

TRIBAL INTERIOR BUDGET COUNCIL

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Resolution of the Tribal Interior Budget Council Tribal Caucus

Title: Supporting Tribal Access to the Federal Aid in Sportfish Restoration Act (AKA Dingle-Johnson Act) and the Federal Aid in Wildlife Restoration Act (AKA Pittman-Robertson Act), as amended.

WHEREAS, the Tribal Interior Budget Council (TIBC) meets from time to time with Federal officials from the executive branch to discuss federal budget issues affecting Tribal Nations regarding programs that are administered by the Department of Interior; and

WHEREAS, the Federal Aid in Sportfish Restoration Act of 1950 (AKA Dingle-Johnson or DJ Act) and the Federal Aid in Wildlife Restoration Act of 1937 (AKA Pittman-Robertson or PR Act), as amended, impose federal excise taxes on the sale of most hunting and fishing equipment, with the resulting revenues disbursed by the Department of the Interior to the states, territories, and the District of Columbia to conduct fish and wildlife enhancement activities; and

WHEREAS, Indian tribes were never included in the apportionment of DJ/PR Act revenues, even though tribal members pay the same excise taxes on hunting and fishing equipment as do all Americans, and even though most tribes have fish and wildlife management programs on their reservations; and

WHEREAS, generally, the states use tribal lands and populations in determining their share of DJ/PR apportionments, but do not share such revenues with the tribes; and

WHEREAS, tribal lands make up about 16% of the lands under Interior management, and about 5% of the land area of the United States, yet tribal lands managed by Indian tribal governments are the only United States land areas which receive no revenues, and thus no benefits, under the DJ/PR Acts; and

WHEREAS, In 2014, the Department of Interior disbursed more than \$1 Billion in DJ/PR revenues to the states, territories, and the District of Columbia, and nothing to Indian tribes; and

WHEREAS, the failure to include Indian Tribal Governments in the apportionment of DJ/PR funds for more than 50 years represents a wrong that has severely harmed tribes' abilities to conserve and manage fish and wildlife populations intended by these Acts; and

WHEREAS, tribes have made several attempts in the past to obtain equitable access to revenues generated by the DJ/PR Acts, but have been met with resistance especially by the states; and

WHEREAS, the only way to ensure tribes and tribal members have equal representation under law is to amend the DJ/PR Acts to include an equitable apportionment to all federally recognized tribes;

NOW THEREFORE BE IT RESOLVED, by the leaders of the Tribal Nations attending the TIBC meeting in Washington, D.C, on November 5-6, 2014, that exclusion of Indian Tribal Governments from an equitable apportionment of revenues under the DJ/PR Acts is unfair, and amounts to nothing less than Taxation Without Representation; and


BE IT FURTHER RESOLVED, the leaders of the Tribal Nations attending the TIBC meeting in Washington, D.C. call upon the Administration, the Secretary of Interior, and Congress to take steps to assist tribes in correcting this longstanding inequity, including the utilization of flexibilities inherent in Executive Orders and Departmental Policies; and

BE IT FURTHER RESOLVED, the leaders of the Tribal Nations attending the TIBC meeting in Washington, D.C recommend to the Senate Committee on Indian Affairs, and the House Subcommittee on Indian and Alaska Native Affairs, that they conduct hearings as soon as possible, to bring to light the unfairness of the DJ/PR Acts for tribes, and for discussion on amending the DJ/PR Acts to include federally recognized tribes in all future apportionments.

CERTIFICATION

This resolution came before the Tribal leader caucus attending the Tribal Interior Budget Council in Washington, D.C. on November 6, 2014 and was passed unanimously.


Ron Allen, Co-Chair
Tribal/Interior Budget Council


Edward K. Thomas, Jr., Co-Chair
Tribal/Interior Budget Council