



# SQUAXIN ISLAND TRIBE

## RESOLUTION NO. 11---52

of the

### SQUAXIN ISLAND TRIBAL COUNCIL

**WHEREAS**, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; **and**

**WHEREAS**, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; **and**

**WHEREAS**, under the Constitution and the Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of the tribal members, and with protecting and managing the lands and treaty resources and rights of the Tribe; **and**

**WHEREAS**, the Squaxin Island Tribal Council has an established commitment to and history of working to obtain funding from various sources, including federal and tribal funding, for on-reservation and off-reservation transportation projects of importance to the Tribe and the surrounding community; **and**

**WHEREAS**, the Squaxin Island Tribal Council is aware that the Bureau of Indian Affairs (BIA) through its Indian Reservation Roads (IRR) program provides funds for eligible transportation projects and programs; **and**

**WHEREAS**, the Squaxin Island Tribal Council is aware that the Tribe's FY11 share of IRR funds totals \$292,979;

**WHEREAS**, the Squaxin Island Tribal Council is aware that the BIA has initiated a new Program Agreement by which Tribes may receive their annual share, and that this program is modeled on the Office of Self Governance lump-sum distribution method; **and**

**WHEREAS**, the Squaxin Island Tribal Council is aware that, subject to the availability

of funds and the execution of a Referenced Funding Agreement (RFA) by the Tribe and the Director of the BIA, the Tribe shall receive a single advance payment by electronic transfer within thirty (30) calendar days and that these funds shall be used by the Tribe as permitted under 23 USC §(d) and 25 CFR Part 170, both as amended by SAFETEA-LU, other applicable laws, and for the purposes authorized under the Program Agreement, so long as such funds are used in accordance with Federal appropriations law; **and**

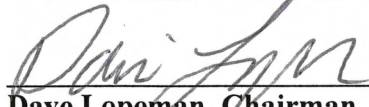
**WHEREAS**, the Squaxin Island Tribal Council is aware that under the new Program Agreement, any funds which are paid to the Tribe under the RFA which have not been expended by the Tribe at the conclusion of the Federal Fiscal Year shall remain in the custody of the Tribe and be used for the purposes authorized under the RFA and the Program Agreement; **and**

**NOW THEREFORE BE IT RESOLVED**, that the Squaxin Island Tribal Council hereby authorizes submittal of the Indian Reservation Roads Program Agreement Between the Squaxin Island Tribe and the United States Department of the Interior Bureau of Indian Affairs and the Referenced Funding Agreement.


**THEREFORE BE IT FURTHER RESOLVED**, that the Squaxin Island Tribal Council does hereby authorize the Tribal Chairman, Interim Executive Director, and the Director of Operations to be the Tribe's representative in all future matters requiring Tribal authorization for projects to be funded through this Agreement, and that these authorities shall be for the duration of the Agreement.

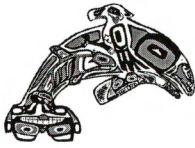
#### CERTIFICATION

The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 28 day of July 2011, at which time a quorum was present and was passed by a vote of 5 for and 0 against with 0 abstentions.

  
Dave Lopeman, Chairman

  
Arnold Cooper, Vice Chairman

Attested by:  FOR  
Pete Kruger, Secretary



# Squaxin Island Tribe

## BIA Indian Reservation Roads Program

### New Program for Funds Distribution

#### **Purpose**

Request for Council Approval of Resolution authorizing submittal of a new funding agreement with the Bureau of Indian Affairs for Indian Reservation Roads transportation funding.

#### **Background**

On June 28, 2011, BIA announced a new government-to-government program as an optional way for Tribes to receive their annual share of Indian Reservation Roads funds. The new program was introduced at a workshop at Little Creek attended by Margaret Foley, Planning Manager, Julie Goodwin, Finance, and Nate Schreiner, Legal.

Legal and Finance have reviewed and approved participation in the government-to-government program. Nate Schreiner prepared the documents required to initiate the agreement.

The Tribe's FY11 share total is \$292,979, a 16% increase over last year.

#### **Benefits to the Squaxin Island Tribe**

- Tribes that elect to participate in the government-to-government program will receive their annual shares as a lump sum.
- The Tribe has control over the funds upon receipt. This provides significantly more flexibility to the Tribe in allocating funds for projects eligible for IRR funding.
- Any unused funds at the end of the Federal fiscal year remain in the control of the Tribe, enabling the Tribe to "stockpile" funds for future projects.
- The reporting and contract administration burden will be significantly reduced.
- Funds currently obligated to P.L. 638 contracts can be de-obligated and transferred to the Tribe

#### **Action Needed**

To participate in the new program, the Tribe must submit a signed Agreement, Referenced Funding Agreement and authorizing Council Resolution to the BIA's Northwest Regional Office by **August 1, 2011**.

#### **Next Steps**

Once the Agreement is executed for FY11 funds, the Planning Department will begin to work with the Northwest Regional Office to transfer funds from existing PL 638 contracts.