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American Indian Transportation Issues in South Dakota

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ABSTRACT

This paper provides an overview of tribal transportation obstacles. My primary focus is on the quality of reservation roads and its relationship to funding and politics. The Indian reservation road system is one of the most underdeveloped transportation networks in the United States. A majority of these roads are dirt and gravel and, therefore, dangerous for traveling. Motor vehicle accidents are the leading cause of death for American Indians and Alaska Natives between ages one and 44 (Hamilton 2003). Because federal funds for tribal transportation fall short of transportation needs, tribes do not have enough money for either road construction materials or road repair and maintenance. As a result, reservation roads are undeveloped and have come under a state of disrepair.

Tribal politics are of particular importance in reference to road management. Tribal officials rarely serve terms longer than two or three years. Few officials are reelected and brief terms make efficient management difficult. Compounding the issue is an overall lack of communication between tribal officials and between state, federal, and tribal transportation departments. In addition, one interviewee states “Families control tribal government” (BIA Highway Engineer). While the needs of the families in governmental positions come first, the needs of tribal members come second. In addition, a BIA employee reports mismanagement of funds, incomplete financial records, corrupt government, and more.

The list of tribal transportation problems is a lengthy one, but the list of solutions is brief. Suggested improvements include an open line of communication, hiring and maintaining competent tribal employees, and increased funds. Further research needs to be conducted in this area to investigate effective transportation models. Furthermore, transportation problems negatively affect American Indian employment, health, and education. Little has been researched in this area, and a further investigation needs to be conducted to determine how these areas are affected.

INTRODUCTION

I've spent three summers working for an engineering consultant firm running laboratory tests on road materials to assure quality. Some of this work was on reservations in South Dakota. A couple years ago I got into a car accident on a reservation road. The project I was on was supposed to be done four years ago. The road was graded

and the base course was laid when the project ran out of money. The unpaved road sat there for two years, untouched. When enough funds were gathered to pave the road, there wasn't enough money to also re-grade it too. Some water was sprayed over the dirt and gravel, base course was laid, and the paving began. That's about the time I was scheduled to work in the lab on this project. I was driving below the speed limit when I fish-tailed, lost control, and rolled several times into the ditch. I was lucky to live, but many others are not as fortunate.

METHODS

The bulk of this research consisted of a analysis of existing data reports from the public files of the U.S. Department of Transportation. In addition, brief topical interviews with individuals who have experience working with transportation issues on U.S. reservations were conducted for place-based information.

THE TRANSPORTATION CRISIS

The transportation needs of American Indians in South Dakota are similar to the needs of all people living in rural areas. Many American Indian tribes live in "isolated locations with little arable land and few natural resources" (USDOT 2001). There is no local transit system and many people lack adequate transportation. Due to this, some medical and food services are delivered to individuals in their homes and hitchhiking is common. In cases of severe weather, many homes on reservations are inaccessible (Shawn 2006).

Lack of adequate transportation perpetuates isolation, and "...reservations are among the most economically depressed areas of the country with very high unemployment rates" (USDOT 2001). A survey was conducted by the Center for Urban and Regional Affairs at the University of Minnesota of more than 1,200 households in the early 1990s. Seven American Indian sites located in North Dakota, Wyoming, Minnesota, Utah, and Colorado were included. This study found that:

- 25% of respondents indicated they had lost a job because of a transportation problem,
- 36% said they had turned down a job because of a transportation problem,
- 29% said a health crisis requiring medical attention created a transportation problem,
- 27% indicated that they lost an opportunity for education because of a transportation problem (Shawn 2006).

Indian Law

The Tribes of the Great Sioux Nation signed treaties with the United States in the 1800's which established the territorial boundaries of the tribe and recognized the rights of the Sioux as a sovereign government. In exchange for land cessions, the United States promised to provide transportation within Indian lands. In other words, "the Federal Government is responsible for providing access within Federal and Indian lands"

(Hamilton 2003). As a sovereign government, the Sioux Nation has the power to govern both its land and its people. The Bureau of Indian Affairs (BIA) is the branch of the federal government which oversees transportation on Indian lands.

An Overview of Indian Reservation Roads

Native American communities depend on the Indian Reservation Road (IRR) system to “provide access to and within Indian reservations, Indian trust land, restricted Indian land, eligible Indian communities, and Alaska Native villages. More than 2 billion vehicle miles are traveled annually on the IRR system,” (Hamilton 2003).

There are two classifications of Indian Reservation Roads: Bureau of Indian Affairs (BIA) system roads and state/county/local roads. BIA roads are owned and maintained by the BIA and tribal governments. State roads are owned and maintained by the state, the county is responsible for county roads, and the township is responsible for local roads.

Federal Funding

The federal agency responsible for transportation is the Federal Highway Administration (FHWA). The FHWA provides access within Indian lands by funding the Indian Reservation Road (IRR) system. Public Law 93-638 is used to administer FHWA funds directly from the BIA to the tribe for transportation plans and construction. In comparison, state projects are also funded through the FHWA, and the money is generated through the state and federal fuel tax.

Prior to the 1980s, federal funding for transportation had to compete with non-transportation needs. The unpredictability of these appropriations “caused many road systems on Federal lands to fall into a state of dilapidation” (Hamilton 2003). The 1982 Surface Transportation Assistance Act (STAA) established the Federal Lands Highway Program (FLHP). The STAA sets funding aside specifically for transportation needs. The FLHP is a transportation program funded through the Highway Trust Fund. “The FLHP funds may be used for transportation planning, research engineering, and construction” (Hamilton 2003). Funding is determined through an Indian Reservation Road inventory and by setting a road project priority list to determine the amount of money needed to meet transportation needs.

Road Quality

The IRR system is among the most underdeveloped transportation networks in the United States. “Over 66 percent of the system is unimproved earth and gravel and approximately 24 percent of the IRR bridges are classified as deficient (functionally obsolete and/or structurally deficient)” (Hamilton 2003). The quality of a road affects safety, and the IRR roads are among the most dangerous roads traveled. “The annual fatality rate on Indian reservation roads is more than four times the national average” (Hamilton 2003). High road fatality rates on reservation roads are a reflection of the poor quality of these roads. In addition, “motor vehicle fatality rates are nearly 75 percent higher for Indians and Alaska Natives as for non-Indians.” In fact, “motor vehicle injuries are the leading cause of death for American Indians and Alaska Natives between the ages of one through 44” (Hamilton 2003).

As seen in the chart below, the fatality rate of motor vehicle crashes is considerably higher on reservations than other areas. In fact, “5,962 fatal motor vehicle crashes occurred on roads under the jurisdiction of Indian reservations between 1975 and 2002, an average of 213 fatal crashes per year” (USDOT NHTSA 2004).

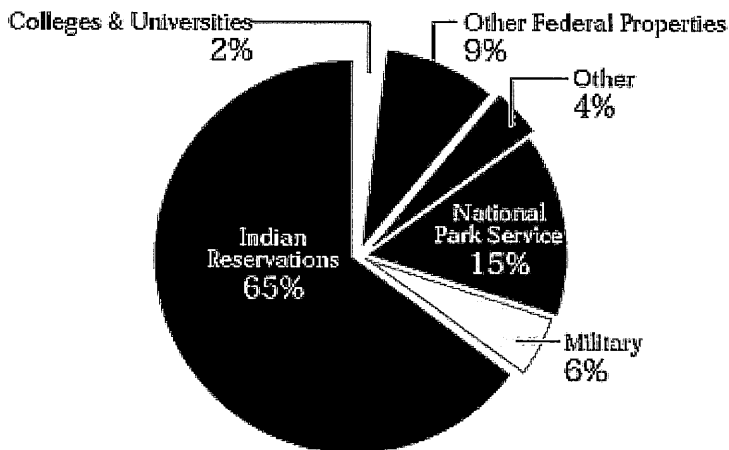


Figure 1. Fatal Motor Vehicle Crashes on Indian Reservations: 1975-2002. Source: U.S. Department of Transportation, National Highway Traffic Safety Administration, and the National Center for Statistics and Analysis (2004).

The number of fatal motor vehicle crashes per year increased 52.5 percent on reservations from 1975 to 2002. “While the number of fatal crashes in the nation declined 2.2 percent” (USDOT NHTSA 2004).

To illustrate the severity of the problem poor road quality can have on safety, Vic Glover, a former journalist and professor of communication and local resident of the Pine Ridge Reservation, writes:

“Slim Buttes Road runs north to south for thirty-two miles, connecting Highway 18, which runs past Oglala, to Highway 20, running through Chadron. The upper part of the road is partially paved to the reservation line, then it turns to gravel for the last twenty miles to Chadron... Simply put, Slim Buttes Road is a killer... For as much traffic as there is on it, day or night, it’s got to be one of the deadliest and worst high-volume roadways in the nation. As a rule, reservation roads are notoriously bad, but this one is in a class all by itself. If Indians had a wish list, there would probably be a lot of other items at the top, but something you hear the locals say quite often is, ‘I sure wish they’d fix that road’ (2004).”

DISCUSSION

In an interview with a BIA Highway Engineer, tribal transportation funding was linked to deficiencies in the quality of Indian Reservation Roads. He states:

“Tribes do not get enough money to cover all their expenses. There are very few maintenance dollars. Without maintenance, roads dilapidate faster and require more maintenance or replacement, but there is not enough money to rebuild the road. Often times, a contractor doesn’t follow the specifications and the tribe doesn’t enforce the specifications. The quality of the road is compromised, and the road requires more maintenance due to poor quality. The road doesn’t get maintained because of the lack of funds, and the life of the road is shortened.”

BIA transportation funding affects the quality of Indian Reservation Roads. A manager at an engineering consultant firm explains,

“... sometimes these funds are not enough to cover the entire cost of the project and construction is postponed until the following year. This can lead to a decrease in quality. For example, if the base course of a road is laid but isn’t covered until the following year, the base course will lose compaction and may require re-grading. Once funding needs are met to lay the asphalt, additional funding is required to re-grade the road. Due to the delay in the asphalt surfacing of the project, project costs increase, and the project work is adjusted to fit the available funds. In other words, the road may not be re-graded and the longevity of the road is compromised.”

The Safe, Accountable, Flexible, and Efficient, Transportation Equity Act of 2003 (SAFETEA) attempts to address the “very serious problem” of poor road quality on Indian reservations “by authorizing nearly \$2 billion in funding for the IRR program for fiscal years (FY) 2004 through 2009... SAFETEA more than doubles the amount of funding for highway safety” (Hamilton 2003).

However, the SAFETEA Act may create additional financial barriers as well. Prior to the passage of this act, the BIA was allowed to shuffle funds between tribes on the basis of transportation needs. This policy changed with the passage of SAFETEA. An Engineer with experience working with Indian tribes explains:

“Under this act, tribes have to ask permission from other tribes to use unutilized funds. It is an opportunity to create tension between tribes... Tribes compete for these funds and so they are at odds with each other. No tribe is happy with what they get.”

Tribal Politics

Tribal politics also influence quality and efficiency of tribal transportation systems. A Highway Engineer for the BIA claims,

“Families control tribal government... The families of the individuals elected into tribal government have first priority. Everyone else’s needs are second place.” He went on to say, “Financial records are incomplete, funds are mismanaged, there is corruption in tribal government, and the accounting system is lax at best at the tribal level. There is also a lack of continuity in tribal government due to brief office terms. Every two to three years tribal officials are elected out of office and someone new takes over with few exceptions. Very few people are reelected. Brief terms prohibit consistency and efficient management.”

Solutions

The suggestions for improving quality and efficiency of tribal transportation are brief. One area needing improvement is communication. A seasoned Engineer explains:

“There is an overall lack of communication. Working relations could be improved with more communication and better communication. I don’t know how you fix that. A lot of people on the reservation run on Indian time, meaning that calls aren’t returned in a timely fashion. This is sometimes unavoidable.”

A more open line of communication would help. An open line of communication involves more information going out of progress, problems, and issues regarding scheduling and quality. Keep the tribal community informed of the work being done and future plans. Also, input and feedback from the tribal community regarding their concerns and their priorities would facilitate their involvement in transportation projects. Providing contact information to keep the community up-to-date with projects and plans provides an understanding of the process involved. An overall better understanding of both the state operations and educating the state of tribal culture helps alleviate misunderstandings.

Along with communication, government employment is another area needing improvement. A BIA Highway Engineer suggests, “Hire and maintain competent people in tribal government who receive adequate training.” But it is not that simple. The problem in hiring and maintaining a skilled workforce has its roots in tribal politics. He explains,

“Tribal government tends to do whatever they want to do or do what the person with the most clout in the neighborhood wants them to do... It is difficult to find good, qualified people. Competent employees sometimes get fired for doing their job. Local people are hired regardless of skill level. Often times these employees are not trained to do their job correctly.”

To fix the problem, the organization of Tribal Government would have to change to allow tribal members to have more power regardless of family or political ties. All governments have their faults. The battle over power and influence is perpetual and is an issue that tribal governments face; it is an issue all governments face.

CONCLUSION

The list of problems affecting transportation on South Dakota's reservations is a lengthy and complicated one: geographical isolation, no public transit, poor road quality, inadequate funding, tribal politics, lack of skilled and competent tribal government employees, inadequate training, lack of communication, and tribal employees running on 'Indian time.' It seems there are no clear answers to complex issues. State employees working on reservation roads are required to attend courses informing them of tribal culture. It is a new program which may yield some improvement in communication between state and tribal highway workers. However, its progress cannot be measured at this time.

Further research is needed in regard to the relationship of the Sioux to the state of South Dakota regarding transportation issues. Case studies of the various reservations may be beneficial to understanding the variances and complexity of transportation issues. Effective transportation management models may be found through an analysis of additional American Indian tribal transportation models. Improvements may be made by utilizing working models other tribes have found to be successful.

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