

Native Villages To Receive Revenue Sharing Payments

By KAREN BUCHENEAX

WASHINGTON, D. C. — (AIPA) — Revenue sharing payments to Indian governing units under the 1972 revenue sharing act are beginning in January from the U. S. Treasury Department.

Indian tribes were excluded from the Dec. 8 payments to other units of government because of "data, definitional and

procedural problems," according to Treasury's Revenue Sharing Office.

The Indian share in the five-year program is determined as follows:

— Each state government is entitled to retain one-third of the total amount of revenue sharing monies allocated to that state, with the remaining two-thirds to be divided among the units of local government:

— Indian tribes and Alaska Native villages which have recognized governing bodies performing substantial governmental functions will receive an allocation that is a part of the total monies being paid to the county or counties within which the tribe or village is located;

— The special Indian allocation is based on the population of the tribe or village in relation to the overall population of the

county area. If, for example, the tribal population equals ten per cent of the county population, the tribe will receive ten per cent of the funds allocated to that county.

The five-year revenue sharing program will pay out \$5.3 billion for 1972 and \$6.35 billion by fiscal year 1976 to state and local governments.

Payments will be made directly from the U.S. Treasury to the

tribal governing bodies. Regulations governing use of the funds have been drawn up and tribes will be subject to them. The only special mention of Indians in the Treasury regulations states:

"Indian tribes and Alaska Native villages ... are required to expend entitlement funds only for the benefit of the tribe or village residing in the county area from which the allocation of entitlement funds was originally made."

Pertinent rules governing the use of Indian revenue sharing funds are:

The funds must be placed in trust funds and separate accounts must be kept for them.

The funds may not be used as matching funds for any federal program.

Revenue sharing monies can be used only for "priority expenditures."

Priority expenditures are defined as ordinary and necessary maintenance and operating expenses for public safety, environmental protection, public transportation, health, recreation, libraries, social services and financial administration, together with ordinary and necessary capital expenditures as authorized by law.

Problems encountered by the Revenue Sharing Office which held up the tribal payments included gathering of correct statistics on Indian populations in the counties, the preparation of a definition of what constitutes a "substantial governmental function," and finding the names of the tribal officers to whom the revenue sharing checks would be mailed, said a Treasury Department spokesman.

The manner in which Indian tribes have been included in the revenue sharing act was decided in a joint Senate-House conference committee and in a House of Representatives amendment in September.

The first formula, developed in the Senate by Sens. Mike Gravel, D-Alaska, and Lee Metcalf, D-Mont., would have given Indians one fourth of one per cent of the total revenue sharing appropriation. The legislation with this version as an amendment passed the Senate over the objections of Sen. Russell Long, D-La., powerful chairman of the Senate Finance Committee.

Long, who is from a state which does not have "tribes performing substantial governmental functions," based his opposition on the premise that Indians were a local responsibility and that as such their allocation should come out of local funds.

In the joint conference committee, Long teamed up with the equally powerful chairman of the House Ways and Means Committee, Rep. Wilbur Mills, D-Ark., who also does not have any tribes in his state performing substantial governmental functions, to get the House amendment accepted.

In a related event, Gravel in December asked the General Accounting Office (GAO) to conduct a study of the amount of money going to tribes under the formula finally passed by congress with a view toward amending the act later along the lines of his original formula, if it is determined by GAO that Indians are getting less under the present manner of allocation.

Gravel based his formula on the premise that Indians are a federal responsibility and as such that their share should be taken from the total federal appropriation for revenue sharing.