

**The INTER-TRIBAL COUNCIL
of the FIVE CIVILIZED TRIBES**

NUMBER 2001-05

**A RESOLUTION IN SUPPORT OF “THE INDIAN TRIBAL SURFACE
TRANSPORTATION ACT OF 2001”**

WHEREAS,

the Inter-Tribal Council of the Five Civilized Tribes is an organization which unites the tribal governments of the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole Nations, representing over 400,000 Indian people throughout the United States, and

WHEREAS,

The Inter-Tribal has a responsibility to serve all Indian people within their independent jurisdiction boundaries that encompasses approximately 50 counties out of 77 counties within the state of Oklahoma, and

WHEREAS,

The Five Civilized Tribes unite their tribal governments to provide the highest quality, culturally sensitive, and cost effective services for Indian people, and

WHEREAS,

This responsibility includes the provision of safe and adequate transportation systems within service areas of the Five Civilized Tribes; and

WHEREAS,

The Inter-Tribal Council (ITC) is aware of a bill introduced in the United States Senate on February 15, 2001, known as The Indian Tribal Surface Transportation Act of 2001 (S.344); and

WHEREAS,

This bill will make certain amendments to the Transportation Equity Act of the 21st Century (TEA-21) regarding the Indian Reservation Roads (IRR) program and has been referred to the Senate Committee on Indian Affairs; and

WHEREAS,

The provisions of S. 344 will greatly benefit transportation systems in Indian country through additional resources and increased tribal control over the IRR program; and

WHEREAS,

The ITC recognized the importance of this bill as a step forward in the relationship between Indian tribes and the United States and hereby issues its support for the provisions of S. 344 described as follows:

1. Removal of the Obligation Limitation imposed by TEA-21 will provide an additional \$30-35 million towards improving roads in Indian country and bring the IRR program up to funding levels promised by the U.S. Congress prior to the enactment of TEA-21.
2. The creation of a Pilot Demonstration Program will give Indian tribes an opportunity to contract or compact the IRR program directly with the Department of Transportation and avoid a duplication of services that is inherently present through the Bureau of Indian Affairs (BIA).
3. Indian tribes who have contracted or compacted the IRR program will have access to administrative funds historically retained by the BIA to cover the cost of operating the IRR program instead of utilizing scarce construction dollars that would otherwise be used to improve roads serving Indian country.
4. Delegates authority to Indian Tribes who have IRR contracts or compacts the right to approve their own design plans, specifications, and estimates and to commence road or bridge construction so long as the tribe has: (A) provided assurances in the contract or agreement that the construction will meet or exceed proper health and safety standards; (B) obtained the advance review of the specifications meet or exceed the proper health and safety standards; and (C) provided a copy of the certification under subparagraph (B) to the BIA.

NOW THEREFORE, BE IT RESOLVED,

That the Inter-Tribal Council of the Five Civilized Tribes of Oklahoma strongly urges the U.S. Congress to amend the Transportation Equity Act for the 21st Century and adopt into law “The Indian Tribal Surface Transportation Act of 2001” also known as Senate Bill 344.

Adopted by the Inter-Tribal Council of the Five Civilized Tribes of Oklahoma meeting at Fountainhead Resort, Eufaula, Oklahoma on April 19, 2001, by a vote of 23 for, 0 against, and 0 abstentions.

John A. Ketcher Signed for
Chadwick Smith, Principal Chief
Cherokee Nation

Greg E. Pyle Signed
Gregory E. Pyle, Chief
Choctaw Nation

Perry Beaver Signed
Perry Beaver, Principal Chief
Muscogee (Creek) Nation

Jerry Haney Signed
Jerry Haney, Principal Chief
Seminole Nation

Bill Anoatubby Signed
Bill Anoatubby, Governor
Chickasaw Nation