

## **PACT ACT IS ATTACK ON TRIBAL SOVEREIGNTY**

The enactment of the PACT Act in June 2010 has caused numerous concerns on behalf of Indian Tribes throughout the United States. Provisions in that law specifically target tribes who sell tobacco on their reservations. The Department of Justice has been noticeably silent on how they will interpret the rules in regard to Indian Tribes. A tribal consultation was held in 2010 but at that time no specifics were communicated to the tribes attending regarding the interpretation of the rules as it applies to Indian Country.

We are still waiting for that interpretation. In the meantime there are several provisions in the PACT Act that directly affect tribal sovereignty and that seem to try to enforce state laws on Indian Tribes selling tobacco. Without clarification, implementation of the PACT Act as it stands today will have catastrophic financial impact on tribes throughout the country, particularly smaller, poorer tribes who rely on tobacco sales to help run their economies. In fact, the implementation of the PACT Act will destroy the fourth largest economic engine available to tribes throughout the United States.

## **STATES JUMPING ON THE BANDWAGON**

Legislation has now been introduced in the Nebraska Unicameral to mirror provisions of the PACT Act and specifically target tribes who are selling tobacco on reservations within the state. This is bigger than just Nebraska. In fact, this bill is a template furnished to Nebraska by the National Attorney Generals Association and it has been most likely distributed to every State Attorney General. This state legislation now definitely allows states to stop sharing revenue with Tribes and tries to strip tribes of sovereignty in regard to tobacco sales on the reservation. If they succeed in this effort, this will be only the first of many attempts to strip sovereignty and tribal rights throughout the country.

We have included a letter written by Winnebago Tribal Chairman John Blackhawk expressing his concerns to the Nebraska Unicameral Revenue Committee. Please see the link below.

It is critical that you contact your state and federal legislators to stop this dangerous tactic on the part of the government to continue to defeat Indian Tribes from the economic success that they rightfully deserve.

Please forward the letter asking for tribal consultation addressed to Attorney General Eric Holder to your appropriate Tribal officials for their signature and submission of the letter to his office. Thank you for your interest and support.

[Click here to open Blackhawk Letter To Nebraska.](#)

[Click here to open Tribal Consultation Letter.](#)