



**Qagan Tayagungin Tribe
P. O Box 447
Sand Point, AK 99661
(907)383-5616
Fax (907)383-5814**

RESOLUTION 16-03

**APPROVING THE TRIBES'S ASSUMPTION OF TRANSPORTATION FUNCTIONS
UNDER THE FAST ACT**

WHEREAS, the Qagan Tayagungin Tribe of Sand Point is a sovereign federally recognized tribe with government status with the United States of America; and

WHEREAS, the Qagan Tayagungin Tribal Council is the governing body of the Qagan Tayagungin Tribe of Sand Point; and

WHEREAS, Qagan Tayagungin Tribal Council is empowered to negotiate with Federal, State and local governments, and others on behalf of the Qagan Tayagungin Tribe, to advise and consult with representatives of the Department of federal agencies on all activities on behalf of the Tribe, and

WHEREAS, Qagan Tayagungin Tribal Council finds that transportation infrastructure is vital to the future economic prosperity of Tribal Members; and

WHEREAS, The Qagan Tayagungin Tribal Council finds that rebuilding roads, bridges, trails, and transportation facilities on, or which provide access to the Qagan Tayagungin Tribe improves the safety and security of Tribal members and nonmembers who live or work at the Qagan Tayagungin Tribe, and renews the sense of pride that all members have for our Tribe; and

WHEREAS, the Congress passed and the President Signed the Fixing America's Surface Transportation Act (FAST Act) Pub. L. 114-94 (December 4, 2015); and

WHEREAS, The FAST Act increases opportunities for Tribal governments in the administration and development of Tribal transportation programs and authorizes the Secretary of Interior to contract directly with Tribes to assume the responsibilities of and the associated funding for the Tribal Transportation Program (TTP) serving a Tribe; and

WHEREAS, 23 U.S.C. § 202(a)(2)(B), as amended together with the FAST Act, provides that an Indian Tribe may carry out a Tribal Transportation Program or project through a contract or other appropriate agreement with the Secretary of Interior.

WHEREAS, the Qagan Tayagungin Tribal Council believes that establishing a comprehensive transportation program for the Tribe will further the long-term interests of the Tribe, afford the Tribe greater flexibility and control to prioritize transportation needs for the Tribe, and permit the Tribe to utilize flexible financing arrangements available by law to speed the development of transportation infrastructure;

WHEREAS, Qagan Tayagungin Tribal Council desires to assume the Secretary of Interior's duties and functions with respect to the Tribal Transportation Program serving the Qagan Tayagungin Tribe and such other Tribal Transportation programs-as may be appropriate under 23 U.S.C § 202(b)(7)(G), as amended by the FAST Act; and

WHEREAS, Qagan Tayagungin Tribe possesses the financial stability and management capability required by the FAST Act, and possesses the expertise and experience to assume the Secretary of the Interior's responsibilities in the area of transportation planning, design, construction and maintenance;

NOW, THEREFORE BE IT RESOLVED that the Qagan Tayagungin Tribal Council does hereby approve issuing a Notice of Intent to the Secretary of the Interior to assume the transportation duties of the Secretary under the Tribal Transportation Program for transportation-related activities for the Qagan Tayagungin Tribe and instructs the Tribal Administrator to take all necessary actions to develop a mutually acceptable government-to-government agreement to administer the Tribal Transportation Program serving the Tribe.

BE IT FURTHER RESOLVED that the Tribal President is hereby authorized and instructed to sign this Resolution and all necessary agreements and contracts for and on behalf of the Tribe in order to establish and assume the transportation duties of the Secretary of the Interior serving the Native Village of Sand Point.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ABOVE RESOLUTION WAS DULY ADOPTED BY THE QAGAN TAYAGUNGIN TRIBE ON THE 27 DAY OF April, 2016, BY A QUORUM OF 6 YES, AND 0 NO VOTES

ATTEST:


David O. Osterback, President


Glen Gardner Jr., Secretary/Treasurer