

Example Tribal Resolution for Intent to Enter into a TTPA

[Insert Tribe name]
[Insert address]
[Insert City, State Zip Code]
[Insert Ph: (xxx) xxx-xxxx]
[Insert Email: www.xyz.xxx]
RESOLUTION: [Insert Number]

Approving the [INSERT NAME OF TRIBE]'s Assumption of Transportation Functions under the "Surface Transportation Reauthorization Act of 2021" (STRA-21), also colloquially known as the "Bipartisan Infrastructure Law" (BIL), and Approving the Issuance of a Notice of Intent to Federal Highway Administration and Bureau of Indian Affairs.

WHEREAS, [INSERT NAME OF TRIBE] Council is the governing body of the [INSERT NAME OF TRIBE], a federally recognized Indian Tribe; and

WHEREAS, the [INSERT NAME OF TRIBE] Council finds that transportation infrastructure and facilities provide access, services, and improves the safety and security of Tribal members and nonmembers; and

WHEREAS, the United States Congress passed and the President of the United States signed STRA-21 highway reauthorization; and

WHEREAS STRA-21 authorizes the United States Secretary of Transportation to enter into a funding agreement with a federally recognized Indian tribal government to assume the responsibilities of and the associated funding for the Tribal Transportation Program (TTP) serving a Tribe; and

WHEREAS, STRA-21 provides that an Indian tribal government may carry out any TTP Program or project through a contract or agreement with the United States Secretary of Transportation in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 5301 et seq.) and further provides that the Indian tribal government may assume all functions and duties that the United States Secretary of the Interior would have performed other than those functions and duties that inherently cannot be legally transferred under the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 5301 et seq.); and

WHEREAS, the [INSERT NAME OF TRIBE] government believes that establishing a comprehensive transportation program will further the long-term interests of the Tribe, afford greater flexibility and control to prioritize transportation needs, and permit our Government to utilize flexible financing arrangements available by law to speed the development of transportation infrastructure; and

WHEREAS, the [INSERT NAME OF TRIBE] Council desires to assume the United States Secretary of the Interior's duties and functions with respect to the TTP and such other Tribal transportation programs-as may be appropriate under 23 U.S.C, 25 CFR Part 170, and STRA-21 ; and

WHEREAS, the [INSERT NAME OF TRIBE] tribal transportation department possesses the financial stability and management capability required by STRA-21 to assume the United States Secretary of the Interior's responsibilities in the area of transportation planning, design, construction and maintenance;

NOW, THEREFORE BE IT RESOLVED, that the [INSERT NAME OF TRIBE] Council does hereby approve the issuing of a Notice of Intent to the United States Department of Interior, Bureau of Indian Affairs and the United States Department of Transportation, Federal Highways Administration to assume the transportation duties of the Secretary of the Interior under the TTP, together with transportation-related activities, and instructs the Tribal President to take all necessary actions to develop with the Federal Highway Administration a mutually acceptable government-to-government agreement to administer the TTP; and

BE IT FURTHER RESOLVED, that the [INSERT TITLE] is hereby authorized and instructed to sign this Resolution and all necessary agreements and contracts for and on behalf of the Tribe in order to establish and assume the transportation duties of the Secretary of the Interior serving the [INSERT NAME OF TRIBE].

CERTIFICATION

This resolution was duly considered and adopted at a meeting of the [INSERT NAME OF TRIBE], on [insert date], [enter year], at which a quorum of Council members were in attendance.

For: _____ Against: _____ Abstain: _____
Present: _____ Absent: _____

ATTEST:

First Name Last Name, Title

Date

First Name Last Name, Title

Date