



2012 Annual Convention Pendleton, Oregon

RESOLUTION #12 - 58

"SUPPORT FOR ESTABLISHING A TRIBAL TRANSPORTATION SELF-GOVERNANCE PROGRAM WITHIN THE U.S. DEPARTMENT OF TRANSPORTATION"

PREAMBLE

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, the Policy of self-governance as employed by the Indian Self-Determination and Education Assistance Act (ISDEAA) has proven to be very successful in improving the quality of service to tribal members, the empowerment of tribal governments, and the effectiveness of federal dollars provided for Indian Programs; and

WHEREAS, the last transportation authorization Safe, Accountable, Flexible, Efficient, Transportation Equity Act; A legacy for Users (SAFETEA-LU) contains a provision allowing tribes to enter into contracts and agreement directly with the Secretary of Transportation in accordance with ISDEAA: and

WHEREAS, the Secretary of Transportation has – contrary to the intent of Congress – determined that direct agreements with the agency are not ISDEAA agreements and has refused to include standard self-governance provisions from Title IV of ISDEAA; and

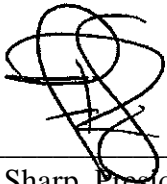
WHEREAS, it is clear that both Tribes and Congress intended the provision in SAFETEA-LU to apply to provisions of ISDEAA to the direct agreements with the Secretary of Transportation; now

THEREFORE BE IT RESOLVED, in order to reaffirm that the intent, tribal transportation calls for the establishment of the Tribal Transportation Self-Governance Program within the U.S. Department of Transportation by proposing an amendment to the ISDEAA which will apply the provisions in Title IV of that Act to the Department of Transportation at a tribe's request; and

BE IT FURTHER RESOLVED, that ATNI supports the right and prerogative of any tribal government to enter into ISDEAA agreements under Title I or Title IV of the Statute with the Federal government if it so wishes, as well as the right and prerogative of any tribal government to receive services directly from the Federal government if it so wishes.

CERTIFICATION

The foregoing resolution was adopted at the 2012 Annual Convention of the Affiliated Tribes of Northwest Indians, held at the Wildhorse Resort Casino in Pendleton, Oregon September 24 – 27, 2012 with a quorum present.



Fawn Sharp, President



Norma Jean Louie, Secretary