



USET

SOVEREIGNTY PROTECTION FUND

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USET SPF Resolution No. 2018 SPF:020

SUPPORT OF THE TRIBAL TRANSPORTATION SELF GOVERNANCE PROGRAM NEGOTIATED RULEMAKING COMMITTEE'S MEETING PROCEDURES AND PROTOCOL

- WHEREAS,** United South and Eastern Tribes Sovereignty Protection Fund (USET SPF) is an intertribal organization comprised of twenty-seven (27) federally recognized Tribal Nations; and
- WHEREAS,** the actions taken by the USET SPF Board of Directors officially represent the intentions of each member Tribal Nation, as the Board of Directors comprises delegates from the member Tribal Nations' leadership; and
- WHEREAS,** the extension of the Tribal Transportation Self Governance Program (TTSGP) of the Department of Transportation presents a unique opportunity to streamline and improve the delivery of transportation programs and services to American Indian and Alaska Native (AI/AN) citizens and further empower Tribal Nations by promoting the inherent right for Tribal Nations to self-govern; and
- WHEREAS,** the TTSGP Negotiated Rulemaking Committee was established pursuant to the Fixing America's Surface Transportation (FAST) Act, P.L. 114-94; and
- WHEREAS,** the purpose of this Committee is to develop proposed regulations to carry out the TTSGP in accordance with 23 U.S.C. 207; and
- WHEREAS,** the Committee is charged with the responsibilities set forth in Section 1121 of the Act and the Negotiated Rulemaking Act, which include developing the Notice of Proposed Rulemaking (NPRM), receiving and reviewing public and government comments, and finalizing a recommended final rule that contains the regulations required to carry out the TTSGP; and
- WHEREAS,** the Committee evaluated and adopted protocols that serve to adapt the negotiated rulemaking to this unique context; and
- WHEREAS,** these protocols and meeting procedures were developed in consensus, and in good faith, with the federal partners to promote the negotiation process; and
- WHEREAS,** in December 2010, the United States recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), whose provisions and principles support and promote the purposes of this resolution; therefore, be it
- RESOLVED** the USET SPF Board of Directors requests the Federal Highway Administration follow the established meeting procedures and protocols of the Tribal Transportation Self Governance Program Negotiated Rulemaking Committee and ensure that the Tribal representatives to the Committee remain integral to this process and are provided the


opportunity to negotiate further revisions, if necessary, during the negotiated rule making process as outlined by the Office of the Secretary of Transportation and the Office of Management and Budget.

CERTIFICATION

This resolution was duly passed at the USET SPF Impact Week Meeting, at which a quorum was present, in Arlington, VA, February 8, 2018.



Chief Kirk E. Francis, Sr., President
United South and Eastern Tribes
Sovereignty Protection Fund



Chief Lynn Malerba, Secretary
United South and Eastern Tribes
Sovereignty Protection Fund