



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 02-94

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, under the Constitution, 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 been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education, and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; **and**

WHEREAS a Notice of Proposed Rule Making (NPRM) dated August 7, 2002, amending 25 CFR 170, was published in the Federal Register which proposed regulations and a funding distribution formula for the Indian Reservation Roads Program; **and**

WHEREAS, due to the lack of appropriate consultation and unilateral Federal changes, the time period, (ending October 7, 2002), is inadequate to review the significant impact proposed to Tribal Transportation, **and**

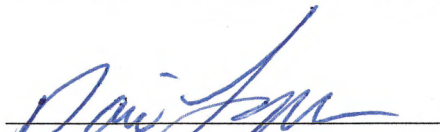
WHEREAS, a thorough review of the NPRM is of extreme importance to Indian Country,


NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribe respectfully requests a 60 day extension be granted for the purpose of making comments on the August 7, 2002, Department of the Interior, Bureau of Indian Affairs, 25 CFR Part 170 Indian Reservation Roads Program; Proposed Rule.

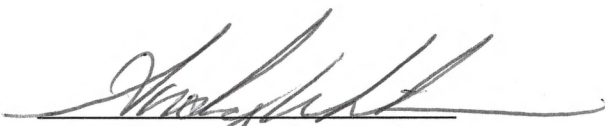
BE IT FURTHER RESOLVED, that the attached Position Synopsis defines the complexity of the issue of federal changes and clarifies the need for the requested 60 day extension

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 26th day of September 2002, 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

Attested by: 
Pete Kruger, Sr., Secretary


Andy Whitener, Vice Chairman

“POSITION SYNOPSIS”

At the time of the December 19, 2001 document, specific language and definitions of terms were used, and agreed to by the Tribal Caucus of the Negotiated Rulemaking Committee.

Despite the un-realistically short time frames dictated by TEA21 to achieve a national funding formula, this was accomplished despite the circumstances which may well have fostered Tribal non-participation in the NPRM process.

Regarding the circumstances surrounding the December 19, 2001 document, consensus on the language, definitions, and processes was achieved, and the process was moved forward.

In the August 7, 2002 Proposed Rule, glaring changes in language, definitions and processes has occurred. (Please see attached comparative analysis of Subpart C NPRM:IRR, Dec 19, 2001 Tribal Caucus Consensus vs Aug. 7, 2002 Federal Proposed Rule).

As this Proposed Rule was published on August 7, 2002, analysis and dissemination of the unilateral changes effected by Federal Agency Officials are presently in discussion. By necessity, the Proposed Rule will need to be reviewed by Tribal Leadership for an informed approach to commenting.

This resolution supports a 60 day extension of the Comment Period to Proposed Rule making.