



UNITED SOUTH AND EASTERN TRIBES, INC.


Resolution No. USET 2001: 040

FEDERAL WAGERING EXCISE TAX

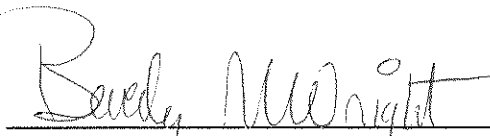
- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprising twenty-four (24) federally recognized tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member tribe, as the Board of Directors comprises delegates from the member tribes' leadership; and
- WHEREAS,** the Internal Revenue Service (IRS) has attempted to impose a federal wagering excise tax—26 U.S.C. § 4401(a)(1)—on the sale of paper pull-tabs by Indian gaming enterprises; and
- WHEREAS,** 26 U.S.C. § 4401(a)(1) is an anachronistic and archaic provision of the Internal Revenue Code which was never intended to apply to tribal gaming operations; and
- WHEREAS,** the imposition of the wagering excise tax on Indian nations is illegal and affront to tribal sovereignty; and
- WHEREAS,** one federal court has sustained the efforts of the IRS to collect the wagering excise tax, while another federal court has sided with the tribes on this issue; and
- WHEREAS,** the U. S. Supreme Court has elected to review the lower court cases to determine the applicability of the wagering excise tax to Indian nations; therefore, be it
- RESOLVED** the USET Board of Directors hereby urges the U. S. Supreme Court to strike down the illegal efforts of the IRS to impose wagering excise taxes on Indian nations; and, be it further
- RESOLVED** the U. S. Congress, regardless of the decision of the U. S. Supreme Court, repeal 26 U.S.C. § 4401(a)(1) as an anachronistic and ineffective provision of federal tax law.

CERTIFICATION

This resolution was duly passed during a meeting of the Board of Directors during Impact Week, at which a quorum was present in Arlington, Virginia on Thursday, February 1, 2001.



Keller George, President
United South and Eastern Tribes, Inc.



Beverly Wright, Secretary
United South and Eastern Tribes, Inc.

“Because there is strength in Unity”