation and OMB.

The transportation and highway safety needs of Indian tribes require that this be a *full-time* position and not the "collateral duty" of another Department official burdened with other agency responsibilities. The appointment will reflect your strong support of the special government-to-government relationship between the United States and Indian tribes.

We urge you to promptly appoint the first Deputy Assistant Secretary for Tribal Government Affairs within the Department of Transportation.

Thank you for your consideration of our request.

Sincerely,