

## **2009 Winter Conference**

### **Tulalip, Washington**

#### **RESOLUTION # 09-27**

#### **“RE-INITIATION OF THE NATIVE AMERICAN FISH AND WILDLIFE MANAGEMENT ACT”**

### **PREAMBLE**

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

**WHEREAS**, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

**WHEREAS**, ATNI is a regional organization comprised of American Indians in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

**WHEREAS**, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

**WHEREAS**, the health, safety, welfare, education, economic and employment opportunity, and preservation of tribal cultural and natural resources; and are dependent upon a foundation of healthy ecosystems, thriving plant communities, and abundant fish and wildlife resources; and

**WHEREAS**, the Federal Aid in Wildlife Restoration Act, popularly known as the Pittman-Robertson Act, was approved by Congress on September 2, 1937, and began functioning July 1, 1938 with the purpose of providing funding for the selection, restoration, rehabilitation and improvement of wildlife habitat, wildlife management research, and the distribution of

information produced by the projects with funds derived from an 11 percent Federal excise tax on sporting arms, ammunition, and archery equipment, and a 10 percent tax on handguns; and

**WHEREAS**, the Federal Aid in Sport Fish Restoration Act, commonly referred to as the Dingell-Johnson Act, passed on August 9, 1950, modeled after the Pittman-Robertson Act to create a parallel program for management, conservation, and restoration of fishery resources, and is funded by revenues collected from the manufacturers of fishing rods, reels, creels, lures, flies and artificial baits, who pay an excise tax on these items to the U.S. Treasury with an amendment in 1984 (Wallop-Breaux Amendment) adding new provisions to the Act by extending the excise tax to previously untaxed items of sport fishing equipment; and

**WHEREAS**, these funds are collected from the manufacturers by the Department of the Treasury and are apportioned each year to the States and Territorial areas (except Puerto Rico) by the Department of the Interior on the basis of formulas set forth in the Act; and

**WHEREAS**, appropriate State agencies are the only entities eligible to receive grant funds which is determined by a formula which considers the total area of the state and the number of licensed sportsmen in the state; and

**WHEREAS**, tribal members pay these Federal excise taxes as do non-tribal sportsmen hunting and fishing on tribal lands and States that encompass Indian reservations are using tribal land bases in the calculation that determines their respective apportionment; and

**WHEREAS**, in 2001, the Native American Fish and Wildlife Society (NAFWS), a non-profit Indian organization to the preservation and conservation of tribal fish and wildlife resources led a national effort to introduce legislation to correct this gross inequity; and

**WHEREAS**, the NAFWS worked with Senator Daniel Inouye and Senator Ben Nighthorse Campbell to introduce legislation, called the Native American Fish and Wildlife Management Act; and

**WHEREAS**, due to a lack of adequate tribal support and extreme opposition from the International Association of Fish and Wildlife Agencies, a national organization comprised of the State Fish and Wildlife agencies, the Native American Fish and Wildlife Management Act did not make it through the Senate; and

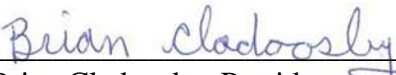
**WHEREAS**, the new Obama administration and complexion of Congress represents an opportunity to reinvigorate the Native American Fish and Wildlife Management Act and provide equitable treatment of tribal fish and wildlife resources and habitat under The Federal Aid in Wildlife Restoration Act, The Federal Aid in Sport Fish Restoration Act, and the Wallop-Breaux Amendment; now

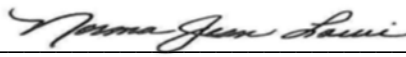
**THEREFORE BE IT RESOLVED**, the Affiliated Tribes of Northwest Indians directs ATNI staff to work closely with the National Congress of American Indians, Native American Fish and Wildlife Society, the Native American Advisor to the White House, Congressional staff, tribal leaders, and all other important partners to reinitiate the Native American Fish and Wildlife Management Act and remedy this long-standing inequality that prevents Tribes from obtaining their fair share of the Federal excise taxes generated to restore and conserve this Nation's fish and wildlife resources; and

**BE IT FURTHER RESOLVED**, ATNI strongly encourages this Nation's tribal leaders, National Congress of American Indians, Native American Fish and Wildlife Society, the Native American Advisor to the White House, Congressional staff, and all important partners to reinitiate the Native American Fish and Wildlife Management Act to remedy the long-standing inequality inherent in the Pittman-Robertson, Dingell-Johnson, and Wallop-Breaux Acts.

**CERTIFICATION**

The foregoing resolution was adopted at the 2009 Annual Winter Conference of the Affiliated Tribes of Northwest Indians, held at the Tulalip Resort & Casino, Tulalip, Washington on February 19, 2009 with a quorum present.

  
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Brian Cladoosby, President

  
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Norma Jean Louie, Secretary