



## **2013 Mid-Year Convention Airway Heights, Washington**

### **RESOLUTION #13 - 52**

#### **“DISTRIBUTION OF DRAFT COMMENTS AND BRIEFING PAPER REGARDING PROPOSED REVISIONS TO THE REGULATIONS GOVERNING TRIBAL TRANSPORTATION PROGRAMS”**

#### **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**, on July 6, 2012, Moving Ahead for Progress in the 21<sup>st</sup> Century Act (“MAP-21”) was signed into law, and, on April 12, 2013, the Bureau of Indian Affairs (BIA) published a notice of Tribal Consultation on draft revisions to the regulations governing the Tribal Transportation Program (TTP), which are set forth in 25 C.F.R. Part 170 and is accepting comments until June 13, 2013; and

**WHEREAS**, the draft revisions include changes to almost every section of the Part 170 regulations and would, in a manner not justified by MAP-21, substantively change many regulations directly related to tribal administration of tribal transportation programs and federal oversight and administration, which were developed through an extensive negotiated rulemaking process and directly implicate tribal self-government and tribal trust resources; and

**WHEREAS**, it is imperative that Indian tribes be afforded the opportunity to participate in a meaningful and collaborative process in the revision of regulations established through a negotiated rulemaking process; and

**WHEREAS**, certain draft revisions would restrict tribal flexibility and interfere with the ability of tribes to administer their own transportation programs in accordance with the principles of self-government do not conform to the statutory mandate to make all funds for tribal transportation program activities available, at the request of a tribal government, in accordance with the Indian Self-Determination and Education Assistance Act (ISDEAA); and

**WHEREAS**, the ATNI Transportation Committee endorses the briefing and draft comment letter prepared by Hobbs Straus, Dean and Walker, LLC; and

**WHEREAS**, the ATNI Transportation Committee request the ATNI Executive Committee to distribute briefing paper and draft tribal comment letter, attached hereto, to Northwest Tribes and encourage them to submit the letter by June 13, 2013; now

**THEREFORE BE IT RESOLVED**, that ATNI hereby accepts the recommendation of the ATNI Transportation Committee to distribute the attached draft tribal comment letter to Northwest Tribes encouraging the tribes to submit the letter by June 13, 2013.

### **CERTIFICATION**

The foregoing resolution was adopted at the 2013 Mid-Year Convention of the Affiliated Tribes of Northwest Indians, held at Northern Quest Resort Casino, Airway Heights, Washington on May 13-16, 2013 with a quorum present.

  
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Fawn Sharp, President

  
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Norma Jean Louie, Secretary