



CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
Edward K. Thomas Building
9097 Glacier Highway • Juneau, Alaska 99801

Executive Council of the Central Council
TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA

Resolution EC/ 16-02

Title: Establishment of Tribal Transportation Program Bank Account

WHEREAS, Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 30,000 tribal citizens; and

WHEREAS, with the passage of the Fixing America's Surface Transportation Act (FAST Act) a new Tribal Transportation Program Agreement has been drafted to reflect several changes; and

WHEREAS, to transfer to the Tribe all of the functions and duties that the Secretary of the Interior would have performed with respect to a program or project under Chapter 2 of Title 23, United States Code, other than those functions and duties that cannot be legally transferred under the ISDEAA, together with such additional activities as the Tribe may perform under the FAST Act and 25 CFR Part 170; and

WHEREAS, to carry out the Federal Highway Administration's (FHWA) statutory requirements pursuant to the FAST Act and to maintain and improve its unique and continuing government-to-government relationship with and responsibility to the Tribe; and

WHEREAS, to provide the Tribe or its designee, under a Referenced Funding Agreement (RFA), its formula share of TTP funds pursuant to the FAST Act and 25 CFR Part 170, and those additional amounts as the Administrator determines equal the amounts that would have been withheld for the costs of the Bureau of Indian Affairs for administration of the program or project, together with such additional Federal Lands Highways funds as the Tribe may receive or otherwise be entitled to through a formula or competitive grant, award, earmark or other appropriation to the Department of Transportation (DOT), as well any other federal-aid funds under Chapter 1 of Title 23, United States Code, or funds from other sources that may be made available to the Tribe under an agreement to transfer such funds approved by the Administrator or his designee. The Bureau of Indian Affairs Alaska Regional Office shall continue to receive the funds identified in 23 U.S.C. § 202 (a)(6) for certain program management and oversight (PM&O) activities and project-related administrative expenses as further identified in Article II, Section 2 and in approved RFAs; and

WHEREAS, Funds advanced to the Tribe under this Agreement shall be placed in a savings, checking or investment account containing only funds transferred under this Agreement,

which is separated from, and tracked independently of, all other tribal accounts. Interest and investment income that accrue on any funds provided for by agreement become the property of the Tribe in accordance with the provisions of 25 U.S.C. § 450j(b) and may be used on projects and activities identified on an FHWA approved Tribal Transportation Improvement Program.

NOW THEREFORE BE IT RESOLVED, that the Executive Council hereby authorizes the Central Council President or the Chief Operating Officer to submit, negotiate, execute, and administer any and all documents and contracts that are required from the Federal Highway Administration for granting funds to the Central Council for the Tribal Transportation Program Agreement, and managing funds on behalf of this entity, including any subsequent amendments to the said agreement.

ADOPTED this 28 day of January 2016, by the Executive Council of the Central Council of Tlingit and Haida Indian Tribes of Alaska, by a vote of 5 yeas, 0 nays, 0 abstentions and 1 absence(s).

CERTIFY



President Richard J. Peterson

ATTEST



for: Tribal Secretary Jolene Edenshaw