

Oneida Nation

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Oneida, WI 54155

BC Resolution # 09-11-24-A

Authorizing Participation in the U.S. Department of Transportation Tribal Transportation Self-Governance Program

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the U.S. Congress enacted the multi-year surface transportation statute, "the Fixing America's Surface Transportation (FAST) Act," Pub.L No. 114-94 on December 4, 2015, including the amendment of Chapter 2 of title 23, United States Code, adding a new section 207 to Chapter 2 (23 U.S.C. § 207) entitled the "Tribal Transportation Self-Governance Program"; and
- WHEREAS,** 23 U.S.C. § 207(a) directs the Secretary of the Department of Transportation to establish and carry out a program to be known as the "Tribal Transportation Self-Governance Program" ("TTSGP" or "Program"); and
- WHEREAS,** 23 U.S.C. § 207(b) sets out the criteria by which an Indian Tribe is eligible to participate in the Program if the Indian Tribe, by resolution or other official action by its governing body, requests participation in the Program and demonstrates, for the preceding three fiscal years, financial stability and financial management capability and transportation program management capability; and
- WHEREAS,** 23 U.S.C. §207(n) directed the Transportation Secretary to initiate procedures under the Negotiated Rulemaking Act to form a negotiated rulemaking committee to negotiate and promulgate regulations as are necessary to carry out the Tribal Transportation Self-Governance Program; and
- WHEREAS,** the Department of Transportation published the final rule of the TTSGP in the Federal Register on June 1, 2020 for the Program (85 Fed. Reg. 33494 et seq.), with an effective date of October 1, 2020 (49 CFR Part 29); and
- WHEREAS,** the purposes of the TTSGP regulations codified at 49 CFR Part 29 are to establish the Program within the Department of Transportation and to transfer eligible Federal funds to participating Tribes and to facilitate Tribal control over the delivery of Tribal transportation programs, services, functions, and activities (PSFAs); and

WHEREAS, the TTSGP affords participating tribes greater control, flexibility, and decision-making authority over federal funds used to carry out tribal transportation PFSA's in tribal communities; and

WHEREAS, the Oneida Nation successfully carries out transportation programs and projects under agreements with the Bureau of Indian Affairs and Federal Highway Administration, and operates a Tribal Transit Program under agreements with the Federal Transit Administration, and has received various discretionary and competitive grants from the U.S. Department of Transportation; and

WHEREAS, the Oneida Nation possesses the requisite financial and financial management capability and transportation program management capability required to participate in the Program; and

WHEREAS, the Oneida Nation is eligible and desires to participate in the U.S. Department of Transportation's Tribal Transportation Self Governance Program, and

NOW THEREFORE BE IT RESOLVED, the Oneida Nation requests participation in the U.S. Department of Transportation's Tribal Transportation Self Governance Program.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 7 members were present at a meeting duly called, noticed and held on the 11th day of September, 2024; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.



Lisa Liggins, Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."