

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

NUMBER 98-09

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 300,000 Indian people throughout the United States, and

WHEREAS,

The Five Civilized Tribes of Oklahoma are responsible for providing for the health, education and general welfare of their respective constituencies, and

WHEREAS,

This responsibility extends to the provision of adequate transportation systems for Indian people residing in the service areas of the Five Civilized Tribes, and

WHEREAS,

The Inter-Tribal Council has been advised that the Intermodal Surface Transportation Efficiency Act (ISTEA) legislation is to be reauthorized by the U.S. Congress and will soon be under consideration by a Conference Committee, and

WHEREAS,

The Inter-Tribal Council has reviewed the language and proposed amendments regarding the reauthorization of ISTEA, i.e., S. 1173 and H.R. 2400, and hereby issues the following positions:

Regarding S. 1173:

1. That the term "Indian Reservations" in Section 1106 be replaced with "...and, within or adjacent to Indian lands, communities and Alaskan Native villages as defined in section 101 of this title." This would serve to include Indian lands in Oklahoma that may not be included in the term "Indian Reservations."
2. That the reference to Section 23 U.S.C. section 134 and 135 references be removed from Section 1106 of the bill, because there are many processes and requirements of these sections that are not applicable to the Indian Reservation Roads (IRR) Planning.
3. That proposed amendment #1709 offered by Senator Ben Nighthorse Campbell (and similar amendment to H.R. 2400 offered by Representative Don Young) be approved to make P.L. 93-638 applicable to all IRP funds, including the six percent administrative funds currently managed by the Bureau of Indian Affairs.

4. That the proposed amendment offered by Senator Pete Domenici be approved, which would increase the IRR program to \$250 million over the next five years.

Regarding H.R. 2400:

1. That the amendment offered by Representative Ray LaHood be strongly opposed. This amendment would prohibit a Tribal Government from receiving federal highway funds unless the tribe has reached a written agreement with a State for payment of state motor fuel taxes.

NOW, THEREFORE, BE IT RESOLVED,

That the Inter-Tribal Council of the Five Civilized Tribes of Oklahoma hereby adopts the above position regarding the reauthorization of the Intermodal Surface Transportation Efficiency Act.

THEREFORE, BE IT RESOLVED,

The Inter-Tribal Council strongly encourages the Conference Committee of the U.S. Congress to consider the above position in its deliberations regarding the reauthorization of ISTEA.

CERTIFICATION

Adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting held at Tahlequah, Oklahoma on April 3, 1998, by a vote of 25 for, 0 against, and 0 abstentions.

J. Garland Eagle Signed for
Joe Byrd, 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