

National Tribal Transportation Safety

Summit

Summit Report



November 19, 2009

Pointe Hilton Tapatio Cliffs Resort Phoenix, Arizona

Prepared by Cambridge Systematics, Inc.



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Technical Report Documentation Page

1. Report No. FHWA-FLH-10- 007	2. Government Accession No.	3. Recipient's Catalog No.	
4. Title and Subtitle National Tribal Transportation Safety Summit Report		5. Report Date June 2010	
		6. Performing Organization Code	
7. Author(s) Susan Herbel (Principal Investigator), Bernardo Kleiner		8. Performing Organization Report No.	
9. Performing Organization Name and Address Cambridge Systematics, Inc. 100 CambridgePark Drive, Suite 400 Cambridge, MA 02140		10. Work Unit No.	
		11. Contract or Grant No. DTFH61-61-08-T-02601	
12. Sponsoring Agency Name and Address Department of Transportation Federal Highway Administration Office of Federal Lands Highway 1200 New Jersey Ave, SE Washington, DC 20590		13. Type of Report and Period Covered Meeting Report November 19, 2009	
		14. Sponsoring Agency Code	
15. Supplementary Notes FHWA: Chimai Ngo and Craig Genzlinger			
16. Abstract This report documents the National Tribal Transportation Safety Summit held November 19, 2009 in Phoenix, Arizona. The purpose of the national Summit was to identify key Tribal safety challenges, share examples of successful Tribal safety initiatives, and explore programs and opportunities to improve on existing safety efforts at the state and national level. The ultimate goal is to reduce crash-related injuries and deaths within Tribal communities.			
17. Key Words transportation safety, traffic safety, road safety, Native Americans, Tribes, reservation roads		18. Distribution Statement	
19. Security Classif. (of this report) Unclassified	20. Security Classif. (of this page) Unclassified	21. No of Pages 23	22. Price

Form DOT F 1700.7 (8-72) Reproduction of completed pages authorized

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Background

FHWA Sponsored Tribal Transportation Safety Summits

Arizona: May 14-15, 2008

Minnesota: October 29-30, 2008

Washington: May 27-28, 2009

Wisconsin: August 12, 2009

New Mexico: August 18, 2009

National: November 19, 2009

Every year, more than 30,000 motorists die and almost 3,000,000 are injured on our Nation's roadways. For ages 4 to 34, motor vehicle-related injuries are the leading cause of death in the United States, and Native Americans are at particularly high risk.¹ Among the Native American population, motor vehicle-related injuries are the leading cause of death up to age 44.² Between 1975 and 2002, the number of fatal crashes on Indian reservations increased more than 50 percent; while nationally, the number of fatal crashes declined 2 percent.³ Native Americans are between two and three times more likely to be killed in motor vehicle crashes than other citizens. The real figure is likely worse. Researchers and traffic safety experts agree Tribal roadway crash data is under reported.

A majority of these deaths are preventable. Working together to achieve a common goal is a hallmark of Native American culture and a central purpose of Tribal Safety Summits sponsored by the Federal Highway Administration's (FHWA) Office of Federal Lands Highway. Since 2008, the Office of Federal Lands Highway has sponsored Tribal Safety Summits in Arizona, Minnesota, Washington, Wisconsin, and New Mexico to provide Tribal leaders and others opportunities to focus on a critical issue that takes the lives of more than 700 Native Americans each year.

The Summits are a first step to engaging state and local Tribal safety stakeholders in a discussion on the nature and extent of the traffic safety problems on Tribal lands and methods for addressing those problems. To expand on these efforts, FHWA in partnership with the Bureau of Indian Affairs (BIA), National Highway Traffic Safety Administration (NHTSA), Tribal Technical Assistance Program (TTAP), and Native American Tribes held a National Tribal Safety Summit on November 19,

¹Subramanian R., Motor Vehicle Traffic Crashes as a Leading Cause of Death in the United States, 2005, DOT HS 810 936. April 2008. U.S. DOT, National Center for Statistics and Analysis.

²Hilton J., Race and Ethnicity in Fatal Motor Vehicle Traffic Crashes 1999-2004, DOT HS 809 956. May 2006. U.S. DOT, NHTSA.

³Poindexter K., Fatal Motor Vehicle Crashes on Indian Reservations 1975-2002, DOT HS 809 727. U.S. DOT, NHTSA, May 2004.

2009, in conjunction with the Annual National Tribal Transportation Conference (NTTC).

■ **Summit Purpose**

The ultimate goal of the National Tribal Transportation Safety Summit was to reduce crash-related injuries and deaths within Tribal communities. The Summit pursued that goal by identifying key Tribal safety challenges, sharing examples of successful Tribal safety initiatives, and exploring programs and opportunities to improve on existing safety efforts at the state and national level. A list of participants is included in Appendix A and a detailed Summit agenda, listing all speakers and activities, is included in Appendix B.

The National Summit began with presentations on past state Tribal safety Summits, which focused on the nature of their Tribal safety problems, activities for addressing them, and results following each of the Summits. Summit attendees then participated in a polling exercise to prioritize the common safety issues facing Native Americans nationwide.

A series of presentations offered participants examples of effective safety solutions from around the country to learn from and consider for implementation within their own communities. Topics included data, construction, marketing, jurisdictional issues, sobriety checkpoints, and occupant protection. Participants were encouraged to learn from these existing programs and potentially implement similar initiatives.

During the afternoon sessions, a panel of officials from Federal agencies reflected on observations and lessons learned from working on Tribal safety programs and issues, participation in other safety Summits, and the presentations from earlier in the day. A facilitated discussion followed between the panel and participants focusing on national efforts and other methods for enabling Tribes to achieve safer roads.

The National Summit is a first step. Follow-up within individual states and by Federal partners in collaboration with all Tribal safety stakeholders will result in further progress.

Defining and Prioritizing the Issues



Setting the stage for the National level discussion, participants heard about the different FHWA sponsored state Tribal transportation safety Summits conducted starting in 2008. The state Summits have been organized by multidisciplinary planning committees representing a range of government agencies and stakeholder groups in each state. These committees develop unique agendas to address specific interests and perspectives in their states but, in general, participants at these events have been engaged to:

- Identify safety needs, resources, and solutions;
- Get to know and build relationships with safety partners to continue to work collaboratively;
- Share best practices and lessons learned; and
- Commit to action items to build on Summit successes.

The first in this series of state Tribal safety Summits was held May 14-15, 2008, in Arizona. Participants identified and prioritized transportation safety issues under the categories of enforcement, education, infrastructure, and data. The Inter Tribal Council of Arizona (ITCA), as well as other stakeholder groups, went on to use the ranked priorities to guide a number of solutions and projects while focusing on the most pressing issues affecting Indian country in Arizona.

Among a variety of topics, data was a major focus at the Minnesota Summit (October 29-30, 2008) since many of the Tribes do not have adequate data management or analysis capabilities. Participants worked hard to overcome trust issues on data sharing and agreed to work with the state on data reporting and analysis.

Washington State held a Summit May 27-28, 2009, where, among other activities, participants were introduced to the State's strategic highway safety plan (SHSP), *Target Zero*, and were

asked to aid in the process of updating *Target Zero* by developing recommendations specific to Tribal safety needs.

The integral link between enforcement and engineering, as it relates to crash data and the vested interest of saving lives, was highlighted at the Wisconsin Summit (August 12, 2009). All attendees went away from the Summit with a deeper understanding and appreciation of the roles each of the 4Es plays in Tribal safety, and a stronger professional and organizational commitment to reach out to each other in solving the issues in Tribal safety.

Participants at the New Mexico Summit (August 18, 2009) identified the need to develop cooperative agreements between the Tribes and the State to improve a variety of programs including data, engineering, and enforcement. Attendees also placed a high priority on establishing inter-Tribal coalitions to improve communication and cooperation.

■ Challenges Identified at State Summits



State Tribal safety Summits result in a variety of recommendations and action steps. At the same time, a number of common issues emerge reflecting shared priorities, concerns, and needs across Tribal communities.

- *Priority safety concerns for Native Americans include impaired driving, seat belts/child safety seats, lane departures, speeding, and pedestrian safety. Data and anecdotal experience point to behavioral and infrastructure safety issues for Native Americans, which are often the same priority areas on non-Tribal roads.*
- *Tribal safety stakeholders report an acute lack of resources, including funding, personnel, and technology, limiting their capacity to address safety. Participants have emphasized limited resources manifest in deteriorating infrastructure, minimal support for ongoing law enforcement, and insufficient support for education initiatives.*
- *Crash data (crash numbers, locations, severity, contributing factors, etc.) is inadequate for most Tribal communities. Issues surrounding data collection, reporting, management, analysis, and sharing severely limit Tribes' and partners' abilities to conduct detailed problem identification, analysis,*

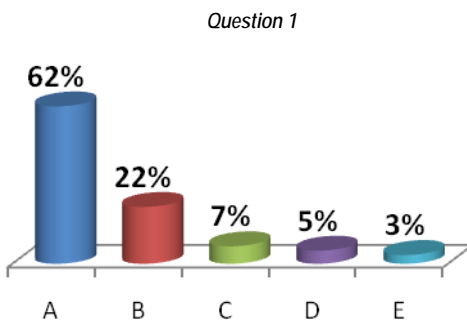
countermeasure identification, and effectively target resources.

- *Tribes face a shortage of expertise necessary for conducting safety evaluations, data analysis, and for developing and implementing effective countermeasures.* Even if adequate data are available, many tribes lack sufficient personnel with the necessary safety analysis and implementation skills.
- *Better communication and collaboration is needed among safety partners, including inter-Tribal communication on safety issues, collaboration with other local government units (i.e., counties, cities, etc.), and state and Federal agencies with safety resources and responsibilities.*
- *Jurisdictional issues complicate effective management of Tribal transportation safety.* Jurisdiction issues involve citation and arrest authority for Tribal and non-Tribal law enforcement, penalties for traffic violations on and off Tribal roadways, responsibility for infrastructure maintenance and improvements, and emergency response to motor vehicle crashes.

■ Prioritizing the Issues

Following the individual state Summit presentations, National Summit participants were posed several questions to reflect on the common concerns. Using iClicker® technology, they voted and prioritized issues as a measure to inform ongoing national efforts to improve Tribal transportation safety.

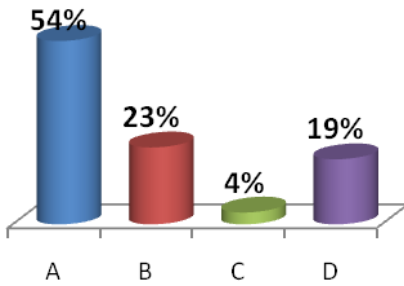
Question 1: *What is the leading transportation safety problem facing Native Americans?*



- Impaired Driving
- Seat Belts/Child Safety Seats
- Lane Departures
- Speeding
- Pedestrians

Overwhelmingly, participants identified **impaired driving** as the number one transportation safety problem, with almost two thirds of the vote, followed by seat belts/child safety seats with about twenty percent of votes, and lane departures, speeding, and pedestrians sharing the remaining fifteen percent. Among

Question 2



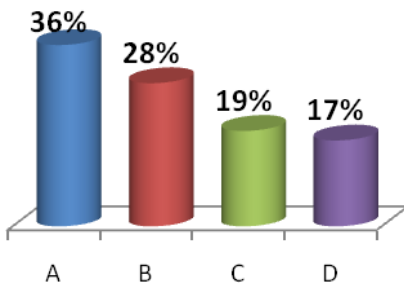
crashes on reservations from 1982 to 2002, an estimated 65 percent were alcohol-related, compared to 47 percent nationally.⁴

Question 2: *What is the biggest obstacle to improving Tribal transportation safety?*

- a) Limited Resources (funding, personnel, technology)
- b) Inadequate Data
- c) Lack of Expertise
- d) Lack of Communication/Collaboration

More than half of the participants indicated **limited resources** (funding, personnel, and technology) as the biggest obstacle to improving Tribal transportation safety. Forty-two percent were split between inadequate data and lack of communication/collaboration. Four percent voted on lack of expertise.

Question 3

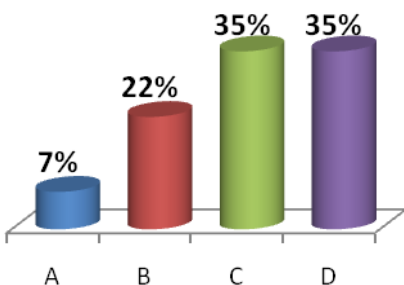


Question 3: *What is the biggest obstacle to obtaining resources?*

- a) Awareness of Sources
- b) Understanding Eligibility/Application Requirements
- c) Personnel Time to Apply for Resources
- d) Management Capacity

Asked about the biggest obstacle to obtaining resources, 36 percent of respondents identified **lack of awareness about resources** and another 28 percent attributed it to lack of understanding regarding eligibility/application requirements. This suggests information about sources and requirements could be better communicated to Tribal safety stakeholders. At the same time, almost 20 percent indicated staff does not have the time to apply for resources while the remaining 17 percent implicated a lack of management capacity.

Question 4



Question 4: *What is the greatest need for improving data collection, management, and analysis?*

- a) Equipment (hardware)
- b) Management/Analysis Tools (software)
- c) Training in Data Collection
- d) Training in Data Management/Analysis

Honing in on the issue of inadequate data, the vast majority (70 percent) were evenly split between **training in data collection** and **training in data management and analysis**, suggesting efforts need to increase understanding and expertise of both law

⁴Ibid.

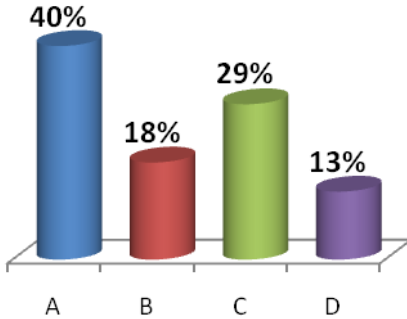
enforcement responsible for collecting crash data and program staff responsible for maintaining and working with data for problem identification and project development. Almost a quarter (22 percent) indicated Tribal safety stakeholders need better data management and analysis tools (software), while only 7 percent indicated they need the equipment (hardware).

Question 5: *What inter-jurisdictional issue poses the most difficult challenge in terms of Tribal/state/Federal collaboration?*

- a) Traffic Law Enforcement
- b) Inconsistent Traffic Codes
- c) Roadway/Right-of-Way Ownership and Maintenance Responsibility
- d) Responsibility for Emergency Response

Asked which inter-jurisdictional issues pose the most difficult challenge, 40 percent voted for **traffic law enforcement jurisdiction**, while almost 30 percent voted for **roadway/right-of-way** ownership and maintenance responsibility. Another 18 percent named inconsistent traffic codes and 13 percent voted for jurisdiction for emergency response. Jurisdictional boundaries and relationships vary widely around the country. Depending on context, these issues could be addressed collectively through broad agreements between Tribal and non-Tribal governments, but may also call for more models or examples of noteworthy practices specific to individual topics.

Question 5



Themes

Several themes for improving Tribal transportation safety emerged from Summit presentations and participant comments. The themes included *collaboration, data, learning and sharing, telling the story, and just do it.*

■ Collaboration

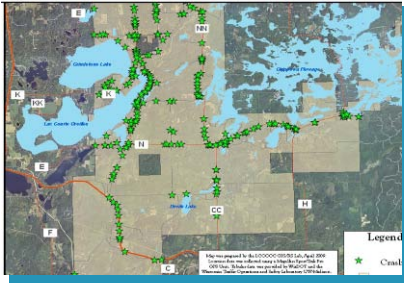
The participants at the National Summit represented multiple disciplines, various levels of government, and different public and private organizations involved in Tribal transportation safety efforts around the country. Presentations offered a variety of promising examples of collaboration among different groups, such as conducting multidisciplinary road safety audits and developing strategic highway safety plans (SHSP). Minnesota discussed the great relationships between Tribal and state engineers. A Governor's Executive order in Wisconsin commits the state to working on a government-to-government relationship with the eleven Federally recognized Tribes.

The Fort Peck Indian Reservation in Montana has found cross-deputization for Tribal, state, county, and city law enforcement a effective measure. Negotiations went all the way up to the Governor's office and BIA to clarify the issues of jurisdictional authority, sovereign immunity, liability, standards and extradition. These agencies came together and entered a cooperative agreement through which select Tribal and non-Tribal officers receive a special law enforcement commission card and a pin designating their status with the same citation and arrest authority. Cultural diversity education for non-Tribal officers is mandatory and troopers, patrolmen, deputies, and Tribal police meet quarterly to discuss issues. The BIA has agreed all officers commissioned will be treated as Federal employees when liability is an issue. The Fort Peck program offers an example of collaborative efforts improving the enforcement of traffic safety laws in and around Tribal roadways.

Fort Peck Cross Deputization

Montana Highway Patrol
Fort Peck Dept. of Law & Justice
Roosevelt Co. Sheriff's Office
Wolf Point City Police Dept.
Poplar City Police Dept.





■ Data

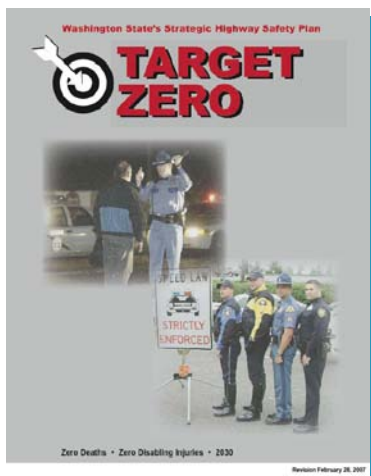
Data is a signature topic in the series of Tribal safety Summits and was again echoed at the National Summit. Speakers and participants stressed data-driven processes are foundational for good performance management; a topic likely to receive attention in the Federal reauthorization of the transportation bill. Crash data related to Tribal safety is often inadequate and many stakeholders are making efforts to improve data collection, management, and analysis. Arizona convened a statewide tribal Data Round Table to characterize the existing traffic record sources and surveillance systems at the tribal, Federal, and state levels. New Mexico is looking at crash data to identify counties with the highest incidence of alcohol impaired driving to target a safety marketing campaign for Native Americans.

The Lac Courte Oreilles Reservation in Wisconsin is collecting and mapping crash data using GIS/GPS technologies. The project is converting tabular crash data and to spatial demonstrations to find cluster areas of motor vehicle crashes, fulfill eligibility requirements to access grants for hazardous elimination safety programs, and cross-reference seat belt use surveys with the ultimate goal of reducing the number of crashes and save lives. The Tribe also has partnered with the county. They meet monthly to review and discuss data and safety issues. Judges, injury prevention professionals, law enforcement, and others are included as well.

■ Learning and Sharing

Convening Tribal safety stakeholders to share and learn from one another's experiences is a central tenant of the Summits. Topics for presentations are selected to demonstrate real world projects Tribes and their partners have implemented, such as activities of the Fond du Lac Injury Prevention Program in Minnesota. Using funding provided through an IHS/Tribal cooperative agreement the Tribe supports a Students Against Destructive Decisions (SADD) program, driver's education, a child car seat/booster seat program, and a brain injury prevention project. Summit breakout groups and information networking sessions provide participants with an opportunity to discuss their experiences, challenges, and successes in more detail.

The intention is for learning and sharing information and other resources to continue after the Summits. Participants take the



information from the Summits and continue to share it with other stakeholders to move the process forward. Notes captured during the Washington Summit were carried forward and considered during the annual Centennial Accord (CA) on June 23, 2009. The CA is an annual meeting between the Governor and Tribal leaders involving 29 Federally recognized tribes. The following four CA action items resulted from the discussion:

1. Washington DOT and Washington Traffic Safety Commission (WTSC) will develop a one-page briefing paper on the BIA Traffic Safety Grant Program issues and initiate a request to U.S. DOT to evaluate the program for potential improvements.
2. WTSC and TTAP will work to increase Tribal involvement in the update of *Target Zero*, the State's strategic highway safety plan.
3. WTSC will continue to hold Tribal Advisory Committee meetings.
4. WTSC will continue to work with Tribal law enforcement groups to invest the WTSC block grant.

■ Telling the Story

An important element of Tribal safety efforts is telling the stories about those affected by motor vehicle crashes. Presentations at these Summits reflect a strong commitment to putting a human face on the safety issue. Many use data to develop the story. Heavy emphasis is placed on youth. Bridge improvement efforts by the Oklahoma DOT and Osage Nation focus on, among other issues, school buses and the safety of children traveling to and from school. Data analysis by the Lac Courte Oreilles found over half of alcohol-related crashes involved drivers under 27 years old (36 percent under 21 years old) and 43 percent occur within two miles of a bar.

New Mexico DOT's marketing campaign is an example of culturally sensitive messages through videos, television and radio spots, print materials, etc. The "Save a Life, Save a Nation" and "I Care Campaign" promote the simple message drunk driving is a problem every member of the community has a stake in solving. Targeting Native Americans, these campaigns use positive culturally appropriate and Tribal specific messages rather than scare tactics, and they feature highly recognizable members of the



community to create legitimacy in the eyes of the audience. The New Mexico Tribal marketing effort has five major priorities:

1. Create a permanent public awareness committee to address DWI in collaboration with Native American groups in New Mexico, counties, and state agencies. Involve the media, television, and newspapers.
2. Raise awareness in local DWI planning councils.
3. Join efforts with Tribal Justice to improve efforts.
4. Join efforts with prevention groups.
5. Increase awareness of the importance of having Native Americans in all areas of law enforcement.

■ Just Do It

A final theme echoed across the Tribal safety Summits has been an emphasis on working around obstacles and acting now because safety cannot wait. Stakeholders continue to stress the importance of data improvements and data-driven processes; however, much is already known about the problems, what works, and what does not. Action cannot wait for perfect data to be available because the stakes are too high. Tribal safety stakeholders must explore ways of pushing through the layers of bureaucracy, getting control of or influencing the “purse strings,” and garnering the political will.

The San Carlos Apache Tribe in Arizona recognized the dire need to address alcohol impaired crashes. To implement sobriety checkpoints, the tribe researched data online and contacted other tribes to learn what others had done/experienced with DUI checkpoints. They worked to establish a memorandum of understanding (MOU) with the Arizona Department of Public Safety certifying both state and Tribal officers and created an incentive program recognizing most reservations are short-staffed, and officers are already working overtime. With limited resources, the DUI Coordinator offered to cook dinner for officers before every checkpoint event, a measure greatly appreciated. Since the program began in 2005, the Tribe has accomplished a 31 percent decrease in motor vehicle crashes resulting in injuries and/or fatalities, a 32 decrease in overall police reported crashes, a 27 reduction in nighttime crashes, and a 51 percent increase in DUI arrests. Officers are enthusiastic about being out there to save lives. Two officers received awards at the first annual banquet, but the number has since risen to 11. Following a five-year grant from the Centers for Disease Control and

*“All that it takes is all that you’ve got,
and all that you’ve got is all that it
takes.”*

- Lac Courte Oreilles safety motto



Prevention (CDC), the Tribe used its own resources to fund another full year because of the program's successes. They are searching for additional resources to expand the focus on improving safety belt use.

Moving Forward

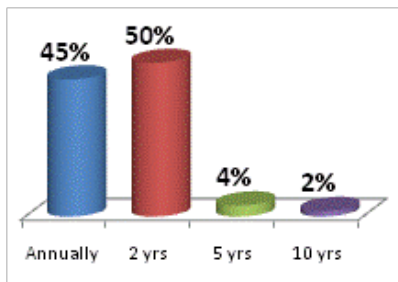
Focusing on the ultimate goal of reducing crash-related injuries and deaths within Tribal communities, the primary objective for the national Summit was to provide participants with a forum for sharing experiences and ideas about national, state, and local efforts to improve Tribal transportation safety. Participants voted on issues during the first part of the Summit, made presentations on state Summits and tribal safety initiatives, discussed and offered suggestions to a panel of representatives from national level agencies with Tribal safety responsibilities (FHWA Office of Federal Lands Highway, FHWA Office of Safety, NHTSA, BIA, and TTAP).

■ Summit Recommendations

Participant comments during discussion with the Federal panel demonstrated the commitment of Tribal safety professionals and leadership to pursue safer roadways, but also reflected earlier statements about the need for assistance and understanding of available resources and measures for accessing them. Specific recommendations to the panel included the following:

- Develop some kind of slogan, other than Safety Management System (SMS) to unify Indian Country on safety awareness.
- Develop a BIA program appropriate for states and tribes to use for cross-jurisdictional certification, i.e., some sort of class officers could take to earn credentials for cross-jurisdictional law enforcement.
- Develop some best practices materials to share across Indian Country reflecting successful Tribal safety initiatives, including those presented at these Summits.
- Conduct some sort of TRB synthesis project about road safety audits (RSA). (FHWA pointed out a joint report is available from the Offices of Federal Lands Highway and Safety: <http://flh.fhwa.dot.gov/programs/irr/safety/audits.htm>).
- Improve coordination among FHWA, NHTSA, BIA, IHS, and other relevant national agencies on Tribal safety efforts.

Question 6: How often should a National Tribal Transportation Safety Summit be held?



The *Safety Management System (SMS) Steering Committee* includes representatives from Tribes, FHWA, BIA, NHTSA, and Indian Health Services (IHS). The Committee meets semiannually, coordinates efforts among agencies, and oversees direction and implementation of the SMS Implementation Plan, which identifies items to address over the next three to five years through implementation at both the national and Tribal levels, including:

- Development of Tribal Specific Safety Plans;
- Safety Data Collection and Analysis;
- Education and Training;
- Development of Safety Programs and Funding Sources List;
- Establishing a Tribal Safety Program;
- Measuring Success; and
- Conducting Safety Summits.

A final vote by participants indicated an interest in continuing with similar Summits on a regular schedule with half voting for a National Tribal Transportation Safety Summit every two years and 42 percent voting for a Summit every year.

■ Next Steps

As emphasized at the beginning of the Summit and throughout, an important component of any future direction should be to continue to foster partnerships and multidisciplinary collaboration. Federal representatives and the SMS Steering Committee members reiterated their commitment to improving Tribal transportation safety and will use results from the Summit to guide continuing support for Tribal safety efforts.

States and Tribes are encouraged to implement the recommendations and conduct additional safety Summits to continue collaborative efforts at the state and local level. Participants should inform the Tribal Elders, leaders, and other safety stakeholders in their communities about the Summit results and lessons learned to determine future directions in transportation safety education, enforcement, infrastructure, and data.

More information about resources available from the State, regional, and Federal partners involved in the Summit can be found at:

TTAP: <http://www.ewu.edu/ttap>

FHWA Office of Federal Lands Highway:
<http://flh.fhwa.dot.gov/programs/irr/safety>

FHWA Office of Safety: <http://safety.fhwa.dot.gov>

BIA: <http://www.doi.gov/bia>

NHTSA: <http://www.nhtsa.dot.gov>

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Appendix B: Agenda

Tribal Transportation Safety Summit

Thursday November 19th

8:00 a.m. to 8:30 a.m.:

Welcome and Introduction

Video - *Protecting Our Future* (WA)

Welcome and Introductions

Moderator - Ron Hall, Director
Tribal Technical Assistance Program
Colorado State University

Tribal Leader - Frances G. Antone,
Tohono O'odham Nation

8:30 a.m. to 10:00 a.m.:

Defining the Issues

(Issues and recommendations identified at Summits)

Arizona

Esther Corbet, Inter Tribal Council of Arizona

Minnesota

Linda Aitken, Minnesota DOT

Washington

Kirk Vinish, Lummi Tribe

Wisconsin

Alyssa Macy, Wisconsin DOT

New Mexico

Robert Archuleta, New Mexico DOT

10:00 a.m. to 10:30 a.m.:

Break

10:30 a.m. to 10:45 a.m.:

Participant Voting on Issues

10:30 a.m. to 12:00 p.m.:

Effective Solutions

Crash Data

Amber Marlow, Lac Courte Oreilles Ojibwa
Community College, Wisconsin

Construction

Jay Adams, Oklahoma DOT

Marketing Safety

Robert Archuleta, New Mexico DOT

Jurisdictional Issues	Jose Figueroa, Fort Peck Tribes Law and Justice, Montana
Sobriety Checkpoints	Christine Reede, San Carlos Apache Tribe, Arizona
Occupant Protection	Holly Kostrzewski, Fond du Lac Injury Prevention, Minnesota
12:00 p.m. to 1:30 p.m.:	Lunch
1:30 p.m. to 2:00 p.m.:	All It Takes Is Everyone
WA Centennial Accord	Megan Cotton, Washington DOT
2:00 p.m. to 3:00 p.m.:	Resources and Opportunities
FHWA Office of Federal Lands Highway	John Baxter, Associate Administrator
FHWA Office of Safety	Beth Alicandri, Office of Safety
NHTSA	Georgia Chakiris, Region 6
BIA	LeRoy Gishi, Division of Transportation
3:00 p.m. to 3:30 p.m.	Break
3:30 p.m. to 4:30 p.m.:	A Strategy to Face the Challenge
	Facilitated discussion, between the panel and participants about developing a national strategic plan for tribal transportation safety and how the state DOTs, highway safety offices, and Federal agencies can help tribes achieve safer roads and reduced motor vehicle crashes.
	Susan Herbel, Cambridge Systematics, Inc.
4:30 p.m. to 5:00 p.m.:	Final Thoughts and Conclusions
TTAP	Ron Hall, Director, Tribal Technical Assistance Program Colorado State University